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

Land off, Cauldwell Road, Sutton in Ashfield, Notts, NG17 5LB

Prepared on behalf of Campfield Farms Ltd

January 2024

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Appendices

Appendix A – Site Location Plan

Appendix B – Extract of Reg 18 Draft Local Plan Strategic Policy S7

1 Introduction

- 1.1 Ceres Property have been instructed on behalf of Campfield Farm (“the Landowner”) to prepare and submit representations to the Ashfield Local Plan 2023 – 2024: Regulation 19 pre-Submission draft (hereinafter referred to as “PSD”) consultation run by Ashfield District Council (hereinafter referred to as the “LPA”) running between 1 December 2023 – 29 January 2024.
- 1.2 Representations are made with respect to Land off Cauldwell Road, Sutton in Ashfield, Notts, NG17 5LB (hereinafter referred to as the “Site”). A plan showing the extent and location of the Site is provided at Appendix A of this representation. The Landowner is actively promoting the Site as a new settlement to be allocated within the emerging Local Plan.
- 1.3 The Site formed a draft allocation in the Regulation 18 Draft Local Plan (2020 – 2038) (November 2021) as one of two new settlements proposed within the draft spatial strategy. Draft Strategic Policy S7 (Meeting Future Needs – New Settlement: Land at Cauldwell Road, Sutton in Ashfield) comprised the draft allocation as shown on the draft Policies Map for a mixed-use New Settlement to deliver 1,000 dwellings, 315 of which will be delivered within the plan period. Draft Strategic Policy S7 set out the site-specific requirements associated with the delivery of the new settlement, linked to the accompanying draft Infrastructure Plan and housing trajectory. A copy of the draft policy wording is copied at Appendix B of this representation. The draft allocation was also captured under draft Policy H1 (ref: H1Sb, Cauldwell Road Sutton-in-Ashfield).
- 1.4 The draft Spatial Strategy set out within Chapter 3 of the Reg 18 Draft Local Plan confirmed that the strategy would meet its own housing requirement of 457 houses per annum, equivalent to 8,226 dwellings between 2020 – 2038 with an additional allowance of approx. 10% focussing on the 2 proposed new settlements to deliver the identified housing requirement over the plan period. 35% of all development in the district would be delivered on Land off Cauldwell Road, Sutton (draft Strategic Policy S7), and Whyburn Farm, Hucknell (draft Strategic Policy S6). Further development

will take place in and adjoining the main urban areas (59%, see policy S3 and H1) and some development is also directed to the named settlements (5%, see policy S3 and H1).

- 1.5 Following the Regulation 18 Consultation in November 2021, the LPA has proposed to remove the two new settlements from the emerging Local Plan in light of stakeholder feedback and uncertainty surrounding future Government policy for plan-making with regards to calculating housing need at the time of writing (October 2023). The LPA have therefore altered the proposed spatial strategy and re-based the plan period for the PSD from 2020 – 2038 to 2023 – 2040. This amendment to the draft spatial strategy is supported by background topic papers and evidence base and has been tested as part of the most recently published Sustainability Appraisal (SA) (2023) as the preferred option.
- 1.6 By removing the Cauldwell Road draft allocation and altering the spatial strategy, the PSD now fails to meet its minimum housing requirement in full over the proposed plan period, relying heavily on extant permissions, brownfield sites and greenfield release across the district.
- 1.7 The Landowner considers the PSD to be unjustified, ineffective, inconsistent with national policy and not positively prepared, in accordance with the key test of soundness as set out at paragraph 35 of the NPPF. The Landowner objects to the plan on this basis.
- 1.8 The emerging Local Plan can however be made sound, subject to modifications as set out in this representation and pertain to the identified housing need, the spatial strategy and proposed allocations.

2 Meeting Future Housing Provision

- 2.1 Strategic Policy S7 of the PSD sets out that LPA's minimum housing requirement of 7,582 new dwellings will be delivered within the plan period 2023 to 2040, dispersed across the District in accordance with the draft Spatial Strategy detailed at draft Strategic Policy S1. This statement however is in direct contradiction with the dwelling requirement set out in Table 2 and the supporting paragraphs 3.61 – 3.65.
- 2.2 Paragraphs 3.61 – 3.65 confirm that the LPA has calculated their Local Housing Need (LHN) using the standard methodology as set out in the NPPF and the Planning Practice Guidance (PPG). This is supported as a sound approach to calculating housing need with no exceptional circumstances put forward by the LPA to justify a departure from the standard method.
- 2.3 The minimum housing requirement as calculated by the LPA using the standard method (and evidenced in their October 2023 Background Paper 2: Housing) is 446 dwellings, equating to the minimum figure of 7,582 dwellings over the 15-year plan period. The LPA acknowledge however that the proposed housing allocations (draft Policy H1) together with the small site supply will provide for approximately 13 years' worth of housing supply post adoption of the Local Plan.
- 2.4 Table 2 thus establishes over the plan period 01/04/2023 to 31/04/2040:
- The LHN is **7,582**
 - The future supply of housing is **6,700**
 - The net provision of housing supply against LHN is **-963**
- 2.5 There is thus a deficit of supply against need of 963 dwellings.
- 2.6 The LPA lean heavily on paragraph 68 of the NPPF 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, as well as paragraph 33:

“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Reviews should..... take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”

- 2.7 Dealing firstly with paragraph 68, the housing trajectory must still demonstrate how it meets the minimum housing requirement in full over the plan period. Irrespective of the nature of supply and delivery in accordance with a draft spatial strategy, paragraph 68 does not imply that a spatial strategy can accord with the suggested site types and timescales and not meet its housing need in full over the plan period.
- 2.8 Secondly with regards to paragraph 33, the LPA are misinterpreting its purpose concerning the need to review every five years. Paragraph 33 is clear that the need to review the Local Plan every five years is to take into account changing circumstances affecting the area, or any relevant changes in national policy, and / or where the LHN as significantly changed or is expected to significantly change in the near future. Thus, paragraph 33 and the need to review the LPA's strategic policies every five years should not be relied upon to future proof the supply of housing against the minimum housing requirement in lieu of a spatial strategy that seeks to meet, as a minimum, its housing requirement in full as required by paragraph 35 of the NPPF. The LPA should ensure its strategic policies meet its housing need in full over the plan period and should only review this figure and the supply of housing planned for in the district where it has fundamentally changed.
- 2.9 As such, the PSD is unable to meet its minimum housing requirement in full over the proposed plan period. The strategy does not therefore, as a minimum, seek to meet the area's objectively assessed needs and thus has not been positively prepared in accordance with paragraph 35a) of the NPPF. The strategy is therefore unsound in this regard.
- 2.10 The Landowner recommends modifying the proposed spatial strategy to include Land at Cauldwell Road as an allocation for a new settlement which will deliver 1,000 dwellings. This will contribute

positively to the supply of housing over the plan period, with the supply of an additional 1,000 homes taking the proposed supply to 7,700 homes.

- 2.11 This will ensure a supply of housing that, as a minimum, meets the minimum requirement of 7,582 dwellings over the plan period.
- 2.12 We therefore propose draft Strategic Policy S7 is amended to include Land at Cauldwell Road as an allocation for a new settlement to deliver 1,000 homes over the plan period, having been previously tested by the Sustainability Appraisal (SA) in support of the Reg 18 Draft Local Plan as a sustainable, deliverable and preferred option. This is discussed in more detail in Section 3 below.
- 2.13 It also appears that the LPA tested two options when establishing their LHN. The Sustainability Appraisal (SA) assesses the LPA's preferred housing requirement of 446 dwellings per annum (dpa) against the reasonable alternative of applying a 20% buffer equivalent to 535 dpa and 9,095 over the plan period.
- 2.14 The SA determines that following an appraisal of the reasonable alternative, that the higher growth option of 535 dpa is considered to perform similarly to the lower figure against most of the SA objectives. However despite providing a housing growth figure with a 20% buffer above the standard methods would enable a greater supply of housing in the District on plan adoption, there is some uncertainty over where the housing delivery can meet the higher growth figure. This is a matter for the proposed spatial strategy to address, which as discussed above and in Section 3 below, is capable of doing so subject to modifications.
- 2.15 Use of a buffer is also consistent with national policy, with the NPPF not only requiring a Local Plan to meet its objectively assessed development needs in full but to do so through a considered strategy which engenders sufficient flexibility to adapt and respond to rapid change.
- 2.16 To ensure sufficient flexibility, the Local Plan must account for the fact that both housing need and housing supply will inevitably fluctuate throughout the plan period due to a number of factors, including changes to population projections and affordability ratios, and sites failing to come

forward as anticipated. Sufficient headroom is required over the Plan period to respond rapidly to these changes.

- 2.17 A buffer is therefore important to account for these fluctuations, and overall housing need / supply and is necessary to ensure the Local Plan is effective, consistent with national policy, and positively prepared. The absence of a 20% buffer to the LHN figure is considered inconsistent with the NPPF and therefore unsound.
- 2.18 The PSD can however be made sound by introducing an additional 20% buffer to the LHN, adopting a figure of 535 dpa and 9,095 over the plan period.
- 2.19 The following modifications to Strategic Policy S7 (proposed to be Policy S8 – see paragraph 3.22 of this representation) are proposed:
1. *A minimum of ~~7,582~~ 9,095 new dwellings will be delivered within the period 2023 to 2040, dispersed across the District in accordance with the Council's spatial strategy for growth. This will necessitate the release of land previously identified as Green Belt in order to meet the identified needs. New dwelling provision will also include an element of Affordable Housing as set out under Policy H3 of this Plan.*

3 Spatial Strategy

3.1 Chapter 3 of the PSD discusses the proposed spatial strategy to deliver the LPA's vision by guiding the distribution of development across the District over the Plan period, 2023 – 2040. Draft Strategic Policy 1 states that the spatial strategy will be achieved through:

1. Creating sustainable and attractive places with an enhanced quality of life for residents;
2. Ensuring a strong regeneration focus for our towns, including maximising the use of previously developed (Brownfield) land;
3. Locating growth in sustainable and accessible locations through prioritising sites for development within and adjoining the Main Urban Areas;
4. Ensuring that new development in or adjoining Named Settlements is of a scale and character that supports these as sustainable locations for growth;
5. Delivering homes via dispersed development, focusing on sites of less than 500 dwellings;
6. Maximising the economic development potential of key sites including land adjacent to M1 Junction 27 and Sherwood Business Park;
7. Facilitating the delivery of new key infrastructure;
8. Ensuring development maximises opportunities to enhance the Blue and Green Infrastructure network and incorporates Blue and Green Infrastructure into new development; and
9. Protecting and enhancing the natural and built heritage, providing opportunities for tourism and recreation.

3.2 In terms of housing and the draft spatial strategy's role in ensuring sufficient housing growth is delivered to meet the LHN set out in draft Strategic Policy S7, the relevant parts of the policy are parts 2, 3, 4 and 5.

3.3 Referring to part 2, whilst brownfield development is supported by and consistent with the NPPF, there are limitations to how much brownfield is available within the main urban areas of the district and the potential housing it can deliver, even where building at higher densities. This is acknowledged within and supported by the conclusions of the Brownfield Capacity Study (November 2022) that even as a result of permissioned, non-permissioned and part greenfield brownfield sites, this only equates to 2,264 dwellings towards the supply of housing (c.30% of the LHN). Indeed, at paragraph 5.23 of Background Paper 1 (Spatial Strategy and Site Selection) the LPA confirm that:

'The evidence from the Brownfield Land Capacity Assessment illustrates that the vast majority of brownfield sites have planning permission, have been put forward for planning permission, or are proposed allocations in the emerging Local Plan. Consequently, although brownfield sites can contribute towards meeting the future housing needs for Ashfield, there is no option but to utilise greenfield sites based on the level of requirement assessed through the standard method for determining the minimum number of homes required in national planning policy and guidance.'

3.4 As such there is recognition for the need for greenfield release to supply sufficient housing across the plan period. Parts 3, 4 and 5 all contribute towards a balanced disbursement of growth across the District, as is the LPA's vision underpinning the spatial strategy, and whilst this is a sound approach in principle, it does not form a strategy that ensures the emerging Local Plan is positively prepared and seeks to meet, as a minimum, its objectively assessed housing need (as required by paragraph 35 of the NPPF). As such, these measures alone fall short of ensuring the proposed spatial strategy is sound and the Landowner objects on this basis.

3.5 The above approach to spatial strategy is based upon the LPA's preferred spatial option (Option 3) as appraised along with 7 other options in both the 2021 SA that accompanied the Reg 18 Draft Local Plan and the 2023 SA in support of the PSD. Both the 2021 and 2023 SA appraise all 8 spatial options the same against the SA objectives, with the only difference the preferred option and its reason for selection and the reasons for rejection of alternatives at this stage.

3.6 The proposed option in the 2021 SA was Option 10: *Two New Settlements with one in Hucknall's Green Belt (approx. 3,000 dwgs) and one at Cauldwell Road (approx. 300 dwgs in plan period) with further moderate Green Belt release around Hucknall.*

3.7 Its reason for being the preferred option was set out at paragraphs 5.5.76 – 5.5.81 of the 2021 SA, and are extracted from the SA as follows:

- *Guided by the outcomes of these assessments the Council believes that the spatial strategy proposed is the most appropriate given the needs of the community, the opportunities presented by the sites, and the extent to which adverse effects could be mitigated whilst achieving the Vision.*
- *The new settlement near Hucknall represents a significant opportunity to deliver the identified plan vision and objectives. The site is in the Green Belt but the merits of developing it and the many benefits this would deliver represent exceptional circumstances to justify release from the green belt.*
- *The SHELAA identifies that there are insufficient brownfield sites within the existing main urban areas and built-up areas that are deliverable (as defined by national planning policy) to accommodate the required levels of growth over the plan period. As such, it has been necessary to seek to direct new development to greenfield land outside of the existing settlements to deliver the required development over the plan period. Some of this new development requires the release of land from the Green Belt.*
- *[Two new settlements] whist potentially deliverable in the long term have a number of issues that would require further assessment over the course of the local plan. As such they would not immediately be available for development. [...] The Cauldwell site is relatively well located in located in relation to the town centre of Sutton in Ashfield, Mansfield and Kirkby-in-Ashfield with good access onto the major road networks of the A611 and A617 Sherwood Way. Much of the site is in single ownership with more scope to come forward.*
- *It is not anticipated that the site will deliver housing until the latter part of the Plan period. Therefore, the site will deliver future housing need after 2038.*

3.8 The reason for rejecting Option 3 in 2021 SA (which now forms the preferred option in the 2023 SA) as follows within Table 5.5:

*This option would rely on the development of smaller sites (i.e. sites of less than 500 units) dispersed across the District. This approach has not been selected as it **does not represent an option which would best meet the identified housing needs** and would result in sites coming forward in less sustainable locations.*

The small-scale nature of the sites under this option would not provide the economies of scale necessary to deliver infrastructure in the district in line with the identified vision in the plan. Furthermore, there would be inadequate opportunities to build on existing transport links, again due to the dispersed nature of the sites and their scale. (Our emphasis).

- 3.9 The 2021 SA therefore recognised that Option 3 would not represent an option which would best meet the identified housing needs and would not deliver on the economies of scale to deliver the necessary infrastructure in accordance with the vision of the plan.
- 3.10 However, when reviewing the 2023 SA reason for the preferred option (paragraphs 5.5.76 – 5.5.84) is less an endorsement of the benefits and positives of the preferred option and more justification for the decision to reject Option 10 in lieu of Option 3 i.e. to remove the two new settlements from the spatial strategy. It describes how the decision was made on 13 December 2022 by the LPA's Cabinet to take forward an amended scenario to reduce the impact on the Green Belt and meet housing need (Option 3), following public objection to the two proposed new settlements as well as potential planning policy changes at the national level.
- 3.11 The Landowner questions the robustness of the reasoning for rejecting Option 10 on the basis of national planning policy changes (which since the publication of the December 2023 have not resulted in any fundamental shift in objectives and plan-making relevant to the LPA and Ashfield for the purposes of altering their spatial strategy), and stakeholder objection.

- 3.12 Furthermore, its reasoning for taking forward Option 3 does not seek to address or resolve the previous reasons for rejection within the 2021 SA which concerned its ability to meet housing needs in full and to fully take advantage of the economies of scale to appropriately deliver infrastructure at a critical mass. Indeed, Section 2 of this representation has clearly highlighted how the preferred option fails to meet the LPA's minimum housing requirement in full over the proposed plan period 2023 – 2040.
- 3.13 This approach is therefore considered unjustified as a reasonable alternative strategy as per the tests of soundness in the NPPF.
- 3.14 The PSD can however be made sound by appraising an option that includes the new settlement of Land off Cauldwell Road, in addition to the measures for housing delivery as proposed under Option 3. This would negate the need for substantial Green Belt release and ensure a new settlement which could deliver 1,000 new dwellings and supporting infrastructure over the plan period up to 2040 is allocated within the emerging Local Plan.
- 3.15 Much of the commentary made on the Land off Cauldwell Road in the SA and supporting evidence base refers to the ability of it and the other new settlement at Hucknall being unable to deliver all dwellings within the plan period due to issues that need to be resolved throughout the lifetime of the Local Plan.
- 3.16 It is considered that the Site could be delivered in full over the plan period. NLP's 2020 Second Edition of *'Start to Finish: What Factors Affect The Build Out Rates of Large Scale Housing Sites'* found that on average, sites of 1,000 – 1,499 dwellings have a build out rate of 107 dwellings per annum. Applying this average build out rate to Land at Cauldwell Road as a potential draft allocation capable of delivering 1,000 homes, it would take between 9 – 10 years of the plan period to build out.
- 3.17 One must of course factor in lead-in-times, however it is highly likely given the average delivery rates and lead in times as per the NLP research, the entirety of the allocation could be delivered within the plan period.

3.18 Indeed, referring to the LPA's evidence base, the Ashfield New Settlement Study Final Report 2021 estimates that 820 dwellings could be delivered between 2020 and 2038. Even if the Cauldwell Road allocation were only to deliver c. 820 dwellings during the plan period rather than the full 1,000 (which the Landowner considers is achievable), this would still represent a significant positive contribution to housing supply to meet the minimum housing requirement.

3.19 As such, the inclusion of Land at Cauldwell Road as a new settlement would enable the proposed spatial strategy to be justified, positively prepared and consistent with national planning policy.

3.20 The following modifications to Strategic Policy S1 are as follows:

Sustainable growth to deliver the Vision will be achieved through:

1. *Creating sustainable and attractive places with an enhanced quality of life for residents;*
2. *Ensuring a strong regeneration focus for our towns, including maximising the use of previously developed (Brownfield) land;*
3. *Locating growth in sustainable and accessible locations through prioritising sites for development within and adjoining the Main Urban Areas;*
4. *Ensuring that new development in or adjoining Named Settlements is of a scale and character that supports these as sustainable locations for growth;*
5. *Delivering homes via dispersed development, focusing on sites of less than 500 dwellings;*
6. *Creating a proposed mixed-use New Settlement at Land at Cauldwell Road, Sutton in Ashfield to deliver 1,000 dwellings, new community centre and associated social, green and highways infrastructure.*
7. *Maximising the economic development potential of key sites including land adjacent to M1 Junction 27 and Sherwood Business Park;*
8. *Facilitating the delivery of new key infrastructure;*
9. *Ensuring development maximises opportunities to enhance the Blue and Green Infrastructure network and incorporates Blue and Green Infrastructure into new development; and*
10. *Protecting and enhancing the natural and built heritage, providing opportunities for tourism and recreation.*

3.21 In addition to this, it is proposed that the former draft Strategic Policy S7 (Meeting Future Needs – New Settlement: Land at Cauldwell Road, Sutton in Ashfield) as per the draft wording within the 2021 Reg 18 Draft Local Plan be re-inserted as the new Strategic Policy S7 in the PSD, subject to the following change:

Land is allocated at Cauldwell Road, Sutton in Ashfield, as shown on the Policies Map for a mixed-use New Settlement to deliver 1,000 new dwellings, ~~315 of which will be delivered~~ within the plan period.

4 Housing Site Allocations

4.1 For the reasons set out Sections 2 and 3 of this representation, the Landowner strongly considers the inclusion of the Cauldwell Road new settlement as a means of remedying the flaws within the PSD that currently make it unsound.

4.2 The following modifications to draft Policy H1 (Housing Allocations) are proposed:

Sutton Area

| <i>Site Ref.</i> | <i>Site Name</i> | <i>Greenfield/ Brownfield</i> | <i>Planning Permission*</i> | <i>Potential Yield (Dwellings)</i> |
|------------------|--|-----------------------------------|---------------------------------|--|
| <i>H1Sa</i> | <i>Rear 211 Alfreton Road</i> | <i>G</i> | <i>Yes</i> | <i>110</i> |
| <i>H1Sb</i> | <i>South of Vision West Nottinghamshire College, Cauldwell Road, Sutton-In- Ashfield</i> | <i>G</i> | <i>No</i> | <i>208</i> |
| <i>H1Sc</i> | <i>West of Fisher Close, Skegby</i> | <i>G</i> | <i>Yes</i> | <i>84</i> |
| <i>H1Sd</i> | <i>Adj Oakham Business Park, off Hamilton Road</i> | <i>G</i> | <i>No</i> | <i>225</i> |
| <i>H1Se</i> | <i>Priestic Road</i> | <i>G</i> | <i>No</i> | <i>19</i> |
| <i>H1Sf</i> | <i>Rear 23 Beck Lane, Skegby</i> | <i>G</i> | <i>No</i> | <i>23</i> |

| | | | | |
|------|---|---|-----|-----|
| H1Sg | Former Miner's Welfare Sports Ground, Stanton Hill | G | No | 85 |
| H1Sh | Pasture Farm, Alfreton Road | G | No | 34 |
| H1Si | Rear Kingsmill Hospital | G | No | 264 |
| H1Sj | Clegg Hill Drive, Huthwaite | G | No | 104 |
| H1Sk | Sunnyside Farm, Blackwell Road, Huthwaite | G | No | 283 |
| H1Sl | North of Fackley Road, Teversal | G | No | 124 |
| H1Sm | Land adjacent 88 High Hazels Drive | G | No | 11 |
| H1Sn | Adj Molyneux Farm, Fackley Road, Teversal | G | No | 14 |
| H1So | Off Fackley Road, Teversal | G | No | 12 |
| H1Sq | Hardwick Lane Recreation Ground | G | No | 40 |
| H1Sr | Land off Clare Road | G | Yes | 69 |
| H1Ss | Land East of A6075 Beck Lane, Skegby | G | No | 212 |
| H1St | Land off Blackwell Road/Main Street, Huthwaite | G | No | 99 |
| H1Su | Rear 113 to 139 Beck Lane, Skegby | G | No | 100 |

| | | | | |
|-------|---|---|-----|----------------------|
| H1Sw | Off Gillcroft Street/St Andrews Street & Vere Avenue, Skegby | G | Yes | 206 |
| H1Sx | rear 249, 251 Alfreton Road | G | Yes | 43 |
| H1Sy | off Brand Lane, Stanton Hill | G | Yes | 71 |
| H1Sz | Junction of Outram Street/Park Street | B | Yes | 24 |
| H1Saa | Land at, Beck Lane, Skegby | G | Yes | 322 |
| H1Sac | The Quarry, 57, Stoneyford Road | G | Yes | 47 |
| H1Sad | The Pattern House, Crossley Avenue, Huthwaite | B | Yes | 23 |
| H1Sae | Ashland Road West | G | Yes | 300 |
| H1Saf | North of Midland Road | G | Yes | 20 |
| H1Sag | Quantum clothing Site, North Street, Huthwaite | B | No | 71 |
| H1Sah | Land adjacent 208 Mansfield Road, Sutton in Ashfield | B | No | 36 |
| H1Sal | Land at Cauldwell Road, Sutton in Ashfield | G | No | 1000 |
| | | | | 3283 4283 |

5 Sustainability Appraisal

5.1 Upon review of the SA 2023, the Landowner wishes to note the following with regards to Cauldwell Road as referenced as a New Settlement:

- *Cauldwell Road has Hamilton Hill scheduled monument located to the north west but Kirkby Lane/Pinxton Lane is likely to be less sensitive with regards to heritage assets.*

Cauldwell Road is capable of being delivered in its entirety to ensure the historic setting and significance of the scheduled monument is preserved, enhanced and celebrated as part of a sensitive and considerate approach to landscaping, green infrastructure and built form.

- *There is potential for new development to have direct and indirect effects on biodiversity (SA Objective 6) which could be significant (given scale of development and the substantial loss of greenfield land). The Cauldwell Road new settlement site also falls within 400 metres of woodland in the possible potential Special Protection Area (ppSPA).*

As with any new development, the Site will be required to provide 10% BNG to ensure there is a sustainable approach to ecology across the Site. A new settlement will be of a scale and critical mass to deliver significant levels of green infrastructure rich in biodiversity and amenity. It is therefore considered that any potential impacts to biodiversity will be more than adequately compensated for.

- *This would have significant positive effects on housing (SA Objective 1) but there is some uncertainty due to the heavy reliance on delivery within one new settlement near Hucknall (around 1,600 dwgs of the 3,000 total dwgs proposed would be in the plan period) and to a lesser extent at Cauldwell Road (around 300 dwgs in the plan period) and regarding the lead-in time for new settlements and how this may impact on housing delivery in the early years of the plan period. There is also additional uncertainty related to the deliverability and viability of a new settlement at Cauldwell Road.*

The Landowner does not agree with the assertion that there is uncertainty related to the deliverability and viability of a new settlement at Cauldwell Road. The Site has been promoted on the basis of a collaborative and joined up approach and is informed by an understanding of the Site's constraints and opportunities, underpinning its credentials as a highly deliverable Site for a new settlement.

- *Development at Cauldwell Road new settlement would also be expected to support investment in school provision. Significant positive effects on employment are identified (SA Objective 15).*

The Landowner strongly supports this assessment, with a new settlement capable of contributing to significant levels of community infrastructure and local employment.

- *The development of a new settlement at Cauldwell Road and more limited development in/adjoining Sutton and Kirkby would support ongoing economic investment in the district. Significant positive economic effects (SA Objective 16) are identified, with some uncertainty over the magnitude.*

The Landowner strongly supports the contribution a new settlement will make towards economic investment in the District.

- *A new settlement at Hucknall and Cauldwell Road would support opportunities for the integration of open space and green infrastructure, which could be significant given the scale of development. Additionally, health provision may also be supported.*

The Landowner strongly supports the contribution a new settlement will make towards significant levels of new green and blue infrastructure capable of integrating into the existing network in the District.

6 Summary

- 6.1 Ceres Property have been instructed on behalf of Campfield Farm to prepare and submit representations to the Ashfield Local Plan 2023 – 2024: Regulation 19 pre-Submission draft consultation run by Ashfield District Council running between 1 December 2023 – 29 January 2024.
- 6.2 Upon review of the Pre-Submission Draft Local Plan, it is considered there are fundamental flaws in the spatial strategy and housing supply which make it unsound in accordance with the NPPF tests.
- 6.3 The draft Plan has not been positively prepared as it does not, as a minimum, meet its objectively assessed housing requirement over the plan period.
- 6.4 The draft Plan is not justified as it is not based upon an assessment of reasonable alternatives due to the nature in which the preferred option was selected, and the alternatives rejected between the Reg 18 Draft Local Plan (2021) and the Pre-Submission Draft Local Plan, do not appear robust or evidenced sufficiently. The draft spatial strategy is not therefore built upon a sound appraisal.
- 6.5 The draft Plan is also not consistent with national policy, as the housing requirement does factor in a 20% buffer which, as per the NPPF, allows for sufficient flexibility and headroom in the supply of housing over the plan period to respond to market fluctuations and macro-economic factors.
- 6.6 The draft Plan is therefore not sound for the purposes of plan-making.
- 6.7 There are however proposed modifications set out within this representation that if adhered to and incorporated into the draft Plan would ensure the spatial strategy, housing requirement and the Plan as a whole is made sound.

Appendices

Appendix A – Site Location Plan

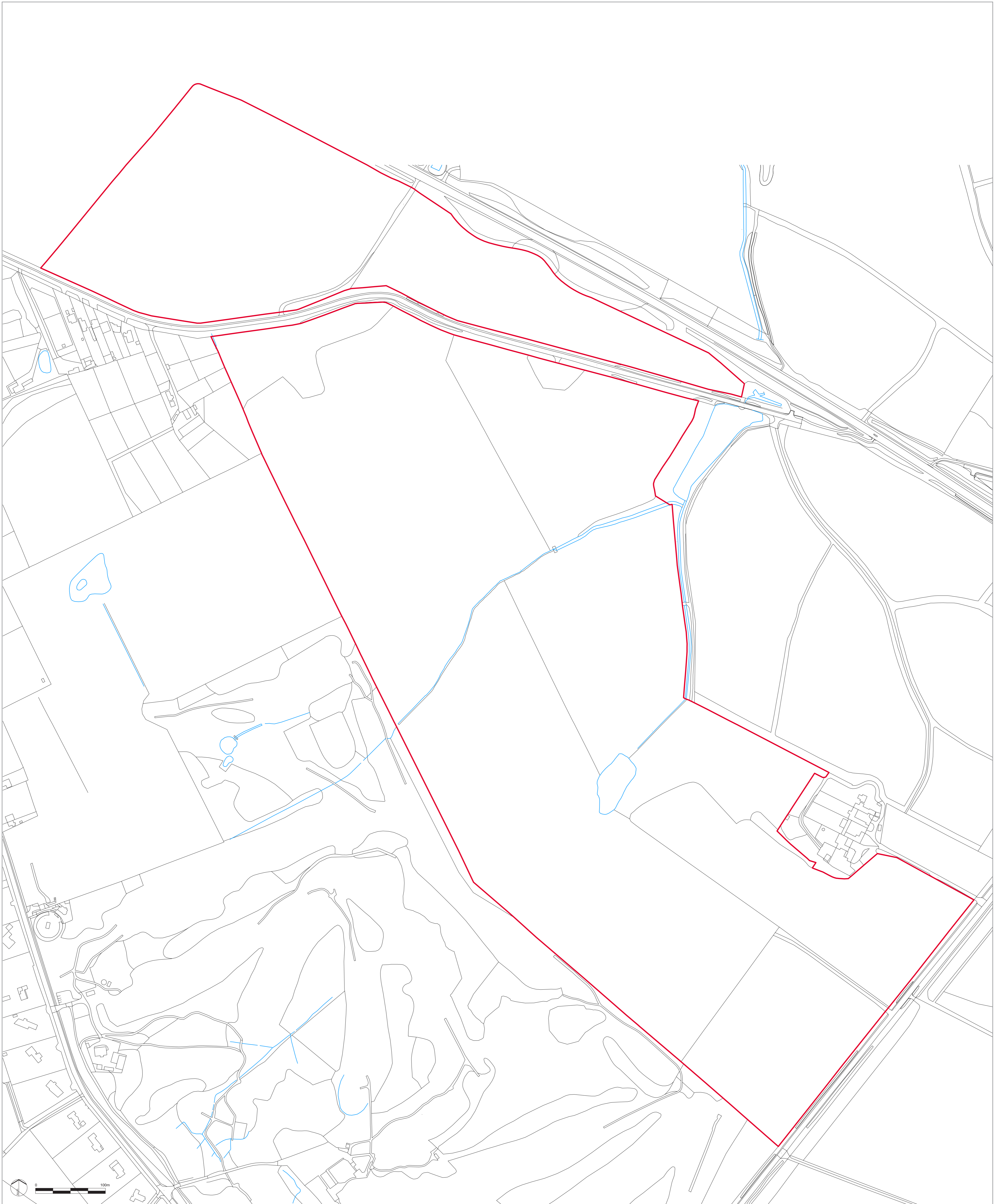
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 This drawing should be considered along with the risk information contained in the CDM Pre-construction Information. This information will include details of the SIGNIFICANT risks which fabrik has identified which may arise from constructing their designs shown on this drawing. A Competent Contractor should be aware of the typical risks associated with doing this work.

NOTE FOR WORKERS
 DO NOT START YOUR WORK unless you know the Risks and Controls relating to the work on this drawing (including SAFE SEQUENCES OF WORK and EQUIPMENT).

Do not issue copies of parts of this drawing without the above Note for Workers (unless you are sure that the Workers can undertake the work safely).

J:\D3177 LAND AT CAULDWELL ROAD, MANFIELD\05 CAD\01 AUTOCAD\W2 - MODELS

Appendix B – Extract of Reg 18 Draft Local Plan Strategic Policy S7

Strategic Policy S7: Meeting Future Needs - New Settlement: Land at Cauldwell Road, Sutton in Ashfield

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| Strategic Policy S7: Meeting Future Needs - New Settlement: Land at Cauldwell Road, Sutton in Ashfield | |
| Strategic Objectives | SO1, SO2, SO3, SO4, SO11, SO12, SO13, SO14 |
| <p>Land is allocated at Cauldwell Road, Sutton in Ashfield, as shown on the Policies Map for a mixed-use New Settlement to deliver 1,000 new dwellings, 315 of which will be delivered within the plan period.</p> <p>The proposed new settlement will be located between Derby Road (A611) Sherwood Way (A617), and Coxmoor Road. (See Concept Plan).</p> <p>It will create a balanced community within a high quality and accessible environment through the provision of the following:</p> <p><u>Housing</u></p> <ul style="list-style-type: none"> • Affordable housing to meet local needs in accordance with Policy H3. • Provide a range of tenures, types and sizes of homes together with accessible or easily adaptable homes in accordance with Policy H6. <p><u>Community Facilities</u></p> <ul style="list-style-type: none"> • An on-site primary school to meet the need for school places arising from the development. • Contributions towards secondary education provision as appropriate to meet the need for school places arising from the development. • Provision of a local centre with a range of retail and community uses. <p><u>Transport</u></p> <ul style="list-style-type: none"> • Provide well connected street patterns and walkable neighbourhoods that provide high quality, safe and direct walking, cycling and public transport routes. • Access walking and cycling routes to Sutton-in-Ashfield, Mansfield and the wider green infrastructure network. • A comprehensive package of highway improvements to facilitate the new settlement. <p><u>Environment</u></p> <ul style="list-style-type: none"> • Provides for high quality design in the form and layout of the development buildings and green space, which respond to the landscape and surrounding area in accordance with Policy SD2. | |

- The development will provide accessible and high quality multi-functional green spaces including play areas and green space;
- Protect historic/archaeological features on Hamilton Hill with an appropriate buffer.
- On site green and blue infrastructure to include greenways for cycling and walking, and wildlife corridors;
- Opportunities for creating new green/blue infrastructure links.
- There will be a requirement to mitigate the impact of light pollution affecting Sherwood Observatory.
- Landscape buffers are anticipated to be required to various parts of the site.
- The protection and enhancement of existing wildlife areas and create a coherent biodiversity network in accordance with Policy EV4.
- An assessment of whether a buffer is required of Derby Road (A611) in relation to the ppSPA.
- Encourage the development, where viable, to exceed Building Regulations for carbon emissions in accordance with Policy CC1.
- Requirement for sustainable drainage systems (SuDS) to retain surface water flows at greenfield rates of run off. SuDS will be integrated into the green/blue infrastructure.
- Provision to be made for the long-term management of green spaces.

This will be achieved through working with public and private partners and will require the following:

- A Development Framework, including delivery and phasing and a masterplan informed by a design review panel and community consultation including key design principles.
- A green infrastructure strategy to inform the development of the new settlement.
- A development brief, design codes or the equivalent to be prepared to inform detail planning applications or reserve matter applications.
- An infrastructure delivery plan identifying the infrastructure to be delivered in a phased manner linked to the planning consents.

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| Evidence base | <ul style="list-style-type: none"> • Sustainability Appraisal, August 2021. Wood Group Ltd • Strategic Housing & Employment Land Available Assessment, (SHELAA) July 2021. Ashfield District Council. • Background Paper No 1: Spatial Strategy and Location of Development, 2021. Ashfield District Council. • Background Paper No 2: Housing, 2021. Ashfield District Council. • New Settlement Study, 2021. AECOM • Gear change: a bold vision for cycling and walking (2020) Department for Transport • Securing developer contributions for education, April 2019. Department for Education. |
| National Planning Policy and Guidance | <ul style="list-style-type: none"> • NPPF 2021, Part 3: Plan Making. • NPPF 2021, Part 5: Delivery a supply of homes. • Planning Practice Guidance: Housing and economic land availability assessment as of August 2021. • Planning Practice Guidance: Housing and economic needs assessment as of August 2021. • Planning Practice Guidance: Housing supply and delivery as of August 2021. |

3.55 Cauldwell Road/Derby Road, Sutton in Ashfield is located to the east of Sutton in Ashfield towards the border with Mansfield District. It covers approximately 85 hectares in total. The site is undulating and is currently largely utilised for agriculture. The highest point of the site is immediately north of the northern boundary of the golf course, whilst the land falls away into a dip along the minor watercourses towards Cauldwell Dam. The parcel of land north west of Cauldwell Road is in a dip and highly visible from Hamilton Hill.

3.56 The Cauldwell Road New Settlement is the second new settlement identified in the Plan. This site looks to the future, delivering a limited number of dwellings toward the end of the Plan period. It will also provide for the delivery of new homes beyond the Plans end date. Like the site in Hucknall, it is a large greenfield site located in close proximity to the Sub – Regional Centre of Mansfield and the sustainable Main Urban Area of Sutton in Ashfield. The land is in multiple ownership and at present there is no developer interest in the site.

3.57 The purpose of this policy is to set out the site-specific requirements associated with the delivery of the new settlement, linked to the accompanying Infrastructure Plan and housing trajectory as set out in Appendix 2. The necessary infrastructure (i.e. infrastructure that is necessary to make the site acceptable in planning terms, such as open space and education provision for example) are set out in the policy. Setting out these parameters in a strategic policy clearly identifies the long-term vision and expectation for the site, which is outlined further in the accompanying site schematic as shown in Figures 8 and 9 below. It also helps to assist with placemaking and ensuring a high-quality design and environment is provided.

- 3.58 The New Settlement Study⁵⁹ sets out detailed background information and analysis of the Site. It is anticipated that approximately 28 hectares is the net developable area for housing which is anticipated to provide the opportunity for approximately 1,000 dwellings to come forward. The Study sets out an urban design driver map. The diagram shows indicative land-uses, high-level access and movement arrangements within the site, open space provision and green infrastructure connectivity to the wider landscape.
- 3.59 The Sherwood Observatory is located approximately 500m from the site to the south west along Coxmoor Road. Operated by the Mansfield & Sutton Astronomical Society (MSA), the observatory houses a 24-inch Newtonian Reflecting Telescope in its dome. As this is an optical telescope, its use can be significantly affected by light. They are planned to expand to include a new planetarium on the land next door to the existing observatory and dome. The planetarium is planned to have viewing platforms with smaller optical telescopes that can be used by visitors. Sherwood Observatory is a unique receptor which is expected to need specific consideration by any development. New or changed lighting should target limiting effects as much as possible to lower brightness characteristics consistent with environmental zones E0 / E1⁶⁰.
- 3.60 The concept diagram for Cauldwell Road, sets out the framework for place-making to create an attractive new community delivering high quality homes with good access to open space, and community facilities with a layout that encourages the uptake of sustainable transport modes. A range of business parks including Summit Park and Oakham Business Park are near the site providing opportunities for jobs.
- 3.61 The New Settlement Study sets out how the new settlement could be delivered and has reviewed a range of potential mechanisms. It identifies that there are a range of different models of land promotion and development, available funding streams and the potential role of the public and private sectors. It is anticipated that additional work will be required on delivery, consequently, the Council has identified that the new Settlement will only deliver limited housing in the Plan period. It is anticipated that there will be a steady evolution of evidence on deliverability, as the various stakeholders make progress with information gathering and scheme de-risking

⁵⁹ New Settlement Study 2021. AECOM.

⁶⁰ New Settlement Study 2021. Technical Proforma Site 2 - Cauldwell Road/Derby Road, Sutton in Ashfield. AECOM.



Figure 8: Caudwell Road Design Drivers.
 Source: New Settlement Study 2021. AECOM.



Figure 9: Caudwell Road Concept Plan
 Source New Settlement Study 2021. AECOM).