

# Ashfield District Local Plan Examination

# Matters, Issues and Questions identified by the Inspectors

# Matter 11:

# Transport and Infrastructure

**December 2024**

**Ashfield District Council’s response to Inspectors’ Document INS03**

This document is Ashfield District Council’s response to the Matter, Issues and Questions (MIQs) identified for examination by Inspectors Mr. Philip Mileham and Mr Graham Wyatt, of the Planning Inspectorate, as published on the 30th September 2024. This is one of twelve separate papers produced to address the specific matters and issues identified on the front page.

Each response paper includes a number of references to specific evidence which has been relied upon in answering the MIQs. These reference numbers (shown as **[XXXX]**) relate directly to the Examination Library website, where all evidence is published: <https://www.ashfield.gov.uk/local-plan-examination/examination-library/>

The Inspectors’ questions are shown below in ***bold italics***.

The Council’s responses are shown in normal typeface below the Inspector’s questions.

|  |
| --- |
| Proposed Modifications arising from the Inspectors’ MIQs are set out in grey tint boxes.  Proposed new text in **Bold**. Propose text to be deleted ~~strikethrough~~. |

## Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to transport and infrastructure.

## Relevant policies:

## S9 – Aligning Growth and Infrastructure

## SD10 – Transport Infrastructure

### Infrastructure overall

***11.1 How will key infrastructure be delivered and funded?***

Council’s response

11.1.1 The Council has worked closely with stakeholders, infrastructure providers and partner organisations to produce the Infrastructure Delivery Plan (IDP) [SEV. 36.1]. The infrastructure schedule appended to the IDP lists the key items of infrastructure which are anticipated to be required during the plan period, together with details of the anticipated cost and funding sources. In relation to the responsibilities of the County Council, this includes items of education, transport, waste, and library infrastructure. The County Council would be the responsible body for delivering these items of infrastructure utilising developer contributions and other funding, where this is available, and in conjunction with other bodies as needed, such as academy trusts. The Council is in regular conversation with the Nottingham and Nottinghamshire Integrated Care Board regarding their requirements and delivery timescales for health facilities, as detailed in the Infrastructure Delivery Plan.

11.1.2 The County Council will seek to secure proportionate contributions towards the listed items in accordance with Policy SD5 of the Local Plan, which requires development to meet all reasonable infrastructure costs associated with proposals, including *ii. education provisions/facilities; v. new and expanded community facilities; and vii. transport infrastructure including the strategic transport network, public transport, cycleways and pedestrian access to town centres*. The County Council has an adopted Developer Contributions Strategy (DCS) which provides guidance on how it will calculate such contributions.

***11.2 Do the Plan’s Strategic Policies clearly identify and make provision for infrastructure including, but not limited to, transport, telecommunications, security, waste management, water supply, flood risk and community facilities as required by paragraph 20 of the Framework?***

Council’s response

11.2.1 Yes. The Plan’s Strategic Policies identify and make provision for infrastructure requirements necessary to address the strategic priorities for the area, as required by paragraph 20 of the Framework. The purpose of the Strategic Polices are to provide a clear starting point for the non-strategic detailed matters polices.

***11.3 Does the Plan’s spatial strategy rely on any critical infrastructure which is subject to phasing?***

Council’s response

11.3.1 No. The Plan’s spatial strategy does not rely on any critical infrastructure which is subject to phasing.

### Transport

***11.4 How have the potential impacts of the development proposed in the Plan been tested, and how will the necessary highways mitigation be delivered?***

Council’s response

11.4.1 The Ashfield Strategic Transport Study [SEV.39.1] sets out that the potential impacts of the development proposed in the Plan, has been tested at a strategic level through the East Midlands Gateway Model (EMGM); a multimodal transport model built following the guidance in DfT’s TAG Unit M2 and supported by Nottinghamshire County Council Highways Authority. A further design year has been adopted of 2040 which takes into consideration planned growth in adjacent District in line with the Department for Transport core growth scenario.  The planned development within the District will not significantly impact average journey speeds within the model study area but contribute to delay within the road network and result in additional queueing in the peak hour periods.  The mitigation package that is proposed is targeted towards the principal and strategic roads within the District.  The mitigation will be delivered by a combination of S106 developer contributions and other funding as set out in the Infrastructure Delivery Plan [SEV.36.1].

**1*1.5 Does the Plan clearly identify necessary transport mitigation measures that arise from the overall spatial strategy, but also from specific site allocations?***

Council’s response

11.5.1 The strategy focuses improvements on the principal and strategic road network to focus traffic on these routes to minimise the impact on communities that would arise from intensification of the secondary and tertiary roads within the District.  As the strategy seeks to manage growth on roads that can best accommodate the growth, there is a less direct geographical relationship to the specific site allocations other than for the example the planned employment site near Junction 27 which will deliver works to the motorway junction directly.

11.5.2 As required by Policy SD10: Transport Infrastructure, individual site allocations will need to be supported by an appropriate Transport Statement or Transport Assessment which will identify whether there are direct works necessary to support sustainable travel opportunities, ensure safe and suitable access and appropriately mitigate impacts.

***11.6 What effect does the Plan’s strategy and site allocations have on the Strategic Road Network? What evidence is there that the mitigation measures proposed in the Strategic Transport Modelling Assessment Report (SEV.39.1) will be effective? Is this evidence sufficiently clear?***

Council’s response

11.6.1 National Highways is responsible for the Strategic Road Network (SRN) comprising motorways and trunk road. In Ashfield this comprises the M1 motorway.

11.6.2 The Council has worked closely with National Highways on the Local Plan and its supporting evidence base, including the Strategic Transport Study [SEV.39.1], the Infrastructure Delivery Plan [SEV.36.1] and the recently completed Transport Study Review (December 2024) following the removal of the strategic settlement sites at Whyburn Farm and Cauldwell Road.

11.6.3 The Statement of Common Ground between Ashfield District Council and National Highways [SCG.05], set out that both parties have agreed that ‘transport modelling has not identified any insurmountable constraints in Ashfield District and along the Strategic Road Network, in particular Junctions 27 and 28 of the M1 Motorway, arising from the policies and proposals in the Ashfield Local Plan.

11.6.4 The Plan seeks to encourage employment in locations which will minimise the direct impact on the existing communities by locating in places with good access to the principal and SRN. The planned employment sites at Junction 27 of the M1 (Policy S6) both have planning applications submitted (V/2022/0246 – recommended for approval / subject to call in by the Secretary of State, and V/2022/0360 – approved September 2024), and following National Highway’s comments on the applications, additional works will be undertaken in relation to the motorway junction directly.

***11.7 What effect does the Plan’s strategy and site allocations have on the Local Highway Network?***

Council’s response

11.7.1 The locational strategy within the Plan seeks to reinforce and strengthen existing communities within the District in support of sustainable transport objectives and in particular the need to travel.

***11.8 Is there clear evidence that the proposed highway interventions in the full mitigation scenario have been suitably assessed and any critical transport improvements identified and costed?***

Council’s response

11.8.1 As can be seen on the difference plots within the Systra report the mitigation is effective at concentrating growth on the roads best able to accommodate whilst minimising the impact on existing communities. There are not works which are critical to the delivery of the plan but will contribute cumulatively to the transport strategy. At present the improvement works have been developed and costed at a high level to inform the Plan and demonstrate delivery.

***11.9 What does ‘large scale development’ mean in the context of requirement in Policy SD10 for a Transport Assessment? Is there a threshold? If so, what is it and is it justified by evidence?***

Council’s response

11.9.1 The NPPF sets out at paragraph 113 that, *“All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed”.*

11.9.2 The Local Plan at paragraph 9.108 sets out that a Transport Assessment or Statement, and a Travel Plan will be required as part of certain proposal and references the local highway design guide. Section 1.2 of the Nottinghamshire Local Highway Design Guide explains the need for Transport Assessments, Transport Statements and Travel Plans, and includes Table T1.2 which shows the thresholds for these requirements.

11.9.3 It is noted that the requirements for when a Transport Assessment or Statement, and a Travel Plan is not clear in Policy SD10, as such the Council proposes the following modification:

|  |
| --- |
| Amend criteria 4 of Policy SD10 to read:  ~~Transport Assessments should be submitted alongside applications for large scale development. Smaller scale developments will require a Transport Statement. Comprehensive Travel Plans should also be devised for residential developments and commercial development schemes where necessary, in accordance with Highway Authority standards.~~  **‘Development proposals that generate significant levels of movement are required to be supported by a transport assessment or statement, together with a travel plan, which demonstrates how sustainable transport measures have been addressed, in accordance with the Nottinghamshire Highways Authority standards.’**  Amend paragraph 9.108 to read:  ~~Nottinghamshire County Council (the Highway Authority for Ashfield) is responsible for the implementation of LTP3. The Council will require Transport Statements (TS) and Transport Assessments (TA) and Travel Plans to be submitted with certain proposals. Planning applications should accord with current standards and guidance set out in national and local highway design guides~~~~[[1]](#footnote-1)~~~~.~~  **‘A transport assessment or statement, together with a travel plan, will be required for proposals that generate significant levels of movement. The scope of the assessment, including the need to address any cumulative impacts on the highway network, will need to be agreed with the Council in consultation with Nottinghamshire County Council as the Highway Authority for Ashfield. Information supporting planning applications should accord with current standards and guidance set out in national and local highway design guides\* and the Design Manual for Roads and Bridges (DMRB) where appropriate.**  \***At the time of publication, the Nottinghamshire Highway Design Guide.’** |

***11.10 Has Policy SD10 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in seeking to address the impacts of development on transport infrastructure and potential mitigation strategies?***

Council’s response

11.10.1 Yes. The Council has engaged with all stakeholders, organisations and persons on the Council’s Local Plan database, when consulting on the Regulation 18 Draft Local Plan [CD.01] and the Regulation 19 Pre-Submission Draft Local Plan [SD.01]. Details can be found in the Council’s Statement of Community Involvement [SD.06].

11.10.2 The Council has worked closely with Nottinghamshire County Council (Highway Authority for Ashfield) and Highways England to develop appropriate Local Plan polices and mitigation strategies to address the impacts of development on transport infrastructure.

11.10.2 Key evidence base documents on which the Council have worked with the Highways Authority and Highways England are the Strategic Transport Study [SEV.39.1], the Infrastructure Delivery Plan [SEV.36.1] and the recently completed Transport Study Review (December 2024) following the removal of strategic settlement sites at Whyburn Farm and Cauldwell Road.

11.10.3 The effectiveness of this active and ongoing cooperation is evident in the Plan, its policies and the wide-ranging agreements that are in place, including:

* The Statement of Common Ground between Ashfield District Council and National Highways [SCG.05], which sets out that both parties have agreed that:
* Transport modelling has not identified any insurmountable constraints in Ashfield District and along the Strategic Road Network, in particular Junctions 27 and 28 of the M1 Motorway, arising from the policies and proposals in the Ashfield Local Plan.
* The Ashfield Local plan will seek mitigation measures for required transport improvements to which developer contributions and/or developer led schemes (i.e. Sec.278s) will be sought. These are included in the Infrastructure Delivery Schedule within the Ashfield Infrastructure Delivery Plan (IDP), November 2023.
* Any planning obligations sought as part of new development will be directed to infrastructure improvements where mitigation measures have been identified.
* The Statement of Common Ground between Ashfield District Council and Nottinghamshire County Council [SCG.07], which sets out that both parties have agreed that:
* The East Midland Gateway Model (EMGM) is an appropriate model to understand the implications of growth on the highway network.
* Ashfield Council have cooperated with Nottinghamshire County Council and National Highways, and no ‘show-stopping’ transport constraints have been identified by these organisations.
* The Transport modelling has identified that some junctions within Ashfield District would still be operating above capacity as a result of the development proposals contained in the Local Plan. However, the policies in the Local Plan would deliver viable options to mitigate impacts, including measures to encourage modal shift.
* The Ashfield Local Plan will seek mitigation measures for required transport improvements to which contributions will be sought from developers. This is included in the Infrastructure Delivery Schedule within the Infrastructure Delivery Plan (IDP). Both councils will cooperate to ensure there is a strategy to collect developer contributions towards these schemes on an equitable basis.

1. At the time of publication, the Nottinghamshire Highway Design Guide [↑](#footnote-ref-1)