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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.

I. Personal Contact Details

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

Title	<input type="text"/>
First name	<input type="text"/>
Last name	<input type="text"/>
Organisation/Group	<input type="text" value="Featherstone PDD Ltd"/>
Number of people representing (if relevant)	
Address	<input type="text" value="C/O Agent"/>
Postcode	<input type="text"/>
Telephone Number	<input type="text"/>
Email address	<input type="text"/>

2. Agent Contact Details

Title	<input type="text" value="Mr"/>
First name	<input type="text" value="Ben"/>
Last name	<input type="text" value="Holmes"/>
Organisation	<input type="text" value="Oxalis Planning Ltd"/>
Address	<input type="text" value="Toll Bar House, Landmere Lane,
Edwalton,
Nottingham"/>
Postcode	<input type="text" value="NG12 4DG"/>
Telephone Number	<input type="text" value="0115 9845009"/>
Email address	<input type="text" value="ben@oxalisplanning.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: Ben Holmes

Organisation: Oxalis Planning Ltd

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: S6
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.

See Statement

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.

See Statement

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.

To assist the Inspector in exploring employment land needs in the area across the Plan period and providing detailed evidence in relation to the suitability of land north east of M1, J27 Sherwood Business Park

Signed: ... 

Date: 23/01/2024

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.



**REPRESENTATIONS
to the
ASHFIELD LOCAL PLAN REGULATION 19 PRE-
SUBMISSION DRAFT**

Representations on behalf of
Feathertstone PDD Ltd

January 2024

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1. INTRODUCTION

- 1.1. These representations have been prepared by Oxalis Planning on behalf of Featherstone PDD Ltd. Featherstone PDD Ltd are promoting the land to the North East of Junction 27 and west of Sherwood Business Park, which is a proposed 'Strategic Employment Allocation'.
- 1.2. Oxalis Planning have significant experience of the strategic logistics sector. We are working on various large scale logistics schemes across the Country but with a Midlands focus. This includes 3 Strategic Rail Freight Interchanges, all at different stages of the development process, including East Midlands Gateway at M1 J24 and Northampton Gateway at M1 J15. We have worked on both schemes from their inception, where we helped develop the concepts, through the DCO process and on to implementation. We continue to work with Segro on the delivery of the final phases of the EMG scheme and with Maritime on the expansion of the Rail terminal at EMG. We have also worked on a number of other logistics schemes around M1 J24 in North West Leicestershire, together with other logistics schemes related to the M1 corridor.
- 1.3. As a result of this experience we have developed a good understanding of the requirements of the logistics sector and in particular the market in the East Midlands and along the M1 corridor through Leicestershire and Nottinghamshire. The take up at sites over the past few years has been really dramatic. East Midlands Gateway for example is now fully committed and the start up and growth at the rail terminal operated by Maritime is equally successful.
- 1.4. The evidence of very strong demand for strategic logistics is compelling and the recognition of the important role the logistics sector makes to the economy is now growing. The Greater Nottingham Authorities (including Ashfield) consultants (Lichfields and Icenii) highlight the importance and urgency of meeting strategic logistics need.
- 1.5. Featherstone PDD Ltd fully support the allocation of the land to the north east of Junction 27, under Strategic Policy S6 for a 'Strategic Employment Site'.
- 1.6. These representations set out how the site would deliver much needed employment land and help to meet the Districts need over the Plan period (2023-2040). It explains why the site is an appropriate location for development and how it will contribute to the Council's vision and objectives. It also sets out suggested minor changes to the text of Policy S6 and the Policies Map.
- 1.7. In summary Featherstone PDD Ltd supports:
 - The objectives of the spatial strategy which, among other things, seek to:
 - Capitalise on the accessibility of the M1 transport corridor; and
 - Locate growth in sustainable and accessible locations.
 - The identification of the land to the north east of Junction 27 site as a 'Strategic Employment Site' and consequently its removal from the Nottingham-Derby Green Belt

2. GOVERNMENT POLICY

- 2.1. The NPPF is clear about the importance of the planning system in supporting the economy and meeting the specific requirements of the logistics sector; Paragraph 81 states that:

‘Significant weight should be placed on the need to support economic growth and productivity.....’

And paragraph 83 states:

‘planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for storage and distribution operations, at a variety of scales and in suitability accessible locations.’

- 2.2. The Government is also clear about the importance of assessing economic needs and then putting in place a plan to meet those needs. Paragraph 82 of the NPPF requires Planning Policy to, amongst other things:

*‘set criteria, or **identify strategic sites**, for local and inward investment to match the strategy and **to meet anticipated needs** over the plan period’. [my emphasis]*

- 2.3. The NPPF goes on to require planning policies to *‘be flexible enough to accommodate needs not anticipated in the Plan’*.
- 2.4. The planning principles set out by the Government are quite simple. They require Local Authorities to undertake a full and thorough assessment of land use needs and to then set out a strategy, through allocation of strategic sites, to meet those needs.
- 2.5. The approach set out by the Council in its Local Plan clearly follows this requirement and accords with the Government Policy.
- 2.6. The NPPF (para 140) states that Green Belt boundaries can be altered where exceptional circumstances are fully evidenced and justified. It is Featherstone’s position that exceptional circumstances have been fully evidenced and justified through the work Ashfield District Council have commissioned to provide an evidence base for this Local Plan. This includes the evidence of strategic logistic need (identified by both Icen in the Nottingham Core and Outer HMA Logistics Study and Lichfields in the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study).
- 2.7. The NPPF requires strategic policy-making authorities to demonstrate that they have examined all other reasonable options for meeting identified needs for development before concluding exceptional circumstances exist (para 141). Having regard to the criteria set out in the NPPF para 141 it is clear that ‘reasonable’ alternative (non-Green Belt) options do not exist for meeting the identified strategic logistics needs.

3. THE PROCESS OF IDENTIFYING STRATEGIC LOGISTICS NEEDS

The Authorities' Evidence Base

- 3.1. Ashfield, working with other Greater Nottingham Authorities have followed a thorough and comprehensive process to commission consultants to identify the future employment needs of the area. Two independent studies have been undertaken. The first, by Lichfields, was a general 'Employment Land Needs Study'. A key conclusion of this study was that there is a need to commission a further study to specifically consider the needs for strategic logistics. Lichfields emphasised *'the scale and urgency of this issue'*. They also provided advice on the site criteria which might be used to identify suitable sites, including the need for large sites and that the *'M1 corridor along the western arc of Nottingham was identified as the primary area of demand'*.
- 3.2. The Employment Land Needs Study concludes that there is a limited supply of sites to meet the need for logistics space along the M1 corridor and goes on to state that economic growth across Greater Nottingham has been restricted by a lack of available large-scale strategic distribution sites.
- 3.3. The study highlights the rapid changes that have, and continue, to take place in the logistics sector and is unequivocal in concluding that there is an urgent need to bring forward sites to help meet demand in this sector. Its overall conclusion is that additional land should be identified for development along the M1 corridor.
- 3.4. In relation to Ashfield the study concludes that:

"If the outer HMA authorities are to grasp the opportunity offered by B8 strategic distribution, Ashfield has a number of sites in close proximity to M1 junctions which could be considered ideal to accommodate this key growth sector."

(paragraph 10.21)

- 3.5. These conclusions are important context. The Local Plan has regard to the conclusions reached by Lichfields in terms of the scale and urgency of the issue of logistics need, its importance and the locational priorities.
- 3.6. As part of their study Lichfields undertook an assessment of existing and potential employment sites. This included an assessment of the land north east of M1 J27, west of Sherwood Business Park. Lichfields conclude that:

'It is considered that the northern site should be allocated for employment uses'.

In arriving at their conclusions they take account of the potential constraints on development. They note that the site is a good fit with the growth area objectives as it is well placed to accommodate key industries sectors and contribute to growth objectives. They also note that the site has very good strategic road access and would be an attractive location for the market.

- 3.7. Following the Lichfields study Icen were commissioned to produce a study assessing the needs for strategic logistics. Those are defined as needs for units above 9000sqm in size. Their Study, the 'Nottingham Core and Outer HMA Logistics Study' was published in August 2022.
- 3.8. Like Lichfields, Icen identify a significant need for the provision of strategic logistics and highlight the dire level of current supply. At paragraph 3.28 and 3.29 they refer to the vacancy rate reaching 0.3% in 2021 and state that:

'This figure is extremely low and indicates a complete undersupply / failure of the market, with 5% considered the minimum for a functional market.'

- 3.9. Icen set out the floorspace needs that they recommend should be planned for. The figure, at 1,486,000sqm, is over and above needs identified by Lichfields and is specifically a requirement for strategic logistics.
- 3.10. Icen go on to identify 'Areas of Opportunity' where strategic logistics sites should be located. These focus on the M1 corridor where the majority of needs arise. This includes the identification of the M1 J27 as a key opportunity area. Indeed in their Report assessing residual need Icen assume that land around J27 will be brought forward for strategic logistic use.

4. LOCAL PLAN STRATEGY – AND SUITABILITY OF LAND NORTH EAST OF M1 J27

- 4.1. Within this context Featherstone PDD Ltd fully support the Council's strategy to capitalise on the accessibility of the M1 transport corridor. The land at Junction 27 is clearly extremely well placed to address the employment needs identified. It would reflect the spatial strategy of the Plan, and is clearly fully supported by the Council's evidence base.
- 4.2. It is clearly pertinent that the Employment Land Needs Study also includes an assessment of existing and potential employment sites, and the assessment concludes by recommending that the site north east of M1 J27 is allocated for development.
- 4.3. The land at Junction 27 is commercially extremely well located, but it also provides the opportunity for the development of a highly sustainable logistics scheme. The site is well-contained both by existing highways infrastructure, namely the M1 and A608, as well as the existing Sherwood Business Park. Its proximity to Sherwood Business Park presents the opportunity for it to be integrated with and benefit from the range of services and facilities on the Business Park, including pedestrian and cycle links and public transport connections.
- 4.4. The site itself is free from any major constraints that would preclude or restrict development. Indeed, development of the site, in accordance with the masterplan for the site (see Appendix One), would bring about significant biodiversity benefits through the inclusion of extensive areas of new habitat creation.
- 4.5. The Masterplan shows how development of the site could be laid out, including how development plateau could be formed, landscape screen mounding set out and extensive new habitats created. A planning application has been submitted for the site and is currently pending determination.
- 4.6. The allocation of the land at Junction 27 contributes towards achieving the NPPF's economic objective of building a strong economy by allocating employment land to support growth and meet the identified needs in the District. The Council's evidence base fully supports the identification of land to meet strategic logistics needs in suitable locations close to the M1 corridor and goes on to specifically conclude that the land north east of the M1 J27 is a suitable site.

5. GREEN BELT

- 5.1. The proposed Draft Local Plan strategy includes the release of Green Belt land at north east of Junction 27 of the M1 site to meet the employment needs of the District over the Plan period. Featherstone PDD Ltd support the proposed changes to the Ashfield Green Belt boundary to accommodate the spatial strategy as this contributes towards achieving the objective of the Plan's spatial strategy to 'capitalise on the accessibility of the M1 transport corridor'.
- 5.2. The approach to site allocation and Green Belt change fully accords with the NPPF. It acknowledges that strategic policies, including the requirement to meet land use needs, may provide the exceptional circumstances to justify alterations to Green Belt boundaries. Whilst Authorities will need to demonstrate that reasonable alternatives have been examined, the NPPF is clear that when reviewing the Green Belt, the need to promote sustainable patterns of development should be taken into account (NPPF paragraphs 142). The NPPF is also clear that policies "...*should be read as a whole...*" (paragraph 3) and paragraph 9 adds that the economic, social and environmental objectives of sustainable development "...*should be delivered through the preparation and implementation of plans...*".
- 5.3. Within this context and having regard to the quantum and location of employment land needs identified by the Councils evidence base, exceptional circumstances exist for land at Junction 27 to be removed from the Green Belt and allocated for development.
- 5.4. Notwithstanding the overarching support for the Councils allocation of land at Junction 27, Featherstone LDD Ltd have concerns about the conclusions reached in the Green Belt Harm Assessment¹.
- 5.5. It is considered that the conclusions stated on site KA020 in relation to purpose 1 (Unrestricted Sprawl), purpose 3 (Safeguard from Encroachment) and for purpose 2 (Prevent Settlements Merging) do not fully reflect the location of the site and its context.
- 5.6. It is considered that the importance of this Green Belt parcel in relation to purposes 1 and 3 is overstated having regard to the existing and planned urbanising features (highway infrastructure, Sherwood Business Park and HS2) within which the site sits. Furthermore, the extent of the effect of the scheme on openness can be mitigated through the extensive landscape screen bunding that forms a fundamental part of the scheme layout and design.
- 5.7. The parcel of land does not serve to prevent settlements from merging and the score of 'Moderate' importance towards purpose 2 is therefore overstated. The site does not contribute to preventing existing settlements from merging together, given its significant distance from settlements and because it will be seen as an extension to the existing Sherwood Business Park.
- 5.8. Having regard to these points it is considered that the Councils Green Belt Harm Assessment should be updated.

¹ Green Belt Harm Assessment 2020. Ashfield District Council.

6. SUGGESTED CHANGE TO POLICY S6

6.1. Policy S6 states that:

“It [the Land to the North East of Junction 27 site] will create high quality business space that:

- *Provides for the development of business operated substantially within the logistics sector.”*

6.2. This approach to development on the site being “*substantially*” within the logistics sector is supported. However, it is considered potentially beneficial to make it clear that B2 uses would also be acceptable.

6.3. The Employment Land Needs Study provides some useful context, it states that “*In terms of planning positively for Strategic B8, the Nottingham Core/Outer HMA districts must ensure that there is sufficient flexibility in the allocations in terms of B2/B8 functionality, as there may be an element of assembly or manufacture alongside storage/distribution in the same unit*”.

6.4. Within this context the Policy supporting text could clarify that other uses that would be acceptable on the site would be B2.

7. SUGGESTED CHANGE TO THE POLICIES MAP

7.1. The Illustrative Masterplan at Appendix One shows the proposed approach to the layout and configuration of the site. This Masterplan has been produced following site-specific assessment work, in particular in relation to landscaping, biodiversity, drainage and earthworks. This latest Masterplan includes land to the northern part of the site which does not currently form part of the proposed allocation site. It is considered that this area of land should be included in the allocation as it will provide additional benefits to the proposed allocation.

7.2. The proposed change to the Policies Map is shown and described in Appendix Two and the additional land is edged in red.

7.3. There is no built development proposed for this land and the developable area of the overall allocation will be unchanged by the potential inclusion of this additional land. However, the inclusion of this land will allow for the land to be utilised for landscaping, providing opportunities for significant woodland planting and biodiversity net gain. The land can also benefit the scheme in terms of the overall approach to earthworks and drainage.

7.4. This land is under the same land ownership as the rest of the proposed allocation and there are no additional constraints to prevent this land from being added to the allocation.

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Appendix One Illustrative Masterplan

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- Site Boundary
- Proposed Units, Service Yards & Parking
- Existing Woodland (off-site)
- Proposed Buffer Planting
- Proposed Scrub Planting & Hedgerows
- Proposed Earthworks
- Proposed Drainage
- Public Rights of Way (Existing)
- Public Rights of Way (Proposed, Realigned)



J:\7000\7059\LANDSI\Plans\7059-L-09 Rev D Illustrative Masterplan (with Existing J27 Layout).indd

Oxalis Planning
Sherwood Park
Annesley

ILLUSTRATIVE MASTERPLAN

1:2500@A1
23 March 2022 CMW/TRJ
7059-L-09 rev **D**

masterplanning •
environmental assessment •
landscape design •
urban design •
ecology •
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arboriculture •

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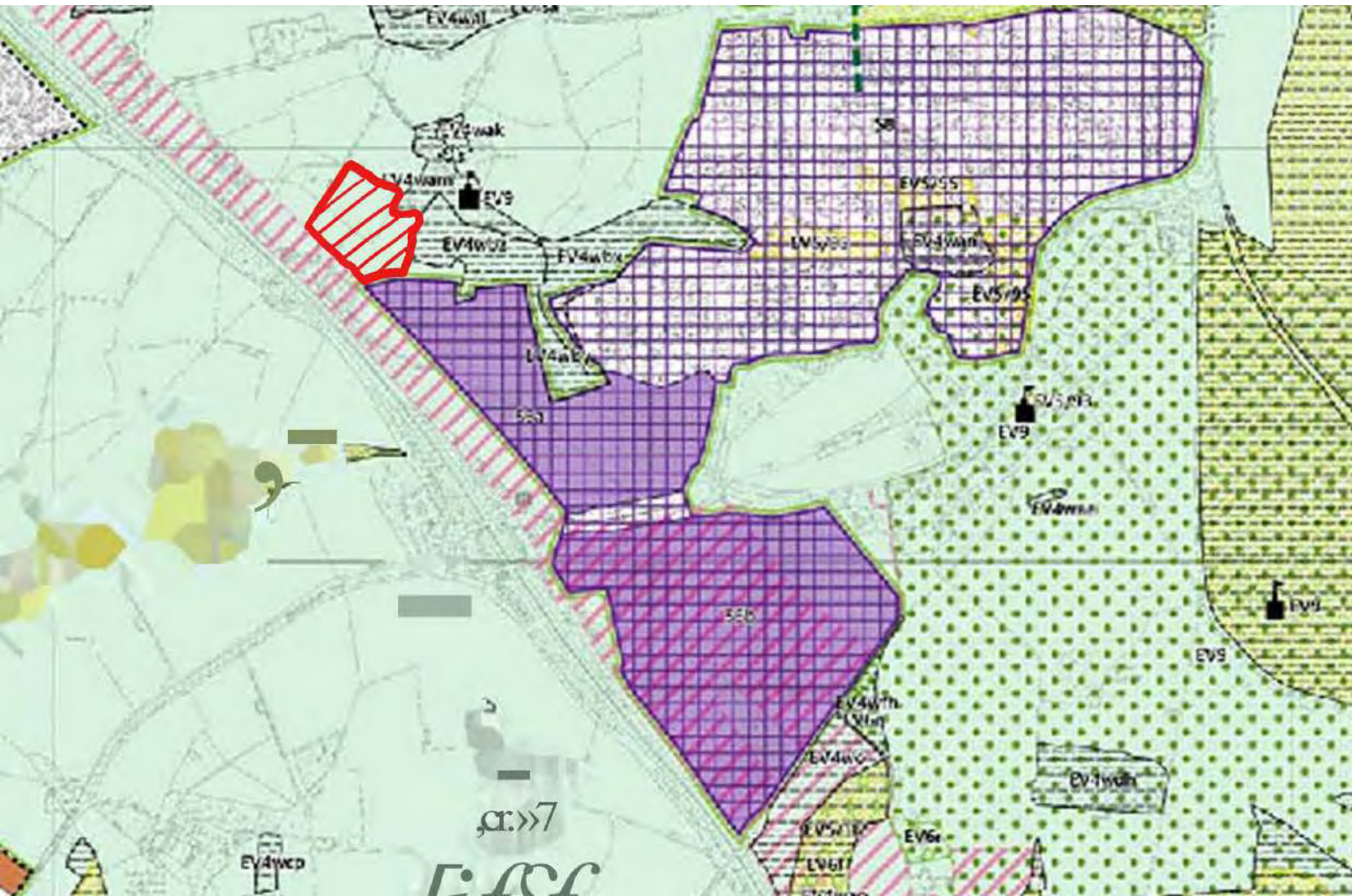
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**Appendix Two
Proposed Changes to the Policies
Map**

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