

**ASHFIELD DISTRICT COUNCIL**



Council Offices,  
Urban Road,  
Kirkby in Ashfield  
Nottingham  
NG17 8DA

## Agenda

### Council

Date: **Monday, 27th November, 2023**

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Time: **7.00 pm**

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Venue: **Council Chamber, Council Offices, Urban Road,  
Kirkby-in-Ashfield**

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For any further information please contact:

**Lynn Cain**

[lynn.cain@ashfield.gov.uk](mailto:lynn.cain@ashfield.gov.uk)

01623 457317

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# **COUNCIL**

## **Membership**

**Chairman:** Councillor Dale Grounds

**Vice-Chairman:** Councillor Arnie Hankin

**Councillors:**

Kier Barsby  
Will Bostock  
Jodine Cronshaw  
Anna Ellis  
Paul Grafton  
Oliver Hay  
Tom Hollis  
Dawn Justice  
Trevor Locke  
Sarah Madigan  
Cathy Mason  
Warren Nuttall  
Matthew Relf  
Dave Shaw  
Helen-Ann Smith  
Lee Waters  
Jason Zadrozny

Jamie Bell  
Ian Briggs  
Samantha Deakin  
Andy Gascoyne  
Julie Gregory  
Vicki Heslop  
Christopher Huskinson  
Sarah Lewsey  
Rachel Madden  
Gordon Mann  
Andy Meakin  
Nicholas Parvin  
Phil Rostance  
John Smallridge  
David Walters  
John Wilmott

## **FILMING/AUDIO RECORDING NOTICE**

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

## **SUMMONS**

You are hereby requested to attend a meeting of the Council to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



**Theresa Hodgkinson**  
**Chief Executive**

## AGENDA

Page

1. To receive apologies for absence, if any.
2. **Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.**
3. To receive and approve as a correct record the minutes of the meeting of the Council held on 25 September 2023. 5 - 14
4. To receive any announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service.
5. To undertake any presentations of awards and/or certificates by the Chairman.  
  
To celebrate Waimi, Mbetmi and Yimi Fongue receiving the British Citizen Youth Award for their services to Hucknall, including litter picking, planting trees and the collection of soft plastics for recycling.
6. To receive questions from the Public in accordance with Council Procedure Rule 11, if any.  
  
1. From Kerry Thornton:  
  
*“Can the Council explain their reasons for building on Hardwick Lane Recreation Ground, a green space before building on derelict garage sites owned by the Council?”*
7. To receive and consider any petitions submitted in accordance with Council Procedure Rule 12, if any.  
*(None received for this meeting)*
8. In accordance with Council Procedure Rule 2 (viii) to receive reports from the Cabinet in relation to the Council's budget and policy framework, reports of the Principal Select Committee for debate and reports from Officers of the Council:-
  - a Report on an Urgent Key Decision.
  - b Polling District and Polling Places Review. 15 - 54

**c Appointments to Outside Bodies.**

<b>Body:</b>	<b>Representative:</b>	<b>Term Ending:</b>
Ashfield Community Safety Partnership Joint Strategic Group	Councillor John Wilmott to replace Councillor Helen-Ann Smith	31 May 2024
Nottinghamshire Joint Waste Management Committee	Councillor Helen-Ann Smith to replace Councillor Samantha Deakin	31 May 2024
Police and Crime Commissioner Panel	Councillor John Wilmott to replace Councillor Helen-Ann Smith	31 May 2027

- 9. In accordance with Council Procedure Rule 2 (ix), to receive recommendations from the Cabinet and the Council's Committees and resolve in accordance with the Council's rules of debate as per the attached schedule.** 55 - 452
- 10. Updates from Members of the Cabinet on their Portfolio Activity.**
- 11. Notices of Motion.**  
*(None received for this meeting)*
- 12. To answer any questions submitted in writing by Members in accordance with Council Procedure Rule 13, if any.**  
*(None received for this meeting)*
- 13. To receive a list of minutes and a web link to access Cabinet and Committee meeting minutes that have been published since the last ordinary meeting of the Council for Members to give notice of their intention to ask a question of a relevant Chairman under Procedure Rule 13.2.** 453 - 454

# Agenda Item 3

## COUNCIL

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,  
on Monday, 25th September, 2023 at 7.00 pm**

**Present:** Councillor Dale Grounds in the Chair;

Councillors Kier Barsby, Will Bostock, Ian Briggs, Jodine Cronshaw, Samantha Deakin, Anna Ellis, Andy Gascoyne, Paul Grafton, Julie Gregory, Arnie Hankin, Oliver Hay, Tom Hollis, Christopher Huskinson, Dawn Justice, Sarah Lewsey, Trevor Locke, Sarah Madigan, Gordon Mann, Cathy Mason, Andy Meakin, Warren Nuttall, Nicholas Parvin, Matthew Relf, Phil Rostance, Dave Shaw, John Smallridge, Helen-Ann Smith, Lee Waters, John Wilmott and Jason Zadrozny.

**Apologies for Absence:** Councillors Jamie Bell, Vicki Heslop, Rachel Madden and David Walters.

**Officers Present:** John Bennett, Craig Bonar, Lynn Cain, Hannah Cash, Ruth Dennis, Louise Ellis, Theresa Hodgkinson, Peter Hudson, Jas Hundal, Mike Joy, Chris Stephenson and Shane Wright.

### **C.37 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

No declarations of interest were made.

### **C.38 Minutes**

RESOLVED

that the minutes of the meeting of the Council held on 24 July 2023, as now submitted, be received and approved.

### **C.39 Announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service**

#### Chairman of the Council

The Chairman took the opportunity to give an update in respect of the events he had hosted and attended since his appointment in May 2023. He thanked his partner Laura and the Council's Civic Team for their ongoing support and

commitment towards helping him forge partnerships, friendships and connections across the county as part of his role as Chairman.

### Chief Executive

The Chief Executive welcomed John Bennett to the meeting in his new role as Executive Director of Place and gave a brief insight into his previous roles and achievements.

### Leader of the Council

The Leader of the Council firstly thanked the Chairman for being such a great Ambassador for Ashfield and for all his hard work in attending so many events across the County thus far. He then welcomed John Bennett to the Council and shared his excitement and ambitions for working with him in the future.

Thanks, and congratulations were then extended to Andrew Topping from the Chad Newspaper who was leaving his role as local reporter to take up a teaching position at Nottingham Trent University.

Lastly, the Leader took the opportunity to offer his apologies to Councillor Cathy Mason for his conduct at the previous meeting. He felt that his passion for providing social housing had temporarily overtaken his regard for respect for fellow Councillors in the Chamber and the fact that he had singled her out and caused offence was not acceptable. He hoped that the apology could be accepted and that a line could be drawn for ensuring considerate and inclusive debates in the future.

## **C.40 Presentations of Awards**

The Chairman took the opportunity to highlight the following achievements:

- Kirkby Leisure Centre selected as a top finalist for Best Efficiency and Transformation category and named regeneration and restoration project of the year at Insider Media 2023 Property Awards
- The Chief Executive, Theresa Hodgkinson, shortlisted in the Sherwood Forest Hospitals Trust Excellence Awards and “highly commended”
- Kingsmill Green Flag award
- Gillian Welch awarded with the inaugural Nottinghamshire County Council Boots and Berets 2023 Award for Employee Forces Hero
- Ashfield District Council awarded Council of the Year for the East Midlands region in the ‘Energy Efficiency Regional Awards’ and, in particular, for delivering the successful insulation of 104 bungalows across the District over the past 12 months.

#### **C.41 Questions from the Public**

In accordance with Council Procedure Rule 11, the following question had been submitted by Kerry Thornton:

*“Leamington is recognised as the most deprived ward in our district and the Council's own Public Open Space strategy and Be Healthy Be Happy report identify the importance of green spaces in tackling inactivity. Given the level of deprivation, that impact on health and wellbeing and the Council's own Health and Wellbeing report about this area, can the Council explain how the plans to potentially build on the Rec at Hardwick Lane align with their policies?”*

The Leader of the Council, Councillor Jason Zadrozny, responded by stating that the Council had pledged to build a further 200 homes over the next 4 years and that the Hardwick Lane site was appropriate. The Council has invested in a substantial Play Park Strategy having recently secured funding for improvements at The Twitchell Recreation Ground and therefore Leamington Ward residents would not be missing out.

A comparison was offered in respect of the previous Labour Administration's non-investment in Council homes and the current, escalating need for suitable Council property provision for the 4,320 people presently on the Council's housing list. To conclude, the Leader gave some examples and anecdotes from satisfied residents now settled in their new Council homes across the District.

The Chairman then gave Ms. Thornton the opportunity to ask a supplementary question and she responded as follows:-

*“When will the Leader of the Council meet the residents' group to discuss the Council's plans in further detail?”*

The Leader of the Council responded to the supplementary question by reiterating the many different methods available to Ashfield residents to consult, comment and ask questions of Council officers in respect of this particular housing proposal. He concluded by stating that recent data had confirmed that the Hardwick Recreation Ground was not being used and could therefore provide suitable land for much needed Council homes.

#### **C.42 Petitions**

No petitions were received for consideration.

#### **C.43 Report on an Urgent Key Decision**

In accordance with Rule 17.2 of the Access to Information Procedure Rules, the Leader informed Council of an executive decision that had been taken pursuant to Rule 16 (Special Urgency Provisions.)

The decision related to a necessity to complete a major project without delay to enable Government funding to be realised and maximised following the project contractors going into administration.

The decision was key and contained exempt information and the full 28 days' notice could not be given. The Rule 16 Notice and the non-exempt elements of the decision were duly published on the Council's website.

#### **C.44 Review of Polling Places and Polling Districts**

Council was requested to approve the commencement of public consultation on the amendments to polling places and polling districts as set out in the report.

RESOLVED that

- a) the information contained in the report, be received and noted;
- b) approval be given for a public consultation exercise to commence on 2 October 2023 and conclude on 31 October 2023.

#### **C.45 Changes to Committee Memberships**

RESOLVED

that the changes to Committee memberships as advised by the Leader and as circulated, be received and noted.

#### **C.46 Recommendations from the Cabinet and the Council's Committees**

Council was requested to consider and approve six recommendations from Cabinet meetings held on 31 July and 18 September 2023.

Minute No. CA.11

Cabinet – 31 July 2023

Funding Update

RESOLVED that

- a) the revised Towns Fund reprofiled funding programme for the Capital Programme, as outlined in the Cabinet report, be approved;
- b) the submission of an expression of interest to the Arts Council be noted and the grant monies be accepted with the Council acting as the Accountable Body, should the bid be successful;
- c) following receipt of funds, Section 106 monies be included in the Capital Programme, as detailed in the Cabinet report.



Minute No. CA.12  
Cabinet – 31 July 2023  
Draft Financial Outturn 2022/23 for General Fund, Housing Revenue Account (HRA) and Capital Programme

RESOLVED

that approval be given to carry forward the £21.419m underspend on the Capital Programme to 2023/24, due to slippage (delays to schemes) included in the approved Programme shown at Section 4 of the Cabinet report.

Minute No. CA.16  
Cabinet – 31 July 2023  
Proposed Demolition and Redevelopment of two Community Centres for Affordable Housing

RESOLVED

that subject to planning consent and confirmation of Homes England funding, the use of Housing Revenue Account reserves and if needed commuted sums, to fund the site clearances and the development of 4 new Council homes, be approved.

Minute No. CA.20  
Cabinet – 18 September 2023  
Corporate Plan 2023-2027

RESOLVED

that the new Corporate Plan for 2023-2027, as presented, be approved.

Minute No. CA.23  
Cabinet – 18 September 2023  
2023/24 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2023

RESOLVED

that the amendments and the addition of new schemes to the Capital Programme 2023/24 to 2027/28 and the funding of the Capital Programme as set out in Section 7 and Appendix 3 of the Cabinet report, be approved.

Minute No. CA.27  
Cabinet – 18 September 2023  
Approval to Purchase a Site at Lowmoor Road from Nottinghamshire County Council (NCC) by Ashfield District Council (ADC)

RESOLVED

that funding to support the purchase of the Lowmoor Road site from Nottinghamshire County Council, in accordance with the draft Heads of Terms (HOTs) as presented, be approved.

#### **C.47 Updates from Members of the Cabinet on their Portfolio Activity**

The following Cabinet Members gave updates in relation to their portfolio activity:

Councillor Samantha Deakin – Executive Lead Member for Parks and Environmental Services

Councillor Matthew Relf – Executive Lead Member for Growth, Regeneration and Local Planning

Councillor John Wilmott – Executive Lead Member for Governance.

Councillor Jason Zadrozny – Leader of the Council.

(During the Cabinet Member updates and in accordance with Council Procedure Rule 30, it was moved by Councillor Matthew Relf and seconded by Councillor Helen-Ann Smith that Procedure Rules 10 [Duration of Meeting] and 23 [Conclusion of Proceedings] be suspended, for the duration of the meeting, to enable all matters on the agenda to be satisfactorily concluded. Having been put to the vote, the Council agreed with this course of action.)

#### **C.48 Notices of Motion**

No motions were received for consideration.

#### **C.49 Questions received in accordance with Council Procedure Rule 13**

##### Question 1

from Councillor Kier Barsby to the Leader of the Council:

*“Given that there are more people on our housing list than properties owned by this authority and with very few becoming available each year, does he agree with me that the prospect of building new council homes in Ashfield is a positive step forward.”*

The Leader of the Council responded and said yes to the question.

In accordance with Council Procedure Rule 13.5, Councillor Barsby was invited to ask a supplementary question as follows:

*“Would the Leader clarify for this Council membership that even when more houses are built than the total number of properties owned, it does not increase but flatlines due to the Right to Buy?”*

The Leader responded again and advised that although Right to Buy was a great thing for Ashfield tenants, the Government had never rectified the imbalance of not allowing the Council to use the sale money from properties to build new Council houses. He reaffirmed that it was vital that the Council utilised available areas of land within the District to build new Council homes for future provision, whilst giving examples of how he believed the former Labour administration had failed to take action during their tenure.

### Question 2

from Councillor Sarah Madigan to the Leader of the Council:

*“Given that here in Ashfield, we have many people who are older and many being dis-abled it follows that toilet provision is of the utmost importance. So many people have told me that before leaving their home they need to know that there is easy accessibility to toilets. This is the by far most common enquiry I’ve received. People of all ages and abilities from all over Ashfield use and enjoy Sutton Lawn, so I would like to ask the Leader for his assurance that this vital amenity whatever the outcome of the Rumbles affair will be kept open.”*

The Leader of the Council responded and firstly gave a brief synopsis of the current situation regarding legal negotiations being undertaken for future café provisions on Sutton Lawn. He stated that the Council was committed to safeguarding the toilets and café provision on Sutton Lawn but could not comment further due to legal process.

In accordance with Council Procedure Rule 13.5, Councillor Madigan was invited to ask a supplementary question but she declined.

### Question 3

from Councillor Cathy Mason to the Leader of the Council:

*“With the Asset of Community Value submission regarding Brierley House being acknowledged by the Legal department, which by all accounts suspends any action regarding the building while it is undergoing that procedure, is the Council prepared to lift the ban placed on booking the facility during this period which may be up to 2 months. So that those wishing to benefit from the health and wellbeing effects their meetings give, can continue for the time being, whilst also generating income to the council.”*

The Leader of the Council responded and firstly stated that having made a decision earlier on the agenda in relation to the closure of Brierley House, this decision could not be rescinded for the next six months unless certain criteria were met as outlined in the Council’s Constitution.

He did however, go on to state that he appreciated the Councillor’s point and would consider removing the ban on taking bookings for Brierley House whilst it remained open and would contact Councillor Mason in writing once his decision had been made.

In accordance with Council Procedure Rule 13.5, Councillor Mason was invited to ask a supplementary question as follows:

*“In accordance with a similar six month community engagement exercise being carried out currently for Willetts Court, could the Council give the residents some community engagement for Brierley House to find out what they would like to do with it?”*

The Leader responded by reiterating the fact that a decision had already been made to close the facility and also commented that the Carsic Ward was lucky to have two alternative community venues, namely Aspley Court and St. Marys' Court.

However, to assist Councillor Mason, the Leader stated that he would make officers within the Place and Wellbeing Team available to her to consider any potential alternatives/initiatives for community provision within the Carsic Ward going forward.

**C.50 Questions received in accordance with Council Procedure Rule 13.2 - In relation to Cabinet and Committee Meeting Minutes published since the last ordinary meeting of the Council**

No questions were received from Members.

**C.51 Section 100A Local Government Act 1972: Exclusion of the Press and Public**

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act and in respect of which the Proper Officer considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**C.52 Public Sector Decarbonisation Scheme - Additional Funding (Exempt by virtue of Paragraph 3)**

Approval was sought for additional funding to support the delivery of the Public Sector Decarbonisation Scheme (Round 3b) funded projects.

RESOLVED that

- a) approval be given to proceed with capital investment in decarbonisation technologies and infrastructure for Hucknall Leisure Centre and Urban Road Central Offices;
- b) the amount of capital budget allocated from the Council towards Hucknall Leisure Centre be increased, to meet at least the minimum decarbonisation targets set by the grant funding body, Salix;
- c) the amount of capital budget allocated from the Council towards the Central Office project be increased to meet at least the minimum decarbonisation targets set by the grant funding body, Salix, and to assist the Council to attain its net zero ambitions.

The meeting closed at 9.08 pm

Chairman.

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<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>27 NOVEMBER 2023</b>
<b>Heading:</b>	<b>POLLING PLACES AND POLLING DISTRICT REVIEW</b>
<b>Executive Lead Member:</b>	<b>LEADER OF THE COUNCIL</b>
<b>Ward/s:</b>	<b>ALL WARDS</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## Purpose of Report

This report sets out proposals for the revision of some polling districts and polling places following the statutory review required by the Electoral Registration and Administration Act 2013. The proposals are based on the recommendations of the Polling Places Review Working Group.

## Recommendation(s)

- a) that the Council approve the recommendations of the review Working Group as set out in the minutes of the meetings held on 7 August, 21 August, 11 September and 6 November 2023. (Appendices "A", "B", "C" and "D" refer).
- b) that subject to the above, the Council approve the final proposals report, setting out the changes to the polling places and polling districts, having considered any representations received during the consultation period and included therein (Appendices "E" and "F").
- c) that the Chief Executive be requested to formally publish the notice of conclusion of the review, its findings, the responses from consultees and all other relevant documentation.
- d) that the Council note, in the event of a polling place being unavailable in the run up to an election, the (Acting) Returning Officer has delegated authority to select an appropriate alternative and formal retrospective approval be sought by Council following the election, should this be a permanent proposed change.

## **Reasons for Recommendation(s)**

To comply with the legislation which requires the Council to undertake periodic reviews of polling districts and polling places.

To ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances and that, as far as is reasonable and practicable, polling places are accessible to disabled electors.

## **Alternative Options Considered**

None, failure to publish proposals within the statutory period would result in the Council not meeting the requirements as prescribed in the Electoral Registration and Administration Act 2013 and therefore failing to meet its obligations.

## **Detailed Information**

### **Introduction**

In accordance with the Representation of the People Act 1983, the Council has a duty to divide the electoral area into polling districts and to designate a polling place for each of those districts. The Electoral Registration and Administration Act 2013 also requires every local authority to start and complete a review of its polling places and districts at least once every five years within a designated 16 month period.

### **Review Process**

The Polling Place Review Working Group, as appointed by the Council have conducted the review and the final findings of the group are included in the report for consideration by the Council. The Polling Places Review Working Group (the Working Group) met on four occasions, the minutes of those meetings are attached. (See appendices "A", "B", "C" and "D").

The public consultation period commenced on 2 October 2023 for a period of 4 weeks, ending on 31 October 2023. During this period views and comments were sought from electors, interested individuals and local bodies with expertise in accessibility for disabled persons. Additionally feedback was invited from all District and County Councillors, MP's and the Acting Returning Officers for both the Parliamentary constituencies of Mansfield and Newark and Sherwood, which include some electoral areas within the Ashfield District.

Maps showing the existing and proposed polling districts and polling places, as a result of the work undertaken by the Working Group, were published on the Council's website and hard copies were available for inspection upon request.

Upon agreement by the Council that the proposals be approved, details of the new polling places and polling districts must be made available to the public, including relevant maps. Those changes will then be incorporated into the register when it is published on 1 December 2023.



## **Requirements of the Review**

In undertaking the review the Council must have due regard to the following considerations:

- It must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances
- It must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled
- Where possible the polling place should be in its own polling district. Special circumstances apply which allow for the polling place to be situated outside of the polling district where there is no suitable polling place within the polling district, and in these circumstances regard should be had to the convenience of electors
- Where possible each parish (and each parish ward) should be separate polling districts
- Where boundaries for different elections are no longer co-terminous the areas no longer co-terminous must be made into separate polling districts

## **Consultation Responses**

Attached at Appendix “E” is a summary of the responses received during the consultation period.

The Working Group considered each of these representations at its meeting on the 6 November to determine if changes were necessary because of those representations having been made. The recommendations in respect of the consideration of the response by the Working Group are set out in the minutes of the meeting as appended to this report at Appendix “D”.

## **Final Proposals and Schedule of Agreed Polling Districts and Polling Places**

A copy of the final proposals incorporating all of the recommendations of the Working Group is attached for consideration by the Council at Appendix “F”.

## **Appeals Process**

Following the conclusion of the local authority’s review, certain persons have the right to make representations to the Electoral Commission. The Commission will only consider representations that the review was not conducted correctly and therefore failed to meet the reasonable requirements of the electors in the constituency or has failed to take sufficient account of accessibility to disabled persons to the polling stations within a polling place.

## **Implications**

### **Corporate Plan:**

Enable thriving, prosperous and self-sufficient communities where people shape their own futures. Ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

### **Legal:**

Every local authority is required to start and complete a review of its polling districts and polling places at least once every five years. The compulsory review period commenced on 1 October 2023. [RLD 15/11/2023]

**Finance:** No additional financial implications. [PH 15/11/2023].

Budget Area	Implication
General Fund – Revenue Budget	Costs arising from the review can be met from existing budgets.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

**Risk:**

Risk	Mitigation
Confusion for electors in the event of a drastic and unnecessary change	<ul style="list-style-type: none"> <li>• Seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances</li> <li>• Seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled</li> </ul>
Failure to comply with legislative requirements to review its polling district and polling places every 5 years	<ul style="list-style-type: none"> <li>• Review of polling places and polling districts to ensure that thorough consideration has been given to support accessibility for all electors and to comply with legislative requirements</li> </ul>

**Human Resources:**

There are no issues arising out of the report.

**Environmental/Sustainability:**

None.

**Equalities:**

The proposals have taken into account the accessibility needs of disabled persons and provides reasonable facilities to vote as far as is practicable.

**Other Implications:**

None.

### **Reason(s) for Urgency**

None.

### **Reason(s) for Exemption**

Not applicable.

### **Background Papers**

None.

### **Report Author and Contact Officer**

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### **Sponsoring Executive Director**

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**POLLING PLACES AND POLLING DISTRICTS REVIEW WORKING GROUP**

**Meeting held in Committee Room, Council Offices, Urban Road,  
Kirkby-in-Ashfield,**

**on Monday, 7<sup>th</sup> August 2023 at 2.00 p.m.**

**Present:** Councillor Jason Zadrozny in the Chair;  
Councillors Samantha Deakin, Thomas Hollis, Rachel Madden, Andrew Meakin, Philip Rostance and Helen-Ann Smith

**Apologies for Absence:** None

**Officers Present:** Carla Benedetti, Ruth Dennis, Michael Joy and Rachel Newton

**PPD.1 Declarations of Interest by Members and Officers**

No declarations of interest were made.

**PPD.2 Scope**

The Assistant Director – Democracy requested that the scope of the review be agreed in order that preparatory work could commence ahead of the formal review and subsequent consultation process beginning in October 2023.

He advised members that it would be good practice to ensure that the preliminary work was completed in a timely manner as a general election could be called at short notice.

Further it was agreed that forecast information relating to the current and projected population be provided at the next meeting to assist members in assessing the size of polling districts and the number of polling places necessary to accommodate electors. The initial meetings would provide a starting point from which officers could begin researching alternative polling places where necessary and gather further information to bring back to the group.

**PPD.3 Polling Places**

The Group worked through the list of polling places and provided comments and suggestions to be investigated during the course of the review process as detailed below:

**ABBNEY HILL**

Councillor Meakin had received representation from his constituents that the Summit Centre is a long way to travel. Abbey Hill School was previously used, however, in keeping with the council's commitment to limit the number of schools the polling place was moved.

**RECOMMEND:** that liaison with school take place the findings of which will be reported back to the group.

## **ANNESLEY & KIRKBY WOODHOUSE**

No changes proposed.

## **ASHFIELDS WARD**

No changes proposed.

## **CARSIC**

Members would like to explore the possibility of using one station, namely St Marys Court and therefore removing Aspley Court as a polling place.

RECOMMEND: the use of Aspley Court be discontinued in favour of St Marys Court becoming a double station.

## **HUCKNALL CENTRAL**

The use of Watnall Road community centre to be discontinued.

RECOMMEND: alternative venues to be identified and presented to the group.

## **HUCKNALL NORTH**

Members felt that Leen Valley Golf Club was too far for electors to travel and has inadequate transport links.

RECOMMEND: alternative venues be identified and presented to the group

## **HUCKNALL SOUTH**

Members would to explore the possibility of using Forge Mill Café as this would provide better access for electors.

RECOMMEND: that the possibility of moving to the Forge Mill Café be explored and the findings reported back to the group.

## **HUCKNALL WEST**

Councillor Rostance requested that a venue closer to the electors living in and around the old Rolls Royce site be identified and polling district boundaries for that area be revisited.

RECOMMEND: that a site visit be made to the old Rolls Royce site and the findings reported back to the group. Additionally, members to consider the polling district boundaries for this area.

## **HUTHWAITE & BRIERLEY**

Due to the projected growth through new developments in this area, it is likely that both the polling district boundaries and the polling places in this ward require reorganisation as part of this review.

RECOMMEND: that alternative options for polling places be identified for members to consider and further work be undertaken by the group to rationalise polling district boundaries.

### **GREENWOOD & SUMMIT**

Greenwood school currently require a CPO to be stationed within the polling place throughout polling day to ensure that safeguarding requirements can be met.

RECOMMEND: that contact be made with the head teacher with an offer from the authority to pay for a lockable door to remove the need for a permanent member of staff to be stationed on site throughout the day.

### **JACKSDALE**

No changes proposed.

### **KINGSWAY**

No changes proposed.

### **KIRKBY CROSS & PORTLAND**

Members would like to consider reducing the number of polling stations in this polling district and redirecting those electors to existing stations.

RECOMMEND: that the Urban Social Club be removed as a polling place with the redirection of the affected electors to the Kingsway Public House and The Hill Methodist Church.

### **LARWOOD**

No changes proposed.

### **LEAMINGTON**

No changes proposed

### **SELSTON**

No changes proposed.

### **SKEGBY**

Members requested that alternative polling places for Harwood Community Centre are sought and reported back to the next meeting.

RECOMMEND: identify alternative venues and discontinue the use of Harwood Court Community Centre.

## **SUTTON CENTRAL & NEW CROSS**

No changes proposed.

## **ST MARY'S**

No changes proposed.

## **STANTON HILL & TEVERSAL**

Representations were received by the elections team in the May 2023 polls in relation to safeguarding concerns for some of the residents at Brand Court.

RECOMMEND: that the possibility of using All Saints Church Hall be explored.

## **SUTTON JUNCTION & HARLOW WOOD**

No changes proposed.

## **THE DALES**

No changes proposed.

## **UNDERWOOD**

No changes proposed.

### **PPD.4 Polling Districts**

The Chairman requested that the group take the opportunity to examine polling district boundaries in greater detail to enable them to eliminate any small anomalies, in addition to ensuring that the designated polling places are suitably positioned and provide good facilities for electors. It was agreed that updated maps be provided for each polling district and for them to be discussed individually with any changes marked up during the meeting in readiness for them being passed to GIS.

### **PPD5. Meeting Schedule**

At the agreement of all present the Chairman set the next two meetings as follows:

- 21 August 2023 at 2.00 p.m.
- 11 September 2023 at 2.00 p.m.

As Councillor Rostance is unable to attend the meeting being held on 21 August, it was further agreed that discussions concerning polling places and polling districts in Hucknall would be deferred until the meeting scheduled to take place on 11 September.

The meeting closed at 3:30 p.m.

Chairman.



**POLLING PLACES AND POLLING DISTRICTS REVIEW WORKING GROUP**

**Meeting held in Committee Room, Council Offices, Urban Road,  
Kirkby-in-Ashfield,**

**on Monday, 21<sup>st</sup> August 2023 at 2.00 p.m.**

**Present:** Councillor Jason Zadrozny in the Chair;  
Councillors Thomas Hollis, Rachel Madden, Andrew Meakin,  
and Helen-Ann Smith

**Apologies for Absence:** Councillors Samantha Deakin and Philip Rostance

**Officers Present:** Carla Benedetti, Gillian Bradley, Ruth Dennis, Michael Joy  
and Rachel Newton

**PPD6. Declarations of Interest by Members and Officers**

No declarations of interest were made.

**PPD7. Minutes**

The Chairman requested that an addition be made to minute PPD2 as set out below:

“Additionally, the information would be used to determine if contact with the Local Government Boundary Commission would be required.”

**PPD8. Polling Places – Action Required**

Issues had been identified at the first meeting at various polling places. The group discussed these, and the following actions were agreed:

**ABBHEY HILL (ABH1)**

Liaise with Abbey Hill school to ascertain if the school could be used as a polling place whilst remaining open for pupils ensuring that safeguarding measures are met. Additionally, investigate the possibility of siting a mobile unit in the Walesby Drive or Chartwell Road area and the associated costs.

**CARSIC (CAR1 & CAR2)**

Create a double station at St Marys Court to see electors living in CAR1 and CAR2 voting in one polling place at separate polling stations.

**GREENWOOD & SUMMIT (GSM1)**

There are no alternative buildings in which a polling place could be sited that provides reasonable facilities for electors. To ensure that safeguarding of the children is maintained a meeting to be arranged with the headteacher with the offer of a lockable door being installed, the cost being met by the authority.

**HUCKNALL CENTRAL (HCE2)**

Members identified a possible alternative as Holy Cross Catholic church, this venue to be explored.

#### **HUCKNALL NORTH (HNO4)**

As Leen Valley Golf club offers inadequate transport links and requires electors to travel a relatively long distance, the possibility of using the Jamie Brough Pavilion situated on Kenbrook Road to be considered.

#### **HUCKNALL SOUTH (HSO3)**

Revised boundaries in this polling district may be required, the Chairman to provide an example map at the next meeting for consideration by the group.

#### **HUCKNALL WEST (HWE2)**

A site visit to be undertaken by officers to identify available venues within the Rolls Royce site and subsequently revisit the polling district boundaries.

#### **HUTHWAITE & BRIERLEY (HBR1, HBR2 & HBR3)**

GIS to produce new maps illustrating the proposed boundary changes to HBR1. Further discussion to take place around a new venue to accommodate electors who have previously voted at Mill House Community Centre.

#### **KIRKBY CROSS & PORTLAND (KXP2 & KXP3)**

That the polling districts KXP2 with KXP3 merge and for electors to vote at The Hill Methodist Church.

#### **STANTON HILL & TEVERSAL (SHL1)**

A site visit to All Saints Church on Fackley Road to be undertaken by officers and the findings reported back to the group.

#### **SKEGBY (SKG3)**

Liaise with Dalestorth Primary School to ascertain if the school could be used as a polling place whilst remaining open for pupils ensuring that safeguarding measures are met.

#### **PPD9. GIS Projection Information**

The Corporate Information Analyst took the group through the content of the table as attached to the agenda. The Chairman requested that further projection information be produced and presented at the next meeting. This will allow the group to identify any areas with a change of electorate of 10% and subsequently determine if the authority will be required to engage the Local Government Boundary Commission during the review process.

The meeting closed at 3:35 p.m.

Chairman.

**POLLING PLACES AND POLLING DISTRICTS REVIEW WORKING GROUP**

**Meeting held in Committee Room, Council Offices, Urban Road,  
Kirkby-in-Ashfield,**

**on Monday, 11 September 2023 at 2.00 p.m.**

- Present:** Councillor Jason Zadrozny in the Chair;  
Councillors Samantha Deakin, Rachel Madden, Andrew Meakin, Philip Rostance and Helen-Ann Smith
- Apologies for Absence:** Councillor Thomas Hollis
- Officers Present:** Carla Benedetti, Gillian Bradley, Ruth Dennis, Michael Joy and Rachel Newton

**PPD10. Declarations of Interest by Members and Officers**

No declarations of interest were made.

**PPD11. Minutes**

The minutes of the previous meeting were approved as a correct record.

**PPD12. Polling Places – Action Required**

The Electoral Services Assistant took members through the table of required actions and provided an update on each item.

The group discussed the options and made a recommendation against each action as set out below:

<b>CARSIC: CAR2 Proposed new polling place</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
CAR2	Aspley Court	St Marys Court	Sutton West	No access issues
<p><b>Comments:</b></p> <p>St Marys Court is an existing polling place for electors in CAR1, the proposal is to create a double station at St Marys Court and remove Aspley Court as a polling place. This will help support residents at Aspley Court</p>				

**KIRKBY CROSS & PORTLAND: KXP2, KXP3 & KXP4 Polling place and polling district boundary changes**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
KXP1	St Wilfrids Church Hall	No change	Kirkby South	No access issues
KXP2	The Hill Methodist Church	No change	Kirkby South	No access issues
KXP3	Urban Social Club	Merge with KXP2	Kirkby South	N/A
KXP4	Kingsway Public House	Becomes KXP3	Kirkby South	No access issues

**Comments:**

The rationalisation of the polling districts will assist electors in having better access to a polling place. The following streets will be transferred from KXP3 to KXP2:

- Alfred Street
- Austen Grove
- Bellamy Drives
- Bennet Drive
- Bingley Crescent
- Cobden Street
- Erewash Street
- Festus Street
- Greenholme Close
- Hodgkinson Road
- King Street
- Lime Street
- Lindleys Court, Lindleys Lane
- Lindleys Lane
- Meryton Grove
- Queen Street
- Ronchin Gardens
- Spring Close
- Station Street
- Urban Road

Subsequently the polling district previously known as KXP4 will become KXP3.

<b>HUCKNALL CENTRAL: HCE2 Polling place and polling district boundary changes</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HCE1	The John Godber Centre	Alteration of the polling district boundary	Hucknall South	N/A
HCE2	Watnall Road Community Centre	Holy Cross Catholic Church – Community Room	Hucknall South	No access issues
HCE3	Royal British Legion	Additional properties placed in polling district HCE3 from HCE2	Hucknall South	N/A
<p><b>Comments:</b></p> <p>Watnall Road Community Centre is no longer suitable as a polling place. Holy Cross Catholic Church Community Room offers reasonable facilities for electors and is within the polling district.</p> <p>Additionally, the rationalisation of the polling districts across HCE1, HCE2 and HCE3 will assist electors in having better access to a polling place.</p> <p>The following streets will be transferred from HCE1 to HCE2, and those electors will vote at Holy Cross Catholic Church – Community Room:</p> <ul style="list-style-type: none"> <li>• Sandy Lane, Hucknall (even numbered properties 64a-118)</li> <li>• Sandy Lane, Hucknall (odd numbered properties 49-79)</li> <li>• Windmill Avenue, Hucknall (all properties)</li> <li>• Windmill Grove, Hucknall (all properties)</li> <li>• William Street, Hucknall (all properties)</li> </ul> <p>The following streets will be transferred from HCE2 to HCE3, and those electors will vote at The Royal British Legion:</p> <ul style="list-style-type: none"> <li>• Croft Avenue, Hucknall (odd numbered properties)</li> <li>• Truman Drive, Hucknall (all excl Autumn Court)</li> <li>• Orchard Street, Hucknall (all properties)</li> </ul>				

**HUCKNALL NORTH: HNO2 & HNO4 Polling place and polling district boundary changes**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HNO1	George Street Working Mens Club	No change	Hucknall North	No access issues
HNO2	Interchange (Young People Centre)	No change	Hucknall North	No access issues
HNO3	Interchange (Young People Centre)	No change	Hucknall North	No access issues
HNO4	Leen Valley Golf Club	Jamie Brough Pavilion	Hucknall North	No access issues

**Comments:**

Leen Valley Golf Club does not offer adequate transport links and is particularly difficult to access by foot. Jamie Brough Pavilion offers reasonable facilities for electors, has good transport links and is within the polling district.

Additionally, the rationalisation of the polling districts across HNO2 and HNO4 will assist electors in having better access to a polling place.

The following streets will be transferred from HNO2 to HNO4, and those electors will vote at Jamie Brough Pavilion:

- Papplewick Lane, Hucknall (odd numbered properties)
- Rowan Court, Hucknall (all properties)
- Balmoral Grove, Hucknall (all properties)
- Buckingham Avenue, Hucknall (all properties)

**HUCKNALL SOUTH: HSO4 & HSO5 Polling place and polling district boundary changes**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HSO1	The Grove	No change		No access issues
HSO2	St Johns Church Community Complex	No change		No access issues
HSO3	Bestwood Community Centre	No change		No access issues
HSO4	Broomhill Inn	Merge with HSO5 change polling place to create a double polling station at St Johns Church Community Comp.		No access issues
HSO5	The Grove	Merge with HSO4 and change polling place to create a double station at St Johns Church Community Complex		

**Comments:**

The rationalisation of the polling districts across HSO4 and HSO5 will see the two polling districts merge and will assist electors in having better access to a more suitable polling place at St Johns Church Community Complex.

The following streets will be merged from HSO5 to HSO4 and become HSO4:

- Dallman Close (all properties)
- Derwent Drive (all properties)
- Farleys Lane (all properties)
- Hazel Meadows (all properties)
- Nursery Close (all properties)
- Park Drive (all properties)
- Torkard Court (all properties)

**HUCKNALL WEST: HWE2 Proposed new polling place**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HWE2	West Hucknall Baptist Church	The Engine Rooms	Hucknall West	No access issues

**Comments:**

The Engine Rooms, sited on the Rolls Royce Site, offers better access links for electors living in the polling district. HWE2.

The rationalisation of the polling district boundaries will assist electors in having better access to a polling place. The following streets will be transferred from HWE1 into HWE2:

- Watnall Road, Hucknall (even numbered properties)
- Pilot Drive, Hucknall (all properties)
- Kingsway Road, Hucknall (all properties)
- Harrier Grove, Hucknall (all properties)
- Kingsway Gardens, Hucknall (all properties)
- Westville Drive, Hucknall (all properties)
- Merlin Drive, Hucknall (all properties)
- Westland Avenue, Hucknall (all properties)
- Royce Avenue, Hucknall (all properties)
- Wings Drive, Hucknall (all properties)
- Avon Avenue, Hucknall (all properties)
- Neve Close, Hucknall (all properties)
- Trent Drive, Hucknall (all properties)
- Conway Road, Hucknall (all properties)
- Spey Close, Hucknall (all properties)
- Watnall Lodge, Watnall Road, Hucknall (all properties)
- Olympus Court, Hucknall (all properties)
- Stubbing Wood Farm, Hucknall (all properties)



**HUTHWAITE & BRIERLEY: HBR2 Proposed new polling place and polling district boundary change**

Existing Polling District	Existing Polling Place	Proposed Change	County Division	Access Issues
HBR1	Mansfield Hosiery Mills Sports & Social Club	N/A	Sutton West	No access issues
HBR2	Mill House Community Centre	Brierley Forest Park – Café	Sutton West	No access issues
HBR3	The All Saints Centre	N/A	Sutton West	No access issues

**Comments:**

Mill House Community Centre is no longer suitable as a polling place. Brierley Forest Park Café offers reasonable facilities for electors and is within the polling district.

The rationalisation of the polling districts will assist electors in having better access to a polling place. The following streets will be transferred from HBR2 to HBR1 and will cast their vote at Mansfield Hosiery Mills Sports & Social Club:

- Sutton Road, Huthwaite (even numbered properties 6-120)
- Elmhurst Drive, Huthwaite (all properties)
- Beech Avenue, Huthwaite (all properties)
- Crossley Avenue, Huthwaite (all properties)
- Lime Avenue, Huthwaite (all properties)
- Corner Croft, Huthwaite (all properties)
- Mill Close, Huthwaite (all properties)

**SKEGBY: SKG3 Proposed new polling place**

Existing Polling District	Existing Polling Place	Proposed Change	County Division	Access Issues
SKG3	Harwood Court	The Bridge Baptist Church Complex	Sutton North	No access issues

**Comments:**

Harwood Court is no longer considered a suitable venue for a polling place. The Bridge Baptist Church complex, whilst just outside of the polling district, offers reasonable facilities and good transport links for electors.

<b>STANTON HILL &amp; TEVERSAL: SHL2 Proposed new polling place</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SHL2	Brand Court	All Saints Church Hall	Sutton North	No access issues
<p><b>Comments:</b></p> <p>The facilities at Brand Court are no longer considered adequate for electors, those offered at All Saints Church Hall meet all necessary requirements.</p>				

Further investigative work is required in respect of Abbey Hill Ward. The Electoral Services Assistant to update the Chairman and (Acting) Returning Officer accordingly prior to the commencement of the formal consultation process.

**RECOMMEND:**

That the proposals contained within the above table be presented to Council and following approval, be taken forward for consultation. The consultation period to commence on 2 October 2023 and end on 31 October 2023.

**PPD13. GIS Projection Information**

The Corporate Information Analyst presented the updated projection information as requested at the last meeting. Although there were some increases of a higher nature in the projected number of electors in some polling districts, those variances did not exceed the tolerances detailed in the Local Government Boundary Commission for England (LGBC) guidance for 2023.

Members were comfortable that the small changes to the boundaries for a limited number of polling districts during the process of this review would not require the LGBC to be engaged.

The meeting closed at 3:40 p.m.

Chairman.

**POLLING PLACES AND POLLING DISTRICTS REVIEW WORKING GROUP**

**Meeting held in Meeting Room 1, Council Offices, Urban Road,  
Kirkby-in-Ashfield,**

**on Monday, 6 November 2023 at 3.00 p.m.**

**Present:** Councillor Jason Zadrozny in the Chair;  
Councillors Samantha Deakin, Councillor Thomas Hollis,  
Rachel Madden, Andrew Meakin, Philip Rostance and Helen-Ann Smith

**Apologies for Absence:** None

**Officers Present:** Carla Benedetti, Ruth Dennis, Michael Joy and Rachel Newton

**PPD14. Declarations of Interest by Members and Officers**

No declarations of interest were made.

**PPD15. Minutes**

The minutes of the previous meeting were approved as a correct record.

**PPD16. Consultation - Representations Received**

Representations had been received in respect of the proposal to remove Aspley Court from the schedule of polling places. Members noted and debated the points raised in the representations.

The room used as a polling station at Aspley Court requires electors to access the internal areas within the complex, creating safeguarding issues for the residents. Members felt that, on balance, the proposal to discontinue using the venue was in the best of interest of the residents when considering their wellbeing.

**RECOMMEND:**

That the proposal to discontinue the use of Aspley Court and to create a double station at St Marys Court, as included in the final proposals document, be recommended to Council for approval.

**PD17. Final Proposals for Submission to Council**

Members discussed the content of the table of final proposals and were happy to proceed without any amendments.

RECOMMEND:

That Council approve the Acting Returning Officers (ARO) final proposals as the adopted schedule of designated polling places and polling districts.

The meeting closed at 3:15 p.m.

Chairman.

## Polling District and Polling Places Review

### Table of Representations (Anonymised)

1	<p>I have recently been informed that my local polling station Aspley Court is under consideration of being closed as a polling station. I am writing to protest as this will cause significant issues for me. I am a carer for 3 of my children who all have disabilities n I also suffer from fibromyalgia n arthritis myself n am in constant pain. My local polling station is perfect as my children n I don't have to walk too far but I am concerned if i cannot get to a polling station further afield then I may not be able to vote at all. Please consider people like me when making decisions to close polling stations as they will do affect the local community n I am sure will take away the ability for some to be able to vote. Postal voting is an option but it should not be forced to be peoples only choice. Also our nearest post box is further away than our polling station by quite a significant amount.</p>
2	<p>I strongly oppose any decision to remove Aspley court as a Polling station.</p> <p>I invite ADC to ensure ASPLEY COURT remains as a Polling station.</p>

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**ACTING RETURNING OFFICER PROPOSALS**

<b>ABBEY HILL: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
ABH1	The Summit Centre	None	Kirkby North	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts.</p> <p>Contact was made with Abbey Hill School who are unable to allow us to use the venue without closing the school to all students. Investigative work was undertaken regarding the placement of a mobile unit at Walesby Drive, however, the owner of the land has not been willing to engage with the Elections Team.</p> <p>The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>ANNESLEY &amp; KIRKBY WOODHOUSE: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
AKW1	Nuncar Court	None	Kirkby South	No access issues
AKW2	Acacia Centre	None	Kirkby South	No access issues
AWK3	Annesley Parish Hall	None	Kirkby South	No access issues
AKW4	Acacia Centre	None	Kirkby South	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>ASHFIELDS: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
ASH1	The Changing Rooms	No change	Ashfields	No access issues
ASH2	The Snipe	No change	Ashfields	No access issues
ASH3	Heathcote Court	No change	Ashfields	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>CARSIC: Polling place change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
CAR1	St Marys Court	No change	Sutton West	No access issues
CAR2	Aspley Court	St Marys Court	Sutton West	No access issues
<p><b>Comments:</b></p> <p>St Marys Court is an existing polling place for electors in CAR1. The creation of a double station at St Marys Court and the subsequent removal of Aspley Court as a polling place will help to support the residents of Aspley Court.</p>				



<b>GREENWOOD &amp; SUMMIT: No Change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
GSM1	Greenwood Primary School (Nursery Unit)	No change	Kirkby North	No access issues
GSM2	The Homesteads	No change	Kirkby North	No access issues
GSM3	The Summit Centre	No change	Kirkby North	No access issues
GSM4	Kirkby Catholic Club	No change	Kirkby North	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>HUCKNALL CENTRAL:</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HCE	The John Godber Centre	Alteration of the polling district boundary	Hucknall South	No access issues
HCE2	Watnall Road Community Centre	Holy Cross Catholic Church complex  Additional properties placed in HCE2 from HCE1	Hucknall South	No access issues
HCE3	Royal British Legion	Additional properties placed in polling district HCE3 from HCE2	Hucknall South	No access issues
<p><b>Comments:</b></p> <p>Watnall Road Community Centre is no longer suitable as a polling place. Holy Cross Catholic Church complex offers reasonable facilities to the rear of the church for electors and is within the polling district.</p> <p>Additionally, the rationalisation of the polling districts across HCE1, HCE2 and HCE3 will assist electors in having better access to a polling place.</p> <p>The following streets will be transferred from HCE1 to HCE2 and those electors will vote at Holy Cross Catholic Church – Community Room:</p> <ul style="list-style-type: none"> <li>• Sandy Lane, Hucknall (even numbered properties 64a-118)</li> <li>• Sandy Lane, Hucknall (odd numbered properties 49-79)</li> <li>• Watnall Road (House number 170)</li> <li>• Fitzgerald Court (off Sandy Lane) (1-4)</li> <li>• Windmill Avenue, Hucknall (all properties)</li> <li>• Windmill Grove, Hucknall (all properties)</li> <li>• William Street, Hucknall (all properties)</li> </ul> <p>The following streets will be transferred from HCE2 to HCE3 and those electors will vote at The Royal British Legion:</p> <ul style="list-style-type: none"> <li>• Croft Avenue, Hucknall (odd numbered properties)</li> <li>• Truman Drive, Hucknall (all excl Autumn Court)</li> <li>• Orchard Street, Hucknall (all properties)</li> </ul>				

**HUCKNALL NORTH: HNO2 & HNO4 Polling place and polling district boundary changes**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HNO1	George Street Working Mens Club	No change	Hucknall North	No access issues
HNO2	Interchange (Young People Centre)	Removal of some properties to HNO4	Hucknall North	No access issues
HNO3	Interchange (Young People Centre)	No change	Hucknall North	No access issues
HNO4	Leen Valley Golf Club	Jamie Brough Pavilion  Properties to be included in HNO4 from HNO2	Hucknall North	No access issues

**Comments:**

The transport links to Leen Valley Golf Club are inadequate. The Jamie Brough Pavilion offers reasonable facilities for electors, has good transport links and is within the polling district.

Additionally, the rationalisation of the polling districts across HNO2 and HNO4 will assist electors in having better access to a polling place.

The following streets will be transferred from HNO2 to HNO4 and those electors will vote at Jamie Brough Pavilion:

- Papplewick Lane, Hucknall (odd numbered properties)
- Rowan Court, Hucknall (all properties)
- Balmoral Grove, Hucknall (all properties)
- Buckingham Avenue, Hucknall (all properties)
- Lynmoor Court (off Papplewick Lane) (1-4)
- Windsor Close (off Buckingham Avenue) (1-16)
- Sandringham Place (off Buckingham Avenue) (1-16)

**HUCKNALL SOUTH: HSO4 & HSO5 Polling place and polling district boundary changes**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HSO1	The Grove	No change		No access issues
HSO2	St Johns Church Community Complex	No change		No access issues
HSO3	Bestwood Community Centre	No change		No access issues
HSO4	Broomhill Inn	Merge with HSO5 and change polling place to create a double polling station at St Johns Church Community Complex		No access issues
HSO5	The Grove	Merge with HSO4 and change polling place to create a double station at St Johns Church Community Complex		No access issues

**Comments:**

The slight change to the boundary of HSO2 will ensure that the whole of Westminster Way and Victoria Way are included in the same polling district, therefore ensuring clarity for electors.

The rationalisation of the polling districts across HSO4 and HSO5 will see the two polling districts merge and will assist electors in having better access to a more suitable polling place at St Johns Church Community Complex.

The following streets will be merged from HSO5 to HSO4 and become HSO4:

- Dallman Close (all properties)
- Derwent Drive (all properties)
- Farleys Lane (all properties)
- Hazel Meadows (all properties)
- Nursery Close (all properties)
- Park Drive (all properties)
- Torkard Court (all properties)

**HUCKNALL WEST: HWE2 Proposed new polling place**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HWE1	West Hucknall Baptist Church	Transfer properties from HWE1 into HWE2		
HWE2	West Hucknall Baptist Church	Additional properties from HWE1 into HWE2  The Engine Rooms	Hucknall West	No access issues

**Comments:**

The Engine Rooms, sited on the Rolls Royce Site, offers better access links for electors living in the polling district HWE2.

The rationalisation of the polling district boundaries will assist electors in having better access to a polling place. The following streets will be transferred from HWE1 into HWE2:

- Watnall Road, Hucknall (even numbered properties)
- Pilot Drive, Hucknall (all properties)
- Kingsway Road, Hucknall (all properties)
- Harrier Grove, Hucknall (all properties)
- Kingsway Gardens, Hucknall (all properties)
- Westville Drive, Hucknall (all properties)
- Merlin Drive, Hucknall (all properties)
- Westland Avenue, Hucknall (all properties)
- Royce Avenue, Hucknall (all properties)
- Wings Drive, Hucknall (all properties)
- Avon Avenue, Hucknall (all properties)
- Nene Close, Hucknall (all properties)
- Trent Drive, Hucknall (all properties)
- Conway Road, Hucknall (all properties)
- Spey Close, Hucknall (all properties)
- Watnall Lodge, Watnall Road, Hucknall (all properties)
- Olympus Court, Hucknall (all properties)
- Stubbing Wood Farm, Hucknall (all properties)
- Astral Drive (off Kingsway Gardens) (odd numbered properties)
- Tyne Gardens (off Conway Road) (even numbered properties)
- Ravenstone Court (off Trent Drive) (1-8)

**HUTHWAITE & BRIERLEY: HBR2 Proposed new polling place and polling district boundary change**

<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
HBR1	Mansfield Hosiery Mills Sports & Social Club	Additional properties transferred from HBR2	Sutton West	No access issues
HBR2	Mill House Community Centre	Properties transferred from HBR2 to HBR1  Brierley Forest Park – Café	Sutton West	No access issues
HBR3	The All Saints Centre	N/A	Sutton West	No access issues

**Comments:**

Mill House Community Centre is no longer suitable as a polling place. Brierley Forest Park Café offers reasonable facilities for electors and is within the polling district.

The rationalisation of the polling districts will assist electors in having better access to a polling place. The following streets will be transferred from HBR2 to HBR1 and will cast their vote at Mansfield Hosiery Mills Sports & Social Club:

- Sutton Road, Huthwaite (even numbered properties 6-120)
- Elmhurst Drive, Huthwaite (all properties)
- Beech Avenue, Huthwaite (all properties)
- Crossley Avenue, Huthwaite (all properties)
- Lime Avenue, Huthwaite (all properties)
- Corner Croft, Huthwaite (all properties)
- Mill Close, Huthwaite (all properties)
- Mill Lane (off Sutton Road) (201,203 &205)
- Maycroft Gardens (off Sutton Road) (1-5)

<b>JACKSDALE &amp; WESTWOOD: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
JWE1	Royal Oak	No change	Selston	No access issues
JWE2	Jacksdale Community Centre	No change	Selston	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>KINGSWAY: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
KWY1	Forest Street Baptist School Room	No change	Kirkby North	No access issues
KWY2	Forest Street Baptist School Room	No change	Kirkby Noth	No access issues
KWY3	Forest Street Baptist School Room	No change	Kirkby South	No access issues
KWY4	Forest Street Baptist School Room	No change	Kirkby South	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

**KIRKBY CROSS & PORTLAND: KXP2, KXP3 & KXP4 Polling place and polling district boundary changes**

Existing Polling District	Existing Polling Place	Proposed Change	County Division	Access Issues
KXP1	St Wilfrids Church Hall	No change	Kirkby South	No access issues
KXP2	The Hill Methodist Church	Take in additional properties from KXP3	Kirkby South	No access issues
KXP3	Urban Social Club	Merge into KXP2  New polling place: The Hill Methodist Church	Kirkby South	N/A
KXP4	Kingsway Public House	Becomes KXP3	Kirkby South	No access issues

**Comments:**

The rationalisation of the polling districts will assist electors in having better access to a polling place. All properties on the following streets will be transferred from KXP3 to KXP2:

- Alfred Street
- Austen Grove
- Bellamy Drives
- Bennet Drive
- Bingley Crescent
- Cobden Street
- Erewash Street
- Festus Street
- Greenholme Close
- Hodgkinson Road
- King Street
- Lime Street
- Lindleys Court, Lindleys Lane
- Lindleys Lane
- Meryton Grove
- Queen Street
- Ronchin Gardens
- Spring Close
- Station Street
- Urban Road

Subsequently the polling district previously known as KXP4 will become KXP3.



<b>LARWOOD: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
LAR1	Bentinck Miners Welfare	No change	Ashfields	No access issues
LAR2	Bentinck Miners Welfare	No change	Ashfields	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>LEAMINGTON: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
LEM1	Willetts Court Community Centre	No change	Ashfields	No access issues
LEM2	Willetts Court Community Centre	No change	Ashfields	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>SELSTON: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SEL1	The Old Council Offices	No change	Selston	No access issues
SEL2	Selston Parish Hall	No change	Selston	No access issues
SEL3	Selston Parish Hall	No change	Selston	No access issues
SEL4	Railway Inn Public House	No change	Selston	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>SKEGBY: SKG3 Proposed new polling place</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SKG1	Skegby Methodist Church & Anchor Centre	No change	Sutton North	No access issues
SKG2	Skegby & Stanton Hill Library	No change	Sutton North	No access issues
SKG3	Harwood Court	The Bridge Baptist Church Complex	Sutton North	No access issues
<p><b>Comments:</b></p> <p>Harwood Court is no longer a suitable venue for a polling place. The Bridge Baptist Church complex, whilst just outside of the polling district, offers reasonable facilities and good transport links for electors.</p>				

<b>STANTON HILL &amp; TEVERSAL: SHL2 Proposed new polling place</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SHL1	Teversal Visitors Centre	No change	Sutton North	No access issues
SHL2	Brand Court	All Saints Church Hall	Sutton North	No access issues
<p><b>Comments:</b></p> <p>The facilities at Brand Court are no longer considered adequate for electors, those offered at All Saints Church Hall meet all necessary requirements and will better support electors who wish to vote in person.</p>				

<b>SUTTON CENTRAL &amp; NEW CROSS: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SNX1	New Cross Community Church	No change	Sutton Central & East	No access issues
SNX2	The Salvation Army	No change	Sutton Central & East	No access issues
SNX3	Polly Bowls Club	No change	Sutton Central & East	No access issues
SNX4	St Modwens Court	No change	Sutton Central & East	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>SUTTON JUNCTION &amp; HARLOW WOOD: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SJH1	The Junction Public House	No change	Sutton Central & East	No access issues
SJH2	Portland College	No change	Sutton Central & East	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>SUTTON ST MARYS: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
SSM1	The Grosvenor Rooms	No change	Sutton Central & East	No access issues
SSM2	Travellers Rest	No change	Sutton West	No access issues
SSM3	The Grosvenor Rooms	No change	Sutton West	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>THE DALES: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
DAL1	Quarrydale Academy	No change	Sutton North	No access issues
DAL2	Quarrydale Academy	No change	Sutton North	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

<b>UNDERWOOD: No change</b>				
<b>Existing Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Change</b>	<b>County Division</b>	<b>Access Issues</b>
UND1	Underwood Community Centre	No change	Selston	No access issues
UND2	Church of Christ	No change	Selston	No access issues
UND3	Church of Christ	No change	Selston	No access issues
UND4	Underwood Community Centre	No change	Selston	No access issues
<p><b>Comments:</b></p> <p>No changes are proposed for the polling places or polling districts. The ARO is satisfied that the existing arrangements provide reasonable facilities for all electors.</p>				

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**Meeting of the Council**  
**27 November 2023**  
**Schedule of Recommendations**

**N.B.**  
The Schedule sets out recommendations from the Cabinet and the Council's Committees upon which Council is required to reach a decision. During discussion of these items Council Procedure Rule 16 applies (Rules of Debate). Speeches must be relevant to the item being debated. Speeches do not have to be in the form of, or include a question. Members may speak for up to 5 minutes. The Chairman may allow a further 2 minutes at his/her discretion. A Member may only speak once on a motion but may also speak once on an amendment.

<b><u>Meeting:</u></b>	<b><u>Minute No:</u></b>	<b><u>Subject:</u></b>	<b><u>Recommendation(s):</u></b>
<b>Cabinet 6 November 2023</b>	<b>CA.34</b>	<b><u>Ashfield Local Plan 2023 to 2040: Regulation 19 Pre-submission Draft</u></b>	<p>a) the Ashfield Local Plan 2023 to 2040 Regulation 19 Pre Submission Draft, as presented, be agreed (subject to the inclusion of the 81 dwellings on land off Main Road, Jacksdale) and commended to Council for approval for the purposes of public consultation and submission to the Secretary of State for Levelling Up, Housing and Communities, in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and the Planning and Compulsory Purchase Act 2004;</p> <p>(Cabinet Report - Appendix A Final version of the Regulation 19 Pre Submission Draft – Appendix A1)</p> <p><u>Links to Supporting Documents:</u>  Habitat Regulation Assessment (including Appendices) –  <a href="https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/local-plan-evidence-base/">https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/local-plan-evidence-base/</a></p> <p>Sustainability Appraisal (including Appendices) and Background Papers 1 to 4 - <a href="https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/ashfield-local-plan-2023-2040-regulation-19-pre-submission-draft/">https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/ashfield-local-plan-2023-2040-regulation-19-pre-submission-draft/</a></p>

<p><b>Cabinet 6 November 2023</b></p>	<p><b>CA.36</b></p>	<p><b><u>Programme Monitoring Report: Major Projects and Funding</u></b></p>	<p>b) in respect of the ‘Plan for Towns’ programme for Kirkby:</p> <ul style="list-style-type: none"> <li>• to recommend to Council to accept funding from the programme;</li> <li>• to agree that the Council will act as the Accountable Body;</li> <li>• to delegate authority to the Chief Executive Officer for the signing of documents including a Heads of Terms and Memorandum of Understanding;</li> </ul> <p>c) to recommend to Council to accept the Devolution – Retrofit funding.</p> <p>(Report attached at Appendix B)</p>
<p><b>Licensing Committee, 10 October 2023</b></p>	<p><b>L.6</b></p>	<p><b><u>Review of the Statement of Licensing Policy</u></b></p>	<p>Having considered any valid consultation responses, Council be recommended to approve and adopt the revised Statement of Licensing Policy.</p> <p><b>Council will be advised at the meeting if any valid consultation responses have been received by the closure date of 22 November 2023.</b></p> <p>(Report attached at Appendix C)</p>



<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>6th NOVEMBER 2023</b>
<b>Heading:</b>	<b>ASHFIELD LOCAL PLAN 2023 TO 2040: REGULATION 19 PRE-SUBMISSION DRAFT</b>
<b>Executive Lead Member:</b>	<b>EXECUTIVE LEAD MEMBER FOR GROWTH, REGENERATION AND LOCAL PLANNING – CLLR MATTHEW RELF</b>
<b>Ward/s:</b>	<b>ALL WARDS</b>
<b>Key Decision:</b>	<b>YES</b>
<b>Subject to Call-In:</b>	<b>YES</b>

### **Purpose of Report**

The report is to seek approval for the Ashfield Local Plan 2023 to 2040 Regulation 19 Pre-Submission Draft (identified as the Regulation 19 Plan) and undertake a period of consultation in line with legislation. The Regulation 19 Plan reflects that the Local Plan has reached a stage where the Council has concluded that it is 'sound' and meets legal requirements.

The Report sets out a summary of the most significant changes to the Draft Local Plan and reflects aspects of the emerging Plan that have been considered by the Local Plan Development Committee (previously known as the Local Plan Development Panel prior to May 2023) and approved by Cabinet.

The Local Plan will need to be agreed by full Council if it is to be consulted upon and subsequently submitted to the Secretary of State for Levelling Up, Housing, and Communities following the public consultation required by Regulation 19 of the Town and Country Planning (Local Plans) (England) regulations 2012, as amended. It is anticipated that the consultation will commence from late November / early December for a period of 8 weeks.

## **Recommendation(s)**

**Recommended to Cabinet that it resolves:**

- 1. Members agree the Ashfield Local Plan 2023 to 2040 Regulation 19 Pre-Submission Draft and commend it to Council for approval for the purposes of public consultation and submission to the Secretary of State for Levelling Up, Housing and Communities in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and the Planning and Compulsory Purchase Act 2004.**
- 2. The Executive Director of Place in consultation with the Executive Lead for Growth, Regeneration and Local Planning is authorised to agree minor amendments to the Regulation 19 Plan and Sustainability Appraisal, policies, and allocations prior to submission and during the examination if required.**
- 3. The Executive Director of Place is authorised to make minor amendments to the text of the Regulation 19 Plan and Sustainability Appraisal.**

## **Reasons for Recommendation(s)**

The Ashfield Local Plan 2023 to 2040 Regulation 19 Pre-Submission Draft is the document the Council proposes to adopt, subject to examination by an independent Inspector appointed by the Secretary of State. It is a legal requirement for the Council to have an up-to-date Local Plan, and the Council considers the Regulation 19 Plan will achieve this requirement, guiding sustainable development across the District up to 2040.

## **Alternative Options Considered**

Not to approve the Local Plan Pre-Submission Draft. This will require a further review of the Local Plan reflecting Members' concerns.

There are potential implications of not moving forward the Local Plan. These include:

- the evidence base produced to inform the Local Plan will become out-of-date.
- planning applications will continue to be assessed against planning policies which date from 2002.
- the Council cannot presently demonstrate a "five-year supply" of housing which makes parts of the District vulnerable to speculative planning applications and development.
- there is a risk that the Secretary of State may intervene and take over preparation of the Local Plan with the costs being met by the Council.
- there would be uncertainty over the acceptability of developments, deterring investment and the provision of homes, including affordable homes.

Based on the transitional arrangements set out in the consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy 2022, authorities will be able to submit 'old' style' Local Plan until 30<sup>th</sup> June 2025. However, from November 2024 it is anticipated that any

authorities with Local Plans that are more than five years old will be expected to begin preparing 'new-style' plans currently being brought forward under the Levelling-up and Regeneration Bill.

This alternative option is not recommended.

## **Detailed Information**

### **Introduction**

- 1.1 The Local Plan is a long-term strategic planning document, which sets out the spatial vision, strategic objectives, and the overarching development strategy for an area and establishes the planning policy framework necessary to deliver them. Once adopted, planning applications are assessed against the policies within the Local Plan.
- 1.2 The purpose of the Ashfield Local Plan is to plan for growth to 2040. The Plan responds to local issues based on evidence but should also have full regard to national planning policy and guidance. It plans for future housing need, the requirement for economic development including making a significant contribution towards the strategic logistics requirement, as well as meeting future infrastructure requirements arising from proposed development.
- 1.3 The current development plan, the Ashfield Local Plan Review (ALPR), saved policies, dates from 2002 with various policies being saved in 2007. Consequently, given that they are more than 5 years old, saved policies from the ALPR policies have to be considered for their consistency with the National Planning Policy Framework (NPPF). The housing allocation set out in the ALPR has been substantially developed. Consequently, this leaves the Council vulnerable to planning applications outside the Main Urban Area and Named Settlements identified by the ALPR.
- 1.4 The Local Plan remains one of the most important functions of the District Council and producing a Local Plan that delivers is important to achieving the Council's objectives as set out in the Corporate Plan. Having an up-to-date Local Plan provides communities and developers with certainty around where new development can take place. It allows for greater clarity and certainty enabling planning obligations to secure infrastructure and helps to protect and enhance natural and historic assets.
- 1.5 The Sustainability Appraisal (SA), incorporating the Strategic Environmental Assessment Regulations requirements, is an integral part of Local Plan preparation and has been undertaken by an independent consultant. It informs the Plan provisions and the framework to develop and consider alternative options. The SA will be published for consultation alongside the Plan.
- 1.6 A Habitat Regulations Assessment has been undertaken to consider whether there is any significant (adverse) impact on internationally significant sites from development proposals on a Special Protection Area (SPA), Special Area of Conservation (SAC) or Ramsar site. However, this also includes considering the possible potential Special Protection Area of Sherwood Forest (ppSPA). Natural England recommends local planning authorities should adopt a precautionary approach to the ppSPA so that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area.

- 1.7 Plans are brought forward in relation to the relevant planning legislation and national planning policy set out in the National Planning Policy Framework 2023 (NPPF) and planning practice guidance. The Plan is informed by the Sustainability Appraisal, the Habitat Regulations Assessment, and other evidenced based documents. It takes into account the responses received from consultation with the local community, local business and other parties including infrastructure providers. However, consultation in this context does not mean that a consensus of opinion can be reached in all cases. It is recognised that there remain opposing views to some aspects of the Local Plan, particularly in relation to housing allocations. It is the role of the Local Plan’s consultation process to allow for these views to be made, and for the Council to respond and reflect upon them.
- 1.8 All evidence documentation will be available on the Emerging Local Plan website before the start of the Regulation 19 consultation period.
- 1.9 The main issues raised from the Draft Local Plan Consultation have been addressed in the Regulation 19 Plan. Informal consultation has been ongoing with key stakeholders including infrastructure providers and statutory consultees such as the National Highways, Natural England, Historic England, the Environment Agency, the County Council, and the Integrated Care Board.
- 1.10 The National Planning Policy Framework (NPPF) sets out the Government’s policies and priorities regarding development and the planning system. The NPPF sets out that the amount of housing which a local planning authority should plan for as part of a Local Plan is derived through the “standard method”. It is only justified to use an alternative approach if there are exceptional circumstances, which also reflects current and future demographic trends and market signals. Local planning authorities are also required to have a five-year housing supply of deliverable housing sites. The adoption of a Local Plan is the most effective way to ensure that the Council maintains a five-year housing supply.
- 1.11 In relation to plan-making the NPPF emphasises a number of key elements including:
- The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social, and environmental priorities; and a platform for local people to shape their surroundings, (paragraph 15).
  - Strategic policies should look ahead over a minimum of 15 years from adoption, (paragraph 22).
  - Local planning authorities and County Councils (in two-tier areas) are under a duty to cooperate with each other”, and with other bodies/organisations on strategic matters that cross administrative boundaries, effective and on-going joint working, and demonstrate that cross-boundary matters are being addressed and progressed should be demonstrated through “statements of common ground” (paragraphs 24 to 27)
  - The preparation and review of all policies should be underpinned by relevant and up-to-date evidence, (paragraph 31).
  - Local Plans should be informed throughout their preparation by a sustainability appraisal, Paragraph 32).

- Local Plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:
  - a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
  - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
  - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
  
- To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. (Paragraph 61).
  
- Planning policies should identify a supply of:
  - a) specific, deliverable sites for years one to five of the plan period; and
  - b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. (Paragraph 74).
  
- In relation to ‘Building a strong, competitive economy’:
  - Planning policies should set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the Plan period. (Paragraph 82).
  - Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes for storage and distribution operations at a variety of scales and in suitably accessible locations. (paragraph 83).

1.12 The adopted Local Development Scheme sets out the Local Plan Timetable, which is summarised in Table 1.

<b>Regulation</b>	<b>Stage</b>	<b>Dates</b>
18	Consultation on the Draft Local Plan. The public and interested parties are invited to submit their responses to the Council	October / November 2021
-	Consultation Draft Local Plan. Once the consultation period had closed, the Council prepares a Statement of Consultation having reviewed the responses. The Council’s response to the Consultation is published.	December 2021 onwards
-	Having considered the consultation responses, the Council produces a Local Plan Publication Document	January 2022 – October 2023

19 and 20	Consult on Local Plan Publication. The public and interested parties are invited to submit their responses.	November 2023 - February 2024
-	The Council Analyses Local Plan Publication responses	January – March 2024
-	The Council prepares Local Plan Submission Documents	April 2024
22	The Council submits the Local Plan to Secretary of State	May 2024
24	Examination of Local Plan. Local Plan will be examined by an independent Inspector whose role it is to assess whether the plan has been prepared in accordance with the Duty To Co-operate, legal and procedural requirements and whether it is sound.	June 2024 – February 2025
-	Inspector's Report received	February 2025
25	Council decision to adopt Local Plan	April 2025
26	Formal Adoption	April 2025

**Table 1: Local Plan 2023-2040 Timetable**  
**Source: Ashfield District Council.**

- 1.13 Section 20(2) of the Planning and Compulsory Purchase Act 2004 specifically identifies that a local planning authority should not submit a plan unless they think it is ready for independent examination. The Regulation 19 consultation is the last stage of public engagement before submitting the draft plan to the Inspectorate for examination. This is a formal process that requires comments on the soundness and legal compliance of the Plan. All representations made will be considered by a Planning Inspector appointed to independently examine the Local Plan. Whilst the Council will be able to agree minor modifications to the Local Plan ahead of its Submission to the Secretary of State this does not extend to making more significant changes, such as the inclusion of an additional site allocation. However, the Council will need to consider whether any substantial legal or soundness issues have been raised through the consultation.
- 1.14 The examination will assess whether the Plan has been prepared in accordance with legal and procedural requirements and if it is sound. At the end of the examination the Inspector will send a report to the LPA recommending whether or not they can adopt the Plan. If it recommends that the Plan can be adopted typically this will require some changes (known as Main Modifications) that are necessary to allow the Plan to be adopted.

### **Draft Local Plan Consultation 2021**

- 1.15 The Council undertook a consultation on a Draft Local Plan under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, from 4<sup>th</sup> October to 16<sup>th</sup> November 2021. The responses to the consultation are set out in the Statement of Consultation which is available on the Council's website. The Council's Local Development Panel (amended to Local Plan Development Committee from May 2023) has considered the responses received and made recommendations to Cabinet regarding the emerging Local Plan, which are reflected in the Regulation 19 Plan.

### **Ashfield Local Plan 2023 to 2040 Regulation 19 Pre-Submission Draft**

- 1.16 Having assessed and considered the representations received during the Regulation 18 consultation, the Council has refined and amended the Plan to produce the Ashfield Local

Plan 2023 to 2040 Regulation 19 Pre-Submission Draft (see Appendix 1). The Regulation 19 Local Plan is the Plan the Council considers should be adopted as the key planning document that will guide sustainable development across the District to 2040.

### Vision

- 1.17 The Local Plan Development Committee of 3<sup>rd</sup> July 2023 considered proposed changes to the Vision from that set out in the Draft Local Plan 2021. Changes to the Vision and other areas of the Plan were approved to reflect the importance that the Council places on meeting the challenge of climate change. The Vision for the Local Plan is set out below.

**Vision:** ‘Ashfield, a place to be proud of’

Ashfield is a District where people of all ages are proud to live, study, work, visit and aspire to stay.

High quality design and place making will shape the delivery of new development, responding to the infrastructure requirements of new and existing local communities.

New housing is responsive to local needs, enhancing the built environment and reflecting the distinctive characteristics of Ashfield’s towns and villages. The lifestyle of the community will be enhanced by accessible health, leisure, and education opportunities, which will reduce health and income inequality in the District.

Working in Partnership with other organisations and residents, Ashfield will have taken major steps towards becoming net- zero carbon by 2050. The design and layout of development will reflect the change to drier and hotter summers, including the utilisations of green roofs and green space with extensive tree planting. Green space will be utilised to minimising the increased risk of flooding from all sources. New houses and employment units will be energy efficient, utilising solar and other forms of low carbon energy, reflecting electricity generated from a low carbon grid, combined heat and power plants and local heat sources such as mine water. To minimise the impact of periods of drought, development will be designed to use water efficiently, which facilitate ecosystems with less water being taken out of rivers and aquifers. Vehicles will be substantially powered by electricity resulting in significant local air quality benefits. The emphasis on green infrastructure will facilitate cycling and walking to access local facilities and services, achieving a shift in travel behaviour reducing energy usage and improving the health of residents.

Building on our transport links, a more diverse and thriving economy will encourage higher educational attainment, business enterprise, quality jobs and provide opportunities for a skilled workforce. Improved interchange between transport modes and the use of innovative solutions will help to manage the utilisation of the highway network for all users.

Sutton in Ashfield, Hucknall and Kirkby-in-Ashfield will have thriving, vibrant town centres, offering local products from local sources. They will provide a mix of retail, cultural, employment and local services, being places where people want to visit and live.

The District’s rich heritage, scenic countryside and biodiversity are valued resources which will be protected and enhanced for residents to discover and providing opportunities for tourism and recreation.

### Strategic Objectives

- 1.18 The strategic objectives remain substantially unchanged, however minor amendments to Strategic Objectives SO11, “To meet the global challenge of climate change” and SO13, “Minimising our Impact on the Environment” have been made as identified below:

**SO11 To meet the global challenge of climate change.**

To rise to the global challenge of climate change, which at a local level presents risks to people, property, infrastructure, and natural resources by:

c) Facilitating the integration of sustainable building design principles in new development, improve the resilience of buildings and places to cope with a changing climate, ensuring flood risk is managed [by encouraging nature-based solutions](#) and potential problems of extreme weather are minimised.

### **SO13 Minimising our Impact on the Environment**

Promote the efficient use of resources by embracing sustainable patterns of development including:

c) [Avoiding the impacts of new development on natural resources wherever possible and minimise, mitigate, and compensate where it cannot be avoided.](#)

#### Plan Period

- 1.19 Paragraph 22 of the National Planning Policy Framework (NPPF) set out that strategic policies should be prepared over a minimum 15-year period from adoption of a Local Plan, and that a local planning authority should be planning for the full Plan period. The timeframe for the progression of the Local Plan has been revised and final adoption is expected in early 2025. As a consequence, the end date of the Plan has been amended to 2040. Additionally, the Plan commencement date has been rebased to 2023 so that the Local Housing Need figure can be used throughout the whole Plan Period at this stage. (Additional information is set out in the Local Plan Development Committee report of 3rd July 2023).

#### Settlement Boundaries

- 1.20 The Main Urban Area boundary has been amended at Beck Lane/Skegby Lane to follow the District boundary with Mansfield District Council. The Named Settlement boundary for Underwood has been amended to reflect the proposed housing allocations. (Additional information is set out in the Local Plan Development Committee report of 3rd July 2023).

#### Strategic Approach

- 1.21 As part of the Regulation 18 consultation, a significant level of objections were received in response to the New Settlement proposals at Whyburn Farm, Hucknall and Cauldwell Road, Sutton in Ashfield. Many objections questioned the need to allocate additional land to meet housing needs further into the future, in particular where this required the release of Green Belt (at Whyburn Farm), and the loss of countryside at both locations. In the interim, the Government have announced proposals for planning reform, including the introduction of a new approach to assessing local housing need. Subsequent to consideration of the public consultation outcomes, together with the uncertainty surrounding future Government policy for Plan making, the Council made the decision to progress with the Plan, but to exclude the proposed New Settlements. This has meant some changes to the spatial approach taken initially, but also reflects the constantly evolving process of Plan making. Therefore, the Regulation 19 Local Plan reflects that Whyburn Farm and Cauldwell Road New Settlements have been removed from the Plan.
- 1.22 The Council considered a number of alternative options for spatial growth. These took into consideration of the key issues that the Plan is seeking to address, the outcome of previous Local Plan consultations, and the evidence base including (but not limited to) the Strategic Housing and Employment Availability Assessment (SHELAA), the identified housing and employment requirement for the District, a Brownfield Land Capacity Assessment, and the Green Belt Harm Report. The range of alternative spatial options have been considered in the Sustainability Appraisal (SA) accompanying the Plan. Option 3, Dispersed development across the District comprising of smaller sites, each with a capacity for less than 500 dwellings, in the SA has been taken forward as it represents the best option to deliver sustainable development and meet the Vision for the District.



1.23 Cabinet determined that it was appropriate to include a spatial strategy policy within the Local Plan. The spatial strategy sets out how future growth will be delivered taking account of the geography and key attributes of the District. It considers the size of settlements and their role and function, and how the Council aims to deliver its Vision by guiding the distribution of development across the District. The Regulation 19 Plan includes Strategic Policy S1: Spatial Strategy to Deliver the Vision. This integrates into the Policy Draft Local Plan 2021 Strategic Policy S3: Location of Development. The proposed wording of the Policy is set out below.

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, avoiding sites of 500 or more 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.

The settlement hierarchy to accommodate future growth is set out below and identified on the Policies Map:

- a) **Main Urban Areas** to accommodate the largest scale of growth:  
Sutton in Ashfield (Sutton)  
Kirkby-in-Ashfield (Kirkby)  
Hucknall  
Areas in the District adjacent to the Mansfield urban area  
Areas in the District adjacent to Nottingham City urban area
- b) **Strategic Employment Areas** to assist in economic growth, whilst maximising the locational benefits associated with major transport corridors:  
Sherwood Business Park/M1 Motorway Junction 27.
- c) **Named Settlements** to accommodate smaller scale growth which meets the needs of the community and sustains services and facilities:  
Selston  
Jacksdale  
Underwood  
Annesley/ Newstead  
Bestwood Village  
Brinsley  
Fackley.
- d) **The Remainder of the District** comprises open countryside.  
including land in Green Belt and all other small villages/hamlets within the District not defined above.

1.24 Changes have been made to some of the policy wording and supporting information within the other strategic policies reflecting responses made through the Draft Local Plan consultation and information arising from the evidence base. The following summarises changes made to the strategic policies taken forward. The policy numbers have been amended and do not reflect the Draft Local Plan.

- Strategic Policy S2: Achieving Sustainable Development – Amended to include making effective use of previous developed land.
- Strategic Policy S3: Meeting the Challenge of Climate Change – Amendments have emphasised the minimisation of flood risks, integrated water management, utilising Sustainable Urban Drainage (SuDS) and the discharge of surface water through the drainage hierarchy.
- Strategic Policy S4: Green Belt - No changes proposed.
- Strategic Policy S5: High Quality Buildings and Places through Place Making and Design – Limited changes to wording.
- Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocation at Junction 27 M1 Motorway – Changes to the policy provisions in relation to what will be required in taking the strategic employment sites forward.
- Strategic Policy S7: Meeting Future Housing Provision – Reflects the up-to-date housing requirements with a minimum of 7,582 new dwellings within the period from 2023 to 2040. (This is based on 446 dwellings per annum derived from the standard method).
- Strategic Policy S8: Delivering Economic Opportunities – Reflects the requirements for employment land. Includes reference to the provision of the Advanced Distribution and Manufacturing Centre and reference opportunities from heritage lead regeneration in enhancing the historic environment.
- Strategic Policy S9: Aligning Growth and Infrastructure – Changes have been made to include reference to working with utility providers, to include secure cycle parking and contributing retrospectively when it has been necessary to forward fund infrastructure projects in advance of anticipated housing growth.
- Strategic Policy S12 10: Improving Transport Infrastructure – Amendments include reference to highway improvements schemes and transport solutions in relation to the main arterial routes and corridors. The Policy safeguards NET route from Hucknall Station to the Gedling BC boundary.
- Strategic Policy S11: Vibrant Town Centres – The Policy has been amended to include the necessity for development to promote vitality and viability of the centres and identify that the Town Centre Masterplans identify key development opportunities. Reference has also been made to the opportunities for regeneration lead by heritage in relation to the Conservation Areas in Sutton in Ashfield and Hucknall.
- Strategic Policy S12: Tackling Health Inequalities and Facilitating Healthier Lifestyles – Limited amendments have been made to the policy wording.

- Strategic Policy S13: Protecting and Enhancing Our Green Infrastructure and the Natural Environment – Limited amendments have been made to the policy wording.
- Strategic Policy S14: Conserving and Enhancing Our Historic Environment – Changes have been made to the wording.
- Strategic Policy S15: Safeguarding Mineral Resources - No changes proposed.

1.25 The Local Plan sets out development management policies in relation to:

- Meeting the challenge of climate change and adapt to its effects.
- Protecting and enhancing Ashfield's character through its natural environment and heritage.
- Meeting local housing needs and aspirations.
- Building a strong economy which provides opportunities for local people.
- Placing vibrant town and local centres at the heart of the community.
- Achieving successful development through well designed places.

There have been changes to the wording of some of these policies and the supporting text but typically they have not changed the essence of the policies. The exception to this relates to the allocations policies, which have been updated to reflect the current position and the policies identified in the paragraphs below.

1.26 Affordable Housing - As part of the Local Plan's refinement from the Draft Local Plan the Council commissioned a Whole Plan Viability Assessment (available in the Council's evidence base) to assess whether the proposals and policies within the Local Plan are viable. As part of this work, the consultants also assessed the viability of affordable housing. A series of policy combination tests were undertaken in the Assessment reflecting:

- a) Differing Affordable Housing delivery levels of 10%-30%.
- b) Alternative levels of S106 contribution from £6,000 - £10,000 per dwelling.

From these results an optimum combination of policy-based contributions was recommended by the Assessment for the whole District as follows:

- Affordable housing, 10% on brownfield land and 25% on greenfield land based on a tenure breakdown of 25% Shared ownership/Low-Cost Home Ownership, 25% Social Rent and 50% Affordable Rents.
- S106 contributions of £8,000 per dwelling.

The recommendations have been adopted and Policy H3: Affordable Housing sets out a requirement for a minimum of 25% affordable housing on greenfield sites and a minimum of 10% affordable housing on brownfield sites. (Additional information is set out in the Local Plan Development Committee report of 3<sup>rd</sup> July 2023).

1.27 Flooding – Amendments to Policy CC3: Flood Risk and SuDS and to the supporting text have been made to reflect the Lead Local Food Authority comments regarding surface water flooding. The intention is that flooding from all sources will be substantial consideration in all planning decisions.

- 1.28 Developer Contributions – Amendments to Policy SD5 have been made to identify that development will be required to meet all reasonable costs associated with infrastructure required as a consequence of the proposal, to include cumulative impacts and future maintenance. It also covers forward funding of infrastructure and pooling contributions.
- 1.29 Contaminated and Unstable Land – Policy SD8 has been amended to refer to Coal High Risk Areas and to clarify that the site after mitigation is suitable for the proposed use taking into account the likely effects (including cumulative effects) of pollution or unstable land on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from development.
- 1.30 Environmental Protection – Policy SD9 has been amended to take into account ‘agent of change’ reflecting the provisions set out in NPPF, paragraph 187.
- 1.31 Transport Infrastructure – Amendments have been made to Policy SD10 which include assessment of risk by proposed development located close to railway crossings.

#### Housing Allocations

- 1.32 Cabinet at its meeting of 13th December 2022 resolved to take forward a Local Plan which reflects the standard method of housing need and a Plan which provided a minimum of a 10-year housing supply.
- 1.33 The strategic housing site formed by the New Settlements have not been taken forward. Housing Site allocations are set out in Policy H1: Housing allocations. The site allocations identified in the 2021 Draft Local Plan have been revised based on the up-to-date information, including the deletion of completed sites and changes to reflect recent planning decisions. The supporting information to the Policy has been amended to include a description of the sites allocated (excluding sites with planning consent).
- 1.34 The District has been successful in regenerating its brownfield sites largely comprised of the former collieries or traditional textile factories. The Plan takes forward all available brownfield sites that are identified as developable, and the evidence in the Brownfield Capacity Assessment confirms that there are limited brownfield sites within Ashfield that can be utilised for meeting the housing need. The consequence is that Green Belt and greenfield sites have had to be utilised to contribute towards housing need set out through the Government standard method of local housing need assessment.
- 1.35 The sites allocated provide approximately a 12.5-year housing supply. The five-year housing supply and housing trajectory is set out in Appendix 2 of the Regulation 19 Plan. Further information on the sites taken forward is set out in the Local Plan Development Committee Report Ashfield Local Plan Sites Update of 11<sup>th</sup> September 2023.
- 1.36 Planning consent has been resolved to be granted subject to a Section 106 agreement for a residential site off Laburnum Avenue, Kirkby-in-Ashfield. The site has been included in the housing allocations. This permission also safeguards a traveller’s site which has extant permission. This is reflected in Policy H2a: Gypsy, Traveller and Travelling Showpeople Site Allocations which identifies that 4 pitches could come forward at the site off Park Lane.

#### Employment allocations

- 1.37 The NPPF identifies that significant weight should be placed on the need to support economic growth and productivity including addressing the specific location requirements of different sectors with storage and distribution (logistics) being specifically identified. The

evidence base identifies that there is a substantial regional demand for logistics, particularly along the M1 Corridor in Nottinghamshire which is located within the Green Belt.

- 1.38 Under statute, local planning authorities are under a duty to co-operate with each other and other prescribed bodies, on strategic matters that cross boundaries. Ashfield has worked with the Nottingham Core Housing Market Area Authorities in considering how to contribute towards meeting this demand from the logistics sector. As part of the evidence base, various employment sites in Ashfield are anticipated to contribute towards the wider demand for logistics. This includes the Strategic Employment Site located at Junction 27 of the M1 Motorway. In relation to the Strategic Employment Site there are issues relating both to the Green Belt and to designated heritage assets. This is set out in detail in the Local Plan Development Committee Report on Employment Land Sites of 16<sup>th</sup> October 2023. In addition to the strategic sites, employment land allocations are set out in Policy EM2 of the Regulation 19 Plan. There have been changes from the sites allocated in the Draft Local Plan as the sites at Blenheim Park, Hucknall and Southwest Oakham, Sutton in Ashfield have been fully developed. An additional site, Land to the East of Lowmoor Road, Kirkby-in-Ashfield has been included within the proposed employment land allocations.

#### Infrastructure

- 1.39 The Council has worked with infrastructure providers to identify future infrastructure needs arising from the proposed development including, education and health facilities. A Transport Study has been undertaken which detailed mitigation that could help reduce the impact on the road network. Information on infrastructure requirements will be set out in the Infrastructure Delivery Plan with policies in the Regulation 19 Plan enabling planning contributions to be brought forward in relation to planning applications on allocated and other sites.

#### Flooding

- 1.40 No sites have been allocated within Flood Zones 2 or 3. Policies within the Plan provide that surface water and flood risk from any other sources must be resolved if a site is to be given planning consent. The emphasis of the policies is utilising SuDS and apply the drainage hierarchy.

### **Regulation 19 Plan Consultation**

- 1.41 The requirements for the Regulation 19 consultation were set out to the Local Plan Development Panel meeting of 17th January 2023. Under the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, the Council is required to carry out a final period of public consultation based on the tests that underpin the examination in public:
- Legal – is the plan legally compliant?
  - Sound – has the plan been informed by objective evidence and deliverable?
  - Meets Duty to Cooperate – has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?
- 1.42 The minimum period set out in the regulations for a Regulation 19 consultation is six weeks. The consultation enables people and organisations to submit representations based on the 'tests'. It is intended the period of consultation takes place as soon as possible after the Cabinet decision is ratified by full Council. As it will be over the Christmas period, the consultation will be extended beyond the legal minimum requirement and is anticipated to be for a period of approximately eight weeks.

- 1.43 The Planning Inspectorate has a model representation form for Local Plans. There is no requirement for the Council to use this template, but it is intended as a helpful guide and is clearly linked to the legal and soundness aspects of the Plan.
- 1.44 It should be noted that there is no discretion to receive later submissions to the Consultation as under Regulation 19, any representations must be received by the Council by the end of the specified consultation period.
- 1.45 Whilst the Council will be compiling a summary of the representations, it will not be responding to them in the way it has done for the Draft Local Plan or defending its Local Plan via public meetings. At this stage, it is the role of the examination in public to undertake this process, with the appointed Inspector considering views and comments from different parties. If any major issues relating to legality, soundness or the duty to cooperate, are raised, the Council will need to consider whether the matter raised are justified and how they can be resolved before submitting the Plan for examination.
- 1.46 Representations received during this period are treated as formal representations that will be passed to the Inspector for consideration and assessment with the Local Plan at the examination in public. If desired, respondents can request to speak at the public hearing sessions during the examination. However, this would be a matter for the Inspector to consider.
- 1.47 Under Regulation 19 of the Local Planning Regulations, the Council is required to make a copy of each of the proposed Examination submission documents for examination available for public consultation. The minimum requirements are for the submission documents to be:
- made available for inspection at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours, and
  - published on the local planning authority's website.

Any consultation would also have to consider the requirements in the Council's Statement of Community Involvement.

- 1.48 In undertaking the consultation, the Council will use a range of media and methods, to inform people of the consultation, including the following:
- Make all relevant consultation documents available for inspection at the Council Offices and, subject to the agreement of Inspire, all four major libraries throughout the District (Hucknall, Kirkby, Sutton and Selston) for the duration of the consultation period;
  - Make full use of the local media.
  - Utilise the Council's website and social media.
  - Subject to the agreement of Inspire, placing unmanned displays at the Council Offices and the four major libraries.
  - Send letters or emails informing those individuals, companies and groups registered on the Local Plan Consultation Database of public consultation.
  - Utilise an online consultation tool, allowing the public to comment on an interactive version of the document.

## **Implications**

**Corporate Plan:** Planning, and the Local Plan in particular, has a cross cutting role to play in helping to meet and deliver the 6 priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, maximising economic growth especially around transport hubs and improving green spaces and the natural environment.

**Legal:** The Planning and Compulsory Purchase Act 2004 (as amended) requires Local Planning Authorities to prepare Local Plans. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the procedures to be followed in the preparation of such Plans and the consultation requirements that must be followed. The Sustainability Appraisal incorporates the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment Regulations'). The evidence base includes a Habitat Regulations Assessment reflecting the requirements of the Conservation of Habitats and Species Regulations 2017. [RLD 02/10/2023]

**Finance:** The Local Plan has a dedicated budget with sufficient funds to cover the anticipated costs of undertaking the consultation and the examination in public. [PH 29/09/2023].

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	The cost of the Local Plan and the Examination in Public is funded from the budget allocated for the Local Plan.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

## **Risk:**

<b>Risk</b>	<b>Mitigation</b>
The Plan provides a housing land supply of approximately 12.5 years. While the NPPF paragraph 68 does not specifically require a 15-year supply of site to be allocated. It does identify that policies should identify specific developable site or broad locations for growth for 6 to 10 years and, where possible, for 11 -15 years of the Plan.	The Council considers the greater risk is not to provide a strategic plan to guide development to create properly shaped places and to provide certainty for both residents and developers.

<p>The Draft Local Plan 2021 identified that risk stemmed from the Plan's strategy being heavily reliant on the release of Green Belt land in the vicinity of Hucknall and particularly a new settlement. The proposal for moving the Plan forward by taking the new settlement out of the Plan substantially reduces the area of the Green Belt which would be developed and thereby reduces risk. Nevertheless, there are still inherent risks with the housing allocations in Green Belt.</p>	<p>The Council considers there are exceptional circumstances for bringing forward the Green Belt sites identified in the Plan. (This will be set out in an updated Background Paper 1 to support the approach).</p>
<p>The Strategic Employment Sites are located in the Green Belt and the evidence base identifies that they will impact on designated heritage assets including a Grade II* Registered Park and Gardens and scheduled ancient monuments. Therefore, there needs to be a substantial justification for taking the sites forward.</p>	<p>The planning balance must be weighed in terms of the harm caused to the significance of the nearby heritage assets against the public benefits of the proposed use. There must also be exceptional circumstances for taking land out the Green belt. It is considered there are public benefits and exceptional circumstances for the proposed allocations at Junction 27 which provide a major economic opportunity for Ashfield in meeting this need given its location on the strategic highway network. (Further information will be set out in Background Paper 3 to support this approach.</p>
<p>With the change in the strategic approach, it is possible that the inspector may require additional work to be undertaken on the evidence base to support the Local Plan.</p>	<p>Background Paper 1 will be revised to set out a reasoned justification in support of the new spatial approach to deliver the Council's Vision.</p>
<p>Additional sites are proposed to be included in the Local Plan which were not identified in the Regulation 18 Consultation.</p>	<p>No large-scale sites, and the majority of new sites reflect either planning approvals or sites from the Brownfield Register. (Only 1 site is greenfield, Green Belt and includes an opportunity to relieve an existing highway issue)</p>

**Human Resources:** There are no direct Human Resource implications from the report.

**Environmental/Sustainability:** The Local Plan's Vision, Objectives and Policies support the Council's aims of environmental sustainability, including addressing sustainable development, health & well-being, economic growth climate change and flood risk. A Health Impact Assessment



of the Local Plan has been undertaken. This assessment concludes the implementation of the Local Plan will help enhance health and well-being across the District.

**Equalities:** An Equality Impact Assessment has been undertaken which has not highlighted any equality or diversity issues with the Local Plan.

**Other Implications: None**

**Reason(s) for Urgency: None**

**Reason(s) for Exemption: None**

### **Background Papers**

The Draft Local Plan 2021 (Regulation 18 consultation) and evidence base documents are available on the Council's website.

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**Ashfield Local Plan 2023 to 2040:  
Regulation 19 Pre-Submission Draft**

**November 2023**

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## Foreword - Planning together for all our futures

Ashfield is at the heart of the East Midlands, well located with strong transport links and aspirations to achieve excellence for its local communities and businesses whilst protecting its most well-loved landscapes, heritage, and natural habitats. It is a place where people of all ages are proud to live, study, work, visit and aspire to stay.

Ashfield looks forward with positivity to the future and as such this plan shows the depth and breadth of the ambition in delivery. Challenges are acknowledged however through partnership, innovation and by harnessing the talent of our young people, we believe we can progress. Opportunities will arise through the development of the Devolution deal and we as a district are best placed to work in partnership for the benefit of our communities.

This document, the Ashfield Local Plan Regulation 19 Pre-Submission Draft, together with other supporting documents, explains the Council's approach to guide development in the District for the period 2023 – 2040. It is an ambitious document which actively tackles the issues we face today in seeking to achieve sustainable growth.

It is a national requirement that local authorities have a sound Local Plan, not only to ensure that vital new homes, jobs and the necessary infrastructure are provided but also because in the absence of an up-to-date Local Plan, the Council cannot effectively control where development takes place, the quality of that development and the community benefit arising from new development.

We are required by the government to bring forward a Local Plan that delivers the District's objectively assessed housing need. Whilst none of us wish to see green fields being built over, it is clear that there are insufficient brownfield sites available to meet the identified need, and so the use of sustainably located greenfield sites is unavoidable. We have adopted a spatial strategy that has listened and responded to the consultation on the Draft Local Plan. The Plan is aimed at minimising the negative impacts of development; however, it is inevitable that there will be concern about some of the proposed development.

I am committed to ensuring that this document is prepared in an open and transparent manner and that the views of the public and stakeholders are listened to and taken into account. This is the final version of the Local Plan before it is submitted to the Secretary of State and the Planning Inspectorate for Examination in Public. Your views are very much welcomed and will be reviewed and submitted for consideration by an independent Inspector, who will be appointed as part of the Examination hearings process.

Please remember to submit any comments by 24<sup>th</sup> January 2024.

Councillor Matthew Relf, Portfolio Holder for Place, Planning and Regeneration,  
Ashfield District Council



# Chapter 1

## Where are we now?

### Plan Purpose and Background

1.1 The development plan for Ashfield consists of:

- Once adopted, the Local Plan as set out in this document;
- The Jacksdale, Underwood, Selston Tomorrow Neighbourhood Plan (JUS-t) and the Teversal, Stanton Hill and Skegby Neighbourhood Plan (further information is contained in paragraph 1.36 below);
- Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1 Waste Core Strategy 2013<sup>1</sup>;
- Nottinghamshire and Nottingham Waste Local Plan 2002 Saved Policies<sup>2</sup>; and
- The Nottinghamshire Mineral Development Plan 2021<sup>3</sup>.

Issues related to waste or minerals are not included in the draft Ashfield Local Plan. Any development proposals related to waste or minerals will be assessed by the County Council as the Waste and Minerals Authority.

1.2 This draft Local Plan (2023 – 2040) provides the basis for delivering sustainable development within the district of Ashfield<sup>4</sup>. It sets out a vision for the future, a framework for meeting identified needs and priorities, and a way in which communities can get involved in shaping the future of the area. The plan considers land use needs for specific types of development and identifies sites and areas of protection. It also provides the basis upon which planning applications will be determined, outlining the main criteria that the Council will employ in assessing planning proposals within the District.

1.3 All future development in Ashfield will be guided by the policies included in this draft Ashfield Local Plan which has been prepared according to the requirements of

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<sup>1</sup> <https://www.nottinghamshire.gov.uk/planning-and-environment/waste-development-plan/waste-core-strategy>

<sup>2</sup> <https://www.nottinghamshire.gov.uk/planning-and-environment/waste-development-plan/adopted-waste-local-plan>

<sup>3</sup> <https://www.nottinghamshire.gov.uk/planning-and-environment/minerals-local-plan/adopted-minerals-local-plan>

<sup>4</sup> In accordance with section 39 of the Planning and Compulsory Purchase Act (2004).

planning legislation<sup>5</sup> and an extensive process of evidence gathering and consultation. The draft Local Plan has been informed by a number of supporting evidence and background studies including:

- The National Planning Policy Framework (NPPF)<sup>6</sup> and Planning Practice Guidance<sup>7</sup>;
- A robust, objective and up-to-date Evidence Base<sup>8</sup>;
- Regional and local plans and strategies including strategic Council priorities;
- Engagement with specific consultation bodies, organisations, our community and neighbouring Authorities<sup>9</sup>, and
- Previous consultation on the Local Plan withdrawn in September 2018.

1.4 When the Local Plan is adopted the saved policies<sup>10</sup> from the Ashfield Local Plan Review (2002) will be superseded and will no longer form part of the development plan.

### ***How have we arrived at the Draft Local Plan?***

1.5 The Council has submitted two previous Local Plans for examination. The Local Plan Publication 2013 was withdrawn from examination in July 2014. A subsequent Local Plan was submitted for examination on the 24th February 2017. However, following a change in the political administration of the Council, a resolution was passed at the Full Council meeting of 6th September 2018 to withdraw the Local Plan from examination and commence development of a new Local Plan immediately.

1.6 The evidence base has been updated and has informed the draft Local Plan. A new Statement of Community Involvement<sup>11</sup> (SCI) and Local Development Scheme<sup>12</sup> (LDS) have also been approved by Cabinet.

1.7 The Council's SCI sets out how members of the public can become involved in plan making and planning decisions. It is important that neighbourhoods and communities have a voice in planning for their area at both a strategic and planning application level.

1.8 The LDS sets out the timetable for Local Plan preparation and adoption. It provides a starting point for people to see at what stage they can become involved in drafting

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<sup>5</sup> The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Plan)(England) Regulations 2012, as amended.

<sup>6</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_Sept\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf)

<sup>7</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>8</sup> The Local Plan Evidence Base is available on the Council's website.

<sup>9</sup> The Statement of Common Grounds is available on the Council's website.

<sup>10</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012, as amended Regulation 8(5).

<sup>11</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/statement-of-community-involvement/>

<sup>12</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/>

the local plan along with key stages of its preparation such as Examination in Public and adoption.

### ***Structure of this document***

- 1.9 The Local Plan should be read as a whole (including its footnotes and annexes), rather than as a series of individual policies, in order to understand all the policies and guidance which will apply to any proposal. Applications for planning permission will be considered against all relevant policies in the adopted Local Plan, neighbourhood plans and against other material considerations, including the NPPF.
- 1.10 In reading the Local Plan the starting point is the wording of the policy assisted with the words of the supporting text which are relevant to the interpretation of the policy.
- 1.11 Published with the Local Plan are the separate north and south Policies Maps<sup>13</sup>. The Maps set out the areas in the District to which specific policies in the Local Plan apply. An interactive version of the Policies Maps can be view on the Council's website.
- 1.12 As the Council's key planning document, the Local Plan performs the following functions:
- sets out the key issues that the plan is seeking to address, a spatial vision for Ashfield to 2040 and a number of strategic objectives (chapter 2);
  - sets out a growth and spatial strategy, and strategic policies including the location and amount of new development to take place over the plan period alongside policies which seek to protect the environment (chapter 3);
  - provides policies which will guide the determination of planning applications (chapter 3 and 4); and
  - identifies targets and indicators to monitor the implementation and effectiveness of the Plan (chapter 5).
- 1.13 Monitoring the implementation of the Local Plan requires working and co-operation with a range of organisations, including neighbourhood plan forums, developers, businesses, residents, community and amenity groups, transport and service providers, and neighbouring councils. An important mechanism for implementing the Local Plan is the consideration of planning applications through the development management process.
- 1.14 The Council will monitor the Local Plan through the production of an Annual Monitoring Report (AMR) which will examine where there are changing trends or uncertainties to determine whether any changes to the Plans policies are required.

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<sup>13</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/>

Details of the indicators and mechanism used to monitor the Local Plan is outlined within the Monitoring Framework in Chapter 5. Each Local Plan policy also contains the indicator and target (taken from the Monitoring Framework) that will be used to monitor the effectiveness of that particular policy. There is a statutory requirement to undertake Plan review every 5 years<sup>14</sup>, the AMR will assist in future plan review.

### ***Evidence Base and Duty to Cooperate***

- 1.15 This provides relevant detail and information on a range of issues to help support the creation of a sustainable, 'sound' local plan for the District.
- 1.16 The evidence base broadly falls under two categories. The first category focusses on understanding the objectively assessed needs of the District. This relates to housing, gypsy and travellers, employment, retail, leisure and open space requirements. The second category has helped the Council to understand how and where this need could be best met and any subsequent issues and considerations relating to meeting those needs. This second category includes studies such as the Landscape Character Assessment, Green Belt Review, Transport Study, Strategic Flood Risk Assessment, and Infrastructure Delivery Plan. These studies, along with the Strategic Housing and Employment Land Availability Assessment (SHELAA) have enabled the Council to understand the potential suitability of a site for development and any mitigation needed as a result of development. Equally, these studies also informed where future development may not be acceptable. Some of the evidence base will be updated as the Plan moves forward and the most up to date evidence base studies can be found on the Councils website<sup>15</sup>
- 1.17 Councils and various other bodies are under a Duty to cooperate under section 33A of the Planning and Compulsory Purchase Act 2004. The Act places a legal duty to engage constructively, actively and on an ongoing basis to maximise the effectiveness of a local plan. Ashfield District Council and its neighbouring authorities have long, well established working relationships that have led to effective collaborative working that has benefited all our communities. The Local Plan has been brought forward in a context of collaborate working with neighbouring councils and infrastructure providers, as evidenced by 'Statements of Common Ground' with these various parties. The Plan reflects engagement with local communities and relevant bodies including Historic England, Natural England and Nottinghamshire County Council.
- 1.18 From a strategic perspective, Ashfield District Council forms part of a wider Housing and Functional Economic Market Area. The location of Hucknall and its close proximity to Nottingham City has also led to a close working relationship with other local authorities forming part of the Greater Nottingham Joint Planning Partnership. The Greater Nottingham Joint Planning Partnership has responsibility for the development of the Greater Nottingham Spatial Plan which adjoins the south of the District. Further information on the duty to co- operate and the Housing and

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<sup>14</sup> <https://www.legislation.gov.uk/uksi/2017/1244/regulation/4/made>

<sup>15</sup> <https://www.ashfield.gov.uk/planning-building-control/development-management-documents/>

Functional Economic Market areas can be found in the Spatial Strategy background paper<sup>16</sup>.

### ***Other Supporting Documents***

1.19 In addition to its evidence base, the final Local Plan to be submitted to the Secretary of State will require a number of other supporting technical documents as follows:

- Sustainability Appraisal.
- Habitat Regulations Assessment.
- Health Impact Assessment.
- Equalities Impact Assessment, and
- Data Protection Impact Assessment

### ***Sustainability Appraisal***

1.20 A Sustainability Appraisal (SA) is an integral part of the plan making process and the Council has undertaken an SA for the Local Plan, including an assessment of a number of alternative options. The SA is framed around 17 criteria covering the different elements of sustainability (economic, social and environmental). It is utilised to guide the Plan and ensure it successfully balances the economic, social and environmental considerations of its chosen growth and spatial strategy, content and policy direction.

### ***Habitat Regulations Assessment***

1.21 A Habitats Regulation Assessment (HRA) has been carried out as part of the Local Plan process to provide an assessment of the potential effects of the plan on European Union designated sites and identify whether proposals in the Local Plan have a negative impact on the integrity of any existing or potential sites (Special Protection Areas and Special Areas of Conservation). There are two EU designated sites within 15 kilometres of the District boundary:

- The Birklands and Bilhaugh Special Area of Conservation located within Sherwood Forest, as part of Newark and Sherwood District Council's administrative boundary, and
- The South Pennine Moors Special Area of Conservation and Special Protection Area located in the counties of Cheshire, Derbyshire, Lancashire, Staffordshire and Yorkshire.

1.22 In addition to the two designated sites, there is an additional site within the Sherwood Forest Area, important for breeding woodlarks and nightjar, which is not currently designated as a protected site, but which has the potential for future classification. Consequently, the authority has decided to take a risk-based

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<sup>16</sup> For FEMA see Background Paper No 3: Economy & Employment Land 2021.

approach as advocated by Natural England and undertaken a robust assessment of all sites in order to future proof the Plan.

#### Health Impact Assessment

- 1.23 A Health Impact Assessment of the Local Plan will be undertaken to help ensure the Plan acknowledges the potential health impacts resulting from its implementation. It will also identify any mitigation which may be required to reduce the impact of the Plan on health and wellbeing. In seeking to realise the Local Plan's Vision, the Council has ensured Health is successfully imbedded in the Plan. The assessment will also highlight how different environments can affect people's health and mental wellbeing directly or indirectly; and will set out how any negative health impacts of the Local Plan could be mitigated, for example, improved access to open spaces and green infrastructure links will encourage people to use the outdoor areas close to their home and work.
- 1.24 Local Plan policies also include a number of measures that will benefit health and wellbeing such as improved access to community amenities, heritage and cultural facilities. New facilities will seek to remove health inequalities within the District, by allowing all members of the community to access health services more easily.

#### Equalities Impact Assessment

- 1.25 An Equalities Impact Assessment of the Local Plan will be undertaken to ensure that it meets the needs of all members of the community. Undertaking Equality Impact Assessments allows the Council to identify any potential adverse impacts on people with protected characteristics caused by its policies, or the way in which it works, and take steps to make sure that measures can be put in place to mitigate the impact. Equality Impact Assessments also allow for the identification of opportunities to promote equality.

#### Data Protection Impact Assessment

- 1.26 A Data Protection Impact Assessment (DPIA) has been undertaken to help identify and minimise any data protection risks in relation to the Local Plan.

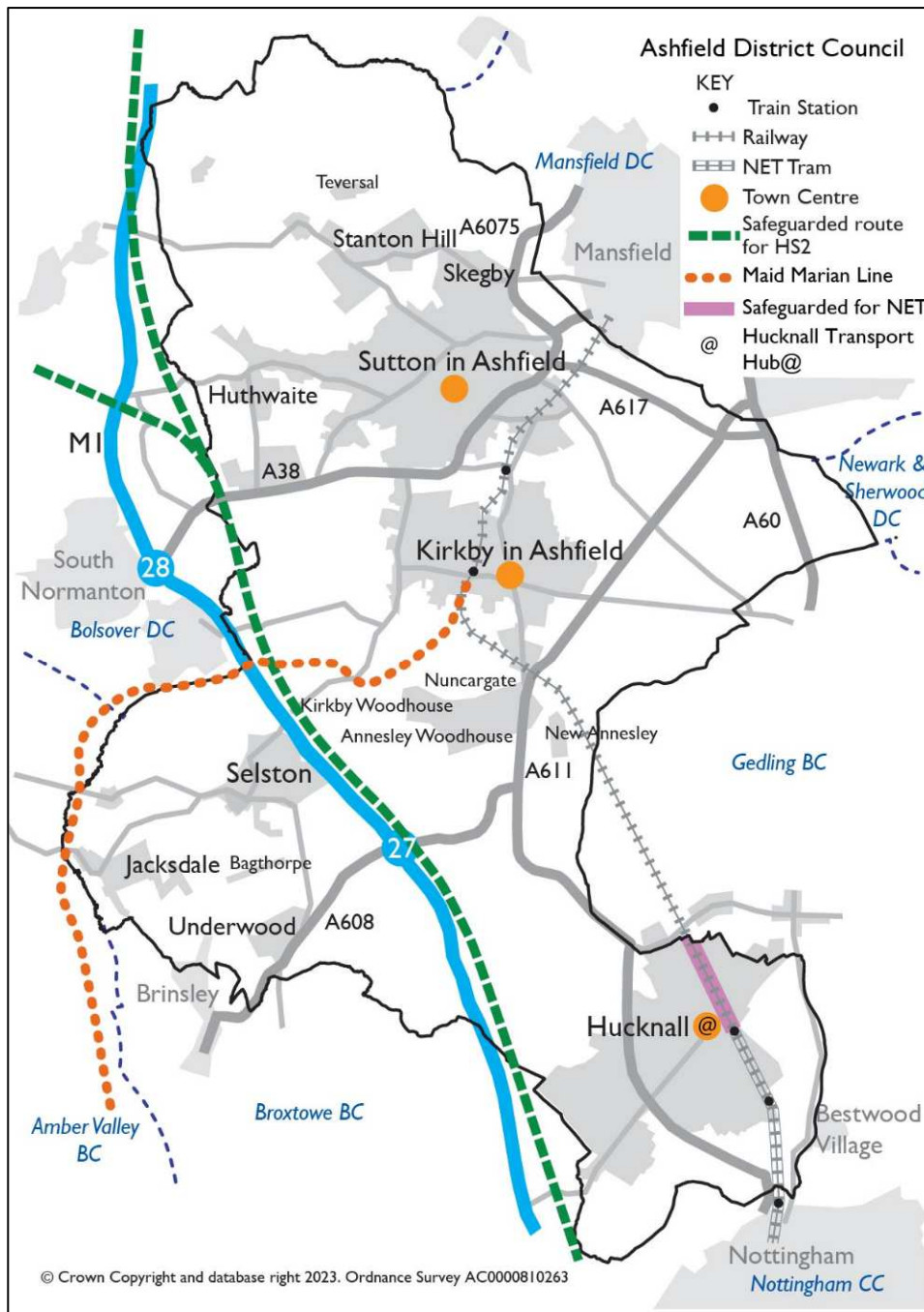
### **Our District**

- 1.27 Ashfield District covers an area of 10,956 hectares and has a population of 127,918<sup>17</sup>. The district is located on the western side of Nottinghamshire in the East Midlands Region and adjoins seven others as shown in Figure 1 below, including the City of Nottingham to the South, Mansfield to the east and Bolsover in Derbyshire to the west.

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<sup>17</sup>ONS data, mid 2019

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalescotlandandnorthernireland>



**Figure 1: The District of Ashfield and surrounding area**  
 Source: Ashfield District Council

1.28 The District benefits from a number of high-quality transport links (Figure 1), with the M1 dissecting the District, providing communities and businesses with access to the motorway network via Junctions 27 and 28 (adjacent to the District). The A38 provides a major east- west route across the District, as does the A611 which links the District to the City of Nottingham. For cycling, the National Cycle Route<sup>18</sup> runs

<sup>18</sup> <https://www.sustrans.org.uk/national-cycle-network>

through the District. In addition, there are also freight and passenger rail connections that link Ashfield with the wider area. The Robin Hood Line runs through the District from Worksop to Nottingham with stations at Hucknall, Kirkby-in-Ashfield and Sutton Parkway. The Nottingham Express Transit (NET) runs from Hucknall into Nottingham and other parts of Greater Nottingham including Clifton and Beeston. The Government removed the section of HS2 from Birmingham to East Midlands in October 2023 but has restated its commitment to transportation projects in the East Midlands area. The safeguarded route for HS2 in Ashfield remains at this time. Maid Marian Line and Robin Hood line and electrification of the line to Nottingham all remain priorities for wider connectivity in the region.

- 1.29 The Rural-Urban Classification of Local Authority<sup>19</sup> sets out Ashfield as “Urban with City and Town”. This identifies that the majority of the resident population in the District live in the urban settlements.
- 1.30 There are three main urban areas in the District where housing, jobs and services are largely concentrated (Figure 1). Hucknall lies immediately north of Nottingham in the south of the District, whilst Kirkby-in-Ashfield and Sutton-in-Ashfield are to the north and include the adjoining settlements of Kirkby Woodhouse, Annesley Woodhouse, Nuncargate, Huthwaite, Stanton Hill and Skegby. The three town centres have an important economic and social role. An analysis of the town centres is set out in the Ashfield Town Centre / Local Centre Study, 2023.
- 1.31 The villages of Jacksdale, Selston and Underwood are more rural in nature and whilst they also contain significant residential areas, they lack the concentration of employment opportunities and services found in the three towns. The remainder of the District is primarily countryside but contains a number of smaller settlements including Bagthorpe, Teversal, Fackley and New Annesley together with smaller hamlets.
- 1.32 Across Ashfield lie a number of important historic and environmental assets which play an important role in characterising the rural and urban environments. These include a number of listed and locally listed buildings, scheduled monuments, conservation areas, registered and local historic parks and gardens. Both Hardwick Hall and the Old Hall are Grade I listed, which is the highest designation. Both are located just outside the District boundary but any development in the northern part of the District will impact on the setting of these exceptional historic assets. Hardwick Hall’s Park and Gardens extend into Ashfield and are a Grade 1 Registered Park and Garden. St Katherine’s Church in Teversal is also Grade I listed. Annesley Hall, near Junction 27 of the M1, is a Grade II listed building. Its associated Park and Gardens are also listed under the Register of Parks and Gardens of Special Historic Interest in England (Grade II\*). Felley Priory, an adjoining garden wall and a complex of stables/other buildings are Grade II listed.

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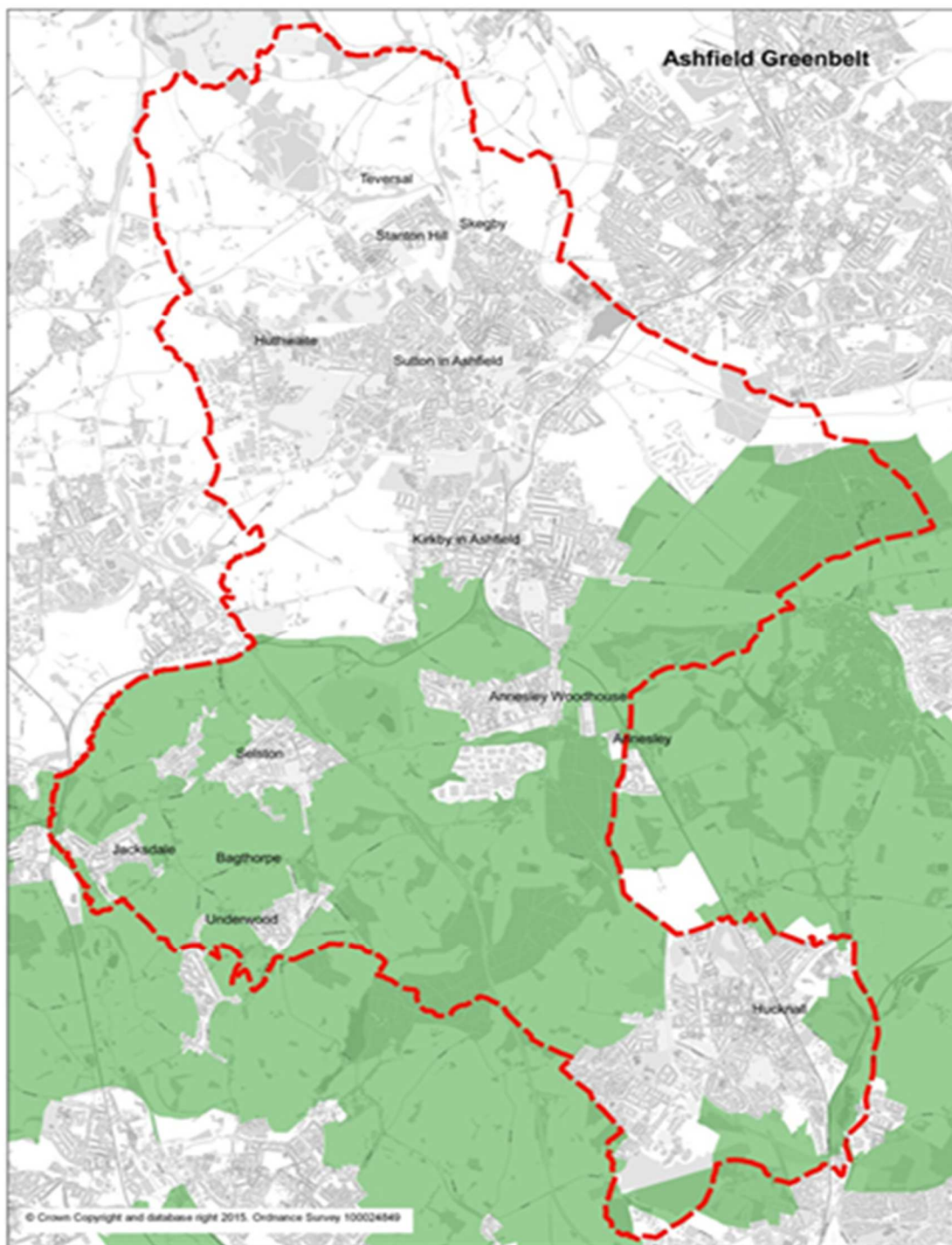
<sup>19</sup> 2011 Rural-Urban Classification of Local Authority Districts and Similar Geographic Units in England: DEFRA & ONS.



- 1.33 In terms of ecology there are a significant number of nationally important designations including ancient woodlands, and Sites of Special Scientific Interest (SSSI). Parts of Sherwood Forest have been identified as being a possible potential Special Protection Area (ppSPA) for its breeding bird (nightjar and woodlark) interest<sup>20</sup>. A large number of sites have also been identified as Local Wildlife Sites.
- 1.34 The whole of Ashfield District lies within the Greenwood Community Forest and is one of 13 Community Forests across England. The Greenwood Community Forest enables Nottinghamshire communities to create, improve and enjoy woodlands and other high quality accessible spaces in a sustainable way that benefits the environment, landscape and the local economy. The District Council is actively involved, along with other bodies, in the Greenwood Partnership.
- 1.35 A substantial part of the District is also designated as part of the Nottingham and Derby Green Belt (Figure 2) and equates to approximately 41% of Ashfield. This includes land around Hucknall, land to the south and east of Kirkby-in-Ashfield and land surrounding the rural villages of Selston, Jacksdale, Underwood and part of Brinsley. The village of Bagthorpe is ‘washed over’ by the Green Belt.

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<sup>20</sup> <https://www.mansfield.gov.uk/downloads/file/482/natural-england-s-advice-notes-on-the-sherwood-ppspa-2014>



**Figure 2: Nottingham & Derby Green Belt in Ashfield District**

Source: Ashfield District Council

1.36 There are two parish councils located within the District - Annesley and Felley Parish Council and Selston Parish Council. There are two Neighbourhood Plans which form part of the development plan for the District:

- Jacksdale, Underwood Selston Tomorrow (JUS-t) Neighbourhood Plans<sup>21</sup> brought forward by Selston Parish Council and covering a substantial part of the Parish of Selston.
- Teversal, Stanton Hill and Skegby Neighbourhood Plan<sup>22</sup> brought forward by the Neighbourhood Forum. The Plan covers Stanton Hill, Skegby and the rural area to the north of Sutton in Ashfield (including Teversal, Fackley and Stanley).

1.37 The Localism Act of 2011 introduced a new right for communities to shape their local areas. Neighbourhood Plans provide an opportunity for local people to help actively and positively to make their local area a great place to live and work<sup>23</sup>. The Council will support parish councils and community groups who form neighbourhood forums to prepare a neighbourhood plan/order provided that it is undertaken in accordance with the regulations and strategic requirements set out in the Local Plan.

### **Delivering Sustainable Development**

- 1.38 International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations (UN) General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 1.39 The United Nations Sustainable Development Goals (Figure 3) define the 2030 Agenda for Sustainable Development, signed by all 193 member states of the United Nations.
- 1.40 The key pillars underpinning the goals are reflected in the approach to the Planning system with the NPPF emphasising that the role of the planning system is to contribute to the achievement of sustainable development. The planning system has three overarching objectives ; economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

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<sup>21</sup> <https://www.ashfield.gov.uk/planning-building-control/neighbourhood-plans/jacksdale-underwood-selston-neighbourhood-plan/>

<sup>22</sup> <https://www.ashfield.gov.uk/planning-building-control/neighbourhood-plans/teversal-stanton-hill-skegby-neighbourhood-plan/>

<sup>23</sup> 1. Impacts of Neighbourhood Planning in England, Final Report to the Ministry of Housing, Communities and Local Government, May 2020. University of Reading.



**Figure 3: The United Nations Sustainable Development Goals<sup>24</sup>**

Source: United Nations

- 1.41 The key pillars underpinning the goals are reflected in the approach to the Planning system with the NPPF emphasising that the role of the planning system is to contribute to the achievement of sustainable development. The planning system has three overarching objectives<sup>25</sup>; economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

### **National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)**

- 1.42 The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise<sup>26</sup>
- 1.43 The NPPF and supporting Planning Practice Guidance stresses the importance of having a planning system that is genuinely plan-led. They identify that succinct and up-to-date plans should provide a positive vision for the future of each area<sup>27</sup> and a framework for addressing housing needs and other economic, social and environmental priorities. This includes needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis

<sup>24</sup> <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

<sup>25</sup> National Planning Policy Framework 2021, Part 2. Achieving sustainable development.

<sup>26</sup> Town and Country Planning and Section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the

<sup>27</sup> National Planning Policy Framework 2021, Paragraph 15.

for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

- 1.44 In accordance with the NPPF, the Local Plan for Ashfield comprises a combination of strategic policies (which address the priorities for the area<sup>28</sup>) and non-strategic policies (which deal with more detailed matters<sup>29</sup>). Strategic policies are required to look ahead over a minimum 15 year period from adoption, subject to where there is proposed to be larger scale development such as new settlements the policies are set within the context of a vision that looks further ahead. (At least 30 years)<sup>30</sup>. The policies within the Plan are underpinned by up-to-date evidence and have been informed by the sustainability appraisal, which demonstrate how the Plan has addressed relevant economic, social and environmental objectives.

### **Local Government Association (LGA)**

- 1.45 The LGA is a politically led, cross-party organisation that works on behalf of councils to ensure local government has a strong, credible voice with national government. Their aim is to influence and set the political agenda on the issues that matter to councils, so they are able to deliver local solutions to national problems.
- 1.46 The Vision for Urban Growth and Recovery Report, analyses the impacts of Covid-19, current economic challenges and opportunities, and sets out a new vision for urban growth and recovery that delivers:
- successful economic restructuring that mitigates against the worst impacts of structural unemployment and job loss;
  - successful and relevant urban centres that meet the current and future needs of residents, businesses and workers;
  - a step-change improvement in inequalities and ensures that communities benefit;
  - sustainable solutions that make significant progress towards carbon emissions reductions;
  - the agility and capacity to respond to further challenges and opportunities as they emerge as we continue to discover the economic implications of COVID-19 and Brexit over the next few years.

### **Regional Plans / Strategies**

- 1.47 As of October 2022, work is ongoing in County and City Councils to prepare for devolution and the creation of a Combined County Authority between Derbyshire and Nottinghamshire. Ashfield District Council is actively involved in these

<sup>28</sup> This is a legal requirement under Section 19(1B-1E) of the Planning and Compulsory Purchase Act 2004.

<sup>29</sup> These can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.

<sup>30</sup> Except in relation to town centre development, NPPF 2023, Part 7.

discussions along with neighbouring district authorities, to ensure that Ashfield’s plans and strategies are embedded into regional plans. The first election for a regional mayor is expected to be in spring 2024. Below sets out the regional plans and strategies that have helped to shape the Local Plan to date.

### Transport Plans

- 1.48 The Local Plan has taken into account the provisions of the Local Transport Plan (LTP), which sets out Nottinghamshire's transport strategy. The strategy covers all types of transport including public transport, walking, cycling, cars and freight.
- 1.49 The current Local Transport Plan<sup>31</sup> (known as the third Local Transport Plan) runs from 1 April 2011 to 31 March 2026. It is made up of two documents:
- the Local Transport Plan strategy which details the County Council's vision and the strategy, and
  - the Implementation Plan 2018/19-2020/21 which details the transport improvements that will help deliver the strategy.
- 1.50 In spring 2021 the government published the National Bus Strategy. This includes an expectation that in cities and other congested places, there will be significantly more ambitious bus priority schemes, making services faster, more reliable, more attractive to passengers and cheaper to run. Local Transport Authorities are expected to implement ambitious bus priority schemes and draw up ambitious Bus Service Improvement Plans (BSIPs). The Bus Service Improvement Plan for Nottinghamshire and Nottingham has been drafted and in the process of being implemented. The Enhanced Partnership (EP) Plan and scheme is in progress.
- 1.51 Transport connectivity to existing train stations within Ashfield and to neighbouring districts is required along with enabling access to and from employment, education, health, leisure and other services. Ashfield is not solely a feeder for employment opportunities in neighbouring cities but has employment, innovation and education opportunities within the district. Transport connectivity to existing train stations within Ashfield and to neighbouring districts is required along with enabling access to employment.
- 1.52 The County Council have undertaken a number of studies to identify potential options for improvements to local roads in Ashfield which are anticipated to influence future Implementation Plans.

### D2N2 Local Economic Partnership

- 1.53 Local Economic Partnerships (LEPs) are non-statutory partnerships between local authorities and businesses, which promote economic growth in their local area. D2N2 is the LEP that covers Nottinghamshire and Derbyshire. The D2N2 LEP is currently due to close in 2024, when their functions will be transferred to the combined authority.

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<sup>31</sup> <https://www.nottinghamshire.gov.uk/transport/public-transport/plans-strategies-policies/local-transport-plan#implementation>

- 1.54 D2N2 has published an updated Strategic Economic Plan, 2014, as the first stage of its Local Industrial Strategy (LIS), 2019. This has been summarised by the Local Economic Partnership Network<sup>32</sup> as follows:

*‘The D2N2 LEP’s Local Industrial Strategy deliver a roadmap towards achieving the vision that*

*‘by 2030, D2N2 will have a transformed high-value economy, prosperous, healthy and inclusive, and one of the most productive in Europe. The spark in the UK’s growth engine.’*

*It will tackle the cross-sector productivity gap alongside capitalising on its key innovation and business assets. The D2N2 LIS prioritises those policies and interventions that will have the greatest impact in driving productivity and promoting prosperity in all their communities.’*

- 1.55 The NPPF<sup>33</sup> specifically identifies that planning policies should have regard to Local Industrial Strategies and other local policies for economic development and regeneration. While the LIS does not make an explicit connection to local plans, local plans have an important role in achieving its vision and there are specific priority actions in the draft LIS that are facilitated through a local plan such as:

- ‘Developing planning policy for new housing developments which surpass national standards<sup>34</sup> .’
- ‘Supporting the growth of our cities, towns and economic corridors to improve quality of place and economic prosperity in the wider region.
- Ensuring that housing and employment development opportunities are unlocked, and the visitor economy bolstered, to enable wider place-making and productivity objectives<sup>35</sup>.’

- 1.56 The role of the local plan is to identify the physical infrastructure requirements to deliver the priorities set out by Ashfield District Council, government, partner organisations and local industrial strategies. Councils need to ensure that the right kind of employment space, employment land and housing is available to enable that growth and facilitate increased productivity. High quality housing, vibrant town centres, leisure and recreation facilities and good infrastructure are important aspects to retaining and attracting graduates and skilled people. The culture, leisure, and town centre offers are significant factors in business decision-making about where to locate, and key to supporting start-ups. From Ashfield’s perspective, place making is regarded as having a key role within the plan and it is important to improve productivity, to upskill local people and our connectivity.

<sup>32</sup> <https://www.lepnetwork.net/lep-activities/local-industrial-strategies/>

<sup>33</sup> NPPF 2023, paragraph 82.

<sup>34</sup> D2N2 Draft Local Industrial Strategy Proposition #2 page 14

<sup>35</sup> D2N2 Draft Local Industrial Strategy Proposition #3 page 17

Maid Marian Line

- 1.57 The Council with its partners has developed a business case for the reopening of the freight-only line between the Robin Hood Line in Nottinghamshire and the Erewash Valley Line in Derbyshire (between Kirkby Lane End and Ironville Junctions) and convert it to carry passenger train.
- 1.58 The business case is supported by Ashfield and Mansfield Station Masterplans which identify development and place making improvement opportunities arising from locations near Kirkby-in-Ashfield and Sutton Parkway Stations. As part of the Council's Towns Fund programme, development work has commenced on the Kirkby in Ashfield Station Masterplan.
- 1.59 Additional work has been undertaken to investigate the economic, social, and environmental benefits of providing additional station platforms at both Kingsmill and Selston (Jubilee), building on recent Maid Marian Line studies by AECOM and Systra on behalf of Nottinghamshire Councils.
- 1.60 The Maid Marian Line reflects the opportunity for the existing freight-only line between the Robin Hood Line at Kirkby-in-Ashfield and the Erewash Valley Line to be reopened to passenger trains. This would connect the four existing stations in Ashfield and Mansfield. It also offers wider connectivity to Nottingham/Derby/Leicester and beyond.
- 1.61 The Maid Marian Line is being developed as stand-alone scheme which will provide greater local connectivity with cross county connections, an alternative route into Nottingham and to Derby and beyond. The scheme offers the opportunity to maximise access to employment and education to enhance quality of life, improve the environment and strengthen the economy. There is a clear 'golden thread' from National Policy, through regional strategies and local plans. This will support Ashfield's ambition to be a destination for employment, education, and tourism.

High Speed 2 Phase 2b (HS2)

- 1.62 The Department for Transport Integrated Rail Plan for the North and Midlands 2021<sup>36</sup> stated it would include the following proposals, some of which are under review following Government announcements in 2023:
- Subject to consultation, a stretch of new high-speed line, HS2, will be built from the West Midlands to the East Midlands, based largely on the existing safeguarded route, connecting to the existing railway line near East Midlands Parkway Station (close to East Midlands Airport).
  - The Government will accelerate transport improvements at Toton, such as a station for local/regional services, with delivery subject to significant private sector investment – on a 50:50 match-funded basis with the taxpayer – coming forward at the site and developer contributions. It “will look to exploit any linkages with other investment in Nottinghamshire, including the proposals

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<sup>36</sup> <https://www.gov.uk/government/publications/integrated-rail-plan-for-the-north-and-the-midlands>



for the Robin Hood Line Extension and reopening the Maid Marian line to a passenger rail services.”

- Complete electrification of the Midland Mainline, which will allow HS2 trains to serve Nottingham, Derby and Sheffield.
- The Government is undertaking further work to look at the most effective way to run HS2 trains to Leeds.

1.63 Whilst the Government removed the section of HS2 from Birmingham to East Midlands on the 4th of October 2023, it restated its commitment to transportation projects in the East Midlands area. Maid Marian Line and Robin Hood line and electrification of the line to Nottingham all remain priorities for wider connectivity in the region.

1.64 The Department for Transport’s Safeguarding Directions<sup>37</sup> remain in place at this time, which including safeguarding the route through the District of Ashfield. The anticipated route is shown on the Policies Map.

*Joint Health & Wellbeing Strategy 2022-2026*

1.65 This Strategy<sup>38</sup> sets out the priorities for the Nottinghamshire Health and Wellbeing Board and how it plans to improve the health and wellbeing of our residents and reduce health inequalities amongst our communities.

**Local Context / Strategies**

1.66 The following plans and policies are of local relevance and have been used to shape the draft Local Plan.

*Ashfield District Council Corporate Plan (2023 – 2027)*

1.67 Six priorities are set out in the Ashfield District Council Corporate Plan<sup>39</sup> as follows:

- Health and Happiness,
- Homes and Housing,
- Economic Growth and Place,
- Cleaner and Greener,
- Safer and Stronger, and
- Innovate and Improve

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<sup>37</sup> Safeguarding directions aim to ensure that land which has been earmarked for major infrastructure projects is protected from conflicting developments before construction starts.  
<https://www.gov.uk/government/publications/hs2-safeguarding-for-developers-and-local-authorities>

<sup>38</sup> <https://www.nottinghamshire.gov.uk/policy-library/38815/the-joint-health-and-wellbeing-strategy-for-2022-2026>

<sup>39</sup> <https://www.ashfield.gov.uk/your-council/strategies-plans-policies/>

1.68 Planning, and the development plan in particular has a cross cutting role to play in helping to meet and deliver these priorities for the People of Ashfield. In particular, the local plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving our town centres, facilitating economic growth especially around transport hubs, improving parks and open space and increasing tree coverage.

#### Ashfield Social Value Policy

1.69 The Council's Social Value Policy<sup>40</sup> sets out the Council's commitment to social value and the added benefits that can be gained from projects and public procurement, specifically for the social, economic and environmental benefit of local people living in the local area.

1.70 The Policy identifies that it is important for Ashfield District Council to know and understand what is being delivered so that we can understand where we need to concentrate improvement on. Examples of delivering social value in the Policy includes 'Building Social Value into planning services'. This has been reflected with the inclusion of a social value policy in the draft Plan and the Council have been involved with the Social Value Task Force in the development of the policy approach.

#### Ashfield and Mansfield A Plan for Growth 2017. Ashfield DC & Mansfield DC<sup>41</sup>

1.71 This reflects the commitment by both councils, to produce a combined economic strategy. This reflects the fact that the two districts together are effectively an integrated economic community, with many people living in one district and working in the other. This is also supported by Centre for Cities, who have recognised Mansfield principle urban area (including the Ashfield area) as one of the 64 UK "cities".

1.72 The Strategy sets out a vision 'to maximise the opportunities for people and businesses to grow and prosper in Ashfield & Mansfield', together with three themes and associated priority actions:

- Developing the workforce to support business growth.
- Encouraging enterprise and business growth.
- Improving infrastructure and stimulating investment.

#### Affordable Housing Delivery Strategy 2021 – 2023. Ashfield District Council<sup>42</sup>

1.73 The strategy focuses on the actions that can be taken by the Council to increase the supply of affordable homes for rent or for sale in Ashfield district, developed either by the Council, housing association or by a private developer. Together with the

<sup>40</sup> <https://www.ashfield.gov.uk/media/8d88f9438231a5e/social-value-policy.pdf>

<sup>41</sup> <https://www.ashfield.gov.uk/media/8d850ae2a324a84/ashfield-and-mansfield-a-plan-for-growth-2017.pdf>

<sup>42</sup> <https://www.ashfield.gov.uk/your-council/strategies-plans-policies/housing-strategy-research/affordable-housing-delivery-strategy-2021-to-2023/>

Local Plan, this strategy will help to deliver affordable homes in the District. A series of “Actions” are set out for the period 2023 to 2025.

Ashfield Playing Pitch Strategy 2023 -2027

- 1.74 The Playing Pitch Strategy will provide a focus for three key areas:
- Sustainable long term management of outdoor sports facilities,
  - Evidence of need and priorities to support funding bids for continued improvement of facilities,
  - Provision of new facilities through the development process where a need has been identified.

Ashfield Public Open Space Strategy 2016-2026

- 1.75 The Public Open Space Strategy provides a vision for Ashfield’s public open spaces and emphasises three key areas:
- Sustainable long term management of public open space;
  - Continued improvement of public spaces;
  - Provision of new public open space and associated facilities through the development process.

- 1.76 The strategy focuses on publicly accessible open spaces, including parks and green spaces, town centre spaces such as squares and plazas, allotments, cemeteries and green links.

The Ashfield Community Partnership Strategic Plan 2019 - 2022<sup>43</sup>

- 1.77 Ashfield Community Partnership (ACP) is a multi-agency body responsible for tackling and addressing crime and disorder in Ashfield. The Strategic Plan 2019 - 2022 is a 3-year rolling document, which identifies how the partnership plans to tackle local community safety issues that matter to the local community.

Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 Ashfield Health and Wellbeing Partnership.

- 1.78 The Ashfield Health and Wellbeing partnership is a local partnership which aims to encourage and provide opportunities for residents within the Ashfield area to lead a healthy, active lifestyle. The Strategy identifies a mission ‘To work collaboratively to help people improve their health and wellbeing, develop pride and aspiration in our communities and promote Ashfield in a positive manner.’

Ashfield District Council Towns Fund

- 1.79 Kirkby-in-Ashfield and Sutton in Ashfield were chosen by the government in Autumn 2019, as two of the towns in the UK to receive the governments Towns Fund. The Government set out the three areas of regeneration the Towns Fund will focus on:
- urban regeneration, planning and land use,
  - skills and enterprise infrastructure, and
  - digital and transport connectivity.

<sup>43</sup> <https://www.ashfield.gov.uk/community-leisure/anti-social-behaviour-community-safety/>

- 1.80 Since then, the Council, together with the Discover Ashfield Board have been working closely with stakeholders including business, education, health, transport, and local elected Members to develop the Kirkby and Sutton Town Investment Plan<sup>44</sup>.
- 1.81 On 8 June 2021 the government announced that it was awarding the Kirkby and Sutton Town Deal £62.6 million. Together with funding secured from the Towns Fund Accelerator Fund (£1.5m) and the Future High Streets Fund, over £70 million has now been secured for Ashfield. Together with co-funding this will bring well over £100 million of investment into the District over the next five years.
- 1.82 The investment will deliver jobs and further education opportunities, long-term economic and productivity growth, new homes, improved transport infrastructure, reduced carbon and new cultural and visitor facilities. The investment plan focuses on four areas:
- Business & Education
  - Health & Wellbeing
  - Visitor Economy
  - Greener Ashfield
- 1.83 The Towns Fund investment will deliver jobs and further education opportunities, long-term economic and productivity growth, new homes, improved transport infrastructure, reduced carbon, and new cultural and visitor facilities.
- 1.84 The investment focuses on four areas:

Business and education:

- The centrepiece of the plan is an Automated Distribution and Manufacturing Centre to create a national centre of excellence focused on promoting and providing access to the latest technologies and best practice in automated distribution.
- Two new education centres will provide opportunities for qualifications in construction and civil engineering. At Kirkby and Sutton libraries there will be new innovation centres which will support residents with digital skills, helping them access digital services, learn new skills, and adapt to new ways of working.

Health and wellbeing:

- New Sports Hubs at Kingsway Park and Sutton Lawn will give residents greater access to healthier lifestyles and help improve local health outcomes.

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<sup>44</sup> <https://www.ashfield.gov.uk/business-licensing/support-into-work/towns-fund/>

Boost visitor economy:

- A new Planetarium and Science Discovery Centre at Sherwood Observatory will help inspire a new generation of scientists and engineers across the region.
- A new leisure facility at Kings Mill Reservoir will offer a range of new water sports attractions for visitors from across the region. A network of cycling and walking routes across the area will connect visitor attractions, homes, and places of work.

Make Ashfield Greener:

- The gateway area around Kirkby train station will be developed to provide better access to the station and interchange to buses and the new cycle/walking network, to promote use of more sustainable forms of transport, as well as a programme to fit existing buildings with solar and other green energy sources.

**Key Issues**

- 1.85 Set out below is a summary of the key issues facing the District as has been identified by the extensive evidence base<sup>45</sup> in support of the Plan, the Annual Monitoring Report (AMR)<sup>46</sup> and the Sustainability Appraisal (SA) scoping report<sup>47</sup>. The key issues identified are not ranked in any particular order of importance or priority.

Climate Change

- Climate change has substantial implications for future generations and action is needed by all to meet national and local targets to reduce carbon emissions and other gases, which make major contributions towards the rises in air and sea temperatures. Ashfield has committed to do everything possible to combat climate change and it is main priority for the local plan. The challenge for us is to provide for new homes and jobs in a way that does not have a detrimental impact on our climate and environment.

Transport

- Ashfield is well located with regard to national, regional and local transport links and is close to major centres of population including Nottingham City, Mansfield, Chesterfield and Sheffield.
- Traffic congestion is an issue at specific locations in the District but it is unlikely that there will be significant public funding available for new roads.

<sup>45</sup> <https://www.ashfield.gov.uk/planning-building-control/development-management-documents/>

<sup>46</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/monitoring/>

<sup>47</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/sustainability-appraisal/>

- To work with partners to provide an integrated and efficient transport system including public transport, community transport, taxis, walking and cycling network in Ashfield.

#### Settlements

- Ashfield has a network of urban areas with their own 'sense of place' providing accessible local services and facilities, attractive rural settings and generally high quality environments.
- There is a need to improve the quality and range of services available within communities.

#### Town Centres

- All the District's town centres need continued support and investment to help sustain them into the future.

#### Housing

- There is a need for more housing across the District, including affordable, specialist housing and housing for travelling show people and gypsies and travellers.
- Given that substantial parts of the District are in Green Belt, there are issues in balancing the housing needs of specific areas against the impact on the Green Belt and the countryside.
- Past development of previously developed land means that currently there are limited stocks of vacant previously developed land. By implication, this means that there will be a loss of green field sites and agricultural land.

#### Economy

- The District offers relatively affordable housing and supply of employment sites to meet the District's job forecasts.
- The District has traditionally relied on the manufacturing and construction sectors and there needs to be a more diverse local economy moving towards 'high value-added' services and manufacturing.

#### Employment

- New employment will require higher level skills, so that businesses and the District can compete in both national and international markets. The past industrial history also results in negative perceptions of the District.
- Ashfield has lower than average education attainment levels in schools.
- There is a high percentage of residents with no qualifications and those working in unskilled occupations in comparison to other areas.

- The District demonstrates income levels that are significantly lower than average compared to neighbouring areas or regional figures, resulting in difficulties in accumulating the financial deposits required for house purchases.

#### Ageing Population

- The older population (65+) continues to increase across the District. The Rurals has a particularly large percentage of older people, exceeding that of the younger generation (up 15).

#### Deprivation

- The Index of Multiple Deprivation identifies that Ashfield is within the top 25% of most deprived districts in the country.

#### Health

- The health of people in Ashfield is generally worse than the England average, with higher mortality rates, high numbers of smokers and high levels of obesity.

#### Infrastructure

- Areas of the District suffer from limited infrastructure capacity and solutions are needed, in consultation with infrastructure providers to enable future development needs to be accommodated.

#### Flooding and Water

- Ashfield is substantially located with Flood Zone 1, which is land at the lowest risk of flooding from watercourses. Nevertheless, there are areas at risk of flooding from watercourses including parts of Hucknall and Jacksdale. Further, additional water into the River Leen raises significant flood issues in Nottingham. The Nottinghamshire Local Flood Risk Management Strategy 2021-27 identifies that approximately 3,783 residential, and commercial properties together with critical infrastructure is at a high or medium risk of flooding. The Council's approach is to ensure that the risk of flooding is minimised and does not increase the risk of flooding to the surrounding area. It promotes the use of SUDS and blue / green infrastructure throughout development to ensure a sustainable approach to the management of water and flood risk. Nevertheless, there are areas at risk of flooding from watercourses including parts of Hucknall and Jacksdale. Further, additional water into the River Leen raises significant flood issues in Nottingham.
- The Nottinghamshire Local Flood Risk Management Strategy 2021-27 identifies that approximately 3,783 residential, and commercial properties together with critical infrastructure is at a high or medium risk of flooding. The Council's approach is to ensure that the risk of flooding is minimised and does not increase the risk of flooding to the surrounding area. It promotes the use of SUDS and blue / green infrastructure throughout development to ensure a sustainable approach to the management of water and flood risk.
- Reducing the level of water use given the constrained water supply for Greater Nottingham and Ashfield.

### Green Infrastructure

- The District holds sites of significant environment value, as well as open space and facilities, including the Green Belt. Appropriate protection, access and linkages between these assets may need to be improved to aid the network of green spaces. The Council's Green and Blue Infrastructure Strategy, 2022 - 2032, provides further details.
- Ensuring that there are no adverse effect upon the South Pennines Special Area of Conservation (SAC), the Birklands and Bilhaugh SAC and the Sherwood Forest possible potential Special Protection Area (ppSPA).

### Historic Environment

- There is a significant history in Ashfield which should be positively utilised and enhanced. These assets play an important role in providing our places with their distinct identity and character, which should be used in a positive way to regenerate the District's town centres and communities.



## Chapter 2

### Shaping the future of Ashfield, what we want to achieve. (Vision and Objectives)

- 2.1 This chapter sets out a vision for Ashfield to 2040 and a number of strategic objectives to help deliver the identified vision.

#### *A Vision for Ashfield*

- 2.2 The Vision and set of accompanying strategic objectives will guide future development across the District, benefiting existing and new communities. The policies and proposals identified in the Plan flow from the vision and the strategic objectives.

#### **Vision: ‘Ashfield, a place to be proud of’**

Ashfield is a District where people of all ages are proud to live, study, work, visit and aspire to stay.

High quality design and place making will shape the delivery of new development, responding to the infrastructure requirements of new and existing local communities.

New housing will be responsive to local needs, enhancing the built environment and reflecting the distinctive characteristics of Ashfield’s towns and villages. The lifestyle of the community will be enhanced by accessible health, leisure, and education opportunities, which will reduce health and income inequality in the district.

Working in Partnership with other organisations and residents, Ashfield will have taken major steps towards becoming net- zero carbon by 2050. The design and layout of development will reflect the change to drier and hotter summers, including the utilisations of green roofs and green space with extensive tree planting. Green space will be utilised to minimising the increased risk of flooding from all sources. New houses and employment units will be energy efficient, utilising solar and other forms of low carbon energy, reflecting electricity generated from a low carbon grid, combined heat and power plants and local heat sources such as mine water. To minimise the impact of periods of drought, development will be designed to use water efficiently, which facilitate ecosystems with less water being taken out of rivers

and aquifers. Vehicles will be substantially powered by electricity resulting in significant local air quality benefits. The emphasis on green infrastructure will facilitate cycling and walking to access local facilities and services, achieving a shift in travel behaviour reducing energy usage and improving the health of residents.

Building on our transport links, a more diverse and thriving economy will encourage higher educational attainment, business enterprise, quality jobs and provide opportunities for a skilled workforce. Improved interchange between transport modes and the use of innovative solutions will help to manage the utilisation of the highway network for all users.

Sutton in Ashfield, Kirkby-in-Ashfield and Hucknall will have thriving, vibrant town centres, offering local products from local sources. They will provide a mix of retail, cultural, employment and local services, being places where people want to visit and live.

The District’s rich heritage, scenic countryside and biodiversity are valued resources which will be protected and enhanced for residents to discover and provide opportunities for tourism and recreation.

**Strategic Objectives**

2.3 The following strategic objectives have been identified as central to achieving the delivery of the vision for Ashfield.

<b>The Community</b>	<b>SO1</b>	<p><b>Facilitate Place Making</b></p> <p>Ensure that place making is at the heart of the delivery of high quality well designed neighbourhoods and developments by:</p> <ul style="list-style-type: none"> <li>a) Creating, safe, welcoming and adaptable places that enhance local character and support communities.</li> <li>b) Providing attractive and accessible green spaces to encourage healthy lifestyles.</li> <li>c) Identifying strategic gaps between settlements to prevent coalescence.</li> <li>d) Creating sustainable places that contribute to people's health and wellbeing and function well for the purpose they were designed.</li> <li>e) Reducing energy needs by adopting sustainable energy measures.</li> <li>f) Promoting greater community pride and ownership in an area.</li> </ul>
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The Community	SO2	<p><b>Promote socially cohesive, healthy and active communities</b></p> <p>Promote social inclusion, healthier life styles and improve the health and wellbeing of the population by:</p> <ol style="list-style-type: none"> <li>Working with healthcare partners to deliver improved and, where required, new health and social care facilities.</li> <li>Facilitating involvement for all in the social and economic life of the community through the location and design of development and supporting infrastructure.</li> <li>Improving community safety, reduce crime and the fear of crime through the development of good quality well planned environments.</li> <li>Improving access to the countryside, recreational, leisure and cultural facilities.</li> <li>Addresses issues of air quality.</li> <li>Facilitating walking and cycling to work, to services and for leisure.</li> </ol>
The Community	SO3	<p><b>Meeting Local Housing Needs and Aspirations</b></p> <p>To meet local housing needs and aspirations by:</p> <ol style="list-style-type: none"> <li>Supporting the delivery of well-designed good quality, new homes at densities, which respect local character.</li> <li>Ensuring that development delivers a range of housing types and tenures to meet the needs of Ashfield's existing and future households.</li> <li>Enabling people to live independently longer including provision of adaptable, accessible and specialist homes.</li> <li>Increasing the supply of quality affordable homes to provide inclusive and mixed communities.</li> <li>Meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople in appropriate locations.</li> </ol>
The Community	SO4	<p><b>Timely and Viable Infrastructure</b></p> <p>Ensure necessary infrastructure is provided on a timely basis as part of new development for the benefit of new and existing residents. This includes:</p> <ol style="list-style-type: none"> <li>Working with partners to secure education, training, community and health facilities in appropriate locations.</li> <li>The provision of green and blue infrastructure.</li> <li>Supporting the provision of an accessible, energy efficient and integrated transport network including links to regional and national destinations.</li> <li>Enhancing the digital infrastructure of broadband and mobile networks to ensure that benefits to economic growth and social wellbeing for Ashfield are fully realised in the future.</li> </ol>
The Community	SO5	<p><b>Strong and Vibrant Rural Communities</b></p> <p>Protecting the character of rural settlements and ensuring that development respects the size of villages, whilst sustaining local services, supporting diversification of rural businesses and making provision for affordable housing.</p>

		<p>Supporting enhancing and improving the sustainability, vibrancy and vitality of the larger villages of Selston, Jacksdale and Underwood by providing:</p> <ul style="list-style-type: none"> <li>a) Access to a range of quality housing providing for the needs of all sectors of the communities, while ensuring that any development relates positively in form and function of the village.</li> <li>b) Development, which sustain and where appropriate, enhances local facilities including retail capacity and community facilities such as health and education.</li> <li>c) An environment that is attractive to small businesses and home working.</li> <li>d) For the extension and enhancement of public space and recreational facilities.</li> </ul>
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<b>The Economy</b>	<b>SO6</b>	<p><b>Economic Opportunity for All</b></p> <p>To be ambitious for economic growth and productivity in Ashfield while recognising the requirements of environmental capacity and amenity by:</p> <ul style="list-style-type: none"> <li>a) Creating a climate for business and enterprise growth with an emphasis on making investment happen.</li> <li>b) To encourage economic development and regeneration of the District and diversification of the local economy by ensuring the provision of a range and choice of employment sites in terms of size, quality and location</li> <li>c) Promoting a higher wage and higher skilled economy.</li> <li>d) Supporting the growth of a diverse range of economic sectors, promoting development to parts of the district where it is needed to build and strengthen vibrant and cohesive communities. Facilitating access to a skilled and educated labour force.</li> <li>e) Facilitating the wider transport network and local rail links to integrate with key transport hubs</li> <li>f) Expanding the leisure, tourism and visitor offer to inspire and encourage the exploration of Ashfield.</li> </ul>
<b>The Economy</b>	<b>SO7</b>	<p><b>Sutton-in-Ashfield Town Centre</b></p> <p>Refocus Sutton as an attractive and vibrant Town Centre by:</p> <ul style="list-style-type: none"> <li>a) Encouraging a high quality mix of retail, health, culture, housing, employment and leisure that will enhance the opportunity for people to live, work and visit the town centre;</li> <li>b) Creating a town centre environment which residents are proud of;</li> <li>c) Strengthening connections across the town centre through linking key destinations and promoting activity;</li> <li>d) Enhancing the townscape character by ensuring that new development respects the town’s heritage particularly around Brook Street, Market Square (Conservation Area), Portland Square and Fox Street, and provides high quality design.</li> </ul>
<b>The Economy</b>	<b>SO8</b>	<p><b>Hucknall Town Centre</b></p> <p>Promote Hucknall as a lively and prosperous Town Centre that is proud of its past by:</p> <ul style="list-style-type: none"> <li>a) Protecting and making the most of the town centre’s rich heritage and strong links to Lord Byron as part of the District’s visitor economy;</li> </ul>

		<ul style="list-style-type: none"> <li>b) Enhancing the townscape character and historic environment through ensuring that new development respects the town’s Conservation Area and provides high quality design;</li> <li>c) Encouraging a high quality mix of retail, tourism, health, culture, leisure, housing and employment that will enhance the opportunity for people to live, work and visit the town centre;</li> <li>d) Strengthening connections between the NET Station and the town centre;</li> <li>e) Creating a town centre environment, which is the focus for the life of the community.</li> </ul>
<p>The Economy</p>	<p><b>SO9</b></p>	<p><b>Kirkby-in-Ashfield Town Centre</b></p> <p>Continue Kirkby’s regeneration as a vibrant and successful District Centre by:</p> <ul style="list-style-type: none"> <li>a) Reinvigorating the town centre leisure offer and health provision through the provision of a state-of-the-art flagship leisure centre and swimming pool;</li> <li>b) Encouraging a high quality mix of retail, culture, health, housing and employment that will enhance the opportunity for people to live, work and visit the town centre;</li> <li>c) Enhancing the townscape character by ensuring that new development offers high quality design;</li> <li>d) Creating a town centre environment which is the focus for the life of the community;</li> <li>e) Strengthening connections across the town centre through linking key destinations and promoting activity.</li> </ul>
<p>The Economy</p>	<p><b>SO10</b></p>	<p><b>Local Shopping Areas</b></p> <p>Ensure local shopping areas provide appropriate services to satisfy local consumer needs by:</p> <ul style="list-style-type: none"> <li>a) Protecting and promoting a diverse mix of uses, which cater for the day-to-day needs of the community.</li> <li>b) Supporting sensitive redevelopments and new developments where they contribute to the vitality and viability of the area and enhance the retail, service and leisure offer;</li> <li>c) Enhancing the environment to make local shopping areas attractive place to visit at any time of the day.</li> </ul>

<p>The Environment</p>	<p><b>SO11</b></p>	<p><b>To meet the global challenge of climate change</b></p> <p>To rise to the global challenge of climate change, which at a local level presents risks to people, property, infrastructure and natural resources by:</p> <ul style="list-style-type: none"> <li>a) Supporting the delivery of low carbon renewable energy and local energy networks;</li> <li>b) Shaping places to help secure cuts in greenhouse gas emissions with location for new developments that allows for efficient use of resources;</li> <li>c) Facilitating the integration of sustainable building design principles in new development, improve the resilience of buildings and places to cope with a changing climate, ensuring flood risk is managed by encouraging nature based solutions and potential problems of extreme weather are minimised;</li> <li>d) Reducing the amount of waste that ends up in landfill, particularly biodegradable waste, and increase self-sufficiency;</li> </ul>
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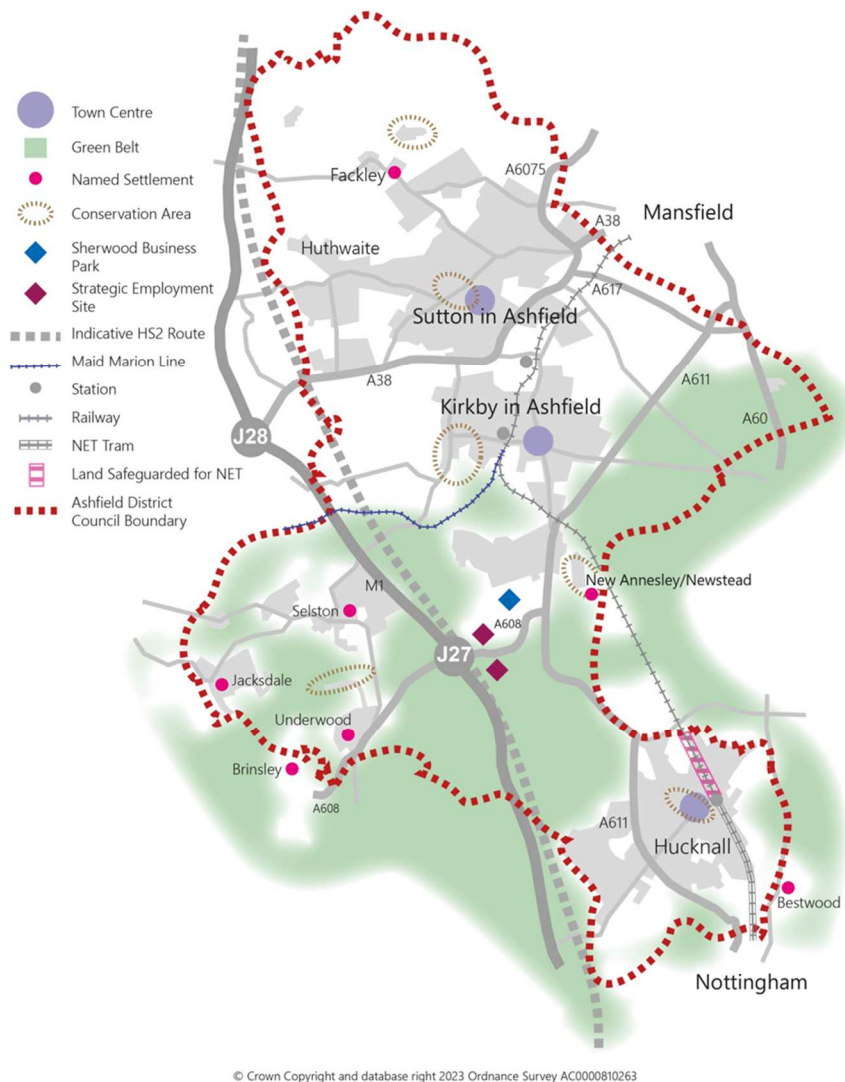
		<ul style="list-style-type: none"> <li>e) Supporting the infrastructure to provide for zero emission vehicles;</li> <li>f) Ensuring that there are opportunities to take positive action on climate change by encouraging community-led initiatives such as the promotion of decentralised renewable energy use;</li> <li>g) Moving away from the extraction of fossil fuels, the burning of which is carbon intensive.</li> </ul>
<b>The Environment</b>	<b>SO12</b>	<p><b>Transport and Accessibility</b></p> <p>Improving movement and accessibility through:</p> <ul style="list-style-type: none"> <li>a) Make efficient use of the existing transport infrastructure,</li> <li>b) Reduce the need to travel by car and improves accessibility.</li> <li>c) Working with others to promote quality public transport.</li> <li>d) Encouraging cycling and walking opportunities.</li> <li>e) Improve access to jobs, homes and services.</li> </ul>
<b>The Environment</b>	<b>SO13</b>	<p><b>Minimising our Impact on the Environment</b></p> <p>Promote the efficient use of resources by embracing sustainable patterns of development including:</p> <ul style="list-style-type: none"> <li>a) Maximising the use of previously developed land unless it conflicts with other strategic objectives and policies.</li> <li>b) Ensuring development proposals fully consider the coal mining legacy issues to ensure the stability of the land and to optimise the potential for the use of mine water heating.</li> <li>c) Avoiding the impacts of new development on natural resources wherever possible and minimise, mitigate and compensate where it cannot be avoided.</li> <li>d) Improving water quality, ensuring that development safeguards the water supply in the principal limestone and sandstone aquifers.</li> <li>e) Minimising pollution including air, noise, water, soil and light pollution.</li> </ul>
<b>The Environment</b>	<b>SO14</b>	<p><b>Protecting and Enhancing the Quality of the Local Environment</b></p> <p>Enrich the quality of the natural, historic, geological and built environment enhancing the District's distinctiveness and sense of place by:</p> <ul style="list-style-type: none"> <li>a) Protecting and enhancing geological sites, natural habitats, ecological networks and the biodiversity they support.</li> <li>b) Safeguarding Ashfield's scenic and distinct countryside, heritage and valued landscapes.</li> <li>c) The provision of connected quality green and blue spaces that are multifunctional, accessible to all, supporting wildlife and human health.</li> <li>d) Conserving, and enhancing the District's distinct historic environment and cultural heritage including locally valued non-designated heritage assets.</li> </ul>

## Chapter 3

# Sustainable development in Ashfield - Strategic Policies

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

- 3.1 The spatial strategy sets out how the Council will seek to deliver the Local Plan's Vision by guiding the distribution of development across the District over the Plan period, 2023 – 2040. It has been positively prepared to meet the development and infrastructure needs of Ashfield and provides a framework and context for the other policies of the plan.
- 3.2 The main proposals of the Local Plan are illustrated on the Key Diagram below.



**Figure 4: Ashfield Local Plan Key Diagram Source: Ashfield District Council**

<b>Strategic Policy S1: Spatial Strategy to Deliver the Vision</b>	
Strategic Objectives	SO1, SO3, SO5, SO6, SO11, SO13, S014
<p>Sustainable growth to deliver the Vision will be achieved through:</p> <ol style="list-style-type: none"> <li>1. Creating sustainable and attractive places with an enhanced quality of life for residents;</li> <li>2. Ensuring a strong regeneration focus for our towns, including maximising the use of previously developed (Brownfield) land;</li> <li>3. Locating growth in sustainable and accessible locations through prioritising sites for development within and adjoining the Main Urban Areas;</li> <li>4. Ensuring that new development in or adjoining Named Settlements is of a scale and character that supports these as sustainable locations for growth;</li> <li>5. Delivering homes via dispersed development, focusing on sites of less than 500 dwellings;</li> <li>6. Maximising the economic development potential of key sites including land adjacent to M1 Junction 27 and Sherwood Business Park;</li> <li>7. Facilitating the delivery of new key infrastructure;</li> <li>8. Ensuring development maximises opportunities to enhance the Blue and Green Infrastructure network and incorporates Blue and Green Infrastructure into new development; and</li> <li>9. Protecting and enhancing the natural and built heritage, providing opportunities for tourism and recreation.</li> </ol> <p>The settlement hierarchy to accommodate future growth is set out below and identified on the Policies Map:</p> <ol style="list-style-type: none"> <li>a) <b>Main Urban Areas</b> to accommodate the largest scale of growth: <ul style="list-style-type: none"> <li>Sutton in Ashfield (Sutton)</li> <li>Kirkby-in-Ashfield (Kirkby)</li> <li>Hucknall</li> <li>Areas in the District adjacent to the Mansfield Urban Area</li> </ul> </li> <li>b) <b>Strategic Employment Areas</b> to assist in economic growth, whilst maximising the locational benefits associated with major transport corridors: <ul style="list-style-type: none"> <li>Sherwood Business Park/M1 Motorway Junction 27.</li> </ul> </li> </ol>	



<p><b>c) Named Settlements</b> to accommodate smaller scale growth which meets the needs of the community and sustains services and facilities:                  Selston                  Jacksdale                  Underwood                  Annesley/ Newstead                  Bestwood Village                  Brinsley                  Fackley</p> <p><b>d) Blenheim Industrial Estate</b> to accommodate existing and future employment uses in the event of redevelopment.</p> <p><b>e) The Remainder of the District</b> comprises open countryside including land in Green Belt and all other small villages/hamlets within the District not defined above.</p> <p>Limited infill development may be appropriate in small villages/hamlets, provided there is no adverse effect on the scale and character of the area. In all other areas, development will only be considered appropriate where sites are specifically allocated in the Development Plan, or where development is appropriate to the Green Belt or Countryside as set out in Policies EV1 and EV2. In this respect development will be restricted to that which requires a countryside location, meets a local need, or supports rural diversification in accordance with policies in this Local Plan.</p>	
Evidence base	<ul style="list-style-type: none"> <li>Greater Nottingham (including Ashfield) Accessibility of Settlements Study – Nottingham Outer Housing Market Area authorities and Ashfield, 2010.</li> <li>Annual Monitoring Report, Annually – Ashfield District Council.</li> <li>Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council</li> <li>Sustainability Appraisal August 2023, WSP UK Limited</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 3: Plan-making.</li> <li>NPPF 2023, Part 7: Ensuring the vitality of town centres.</li> <li>NPPF 2023, Part 8: Promoting healthy and safe communities.</li> <li>NPPF 2023, Part 9: Promoting sustainable transport.</li> <li>Planning Practice Guidance: Plan-making as of August 2021.</li> </ul>

3.3 In order to arrive at the preferred spatial strategy, the Council formulated a number of alternative spatial options (outlined within the Sustainability Appraisal) to deliver the vision. These took into consideration the evidence base including the Strategic Housing and Employment Availability Assessment (SHELAA), the key issues that

the plan is seeking to address and the outcome of previous Local Plan consultations. The Council has concluded that that the spatial strategy proposed is the most appropriate way forward.

- 3.4 Further information in relation to the Spatial Strategy and Site Selection can be found in Background Paper 1, 2023. Briefly, the spatial strategy seeks to:
- Take advantage of the district's proximity to Nottingham City,
  - Capitalise on the accessibility of the M1 transport corridor,
  - Locate growth in sustainable and accessible locations,
  - Ensure a strong regeneration focus for our towns,
  - Support proportionate and sustainable growth in the villages,
  - Promote sites which will be deliverable in the short to medium term, distributed proportionately across the District,
  - Facilitate the delivery of new infrastructure, and
  - Deliver high quality design and placemaking.
- 3.5 The strategy is estimated to meet the housing requirement of 446 dwellings per annum (dpa), identified using the standard method for assessing housing need <sup>48</sup>, up to the year 2038/39. It provides for the evidenced employment land requirement as set out in the Employment Land Needs Study<sup>49</sup> and the Employment Background Papers 2021 and 2023<sup>50</sup>.
- 3.6 The SHELAA and Brownfield Capacity Study identify that there are insufficient developable brownfield sites within the existing built-up areas to accommodate the required levels of growth over the plan period. As such, it has been necessary to direct new development to greenfield land outside of the existing settlements. Some of this new development requires the release of land from the Green Belt, including strategic employment land allocated at junction 27 of the M1 (Policy S8) and several housing allocations identified under Policy H1.
- 3.7 Policy S1 sets out the hierarchy of settlements which will assist in the creation of sustainable communities by identifying the areas which have the best access to a wide range of services and facilities. It also promotes sustainability by directing development within and adjacent to the built-up areas of the District and protecting rural and natural environments.
- 3.8 The hierarchy identifies that the existing settlements and town centres of Sutton, Hucknall, and Kirkby offer the best opportunities for residential, employment, services, and facilities within the District.
- 3.9 Housing Development will be mainly concentrated in and adjacent to the larger and more accessible towns of Hucknall, Sutton-in-Ashfield (Sutton) and Kirkby-in-

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<sup>48</sup> Background Paper No 2: Housing 2021

<sup>49</sup> The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, Litchfield, 2021.

<sup>50</sup> Background Paper No3: Economy and Employment Land July 2021.

Ashfield (Kirkby). The villages of Selston, Jacksdale and Underwood, Brinsley, Annesley/Newstead and Fackley have been allocated appropriate levels of development to support rural infrastructure and sustain vitality, whilst respecting their 'village' character.

- 3.10 Concentrating new development in these areas will help to reduce the carbon footprint of the community, with less need to travel to other areas for jobs, services, and facilities. The growth of the three towns will also serve to attract inward investment into these areas, assisting in regeneration and improving the opportunities and the lives of people living there.
- 3.11 The Greater Nottingham Accessible Settlements Study was produced for Ashfield and other Nottinghamshire core authority areas in 2010 and ranks settlements in terms of the level of access to a range of facilities and services. The findings of this study support the hierarchy of settlements as set out in Policy S1.
- 3.12 Sutton, Hucknall and Kirkby are the largest towns in Ashfield and provide excellent public transport links to other major conurbations via the Robin Hood rail line, with stations in all three areas. Sutton has a central bus station and there are frequent, regular bus services in operation throughout Ashfield and Mansfield. Sutton and Kirkby are also in close proximity to each other, so the services and facilities available within each town can be easily accessed from both locations. In the south, Hucknall has excellent links to Nottingham via the Robin Hood Line and the NET tram service, with tram stops within the town centre and to the south and east of the centre. Expansion to the south-west of Hucknall should bring further investment opportunities at Harrier Park leading to the creation of new jobs. Hucknall is surrounded by the Nottinghamshire-Derbyshire Green Belt which constrains growth in this area.
- 3.13 The sub-regional centre of Mansfield also offers opportunities for larger scale growth. Future growth to the south of the town at Lindhurst (within Mansfield District), provides opportunities for new facilities and infrastructure which will support further expansion within Ashfield District.
- 3.14 Opportunities for walking and cycling are good in all of towns, and will continue to improve over time through the delivery of plans for Green and Blue Infrastructure links.
- 3.15 Sherwood Business Park, Annesley is a former Enterprise Zone, which has been developed as a high quality business park. The development of the Business Park reflects the strategic significance of the site lying close to Junction 27 of the M1 motorway. New sites have also been allocated for strategic employment opportunities in this location which capitalise on the M1 corridor.
- 3.16 Huthwaite, Stanton Hill, and Skegby, which form part of Sutton Main Urban Area, are key settlements located to the north and west of Sutton-in-Ashfield. Their proximity to a town centre, accompanied by the services and facilities available in each area mean that these settlements are capable of expansion. A regular bus

service operates in each area and there are fewer policy restrictions to growth due to the absence of Green Belt in this area.

- 3.17 Annesley Woodhouse falls within Kirkby-in-Ashfield Main Urban Area and scored reasonably well in the Accessible Settlements Study. However, there is less opportunity for large scale development here due to its character as a moderately sized settlement, and its location surrounded by Green Belt. As such, this settlement will only be expected to accommodate small scale growth.
- 3.18 In the Named Settlements of Selston, Jacksdale, Underwood, Annesley/ Newstead, Bestwood Village, Brinsley and Fackley, access to services and facilities is more limited and the settlements are more rural in character than their larger counterparts. There is however scope to deliver smaller scale growth to meet the needs of the communities, and to continue to support the services located there.
- 3.19 Blenheim Industrial Estate largely falls within Nottingham City Council area. However, the north-eastern section crosses the boundary into Ashfield District to the south of Hucknall. The area adjoining Nottingham City is not a focus for future development within Ashfield and performs an important strategic Green Belt role in the segregation of Hucknall and Nottingham. However, this particular area is already comprehensively developed for employment uses and is protected for such under Policy EM1. Consequently, it is excluded from the 'Remainder of the District'.
- 3.20 The 'Remainder of the District' is not defined by any boundaries and is considered to be 'open countryside' with a limited number of small villages and hamlets, largely associated with agriculture (Teversal, Bagthorpe, New Westwood, Jubilee and Harlow Wood). Teversal village scored the lowest in the Accessible Settlements Study due to its location and a lesser opportunity for access to services and facilities.
- 3.21 The villages of Teversal and Bagthorpe are also Conservation Areas and, due to the character of the settlements, infill development will be restricted. Development in the rest of the District, outside the villages named, is restricted by national and local planning policies.
- 3.22 To the north of the District the countryside forms the setting<sup>51</sup> of Hardwick Hall and Hardwick Old Hall, both Grade 1 Listed Building, and the associated historic listed gardens. Heritage assets "are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations<sup>52</sup>". Consequently, the potential impact both on the setting and the significance of these heritage assets is a major constraint on development in this part of the District.

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<sup>51</sup> Hardwick Hall Setting Study National Trust, 2016. Atkins

<sup>52</sup> NPPF Sept 2023, paragraph 189

- 3.23 It should be noted that the southern part of the District which lies outside any settlement/strategic Employment area boundaries is washed over by the Nottingham/Derby Green Belt.
- 3.24 Table 1 compares the distribution of future housing development proposals across the district by geographical area. The figures include pipeline projects which already have planning permission and in many cases are under construction, in addition to new sites proposed in the emerging Local Plan. When compared with the existing population, the level of growth directed to each area is broadly comparable and supports the Council's spatial strategy for dispersed development. Housing policies for the provision of land allocations are included in Policies H1 and are identified on the Policies Map, with employment allocations also shown on the Policies Map and as identified in Policy EM2 and Policy S6.

<b>Geographical Area</b>	<b>Housing Sites with planning permission (Dwellings)*</b>	<b>Housing Sites without planning permission (Dwellings)</b>	<b>All Housing Sites (Dwellings)</b>	<b>% Distribution by Area</b>	<b>% Existing Population (2021 Census)</b>
Northern Towns Area	1600	2418	4018	65.8%	61.1%
Rural Villages west of M1 (Green Belt constrained)	38	580	618	10.1%	10.1%
Southern Town Area (Green Belt constrained)	710	759	1469	24.1%	28.8%
<b>Ashfield District Total</b>	<b>2348</b>	<b>3757</b>	<b>6105</b>	<b>100.0%</b>	<b>100.0%</b>

\* All sites with planning permission (including small sites), Planning in Principle or permitted development

**Table 1: Distribution of New Housing Development by Geographical Area**

Source: Ashfield District Council

## Strategic Policy S2: Achieving Sustainable Development

<b>Strategic Policy S2: Achieving Sustainable Development</b>	
Strategic Objectives	SO1, SO2, SO4, SO6, SO11, SO12, SO13.
<p>1. The Council will work with applicants and other stakeholders to seek solutions, which mean that proposals can be approved wherever possible and will secure improvements to the economic, social and environmental conditions in the area.</p> <p>2. Development will be permitted without delay where:</p> <ol style="list-style-type: none"> <li>a) It will not conflict with other policies in this Local Plan or policies in a neighbourhood plan, unless material considerations indicate otherwise;</li> <li>b) It will not adversely affect, and should enhance, the character, quality, amenity and safety of the environment;</li> <li>c) It will not adversely affect highway safety or the capacity of the transport system;</li> <li>d) It will not materially conflict with adjoining or nearby land uses;</li> <li>e) It will not prejudice the comprehensive development of an area;</li> <li>f) It makes effective use of land by:             <ul style="list-style-type: none"> <li>• the re-use of previously developed land within main urban areas and named settlements provided it is not of high environmental value;</li> <li>• Achieving appropriate densities;</li> </ul> </li> <li>g) It protects the environment and quality of life by:             <ul style="list-style-type: none"> <li>• managing and reducing the risk of pollution in relation to the quality of land, air, light and water and</li> <li>• ensuring the site is suitable for its proposed use taking account of ground conditions, including land instability and contamination;</li> </ul> </li> <li>h) It does not form part of a larger site where there would be a requirement for infrastructure provision if developed as a whole;</li> <li>i) It would not result in piecemeal, unsatisfactory forms of development, and</li> <li>j) proposals reflect a high-quality design and construction, which enhance local character and distinctiveness.</li> </ol>	

<p>3. Where there are no policies relevant to the application or the policies which are most important for determining the application are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <p>a) Application of policies within the National Planning Policy Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or</p> <p>b) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole.</p> <p>4. All development should be located, designed, constructed and operated so as to maximise and deliver social value.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Social Value Portal, August 2021.</li> <li>• Ashfield Social Value Policy, 2020. Ashfield District Council</li> <li>• Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 Ashfield Health and Wellbeing Partnership.</li> <li>• Ashfield Community Partnership Strategic Plan 2019-2022</li> <li>• Ashfield Community Partnership Strategic Assessment 2019-2022</li> <li>• Annual Monitoring Report, Annually – Ashfield District Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023.</li> </ul>

3.25 Policy S2 sets out the Councils approach to sustainable development, including social value. It represents the general policy against which all development proposals will be assessed irrespective of land use. It enshrines the presumption in favour of sustainable development and outlines the basic criteria which all development proposals must satisfy, it also applies to all the land use-based policies in the Plan.

3.26 The Council has adopted a positive approach in seeking to meet the objectively assessed development needs of the District. The policies in the Local Plan provide a clear framework to guide development that creates positive, sustainable growth, enabling proposals that accord with the Plan objectives to be approved without delay. Development is required to make effective use of land while safeguarding and improving the environment and ensuring the health/ wellbeing of the community.

3.27 A development must not adversely affect the character, quality, amenity or safety of the built or natural environment, wherever it occurs. This will include the need to protect open spaces and playing fields in urban areas and elsewhere. The appearance of a proposed development and its relationship with its surroundings are a key factor and the Council will require good quality design solutions which respect and enhance the local character of an area.

**NPPF Paragraph 8**

*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 3.28 All developments must have a safe means of access which is adequate to serve the proposal and does not adversely affect pedestrian, cyclist or vehicular safety. The capacity of the transport system to take new development will also be an important aspect and transport impact assessments will be required for major proposals.
- 3.29 National planning policy requires that policies and decisions should promote an effective use of land in meeting the needs for homes and other uses. Some developments, due to the relationship between the site and adjacent land, may prove to be unacceptable as their implementation in isolation could adversely affect the more comprehensive development of the area of land at a later date or negate the development contributing towards affordable housing and infrastructure. In such circumstances, the Council will expect that landowners, promoters, developers and adjacent landowners will work together to maximise the efficient delivery of sites and achieve a comprehensive solution.
- 3.30 Developments which are acceptable in one location may be unacceptable in another due to possible conflicts with adjacent or nearby land uses. This may include such issues as diverse as a new lighting scheme which may result in glare or light spillage beyond the site, for example the floodlighting of a sports facility adjacent to residential properties or light pollution that has the ability to impact on dark skies particularly in the vicinity of the Sherwood Observatory. New industrial uses may also be unacceptable close to residential areas or existing uses may



generate noise, smells, vibrations etc. which render nearby sites unsuitable for other uses.

- 3.31 The minimisation of pollution, ground instability and contamination are important priorities. The Council will consider the possible polluting effects of a development proposal on aspects such as amenity and surrounding land-uses, and will take account of the agent of change principle<sup>53</sup>
- 3.32 It is important to make efficient use of land. Development proposals should not sterilise a larger site, for example by impeding access, or bringing forward a number of small developments which could limit the potential for a holistic approach to be taken to design, that might otherwise prejudice the place-making objectives of the Plan. Development proposals will be required to provide or contribute towards infrastructure needs arising from the development. Where requirements are based on development thresholds, a number of smaller development proposals will not be permitted if by doing so, the full requirements of a site would not be met.
- 3.33 The concept of social value relates to the delivery of positive social, economic and environmental impacts, arising from the actions and operations of various organisations. It can be defined as:
- “ the wider social contribution that a development creates for society through how it is constructed and managed including the economic return to the local economy, the wellbeing of individuals and communities as well as the benefits to help regenerate the environment.”* (Social Value Portal, August 2021).
- 3.34 This means that as well as taking into account the direct effects of interventions, the wider effects on other areas must also be considered, particularly the effects on the local economy and the health and wellbeing of local residents. It is important to ensure that potential benefits – including small-scale benefits which together can have major cumulative benefits – are maximised from all possible sources. The way places are planned, maintained, built and operated can positively impact a number of factors including:
- Jobs and economic growth
  - Health, wellbeing and the environment;
  - Community cohesiveness.
- 3.35 For Ashfield, to achieve the maximum benefits of a social value approach, the Council will take social value into consideration for decisions on planning and development with the aim of integrating sustainable economic, social and

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<sup>53</sup> Under the agent of change principle, if new development or uses are to be introduced near a pre-existing business, such as a live music venue, it is the responsibility of the developer to ensure solutions to address and mitigate noise are put forward as part of proposals. (NPPF 2023, paragraph 187)

environmental objectives through social value. Further detail on how this will be applied to individual development proposals is set out in Policy SD1.



**Figure 5: Ashfield District Council Social Value**

Source Ashfield District Council

### Strategic Policy S3: Meeting the Challenge of Climate Change

<b>Strategic Policy S3: Meeting the Challenge of Climate Change</b>	
Strategic Objectives	SO1, SO11, SO13.
<p>1. The Council will prioritise climate change in all planning decisions, tackling the causes and impacts of climate change and deliver a reduction in the District's carbon footprint. Development and the use of land/ and buildings will be required to address climate change, adapting to anticipated future changes and mitigating against further change by reducing greenhouse gas emissions.</p> <p>2. The Council will work with partners, stakeholders and developers to:</p> <p>a. Promote energy generation from renewable and low-carbon sources, through supporting new development where it is able to demonstrate that its adverse impacts have been satisfactorily addressed.</p> <p>b. Mitigate the impacts of climate change through ensuring that new development proposals minimise their potential adverse environmental impacts during their construction and eventual operation. New proposals for development should:</p> <ul style="list-style-type: none"> <li>• Ensure that the impacts on natural resources are minimised and the use of renewable resources encouraged;</li> <li>• Reduce carbon emissions;</li> <li>• Be efficient in minimising the consumption of energy, water and other resources;</li> <li>• Make new and existing buildings as energy efficient as possible;</li> <li>• Protect and enhance the network of green and blue spaces; and</li> <li>• Maintain and enhancing ecological resilience.</li> </ul> <p>c. The Council will ensure no development is put at risk of flooding nor does it increase the risk of flooding to the surrounding areas, directing development and infrastructure to area at the lowest risk of flooding in the District.</p> <p>d. Ensure, that development provides for integrated water management including:</p> <p>i) Improving the quality of water resources and the natural features of Kings Mill Reservoir, the Rivers Leen, Erewash, Maun, Meden, Idle and Doe Lea, their tributary streams, ponds and associated habitats;</p> <p>ii) Minimising any risk to the quality of the groundwater in the principal aquifers, secondary aquifers or in groundwater source protection zones;</p>	

<ul style="list-style-type: none"> <li>iii) Applying a sequential approach to minimise flood risk;</li> <li>iv) Achieving greenfield run-off rates within the catchment of the River Leen to minimise the risk of flooding to Hucknall and the City of Nottingham;</li> <li>v) Utilising Sustainable Drainage Systems (SuDS);</li> <li>vi) Ensure that surface water is managed so that there is no unacceptable impact from surface water flooding to the development, to surrounding areas or to the existing drainage regime; and</li> <li>vii) Discharge of surface water as high up the drainage hierarchy, as reasonably practicable:             <ul style="list-style-type: none"> <li>1. to an infiltration based system wherever possible (such as soakaways),</li> <li>2. discharge into a watercourse with the prior approval of the landowner and navigation authority (following treatment where necessary),</li> <li>3. discharge to a surface water sewer, highway drain, or another drainage system,</li> <li>4. discharge to a combined sewer.</li> </ul> </li> </ul>	
Evidence base	<ul style="list-style-type: none"> <li>• Towards a Sustainable Energy Policy for Nottinghamshire - Nottinghamshire Sustainable Energy Planning Partnership 2009 (NSEPP).</li> <li>• Nottinghamshire: Operational Renewal and Low Carbon Energy Schemes 2009 - Nottinghamshire Sustainable Energy Planning Partnership (NSEPP).</li> <li>• Towards a Sustainable Energy Policy for Nottinghamshire, Report of Consultation 2009 - Nottinghamshire Sustainable Energy Planning Partnership (NSEPP).</li> <li>• Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas Across the East Midlands 2011 - Final Report - Land Use Consultants, Centre for Sustainable Energy and SQW</li> <li>• Ashfield District Council Strategic Flood Risk Assessment Level 1 2023. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023, WSP UK Limited</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 14: Meeting the challenge of climate change, flooding and coastal change.</li> <li>• Planning Practice Guidance: Climate change as of August 2021.</li> <li>• Planning Practice Guidance: Flood risk &amp; coastal change as of August 2021.</li> </ul>

3.36 Adapting and mitigating against the effects of climate change is one of the key challenges facing us all and a core element of sustainable development. As such, the Council is committed to supporting proposals and initiatives that seek to achieve zero and low carbon development; and implement low carbon and renewable energy infrastructure. This includes all types of buildings. For example,

the sympathetic re-use and refurbishment of historic buildings, and the sustainability of traditional building materials.

- 3.37 Development in Ashfield should contribute towards the construction and creation of well-designed sustainable places to mitigate against and adapt to climate change, and to contribute to national targets on reducing carbon emissions and energy use.
- 3.38 Integrated Water Management is a key aspect of sustainable development. It is a collaborative approach to managing land and water that delivers coordinated management of water storage, supply, demand, wastewater, flood risk, water quality and the wider environment. As a substantial area of Ashfield is on a principal aquifer there is a particular emphasis on protecting ground water from contamination and enhancing the water environment. Management of surface water requires the use of SuDS and implementing the drainage hierarchy. However, infiltration should not be used where there are existing groundwater flooding issues and, where appropriate, should include suitable pollution prevention measures to protect the quality of the groundwater. Development Management Policies on these aspects set out in Policy CC2: Water Resource Management and Policy CC3: Flood Risk.
- 3.39 Design and Access Statements (DAS) can also be used to explain:
- How the proposal seeks to reduce carbon emissions through reducing energy demand by maximising energy efficiency and reducing the need to travel.
  - How renewable energy and low carbon development have been incorporated to reduce reliance on fossil fuels;
  - How trees and soils, are affected by development with the emphasis on the retention of trees as they provide a carbon store.
  - How the proposal for buildings, the public realm and the wider landscape adapts to the implications of climate change which include likely increased temperatures, more frequent and severe flooding and extreme weather events.
  - How flood risk within areas susceptible to fluvial and surface water flooding has been considered.

## Strategic Policy S4: Green Belt

<b>Strategic Policy S4: Green Belt</b>	
Strategic Objectives	SO1, SO2, SO5, SO6, SO13, SO14.
<p>The Green Belt, as shown on the Policies Map, will be protected against inappropriate development as identified in the National Planning Policy Framework. This includes land around Hucknall, land to the south and east of Kirkby-in-Ashfield and land surrounding the rural villages of Selston, Jacksdale, Underwood and part of Brinsley. The village of Bagthorpe is ‘washed over’ by the Green Belt.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> <li>• Background Paper 04: Green Belt Harm Assessment 2023, Ashfield District Council.</li> <li>• Ashfield Green Belt Boundary Review Technical Paper, 2021. Ashfield District Council.</li> <li>• Ashfield Strategic Green Belt Review 2016, Ashfield District Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 13: Protecting Green Belt land.</li> <li>• Planning Practice Guidance: Green Belt as of July 2019.</li> </ul>

- 3.40 The main purpose the Nottingham – Derby Green Belt is to contain the outward growth of Nottingham City and Derby City and to prevent the coalescence of these and other settlements within it by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. This original purpose remains important today, and at a local level maintenance of the Green Belt ensures that Hucknall and Nottingham in particular, which lie very close together, remain physically separate.
- 3.41 When considering proposals for development within the Green Belt, regard will be given to the following five purposes:
- a) Check the unrestricted sprawl of large built-up areas;
  - b) Prevent neighbouring towns from merging into one another;
  - c) Assist in safeguarding the countryside from encroachment;
  - d) Preserve the setting and character of historic towns; and
  - e) Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.42 Due to the nature and location of the built-up areas in Ashfield, the Council consider that the five Green Belt purposes should relate to all settlements (rather than only to ‘large built-up areas’ and ‘towns/historic towns’), as listed in the ‘Accessible Settlements Study for Greater Nottingham February 2010’.

Settlements will be considered on the basis of their built form and not on the basis of town or parish boundaries.

- 3.43 The NPPF highlights that once established Green Belt boundaries should be altered only in exceptional circumstances, when fully evidenced and justified, and only when a Local Plan is being prepared or updated.
- 3.44 Ashfield’s Green Belt has been subject to three sperate reviews as part of the local plan process. A number of changes have been proposed to the Ashfield Green Belt boundary to accommodate the spatial strategy. These changes are discussed further in Background Paper No 1: Spatial Strategy and Site Selection 2023 - Ashfield District Council which sets out the reasoned justification for why this has been necessary.
- 3.45 Notwithstanding these changes, the majority of the Green Belt in the District continues to fulfil the purposes set out in the NPPF. The remaining Green Belt will therefore need to be protected for the long term, and opportunities which enhance the Green Belt, particularly in terms of public accessibility or enhancement to the landscape, visual amenity and biodiversity will be supported.

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

<b>Strategic Policy S5: High Quality Buildings and Places through Place Making and Design</b>	
Strategic Objectives	SO1, SO5, SO6, SO11, SO12.
<ol style="list-style-type: none"> <li>1. New development must create high quality building and places.</li> <li>2. To ensure good place making the Council will require:                             <ol style="list-style-type: none"> <li>a. the use of agreed development frameworks, masterplans and other design guidance documents,</li> <li>b. the use design codes for strategic scale developments and other large sites, and</li> <li>c. the use of the Design Review Panel, where deemed appropriate.</li> </ol> </li> <li>3. Neighbourhood plans/orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood. The Council is supportive of the production of neighbourhood plans/orders that are in conformity with strategic policies within the Local Plan.</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> </ul>

	<ul style="list-style-type: none"> <li>• Sutton Town Centre Spatial Masterplan 2019. Ashfield District Council.</li> <li>• Kirkby Town Centre Spatial Masterplan 2021. Ashfield District Council.</li> <li>• Hucknall Town Centre Spatial Masterplan 2022.</li> <li>• Active Design 2015, Sport England.</li> <li>• Handbook Designing for physical activity 2021, Sports England.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2 – Achieving Sustainable Development</li> <li>• NPPF 2023, Part 12 – Achieving Well Designed Places</li> <li>• Planning Practice Guidance Design: Process and Tools as of October 2019.</li> <li>• Planning Practice Guidance Neighbourhood Planning as of September 2020</li> </ul>

- 3.46 The design of the built environment has a direct effect upon how places are used. The relationship between buildings, spaces and landscape as well as detailed design and materials are all relevant factors. Good design will influence how people move around our settlements, how they interact and how places make people feel.
- 3.47 The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Urban design and architecture can contribute to health outcomes through encouragement of more active lifestyles.
- 3.48 Development should be encouraged to create places that create mixed communities catering for the needs of different types of people, including the young and old, encourage walking and cycling, improve access to public transport, and ensure that new development connects with existing parks and open spaces for recreation. Building exteriors and public realm should be designed in a way that contributes to pedestrian friendly environments.
- 3.49 The Council will expect development to respond to local character and history, reflecting the identity of its context whilst allowing for innovative and forward thinking design. More detail on this is set out in Policy SD2.
- 3.50 Regard will be had to various Council documents in assessing the design of new development to ensure that it provides positive benefit in terms of landscape and townscape character and enhances local distinctiveness. This includes the Town Centre Masterplans, the Residential Design Guide SPD and the Landscape Character Assessment (LCA).
- 3.51 The National Model Design Code<sup>54</sup> describes design codes as a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area. The code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

<sup>54</sup> <https://www.gov.uk/government/publications/national-model-design-code>



- 3.52 The use of the 'Design Review Panel' may be used for important new development schemes and proposals for important public spaces, strategic sites, and other large sites, where deemed appropriate. The Design Review Panel operates nationally, providing an impartial, multi-disciplinary, constructive, expert, review process during the pre-application stage of the planning process, to applicants and local authorities.
- 3.53 It is important that new housing development is of high quality, in order to enhance or create a distinctive sense of place, where people will be proud of their neighbourhood. Building for a Healthy Life<sup>55</sup> is an established and recognised methodology for assessing the design of new housing and neighbourhoods, and all new housing development will be expected to perform well against it, or any successor standards.
- 3.54 The Localism Act of 2011 introduced a new right for communities to shape their local areas. Neighbourhood Plans provide an opportunity for local people to help actively and positively to make their local area a great place to live and work<sup>56</sup>. The Council will support parish councils and community groups who form neighbourhood forums to prepare a neighbourhood plan/order provided that it is undertaken in accordance with the regulations and strategic requirements set out in the Local Plan.

### **Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocation at Junction 27 M1 Motorway**

<b>Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocations Junction 27, M1 Motorway, Annesley</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO11, SO12, SO13, SO14
<p>Employment land development, principally for logistic and distribution, will be permitted on land off Junction 27 of the M1 Motorway as shown on the Policies Map:</p> <p><b>a) Land to the North-East of Junction 27 and west of Sherwood Business Park comprising a gross site area of approximately 20.47 hectares.</b></p> <p>The site is of strategic employment importance given its relationship to the principal areas of growth and its accessibility via the strategic road network. It will create high</p>	

<sup>55</sup> [https://www.udg.org.uk/sites/default/files/publications/files/14JULY20%20BFL%202020%20Brochure\\_3.pdf](https://www.udg.org.uk/sites/default/files/publications/files/14JULY20%20BFL%202020%20Brochure_3.pdf)

<sup>56</sup> Impacts of Neighbourhood Planning in England, Final Report to the Ministry of Housing, Communities and Local Government, May 2020. University of Reading.

quality business space to contribute towards meeting the regional demand for logistics. The site will deliver:

- Development of businesses operated substantially within the logistics sector;
- High-quality sustainable buildings, which are carbon neutral with the design in the form and layout of the buildings and green space, which respond to site levels so as to minimise the visual impact on the landscape;
- The sensitive design and location of buildings that support the positive development of the site whilst respecting local character and distinctiveness;
- A comprehensive package of highway improvements to facilitate the employment site including all necessary transport infrastructure improvements through direct mitigation or contributions to new and improved infrastructure, informed by National Highways and Local Highways Authority advice;
- An appropriate financial contribution towards extending a high frequency bus service to the site supported by appropriate public transport infrastructure in or close proximity to the site;
- Facilitates and enhances the right of way networking including access from north to south onto Weavers Lane;
- Provides a choice of walking and cycling links to Sherwood Business Park.
- A development that integrates into the landscape to create attractive landscaped edges to the boundaries;
- A scheme of an appropriate scale, layout, form and materials which respects the significance and setting of affected heritage assets, minimising any harm to designated and non-designated heritage assets and their setting;
- The retention, where possible, existing hedges and trees together with enhancement of boundary hedges and trees;
- Protection and enhancement of existing wildlife areas and create a coherent biodiversity network in accordance with Policy EV4;
- Biodiversity net gain through the delivery of extensive woodland and native scrub planting, wildflower meadows and neutral grassland and reinforcement of hedgerows with native species;
- Minimising the likely ecological impacts of the amount and quality of artificial light;
- Development which, subject to viability, will exceed Building Regulations requirements for carbon emissions in accordance with Policy CC1;
- Sustainable drainage systems (SuDS) to retain surface water flows at greenfield rates of run off. SuDS should be integrated into the green/blue infrastructure; and
- Provision for the long-term managements of the green spaces.

**b) Land to the South- East of Junction 27 comprising a gross area of approximately 25 hectares towards the latter part of the Plan Period.**

This site is of strategic employment importance given its relationship to the principal areas of growth and its accessibility via the strategic road network. It will create high quality business space to contribute towards meeting the regional demand for logistics. The site will deliver:

- Development of businesses operated substantially within the logistics sector;
- High-quality sustainable buildings, which are carbon neutral with the design in the form and layout of the buildings and green space, which respond to site levels so as to minimise the visual impact on the landscape;
- A comprehensive package of highway improvements to facilitate the employment site including all necessary transport infrastructure improvements through direct mitigation or contributions to new and improved infrastructure, informed by National Highways and Local Highways Authority advice;
- An appropriate financial contribution towards extending a high frequency bus service to the site supported by appropriate public transport infrastructure in or close proximity to the site;
- Facilitates and enhances the right of way networking including access from north to south onto Weavers Lane;
- A development that integrates into the landscape to create attractive landscaped edges to the boundaries;
- A scheme of an appropriate scale, layout, form and materials which respects the significance and setting of affected heritage assets, minimising any harm to designated and non-designated heritage assets and their setting;
- The retention, where possible, of existing hedges and trees together with enhancement of boundary hedges and trees;
- Protection and enhancement of existing wildlife areas and create a coherent biodiversity network in accordance with Policy EV4;
- Biodiversity net gain through the delivery of extensive woodland and native scrub planting, wildflower meadows and neutral grassland and reinforcement of hedgerows with native species;
- Minimises the ecological impacts of the amount and quality of artificial light;
- Development which subject to viability, will exceed Building Regulations requirements for carbon emissions in accordance with Policy CC1;
- Sustainable drainage systems (SuDS) to retain surface water flows at greenfield rates of run off. SuDS should be integrated into the green/blue infrastructure; and
- Provision for the long-term managements of the green spaces.

The site to the south east of Junction 27 may not come forward until the latter part of the Plan as substantial areas are identified as a HS2 compound associated with the construction of High Speed Railway Phased 2b with the route and compound area being subject to Safeguarding Directions by the Department for Transport.

This will be achieved through working with public and private partners to agree a development framework.

Evidence Base

- Sustainability Appraisal, 2023, WSP UK Limited
- Background Paper No1: Spatial Strategy and Site Selection, 2023. Ashfield District Council
- Background Paper No 3: Economy & Employment Land 2023. Ashfield District Council.

	<ul style="list-style-type: none"> <li>• Background Paper No 4: Green Belt Harm Assessment 2023, Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Logistics Study 2022, Icen.</li> <li>• Greater Nottingham Logistics Background Paper 2023. Ashfield DC, Broxtowe BC, Erewash BC, Gedling BC, Nottingham City, &amp; Rushcliffe BC.</li> <li>• Ashfield and Mansfield - A Plan for Growth 2016 (Joint Economic Strategic) Ashfield DC &amp; Mansfield DC.</li> <li>• Gear change: a bold vision for cycling and walking (2020) Department for Transport.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan Making.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> <li>• NPPF 2023, Part 13: Protecting Green Belt land</li> <li>• Planning Practice Guidance: Housing and economic land availability assessment as of July 2019.</li> <li>• Planning Practice Guidance: Housing and economic needs assessment as of December 2020.</li> </ul>

3.55 The employment evidence base for the Local Plan is set out by the Employment Land Need Study<sup>57</sup> (ELNS), Logistics Study 2022<sup>58</sup>, Background Paper No 3 Economy and Employment Land 2023 and the Greater Nottingham Strategic Distribution and Logistics Sites Background Paper 2023. The ELNS identified various scenarios to meet future employment land needs based on labour demand, labour supply and past take up rates. It was acknowledged in the Study that Ashfield past take up rates, at least in part reflected the development of logistics units on a number of sites such as Castlewood Grange Business Park and Summit Park. The Study highlighted there was a substantial regional demand for distributions facilities along the western arc of the M1 corridor (Junctions 28 to Junction 24). This is in the context of the evidence indicating there is a limited supply of sites to meet this need.

3.56 The NPPF<sup>59</sup> highlights that planning policies should recognise the specific locational requirements of different sectors including distribution operations in suitably accessible locations. Further guidance is set out in Planning Practice Guidance<sup>60</sup> highlights that strategic policy-making authorities will need to identify the scale of any need and the most appropriate locations for meeting these identified needs. The PPG identifies that high tech, engineering, digital, creative

<sup>57</sup> Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield

<sup>58</sup> Nottinghamshire Core & Outer HMA Logistics Study Final Report 2022. Icen.

<sup>59</sup> National Planning Policy Framework, 2021, paragraph 83

<sup>60</sup> Planning Practice Guidance: Housing and economic needs assessment. Paragraph:031 Reference ID: 2a-031-20190722 and Paragraph:032 Reference ID: 2a-032-20190722

and logistics as examples of such industries, where clustering can drive innovation, productivity and economic growth.

- 3.57 Based on the evidence, the Council has identified the need to meet an employment requirement of approximately 81 hectares<sup>61</sup>. Taken with the sites submitted to the Strategic Housing and Employment Land Availability Assessment and the evidence for employment land requirements, the allocations off Junction 27 are regarded as key in meeting future employment land needs in the District and contribution to regional needs for logistics.
- 3.58 There is the potential for archaeological remain on both sites. Prior to development further archaeological evaluation work will be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.
- 3.59 This site is adjacent to Junction 27 of the M1 Motorway and established Sherwood Business Park. The site is split into two portions – the land north of Mansfield Road (A608) and land south of Mansfield Road. The site to the south of Mansfield Road is substantially impacted by HS2 Safeguarding Land, both in terms of the route and for a major compound and temporary material stockpile. Under these circumstances, it is not anticipated that the site would come forward until the later part of the Plan once HS2b safeguarded route through Ashfield has been removed.
- 3.60 An assessment of the site was undertaken as part of the ELNS which anticipated that a ratio of 90% of the gross area was realistic. Consequently, for the site to the north-east of Junction 27 the net developable area is anticipated to be 18.42 hectares. Applying a similar ratio to the area to the south-east of Junction 27 would result in a net developable area of 22.5 hectares.

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<sup>61</sup> Background Paper No 3: Economy & Employment Land 2023. Ashfield District Council.

## Strategic Policy S7: Meeting Future Housing Provision

<b>Strategic Policy S7: Meeting Future Housing Provision</b>	
<b>Strategic Objectives</b>	SO1, SO2, SO3, SO5, SO12.
	<ol style="list-style-type: none"> <li>1. A minimum of 7,582 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.</li> <li>2. Proposals for new housing for older people and those with disabilities, including supported and specialist accommodation, will be encouraged where they are in suitable locations in line with the role and size of the settlement.</li> <li>3. The inclusion of self-build and custom-build properties on sites will be encouraged.</li> <li>4. The Council will support schemes which bring forward a mix of house sizes appropriate to deliver mixed and balanced communities.</li> <li>5. All new housing development within the area must deliver high quality, sustainable design as required by Policy SD2 and site-specific design policies in the Neighbourhood Plan, where relevant.</li> <li>6. The Council will permit, and where necessary identify, sufficient pitches or plots to meet the current and any future identified accommodation needs of Gypsies, Travellers and Travelling Showpeople as set out by national guidance.</li> </ol>
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• Standard Method to calculate housing Need, August 2021. NPPF and Planning Practice Guidance.</li> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023 - Ashfield District Council</li> <li>• Background Paper No 2: Housing 2023 - Ashfield District Council</li> <li>• Strategic Housing &amp; Employment Land Available Assessment (SHELAA) 2021 -2023. Ashfield District Council.</li> <li>• Greater Nottingham &amp; Ashfield Housing Needs Assessment Final Report 2020 - Icen Projects Limited on behalf of the Greater Nottingham Planning Partnership</li> <li>• Ashfield New Settlement Study Final Report, March 2021 – AECOM.</li> <li>• Greater Nottingham and Ashfield District Council Gypsy and Traveller Accommodation Assessment, 2021. RRR Consultancy Ltd.</li> <li>• Brownfield Land Register. Ashfield District Council.</li> <li>• Housing Land Monitoring Reports. Ashfield District Council</li> <li>• Employment Land and Monitoring Reports. Ashfield District Council</li> <li>• Self-build and custom build monitoring. Ashfield District Council</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited</li> </ul>
<b>National Planning Policy and Guidance</b>	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 11: Making effective use of land.</li> <li>• Planning Practice Guidance (PPG): Effective use of land as of August 2021.</li> </ul>

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|  | <ul style="list-style-type: none"> <li>• PPG: Housing &amp; economic land availability assessment as of August 2021.</li> <li>• PPG: Housing and economic needs assessment as of December 2020.</li> <li>• PPG: Housing needs of different groups, as of May 2021.</li> <li>• PPG: Housing for older and disabled people as of June 2019.</li> <li>• PPG: Housing: optional technical standards, as of March 2015.</li> <li>• PPG: Housing supply and delivery as of July 2019.</li> </ul> |
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## **Strategic Approach to Housing Growth**

### **Quantum of Housing Development**

- 3.61 The NPPF sets out a requirement for strategic policies to be informed by local housing need assessments, conducted using the standard method set out in National Planning Practice Guidance (PPG)<sup>62</sup>. The Local Housing Need (LHN) for Ashfield District, based on this standard methodology, was 446 dwellings per annum (dpa) as of April 2023.
- 3.62 It has been determined that a review of the Green Belt boundaries will be required in order to address the Council's strategy for growth, as set out in Policy S1, and in greater detail in Background Paper 1: Spatial Strategy and Site Selection. Under the duty to co-operate, the Council have agreed with Mansfield and Newark & Sherwood Councils that each district will accommodate their own LHN.
- 3.63 Having assessed the land supply, policy and physical constraints, the Council is proposing to adopt a baseline minimum of 446 dwellings per year as its housing target. The NPPF (para 22) requires strategic policies to look ahead over a minimum of 15 years post adoption, as such Policy S7 sets a minimum figure of 7582 dwellings over the entire Plan period. It is acknowledged that the proposed allocations (in Policy H1) alongside small sites will provide for approximately 13 years' worth of housing supply, and this is discussed in greater detail in Background Paper 1. This is consistent with NPPF paragraph 68 which requires policies to identify a sufficient supply and mix of sites, (taking into account their availability, suitability and likely economic viability), with specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.
- 3.64 The supply of land for future housing will be kept under review as required by NPPF paragraph 33 which sets out that "*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*

<sup>62</sup> The Local Housing Need is assessed using a standard approach based on published data. These include household projections and affordability ratios which vary on an annual basis. See <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments> for more information.

*changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”*

- 3.65 Table 2 below illustrates how the Local Housing Need will be met over the Local Plan period of 2023 to 2040. The anticipated supply applies a discount rate to planning permissions to account for potential non-delivery, alongside a windfall allowance to reflect small sites which may come forward beyond the first 5 years. These calculations are based on historic performance over a period of 10 years in order to take account of peaks and troughs in the housing market. Background Paper 2: Housing sets out more detail regarding assumptions and calculations.

Housing Requirement	Dwellings
Annual Local Housing Need based on Standard Methodology April 2023	446
Houses needed to meet requirement, 1/4/2023 to 31/4/2040	<b>7,582</b>

Future Supply Source	Dwellings
Houses deliverable on <b>small sites</b> , 1/4/2023 to 31/3/2040	
<ul style="list-style-type: none"> <li>With planning permission (including new build, net conversions and change of use) at 1st April 2023</li> </ul>	338
<ul style="list-style-type: none"> <li>Known permitted development/prior notification schemes not yet implemented at 1st April 2023</li> </ul>	14
<ul style="list-style-type: none"> <li>Demolitions and other losses with planning permission at 1/4/23</li> </ul>	-1
<ul style="list-style-type: none"> <li>Deduction to account for potential lapsed permissions</li> </ul>	-89
<ul style="list-style-type: none"> <li>Windfall allowance beyond 5 years (60 dpa) - 1/4/2028 to 1/4/2040</li> </ul>	720
Houses deliverable on <b>large sites</b> 1/4/2023 to 31/3/2040	
<ul style="list-style-type: none"> <li>With planning permission at 1st April 2023</li> </ul>	1950
<ul style="list-style-type: none"> <li>Demolitions and other losses with planning permission at 1/4/23</li> </ul>	0
<ul style="list-style-type: none"> <li>Deduction to account for potential lapsed permissions</li> </ul>	-35
<ul style="list-style-type: none"> <li>Delivery from H1 allocated sites without planning permission</li> </ul>	3757
Provision from C2 residential institutions (dwelling equivalent)	46
<b>Total housing supply 1/4/2023 to 31/3/2040</b>	<b>6,700</b>

Net Provision	Dwellings
Provision against Local Housing Need 2023 to 2040	-963

**Table 2: Dwelling Requirement and Provision 2023-2040, source Ashfield District Council**

- 3.66 National planning policy guidance identifies that a potential source of housing supply may come forward from derelict land and buildings, including empty homes.



Whilst the Council have and continue to work to bring forward empty homes, it should be recognised that this source deals with existing properties. Those brought back into use as a result therefore represent a change in tenure (from private to affordable rented) and not additional supply since they are already included within the existing housing stock.

- 3.67 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide for five years' worth of housing against their requirements. Details of the five year land supply for Ashfield are set out in the annual Housing Land Monitoring Report<sup>63</sup> and in Appendix 2.

### **Housing Mix**

- 3.68 Paragraph 62 of the NPPF requires that the needs of different groups in the community with specific housing requirements are assessed and reflected in planning policies. This includes those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes<sup>64</sup>). For Ashfield, the following categories have been identified as having particular needs in the Greater Nottingham and Ashfield Housing Needs Assessment 2020 (HNA).

#### Affordable Housing

- 3.69 The HNA identifies the level of affordable housing need for each authority based upon current and future projections and the development targets. It assesses the need for rented products and affordable home ownership separately as set out in Table 3. (these figures form part of the overall housing target of 446 dpa).
- 3.70 The HNA report provides a starting point in developing an affordable housing target, which will also be informed by further analysis including a full Plan viability assessment.

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<sup>63</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/monitoring/>

<sup>64</sup> [https://www.ashfield.gov.uk/media/8d890976f713e6c/2020-11-10-greater-nottingham-and-ashfield\\_housing-needs-assessment\\_final.pdf](https://www.ashfield.gov.uk/media/8d890976f713e6c/2020-11-10-greater-nottingham-and-ashfield_housing-needs-assessment_final.pdf)

<b>Ashfield Affordable Housing Net Need, 2020-38</b>	
Net Need for Rented Affordable (per annum)	237
Net Need/Surplus for Affordable Home Ownership (per annum)	-195

**Table 3: Ashfield Affordable Housing Net Need, 2020-38**

Source: Greater Nottingham and Ashfield Housing Needs Assessment 2020

- 3.71 In addition to the delivery of Affordable Housing provision as part of larger developments under Policy H3, the District Council will also consider affordable housing schemes on the edge of existing rural settlements as set out in Policy H4, Rural Exceptions. These schemes present an exception to normal planning policy, and only affordable housing units (as defined in the National Planning Policy Framework) will be permitted on these sites.

#### Older Person and those with Disabilities Housing Needs

- 3.72 Greater Nottingham and Ashfield is projected to see a notable increase in the older person population, with the total number of people aged 65 and over projected to increase by 37.8% over the 18 years to 2038. This compares with overall population growth of 10.6% and a modest increase in the Under 65 population of 4.8%. The analysis also shows that there is a substantial volume of younger adults (aged 65 and under) across the study area with a range of disabilities.
- 3.73 In line with Planning Policy Guidance, some older households, particularly those aged over 75, will require specialist housing provision. For Ashfield, the analysis in the HNA points to a need for 2,463 units of housing with support, and 948 units of housing with care. The analysis also identifies a need for 1,252 additional care home bedspaces in Ashfield to 2038 which will fall within a C2 use class.
- 3.74 There will be a combination of those with disabilities and long-term health problems that continue to live at home with family, those who choose to live independently with the possibility of incorporating adaptations into their homes and those who choose to move into supported housing. Policy H6:2 and the associated supporting text sets out the Council's approach to specialist housing.

#### Self-Build and Custom Build Homes

- 3.75 Self-build or custom build helps to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design and layout of their home and can be innovative in both its design and construction.
- 3.76 Ashfield Council has a responsibility for keeping a self-build and custom housebuilding register, which is shared with Mansfield and Newark & Sherwood

District Councils. The level of demand for such sites is monitored against small sites coming forward through the planning application process in an annual monitoring report.<sup>65</sup>

#### The Need for Different Sizes of Homes

- 3.77 The existing housing mix is important in considering what future mix of housing is appropriate to deliver a mixed and balanced community. The HNA analysis indicates an emphasis on family sized housing within the market sector, with family and smaller homes being required within the affordable housing sector.
- 3.78 There are instances where adjustments will need to be applied according to the local profile of housing, the character of the local area, the sustainability credentials of the site and the viability of providing a particular mix of housing dependent on submarket characteristics. Policy H7 sets out the approach to housing mix for development management purposes.

#### Gypsy, Travellers and Travelling Showpeople

- 3.79 Planning Policy for Traveller sites (August 2015)<sup>66</sup> requires local need for accommodation to be based on robust evidence. Specific deliverable sites should be identified in order to meet accommodation needs for 5 years, together with a supply of developable sites or broad locations for growth for 6 to 10 years, and where possible, for years 11 to 15.
- 3.80 Under the duty to co-operate, the Council must work collaboratively with neighbouring local planning authorities to set targets for Gypsy and Traveller accommodation and, where necessary, to identify suitable sites. The Council jointly commissioned the Greater Nottingham and Ashfield District Council Gypsy and Traveller Accommodation Assessment 2021 (GTAA)<sup>67</sup> with Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe councils and will continue to work with other neighbouring authorities in determining targets and identifying sites to meet needs.
- 3.81 The GTAA sets out the level of future need for the District for the period 2020 to 2038 as illustrated in Table 4 below. In respect of Gypsy/Traveller pitches, the Council have used the higher level of assessed need for this period, based on the 'ethnic definition', as opposed to the Traveller definition set out in national policy Planning Policy for Traveller Sites. It is acknowledged that there is a slight mismatch in the evidence base timeframe, i.e., for the period 2020-2038, rather

<sup>65</sup> <https://www.ashfield.gov.uk/planning-building-control/building-control-regulations/self-build-custom-builds/self-build-custom-monitoring/>

<sup>66</sup> DCLG Planning Policy for Traveller Sites (August 2015)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

<sup>67</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/local-plan-evidence-base/>

than 2023-2040. However, since the quantum of assessed need is minimal it is considered appropriate that any additional need will be addressed using criteria based policy H2 alongside site allocations within policy H2a.

<b>Ashfield Future Pitch/Plot Requirements 2020 to 2038</b>		
<b>Period</b>	<b>Gypsy/Traveller Pitches</b>	<b>Showpeople's Plots/Yards</b>
2020 to 2025	1	9
2025 to 2030	1	2
2030 to 2035	1	2
2035 to 2038	1	1
<b>Total 2020 to 2038</b>	<b>4</b>	<b>14</b>

**Table 4: Ashfield Future Pitch/Plot Requirements 2020 to 2038.**

Source: Greater Nottingham and Ashfield District Council Gypsy and Traveller Accommodation Assessment 2021.

- 3.82 The provision of Traveller sites will be monitored in future Housing Land Monitoring Reports on an annual basis.

## Strategic Policy S8: Delivering Economic Opportunities

Strategic Policy S8: Delivering Economic Opportunities	
Strategic Objectives	SO1, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12.
<p>1. The Council is committed to developing a sustainable, diverse and resilient economy, reducing low wages and improving skill levels in order to narrow the difference between District and national figures by:</p> <ol style="list-style-type: none"> <li>a. Providing for the growth of the local and regional economy by ensuring sufficient and appropriate employment land is available within the District to meet local needs and to contribute towards future regional needs of businesses. The employment land demand requires 81 ha of employment land from 2023 to 2040, which is met through Strategic Policy S6: Strategic Employment Allocation at Junction 27 M1 Motorway and Policy EM2: Employment land Allocations.</li> <li>b. Providing a framework to protect the District's employment allocations, Key Employment Areas identified below, and other employment sites /buildings: <ul style="list-style-type: none"> <li>• Calladine Business Park, Sutton in Ashfield;</li> <li>• Castlewood Grange Business Park, Sutton in Ashfield;</li> <li>• County Estate Nunn Brook Road/Brookside Way, Sutton in Ashfield;</li> <li>• Common Road, Industrial Estate, Export Drive, Sutton in Ashfield;</li> <li>• Fulwood Industrial Estate, Fulwood Road, Sutton in Ashfield;</li> <li>• Hamilton Road, Sutton in Ashfield;</li> <li>• Summit Park, Sherwood Way South, Sutton in Ashfield;</li> <li>• Lowmoor Business Park, Kirkby-in-Ashfield;</li> <li>• Park Lane Business Park, Kirkby-in-Ashfield;</li> <li>• Oddicroft Lane, Kirkby-in-Ashfield;</li> <li>• The Strategic Employment Area of Sherwood Business Park/M1 Motorway Junction 27, Annesley; and</li> <li>• Land to the south of Watnall Road, including Rolls Royce and Harrier Park, Hucknall.</li> </ul> </li> <li>c. Supporting business start-up and growth within the Main Urban Areas, and Named Settlements as defined by the Spatial Strategy and Location of Development Policy.</li> <li>d. Supporting and encouraging rural businesses to provide local employment opportunities, increase local economic prosperity and minimise the need to travel for employment.</li> <li>e. Taking advantage of the economic and regeneration opportunities arising from:</li> </ol>	

	<ul style="list-style-type: none"> <li>• The Maid Marian Line and the Robin Hood Line Stations, having regard to the Ashfield Stations Masterplan;</li> <li>• The light railway system, Nottingham Express Transit;</li> <li>• The provision of an Automated Distribution and Manufacturing Centre within the District.</li> </ul> <p>f. Working with educational providers, learning and training bodies, job centres and higher education providers to raise workforce skill levels, and improve employability.</p> <p>g. Working with key stakeholders and providers to improve access to high speed information technology infrastructure across the District by supporting, enabling and where practical assisting in its provision.</p> <p>h. Developing a distinct image and civic pride for the area to promote economic progress and increasing awareness of what Ashfield has to offer.</p> <p>2. The Council will support and enhance opportunities for:</p> <p>c) Tourism which reflects the local distinctiveness and heritage of the area.</p> <p>d) Heritage led regeneration to conserve and enhance the historic environment.</p>
Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection, 2023. Ashfield District Council</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2023. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Employment Land Forecasting Study, Nottingham Core HMA &amp; Nottingham Outer HMA 2015 - Nathaniel Litchfield &amp; Partners.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 -2023. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Logistics Study 2022, Icen.</li> <li>• Greater Nottingham Logistics Background paper 2023. Ashfield DC, Broxtowe BC, Erewash BC, Gedling BC, Nottingham City, &amp; Rushcliffe BC.</li> <li>• Ashfield and Mansfield - A Plan for Growth 2016 (Joint Economic Masterplan Update). Ashfield District Council &amp; Mansfield District Council.</li> <li>• Maid Marian Rail Extension Economic Impact Analysis 2020. Lichfields.</li> <li>• Maid Marian Rail Extension - Ashfield Masterplan Report 2020. Ryders. Ashfield District Council and Mansfield District Council.</li> <li>• D2N2 – the Spark in the UK’s Growth Engine Strategic Economic Plan 2019-2030. D2N2 Local Enterprise Partnership.</li> <li>• The D2N2 draft Local Industrial Strategy, March 2020. D2N2 Local Enterprise Partnership.</li> <li>• D2N2 Local Industrial Strategy Evidence Base - D2N2 Local Enterprise Partnership.</li> <li>• Employment Land and Monitoring Reports. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> <li>• Securing developer contributions for education, April 2019. Department for Education.</li> </ul>

National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> <li>• Planning Practice Guidance: Housing and economic land availability assessment as of July 2019.</li> <li>• Planning Practice Guidance: Housing and economic needs assessment as of December 2020.</li> </ul>
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3.86 To maintain and improve the economic performance of the District, it is important to make provision for future employment and economic development alongside housing growth and protection of the environment. Through the policies in the Local Plan the Council is committed to supporting and developing the local economy by a variety of means including:

- encouraging and facilitating private sector involvement in the development of the employment infrastructure of the District (land, premises, communications and transport);
- maintaining a supply of quality land and premises for new and existing businesses;
- supporting diversification of rural areas;
- improving the built environment through high standards of design; and
- supporting and increasing social cohesion and community benefits.

3.87 The employment land requirements set out in the policy reflects the evidence from the Nottingham Core HMA and Nottingham Outer HMA, Employment Land Needs Study (ELNS) (May 2021, Lichfields), Nottingham Core HMA and Nottingham Outer HMA Logistics Study 2022 and the analysis set out in Background Paper No 3: Economy & Employment Land, 2023 and the Greater Nottingham Strategic Distribution and Logistics Sites Background Paper 2023. This includes evidence in relation to:

- the functional economic market areas (FEMA);
- the existing stock of land for employment uses within the District.
- the recent pattern of employment land supply and loss in the District;
- D2N2 Local Enterprise Partnership Strategic Economic Plan 2019 -2030 (SEP) with its emphasis on priority sectors and the draft Local Industrial Strategy 2020 requirements;
- evidence of market demand (including the locational and premises requirements of particular types of business); and
- wider market signals relating to economic growth, diversification and innovation.

3.88 The Policy identifies approximately 81 ha of land for employment purposes over the Plan period. The ELNS sets out a number of scenarios for future demand for employment land based on a number of data sources reflecting labour demand, labour supply and past take up rate scenarios. The figure in the Policy is based on the adjusted past take up rate scenario, which reflects the logistics development already taking place in Ashfield, takes into account the wider demand for space

from the logistics. This approach will facilitate the priority sectors identified in D2N2's Strategic Economic Plan<sup>68</sup>, which aims to tackle the productivity gap in order for the D2N2 area to remain a competitive business location and to deliver long term prosperity.

#### Ashfield Employment Land Requirements 2018-2040

	E(g)(i)	E(g i&ii)/B2/B8	Total
Demand - Draft Local Plan 2018 to 2040	1.00	92.00	93.00
Less land developed on allocations			
2018/19	0.00	6.95	6.95
2019/20	0.00	19.45	19.45
2020/21	0.00	6.69	6.69
2021/22	0.00	5.31	5.31
2022/23	0.00	8.66	8.66
Total developed 2018 to 31 <sup>st</sup> March 2023	0.00	47.06	47.06
<b>Demand 1st April 2023 after development undertaken from 2018/19 to 2022/23</b>	<b>1.00</b>	<b>44.94</b>	<b>45.94</b>

**Table 5: Employment Land Demand Adjustment from 2018 to 2023**

Source: Employment Land Needs Study 2021, Logistic Study 2022, Background Paper No 3, Economy & Employment Land, 2023.

- 3.89 The ELNS also highlights, from wider market signals, that there is significant demand for land for logistics along the M1 corridor. This was confirmed in the Logistics Study 2022. The Plan responds to the need identified for logistics by allocating 38.42 ha of land at the District's Strategic Employment Area of Sherwood Business Park / M1 Motorway junction 27. Part of the land allocated to the south east of Junction 27 comprising approximately 20 ha net developable area is subject to safeguarding directions for HS2 from the Secretary of State. When it comes forward will be dependent on the Government's decision regarding the HS 2b route.
- 3.90 The ELNS identifies that the Nottingham Outer Housing Market Area can be regarded as a FEMA. However, Hucknall has strong linkages with the Core HMA districts, and particularly Nottingham City with significant commuter flows into Nottingham, Gedling and Broxtowe from Hucknall.<sup>69</sup>

<sup>68</sup> D2N2 – the Spark in the UK's Growth Engine Strategic Economic Plan - 2019-2030'

<sup>69</sup> Nottingham Core & Nottingham Outer Employment Land Needs Study, May 2021. Lichfield. Section 4.



3.91 Employment land plays an important role in ensuring that there is sufficient land to meet future economic needs of the district and some wider regional need. A framework for protecting employment land is important for a number of reasons including:

- Viability – There has traditionally been the potential for employment land to be lost to the higher values of residential or retail uses.
- Aging stock - It is important that any substantial areas of older stock is not lost to non-employment uses rather than being redeveloped for employment purposes.
- Permitted Development Rights (PDRs) – There are potential implications regarding employment premises being permitted to residential use.
- Conflict between uses - Residential development in inappropriate areas may threaten the ongoing use of surrounding areas for employment uses.

The Key Employment Areas in the policy reflect that the ELNS identifies a number of employment areas that continue to play an important role in the local economy and it is recommended that they should be protected to retain their use for employment purposes.

3.92 The local economy of the District is faced with a number of issues related to low paid and lower quality employment opportunities, a shortage of skills and qualifications, and a need to create economic diversity to minimise the reliance on the manufacturing sector. High levels of deprivation remain within Ashfield; with areas ranked in the top 10% and top 20% of most deprived areas in the country. The 2019 ONS Indices of Multiple Deprivation (IMD) ranks Ashfield as the 63<sup>rd</sup> most deprived local authority in England<sup>70</sup>. A key message from the Ashfield and Mansfield - A Plan for Growth 2016 (Joint Economic Masterplan Update) is that to maximise the ability of the labour supply to drive growth, it is vital that opportunities are open to all to be economically active, through access to education, training and employment. The Council is committed to supporting opportunities which assist with the long-term re-skilling of the Ashfield workforce which is necessary to ensure the presence of a highly-skilled labour pool to take advantage of new jobs across the District.

3.93 The reopening of the Maid Marian Line and an additional station platform on the Robin Hood Line provides opportunities to facilitate economic development. There are a significant number of small to medium sized businesses registered in the rural areas, particularly Selston. The reopening of the Maid Marian Line with a station platform in the rural area would provide significantly improved access to wider business markets.

3.94 The new journey opportunities provided by a Maid Marian Line service would enable residents of Ashfield, Mansfield and Bolsover much improved access to

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<sup>70</sup> Nottingham Core & Nottingham Outer Employment Land Needs Study, May 2021. Lichfield. Paragraph 3.82 & Figure 3.27 Rank of Indices of Multiple Deprivation in the Nottingham Core - Outer HMA.

leisure and tourism opportunities by interchanging with longer distance services. The potential opening of a new station platform at Kings Mill would provide opportunities to access the amenities around the reservoir which are currently being enhanced by a £1.45 million Heritage Lottery funded project. It would also facilitate access to Summit Park, occupied by a major warehousing development providing up to 2,000 jobs, to Oakham Business Park and Kings Mill Hospital, the largest employer in Ashfield. New journey opportunities would be available to improve access to education and training opportunities in Ashfield, Bolsover and Mansfield which are due to be enhanced by Ashfield's Towns Fund award, which including plans for a new regional Automated Distribution and Manufacturing Centre (ADMC) creating a regional centre of excellence. With the support of the County Council this is anticipated to be located close to one of the Stations. Through Vison West Nottinghamshire Collage and Nottingham Trent University, who has recently opened a campus in Mansfield, a Research & Innovation, and Teaching & Learning "platform" is already under development on which to base the ADMC. This enables the development of a proposition unlikely to have been imagined in the area previously.

- 3.95 The Lichfield Maid Marian Rail Extension: Economic Impact Analysis concluded that increased capacity, connectivity and accessibility brought by the Maid Marian Rail Extension would support the delivery of residential and commercial development within the catchments of the four enhanced stations at Mansfield Woodhouse, Mansfield Town, Sutton Parkway and Kirkby-in-Ashfield. It would also benefit employees by allowing them to access a wider range of job opportunities and housing choices; employers by giving them access to a wider labour pool and more accessible locations; and will make the two Districts more attractive to operators through improved services and facilities, and improved retail and leisure offers. The Station Masterplans build on this economic analysis by identify several development opportunities near Sutton Parkway and Kirkby-in-Ashfield stations on the Robin Hood Line.
- 3.96 The Maid Marian Line is being developed a scheme which will provide greater local connectivity with cross county connections, an alternative route into Nottingham and to Derby and beyond. There is an opportunity through the Maid Marian Line to improve capacity in the wider strategic rail network. This will support Ashfield's ambition to be a destination for employment, education, and tourism.
- 3.97 A key aspect of the Towns Funding received by the Council is the Automated Distribution and Manufacturing Centre. The will create a centre of excellence focused on promoting and providing access to the latest technologies and best practice in automated distribution and improve skills of the local workforce. It is anticipated to bring other employment opportunities in adjacent land employment allocations.
- 3.98 Working in residential areas and businesses operated from within built-up areas, including residential areas and people's homes, will be supported, subject to highways, access and amenity considerations.

3.99 Past evidence has identified that there have been negative perceptions of Ashfield characterised by the history of coal mining, textiles and heavy industry. Shaping the image of the district away from historical stereotypes would help attract investment from home and abroad. Therefore, emphasising the district's 'unique selling points' is imperative in seeking to build a stronger, more extensive 'brand' and facilitate economic opportunities. Discover Ashfield<sup>71</sup> celebrates all that is best about living, visiting, working and doing business in Ashfield through four themes to:

- Promote Ashfield in a positive manner.
- Develop pride and aspiration in our communities.
- Encourage and promote inward investment with the support of business and educators.
- Help people improve their health and wellbeing.
- Support tourism and the visitor economy.

Supporting Discover Ashfield remains an important aspect of promoting the economic opportunities of the District.

3.100 To promote and development opportunities for tourism the Council will undertake a number of measures including:

- Safeguarding key landscape, ecological sensitive area and heritages asset including Old Teversal Village, Brierley Forest Park, Teversal Trails, Silverhill Woods, Thieves Wood, Kings Mill Reservoir and Portland Park;
- Protecting and enhancing the historic environment; the historic parks and gardens of Hardwick Hall (those areas within Ashfield), Annesley Hall, and Skegby Hall;
- Supporting the development of appropriate visitor-related attractions and facilities where opportunities arise;
- Supporting the development and improvement of rural trails and cycle routes;
- Developing and supporting the evening economy in the town centres of Hucknall, Sutton in Ashfield and Kirkby-in-Ashfield; and

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<sup>71</sup> <http://discoverashfield.co.uk/>

- Supporting tourism related initiatives in Hucknall, Sutton in Ashfield and Kirkby-in-Ashfield including schemes, which improve the accessibility of areas potentially attractive to tourist.

## Strategic Policy S9: Aligning Growth and Infrastructure

<b>Strategic Policy S9: Aligning Growth and Infrastructure</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO11, SO12, SO13, SO14
<p>1. The Council will work with partners, neighbouring councils, infrastructure providers, developers and stakeholders to facilitate the requirements for economic, social and environmental infrastructure to support development. Priorities for infrastructure provision in the District include:</p> <ol style="list-style-type: none"> <li>Working with utility providers to enable physical infrastructure to be coordinated with the requirements arising from new development.</li> <li>Provision of sufficient school places in the form of expanded or new primary and secondary schools with larger developments setting aside land and/or contributing to the cost of delivering land for new schools where required.</li> <li>Facilitating and supporting provision of practical vocational training, apprenticeships, and further and higher education.</li> <li>Ensuring that development positively contributes to creating healthy communities, where appropriate providing for or contributing towards essential health care and community infrastructure.</li> <li>Roll-out of full-fibre broadband to secure the earliest availability for universal broadband coverage and fastest connection speeds for all existing and new developments.</li> <li>Improved connectivity by promoting more sustainable travel patterns, increase transport choice, providing better public transport infrastructure and services. The delivery of sustainable transport networks should seek to provide: <ul style="list-style-type: none"> <li>• Area wide travel demand management (policies to reduce travel by private car and incentives to use public transport, walking and cycling for appropriate journeys including travel planning);</li> <li>• Improvements to public transport services, and walking and cycling facilities, including secure cycle parking;</li> </ul> </li> </ol>	

<ul style="list-style-type: none"> <li>• Optimisation of existing highway network to prioritise public transport and encourage walking and cycling; and</li> <li>• Major highway capacity enhancements to deal with residual car demand.</li> </ul> <p>g. Develop innovative strategies for the management of private car use and parking including support for electric car charging points.</p> <p>h. Improving railway connections and facilities, on the Robin Hood Line, the Maid Marian Line and the light rail system Nottingham Express Transit.</p> <p>2. To make a positive contribution to the sustainable growth of Ashfield, proposed development, including development adjacent to, but outside the District boundary, shall contribute towards the economic, social and environmental infrastructure requirements of the area. The nature and scale of the requirements will be commensurate with the form of the development together with its potential impact upon the surrounding area and will include:</p> <p>a) Meeting the reasonable cost of new infrastructure, facilities or services, on or off site, required as a consequence of the proposal enabling the cumulative impacts of development to be managed;</p> <p>b) Contributing retrospectively when it has been necessary to forward fund infrastructure projects in advance of anticipated housing growth;</p> <p>c) Making the most effective use of existing infrastructure, facilities and services including the opportunities for co-location and multifunctional use of facilities;</p> <p>d) Safeguarding the requirements of infrastructure providers, including but not limited to telecommunications equipment (particularly high speed broadband), electricity power lines, high pressure gas mains, educational facilities, health facilities and aquifer protection areas; and</p> <p>e) Facilitating accessibility to facilities and services by a range of transport modes.</p>	
<p>Evidence base</p>	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> <li>• Background Paper No 5: Infrastructure Delivery, 2023. Ashfield District Council.</li> <li>• Ashfield Transport Study 2023. Systra.</li> <li>• Maid Marian Rail Extension Economic Impact Analysis 2020. Lichfields.</li> <li>• Maid Marian Rail Extension - Ashfield Masterplan Report 2020. Ashfield District Council and Mansfield District Council.</li> <li>• Gear change: a bold vision for cycling and walking (2020) Department for Transport</li> <li>• Securing developer contributions for education, April 2019. Department for Education.</li> </ul>

National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan making.</li> <li>• NPPF 2023, Part 4: Decision Making.</li> <li>• NPPF 2023, Part 5. Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• Planning Practice Guidance: Viability as of August 2021.</li> </ul>
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3.101 Infrastructure has a broad definition including physical, social and green infrastructure needed to facilitate the amount of development proposed for the area. Infrastructure provision can be:

- Strategic - usually be delivered off-site and outlined in the Infrastructure Delivery Plan (some infrastructure needs may cross District boundaries).
- Local - may be delivered on larger developments through on-site delivery; or through off-site investment in existing infrastructure within the area of the development, necessary to mitigate the cumulative impact of development.
- On-site - arising from a direct link between the development and the provision or improvements to infrastructure.

3.102 All development must take into account the need to provide necessary infrastructure to enable and/ or support development, including (but not limited to) transport, education, health, green Infrastructure, utilities, waste facilities, wastewater, leisure, cultural and community facilities. Additionally, sustainable development requires facilities and services to support communities and facilitate economic development. The coordinated delivery of adequately funded infrastructure at the right time and in the right place is key to ensuring that local services, facilities and the transport network can cope with any added demand that arises from housing growth and other new development.

3.103 As such, infrastructure planning and delivery fulfil a key role in the plan making process by identifying where or when deficits or surpluses of capacity exist and predict future capacity issues brought about by development.

3.104 Without appropriate measures to mitigate impact and investment to enable the provision of infrastructure improvements, development will be neither sustainable nor acceptable. New development will therefore be required to provide or contribute towards the provision of the necessary infrastructure, facilities and services in a timely manner so as to support the growth of the District.

3.105 Where infrastructure has been forward funded in advance of developer contributions being received, those contributions remain necessary as mitigation for the development. For example, the local authority's expansion of a secondary school to ensure that places are available in time to support development coming forward.

- 3.106 The 2023 Ashfield Transport Study has made an assessment of the transport impact of the Draft Local Plan to provide an indication of whether the development proposals are feasible in transport terms and, if so, what mitigation is required to accommodate the Local Plan developments.
- 3.107 The upgrading of the existing freight-only line (Maid Marian Line) between the Robin Hood Line in Nottinghamshire and the Pye Bridge junction of the Erewash Valley Line in Derbyshire (between Kirkby Lane End and Ironville Junctions), to convert it to carry passenger trains on a regular basis has the potential for positive economic impacts by enhancing the viability and attractiveness of key locations and sites along the route. (See supporting information to Policy S8 Delivering Economy Opportunities).

### **Strategic Policy S10: Improving Transport Infrastructure.**

<b>Strategic Policy S10: Improving Transport Infrastructure.</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO6, SO11, SO12, SO13
<p>1. The Council will work with other parties to improve transport infrastructure with the objective of promoting travel choice and reducing the reliance on the private car.</p> <p>2. Development which enhances the existing sustainable transport network and do not conflict with other policies in the Plan will be supported where it:</p> <p>a. Improve connectivity to heavy and light railways including:</p> <ul style="list-style-type: none"> <li>i. The Nottingham Express Transit System,</li> <li>ii. The Robin Hood railway line and the railway stations at Hucknall, Kirkby-in-Ashfield and Sutton Parkway,</li> <li>iii. The re-opening of the freight only Maid Marian Line between the Robin Hood Line and the Erewash Valley Line to carry passenger trains on a regular basis.</li> </ul> <p>b. Facilitate the delivery of highway improvement schemes/sustainable transport solutions along the district's main arterial routes and public transport corridors, including:</p> <ul style="list-style-type: none"> <li>i. A38;</li> <li>ii. A611;</li> <li>iii. A608.</li> </ul> <p>c. Facilitate the delivery of bus and coach services, including community transport, in the District; and</p>	

<p>d. Improve connectivity to a comprehensive network of high-quality pedestrian and cycle networks. The main routes to be upgraded and/or created are shown on the Policies Map and include:</p> <ol style="list-style-type: none"> <li>i. Hucknall - Kirkby – Sutton – Mansfield,</li> <li>ii. Sutton – Derbyshire,</li> <li>iii. Huthwaite – Sutton,</li> <li>iv. Sutton - Sherwood Observatory.</li> </ol> <p>3. Safeguard land for the Nottingham Express Transit System, from Hucknall Station to the boundary with Gedling Borough as identified on the Policies Map.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> <li>• Background Paper No 5: Infrastructure Delivery 2023 Ashfield District Council.</li> <li>• Ashfield Transport Study 2023. Systra.</li> <li>• Local Transport Plan (LTP) 2011 – 2026. Nottinghamshire County Council.</li> <li>• Discover Ashfield.</li> <li>• Gear change: a bold vision for cycling and walking (2020) Department for Transport</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 8. Promoting healthy and safe communities.</li> <li>• NPPF 2023, Part 9: Promoting sustainable transport.</li> <li>• NPPF 2023, Part 14: Meeting the challenge of climate change, flooding and coastal change.</li> </ul>

3.108 In order to create more sustainable communities and enable transport choice, it is important that people living in Ashfield have good access to a range of transport modes to enable them to access services, facilities and employment opportunities within and beyond the District.

3.109 The Nottingham Express Transit System was developed as a light rail system to serve the public transport needs of Greater Nottingham. Hucknall Station currently provides an interchange facility with heavy rail and park and ride. Allocations for new housing and employment development are set out in the Gedling Borough Aligned Core Strategy, Part 1 Local Plan<sup>72</sup>. While current proposals do not include the development of a NET station, the Council has been requested to safeguard land should this be required in the future to widen transport choices in the area.

3.110 The Robin Hood Line from Workshop to Nottingham was reopened in 1993 by a partnership of local authorities led by Nottinghamshire County Council as part of a multi-million pound investment. Ashfield District Council was actively involved with supporting the re-opening of the line and the provision of stations at Hucknall, Kirkby-in-Ashfield and Sutton Parkway.

<sup>72</sup> <https://www.gedling.gov.uk/acs/>



- 3.111 The reopening of the Maid Marian Line for passenger traffic has a number of economic, environmental and social benefits. Information on the potential economic and other benefits from reopening the line to passengers is set out under the supporting information to Policy S8.
- 3.112 Analysis undertaken by Nottinghamshire County Council during 2020 shows that walking and cycling has increased in popularity during the pandemic, reflecting the national picture. As a former mining area there are miles of former railway corridors in the area, providing an opportunity to further develop the off-road cycling and walking network. Through the Towns Fund<sup>73</sup> award, a comprehensive network of high-quality walking and cycling routes will be provided, with a first phase being delivered through the accelerated funding. Upgrading sections of existing routes, and the creation of new sections will support the development of the visitor economy and provide improved connections to key employment areas and public transport links.
- 3.113 The main pedestrian and cycle routes identified in the Policy, navigate through the District's town centres linking to Sherwood and Castlewood Business Parks to the south and west, visitor attractions including Mill Waters at Kings Mill Reservoir, the Sherwood Observatory, and Hardwick Hall to the east and north respectively, picking up links to residential areas throughout.

## Strategic Policy S11: Vibrant Town Centres

<b>Strategic Policy S11 Vibrant Town Centres</b>	
Strategic Objectives	SO5, SO6, SO7, SO8, SO9, SO10.
<ol style="list-style-type: none"> <li>1. Development should promote the vitality and viability of the centres.</li> <li>2. Main town centre uses<sup>1</sup> will be located in the Town Centres of Sutton in Ashfield, Kirkby-in-Ashfield and Hucknall and in local centres having regard to the retail hierarchy, the Ashfield Town Centre/Local Centre Study and the delivery of the objectives and schemes set out in the Town Centre Masterplans.</li> <li>3. The Town Centre Masterplans identify development opportunity sites and gateways within and around the designated town centre boundaries. Key locations are identified on the Policies Map.</li> <li>4. The extent of the Town Centres and Primary Shopping Areas are identified on the Policies Map.</li> </ol>	

<sup>73</sup> <https://www.ashfield.gov.uk/business-licensing/support-into-work/towns-fund/>

5. The Council will require a sequential test and, where appropriate, an impact assessment for proposed development for main town centre uses which are outside the town centres.

### Retail Hierarchy

6. Proposals for development within the town centres, local centres and shopping parades, identified on the Policies Map, will be supported where the scale and nature of the proposed development will maintain and enhance the individual role of the centre in accordance with the following retail hierarchy.

Hierarchy	Town/Settlement
Town Centres	Sutton in Ashfield Kirkby in Ashfield Hucknall
Local Shopping Centres	Outram Street, Sutton Stanton Hill Huthwaite Forest Road, Annesley Annesley Road, Hucknall Watnall Road, Hucknall Jacksdale
Shopping Parades	Skegby Nuncargate Selston Underwood
Other Areas	Other Areas within the District

#### a) Town Centres

**Sutton in Ashfield** - Development should sustain and enhance the centre's role by maintaining and extending the range and quality of facilities and services offered. Development should have regard to objectives and schemes set out in the Sutton Town Centre Spatial Masterplan. The Sutton in Ashfield Church and Market Place Conservation Area extends into the Town Centre. Opportunities to conserve and enhance the historic environment through heritage led regeneration will be supported.

**Kirkby-in-Ashfield** - Development that supports the consolidation and facilitates in the Town Centre will be encouraged, particularly where this broadens the range, and quality of facilities, services and cultural activities. Development should have regard to objectives and schemes set out in the Kirkby Town Centre Spatial Masterplan.

**Hucknall** - Development should sustain and enhance the role of Hucknall, strengthening the retail offer and provide a mix of suitable uses at an appropriate scale with the aim of broadening the town centre's appeal. Development should have regard to objectives and schemes set out in the Hucknall Town Centre Spatial Masterplan. The Hucknall Town Centre

Conservation Area forms a substantial part of the Town Centre. Opportunities to conserve and enhance the historic environment through heritage led regeneration will be supported.

b) Local Shopping Centres

Development that respects the individual local scale and character of the local centre will be supported.

c) Shopping Parades

Development of an appropriate scale should enhance Shopping Parades.

d) Other Areas

Development of an appropriate design, type and scale will be supported in other areas where it meets local needs but does not undermine existing centres.

1 – Main Town Centre uses reflect the definition of main town centre uses set out in the NPPF 2023 or any subsequent replacement.

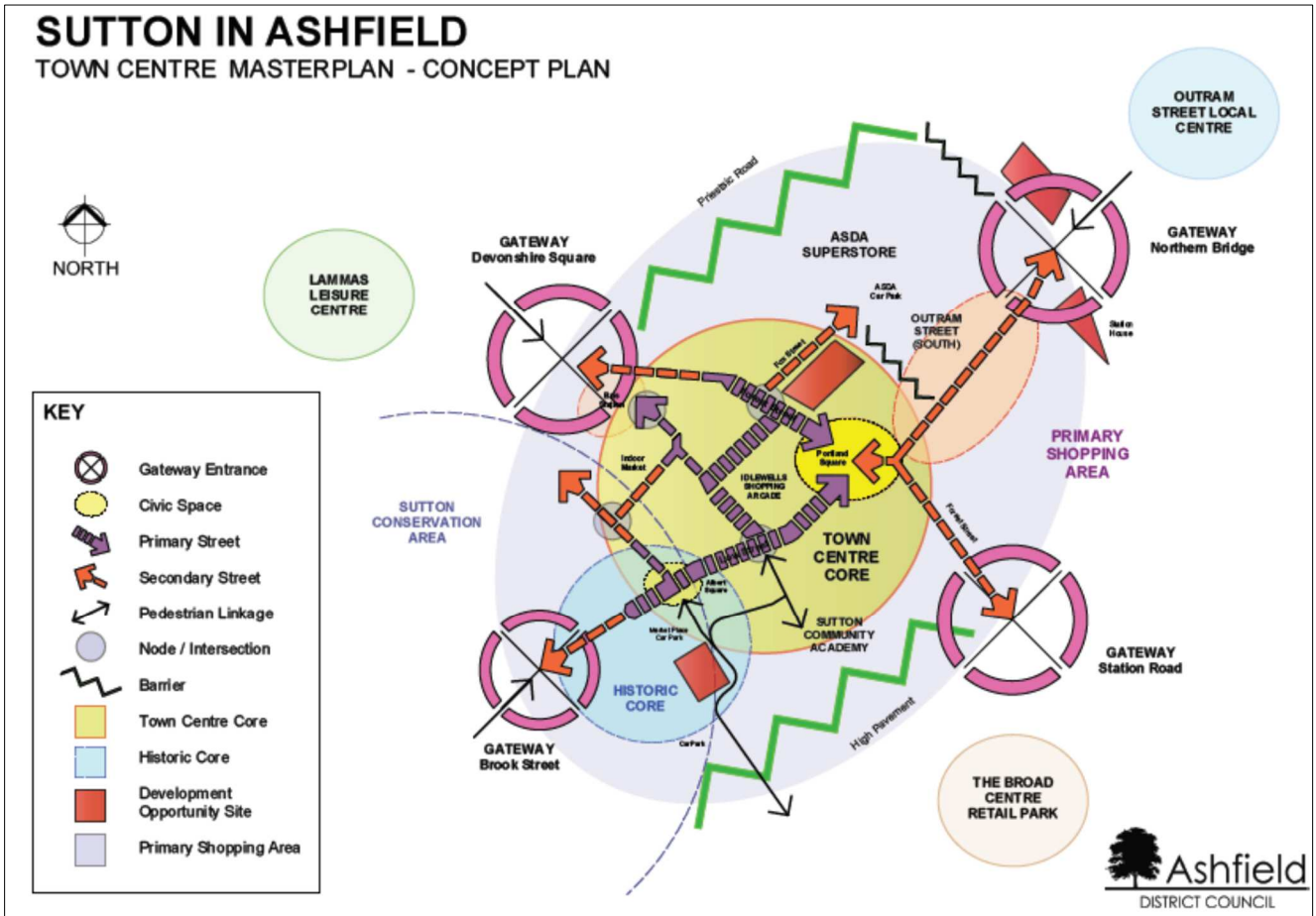
Note: Hucknall is defined as a Town Centre in the Nottingham Core Aligned Core Strategy.

Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023 - Ashfield District Council</li> <li>• Sutton Town Centre Spatial Masterplan, 2019. Ashfield District Council.</li> <li>• Kirkby Town Centre Spatial Masterplan, 2021. Ashfield District Council.</li> <li>• Hucknall Town Centre Spatial Masterplan 2022 – Ashfield District Council.</li> <li>• Ashfield Town Centre / Local Centre Study, 2023. Nexus Planning.</li> <li>• Retail Floorspace Survey 2020. Ashfield District Council.</li> <li>• Kirkby-in-Ashfield &amp; Sutton in Ashfield Town Investment Plan 2021-2030. Ashfield District Council.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving Sustainable Development.</li> <li>• NPPF 2023, Part 7: Ensuring the vitality of town centres.</li> <li>• Planning Practice Guidance: Town centres and retail as of September 2020.</li> </ul>

3.114 Vibrant and viable town centres play an important role in supporting the District’s communities, providing jobs, services and facilities. They play a key role in delivering sustainable development and the Local Plan will seek to ensure all the District’s centres are enhanced during the Plan period, through the development and growth of appropriate town centre uses. To further guide development across the three town centres, the Council has undertaken revisions to existing masterplans (2010). The local plan reflects the NPPF which places an emphasis on a strong town centre first approach to the development of town centre uses.

3.115 Sutton in Ashfield is a traditional town centre with a good mix of national and independent retailers, along with an indoor shopping centre, leisure centre and a

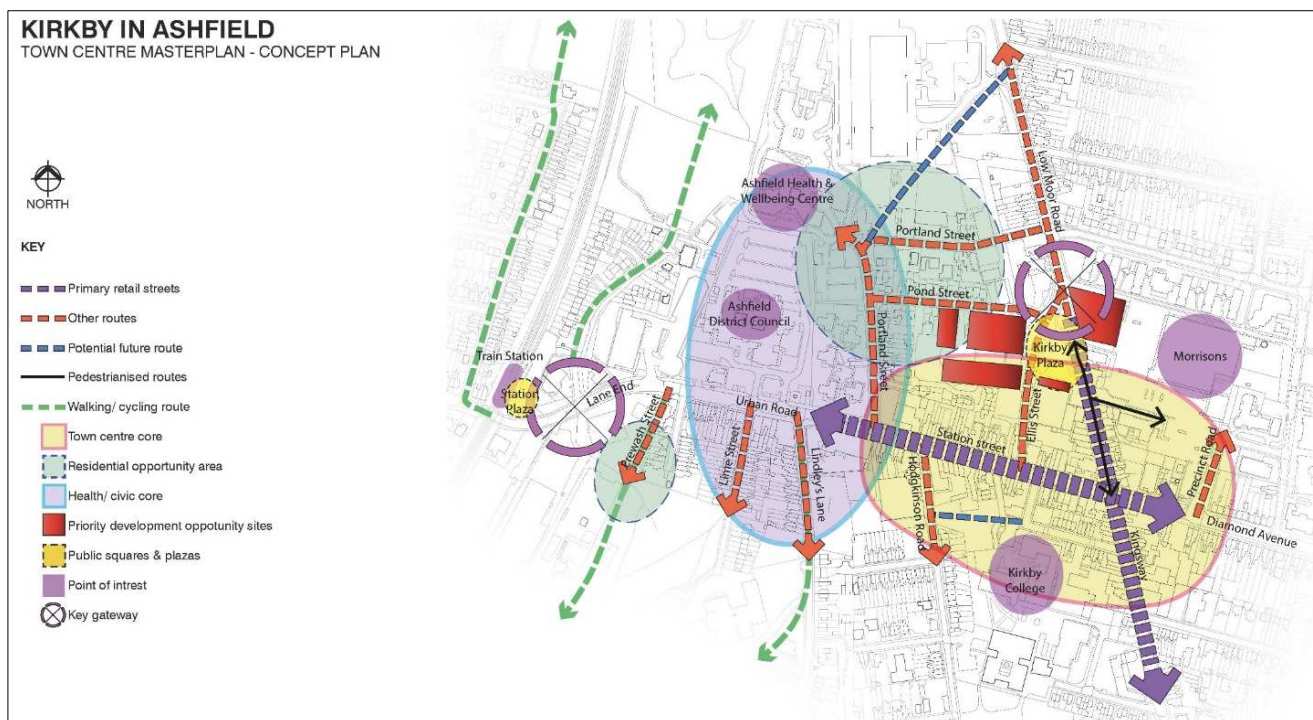
market. It is the largest retail centre within Ashfield District and is generally well used by the resident population. The historic core of the centre is designated as a conservation area. The Sutton in Ashfield Spatial Masterplan sets out the framework for future investment and development (Figure 6 below).



**Figure 6: Sutton in Ashfield Town Centre Concept Plan**

Source Sutton in Ashfield Masterplan, 2019

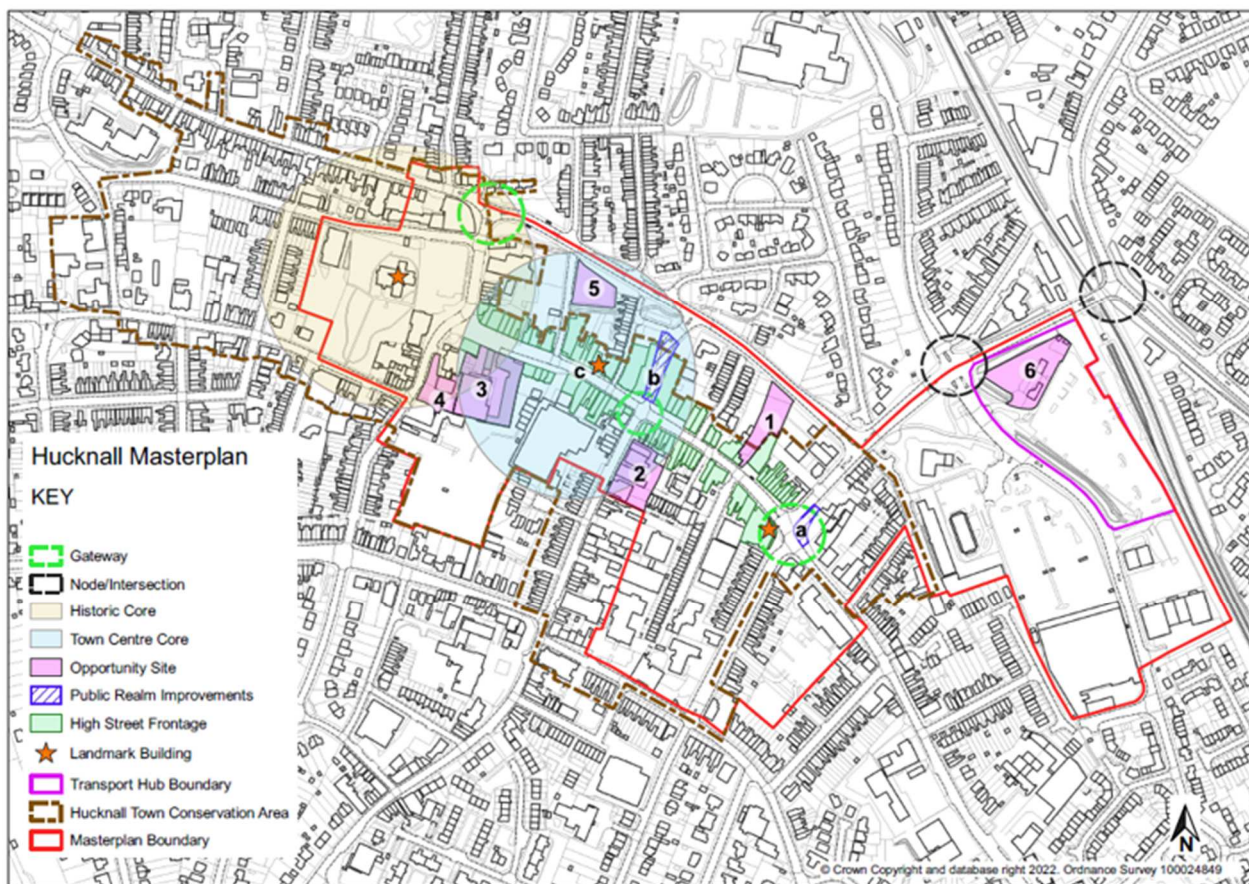
- 3.116 Kirkby-in-Ashfield is a traditional small, town centre dominated by independent retailers, with a small number of national operators and a small market operating on a number of days. It is generally used by the local resident population and workers. Substantial funding has already been invested in Kirkby Town Centre in improving the public realm through the civic square and the construction of a new leisure centre (Figure 7 below)
- 3.117 The successful bid for £62.6m from the Towns Fund for Sutton in Ashfield and Kirkby-in-Ashfield provides substantial opportunities to create sustainable change across the Kirkby and Sutton area and their respective town centres.



**Figure 7: Kirkby-in-Ashfield Concept Plan**

Source: Kirkby-in-Ashfield Masterplan, 2021

3.118 Hucknall is a traditional town centre with a good mix of national and independent retailers, along with a weekly outdoor market. It is the second largest retail centre in the Ashfield District and is generally well used by local residents. The relocation of the market and pedestrianisation of the High Street has facilitated pedestrian access to help support Hucknall’s primary shopping area. A substantial part of the Town Centre is designated as a Conservation Area. The Hucknall Town Centre Spatial Masterplan sets out the framework for future investment and development of the Town Centre (Figure 8 below).



**Figure 8: Hucknall Priority Areas and Areas of public realm improvements**  
Source: Hucknall Masterplan, 2022

- 3.119 Growth around Hucknall, provides opportunities to enhance the town centre to meet the needs of the growing population and to ensuring access to a mix of facilities based on local need.
- 3.120 Local Shopping Centres and Shopping Parades should accommodate small scale development which provides for the day to day needs of the community without threatening the vitality and viability of Town Centres. At a national level, the NPPF promotes strong neighbourhood centres because they provide consumer choice and reduce the need to travel further distances.
- 3.121 Sutton, Hucknall and Kirkby provide good public transport links to other major conurbations via the Robin Hood rail line. Sutton has a central bus station and there are frequent, regular bus services in operation to Kirkby, which also has a railway station on the edge of the Town Centre. In the south, Hucknall has excellent links to Nottingham via the Robin Hood Line and the NET tram service, with tram stops within the town centre and to the south and east of the centre. As a focus for public transport, concentrating new development in these areas will have a significant role in reducing the carbon footprint of the community and a positive impact in relation to climate change. The growth of the three towns will

also serve to attract inward investment into these areas, thereby improving the opportunities and the lives of people living there.

- 3.122 Proposals for out-of-centre retail development and town centre uses will be required to strongly demonstrate the need for such development, and how they will mitigate their impact on nearby centres, and any regeneration activities. The requirement for a sequential test and, where appropriate, an impact assessment to town centre uses outside the town centres and local centres is elaborated in the development management policies within the Local Plan.
- 3.123 The town centre hierarchy has been developed using evidence taken from the Ashfield Town Centre / Local Centre Study, 2023 and the Greater Nottingham and Ashfield District Accessible Settlements Study (2010). The existence of the hierarchy will help to guide new development to appropriately sized centres across the District and ensure that future growth is adequately balanced across Ashfield.

### Strategic Policy S12: Tackling Health Inequalities and Facilitating Healthier Lifestyles

<b>Strategic Policy S12 Tackling Health Inequalities and Facilitating Healthier Lifestyles</b>	
<b>Strategic Objectives</b>	<b>SO1, SO2, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12, SO13, SO14.</b>
<p>1. The Council will be supportive of programmes and strategies, which aim to promote sustainable communities, reduce health inequalities and facilitate healthier lifestyles in Ashfield.</p> <p>2. Development proposals should be designed to contribute to and improve healthy communities and wellbeing in Ashfield, thereby reducing health inequalities. This can be achieved in a number of ways dependent on the nature of development including:</p> <ul style="list-style-type: none"> <li>a) Ensuring sufficient and a suitable mix of housing, including meeting the needs of older and disabled people.</li> <li>b) Promoting job opportunities.</li> <li>c) Promoting healthy neighbourhoods and facilitating active and healthy lifestyles.</li> <li>d) Protect the amenity of residents with regard to noise, smell, light pollution, ground instability, ground and water contamination, vibration and air quality.</li> <li>e) Providing good access for all to health and social care facilities.</li> </ul>	

<p>f) Promoting access to green spaces, the countryside, sports facilities, play and recreation opportunities.</p> <p>g) Promoting allotments and gardens for exercise, recreation and for healthy locally produced food.</p> <p>h) Supporting the provision of community facilities.</p> <p>i) Measures to close the gap in educational attainment in Ashfield.</p> <p>j) Improved community safety.</p> <p>k) Supporting the provision of infrastructure to meet health and wellbeing needs.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Local Authority Health Profile 2019 - Public Health England.</li> <li>• Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 Ashfield Health and Wellbeing Partnership.</li> <li>• Nottinghamshire Health and Wellbeing Board Joint Health and Wellbeing Strategy 2022 – 2026. Nottinghamshire County Council/ Nottinghamshire Health &amp; Wellbeing Board.</li> <li>• Marmot Review 'Fair society healthy lives' 2010. UCL/Marmot.</li> <li>• Active Design 2015 Sport England.</li> <li>• Handbook Designing for physical activity 2021, Sports England.</li> <li>• Wellbeing benefits from natural environments rich in wildlife, 2015. A literature review for The Wildlife Trusts: By the University of Essex.</li> <li>• Build Back Fairness in Greater Manchester: Health Equality and Dignified Lives, June 2021. Institute of Health Equity.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities.</li> <li>• NPPF 2023, Part 12: Achieving well designed places.</li> <li>• Planning Practice Guidance: Healthy and safe communities as of August 2022.</li> <li>• Planning Practice Guidance: Open space, sports and recreation facilities, public rights of way and local green space as at March 2014.</li> </ul>

3.124 Health and wellbeing issues are complex and are cross cutting throughout the Local Plan and Planning is just one of many influencing factors on health and wellbeing. The Policy looks to reduce health inequalities, which can be defined as differences in health status or in the distribution of health determinants between different population groups. For example, differences in mobility between elderly people and younger populations or differences in mortality rates between people from different social classes. Health inequality relates to a number of factors such as poor housing, poor education and/or unemployment. The Build back Fairer in Greater Manchester Health Equality and Dignified Lives Report 2021 sets out a number of measures to tackle health inequalities which would be equally applicable to other areas. This includes that a strong economy can mean high average incomes and good living standards, conditions which contribute to people's health and wellbeing.



- 3.125 National Planning Practice Guidance<sup>74</sup> highlights the importance of planning in relation to health and wellbeing and working with Health and Wellbeing Boards, The Integrated Care Board<sup>75</sup> and other bodies within the NHS. Nottinghamshire Health and Wellbeing Strategy<sup>76</sup> and its delivery plans sets out actions to tackle a number of priorities in relation to health and wellbeing in Nottinghamshire. The policies within the Local Plan will make an important contribution to improving health and wellbeing for the communities of Ashfield.
- 3.126 Working with its partners, the Council will seek to meet the health and wellbeing needs of our residents by addressing the key determinants of health including deprivation, physical environment and encouraging active lifestyles. In land use terms the way that places are planned and designed has a significant influence over whether communities are able to live healthy lives. Local plan policies support health and wellbeing by utilising public health evidence to inform policies and to ensure that new development proposals support improvements to the health/wellbeing of the population.
- 3.127 Development has an important role in providing the necessary infrastructure to encourage physical exercise and health, including accessible open space, access to nature, vegetation and landscaping, sport and recreation facilities, cultural facilities and safe, well promoted, walking and cycling routes.

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<sup>74</sup> Planning Practice Guidance "Healthy and Safe Communities" Paragraph: 001 Reference ID:53-001-20190722, Paragraph: 002 Reference ID:53-002-20190722 and Paragraph: Paragraph: 005 Reference ID:53-005

<sup>75</sup> NHS Nottingham and Nottinghamshire Integrated Care Board.

<sup>76</sup> Nottinghamshire Health and Wellbeing Board Joint Health and Wellbeing Strategy 2022 -2026, - Nottinghamshire County Council/ Nottinghamshire Health & Wellbeing Board.

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## Strategic Policy S13: Protecting and Enhancing Our Green Infrastructure and the Natural Environment

<b>Strategic Policy S13 Protecting and Enhancing Our Green Infrastructure and the Natural Environment</b>	
<b>Strategic Objectives</b>	<b>SO1, SO2, SO11, SO13, SO14.</b>
<p>1. The natural environment, including green and blue infrastructure corridors and assets will be protected, conserved and enhanced, in order to maintain the integrity of the District's overall Green Infrastructure network, and help preserve the landscape character of the District and its biodiversity.</p> <p>2. The biodiversity of Ashfield will be maintained and enhanced by:</p> <p>a) protecting, connecting and enhancing important habitats, informed by the District's Biodiversity Opportunity Maps; and</p> <p>b) promoting native tree planting, street trees and well targeted woodland creation on appropriate sites, and encouraging retention and sensitive management of trees, with a view to enhancing biodiversity.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Natural England's Green Infrastructure Framework – Principles and Standards for England 2022</li> </ul>

3.128 It is acknowledged that green infrastructure and the natural environment is a key element of delivering sustainable development and it is of great importance for biodiversity, geo-diversity, education, culture, leisure, tourism and the wider economy.

3.129 The District contains a range of green and blue infrastructure, natural and wildlife assets of national, regional and local significance, this includes but is not limited to parks, open spaces, playing fields, woodlands, allotments, cemeteries, private gardens, green roofs and walls, agricultural land, country parks, wasteland and river/canal corridors. The Council will seek to protect, conserve and enhance these assets in order to help preserve the landscape character of the District and its biodiversity.

- 3.130 The Council has produced a Green Infrastructure and Biodiversity Technical Paper for the District. The document examines the connectivity of green and blue infrastructure and identifies key strategic and local corridors and assets. Strategic corridors connect key green infrastructure resources and/or run between settlements and across district boundaries. Local corridors connect smaller green spaces and/or link neighbourhoods to the strategic network.
- 3.131 The Council has also supported the production of the Ashfield Biodiversity Opportunity Mapping Project<sup>77</sup> (BOM). The project has created a GIS-map showing broad proposals for biodiversity opportunity areas across Ashfield, representing areas in which resources should be targeted to maintain, restore, buffer, link and expand wildlife habitats at a landscape scale.
- 3.132 New development can place additional demands on a range of green and blue infrastructure and natural assets. As such, development will be required to protect and enhance the overall green infrastructure network, meet the Council's adopted standards for green space provision, and provide further green infrastructure assets, where possible and appropriate, suitable for the site as detailed by Policy EV4.
- 3.133 Development proposals should particularly seek to contribute towards the protection and preservation of Priority Habitats and Species listed in Section 41 of the Natural Environment and Rural Communities Act 2006, and the objectives for priority habitats and species identified in the Nottinghamshire Biodiversity Action Plan (BAP)<sup>78</sup>. Proposals should also seek the protection, enhancement and linking of areas identified in the Ashfield Green Infrastructure and Biodiversity Technical Paper and the Ashfield Biodiversity Opportunity Mapping Project (BOM).

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<sup>77</sup> Ashfield Biodiversity Opportunity Mapping Project 2016. Nottinghamshire Biodiversity Action Group

<sup>78</sup> Local Biodiversity Action Plan for Nottinghamshire & Updates. Nottinghamshire Biodiversity Action Group

## Strategic Policy S14: Conserving and Enhancing Our Historic Environment

Strategic Policy S14 Conserving and Enhancing Our Historic Environment	
Strategic Objectives	SO1, SO7, SO8, SO14.
<p>The Council will ensure that all heritage assets within the District are conserved and enhanced, in a manner appropriate to their significance, to ensure the continued protection and enjoyment of the historic environment. This includes designated and non-designated heritage assets, archaeological sites and historic landscapes, and their setting in accordance with legislation and national policy.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Criteria for Local Heritage Asset Designation 2013. Ashfield District Council.</li> <li>• Listed Buildings at Risk Register, Historic England.</li> <li>• Hardwick Hall Setting Study. 2016, ATKINS (for National Trust).</li> <li>• Greater Nottinghamshire Landscape Character Assessment 2009. TEP (for Nottinghamshire County Council &amp; Greater Nottingham Authorities).</li> <li>• Annesley Conservation Area. Adopted 1999, Ashfield District Council.</li> <li>• Lower Bagthorpe Conservation Area. Adopted 1975, amended 2007, Ashfield District Council.</li> <li>• Kirkby Cross Conservation Area. Adopted 1975, amended 2004, Ashfield District Council.</li> <li>• Sutton in Ashfield Church and Market Place Conservation Area. Adopted 2015, Ashfield District Council.</li> <li>• Teversal Conservation Area. Adopted 1970, amended 2012, Ashfield District Council.</li> <li>• Hucknall Town Centre Conservation Area. Adopted 2019, Ashfield District Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 16: Conserving and enhancing the historic environment.</li> <li>• Planning Practice Guidance: Historic Environment as of July 2019.</li> </ul>

3.86 The historic environment is of great importance for education, culture, leisure, tourism and the wider economy. It has tremendous visual appeal, provides inspiration and enjoyment and helps reinforce a sense of local identity. However, this environment can be fragile and once gone it cannot be replaced. Careful management is necessary to ensure its importance is recognised and that it can contribute to the success and growth of the District.

3.87 Heritage assets are buildings, monuments, sites, places, areas or landscapes of historic, archaeological, architectural or artistic interest, whether designated or not, that have a degree of significance. The term 'significance' can be defined as "the value of a heritage asset to this and future generations because of its heritage

interest”<sup>79</sup>. In measuring the significance of an asset, a number of factors are assessed, including, but not restricted to, an asset’s rarity, representativeness, association, integrity, evidential value, historical value, aesthetic value, and communal value.

- 3.88 Heritage assets include listed buildings, conservation areas, world heritage sites, historic parks and gardens and scheduled monuments. The definition also covers non-designated assets including buildings of local interest, areas of archaeological interest, unregistered parks and gardens and landscape features as defined in the Nottinghamshire Landscape Character Assessment.
- 3.89 The Council will work with partners, stakeholders and developers through a variety of approaches to sustain and enhance the significance of heritage assets including:
- Designating new and reviewing existing conservation area appraisals and producing and implementing related management plans;
  - Working with owners, Historic England and Nottinghamshire County Council to bring heritage assets identified at risk or vulnerable to risk, back into use;
  - Facilitating and supporting the identification and review of heritage assets of local historic, architectural and/or archaeological significance in accordance with the Council’s agreed procedures<sup>80</sup>;
  - Supporting appropriate interpretation and promotion of the heritage assets throughout the District.

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<sup>79</sup> • Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment, Historic England, 2008

• Understanding Place Historic Area Assessments: Principles and Practice, Historic England, 2010

<sup>80</sup> Criteria for Local Heritage Asset Designation, Ashfield District Council, Adopted 2013, Revised 2018.

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### Strategic Policy S15: Safeguarding Mineral Resources

<b>Strategic Policy S15: Safeguarding Mineral Resources</b>	
Strategic Objectives	SO13, SO14.
<p>In Minerals Safeguarded Areas, the Minerals Planning Authority will be consulted on non-exempt development proposal. Planning permission in Minerals Safeguarded Areas will not be granted for non-exempt development unless the requirements set out in the minerals safeguarding policies of the Minerals Local Plan have been met.</p>	
Evidence base	<ul style="list-style-type: none"> <li>The Nottinghamshire Minerals Local Plan 2021. Nottinghamshire County Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2021, Part 17: Facilitating the sustainable use of minerals</li> <li>Planning Practice Guidance: Minerals as of October 2014.</li> </ul>

- 3.90 Nottinghamshire is a two-tier area for local government and under the Town and Country Planning legislation Nottinghamshire County Council is the Minerals Planning Authority. The County Council adopted The Nottinghamshire Minerals Local Plan in March 2021 and the Minerals Local Plan forms the land use planning strategy for mineral development within the County up to 2036.
- 3.91 The Minerals Local Plan recognises important mineral resources with Mineral Safeguarding Areas identify the mineral resources which are worthy of safeguarding and the Minerals Consultation Area identify the areas within Nottinghamshire where the District and Borough authorities are required to consult the Mineral Planning Authority over non-minerals development.
- 3.92 Whilst the responsibility for dealing with minerals in Ashfield lies with Nottinghamshire County Council, Strategic Policy 15 looks to ensure minerals resources of local and national importance are not sterilised by non-mineral development and it ensure that the presence of an important mineral resource is taken into consideration during the decision-making process.
- 3.93 Further information is available from Nottinghamshire County Council as the authority responsible for the Minerals Local Plan.

## Chapter 4

### Meeting the challenge of climate change and adapt to its effects

#### Policy CC1: Zero/Low Carbon Developments and Decentralised, Renewable, Low Carbon Energy Generation

<b>Policy CC1: Zero and Low Carbon Developments and Decentralised, Renewable and Low Carbon Energy Generation</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO11, SO12, SO13, SO14.
<p>Zero and Low Carbon Development</p> <p>1. Proposals for carbon neutral development are strongly supported. All development proposals will be expected to mitigate against and adapt to climate change, to comply with the national target to bring greenhouse gas emissions to net zero by 2050 and contribute to any local targets for reducing carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible or there are significant adverse effects in relation to other policy requirements. Development proposals should:</p> <p>a) Maximise opportunities to reducing demand by taking account of landform, location, layout, building orientation, design, massing and landscaping. This includes:</p> <ul style="list-style-type: none"> <li>➤ Opportunities for both natural heating and ventilation through the orientation and location of buildings;</li> <li>➤ Incorporating blue and green infrastructure, trees and other planting, to provide opportunities for cooling, shading of amenity areas, connect habitats, using native plants that are carefully selected so they can be managed and sustained to meet the predicted changed climatic conditions;</li> <li>➤ Incorporating water efficiency measures and include appropriate sustainable drainage systems (SuDS) to minimise and manage surface water runoff and its impacts;</li> <li>➤ Optimise energy efficiency measures including, where feasible, the use of decentralised renewable and low carbon energy; and</li> <li>➤ Include other measures including incorporating vehicle charging facilities, and the potential for communal heating systems.</li> </ul> <p>b) Be designed to minimise the generation of waste and energy consumption in the design, construction, use and life of buildings and promote sustainable</p>	

approaches to waste management, including the reuse and recycling of construction waste.

- c) Enable occupants to minimise their need to travel and, where travel is necessary, to maximise opportunities for sustainable modes of travel.
  - d) Minimising greenhouse gas emissions.
  - e) Provide for carbon offsetting, incorporating multi-functional green infrastructure and habitats, which can provide carbon storage including multi-functional woodland or grassland.
  - f) Maximise the opportunities that potentially arise from the use of renewable heat from mine water.
2. The Council will support non-residential development of 1,000 sq. m or more that incorporates sustainable construction design, materials and methods to achieve BREEAM standard 'excellent' or equivalent, provided this is both feasible and viable and there are not significant adverse effects in relation to other policy requirements.

#### Proposals for non-wind Decentralised, Renewable and Low Carbon Energy Generation

3. The development of stand-alone renewable energy schemes<sup>1</sup> will be supported in appropriate locations, including biomass power generation, combined heat and power, and micro generation systems and where individually, or cumulatively, there are no significant adverse effects in relation to other policy requirements. Proposals should demonstrate how they:
- a) Connect to the existing national grid infrastructure, unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user; and
  - b) Provide for the removal of the infrastructure and reinstatement of the site, should the facilities cease to be operational;

#### Energy Storage

4. Proposals for energy storage units will be supported where they assist with balancing of the electricity grid, support renewable and low carbon energy and where:
- they are located on previously developed areas and/or in industrial areas, and
  - individually, or cumulatively, there are no significant adverse effects in relation to other policy requirements.

#### Note

1 – Under national planning policy, the Council cannot include provision for wind energy unless:

- the proposal is in an area that has been identified as suitable for wind energy development in an adopted development plan (i.e the local plan or a neighbourhood plan), and following consultation,



it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Towards a Sustainable Energy Policy for Nottinghamshire 2009 - Nottinghamshire Sustainable Energy Planning Partnership (NSEPP) Nottinghamshire: Operational Renewal and Low Carbon Energy Schemes 2009 - Nottinghamshire Sustainable Energy Planning Partnership (NSEPP).</li> <li>• Towards a Sustainable Energy Policy for Nottinghamshire, Report of Consultation 2009 - Nottinghamshire Sustainable Energy Planning Partnership (NSEPP).</li> <li>• Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas Across the East Midlands 2011 - Final Report - Land Use Consultants, Centre for Sustainable Energy and SQW.</li> <li>• Planning Guidance Climate Change, 2022. Ashfield District Council.</li> <li>• Ashfield Climate Change Strategy 2021 to 2026. Ashfield District Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 14: Meeting the challenge of climate change, flooding and coastal change.</li> <li>• Planning Practice Guidance: Climate change as of March 2019.</li> <li>• Planning Practice Guidance: Renewable and low carbon energy as of June 2015.</li> <li>• Natural England’s Green Infrastructure Framework – Principles and Standards for England 2022.</li> </ul>

**Zero and Low Carbon Developments**

- 4.1 There are six main greenhouse gases (GHGs) as set out in the Kyoto protocol: Carbon Dioxide, Methane, Nitrous Oxide, Hydrofluorocarbons, Perfluorocarbons, and Sulphur Hexafluoride. GHGs emissions are converted into CO<sub>2</sub> and referred to as ‘Carbon Emissions’.
- 4.2 It is widely acknowledged that climate change is occurring across the planet, and one of the primary causes of this relates to the amount of carbon dioxide being released into the atmosphere. As a result, the Government has committed to reducing the country’s carbon dioxide emissions by 100% of 1990 levels by 2050, as set out in the Climate Change Act 2008. On the 4th December 2020 the Government’s stated target was to achieve a reduction of 68% in greenhouse gas emissions from the 1990 baseline by 2030.
- 4.3 In order to help achieve this target, the Government has implemented a number of initiatives and regulations aimed at the development industry and property owners to enhance the energy efficiency / carbon emissions of new and existing properties. The Government has announced that by 2025, the Future Homes Standard will deliver homes that are zero-carbon ready to be delivered through the Building Regulations.

- 4.4 Creating low and zero carbon developments has a key role in helping to achieve these carbon reduction commitments and the Council is committed to ensuring all new developments are as low carbon as possible. The Council acknowledges that Building Regulations should be the primary means of introducing and enforcing carbon reductions, but considers development should, wherever possible, apply carbon and energy reduction measures beyond the Building Regulations. Low carbon developments will not only have environmental benefits but will lead to longer term financial savings for the owners/occupants via lower energy requirements.
- 4.5 In designing their schemes, the Council will expect designers to appropriately utilise the assets of a particular site such as landform, orientation and landscape features, coupled with a development layout that utilises building orientation, massing and landscaping to help reduce energy consumption, utilise solar gain and resilience to temperature increases. Designers will be expected to address sites in a holistic way, without reference to notional factors such as land ownerships within the site, to ensure that climate factors are considered across the site and development is configured accordingly. Consideration should also be given to a development's ability to retrofit renewable and decentralised energy technologies. It is important that buildings are designed and laid out in a way that enables occupants to install such technologies in the future. In seeking to achieve low and zero carbon buildings, the Council will support the use of innovative materials and building designs where it can demonstrate that they actively contribute to achieving the desired carbon reductions.
- 4.6 Ashfield mining heritage provides opportunities for the utilisation of mine water as a heat source. Mine water is typically at a temperature around 12 and 20°C, with little to no seasonal variation. Therefore, it is a potential source of low carbon heating or cooling for heat networks using water source heat pumps. The Council will work with the Coal Authority and developers to maximise the potential for renewable heat from mine water.
- 4.7 Adaption for climate change will require lifestyle and behavioural change. The Policy requires development to encourage sustainable lifestyles. For example, layout should minimise the use of the private car and prioritise safe and attractive routes that benefits pedestrians and cyclists. Street design, which, is pedestrian, and cycle friendly as opposed to just routes for vehicles to pass through. The Government has announced the phasing out of petrol and diesel cars by 2030 with the likelihood that electric vehicles would become the norm over the Plan period. This places an emphasis on electric vehicle charging points in new homes.
- 4.8 The Council fully supports developments that actively pursue the creation of highly efficient, zero carbon developments via recognised standards such PassivHaus and BREEAM Excellent or Outstanding. Developments that strive to achieve such sustainable design excellence will be acknowledged by the Council, with a presumption in favour of development.

### **Decentralised, Renewable and Low Carbon Energy Generation**

- 4.9 It is widely acknowledged that tackling the challenges posed by climate change will necessitate a radical increase in the proportion of energy generated from renewable sources. Whilst the country's carbon reduction commitments are one driver of this change, the increasing cost of centralised and fossil fuel derived energy is also influencing the growth in decentralised, renewable and low carbon energy sourcing for commercial and domestic users.
- 4.10 The Council actively encourages the development of viable technologies and infrastructure across the District. However, this has to be seen in the context of the potential impact on the following:
- a) Residential amenity (including noise, low-frequency noise, fumes, odour, shadow flicker, reflected light, traffic and broadcast interference);
  - b) Highway, Aviation, Defence, radar or power line safety;
  - c) Existing buildings in relation to fall over distance of wind turbines;
  - d) The surrounding landscape, townscape and heritage assets;
  - e) Designated nature conservation or biodiversity considerations;
  - f) Species protected under national and international law, including those that occur outside protected areas.
- 4.11 The Council will seek to ensure such issues are satisfactorily assessed and where appropriate, addressed via effective mitigation measures. As part of this process the Council will require development proposals to undertake appropriate pre-application consultation with relevant bodies and agencies. They should also submit appropriate assessments and studies to support the assessment of the proposal. This should include an Environmental Statement that details the environmental impacts of the proposal and the total amount of energy that is expected to be generated. The statement must also provide details of site restoration following infrastructure installation and/or the end of its lifecycle, addressing issues such as the removal of redundant buildings, plant and access roads, where appropriate. Details of the post-use restoration are likely to be conditioned as part of the application.
- 4.12 Design must be a key consideration when creating development proposals. Whilst the Council acknowledges there may be design limitations on certain technologies and infrastructure, the Council will encourage developers to utilise new technologies and innovative solutions to achieve the highest quality design achievable. In helping to address potential impacts on landscape, residential amenity, heritage and townscape the design of the proposal will be an important consideration.

### Low Carbon Energy Opportunities in Ashfield

- 4.13 A 'Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas Across the East Midlands' Study<sup>81</sup> was undertaken by Land Use Consultants, Centre for Sustainable Energy and SQW on behalf of East Midlands Councils in 2011. The study sets out an evidence base of the technical potential for renewable and low carbon energy technologies within the East Midlands.
- 4.14 The results of the study indicate that Ashfield has potential for microgeneration; in particular, heat pumps, solar thermal and solar photo voltaics and these uses are particularly encouraged. The study also highlighted that, whilst Ashfield District has good average wind speeds, the potential for commercial scale wind energy developments is limited by constraints relating to the presence of existing infrastructure, properties and bird sensitivity issues. Appendix 4 identifies wind energy opportunities within Ashfield.

### Policy CC2: Water Resource Management

<b>Policy CC2: Water Resource Management</b>	
Strategic Objectives	SO1, SO4, SO11, SO13, SO14.
<p>1. Development proposals must demonstrate that there is an adequate supply of water, appropriate sewerage and surface water infrastructure and sewage treatment capacity to ensure that the development does not contribute to a deterioration in water quality to the receiving catchment for the lifetime of the development.</p> <p>2. In relation to water quality:</p> <p>a) Development should have regard to the actions and objectives of the Humber River Basin Management Plans and the Water Framework Directive in protecting and improving the quality of water bodies and ecological systems in and adjacent to the District. Where feasible, nature based solutions should be utilised.</p> <p>b) Development will be not be permitted where it:</p> <ul style="list-style-type: none"> <li>• Has a negative impact on water quality, either directly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and Wastewater Treatment Works.</li> </ul>	

<sup>81</sup> Land Use Consultants, Centre for Sustainable Energy and SQW (2011) Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas Across the East Midlands: Final Report. Prepared for East Midlands Councils.

	<ul style="list-style-type: none"> <li>• Poses a significant risk to the quality of the groundwater in the principal aquifers or in groundwater source protection zones.</li> <li>• Fails to minimise the impact on the natural water environment. The Council will seek opportunities to restore and enhance all watercourses, to improve water quality and to extend the connectivity and biological complexity of watercourses and their wider environment.</li> <li>• Has an adverse effect on the natural watercourse profile.</li> <li>• Is not set back by an appropriate distance from a watercourse to allow access for riparian owners and to enhance habitat and ecological benefits.</li> </ul> <p>c) Development located in the proximity or upstream of water related environmentally significant sites will be required to demonstrate that it will not have an adverse effect on the sites.</p> <p>d) A Construction Phase Management Plan should ensure that management of surface water during the construction phase mimics pre-construction conditions and does not increase the risk of flooding off site.</p> <p>3. In relation to Water Efficiency:</p> <p>a) Residential development proposals will implement water efficiency measures to minimise water consumption, to achieve a requirement of not exceeding 110 litres per person per day.</p> <p>b) Business/ Commercial development should seek to be water efficient, which can be demonstrated through the British Research Establishment Environmental Assessment Methodology (BREEAM) standards.</p> <p>c) New development that incorporates water efficient features and equipment will be supported and encouraged. Rainwater should be harvested and retained for re-use on site as ‘grey water’.</p>
<p>Evidence base</p>	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Humber River Basin Management Plan. Environment Agency.</li> <li>• Humber river basin district river management plan: updated 2022 Environment Agency.</li> <li>• Drought Plan 2022-2027 Severn Trent Water.</li> <li>• Water stressed areas – final classification 2021 Environmental Agency.</li> <li>• Greater Nottingham and Ashfield Outline Water Cycle Study 2010 - Entec Ltd.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG. Ashfield District Council .</li> <li>• Strategic Flood Risk Assessment Level 1, 2023 - Ashfield District Council</li> <li>• Working with nature. Chief Scientist’s Group Report July 2022. Environment Agency</li> <li>• Environment Agency Water Stressed Areas – final classification 2021, 1<sup>st</sup> July 2021</li> </ul>

<p>National Planning Policy and Guidance</p>	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 14: Meeting the challenge of climate change, flooding and coastal change.</li> <li>• NPPF 2023 Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Water supply, wastewater and water quality as of July 2019.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> <li>• Ministerial Statement Secretary of State for the Department for Environment, Food and Rural Affairs Reducing demand for water (Statement UIN HCWS140). July 2021.</li> </ul>
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4.15 The policy covers both water quality and water efficiency. It reflects the guidance for policy aspects set out in the National Planning Policy Guidance Water Supply, Wastewater and Water Quality.

**Water Quality**

4.16 The quality and quantity of surface and ground water is vitally important to a wide range of uses and users including domestic, industrial and agricultural. It is also of great importance to general amenity, as a source of drinking water, water based recreation, fisheries and nature conservation. Ground water resources in particular are susceptible to a wide range of threats from land use policies and once contaminated it is difficult, if not impossible, to rehabilitate them.

4.17 The Council, in conjunction with the Environment Agency, will seek to resist development that threatens water quality and quantity, and will encourage initiatives that result in an improvement of water quality and the capacity of surface waters to support wildlife. The Water Framework Directive has the primary objectives of achieving good ecological status in water bodies and providing protection for drinking water sources and protected sites. The Government’s 25 Year Plan<sup>82</sup> sets a framework of strategic goals which includes a requirement for “Clean and plentiful water” with at least three quarters of our waters to be close to their natural state as soon as is practicable”

4.18 There is an emphasis on nature based solutions. In the evidence from Working with Nature, (Chief Scientist’s Group Report July 2022) the Environment Agency identified that this approach has benefits to biodiversity, the economy, health and wellbeing and climate change. While it will not be feasible for all situations there are multiple benefits for nature and people in apply such an approach.

4.19 The Environment Agency's Humber River Basin Management Plan 2015 sets out the main issues for the water environment, and actions needed to be taken. The following catchments relate to Ashfield:

- The Idle and Torne Catchment (Sutton in Ashfield, Stanton Hill, Skegby, north east of Kirkby-in-Ashfield);

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<sup>82</sup> A Green Future: Our 25 Year Plan to Improve the Environment, 2018. HM Government.

- The Lower Trent and Erewash Catchment (south & east of Kirkby-in-Ashfield, Selston, Underwood, Jacksdale, New Annesley, Annesley Woodhouse, Hucknall);
- Don and the Rother Catchment (covers a small area to the north of the District);
- The Derbyshire Derwent Catchment (Huthwaite).

The Humber River Basin District River Management Plan was updated in 2022. It highlights that climate change will impact on water flows within watercourses with drier summers. Drier summers will also putting increasing pressure on competing demands for water resources.

- 4.20 Much of Ashfield is located on principal aquifer namely the Lower Magnesian Limestone and Triassic Sherwood Sandstone where groundwater is sensitive to pollution. Principal aquifers are geological strata that exhibit high permeability and usually provide a high level of water storage. These aquifers have strategic significance for water resources, often supporting large abstractions for the public water supply. They are also of major importance, supporting river base flow.
- 4.21 It is important that standards of design, materials specification and of on-site construction practices respect the vulnerability of these aquifers as well as all watercourses, and environmentally sensitive areas. During and post construction, it is possible that contamination could be mobilised and find its way into the aquifer. The Council will need to be satisfied that any risk has been properly assessed and viable remediation is in place. Once groundwater is polluted the resource may be lost for many years and the protection of these resources from potentially polluting development will be strictly enforced. A management plan for a construction site should ensure contaminated surface water is prevented from leaving the site by overland flow, through highway drainage or the public surface water sewer system so as to discharge into a watercourse.
- 4.22 The 'no deterioration' policy of the Water Framework Directive requires that current environmental conditions are maintained or improved. This necessary may require phasing new development so that water and wastewater infrastructure is in place when and where needed. The impact on designated sites of importance for biodiversity should be considered to ensure the required infrastructure is in place before any environmental effects occur. Where appropriate, for large development sites will be required to do pre development, during development and post development monitoring to demonstrate that there has been no impact on water quality and flows.
- 4.23 A watercourse should follow its natural profile and meandering reflecting the character of the surrounding landscape. Therefore, the emphasis is upon retain this aspect and avoiding engineering solutions that straighten or culvert the watercourse. Any proposed modifications to an ordinary watercourse must be presented to the Lead Local Flood Authority for consideration. It should be noted that the Lead Local Flood Authority do not support the culverting of watercourses nor any changes that restrict the flow of water. Buffer zones should be provided adjacent to rivers, streams and ponds in order to protect and, where necessary, enhance biodiversity, in particular the value of the adjacent terrestrial habitat. These zones provide valuable

habitats and help support improved habitat connectivity. Under the Environment Agency's Midlands Land Drainage Bylaws for 'main rivers' this buffer area is 8 metres measured horizontally from the foot of any bank of the river on the landward side or, where there is no such bank, within 8 metres measured horizontally from the top edge of the batter enclosing the river.

- 4.24 Development should not adversely affect the cross sectional profile of natural watercourses and should take the opportunity to improve the water environment. Wherever possible, culverts should be opened up. It will not generally be acceptable for development to result in the loss of open water features through draining, culverting or enclosure by other means. Land should be provided adjacent to the top of both banks of any watercourse for maintenance purposes which should be appropriately landscaped for open space and biodiversity benefits

### **Water Efficiency**

- 4.25 The NPPF requires local planning authorities to adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations. National planning identifies that where there is a clear local need, Local Plan policies can require new dwellings to meet the Building Regulations optional requirement of a maximum of 110 litres/person/day. The Environment Agency in Water stressed areas – final classification 2021, 1<sup>st</sup> July 2021<sup>83</sup>, identified that the Severn Trent Water – excluding Chester zone, was classed as seriously water stressed for metering purposes. It identifies that local authorities can use the water stress determination to inform whether they can require the tighter standard of 110 litres per head per day in new developments. The Written Ministerial Statement by the Secretary of State the Department for Environment, Food & Rural Affairs Reducing demand for water, 1st July 2021 set out that the Secretary of State would “write to local authorities to encourage them to adopt the optional minimum building standard of 110 litres per person per day in all new builds where there is a clear local need, such as in water stressed areas.” A subsequent letter from the Secretary of State to local authorities dated 1<sup>st</sup> September 2021 included that “we encourage Local Authorities to apply the tighter standard of 110 litres per person per day (l/p/d) set out in the ‘Housing: optional technical standards’ guidance and prescribed by regulation 36(2)(b) of the Building Regulations 2010’. Using the latest evidence, the Environment Agency has published its recommendation that additional areas in the South, East and the Midlands should be designated as in serious water stress.” This aspect was initially identified in The Watercycle Study for Greater Nottingham and Ashfield<sup>84</sup> which indicates that the water resource situation in the East Midlands is significantly constrained with little opportunity to develop new water resource schemes. Consequently, the Policy includes water efficiency measures which for residential developments are a requirement of a maximum 110 litres/person/day.
- 4.26 For commercial buildings, BREEAM (BRE Environmental Assessment Method) is widely accepted as a means to establish environmental sustainability for systems

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<sup>83</sup> <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

<sup>84</sup> Entec (2010) Greater Nottingham and Ashfield Outline Water Cycle Study.



within buildings. Water usage is one of the areas that BREEAM assesses, with extra credits given when water saving equipment is installed. This could include reducing water consumption through the use of meters, leak detection, water efficient appliances, or other appropriate measures.

- 4.27 Water conservation measures are also important in terms of water demand. The Policy incorporates a degree of flexibility on the exact methods to be utilised, which could include water butts, water saving devices, rainwater harvesting or greywater recycling. Garden water can be particularly important as garden hoses can use 280 litres of water in 30 minutes. Using rainwater or grey-water for gardening can result in substantial savings with a relatively low impact in terms of carbon load. In certain parts of the District, water conservation needs to be balanced against issues of low flows within local rivers and streams.
- 4.28 It is recognised that developments have to be economically viable and ecologically sustainable. The Council will work with developers to introduce water efficiency and conservation measure whilst not undermining the viability of development. The implication is that requirements can change over time with both national and local water efficiency requirements and the state of the local market for development.

### Policy CC3: Flood Risk and Sustainable Drainage Systems (SuDs)

<b>Policy CC3: Flood Risk and SuDS</b>	
Strategic Objectives	SO4, SO11, SO13, SO14.
<ol style="list-style-type: none"> <li>1. The Council will follow a sequential approach to flood risk management with the aim of locating development on land with the lowest risk of flooding.</li> <li>2. All development proposals will be required to consider the effect of the proposed development, including access and egress, on flood risk from all sources, ensuring on-site and off-site flood risk is not increased and where feasible is reduced, commensurate with the scale and impact of the development. Where appropriate<sup>85</sup> this should be demonstrated through a Flood Risk Assessment (FRA) which demonstrates how flood risk will be managed now and over the development’s lifetime, taking climate change into account, and with regard to the vulnerability of its users.</li> </ol>	

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<sup>85</sup> In accordance with national policy. Currently, under the National Planning Policy Framework 2021 in Flood Zone 1, a FRA will only be required for sites over 1ha.

<p>3. Development will not be permitted unless:</p> <ul style="list-style-type: none"> <li>a) In the functional floodplain (Flood Zone 3b), it is water compatible or essential infrastructure;</li> <li>b) In Flood Zones 2 or 3, the Sequential Test, and, if necessary, the Exceptions Test is satisfied as required by national policy. The Sequential Test for flooding will be applied district wide unless a smaller area of search could be justified to deliver local needs identified in other Local Plan policies; and</li> <li>c) It can be demonstrated through a Flood Risk Assessment that the development, including access/egress, will be safe, without increasing flood risk elsewhere or putting the development itself at risk of flooding.</li> </ul> <p>4. For surface water, greenfield development will not be permitted unless the management of surface water from the site mimics pre-construction conditions as close as is practically possible in terms of volume, velocity and receiving catchment. Run off from all developments, including brownfield sites, must be restricted to Qbar rates with no on site flooding predicted for the 100 yr plus 40% critical storm event (subject to any future amendments). The Council will use the Lead Local Flood Authority as a statutory consultee for all surface water proposals.</p> <p>5. Development will not be permitted unless:</p> <ul style="list-style-type: none"> <li>a) It incorporates Sustainable Drainage Systems (SuDS) to manage surface water drainage, in accordance with national standards, any local SuDS standards, and follows the guidance and principles contained within The (ciria) SuDS Manual unless it is proven that SuDS are not appropriate in a specific location;</li> <li>b) It is satisfactorily demonstrated how the long term maintenance of the SuDS scheme will be secured; and</li> <li>c) Where technical appropriate and viable, hard engineering solutions are avoided with SuDS being incorporated into the green/blue infrastructure network.</li> </ul> <p>6. The Council will take opportunities to remove problems from the drainage network and increase the capacity of the floodplain, wherever this can be achieved safely, in connection with new development.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023 WSP UK Limited.</li> <li>• Strategic Flood Risk Assessment Level 1, 2023. Ashfield District Council.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 14: Meeting the challenge of climate change, flooding and coastal change.</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Flood risk and coastal change as of August 2022.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>

- 4.29 The Council will work in partnership with the appropriate agencies (the Environment Agency, Nottinghamshire County Council as Lead Local Flood Authority, Severn Trent Water and the Canal and River Trust), developers and landowners to reduce the risk from flooding and ensure developments are neither at risk of flooding nor do they increase the risk of flooding to the surrounding area.
- 4.30 Flooding has a devastating impact on residents, business and provision of services. Consequently, the Policy aims to minimise vulnerability and provide resilience in relation to flooding and the impacts arising from climate change. Inappropriate development in areas at risk of flooding will not be permitted unless the applicant can show how the current risk of flooding will be mitigated to ensure the development is not at risk of flooding nor increases the risk of flooding to the surrounding area. The Council has placed an emphasis on a sequential approach to site selection and development within the Plan to minimise flood risk.
- 4.31 While much of Ashfield is located in Flood Zone 1, there are areas at risk of flooding from watercourses. Properties in parts of Hucknall are at risk of flooding from the Baker Lane Brook and some properties in Jacksdale are at risk from flooding from the River Erewash and the Bagthorpe Brook. Additional water run-off from development in Hucknall into the River Leen and its tributary streams has significant implications for flooding downstream in the City of Nottingham; reflected in the need to keep run-off in Hucknall to greenfield rates or lower if possible. Similarly, additional water into the River Erewash has the potential to flood parts of Pinxton and other areas outside the District. The Nottinghamshire Local Flood Risk Management Strategy 2021-27 identifies that approximately 3,783 residential, and commercial properties together with critical infrastructure is at a high or medium risk of flooding in Ashfield. The Council's approach seeks to ensure that no development is put at risk of flooding nor does it increase the risk of flooding to the surrounding area. It also promotes the use of SUDS and blue / green infrastructure throughout development to ensure a sustainable approach to the management of water and flood risk
- 4.32 In Sutton-in-Ashfield there is a problem of low flows in watercourses, and the advice from the Environment Agency is, where possible, to utilise infiltration to increase ground water levels. In relation to the Cauldwell Brook, water quality and habitat is important due to the presence of the white-clawed crayfish.
- 4.33 Flood risk can be increased by an urbanised environment if not designed carefully. Impervious soils, potential infrastructure failure, groundwater located near the surface and steep gradients often associated with old soil heaps can all contribute to an increase in risk. Where appropriate, evidence should be sought from local sources regarding past flooding and the location of springs. The impact of climate change and topography is anticipated to result in an increasing risk from surface water flooding in the District.
- 4.34 The following should be reflected in designing appropriate systems:
- a. Use of sustainable drainage systems (SuDS).

- b. Implement the principles of the Drainage Hierarchy:
  - 1. into the ground (infiltration);
  - 2. to a surface water body;
  - 3. to a surface water sewer, highway drain, or another drainage system;
  - 4. to a combined sewer.Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable.
- c. Incorporate water efficient design and technology.
- d. Protection of Drainage features.

### **Sequential and Exception Tests**

- 4.35 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Given the level of flood risk in Ashfield, it is considered appropriate that the sequential test for flooding should be applied district wide unless it can be demonstrated by the developer why a smaller area of search could be justified to deliver local needs. If, following application of the sequential test, it is neither possible nor consistent with wider sustainability objectives for the development to be located in zones with a lower probability of flooding, the Exception Test will be applied.
- 4.36 National policy and guidance set out tables and further information on the application of the respective tests. The Tests will not apply to minor development, but there may be individual circumstances, such as regeneration projects, where the Sequential Test may not be applied but the Exception Test is applicable. It is essential that the potential impact of climate change is taken into account over the lifetime of the development. Climate change requirements will be considered against the provisions in the National Guidance.
- 4.37 There may be circumstances where the development is in Flood Zone1 but the only or main access is through Flood Zone 2 or 3. In these circumstances it will be necessary to demonstrate that safe access and egress to and from the development can be achieved, include access and egress by emergency vehicles.

### **Flood Risk Assessments**

- 4.38 Any Flood Risk Assessment should have regard to a number of requirements including: flood hazards from all sources, the probability of flooding including allowances for climate change, flood risk management measures, including how SUDS will be incorporated into the design, ensuring the development is safe from flooding during its lifetime, safe access and egress, off site impacts, residual risks,

opportunities to reduce flood risk and, where appropriate, include a drainage assessment in accordance with the SUDS Manual or any updates or amendment.

### **Sustainable Drainage Systems (SUDS)**

- 4.39 SUDS is a non-traditional, environmentally friendly method of dealing with surface water run-off by providing a drainage system that:
- manages surface water run-off as close to the source as possible;
  - mimics natural drainage;
  - minimises pollution and flood risk resulting from new development.
- 4.40 SUDS includes taking into account long term environmental and social aspects in decision making about drainage systems; thereby increasing the value of properties affected and encouraging people to use external space. SUDS schemes bring multiple benefits by reducing flood risk, improving water quality, providing amenity areas, improving and providing habitats and creating attractive places.
- 4.41 The SUDS approach is presented in The SUDS Manual which includes methodologies for both outline and detailed drainage assessments for the site. Ideally, water should be dealt with at the individual property where it falls (source control) and appropriate measures can include green roofs, permeable surfaces and rainwater harvesting. Run-off from larger areas such as part of a housing estate, major roads or business parks may be dealt with by swales and detention basins.

### **Agriculture**

- 4.42 Agricultural practices can have substantial impacts on the ability of land to store water, regulate and balance river flows and remove pollutants. However, agriculture practice is largely outside the planning system and flooding issues in relation to agriculture are dependent on other legislative control measures and other policy actions.

## Chapter 5

# Protecting and enhancing Ashfield's character through its natural environment and heritage

## Policy EV1: Green Belt

- 5.1 This policy aims to protect the Green Belt from inappropriate development, except in very special circumstances. The essential characteristic of Green Belts are their openness and their permanence. The Policy is a restatement of national advice, included in the Local Plan for completeness.

<b>Policy EV1: Green Belt</b>	
Strategic Objectives	SO1, SO2, SO3, SO5, SO6, SO12, SO13, SO14.
<p>1. In the Green Belt, as defined on the Policies Map, permission for any inappropriate development which is, by definition, harmful to the Green Belt, should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.</p> <p>2. The Council will regard the construction of new buildings as inappropriate in the Green Belt, other than:</p> <p><b>New Buildings &amp; Facilities</b></p> <p>a. The construction of new buildings for agriculture and forestry.</p> <p>b. The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.</p> <p><b>Extension or Alteration</b></p> <p>c. The extension or alteration of a building within the Green Belt, where the proposal does not result in disproportionate additions over and above the size of the original building.</p> <p><b>Replacement of an Existing Building</b></p> <p>d. The replacement of a building within the Green Belt, where the proposed new building is in the same use and is not materially larger than the building it is replacing.</p>	

**Infill in Villages**

- e. Limited infilling in villages, and limited affordable housing for community needs under policies set out in the Local Plan.

**Infill, partial or complete redevelopment**

- f. The limited infilling or the partial or complete redevelopment of previously developed (brownfield) sites whether redundant or in continuing use (excluding temporary buildings), where the proposal would:

- i. not have a greater impact on the openness of the Green Belt than the existing development; or
- ii. not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable need within the area.

- 3. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purpose of including land in Green Belt. These are:

- a. mineral extraction;
- b. engineering operations;
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- e. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f. development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 13: Protecting Green Belt land.</li> <li>• Planning Practice Guidance: Green Belt as of July 2019.</li> </ul>

5.2 Consistent with national policy, the construction of new buildings is inappropriate in the Green Belt (as defined on the Policies Map); exceptions to this are set out at Policy EV1 and paragraph 149 of the NPPF. Certain other forms of development are also not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt; these are set out at paragraph 150 of the NPPF.

5.3 Although the policy criteria may be seen as a restatement of national advice, they are contained within Policy EV1 for completeness and to aid the user who wishes to see and fully understand the Council’s approach to proposed development in the Green Belt.

- 5.4 The implication of national policy on the Green Belt is that the Council, in considering a planning application for development in the Green Belt, must give “substantial weight” to “any harm to the Green Belt”. However, establishing the status of a proposed development – inappropriate or appropriate – remains only the first step. Thereafter, the application has to be considered against other policies in the Local Plan, in particular Policy EV10: ‘Protection and Enhancement of Landscape Character’, as well as national planning policy.

#### **New Buildings and Facilities**

- 5.5 EV1:2a) Many agricultural and forestry buildings are covered by The Town and Country Planning (General Permitted Development) Order 1995 and are permitted development. Where new buildings require planning permission, they should be restricted to cases where they are demonstrably essential and where the need for the proposed location has been established.
- 5.6 Where possible agricultural and forestry buildings should normally form part of a group, rather than stand in isolation and should relate to existing buildings in size and materials.
- 5.7 EV1:2b) New buildings and facilities that do not fall within agricultural or forestry uses, will only be considered if it can be demonstrated that the proposal is to be used in connection with the existing use of land or a change of use for outdoor sport, outdoor recreation, cemetery, burial ground or allotment uses. Any proposals that cannot demonstrate this or fall within another use, must successfully demonstrate the very special circumstances for justifying the development, as required by national planning policy.

#### **Extensions and Alterations**

- 5.8 EV1:2c) The NPPF indicates that the extension or alteration of a building is not inappropriate in the Green Belt provided that the proposal does not result in disproportionate additions over and above the size of the original building.
- 5.9 The phrase 'disproportionate additions' cannot be clearly defined, as much will depend upon the individual circumstances of the site and what type of addition is proposed. In determining applications, the Council will take into account factors such as the size of the original building, the scale, form, and prominence of the extension or alteration, and the impact of the proposal on the openness of the Green Belt. Proposals must not result in a large, bulky or intrusive building which would adversely impact on the openness of the Green Belt. Typically, an extension or alteration below an increase of 30% volume of the original building would not be considered disproportionate, provided the above factors are met.
- 5.10 There will inevitably be cases where ‘very special circumstances’ may be present which may be taken into account in considering applications. Such circumstances include:
- the size of the dwelling - a typical 30% extension to a very small dwelling could be extremely small and not result in an extension of any practical value;



- the extent to which the extension is justified in bringing a small dwelling up to modern standards of floorspace and accommodation;
- the design and relationship of the building to the type, scale and character of adjoining development;
- whether any buildings are to be demolished as part of the development, the volume of which can be offset against the proposed extension.

- 5.11 Extensions or alterations to small dwellings in the Green Belt should not result in the provision of large houses of suburban appearance, out of character with their rural setting and reducing the supply of smaller rural houses. In order to minimise impact, the proposed development will need to respect the design of the existing property, adjoining properties and the setting of the building. Advice on appropriate design principles for residential extensions is contained in the Ashfield Design Supplementary Planning Guidance<sup>86</sup>.
- 5.12 Regard will be given to previous extensions on the site, either allowed through Permitted Development Rights or through planning approvals. The original character of a building can be lost if the property is extended in an unsympathetic way through the addition of numerous extensions. The Council will take into account the original proportions of the building, prior to extensions being added. In some circumstances, it may be more appropriate to provide one new extension as a replacement for several existing extensions, especially where these are in poor condition or do not reflect the original character of the building. All applications will need to consider the impact of the cumulative extensions on the original building.
- 5.13 The design of any development should be sympathetic to the existing building, the plot size upon which the building is sited, the area adjacent to the site and its wider setting. Proposed changes, either individually or cumulatively should not over dominate the existing building.
- 5.14 The total floor area of the original dwelling will include any garage or domestic outbuilding within the curtilage of the dwelling that is used ancillary to the main dwelling and that was erected as part of the original development and still remains intact on site. Outbuildings added at a later date, regardless of whether planning permission was required, will not be included as part of the original dwelling.
- 5.15 Planning application proposals for ancillary residential buildings such as garages and other outbuildings that do not constitute permitted development under Schedule 2 Part 1 Class E of The Town and Country Planning (General Permitted Development) Order) or any superseding legislation, shall be treated as an extension.
- 5.16 Where ancillary domestic buildings are required in the Green Belt, they should be clearly subservient to their associated residential dwelling in terms of their function,

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<sup>86</sup> Residential Extensions Design Guide Supplement Planning Guidance, 2014. Ashfield District Council  
<https://www.ashfield.gov.uk/planning-building-control/development-management-documents/>

design and scale in order to safeguard the appearance and character of the countryside and to ensure the impact on the openness of the Green Belt is minimised. In granting planning permission for ancillary domestic buildings in the Green Belt, the Council may impose conditions preventing their conversion to residential accommodation without planning permission.

- 5.17 The Council will give consideration to the removal of permitted development rights when assessing proposals to extend a dwelling in the Green Belt.

#### **Replacement of Existing Buildings**

- 5.18 EV1:2d) The replacement of existing buildings need not be inappropriate providing that the new building is in the same use, is not materially larger than the original building it replaces, and where it can be demonstrated that the existing building is not of architectural or historic merit. Replacement buildings should be sited on or close to the position of the building it is replacing, except where an alternative siting within the curtilage demonstrably improves the openness of the Green Belt. Proposals for significantly different siting will only be supported where they result in a substantial visual improvement to the immediate setting. It is essential that such replacement buildings make a clear improvement to the surrounding area and the impact of generated traffic. This policy is not intended to formalise or give permanency to buildings of a clearly temporary nature.
- 5.19 Where an existing building is derelict or is structurally unsound, permission will not be granted for its replacement unless this has resulted from accidental damage, for example by fire, or subsidence, and in the case of replacement for residential purposes, where it can be demonstrated that the residential use has not been abandoned.

#### **Infill in Villages**

- 5.20 EV1:2e) The NPPF states that limited infilling in villages is not inappropriate development in the Green Belt, provided it preserves the openness of the Green Belt. The only villages 'washed over' by Green Belt is Bagthorpe (including Lower Bagthorpe and New Bagthorpe). Other smaller hamlets and outlying isolated settlements or extensions of other settlements within the Green Belt are not regarded as villages for the purpose of Policy EV1.
- 5.21 The Council defines limited infill development as the completion of an otherwise substantially built up frontage by the filling of a small gap normally capable of taking one or two dwellings only. A substantial built up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.
- 5.22 Not all small gaps are appropriate for infilling. Part of the character of Bagthorpe is made up of gardens, paddocks and other breaks between buildings, which is reflected in the Conservation Area designation of large parts of the village. Infill development may also not be desirable if it would consolidate groups of houses which are isolated from the main body of the village, or if it would consolidate a ribbon of development extending into the open countryside.

5.23 The above principles may also apply to infill for commercial, industrial, recreational or tourism purposes providing this would be in keeping with the character of the village and would not adversely affect residential amenity.

**Infill, partial or complete redevelopment**

5.24 EV1:2f) The NPPF states that limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, is not inappropriate development in the Green Belt, provided it would not have a greater impact on the openness of the Green Belt than the existing development and the purpose of including land within it than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable need within the area.

**Policy EV2: Countryside**

<b>Policy EV2: Countryside</b>	
Strategic Objectives	SO1, SO2, SO3, SO5, SO6, SO12, SO13, SO14.
<p>1. Where proposed development falls within Green Belt, Policy EV1 criteria will take precedent over the countryside criteria as set out below.</p> <p>2. In the countryside permission will only be given for appropriate development that is suitably located and designed so as not to adversely affect the character and appearance of the countryside.</p> <p>Appropriate development comprises:</p> <p><i>Rural Uses</i></p> <p>a) Rural uses including agriculture (including farm diversification), forestry, engineering operations, mineral extraction and waste disposal to reclaim mineral workings, cemeteries, outdoor sport and recreation and tourism;</p> <p><i>Business Uses</i></p> <p>b) Business uses where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>• there is a need for a particular rural location; and</li> <li>• there is a contribution to providing or sustaining rural employment to meet local needs.</li> </ul> <p><i>New Buildings</i></p> <p>c) Well-designed new buildings which are essential for uses appropriate to the Countryside, and the need for the proposed location has been established;</p>	

<p><i>Utilities and Infrastructure</i></p> <p>d) Utility installations and local transport infrastructure which can demonstrate a requirement for a rural location;</p> <p><i>Extension and Alteration</i></p> <p>e) Limited extensions or alterations of existing buildings where the resultant scale, form, and general design is in keeping with the host building, and its surroundings;</p> <p><i>Replacement of Existing Buildings</i></p> <p>f) Replacement of existing buildings provided that the new building is in the same or an appropriate rural use, is not materially larger than the one it replaces, and can be demonstrated that the existing building is not of architectural or historic merit;</p> <p><i>Infill Development</i></p> <p>g) Limited infill development which is sustainably located and does not have an adverse effect on the scale and character and appearance of the area.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan-making.</li> <li>• NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities.</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>

5.25 The Spatial Strategy to Deliver the Vision Policy S1 limits development outside the existing built-up areas or specific allocated sites to that which has an essential need to be located in the countryside. The purpose of this policy is to protect the countryside from inappropriate development.

5.26 Policy EV2 shows the types of development which are appropriate in the Countryside areas not designated as Green Belt. It supports the intention to locate most new residential and employment development within urban areas. Further, it responds to national government planning advice which supports sustainable economic growth, farm diversification and tourism and leisure developments that benefit rural businesses, communities and visitors and which respect the character of the countryside.

- 5.27 The Council will ensure that the character of the Countryside is protected and, where possible, enhanced. Any proposed development will need to be considered against other policies in the Local Plan, in particular Policy EV10: 'Protection and Enhancement of Landscape Character', as well as national planning policy.

### **Rural Uses**

- 5.28 **EV2:1a)** Appropriate uses must preserve the character of the Countryside, with those uses considered appropriate, designed to minimise the impact the development may have on its surroundings.
- 5.29 The Council recognises that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises. The Council will be supportive of well-conceived schemes for business purposes that contribute towards sustainable development objectives and help sustain the agricultural enterprise and are consistent in their scale with their rural location. Policy EM4: Rural Development, provides further details on this matter.
- 5.30 Certain recreational uses, such as country parks, golf courses and playing fields, need extensive areas of land, but generally preserve the openness of the Countryside. Such uses would be appropriate on suitable sites within the Countryside subject to considerations relating to loss of the best and most versatile agricultural land (see Policy EV8). Certain tourism uses, can also be appropriate provided that they are designed and located in a way which complements and does not adversely affect the character of the Countryside.
- 5.31 Cemeteries are acceptable in the Countryside, being large space users that are substantially open in character. Other appropriate development may include that for public utilities, such as the extension or construction of electricity transmission lines and pylons, railway installations, pumping stations and water reclamation works, which may need to be located in the Countryside.
- 5.32 Waste disposal operations may take place in rural locations as a means to use former mineral workings as voids for landfill, although this will be a matter for consideration by the Waste Authority, Nottinghamshire County Council. The responsibility for determining planning applications for waste disposal rests with the County Council and the District Council being a consultee on any relevant waste planning application

### **Business Uses**

- 5.33 **EV2:1b)** National planning policy indicates that economic growth should be supported in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Whilst this approach would be restricted in the Green Belt, within the Countryside, support will be given to encourage the sustainable growth and expansion of small scale businesses and enterprises. Policy EM4: Rural Development provides further details on this matter.
- 5.34 Other than for small scale proposals, new businesses should investigate the availability of existing sites, and new build development in the countryside will only

be supported where no alternative sites are available or there is a justification specific to the particular proposal.

- 5.35 Expansion of viable business and recreational uses will be supported subject to site specific assessment. It should be recognised that the expansion of any given site is likely to be limited at some point by its impacts on the Countryside.
- 5.36 Small rural businesses have traditionally supported each other and the rural economy through providing products and services and consequently employment closely related to their location. In recognising the contribution that such businesses make to achieving sustainable development through delivering the aims of the Spatial Strategy, the Council will support the expansion of existing businesses and establishment of appropriate new business.
- 5.37 Proposals to expand viable businesses will be supported where they can demonstrate an ongoing contribution to sustaining rural employment. This policy is not intended to allow the unlimited expansion of existing businesses. The visual or operational impacts may at some point outweigh the benefits of expansion.
- 5.38 Proposals for new businesses should be able to demonstrate both a need for a particular rural location and a contribution to sustaining rural employment. In the interests of minimising visual impact, new buildings should be restrained to the minimum necessary to sustain the business.

### **New Buildings**

- 5.39 **EV2:1c)** New buildings will be restricted in the Countryside to cases where it is essential for an appropriate Countryside use and the need for the proposed location has been established. Any new building should be at a scale which is appropriate to the nature of the site and its setting.
- 5.40 Unless there is an overriding need, residential dwellings are usually best sited within existing towns or villages. One of the few circumstances in which an isolated new dwelling in a rural area may be justified is when accommodation is essential to enable a full-time agriculture, or forestry worker to live at, or in the immediate vicinity of their place of work (NPPF, paragraph 80). Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. For any new dwelling, a functional test will be necessary to establish whether it is essential (rather than merely desirable) for the proper functioning of the enterprise for one or more workers to be readily available at most times to deal with animals or agricultural processes which require essential care at short notice or to deal quickly with emergencies that could otherwise cause serious loss of crops or products. The Council will also require the application of a financial test to show that the agricultural enterprise is financially sound. It may be necessary to provide business accounts or financial projections in support of an application to a basic level to assist a financial appraisal. All proposals will be considered against advice contained in Appendix 5 of this Plan.

**Utilities and Infrastructure**

- 5.41 **EV2:1d)** Utility installations and local transport infrastructure, such as electricity transmission lines or railway installations which can demonstrate a requirement for a rural location will generally be supported by the Council. It is important to ensure that these installations are sensitively located in order to minimise the adverse impact on the landscape or neighbouring properties. Careful siting, design and landscaping will normally be required, particularly in sensitive locations.

**Extension or Alteration of Existing Buildings**

- 5.42 **EV2:1e)** Extension or alteration of a building is not inappropriate in the Countryside, where the resultant scale, form and general design is in keeping with the host building and its surroundings.
- 5.43 Extensions or alterations to small dwellings in the Countryside should not result in the provision of large houses of suburban appearance, out of character with their rural setting and reducing the supply of smaller rural houses. In order to minimise impact, the proposed development will need to respect the design of the existing property, adjoining properties and the setting of the building. Advice on appropriate design principles for residential extensions is contained in the Ashfield Design Supplementary Planning Guidance.
- 5.44 In determining applications, the Council will also take into account factors such as the size of the original building, the scale, form, bulk and prominence of an extension or alteration, and the impact of the proposal on the character of the Countryside. Proposals must not result in a large, bulky or intrusive building which would adversely impact on the character of the Countryside.
- 5.45 Regard will be given to previous extensions on the site, either allowed through Permitted Development Rights or through planning approvals. The original character of a building can be lost if the property is extended in an unsympathetic way through the addition of numerous extensions. The Council will take into account the original proportions of the building, prior to extensions being added. In some circumstances, it may be more appropriate to provide one new extension as a replacement for several existing extensions, especially where these are in poor condition or do not reflect the original character of the building. All applications will need to consider the impact of the cumulative extensions on the original building.
- 5.46 The design of any development should be sympathetic to the existing building, the plot size upon which the building is sited, the area adjacent to the site and its wider setting. Proposed changes, either individually or cumulatively should not over dominate the existing building.
- 5.47 In the case of extensions to a dwelling, "original" means the dwelling as existing on 1st July 1948, even if the original dwelling has since been replaced. If no dwelling existed on that date, then "original" means the dwelling as first built after 1st July 1948. Extensions will only be allowed under the policy where the dwelling proposed to be extended remains intact on site.

- 5.48 The total floor area of the original dwelling will include any garage or domestic outbuilding within the curtilage of the dwelling that is used ancillary to the main dwelling and that was erected as part of the original development and still remains intact on site. Outbuildings added at a later date, regardless of whether planning permission was required, will not be included as part of the original dwelling.
- 5.49 Planning application proposals for outbuildings that do not constitute permitted development under Town & Country Planning Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development Order) or any superseding legislation, shall be treated as an extension.
- 5.50 The Council will give consideration to the removal of permitted development rights when assessing proposals to extend a dwelling in the Countryside.

#### **Replacement of Existing Buildings**

- 5.51 **EV2:1f)** The replacement of existing buildings need not be inappropriate providing that the new building is not materially larger than the original building it replaces, and where it can be demonstrated that the existing building is not of architectural or historic merit. Proposals for significantly different siting will only be supported where they result in a substantial visual improvement to the immediate setting. It is essential that such replacement buildings make a clear improvement to the surrounding area and the impact of generated traffic. This policy is not intended to formalise or give permanency to buildings of a clearly temporary nature.
- 5.52 Where an existing building is derelict or is structurally unsound, permission will not be granted for its replacement unless this has resulted from accidental damage, for example by fire, or subsidence, and in the case of replacement for residential purposes, it can be demonstrated that the residential use has not been abandoned.

#### **Infill Development**

- 5.53 **EV2:1g)** Limited infill for residential development may be acceptable in the Countryside, provided it preserves the character of the Countryside and is sustainably located. Regard should be made to the scale and character and appearance of the area when assessing development.
- 5.54 In determining whether a site is sustainably located regard should be had to the services and facilities within the area and whether or not these are accessible in relation to walking, cycling and public transport. If it is determined that it will be necessary to travel, by private motor vehicle, further afield to access a greater level of service provision to meet day-to-day needs, it is likely that the site is not in a sustainable location.
- 5.55 The Council defines limited infill development as the completion of an otherwise substantially built up frontage by the filling of a small gap normally capable of taking one or two dwellings only. A substantial built up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.



- 5.56 Not all small gaps are appropriate for infilling, for example where it would result in new development in an unsustainable location. Any proposal for infill development will need to have particular regard to Policy S2: Achieving Sustainable Development and Policy SD2: Good Design Considerations for Development.
- 5.57 The above principles may also apply to other purposes providing this would be in keeping with the character of the area and would not adversely affect residential amenity.

**Policy EV3: Re-use of Buildings in the Green Belt and Countryside**

- 5.58 This policy supports the re-use of appropriately located and suitably constructed buildings in the Green Belt and countryside where this would meet sustainable development objectives.

<b>Policy EV3: Re-use of Buildings in the Green Belt and Countryside</b>	
<b>Strategic Objectives</b>	<b>SO1, SO3, SO5, SO6, SO11, SO12, SO13.</b>
<p>1. The re-use of buildings in the Green Belt and countryside will be supported where:</p> <ul style="list-style-type: none"> <li>a) The buildings are in keeping with its surroundings by reason of their form, bulk and general design;</li> <li>b) The buildings are of a permanent and substantial construction, are structurally sound* and are capable of re-use without major alterations, adaptations or reconstruction, other than limited extension;</li> <li>c) The conversion works would not be detrimental to the character of the building itself;</li> <li>d) There is no materially greater impact than the present use on the openness and character of the Green Belt and Countryside. Within the Green Belt such proposals must not conflict with the purposes of including land in it;</li> <li>e) The proposed use would not result in an unacceptable proliferation of new farm buildings elsewhere on the site, or inappropriate outside storage of any materials, machinery and/or vehicles;</li> <li>f) The proposed re-use is not a building which has been built for agricultural or equine use within the last 10 years; and</li> </ul>	

<p>g) In the case of a building of historic or architectural value, the proposed scheme will preserve and enhance the building.</p> <p>2. Where the re-use of buildings in the Green Belt and Countryside is for employment uses, the business should be of a scale and type that is appropriate and consistent with the specific location, providing jobs and/or services to the local community.</p> <p>3. Where the re-use or adaptation of buildings in the Green Belt and Countryside is for residential purposes, this should not result in the creation of an isolated home. Where a re-use or adaptation for residential purposes is appropriate, the creation of a residential curtilage should not adversely affect the openness, character, or visual amenity of the area.</p> <p>4. Proposals that support employment, recreational and tourism uses will be treated favourably by the Council.</p> <p><i>*Applications should normally be accompanied by a structural survey and a Conversion Method Statement, effectively demonstrating that the building is capable of re-use without significant major alteration, adaptations or reconstruction.</i></p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan-making.</li> <li>• NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities.</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>

5.59 The Council will support the reuse of appropriately located and suitably constructed buildings in the Green Belt and countryside where this would meet sustainable development objectives. Preference will be given for the re-use of buildings for local business and commercial uses, as opposed to residential use, and this will be a material consideration in determining applications.

5.60 Considerable change has occurred in rural areas and in the methods and type of agricultural production. The reuse of rural buildings may help to reduce demands for new buildings in the countryside, encourage new enterprises and provide new jobs. The above policy includes detailed criteria to ensure that the proposal does not cause significant harm to the openness, character and appearance of the surrounding Green Belt or countryside.

- 5.61 Development in the Green Belt and countryside is strictly controlled by Policies EV1 and EV2. Where it is appropriate in principle and involves the reuse of existing buildings it is important to ensure that the resultant form, bulk and general design of the building is in keeping with the surroundings and that the overall character and quality of the building is retained.
- 5.62 Buildings which are not of permanent and substantial construction; are not structurally sound and are not capable of re-use without major alteration, adaptations or reconstruction, are considered unsuitable. Additionally, buildings should be physically capable of providing adequate accommodation without the need for significant extensions which would adversely affect the character of the building or its locality.
- 5.63 The conversion of buildings in rural areas to uses not originally intended in their design can result in visual intrusion and/or increased traffic and activity, resulting in a significant adverse impact on the Countryside. The Council will seek to ensure that any proposal is appropriate both for the building itself and for the area in which it is located. Proposed new uses should not have a materially greater impact on the openness and character of the Green Belt or Countryside, than the present use.
- 5.64 The re-use of agricultural buildings can result in the need for new farm buildings elsewhere on the farm or inappropriate outside storage of materials, machinery and/or vehicles. In certain areas new farm buildings and outside storage can adversely affect the local and wider landscape and it may be appropriate to control their proliferation by using planning conditions or negotiating a planning obligation.
- 5.65 In order to discourage abuse of the planning process, the Council will not consider favourably applications for the change of use of agricultural buildings to non-agricultural purposes, within ten years of their completion.
- 5.66 Listed buildings and buildings of architectural or historic interest will require special consideration, as detailed in Policy EV9. All proposals to reuse such buildings must be designed to protect their value or significance. This would usually involve minimal internal or external alterations.
- 5.67 Unused and underused buildings, especially those of traditional design and construction, provide habitats for some protected species, notably barn owls and some species of bats. This possibility should be considered during the preparation of schemes of conversion and provision made to retain and protect any nest or roost site which may be identified. This is a statutory requirement under the Wildlife and Countryside Act 1981.
- 5.68 In cases where the reuse of a building is for employment uses, the business should be of a scale and type that is appropriate and consistent with the location. Careful consideration will need to be made regarding the need for external storage, hardstanding, car parking and boundary treatments, to ensure that they do not have an adverse effect on the surroundings.

- 5.69 Where the re-use of a building within the Green Belt and countryside for residential purposes would result in the creation of a new isolated home, the Council will need to be satisfied that there are special circumstances such as those set out in paragraph 80 of the NPPF. Where special circumstances exist, the buildings should be physically capable of providing adequate accommodation without the need for disproportionate additions over and above the size of the original building, which would adversely affect the character of the building or its locality. The provision of a garden area to serve a converted building can also have an adverse impact on the local environment due to its position, extent, boundary treatment and the erection of additional buildings such as garages, sheds and greenhouses.
- 5.70 Where permission is granted for the residential re-use of buildings in the Green Belt, the Council may consider applying conditions which restrict permitted development rights.

**Policy EV4: Green Infrastructure, Biodiversity and Geodiversity**

- 5.71 This policy will deliver, conserve and enhance Green Infrastructure. It will also protect and enhance biodiversity and geodiversity, through the protection of Sites of Special Scientific Interest, Local Nature Reserves, Local Wildlife Sites and sites supporting Priority Habitats and Priority Species.

<b>Policy EV4: Green Infrastructure, Biodiversity and Geodiversity</b>	
Strategic Objectives	SO1, SO4, SO11, SO13, SO14.
<p><b>Green Infrastructure</b></p> <p>1. The delivery, conservation and enhancement of Green Infrastructure will be achieved through the establishment of a network of green corridors and assets, having regard to the Council’s Green and Blue Infrastructure and Biodiversity Strategy. This approach requires that:</p> <ul style="list-style-type: none"> <li>a. Existing Green Infrastructure corridors and assets are protected and enhanced to maintain the integrity of the overall Green Infrastructure network. Priority for the creation of new or enhanced strategic Green Infrastructure will be given to strategic and local links;</li> <li>b. Alternative scheme designs, including locations that minimise the impact on Green Infrastructure networks, should be considered before the use of mitigation (either on or off-site, as appropriate). Where new development has an adverse impact on Green Infrastructure (where no alternative is available), the need and benefit of the development will be weighed against the harm caused;</li> </ul>	

- c. Linkages between Green Infrastructure assets will be preserved, enhanced or created to improve public access and biodiversity value; and
- d. New or enhanced corridors and assets should be multi-functional, where appropriate. Proposals should demonstrate which functions will be delivered through the creation or enhancement of assets.

#### **Biodiversity and Geodiversity**

2. All proposals for development, other than those exempted through national legislation, will be required to demonstrate and deliver a minimum of 10% biodiversity net gain, calculated using the latest Natural England biodiversity metric (or an alternative metric set out in legislation), and taking consideration of any national or local guidance on what values should be used.
3. All development proposals should avoid and minimise fragmentation of habitats, and facilitate opportunities for the preservation, creation, restoration, enhancement and connection of priority habitats, having regard for habitats identified in the District's Biodiversity Opportunity Maps and for the recovery of priority species and habitats.
4. In considering development proposals affecting biodiversity and geodiversity the following will apply:
  - a. Development proposals likely to have an adverse effect on, Sites of Special Scientific Interest will not normally be permitted. An exception will only be made where the benefits of the development clearly outweighs the nature conservation value of the site and the broader impact on the national network of Sites of Special Scientific Interest;
  - b. Development proposals on, or affecting, Local Wildlife Sites (LWSs), Local Geological Sites (LGS), sites supporting priority habitats, or sites supporting protected or priority species, will not normally be permitted. Development may be permitted where it is clearly demonstrated that the need for the development outweighs the adverse impact on the nature conservation value of the site;
  - c. Development proposals on, or affecting, nationally and locally designated sites, habitats of Principle Importance, and priority, protected or notable species shall be supported by an up to date ecological impact assessment. Any significant harmful ecological impacts identified will be avoided through the design layout and detailing of development, with mitigation, and as a last resort, compensation (including off-site measures), provided where they cannot be avoided;
  - d. Development proposals, except for limited exemptions, will undertake a biodiversity assessment, using the most up-to-date DEFRA Biodiversity Matrix. A minimum biodiversity net gain (BNG) of 10% is mandatory. Biodiversity should be delivered on site in the first instance via habitat creation/enhancement, or by using off-site gains where necessary. As a last resort, biodiversity credits may be purchased where sufficient gains cannot be achieved on or off-site. Offsetting sites will need to be located in accordance with priority areas identified through

the Nottinghamshire Biodiversity Opportunity Map (BOM) and the Local Nature Recovery Strategy (LNRS) process. Land used to deliver BNG off-site will need to be secured for a minimum of 30 years and will be in addition to any requirements for mitigating impacts on habitats or species.

5. All development within 400m of the Sherwood Forest possible potential Special Protection Area (ppSPA) should be avoided. Exceptional circumstances where development may be permitted, would require development to demonstrate appropriate mitigation is secured to avoid or mitigate any adverse impact upon the integrity of the ppSPA.

Designated sites including Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR) are listed in Appendix 6 and are identified on the Policies Map. Local Wildlife Sites (LWS) and Local Geological Sites (LGS) are listed in Appendix 6 and are identified on the map for information purposes. This Policy will also apply to any new sites identified after the Local Plan is adopted but will not be illustrated on the Policies Map.

Evidence base	<ul style="list-style-type: none"> <li>• Ashfield Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> <li>• A Biodiversity Net Gain Framework for Nottinghamshire and Nottingham, 2023. BNG Working Group for Nottinghamshire and Nottingham.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> <li>• Natural England’s Green Infrastructure Framework – Principles and Standards for England 2022</li> </ul>

- 5.72 Planning applications should take into account, at an early stage, the evidence base set out for the Local Plan for green infrastructure and biodiversity mapping as well as other relevant maps available on these opportunities including those provided by the Environment Agency and Natural England.

**Green Infrastructure**

- 5.73 Green Infrastructure comprises networks of multi-functional green space, including green stepping stones, which sit within and contribute to, the type of high quality natural and built environment required to deliver sustainable communities. In the context of the Policy, it includes what is sometimes referred to as blue infrastructure; that is, the river and water environment. Development should seek to create, through new and improved green infrastructure, opportunities to improve flood risk management and to deliver multiple environmental benefits to assist in meeting the aims and objectives of the England Biodiversity Strategy and Water Framework Directive (WFD).

- 5.74 With climate change and the use of Sustainable Drainage Systems, water will need to be taken increasingly into account within the wider green infrastructure environment. Well-designed development which takes water into account can potentially result in multiple benefits including increasing biodiversity and reducing flood risk.
- 5.75 Delivering, protecting and enhancing these Green Infrastructure networks requires the creation of new assets to link with river corridors, woodlands, nature reserves, urban green spaces, historic sites and other existing assets. Green Infrastructure planning involves the identification of strategic networks of existing and proposed green spaces or corridors, to provide benefit to both communities and wildlife. Through the management, enhancement and extension of these networks, multi-functional benefits can be realised for local communities, businesses, visitors and the environment. In some cases, there may be a greater value for assets being uni-functional, such as where the highest priority is to protect and conserve sensitive species and habitats that might be damaged by recreational disturbance.
- 5.76 The local approach to Green Infrastructure and Biodiversity is set out in the Council's Green and Blue Infrastructure and Biodiversity Strategy. This examines the connectivity of green spaces at a local level and identifies green infrastructure network opportunities and ensures that the Green Infrastructure network is protected and enhanced.
- 5.77 New residential development will place additional demands on current Green Infrastructure assets and generate demands for new assets. In some cases, new residential development may impact directly on Green Infrastructure corridors and assets. When considering a proposal for development, the need for development and the benefits it will bring to the area should be weighed against any negative impacts. This could include looking at whether the assets are surplus to requirements, whether the development will only impact on a small area of a major asset or corridor, or if a wider need exists for the development and there is no better location for it.
- 5.78 If the benefits of proposed development outweighs adverse impacts, designs that minimise negative impacts will be sought. The form and nature of proposed mitigation, whether on or off-site, will depend on the context of the site and will be determined on a case-by-case basis, with reference to the Council's Green Infrastructure and Biodiversity Technical Paper and the Public Open Space Strategy. This will ensure that new provision relates well to the overall Green Infrastructure network, meets the locally adopted standards, and is suitable for the site.
- Biodiversity**
- 5.79 Ashfield is recognised as one of the most biodiverse areas in Nottinghamshire, due largely to its varied geological context of Magnesian Limestone, Triassic Sandstone (to the east) and coal measures (to the west). It is an area heavily scarred by the industrial development of recent centuries, which has both damaged and

fragmented habitats, while also creating new opportunities for wildlife in the form of disturbed and restored sites.

- 5.80 The District supports a broad range of habitats, including heathland, ancient woodland dumbles, calcareous grasslands (often on post-industrial sites) and fields rich in wildflowers. The east is characterised by small fields and streams, while the west and south contains large blocks of tree planting. The rivers and streams within the District provide habitat for significant populations of water vole and native crayfish.
- 5.81 In Nottinghamshire, more than 100 species have been lost during the last century, with many more species and habitats at risk. These losses can have severe repercussions for complex and often fragile ecosystems and key threats have been the intensification of agriculture and the pressures for built development. In addition, climate change poses a significant threat and some species and habitats may be at risk of dying out unless they can keep pace with the impact of a changing climate, while others may suffer from increased competition for water resources. Avoiding fragmentation of habitats is likely to be significant in enabling wildlife to adapt to climate change.

#### **Sites of Special Scientific Interest**

- 5.82 Ashfield has nine Sites of Special Scientific Interest (SSSI), representing some of the County's richest habitats and covering 92 hectares. These are spread across the area, and based on varied geology of limestone, coal measures and sandstone. SSSIs are protected by specific legislation which includes a requirement for positive management.

#### **Local Nature Reserves**

- 5.83 Local Nature Reserves (LNR) are sites mainly under the control of the local authority, designated in consultation with Natural England to encourage public access and enjoyment of the natural environment. Ashfield currently contains four LNRs as well as one on the boundary with Nottingham City.

#### **Local Wildlife Sites**

- 5.84 The protection and enhancement of locally designated wildlife areas such as 'Local Wildlife Sites' (LWS), is vital. They represent sites that are of at least County-wide importance, and form a crucial framework of 'stepping stones' for the migration and dispersal of species. In 2021, Ashfield was recorded as having 217 LWS although the number varies as new sites meeting the agreed criteria are identified while others are known to have deteriorated and may be removed. These sites are on both public and private land and are identified and surveyed by the local Biological and Geological Records Centre, based on criteria set by the Nottinghamshire LWS panel, and are subject to regular review.

#### **Geodiversity**

- 5.85 Geodiversity is the term used to describe the variety of ancient rock, fossils, minerals, earth structures, sediments, soils and more recent landforms (depositional and erosional features) that create the foundations of physical



landscapes and habitats. The recognition, management, and conservation of significant sites is important as it contributes to understanding and maintaining the natural environment, to scientific research and to teaching an understanding of the earth, as well as to leisure activities and the enhancement of green spaces. The industrial heritage of the area and building construction are closely linked to the geological resources of the area, particularly coal, clay, ironstone, sandstone and roofing flags. It is essential that geo-conservation factors are taken into account in the planning process, the opportunities for educational, scientific and recreational advance are appreciated and realised and that significant features of geological interest are conserved.

### **Local Geological Sites**

- 5.86 Local Geological Sites (LGS) are part of a national system to raise the profile and offer some protection to sites that contain important examples of the local geology. At the time of writing, Ashfield has 4 of the 133 recognised LGS in Nottinghamshire, 3 of which are also currently designated as LWS.

### **Development Proposals**

- 5.87 All development proposals need to protect and enhance biodiversity and geodiversity from the outset and seek to protect features such as trees, hedgerows, ponds and woodland. Planning applications should identify how these features will be managed in the long term.
- 5.88 Buildings should be designed to include roosting or nesting sites, where appropriate, and include landscaping within sites and along boundaries which can provide feeding and nesting opportunities as well as acting as habitat corridors aiding the passage of wildlife between sites. Developments can enhance biodiversity by incorporate bat, bee or bird nest bricks into their design. These are cheap, easy to maintain and effective way of encouraging wildlife to use new buildings. Good design for biodiversity can help bring wildlife into urban areas and be of benefit for quality of life, health and wellbeing as well as contribute to achieving Biodiversity Action Plan (BAP) targets. Planting and landscape designs, where possible, should predominately consist of native plants, grown from seeds of local provenance.
- 5.89 Development proposals should particularly seek to contribute towards the protection and preservation of priority habitats and species listed in Section 41 of the Natural Environment and Rural Communities Act 2006, and the objectives for priority habitats and species identified in the Nottinghamshire Biodiversity Action Plan (BAP). Proposals should also seek the protection, enhancement and linking of areas identified in the Ashfield Green and Blue Infrastructure and Biodiversity Strategy the Ashfield Biodiversity Opportunity Mapping Project (BOM), the Local Nature Recovery Networks and Local Nature Recovery Strategies. Proposals that could affect a site of value for biodiversity or geological conservation must be accompanied by sufficient information to assess the effects of development on protected sites, species, biodiversity or geology, together with any proposed prevention, mitigation or compensation measures.

5.90 It should be noted that knowledge of valuable sites and their condition is constantly changing and decisions will be based on the most up to date information available. The Nottinghamshire Biological and Geological Records Centre can provide general data for development sites, where appropriate and further information may also be available from the Nottinghamshire Wildlife Trust and any local nature groups.

### **Biodiversity Net Gain**

5.91 The Environment Act (the Act) sets out the Government's intention to improve air and water quality, protect wildlife, increase recycling and reduce plastic waste. A key part of the Act is to mandate biodiversity net gain (BNG) by amending the Town & Country Planning Act (TCPA). It is likely to become law in the form of BNG statutory instruments and regulations in 2023.

5.92 The Act sets out how the government plans to protect and improve the natural environment in the UK. It introduces a mandatory requirement for a minimum of 10% biodiversity net gain in the planning system, to "ensure that new developments enhance biodiversity and create new green spaces for local communities to enjoy".

5.93 The Act also introduces the concept of a national Nature Recovery Network (NRN) and the development of Local Nature Recovery Strategies (LNRS) across England.

5.94 It can be challenging to establish new habitats, and this will be taken into account when assessing the appropriateness of proposed mitigation measures. It is essential that the most important and irreplaceable habitats in the district, such as ancient woodland, are protected, so mitigation rather than retention will not be appropriate in some circumstances. It will also be important to ensure that invasive species such as Japanese knotweed are controlled.

5.95 It will be important not just to protect the biodiversity resources that already exist, but also to support restoration schemes and secure further enhancements in the area's nature conservation value where possible. This reflects the overall strategic importance of this area both within Nottinghamshire and as part of a wider ecological network. In consultation with the Council and other relevant bodies, the applicant will be required to demonstrate how they are achieving biodiversity net gain in a measurable way. A biodiversity metric calculation will be required for all major developments from January 2024 comprising:

- a) erection of 10 or more dwellings or housing development on a site of 0.5 ha or more.
- b) erection of a building or buildings where the floor space to be created is 1,000m<sup>2</sup> or more.
- c) development on a site of 1 ha or more.
- d) minerals or waste development.

5.96 Where an Ecological Impact Assessment (EclA), Written Statement or Preliminary Ecological Appraisal is required there should be a specific section titled "Net gain

for biodiversity” which clearly shows how the site has been assessed using the Defra Biodiversity Metric or Small Sites Metric. This will demonstrate the baseline value of the site (before development) and the post-development value – where it is suspected that the baseline value of the site has been affected negatively prior to assessment the Council will require an assessment of the site based on the condition before such an occurrence (this may need to be based on previous aerial photos and/or historic information) and if there is any doubt of the Distinctiveness or Condition it will be assumed that the highest likely value will apply.

- 5.97 The objective should always be to deliver a minimum of 10% net gain for biodiversity on-site, and wherever possible, the Council will endeavour to pursue a higher target, subject to local evidence and plan-based or site-based viability assessments. Promoters are encouraged to work through land equalisation measures, where appropriate, to ensure that the Biodiversity Net Gain can be achieved in the most efficient and appropriate way in the context of the entire allocation area.
- 5.98 It will be essential to appoint a suitably qualified Ecologist<sup>87</sup> at the earliest stage to be involved in the iterative design stage of the layout, the Ecologist should work closely with the Landscape Architect and Urban Designers to consider which options of the layout lead to the best possible outcome for achieving Net gain for biodiversity on-site. This type of information should be included in the Design and Access Statement (if appropriate) whereby different Options of layout are shown with their corresponding different Biodiversity Unit impacts – together with an explanation why one option has been chosen over another where the layout resulting in the lowest impact on biodiversity has not been taken forward to the proposed layout stage.
- 5.99 Evidence is required in the EclA to demonstrate the Ecological Consultant has been involved in the initial design of the layout in a meaningful way to help achieve a Net gain for biodiversity. As set out in paragraph 180 of the NPPF, this should include reference to the Mitigation Hierarchy of avoiding damage to sensitive ecological features, Minimising impacts on such sensitive ecological features, and where these first two steps cannot be achieved (with an explanation to justify why not) finally consider what level of compensation will be required either on-site or off-site (or both), this could take the form of a Section 106 Agreement.

#### **Possible Potential Special Protection Area (ppSPA)**

- 5.100 The UK government is required to identify how it can contribute to the conservation of particular bird species across their natural range in Europe through the protection of suitable sites. In doing this exercise it has identified that the populations of nightjar and woodlark in Sherwood may warrant such protection. A final decision has not been made and it remains under consideration as part of a UK-wide SPA Review Programme being led by the Joint Nature Conservation Committee. The Council will utilise Natural England’s “Advice Note to Local Planning Authorities” regarding the consideration of likely effects on the breeding

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<sup>87</sup> As defined in BREEM

population of nightjar and woodlark in the Sherwood Forest region as the basis of its approach to planning applications potentially impact on the possible potential Special Protection Area (ppSPA).

## Policy EV5: Protection of Green Spaces and Recreation Facilities

5.101 This policy aims to protect green spaces and recreational facilities and sets out the criteria against which the loss or partial loss would be considered.

<b>Policy EV5: Protection of Green Spaces and Recreation Facilities</b>	
<b>Strategic Objectives</b>	SO1, SO2, SO4, SO5, SO14.
<ol style="list-style-type: none"> <li>1. Green spaces and recreation facilities will be protected by restricting development to appropriate recreation uses or recreation facilities that are of a scale appropriate with the size of the space.</li> <li>2. The Council will resist the loss or fragmentation of green space and recreation facilities identified on the Policies Map and listed in Appendix 7.</li> <li>3. The Council will resist the loss or fragmentation of green space not identified on the Policies Map, which meet one of the following criteria:               <ol style="list-style-type: none"> <li>a. Contribute to the distinctive form, character and setting of a settlement;</li> <li>b. Contribute to the visual quality of the locality;</li> <li>c. Create a focal point within the built up area;</li> <li>d. Provide the setting for heritage assets;</li> <li>e. Form part of an area of value for wildlife, sport or recreation, including areas forming part of a 'green corridor'; or</li> <li>f. Form the only accessible green space (as identified within the Public Open Space Strategy) for some residents.</li> </ol> </li> <li>4. Development that would lead to the loss or partial loss of a green space or recreation facility will be permitted where it meets one of the following criteria:               <ol style="list-style-type: none"> <li>a. An assessment has been undertaken which clearly shows the green space or recreational facility to be surplus to requirement;</li> <li>b. It is ancillary to the recreation use, or it would assist in the retention and enhancement of the recreational use of the site; or</li> <li>c. Adequate replacement provision of new green space is provided in the locality;</li> <li>d. It is proposed to make significant improvements to the overall quality of the recreation provision in the locality.</li> </ol> </li> </ol>	

<p>5. Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space.</p> <p>Sites may be subject to review and regard will be had to any update in the Council's Public Open Space Strategy and Playing Pitch Strategy. Any new green spaces or recreational facilities developed after the Local Plan is adopted will be protected under this Policy.</p>	
<p>Evidence Base</p>	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> <li>• Ashfield Playing Pitch Strategy, 2023.</li> </ul>
<p>National Planning Policy and Guidance</p>	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>

5.102 Green Spaces contribute towards quality of life in the district through providing opportunities for formal and informal recreation. They also contribute towards the overall green infrastructure and the range of social, economic and environmental benefits this provides. Policy EV5 will increase opportunities for pursuing a healthy lifestyle, by maintaining and enhancing recreation opportunities, while also protecting the integrity of the Green Infrastructure network.

5.103 The current network of green spaces and recreation facilities within Ashfield's towns and villages makes a significant contribution to their character and attractiveness. Green space takes many forms including town parks, formal gardens, country parks, informal woodland, restored landscapes, play areas, recreation grounds and sports facilities, school playing field, local small green spaces, green routes, reservoirs, allotments, cemeteries and church yards, undeveloped parcels of land, and semi-natural areas. Many provide important recreational and sporting facilities and whatever their size, function and accessibility they all contribute to local amenity and biodiversity.

**Protection of Green Space and Recreational Facilities**

5.104 It is important to prevent the loss of green space where this would harm the character of a settlement or the visual quality of the locality. Sites are shown on the Policies Map and listed in Appendix 7.

5.105 Ashfield's Public Open Space Strategy and Playing Pitch Strategy provides evidence on the existing green space network and its recreational values. It provides a basis for improving the quality and potential uses of green spaces to cater for increasing future demand arising from growth and the changing needs of the community. The Strategies set out standards for the provision of green spaces and identifies deficiencies in the quantity, quality or accessibility of green spaces.

Prospective developers will be expected to make appropriate provision to address deficiencies in green spaces, and for the needs arising from their development, in accordance with these standards or subsequent review of standards.

- 5.106 Outside the Main Urban Areas, Named Settlements and Villages, development proposals affecting green spaces or recreational facilities should initially comply with Policy EV1 - Green Belt and Policy EV2 – Countryside. These policies identify the limited types of development which may be appropriate in the rural parts of the District.
- 5.107 Proposals which are ancillary to the recreation use of the site and which add to its recreation value such as football changing rooms or a cricket pavilion may be acceptable if they are sited to minimise effects on the open character of the area. On private green spaces in particular, it may be appropriate to allow limited development on a small part of the site where this would result in retention of the majority of the green space including upgrading of the facility and improved public use of the site.

#### **Protection of Other Green Space**

- 5.108 In addition to the protection of accessible green space and recreational facilities, area EV5/206 to the south of Hucknall is considered to be an important area of green space. The area is important for several reasons including its effectiveness as a buffer between the existing development and the Hucknall Bypass (A611), and for its visual amenity within the built-up area.
- 5.109 The Council will resist the loss or fragmentation of other Green Spaces not identified on the Policies Map where it would harm the character of a settlement or the visual quality of the locality. This approach accords with the Council's Public Open Space Strategy aims and objectives, which state that adequate protection of other smaller, valuable green spaces should be introduced through the Local Plan process.

#### **Exceptions**

- 5.110 Existing green spaces and recreational facilities, including playing fields, should not be built on unless an assessment has been undertaken which clearly shows that the green space is surplus to requirement.
- 5.111 In some circumstances the loss of an area may be acceptable where a replacement facility is provided in the immediate locality serving the same local resident population. This may include, for instance, cases where a site is required to enable the comprehensive development of an area. Where replacement formal sports facilities such as football pitches are to be provided these should be available for use prior to loss of the ground or pitch to be replaced. This will be negotiated and secured through a Section 106 Planning Agreement.
- 5.112 Exceptionally, the loss of green space may also be acceptable where it is proposed to make a significant improvement in the type, quality and general availability of green space in the locality. This may include the loss of an area with restricted

public access, or an area with no formal play provision and the subsequent improvement of an existing nearby area through the provision of formal sports facilities that are much needed in the locality and where general public access will be allowed. The loss of an existing area and subsequent provision of an off-site replacement or improvement of facilities will need to be negotiated with the Local Planning Authority and will be secured by a planning condition or developer contribution as appropriate.

- 5.113 The Council will resist the loss or fragmentation of green space and recreation facilities identified on the Policies Map and listed in Appendix 7; and other green space not identified on the Policies Map which contribute to the distinctive form, character and setting of a settlement or an area. This approach accords with the Council's Public Open Space Strategy aims and objectives, which state that adequate protection of smaller, valuable green spaces should be introduced through the Local Plan process.
- 5.114 Where the educational use of a site ceases, proposals for the development of its playing fields will only be considered favourably where it can be demonstrated to meet the criteria set out in Policy EV5.

#### **Flood Resilience Scheme within Green Spaces**

- 5.115 Green spaces can provide suitable locations for schemes such as flood alleviation schemes to be delivered without adversely impacting on the primary function of the green space. If the correct scheme is chosen, the flood alleviation schemes can result in additional benefits to the local green space through biodiversity and amenity benefits.

### **Policy EV6: Trees, Woodland and Hedgerows**

- 5.116 This policy is intended to protect the natural environment, including biodiversity, by minimising the loss of trees, woodlands and hedgerows where development is proposed.

<b>Policy EV6: Trees, Woodland and Hedgerows</b>	
Strategic Objectives	SO1, SO4, SO5, SO11, SO13, SO14.
<p>1. New development shall make provision for tree retention and planting within the application site, particularly on the street frontages, or off-site in appropriate situations, to improve the level of tree coverage within the District.</p> <p>2. Development proposals will not be permitted where they would:</p>	

<p>a. Result in the loss or deterioration of Ancient Woodland and ancient, aged or veteran trees, unless there are wholly exceptional circumstances and a suitable compensation strategy exists;</p> <p>b. Give rise to a threat to the continued wellbeing of trees or woodland which are subject to a Tree Preservation Order, in a Conservation Area, or are trees or hedgerows of visual, historic or nature conservation value; or where development is within the canopy or root zone of trees considered worthy of retention, unless:</p> <ul style="list-style-type: none"> <li>• there are sound arboriculture reasons for the removal of trees or hedgerows; or</li> <li>• the work would enable development to take place that would bring sufficient benefits that clearly outweigh the loss of the trees, woodland or hedges concerned; and</li> <li>• appropriate replacement hedgerows are provided for on site, or if necessary off site, and</li> <li>• appropriate replacement trees are provided for on site, or if necessary off site, at a minimum ratio of 2 new trees for every 1 lost. Replacement trees should be of a sufficient size and quality and have adequate space to grow to maturity. Where mature trees are lost, this includes a requirement for replacement trees of at least heavy standard. Measures must be in place to ensure that these new trees are adequately maintained over the lifetime of the development to ensure success establishment.</li> </ul> <p>3. To ensure existing trees and hedgerows are appropriately protected during the construction process, the Council will require development proposals to submit details of the tree protection measures to be utilised on site during the construction process.</p> <p>4. Where the benefits of the development clearly outweigh the harm resulting from the loss of trees, woodlands or hedgerows, provision should be made for appropriate mitigation measures, reinstatement of features and/or compensatory planting, landscaping and habitat creation to ensure no net loss of valued features. Replacement planting should use native species and complement the landscape character of the area.</p> <p>Existing Ancient Woodland sites are listed in Appendix 8 and shown on the Policies Map. Any new sites identified after the Local Plan is adopted will be protected by this Policy.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> </ul>



	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>• Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>
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5.117 Trees, woodland and hedgerows are important to the quality of Ashfield’s environment, facilitating health and wellbeing. They also have multiple wildlife benefits in providing habitat, habitat links and foraging areas for numerous flora and fauna. The protection of these both in the public and private realm, within development proposals, will be sought in order to meet the Council’s duties in relation to biodiversity. New development should seek to ensure that new landscaping is primarily of wildlife friendly species and adds to the linking of green areas across the District.

5.118 Development proposals will be expected to avoid harm to existing trees, woodland and hedgerows, and incorporate them within a landscape scheme, except where their long-term survival would be compromised by their age or physical condition or there are exceptional and overriding benefits in accepting their loss.

5.119 The retention of existing trees, woodlands and hedgerows can assist in integrating new development into the local environment by providing some mature, established elements within landscaping schemes. Mitigation, replacement or compensatory measures will be required when this cannot be achieved, to ensure that there is no net loss of environmental value as a result of development; these should be secured by condition or through S106 Agreement. Policy SD2: Good Design Considerations for Development, provides details on the provision of new planting within development sites.

5.120 To comply with Policy EV6 and to provide an informed basis for decisions, it is essential that development proposals commission a detailed tree and hedgerow survey. These should be submitted before validation of a planning application. This applies to all sites on which trees and hedgerows are growing and those proposals that will affect neighbouring trees and hedgerows. A pre-development survey should be carried out by a competent arboriculturist and record information on trees and hedgerows on a site independently of and before any specific layout or design is produced.

**Trees and Woodland**

5.121 Whilst Ashfield has some important woodlands and areas with substantial numbers of trees, other areas lack tree cover. It is therefore vital to ensure that important trees and woodlands are protected and canopy cover extended in areas lacking cover, including in conjunction with new development.

5.122 Trees can add great beauty and a sense of place and character to our District’s landscape. They enhance the structure and layout of our towns and villages, and many provide important landmarks. They offer a variety of form, texture, colour, shape and seasonal change; they also complement the built environment by providing screening, perspective, focal points, privacy and seclusion, and they

define and separate open spaces. Trees are often greatly valued by the local community and visitors.

- 5.123 Trees can also make a positive contribution towards reducing the effects of future climate change by dissipating the impact of heavy rainfall, reducing urban temperatures and providing shade and protection against the detrimental effects of sunlight. New development should seek to incorporate strategically sited large canopy species trees that will provide shade and cooling to developments, particularly to street frontages, large hard landscaped areas and other areas of public realm.
- 5.124 Residential gardens provide a key space for trees to deliver biodiversity and climate change adaption. Garden trees should be in addition to and not instead of street or other public realm trees. All residential developments are encouraged to have suitable garden trees, especially within larger gardens. All rear garden trees are advised to be 2m high, containerised and planted within the planting season.
- 5.125 Tree removal and site clearance prior to the planning process can have significant consequences to the ability to deliver sustainable development. Pre-emptive felling is strongly discouraged. If the Council considers that pre-emptive tree, woodland, or hedgerow removal has occurred, the Council will seek replacement planting as part of any planning process.
- 5.126 Development proposals must demonstrate protection measures are in place prior to any work on site, and opportunities for the restoration, enhancement or planting of trees, woodland and hedgerows identified and incorporated. Applications shall identify their position, canopy spread, and provision made for their protection during construction and long-term retention. An ecologist should be employed prior to any vegetation removal to assess any potential impacts on protected species including bats and nesting birds. The applicant (with the exception of householder applications) will be expected to comply with the procedures and recommendations laid out the current British Standard regarding trees in relation to construction.
- 5.127 Where there are overriding reasons for the removal of trees, appropriate replacement trees must be provided for on site, or if necessary off site, at a minimum ratio of 2 new trees for every 1 lost in order to maintain and enhance the character and appearance of the area, to provide for biodiversity, to contribute to measures to support green infrastructure, reduce carbon and to adapt to climate change. Replacement trees should be of at least heavy standard, locally native and longer-lived tree species. Measures must be in place to ensure that these new trees are appropriately maintained and managed over the lifetime of the development. A 10-year Management Plan will be required to ensure a successful establishment period.
- 5.128 Off-site tree provision will be appropriate in some cases where it has been demonstrated that acceptable development cannot provide an appropriate level of mitigation planting (where trees are to be removed) and/or new planting within the site. Tree stock should either be UK grown or sourced from a domestic nursery that

retains its trees for a minimum of one year (a full growing season) within the UK before sale to ensure plant health and non-infection by foreign pests or disease.

- 5.129 Where specific trees or groups of trees within a development site are of particular value (such that their removal would have a significant impact upon the local environment and its enjoyment by the public), and are potentially under threat, the Council will make Tree Preservation Orders to protect them. Where trees are covered by Tree Preservation Orders, the policy is intended to safeguard them from damage or destruction unless there are overriding reasons for their removal.

#### **Ancient Woodland and Ancient or Veteran Trees**

- 5.130 Policy EV6 sets out protection for ancient or veteran trees. Under the Policy it has to be determined that there are wholly exceptional reasons for the loss of an ancient or veteran tree. Only if it is determined there are wholly exceptional reasons should consideration be given to whether there is a suitable compensation strategy.
- 5.131 An ancient woodland is an area which has had continuous cover of native trees and plants since at least 1600 A.D., neither having been cleared nor extensively replanted since then. The date is adopted as marking the time when forestry began to be widely adopted and when evidence in map form began to become available. Ancient woodlands in particular are exceptionally rich in wildlife, and often contain important archaeological and heritage features relating to their past management. Planning Practice Guidance identifies that both Ancient Semi-Natural Woodland (ASNW) as well as Plantations on Ancient Woodland Sites (PAWS) are ancient woodland. Both types should be treated equally in terms of the protection afforded to ancient woodland in the NPPF. Eleven Ancient Woodland sites have been identified by Natural England within Ashfield (see Appendix 8).

#### **Hedgerows**

- 5.132 Hedgerows are the most traditional types of field boundaries in many areas and make an important contribution to the landscape of the District. They are often of considerable historic and wildlife interest and, particularly in the case of older hedgerows, often contain a great diversity of plant and wildlife species. The loss of hedgerows from the countryside landscape is a continuing cause for concern.
- 5.133 On the 1st June 1997 the Hedgerows Regulations came into force under Section 97 of the Environment Act, 1995. They introduced new arrangements for local planning authorities to protect "important" hedgerows in the Countryside, by controlling their removal through a system of notification.
- 5.134 The Hedgerows Regulations set out criteria that must be used by the local planning authority in determining which hedgerows are "important". The criteria relate to the value of hedgerows from an archaeological, historical, landscape and wildlife perspective. There is a strong presumption that "important" hedgerows and other hedgerows, will be protected and wherever possible incorporated into open space and landscaping proposals for new development.

## Policy EV7: Provision and Protection of Allotments

5.135 This policy aims to protect existing allotments and provide new allotments in order to meet a locally identified need.

<b>Policy EV7: Provision and Protection of Allotments</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO14.
<p>1. The Council will support the provision of new allotments in order to meet a locally identified demand. Where residential development results in an additional demand for allotments in a locality, new provision could form part of the on-site open space requirement, or a planning contribution may be required towards either improving existing allotments or providing new allotments elsewhere, as set out under Policy H5.</p> <p>2. Development on allotment land for alternative uses will only be permitted where:</p> <ol style="list-style-type: none"> <li>it can be demonstrated that the allotments are no longer required through a lack of demand, the green space is surplus to requirements in the locality and the benefits from the proposed development outweigh the impacts on biodiversity, or</li> <li>there are overriding sustainability benefits from the proposed development and appropriate alternative provision of allotments will be made in the locality.</li> </ol> <p>Protected allotments are listed in Appendix 9 and identified on the Policies Map. Any new allotments developed after the Local Plan is adopted will be protected under this Policy.</p>	
Evidence base	<ul style="list-style-type: none"> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> </ul>

### Allotment provision

5.136 Allotments are an important component of open space and offer a diverse range of benefits for people, communities and the environment. An allotment provides opportunities for people to grow their own produce and enjoy a healthier lifestyle and diet. It also offers the opportunity for community interaction, they are socially inclusive and provides environmental benefits through green space and wildlife habitats.

5.137 The Ashfield Allotment Strategy identifies that the District's population is set to grow over the next fifteen years and it is therefore vital to ensure sufficient allotment

gardens are available for the increasing population. Where appropriate, new residential development should facilitate opportunities for local food growing and for major residential development this may include the provisions of new or expanded allotments.

- 5.138 The requirements for allotments as part of any major residential development proposals will be assessed in relation to local provision and the potential demand created by the residential development. Information on demand is set out in the Council's Allotment Survey Technical Paper and Allotment Strategy. The National Society of Allotments and Leisure Gardens recommend a standard plot size of 250 sq. metres and 20 allotments per 1,000 households (i.e. 1 allotment per 50 households). Based on an average household size of 2.2 this equates to 20 allotments per 2,200 people. This will be utilised as a basis to agree any required provision of allotments.
- 5.139 Allotment sites are an important component of green space provision and can have benefits for biodiversity. The NPPF stresses the important contribution that open space makes towards the health and wellbeing of local communities. It identifies that open space should not be built on except in specific circumstances. This is reflected in the policy, which stresses that the loss of allotment land will only be permitted where it can be clearly demonstrated that there is no longer a demand for allotments in the locality and it does not have a detrimental impact on the provision of green space or biodiversity in the locality.
- 5.140 In exceptional circumstances, the development of an allotment site may be permitted, even where there is a demand for the allotments, provided it can be demonstrated that there are overriding sustainability benefits from the proposed development. Under these circumstances, the developer will be required to provide an alternative suitable site for allotments to serve the local community. In this context, an alternative site must be of a similar amount of land with similar or improved facilities (such as a water supply) the soils are of a similar or improved fertility, the site is readily accessible by foot, bicycle and car to the residential area the existing allotment site serves and, where appropriate, provides adequate parking within or adjacent to the site.

#### **Private allotments**

- 5.141 The Parliament Select Committee Reports on the provision of allotments have identified that there can be problems with blight on some private allotments. The actual loss of a site is only the final step in a complex and often lengthy process. Prior to the change of use, there will often have been many months or years of uncertainty about the future of the site. Constant rumours and repeated planning applications for development of a site impact upon the morale of the allotment holders and, ultimately, increase the number of untended plots. The approach of non-maintenance and running down of allotments will not provide evidence of a lack of demand for allotments in the locality.

## Policy EV8: Agricultural Land Quality

- 5.142 This policy is intended to protect the best and most versatile agricultural land – Grade 1, 2 and 3a (There is no Grade 1 agricultural land in Ashfield).

<b>Policy EV8: Agricultural Land Quality</b>	
Strategic Objectives	SO1, SO13, SO14.
<p>Agricultural land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification is the best and most versatile agricultural land and should be conserved as a finite resource for the future. Development on the best and most versatile agricultural land will only be permitted if it can be demonstrated that there is an overriding sustainability benefit from the development and there are no realistic opportunities for accommodating the development elsewhere.</p>	
Evidence base	<ul style="list-style-type: none"> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> </ul>

- 5.143 The global demand for food production is likely to increase in future years and in this context high quality agricultural land is an important resource. Once developed, returning land to viable agriculture is rarely feasible. Consequently, it is important to protect the best and most versatile agricultural land and minimise its loss to development to safeguard this resource for future generations.
- 5.144 The Agricultural Land Classification system assigns five grades (Grade 3 being subdivided) dependent on climate, site and soil characteristics. The best and most versatile land is classified as Grades 1, 2 and 3a. There is no identified Grade 1 land in Ashfield. Grade 2 land and Grade 3 land is located around Hucknall, to the south and east of Annesley Woodhouse, to the west of Kirkby-in-Ashfield and Sutton-in-Ashfield and to the north of Sutton-in-Ashfield. The location of the better-quality land on the urban fringe means that there may be a requirement for land to be used for other purposes and these issues should form part of the determination of sustainable development through the Local Plan. Land outside these allocations should remain as an important agricultural resource.
- 5.145 Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable or available lower grade land has environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

- 5.146 Agricultural Land Classification maps are typically only available at 1:250 000 scale and do not identify the subdivision of Grade 3 land. Under these circumstances, before planning applications are considered on land within the best and most versatile land, the applicant will need to undertake survey work to identify the Agricultural Land Classification. Field surveys are usually time consuming and should be initiated well in advance of the intended date of any planning application.

## Policy EV9: The Historic Environment

- 5.147 This policy aims to conserve and enhance all heritage assets within the District in a manner appropriate to their significance. Heritage assets, include Listed Buildings, Conservations Areas, Scheduled Monuments, Historic Parks and Gardens, Areas of Archaeological Interest and Non-Designated Heritage Assets.

<b>Policy EV9: The Historic Environment</b>	
Strategic Objectives	SO1, SO3, SO7, SO8, SO11, SO13, SO14.
<b>All Heritage Assets</b>	
<ol style="list-style-type: none"> <li>1. A proposal must have regard to its impact on the historic environment and will be expected to be in line with advice and guidance contained within conservation area appraisals, characterisation studies and other relevant guidance. A proposal will be considered acceptable where it will conserve and, where appropriate, enhance the historic environment, including designated and non-designated heritage assets and their setting.</li> <li>2. Proposals that affect designated and non-designated heritage assets should be accompanied by a Heritage Statement that provides a proportionate assessment of the significance of the heritage asset, and where appropriate its setting, and an assessment of the impact of the proposal on the significance.</li> <li>3. Proposals that conserve or enhance the significance of designated and non-designated heritage assets and their settings, through appropriate scale, siting, high quality design and materials will be supported.</li> <li>4. Proposals that effect heritage assets will be supported where the proposals conserves or enhances the heritage asset. Proposal that harm the significance of a heritage asset will only be supported where it is demonstrated that the harm is justified and the public benefits clearly outweigh the harm.</li> </ol>	
<b>Designated Heritage Assets</b>	
5. Designated Heritage Assets in Ashfield include:	

- a. Conservation Areas;
  - b. Listed Buildings (including attached and curtilage structures)<sup>1</sup>;
  - c. Scheduled Monuments;
  - d. Registered Parks and Gardens.
6. Proposals, including demolition, that are likely to result in substantial harm to or total loss of Grade I, Grade II\* Listed Buildings, Grade I or Grade II\* Registered Parks and Gardens or Scheduled Monuments and their setting, will only be permitted in wholly exceptional circumstances.
7. Proposals that will result in the substantial harm to or total loss of the significance of a Grade II Listed Building, Grade II Registered Park and Garden, Conservation Areas and their setting, will only be permitted in exceptional circumstances.
8. Proposals that will result in substantial harm to or loss of the significance of a designated heritage asset and their setting will be refused unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a. the nature of the heritage asset prevents a reasonable use of the site and the site cannot be developed in a less harmful way; and
  - b. through marketing there is no viable use of the heritage asset, and grant funding is not available; and
  - c. the benefit of bringing the site back into use outweighs the harm or loss.
9. Proposals that result in less than substantial harm to the significance of a designated heritage asset will only be permitted where it is demonstrated that the proposal shall deliver public benefits that outweigh the harm, including securing the heritage asset's optimum viable use.

### **Non-Designated Heritage Assets**

10. Non-Designated Heritage Assets in Ashfield include:
- a. Local Heritage Assets<sup>2</sup>;
  - b. Sites or Areas of Archaeological Interest<sup>3</sup>;
  - c. Unregistered Parks and Gardens<sup>3</sup>;
  - d. Landscape features as defined in the Landscape Character Assessment (2009) including ancient woodlands and veteran trees, field patterns, watercourses, drainage ditches and hedgerows of visual and historic value.
11. Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, will be considered subject to the policies for designated heritage assets.



12. A balanced judgement shall be taken with proposals that affect directly or indirectly non-designated heritage assets, having regard to the scale of the harm or loss and the significance of the heritage asset.

Demolition will only be permitted where it is demonstrated:

- a. that the architectural or historical significance of the non-designated heritage asset is minimal; or
- b. through an up to date structural report, that the non-designated heritage asset is not capable of viable repair; or
- c. through appropriate marketing, that the non-designated heritage asset has no viable use.

Existing Conservation Areas are detailed in paragraph 5.153 and shown on the Policies Map. Listed Buildings, Scheduled Monuments and Registered Parks and Gardens are listed in the National Heritage List for England, Scheduled Monuments are also listed in Appendix 10 and shown on the Policies Map. Registered and Unregistered Parks and Gardens are listed below in paragraph 5.175 and shown on the Policies Map. Any new sites identified after the Local Plan is adopted will be protected under this Policy.

1 Any object or structure fixed to the principal listed building or any object or structure within its curtilage that has formed part of the land since before 1st July 1948 is also protected.

2 As identified in the Nottinghamshire Historic Environment Record (HER) or by the District Council using the guidance publication Local Heritage Assets in Ashfield: Criteria.

3 As identified in the Nottinghamshire Historic Environment Record (HER).

Evidence base	<ul style="list-style-type: none"> <li>• Ashfield Sustainability Appraisal, 2023. WSP UK Limited .</li> <li>• Ashfield Criteria for Local Heritage Asset Designation 2013. Ashfield District Council.</li> <li>• Listed Buildings at Risk Register, Historic England.</li> <li>• Hardwick Hall Setting Study. 2016, ATKINS (for National Trust)</li> <li>• Greater Nottinghamshire Landscape Character Assessment 2009. TEP (for Nottinghamshire County Council &amp; Greater Nottingham Authorities).</li> <li>• Annesley Conservation Area. Adopted 1999, Ashfield District Council</li> <li>• Lower Bagthorpe Conservation Area. Adopted 1975, amended 2007, Ashfield District Council</li> <li>• Kirkby Cross Conservation Area. Adopted 1975, amended 2004, Ashfield District Council</li> <li>• Sutton in Ashfield Church and Market Place Conservation Area. Adopted 2015, Ashfield District Council</li> <li>• Teversal Conservation Area. Adopted 1970, amended 2012, Ashfield District Council</li> <li>• Hucknall Town Centre Conservation Area. Adopted 2019, Ashfield District Council</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 16: Conserving and enhancing the historic environment.</li> <li>• Planning Practice Guidance: Historic Environment as of July 2019.</li> </ul>

5.148 The historic environment is an important asset for Ashfield District and provides us with an understanding of both the past and the present. It is a physical record of our history and is central to our cultural heritage and provides a sense of place. The

Council is committed to the desirability to protect, conserve and where possible enhance the District's historic environment.

- 5.149 The Council has a duty to have special regard to the desirability to preserve or enhance the significance, character and appearance of the District's historic environment when carrying out its statutory functions and through the planning system. It is recognised that the historic environment contributes to the enjoyment of life in the District and provides a unique sense of identity. Policy EV9 reflects this duty in line with national planning guidance and legislation.
- 5.150 The historic environment is all aspects of the environment which have resulted from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped planting or managed flora. Those elements of the historic environment that hold significance are called heritage assets.
- 5.151 Heritage assets are buildings, monuments, sites, places, areas or landscapes of historic, archaeological, architectural or artistic interest, whether designated or not, that have a degree of significance. The term 'significance' (for heritage policy) can be defined as "the value of a heritage asset to this and future generations because of its heritage interest". In measuring the significance of an asset, a number of factors are assessed, including, but not restricted to, an asset's rarity, representativeness, association, integrity, evidential value, historical value, aesthetic value, and communal value. Heritage assets identified after the Local Plan is adopted or during the course of a development application will be protected under Policy EV9.
- 5.152 Heritage assets include listed buildings, conservation areas, world heritage sites, historic parks and gardens and scheduled monuments. The definition also covers non-designated assets including buildings of local interest, areas of archaeological interest, unregistered parks and gardens and landscape features as defined in the Nottinghamshire Landscape Character Assessment. The significance of these 'non-designated assets' is a material consideration in determining planning applications.

### **Conservation Areas**

- 5.153 Ashfield's six designated Conservation Areas are :
- EV9 Ca - Kirkby Cross
  - EV9 Cb - Lower Bagthorpe
  - EV9 Cc - Teversal
  - EV9 Cd - New Annesley
  - EV9 Ce - Sutton in Ashfield Church and Market Place
  - EV9 Cf – Hucknall Town Centre
- 5.154 For each Conservation Area, with the exception of New Annesley and Hucknall, the Council has prepared a Conservation Area Appraisal (including Management Plans) based on an analysis of the area's particular character and requirements.

The Council will review all Conservation Area Appraisals as and when necessary. In preparing development proposals applicants will be expected to take full account of these documents. Planning applications will be required to contain sufficient detail to allow aesthetic and environmental aspects to be fully evaluated. Where necessary, the Council will employ article 4 directions where the identified character of the Conservation Area is at risk from Permitted Development.

- 5.155 A key consideration in assessing development proposals will be the effect new development would have on the character and appearance of these areas and in particular whether they assist in either preserving or enhancing their special character. New development should respect the character of the existing architecture in terms of scale, grouping and materials. The overall character of the area will also be an important consideration, applying to features such as walls, paving, verges, trees, street furniture, and spaces between dwellings and views into or out of these areas, which can be as significant as the buildings themselves. Outline planning applications will not normally be acceptable for development in Conservation Areas and proposals to lop, top or fell trees in these areas which, although not specifically comprising development, will only be acceptable with the prior approval of the Authority.
- 5.156 Where a development proposal involves total or substantial demolition of a building in a conservation area, consideration will be given to the significance of the building and the contribution it makes to the significant character and appearance of the area. Generally, buildings should be retained where they make a positive contribution in this respect but there may be cases where the removal or replacement of a building would benefit the character or appearance of an area.
- 5.157 To ensure that sites do not remain undeveloped for long periods of time, conditions may be imposed on planning permissions to ensure that redevelopment occurs within specified time limits. This may require that demolition does not take place until a contract for the carrying out of redevelopment works has been made and planning permission for those works granted.

### **Listed Buildings**

- 5.158 Listed Buildings are buildings that appear on the Secretary of State's 'List of Buildings of Special Architectural or Historic Interest', prepared by the Department of Culture, Media and Sport. In England the statutory body responsible for maintaining 'the list' is Historic England. The National Heritage List for England (NHLE) is the only official and up-to-date database of all listed and designated heritage sites.
- 5.159 Listing is a process of recognition of architectural and historic interest, which includes both the exterior and interior, often including pre-1948 buildings within the curtilage. Listed buildings are graded to show their relative architectural or historic interest, as follows:
- Grade I buildings are of exceptional interest (two in Ashfield);

- Grade II\* buildings are particularly important buildings of more than special interest (four in Ashfield);
- Grade II buildings are of special interest, warranting every effort to preserve them.

5.160 Ashfield has a limited stock of statutorily listed buildings. They represent a finite asset and for that reason their loss will not be permitted unless the Council is satisfied that every possible alternative approach for restoration, conversion or re-use has been thoroughly explored. The fact that a building has become derelict will not in itself be regarded as sufficient reason to permit its demolition. In most cases, the Council will seek demonstrable proof that every possible effort has been made to secure an alternative use for a building before considering any proposals to demolish. This would normally include evidence of the offer of the unrestricted freehold of the building on the open market at a realistic price and for a reasonable period (this could be as much as five years in some circumstances, dependent upon local market conditions), proof of relevant and recent exploration of charitable use and grants with a range of heritage bodies and local organisations. Policy SD6: Assessing Development Viability, and Development Demand and its supporting text, provides details on the Demand test and/or the Viability Test.

5.161 The best use for a listed building is normally that for which it was designed. In many cases it must be accepted that the continuation of the original use is now not a practicable proposition and it will often be essential to find appropriate alternative uses to secure the future of the building. Alternative uses should respect the fabric and appearance of the building and require minimum internal and external alteration.

#### **Heritage at Risk**

5.162 Heritage at risk includes buildings or sites that are at risk of being lost as a result of neglect, decay or inappropriate development. Heritage at risk is monitored by Historic England, Nottinghamshire County Council and Ashfield District Council. The Council will support the repair and re-use of heritage assets at risk especially where proposals will conserve them in a manner appropriate to their significance.

5.163 Proposals for enabling development to provide for the repair of listed buildings will be considered against criteria contained in Historic England's Policy Statement: Enabling Development and the Conservation of Significant Places 2008, or any subsequent guidance, and all other material considerations.

5.164 The Council will record and monitor heritage assets that are at risk and work proactively with owners and stakeholders, or take action where necessary, including the use of statutory powers, to help secure their long-term viable use.

#### **Non-Designated Heritage Assets**

5.165 Non-designated heritage assets can still be of great importance to the historic environment locally. The Council has introduced a scheme by which historic assets of local importance are identified, using local selection criteria. This status would

be a material consideration in assessing planning applications affecting such buildings or assets.

- 5.166 Currently identified local heritage assets are mapped on the Council's website, together with a criteria based document to enable the identification of future local heritage assets at any given time. The mapping system will be maintained and kept under review by the Council. The absence of any particular local heritage asset on the mapping system should not be taken to imply that it has no heritage value, simply that it has yet to be identified or it does not currently meet the selection criteria.
- 5.167 The loss of non-designated heritage assets, including local heritage assets, would be detrimental to the appearance, character, townscape quality or heritage of the District. Therefore, the Council will seek to encourage the retention, restoration and continued beneficial use of these assets wherever possible. Proposals to alter them should, for example, be architecturally compatible with the style of the original asset. Where planning permission is required, the Council will resist the loss of non-designated heritage assets, including local heritage assets. This would normally include evidence that the asset is incapable of viable repair or evidence that the building/asset has no viable use in the medium term through appropriate marketing. Policy SD6: Assessing Development Viability, and Development Demand its supporting text, provides details on the Demand test and/or the Viability Test.
- 5.168 The setting of local heritage assets may contribute to their intrinsic qualities, and the Council will seek to protect both the character and setting of such assets.

#### **Scheduled Monuments**

- 5.169 The District has nine Scheduled Monuments under the Ancient Monuments and Archaeological Areas Act, 1979 (see Appendix 10). These are considered to be of national importance and will be protected from deterioration and demolition. Any work to a scheduled monument requires Scheduled Monument Consent, applications should be made to Historic England. Elsewhere within the District there are many sites and areas regarded as being of archaeological interest, including historic landscapes.

#### **Sites of Archaeological Interest**

- 5.170 Archaeological sites provide crucial links to the past and can provide useful information about local heritage. Appropriate steps must be undertaken to identify and protect them as they are easily damaged or destroyed when development takes place.
- 5.171 Archaeological remains are important for their historical and educational interest and may also be important features in the landscape. The Nottinghamshire Historic Environment Records (HER) is maintained and updated by the County Council and contains details of all known sites, structures, landscapes or other areas of archaeological interest in Ashfield. The HER should be consulted on all planning applications within or near to areas of known archaeological interest.

- 5.172 Early consideration should be given by developers to the question of whether archaeological remains exist on a site and the implications for a proposed development. This process can involve different levels of staged assessments, specific to the site and its history. The initial stage should undertake a desk-based assessment of the site but may also require (where necessary) a range of additional assessments including, but not limited to, geophysical survey, geo-archaeological modelling, field walking, test pitting, trial trenching and/or setting studies. This initial stage may need to be followed by a full archaeological evaluation of the site. The County Archaeologist should be contacted for advice on locations where remains are known or thought to exist. Advice can be given on the best means to preserve and enhance remains that have been previously identified. Archaeological Assessments should be undertaken by a suitably qualified person.
- 5.173 Where sites are of known or potential archaeological significance developers may be required to submit the results of an archaeological evaluation with any planning application. Evaluations of this kind help to define the character and extent of the archaeological remains, and thus indicate the weight which ought to be attached to their preservation. The level of importance of the site can then be assessed against the need for the proposed development. Such evaluations should be submitted to the Council at the earliest possible stage of the planning application process, to ensure an informed decision can be made. The Council will not support the postponing of appropriate evaluations via conditions or secondary detailed planning applications. If archaeological remains are discovered during development, developers should contact the Local Authority immediately for advice.
- 5.174 To protect the integrity of archaeological sites, the preservation of remains in-situ will nearly always be preferred to "preservation by record". There are often opportunities to avoid the disturbance of remains by raising ground levels under a proposed new structure, introducing raft foundations, or by the careful siting of landscaped or open areas. This will secure their long term preservation even though they will remain inaccessible for the time being. Where the physical preservation of archaeological remains in-situ is not possible the Council will ensure that adequate provision is made for the survey, excavation and recording of remains, where appropriate, through the use of planning conditions or a planning obligation.

#### **Historic Parks and Gardens**

- 5.175 Registered Historic Parks and Gardens are important in historical and landscape terms and may also be of wildlife and recreational value. Ashfield has two designed landscapes on the Historic England Register of Parks and Gardens of Special Historic Interest, including:
- EV9 Pa Annesley Hall, Annesley - Grade II\*
  - EV9 Pb Hardwick Hall Grounds (that part within Ashfield) – Grade I

The District also has a locally designated Historic Park and Garden:

- EV9 Pc Skegby Hall, Skegby, Sutton in Ashfield.

5.176 The significance of parks and gardens may extend beyond the defined boundary with regards to views towards or away from the park and garden or in how the park and garden is experienced, for example on approach. Development proposals that would result in the harm or loss of a designated historic park or garden or its setting, would only be permitted by the Council if it can be appropriately demonstrated that the harm or loss is out-weighted by the substantial public benefit resulting from the development. Where this public benefit cannot be demonstrated, proposals must align with the requirements of national planning policy. Any development impacting on a designated historic park or garden should seek to support the long-term preservation of the park or garden and its setting through sensitive restoration, adaptation and/or re-use. In particular, care should be taken to avoid the loss of trees, woodland or significant views, that contribute to the asset's significance. Any proposed loss of trees or woodland will need to be assessed against Policy EV6.

#### **Historic Landscape Features**

5.177 The landscape of Ashfield today is the result of both natural and man-made actions which have taken place over many years. Activities such as settlement, farming, industry and recreation have all left behind physical traces that help to give individual parts of the District their own special character.

5.178 More than any other part of the historic environment, the landscape is characterised and enriched by centuries of change and modification. It is essential that any new development is of a scale and type which is appropriate and does not harm the intrinsic value of the particular landscape in which it is to be located. Development proposals should appreciate an area's sensitivity, vulnerability and capacity for change in the context of specific proposals.

5.179 The Landscape Character Assessment for Ashfield (2009) sets out 3 landscape character areas which broadly influence the scale and form of development across the District. Development proposals should respect the fundamental character of these and not introduce any incongruous elements. Policy EV10 – Protection and Enhancement of Landscape Character, should be assessed when determining new development proposals in the countryside. The policy seeks to protect historic landscape features including ponds, trees, hedgerows, ridge and furrow patterns, meadows and orchards as these all add value to the character of the area and help to make Ashfield's landscape distinctive.

5.180 "Important" hedgerows are protected under the Hedgerow Regulations, 1995. The Regulations set out criteria that must be used by the local planning authority in determining which hedgerows are "important". The criteria relate to the value of hedgerows from an archaeological, historical, landscape and wildlife perspective. There is a strong presumption that "important" hedgerows and other hedgerows, will be protected and wherever possible incorporated into open space and landscaping proposals for new development.

- 5.181 A qualitative judgment about the landscape affected should be informed by either a Landscape and Visual Appraisal or a Landscape and Visual Impact Assessment, as appropriate, in accordance with the most up to date guidance, taking into account the specific contribution that heritage and the setting of heritage assets makes to landscape character.

### **Shopfronts**

- 5.182 Shopfronts of architectural or historical value exist across the District in a variety of settings sometimes individually and sometimes as part of a group. In recognition of the contribution that they make to the character of the District, the Council is keen to see them retained and incorporated into new development wherever possible. Proposals for alterations to shopfronts or for new shopfronts should accord with Policy SH3 of the Town Centre and Retail Chapter of this Plan

### **Statements of Heritage Significance and Archaeological Evaluations**

- 5.183 In cases where it is necessary for an applicant to submit a Statement of Heritage Significance and/or archaeological evaluation (following a desk-based assessment), the scope and degree of detail necessary will vary according to the particular circumstances of each application. The level of detail required should be proportionate to the importance of the heritage asset, the size of the development and the level of its impact on the heritage asset.
- 5.184 All development proposals that would affect any heritage asset will need to be accompanied by a Statement of Heritage Significance which, as a minimum, should cover the following:
- describe and assess the significance of the asset and/or its setting;
  - identify the impact of works on the special character of the asset; and
  - provide a clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits.
- 5.185 Historic England's Good Practice Advice Note 2: Managing Significance in Decision-Taking in the Historic Environment, and Good Practice Advice Note 3: The Setting of heritage Assets, provide advice on how to undertake a Heritage Statement.
- 5.186 Applicants are advised to discuss proposals with the Council prior to submitting an application.

## **Policy EV10: Protection and Enhancement of Landscape Character**

- 5.187 This policy is intended to conserve and enhance the district's unique landscape character and is informed by the Landscape Character Assessment for Ashfield – its role is to ensure that change does not undermine the characteristics or features of value within a landscape.



<b>Policy EV10: Protection and Enhancement of Landscape Character</b>	
Strategic Objectives	SO1, SO4, SO5, SO11, SO13, SO14.
<p>1. Proposals for development outside the Main Urban Areas and Named Settlements should recognise the intrinsic character and beauty of the countryside, and be informed by and sympathetic to, the distinctive landscape character areas identified in the Landscape Character Assessment for Ashfield.</p> <p>2. Where necessary, development proposals should demonstrate that their location, scale, design and materials will protect, conserve and where possible, enhance:</p> <ol style="list-style-type: none"> <li>The special qualities and local distinctiveness of the area (including its historical, geological, biodiversity and cultural character);</li> <li>Local character through appropriate design and management;</li> <li>Gaps between settlements, and their landscape setting;</li> <li>The pattern of distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for wildlife;</li> <li>Visually sensitive skylines, ridgelines, hillsides, valley sides and geological features;</li> <li>Important views; and</li> <li>The setting of, and views to and from, Listed Buildings, Scheduled Monuments, Conservation Areas and Historic Parks and Gardens.</li> </ol> <p>3. Proposals that have an adverse effect will not be permitted unless the public benefits of the development clearly outweigh any adverse impacts, and it can be demonstrated that they cannot be located on alternative sites that would cause less harm.</p> <p>4. Development deemed acceptable in accordance with the above criteria will be supported in the countryside provided that it enhances landscape character and provides:</p> <ol style="list-style-type: none"> <li>Suitable mitigation to restore any damaged landscape and features in poor condition; and</li> <li>Mitigation proportionate in scale to the proposed development and/or suitable off-site enhancements.</li> </ol>	
Evidence Base	<ul style="list-style-type: none"> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>Ashfield Biodiversity Opportunity Mapping Project 2016. Notts BAG.</li> <li>Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>Planning Practice Guidance: Open space, sports and recreational facilities, public rights of ways and local green space as of March 2014.</li> <li>Planning Practice Guidance: Natural environment as of July 2019.</li> </ul>

- 5.188 People value the countryside and its landscape for many different reasons, not all of them relate to traditional concepts of aesthetics and beauty. It can provide habitats for wildlife and evidence of how people have lived on the land and harnessed its resources.
- 5.189 Landscape has a social and community value, as an important part of people's day-to-day lives. It also has an economic value, providing the context for economic activity and often being a central factor in attracting business and tourism. National Planning Guidance states that valued landscapes should be protected and enhanced and requires Local Plans to include criteria-based policies against which proposals for any development on or affecting landscape areas will be judged.
- 5.190 The Council, in partnership with five neighbouring Local Authorities, carried out a Landscape Character Assessment in 2009 to evaluate and record the landscape quality of the Greater Nottingham area. The study covers the whole of Ashfield, excluding urban areas. The Assessment is an important decision-making tool, which systematically classifies the landscape into distinctive areas based on the interaction between topography, geology, land use, vegetation pattern and human influence. Its role is to ensure that future change does not undermine the characteristics or features of value within a landscape. Landscape Character Assessment is an approach that makes a significant contribution to the sustainable objectives of environmental protection; prudent use of natural resources; and maintaining and enhancing the quality of life for present and future generations.
- 5.191 The results of the assessment have identified three landscape types in Ashfield: Magnesium Limestone Ridge, Nottinghamshire Coalfields and Sherwood. Each of these areas has been further sub-divided into component landscape character areas known as Draft Policy Zones (DPZ). Each DPZ identifies and lists the key features which make it special and provides a judgement on the condition of the landscape and its strength of character. When considering new development these will enable judgments to be made regarding what landscape actions are required to conserve, enhance, restore or create distinctiveness within each DPZ.
- 5.192 Policy EV1: Green Belt, and Policy EV2: Countryside, explains the limited types of development which may be appropriate in the rural parts of the District. Under Policy EV10, should a proposal be acceptable in principle based upon Policies EV1 and EV2, the actual form of the development will need to have regard to the particular landscape characteristics of importance to that locality, as identified in the Landscape Character Assessment.
- 5.193 A Landscape Visual Impact Assessment (LVIA) may be required to assess the effects on the landscape and visual resources that may result from a development proposal. In an LVIA the assessor is required to identify the degree or level of change that is significant in accordance with the requirements of Environmental Impact Assessment Regulations 2017, as well as type, nature, duration, and geographic extent of the effect. The scope and viewpoints for the LVIA should be agreed with the Council prior to the commencement of work.

- 5.194 On all new developments the Council will require the provision of suitable mitigation measures to restore any damaged landscape and features in poor condition as identified in the Landscape Character Assessment's 'landscape actions' for each character area.

## Chapter 6

### Meeting local housing needs and aspirations

#### Introduction

- 6.1. The Government, through the NPPF, emphasises the importance of providing a supply of housing required to meet the needs of present and future generations as a means to support strong, vibrant and healthy communities. Broadly, the plan process for managing housing delivery falls into two parts:
  - Setting out housing requirements – ensuring that the Local Plan meets the identified housing need (both market and affordable housing); and
  - Allocation of housing land – Identifying a supply of specific achievable (i.e. deliverable or developable) housing sites for the entire Plan period (2023 to 2040).
- 6.2. It also requires that the Council plans to deliver a mix of housing to meet the needs of current and future generations based on demographic trends and the special needs of specific parts of the community. In doing so, development should offer a wide choice of high quality homes whilst broadening opportunities for home ownership, and creating sustainable, inclusive and mixed communities.
- 6.3. Strategic Policy S7 sets out the overarching housing requirements for the District. This section identifies and allocates a number of housing sites that will be developed to ensure that the housing target of 7,582 homes is met during the plan period.
- 6.4. This section also sets out Development Management policies to guide decision making in respect of housing, including the type of homes that should be built, the provision of open space in new developments, and a policy related to the provision of accommodation for gypsies and travellers, and travelling showpeople.

## Policy H1: Housing Site Allocations

- 6.5. Policy H1 allocates large housing sites (those capable of accommodating ten or more dwellings) which will contribute towards providing the assessed housing need identified in Strategic Policy S7.
- 6.6. Where appropriate, concise Masterplans will be available for larger housing allocations which currently do not have the benefit of planning permission. These will set out essential requirements expected by the Council and provide more detailed advice and guidance specific to that site.

Policy H1: Housing Allocations				
Strategic Objectives		SO3, SO5, SO11, SO12, SO13		
Residential development will be permitted on the sites listed below as shown on the Policies Map, subject to detailed planning consent where it has not already been granted, or where it has lapsed.				
<u>Hucknall Area</u>				
Site Ref.	Site Name	Greenfield/ Brownfield	Planning Permission*	Potential Yield (Dwellings)
H1Ha	Seven Stars PH, West Street / Ogle Street, Hucknall	B	No	28
H1Hb	Linby Boarding Kennels, East of Church Lane, Hucknall	G/B	Part	43
H1Hc	Land north of A611 / South of Broomhill Farm, Hucknall	G	No	499
H1Hd	Land adjoining Stubbing Wood Farm, Watnall Road, Hucknall	G	No	198
H1He	Phase 5b, land at Rolls Royce, Watnall Road, Hucknall	B	Yes	150
H1Hf	Phase 9, land at Rolls Royce, Watnall Road, Hucknall	B	Yes	101
H1Hg	Hucknall Town football Club, Watnall Road	G	Yes	82
H1Hi	Land at, Shepherd Street (Rolls Royce site)	B	Yes	42
H1Hn	(Phase 2) Land at, Broomhill Farm	G	Yes	168
				<b>1311</b>

Site Ref.	Site Name	Greenfield/ Brownfield	Planning Permission*	Potential Yield (bedrooms)
H1Ca	Former Hucknall Police Station, Watnall Road, Hucknall	B	Yes	73

### Kirkby Area

Site Ref.	Site Name	Greenfield/ Brownfield	Planning Permission*	Potential Yield (Dwellings)
H1Ka	Beacon Farm, Derby Road, Kirkby-In Ashfield	G/B	No	41
H1Kb	Land off Millers Way, Kirkby-In Ashfield	G	Yes	54
H1Kc	Land at Doles Lane, Kirkby-In Ashfield	B	No	54
H1Kd	Off Walesby Drive	G	No	196
H1Ke	Land off Diamond Avenue, Kirkby- In-Ashfield	G	No	63
H1Kf	Warwick Close, Kirkby-In-Ashfield	B	Yes	34
H1Kg	Land behind 126 Skegby Road, Kirkby-In-Ashfield	G	No	15
H1Kh	Land Off Hucknall Road, Newstead	G	No	47
H1Kk	Land off Laburnum Avenue, Kirkby	G	No	<b>38</b>
				<b>542</b>

### Sutton Area

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

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
				<b>3283</b>

Selston Jacksdale and Underwood Area

Site Ref.	Site Name	Greenfield/ Brownfield	Planning Permission*	Potential Yield (Dwellings)
H1Va	Land at Plainspot Farm, New Brinsley, Underwood	G	No	42
H1Vb	Off Westdale Road, Jacksdale	G	No	49
H1Vc	Land adj. Bull & Butcher PH, Selston	G	No	149
H1Vd	Adj 149 Stoney Lane, Selston	G/B	No	6
H1Ve	Land off Park Lane/ South West M1, Selston	G	No	169
H1Vg	Land North of Larch Close, Underwood	G/B	No	52
H1Vh	Rear of 64-82 Church Lane, Underwood	G	No	10
H1Vi	Westdale Road/Rutland Road, Jacksdale	G	No	22
H1Vj	Land off Main Road, Jacksdale	G	No	81
				<b>580</b>

\* Sites with planning permission at 31<sup>st</sup> August 2023

Evidence Base	<ul style="list-style-type: none"> <li>Strategic Housing and Economic Land Availability Assessment (SHELAA). Ashfield District Council</li> <li>Background Paper 1: Spatial Strategy and Site Section 2023, Ashfield District Council</li> <li>Background Paper 2: Housing 2023, Ashfield District Council.</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>Planning Practice Guidance: Effective use of land.</li> <li>Planning Practice Guidance: Housing and Economic Land Availability Assessment.</li> <li>Planning Practice Guidance: Housing supply and delivery as of July 2019.</li> </ul>

- 6.7. Potential housing allocations have been selected from a 'pool' of sites which are assessed as being 'available', 'suitable' and 'deliverable' in the Strategic Housing Land and Economic Availability Assessment (SHELAA). The Sustainability Appraisal (SA) has further assessed these sites. The purpose of the SA is to promote sustainable development through the efficient use of existing infrastructure, whilst protecting landscape and biodiversity assets and facilitating social and economic benefit. The SA is therefore an essential tool in the selection of deliverable sites and provides part of the evidence base for the housing site allocations. Further details on the approach to allocating sites can be found in the Council's Background Paper 1: Spatial Strategy and Site Section 2023.



- 6.8. Allocations include sites both with and without planning permission. Where these are under construction, only the remaining dwellings have been identified in Policy H1. Appendix 2 illustrates the anticipated delivery of housing on each site over the plan period, together with a summary of small site provision.

### **Housing Allocations in the Hucknall Area**

- 6.9. **Site H1Ha: Seven Stars PH, West Street /Ogle Street, Hucknall** This brownfield site is located within the main urban area of Hucknall. The Public House is identified as a Local Heritage Asset and could be converted into residential accommodation. The remainder of the site is suitable for residential development subject to good quality design. Due to previous site uses, contamination may be present and there is also evidence of some surface water flooding within the boundary of the site. The site has been identified as being available, potentially suitable, and potentially achievable in the SHELAA (Ref. HK009)
- 6.10. **Site H1Hb: Linby Boarding Kennels, East of Church Lane, Hucknall.** This mixed brownfield/greenfield site has been identified as being available, potentially suitable, and achievable in the SHELAA (Ref. HK013). The northern section has the benefit of outline planning permission for 9 dwellings at the time of writing. The site is located adjacent to the existing urban area of Hucknall on land previously designated as Green Belt, and is contained by Church Lane to the west, and Hayden Lane to the east. Church Lane is a narrow rural road that will require upgrading prior to development.
- 6.11. A Local Wildlife Site is located adjacent to the site to the north, within Gedling Borough, and any potential development will need to take into account the scope to avoid or mitigate any impacts on biodiversity. There is also a small area of high and medium risk surface water to the south-eastern part of the site which will require mitigation.
- 6.12. The site adjoins Linby Conservation Area in Gedling Borough to the North and forms part of the visual influence area of the conservation area, which is the setting for the Grade II\* Listed Church of St Michael. Consideration will need to be given to this aspect and the layout of the site prior to submitting a planning application. In addition, given the sites location on the periphery of a medieval village and the existence of medieval terracing to the north, the presence of medieval remains cannot be completely ruled out. Further archaeological evaluation work will be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.

- 6.13. To support the Council's Playing Pitch Strategy (2023) and the long-term future of sports provision in Hucknall, there will be a requirement for a cricket/junior football pitch to be provided on the site. Hucknall Cricket Club which adjoins the site to the south have a good club infrastructure and facilities, however they lack the pitches needed to expand and grow. At the time of writing the club is using pitches outside of the district to facilitate demand.
- 6.14. 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.
- 6.15. **Site H1Hc: Land north of A611 / South of Broomhill Farm, Hucknall.** This is an amalgamation of 4 parcels of land submitted individually for assessment through the SHLAA (ref. HK016, HK034, HK043, HK050). As a whole (SHELAA ref. HK051), it has been assessed as being available, potentially suitable, and potentially achievable. The site is located adjacent to the existing urban area on land previously designated as Green Belt. The site is well contained by the A611 Hucknall by-pass and the estimated yield has been reduced to allow for a buffer between the road and new development.
- 6.16. The allocation is located within an SSSI Impact Risk Zone and includes a Local Wildlife Site within the site boundary, any potential development will need to take into account the scope to avoid or mitigate any impacts on biodiversity. The site is within Flood Zone 1, however, Farley Brook runs to the south and south-west of the Hucknall Bypass. Primary access to the site will be taken from the A611 with a secondary access from Nottingham Road.
- 6.17. There will be a requirement for the supply of allotments on the site to serve the demand for allotments within the Hucknall area.
- 6.18. 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.
- 6.19. **Site H1Hd: Land adjoining Stubbing Wood Farm, Watnall Road, Hucknall.** This is a greenfield site which has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. HK022). The site is located adjacent to the existing urban area of Hucknall on land previously designated as Green Belt and extends to the boundary with Broxtowe Borough in the west. The site is well contained by Watnall Road and existing residential development to the north and east, and a water course to the west.
- 6.20. The site will require a master-planned access strategy with 2 points of access onto Long Lane and Lancaster Road. The main road corridor should be looped suitable for buses and interconnected throughout. The southern part of the site close to Watnall Road identifies a significant area at a high risk of surface flooding. Consequently, mitigation measures will be required. Severn Trent have also identified that network improvements to the foul sewers is likely to be required.

- 6.21. Starth Wood adjacent to part of the site is identified as an ancient and semi natural woodland and it is also a Local Wildlife Site. Any potential development will need to take into account the scope to avoid or mitigate any impacts on biodiversity.
- 6.22. The Grade II Listed 'Hucknall Battle Headquarters' to Hucknall aerodrome is located to the northeast of the site, which comprises a below-ground command post and tunnel with a three-storey above ground observation tower. The asset sits on high ground, surrounded by residential development and farmland. The open fields to the southwest and the tower's prominent position provide an understanding of its purpose as a lookout point. The Battle Headquarters must be preserved in situ with an agreed appropriate buffer around the tower. Investigations will also be required to understand the extent of subterranean chambers beneath the tower.
- 6.23. Within the north of the site, there is a high potential for buried archaeological remains associated with the Battle Headquarters. The southern portion of the site has a low to moderate potential for buried archaeology. Further archaeological evaluation work will be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. In particular, ground-penetrating radar is recommended, along with a metal detecting survey, in the vicinity of the military infrastructure. This work will inform the need for mitigation.
- 6.24. It is proposed that development is sited away from the Listed heritage asset which will be enhanced with greater visibility and interpretation, and new buffer planting will complement the existing green infrastructure at Starth Wood and create a green corridor. 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.
- 6.25. **Sites H1He to H1Hn (inclusive)** The remaining Hucknall area housing allocations all have the benefit of planning permission at the time of writing. Further details on these sites can be found in the Housing Trajectory in Appendix 2 which gives information on the type of permission, planning application reference and estimated delivery timescales.
- 6.26. **Site H1Ca** has planning permission for a 73 bedroom care home (C2 class). Planning practice guidance<sup>88</sup> is clear that residential institutions in Use Class C2 should count towards overall housing land supply. In determining the dwelling equivalent for the purposes of the housing trajectory in Appendix 2, and the overall supply in Table 2, a ratio of 1 dwelling for every 1.8 bedrooms has been applied as set out in the Housing Delivery Test Rule Book.

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<sup>88</sup> <https://www.gov.uk/guidance/housing-supply-and-delivery#counting-other-forms-of-accommodation>

### **Housing Allocations in the Kirkby Area**

- 6.27. **H1Ka: Beacon Farm, Derby Road, Kirkby-In Ashfield.** This greenfield/ brownfield site has been assessed as available, potentially suitable and potentially achievable in the SHELAA (ref. KA002). It is located adjacent to the existing urban area on land previously designated as Green Belt and is currently occupied by a single dwelling and several redundant poultry farm buildings, alongside a large, grassed area and remnants of a hard standing to the south of the site. The site is well contained by mature trees and hedgerows to the north (beyond which is the narrow one-way Balls Lane) and west (beyond which is existing residential development), with Derby Road (A611) forming the eastern boundary. The southern boundary abuts existing residential development.
- 6.28. There is likely to be existence of some land contamination. A railway tunnel runs beneath the most southern part of the site, and a parcel of land around this area was formerly used for railway maintenance operations. The majority of site was used as poultry farm since c.1960.
- 6.29. Potential access will require significant highway improvements on the A611 in the form of signalised dedicated right turn lane into the site, which will require road widening into the site and reduce yield. Access is also likely to require Traffic Regulation Order (TRO) to reduce speed limit.
- 6.30. The site lies with 400m of the Sherwood Forest possible potential Special Protection Area (ppSPA). Mitigation will be necessary to demonstrate that development can be delivered with no adverse impact on the integrity of the ppSPA. Policy EV4: Green Infrastructure, Biodiversity and Geodiversity provides further details.
- 6.31. **H1Kc: Land at Doles Lane, Kirkby-In Ashfield.** This brownfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. KA011). It is located adjacent to the urban area of Kirkby, with residential development adjoining the eastern boundary, Kirkby bridleway 1 to the north (also Mowlands farm access), and field boundaries to the west and south.
- 6.32. There is likely existence of contamination on the site which was formerly the location of Mowlands County Secondary and Primary Schools. The land was extensively covered by buildings, however reclamation work was undertaken in 1980 and it has since greened over. Seven Trent Water have assessed the potential impact on surface water sewer infrastructure and have identified that network improvements are likely to be required as part of any future development scheme.
- 6.33. The site lies to the northwest of Kirkby Cross Conservation Area, Market Cross Scheduled Monument, and No 2 & 6 Church Street and adjoining stable Grade II Listed Building. Development must be sensitively designed and/or suitable tree screening along the southern boundary of the site, in order to mitigate any

potential harm the significance or setting of the assets. It is also likely that buried archaeological remains could survive within the site and therefore further archaeological evaluation work will be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation

- 6.34. **H1Kd: Off Walesby Drive** This greenfield site has been assessed as potentially available, potentially suitable, and achievable in the SHELAA (ref. KA012). It is located adjacent to the urban area of Kirkby, with residential development adjoining the southern boundary. There has been a resolution to grant detailed planning permission on this site, subject to the signing of a Section 106 legal agreement between the developer and the Council.
- 6.35. **H1Ke: Land off Diamond Avenue, Kirkby-In-Ashfield** This greenfield site it has been assessed in the SHELAA (ref. KA026) as available, potentially suitable, and achievable. It is located within the Main Urban Area of Kirkby and is surrounded by existing residential development. The site contains several trees and would require an appropriate design scheme that protects those of retention. The site has good access to the public highway and has previously benefitted from residential planning permission.
- 6.36. **H1Kg: Land to the rear of 126 Skegby Road, Kirkby-In-Ashfield** This greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. KA038). It is located within the Main Urban Area at Annesley and is surrounded by existing residential development to the west, south and east, with a primary school to the north. The site will require highway infrastructure improvements related to access and visibility which may be mitigated without the need for third party land. There have been incidents of surface water flooding within the site boundary which will require mitigation.
- 6.37. **H1Kh: Land Off Hucknall Road, Newstead.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. KA046). It is located adjacent to the existing urban area of Newstead village on land previously designated as part of the Green Belt. It is well contained by Hazelford Way to the north, Hucknall Road to the west, existing residential development to the east, and a play area to the south. The substantial Annesley Forest plantation to the west will provide a strong defensible long-term boundary for the green belt in this area.
- 6.38. The site has extensive tree cover with open grassed areas, and the land slopes steeply in parts (southwards from Hazelford Way) and westwards from Tilford Road. It is likely that levelling may be necessary in order to accommodate a residential development. Part of the side was formerly used as railway sidings and there is also likely to be colliery spoil made ground, meaning potential for

contamination at this site. As such it will be necessary to undertake investigations to identify the nature of any contamination. A subsequent risk assessment will determine what remediation is required to enable the site to be developed.

- 6.39. **H1Kk: Land off Laburnum Avenue.** This site has a resolution to approve Full planning permission for 38 dwellings subject to the signing of a s106 legal agreement for agreed developer contributions.
- 6.40. **Sites H1Kb, H1Kd and H1Kf.** The remaining Kirkby area housing allocations have the benefit of planning permission at the time of writing. Further details on these sites can be found in the Housing Trajectory in Appendix 2 which gives information on the type of permission, application reference and estimated delivery timescales.

### **Housing Allocations in the Sutton Area**

- 6.41. **Site H1Sb: South of Vision West Notts College, Cauldwell Road, Mansfield.** This greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. S0009). It is located adjacent to the Mansfield urban area south of West Notts College and is well contained by the A617 (MARR route) to the south, Derby Road to the west, Cauldwell Road to the north and Nottingham Road to the east. Some surface water flooding has been recorded on areas of the site. Appropriate on-site green space will be required to help minimise potential recreational disturbance at Thieves Wood which forms part of the Sherwood Forest possible potential Special Protection Area (ppSPA). A small section of the sites is located within Mansfield District Council area. The yield of 208 is based on land located within Ashfield District only.
- 6.42. **Site H1Sd: Adj Oakham Business Park, off Hamilton Road, Sutton-In-Ashfield.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (Refs SA016, SA044). It is located adjacent to the existing urban area of Mansfield and comprises an agricultural field which includes a former railway cutting and is enclosed by employment development to north and east, a railway with Kingsmill reservoir beyond to the west, and countryside with employment development beyond to the south.
- 6.43. The site is located c.240m north of Hamilton Hill Scheduled Monument and contributes positively to the asset's historical rural setting. Due to the proximity of the site to the asset and the relatively flat topography of the area, site lines are direct and careful building design needs to be undertaken to reduce any potential harm. The most sensitive area is the western end of the site, which allows direct views of Kings Mill Reservoir from Hamilton Hill. Any development in this area should not obstruct these views.
- 6.44. There is also a moderate potential for archaeological remain on the site. Further archaeological evaluation work will be required, beginning with a Desk Based

Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.

- 6.45. There is the likely existence of contamination and land stability issues on the site which will require investigation.
- 6.46. **Site H1Se Priestic Road Road/ Northern View, Sutton.** This brownfield site is located within the main urban area of Sutton and has previously had the benefit of outline planning permission. The site is a former railway cutting and licenced landfill which is surrounded by residential development. Contamination is suspected as a consequence of previous uses. There is evidence of surface water flooding within the boundary of the site, particularly along the northern boundary. The site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. SA017).
- 6.47. **Site H1Sf: Rear 23 Beck Lane, Skegby.** This brownfield/greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. SA022). It is located adjacent to the urban area of Sutton and comprises a paddock with an industrial style building. The site is contained by existing residential development in the south, Beck Lane to the east, and mature hedgerows to the west and north.
- 6.48. Dalestorth House, a Grade II Listed Building, is located c.26m to the south-east of the site. Trees should be planted along the road boundary to help maintain a green approach to the asset and mitigate harm. There is also a moderate potential for the survival of archaeological remains within the site. Consequently, further archaeological evaluation work will be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.
- 6.49. There is likely existence of contamination from a former horticultural nursery which was historically located on the south-eastern part of site.
- 6.50. **Site H1Sg: Former Miner's Welfare Sports Ground, Stanton Hill, Sutton-In-Ashfield.** This brownfield/greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref.SA023). It is located adjacent to the urban area of Sutton and comprises a combination of rough scrubland and a small hardstanding associated with the previous use of the site. The site is contained by a combination of existing residential development, proposed residential development (H1Sw) which has planning permission, a mature tree belt and allotments to north-west.

- 6.51. Stanton Hill Grasslands Local Wildlife Site is located in the south-east of the site and, as such, any potential development will need to take into account the scope to avoid or mitigate the impacts on biodiversity.
- 6.52. **Site H1Sh: Pasture Farm, Alfreton Road, Sutton-In-Ashfield.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref.SA025). It is located within the urban area of Sutton and comprises grazing land with several mature trees. The site is well contained by residential development to the north, employment land and buildings to the east, the A38 dual carriageway to the south, and The Snipe Public House to the west.
- 6.53. There are likely ground stability issues with approximately 60% of the site falling within a Coal high risk area. A geological fault line is also indicated across centre of site (south-west to north-east). Possibility of land contamination associated with former farm buildings originally located in the west of the site. As such further investigation will be required prior to a scheme of development.
- 6.54. **Site H1Si: North of Kingsmill Hospital.** This greenfield site has been assessed as potentially deliverable in the SHELAA (ref. SA033). It is located adjacent to the main urban area of Sutton. It is well contained by built form on three sides and is well connected to Sutton and Mansfield in terms of services and facilities, including public transport. Any development proposal for this site will need to retain an open break between Sutton and Mansfield Urban Area, which could be achieved through the incorporation of public open space. The site falls within the SSSI Impact Risk Zone for Teversal Pastures. There is evidence of surface water flooding within the site boundary.
- 6.55. The site is located across the road from the Grade II Listed Dalestorth House, c. 55m to the south. The trees to the south of Skegby Lane should be retained and supplemented where necessary in order to provide an important green buffer between the site and the asset. In addition, depending on the scale of proposed development within the northern and the eastern fields, further archaeological evaluation work may be required, beginning with a Desk Based Assessment (DBA), to ascertain the extent and level of survival of archaeological remains within the site. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.
- 6.56. 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.
- 6.57. **Site H1Sj Clegg Hill Drive, Huthwaite.** This greenfield site It is considered to be potentially deliverable in the SHELAA (ref. SA041). It is located adjacent to the urban area of Sutton and is well contained by existing residential development to the north, south and west, with neighbours including a shooting club and a



boarding kennels. Records indicate that surface water flooding occurs within the site boundary. Level changes occur on Chesterfield Road where the access road has been proposed. The existing recreation ground off Pennine Close is of poor quality and development of this site will provide an opportunity to deliver an improved facility as part of a well-designed scheme.

- 6.58. **Site H1Sk: Sunnyside Farm, Blackwell Road, Huthwaite.** This greenfield site, which has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref.SA057). It is located adjacent to the urban area of Huthwaite at two points; to the north at Strawberry Bank (residential development), and to the south at Blackwell Road (employment development). The site slopes steeply in the north and the estimated yield from this site has been reduced to take this into account.
- 6.59. There is likely existence of contamination on part of the site from a former Brick Yard and filled clay pits in centre of site. A former Colliery and Spoil Tip is also located on the southern part of the site. Ground stability issues are likely, with geological fault lines across centre of site and northern part of site. The southern part of the site is largely located in a Coal High Risk Area. As such, topsoil testing and geotechnical investigations will be required. There are also limited areas of high and low risk surface water flows which will require mitigation.
- 6.60. Right of way Sutton in Ashfield Footpath 29 crosses the site from east to west. Local Wildlife Sites, (Huthwaite Grassland, Strawberry Bank Meadow and Blackwell Road Grassland) are located on the site, with a further 3 LWS adjacent to the site. Any potential development will need to take into account the scope to avoid or mitigate any impacts on biodiversity. Mature hedgerows and trees are an important characteristic of the site and form a number of boundaries, these should be retained wherever possible.
- 6.61. There is a potential for buried archaeological remains within the site, as such a Desk Based Assessment (DBA) should be carried out to ascertain the extent and level of survival of archaeological remains. Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.
- 6.62. 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.
- 6.63. **Site H1SI: North of Fackley Road, Teversal.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref.SA058). It is located adjacent to existing residential development in the small settlement of Fackley, being separated from the main urban area at Skegby predominantly by a livery stables and golf driving range. The southern site boundary is formed by a water course and mature tree belt, with hedgerows to the north-east and north-west (beyond which are sports pitches), and residential

development to the south-west. There is an opportunity to provide wider community benefits in the way of improvements/redevelopment of the adjacent sports facilities.

- 6.64. Surface water flooding has been identified on the site which will require mitigation. Right of way Sutton in Ashfield footpath 97 adjoins the north-west boundary of the site running between Crompton Street and Copsywood Close.
- 6.65. Site lies with the Teversal, Stanton Hill and Skegby Neighbourhood Plan area - Particular regard should be had to Policy NP4: Protecting the Landscape Character, which identifies this area as a sensitive open gap between Teversal and Stanton Hill. Development is required to maintain this sense of openness.
- 6.66. **Site H1Sm: Land adjacent 88 High Hazels Drive, Sutton-In-Ashfield.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. SA061). It is located within the urban area at Huthwaite and is well contained on all sides by existing residential development. It is a relatively small parcel of overgrown scrubland and was formerly allotment gardens in use until around 1959. There is potential for contamination of topsoil as a result of the site's former use and as such this will need to be tested. The site has previously been granted outline planning permission for residential development in 2014, although this has since lapsed.
- 6.67. **Site H1Sn: Adj Molyneux Farm, Fackley Road, Teversal.** This greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. SA064). It is located adjacent to existing residential development in the small settlement of Fackley and is currently used for grazing horses. The site is enclosed by hedgerows, with residential curtilages adjacent to the north and western boundaries. This site should be brought forward as part of a comprehensive development with site H1So to the east, in order to enable an acceptable access strategy and highway design.
- 6.68. There is likely colliery spoil adjacent to southwest boundary, and small watercourse shown along north-east boundary. A geological fault line is shown along north-east boundary of site. A significant part of the site to the north-east is subject surface water flows which will require mitigation.
- 6.69. **Site H1So: Off Fackley Road, Teversal.** This greenfield site The site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref.SA065). It is located adjacent to existing residential development in the small settlement of Fackley, is currently used for grazing horses, and is enclosed by hedgerows. This site should be brought forward as part of a comprehensive development with site H1Sn to the east, in order to enable an acceptable access strategy and highway design.

- 6.70. A geological fault line is shown along south-west boundary of site. The whole site is subject to surface water flows which will require advice from the Lead Local Flood Authority and mitigation.
- 6.71. **Site H1Sq: Hardwick Lane Recreation Ground, Sutton-In-Ashfield.** This greenfield site The site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref.SA069). It is located within the urban area of Sutton, and is surrounded by existing residential development to the south and west, with retail to the east, and employment to the north. The site is currently used as a recreation ground and has good access to a wide range of services. Severn Trent have identified that network improvements to accommodate surface water is likely to be required.
- 6.72. **Site H1Ss: Land East of A6075 Beck Lane, Skegby.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref.SA074). It is located close to the existing urban area of Skegby, directly opposite housing site allocation H1Saa which currently has planning permission for residential development.
- 6.73. The site will require at least 2 points of access, to assist with dispersing concentration of traffic flows. Future mitigation at key junctions along the MARR will be high cost engineering works and are likely to require acquisition of third party land.
- 6.74. Right of way Sutton in Ashfield Footpath 73 crosses the site from east to west. There is an area of high risk surface water flooding over and adjacent to the access track to Ashfields Farm, and areas of surface water on other parts of the site which will require mitigation. Severn Trent have also identified that network improvements to accommodate surface water is likely to be required.
- 6.75. There is a high potential for buried archaeological remains within the site. Consequently, further archaeological evaluation work is required, beginning with a Desk Based Assessment (DBA). Depending on the results of the DBA further archaeological investigations may be warranted, including a geophysical survey and targeted trial trenching, where necessary. This work will inform the need for mitigation.
- 6.76. 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.
- 6.77. **Site H1St: Land off Blackwell Road/Main Street, Huthwaite.** This greenfield site is located adjacent to the urban area of Sutton and has been assessed as deliverable in the SHLAA (ref. SA082). The site is well contained by development to the north, south and east, and access to the public highway can be achieved via Blackwell Road or Main Street. Due to previous site uses (brick yard and scrap

storage areas) contamination may be present and there is also evidence of some surface water flooding within the boundary of the site. The site includes 10 Main Street, a Local Heritage Asset.

- 6.78. **Site H1Su: Rear 113 to 139 Beck Lane, Skegby.** This greenfield site has been assessed as potentially available, potentially suitable, and achievable in the SHELAA (ref.SA084). It is located close to the existing urban area of Skegby, directly north of site allocation H1Saa which currently has planning permission for residential development. The site comprises an agricultural field, with rough grassland and scrub to the east. One building is presently on site. Right of Way Sutton in Ashfield Footpath 1 crosses the centre of the site from west to east.
- 6.79. There are access constraint which will need to be resolved. Access may be possible via the adjacent site signalised junction (subject to capacity figures). A developer would be expected to increase the connectivity of the site via cycleways/footways and also potentially dissipate a percentage of this site traffic onto the service road to the front of 113-139, providing it meets the public highway.
- 6.80. Severn Trent have identified that network improvements to accommodate surface water is likely to be required.
- 6.81. **Site H1Sag: Quantum Clothing Site, North Street, Huthwaite.** This brownfield site has been identified through the Brownfield register (BFR14) and is located within the Main Urban Area. The former textiles factory has been demolished and there is a current planning application for residential development pending.
- 6.82. **Site H1Sah: Land adjacent to 208 Mansfield Road, Sutton.** This brownfield site has been identified through the Brownfield register (BFR14) and is located within the Main Urban Area. The former textiles factory has been demolished and there is a current planning application for residential development pending.
- 6.83. The remaining Sutton area housing allocations **Sites H1Sa, H1Sc, H1Sr, and H1Sw to H1Saf inclusive** all have the benefit of planning permission at the time of writing. Further details on these sites can be found in the Housing Trajectory in Appendix 2 which gives information on the type of permission, application reference and estimated delivery timescales.

### **Selston, Jacksdale, Underwood Area**

- 6.84. **H1Va: Land at Plainspot Farm, New Brinsley, Underwood.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. SJU001). It is located adjacent to the Named Settlement of Brinsley on land previously designated as green belt. The site abuts the district

boundary with Broxtowe Borough and comprises agricultural fields. Right of way Selston footpath 39 is within the site and follows the south-eastern boundary.

- 6.85. Primary vehicular access should be formed off Main St, Broxtowe with new turning facility provided for Francis Street. There are likely ground stability issues, with a potential former mine entry at the entrance off Frances Street. A small area of low risk surface water flooding has been identified, which will require mitigation. Severn Trent have also identified that network improvements to accommodate surface water is likely to be required.
- 6.86. **H1Vb: Off Westdale Road, Jacksdale** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. SJU003). It is located within the Named Settlement of Jacksdale and forms a logical infill. The site is located within a residential area and has reasonable access to a range of services. This is an area where potential land stability and other safety risks associated with former coal mining are likely, for example areas of suspected shallow coal mining, recorded mine entries and areas of former surface mining. There is evidence of some surface water flooding within the boundary of the site.
- 6.87. **H1Vc: Land adj. Bull & Butcher PH, Selston.** This greenfield site has been assessed as potentially available, potentially suitable, and potentially achievable in the SHELAA (ref. SJU014). It is located adjacent to the existing built area of Selston on land previously designated as Green Belt. The site is well contained by existing residential development to the west and east and has the potential capacity to deliver a small amount of commercial development. The site is in an area where potential land stability and other safety risks associated with former coal mining are likely, for example areas of suspected shallow coal mining, recorded mine entries and areas of former surface mining. There is evidence of some surface water flooding within the boundary of the site.
- 6.88. **H1Vd: Adj 149 Stoney Lane, Selston.** This is a small greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (ref. SJU016). It is located adjacent to the existing built area of Selston on land previously designated as Green Belt and contains several sheds and outbuildings associated with a small holding. The site is well contained by a mature hedgerow to the west and south, by residential development to the east, and agricultural buildings to the north.
- 6.89. There is likely existence of contamination due to previous land uses and a former tramway which ran along the north-western site boundary. There are also likely to be some ground stability issues as the site is located within a high risk coal area. A small area in the north of the site is subject to medium risk of surface water flooding.
- 6.90. **H1Ve: Land off Park Lane/ South West M1, Selston.** This greenfield site has been assessed as available, potentially suitable, and potentially achievable in the SHELAA (refs. SJU018, SJU020). It is located adjacent to the existing built area of

Selston on land previously designated as Green Belt. The site is well contained by the M1 motorway to the east and existing residential development to the west. Due to the proximity of the M1 motorway a noise impact assessment will be required to inform mitigation measures for development proposals where necessary. Contamination is suspected due to previous uses. The site also lies within an SSSI Impact Risk Zone. There is evidence of some surface water flooding within the site boundary.

- 6.91. **H1Vg: Land North of Larch Close, Underwood.** This is predominantly a greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. SJU031 & SJU043). It is located adjacent to the existing built area of Underwood on land previously designated as Green Belt, and is well contained by trees/mature hedgerows, with existing residential development to the south-west. The site currently comprises stables, a manege, grazing land, areas of heavy tree cover in the north and a dwelling (99 Mansfield Road). The estimated yield from this site has been reduced to account for retention of mature trees of significance.
- 6.92. There is likely existence of contamination from a small spoil tip which will require investigation. Problems with ground gas are known to have existed on the site and as such the risk of any ground gas migrating onto the site will need to be investigated further. An area of low risk surface water flooding has been identified, which will require mitigation.
- 6.93. There are existing highways issues in the wider area, primarily concerning heavy goods vehicles cutting through the narrow Sandhills Road (to the south of the site) coming from further north and heading towards the M1 motorway Junction 27. This arises from the inability of the junction at Alfreton Road/ Mansfield Road to enable turning of large vehicles. Development of this site will need to offer the benefit of improving the highway network in this location by providing a new high category link road which will also benefit local residents.
- 6.94. **H1Vh: Rear of 64-82 Church Lane, Underwood.** This greenfield site has been assessed as available, potentially suitable, and achievable in the SHELAA (ref. SJU032). It is located within the settlement of Underwood. The site contains several mature trees and there is evidence of some surface water flooding on the western boundary. The relatively low approximate site yield takes account of the potential need to accommodate trees worthy of retention.
- 6.95. **H1Vi: Westdale Road/Rutland Road, Jacksdale.** This greenfield site is located within the Named Settlement of Jacksdale and forms a logical infill. The site is located within a residential area and has reasonable access to a range of services. The site is an area where potential land stability and other safety risks associated with former coal mining are likely, for example areas of suspected shallow coal mining, recorded mine entries and areas of former surface mining. There is evidence of some surface water flooding within the boundary of the site.

- 6.96. The site has been assessed as potentially available, potentially suitable, and potentially achievable in the SHELAA (ref. SJU035).
- 6.97. **H1Vj: Land off Main Road, Jacksdale.** This site has a resolution to approve Full planning permission for 81 dwellings subject to the signing of a s106 legal agreement for agreed developer contributions.
- 6.98. **Site H1Vf Main Road Underwood** was included as a housing site allocation in the previous version of the draft Local Plan. However, this now has the benefit of planning approval for 8 dwellings and as such is included within the summarised ‘small’ sites with planning permission, summarised in the Housing Trajectory in Appendix 2.

**Policy H2: Provision for Gypsies, Travellers and Travelling Showpeople**

- 6.99. Policy H2 will be used to determine planning applications for traveller pitches/sites and Showpeople’s Plots/yards and set out criteria to guide the process of future site identification.

<b>Policy H2: Provision for Gypsies, Travellers and Travelling Showpeople</b>	
Strategic Objectives	SO1, SO2, SO3, SO5, SO12, SO14.
<p>1. When determining planning applications for Gypsy, Traveller and Travelling Showpeople sites, the Council will consider the following:</p> <ul style="list-style-type: none"> <li>a. The proposed occupants must meet the definition of Gypsy, Traveller, or Travelling Showpeople as defined by national policy.</li> <li>b. Development of all Traveller sites in the Green Belt are considered to be inappropriate development.</li> </ul> <p>2. The following criteria will be used to guide the process of future site identification, and to help inform decisions on planning applications:</p> <ul style="list-style-type: none"> <li>a. Development will not lead to the loss, or adverse impact on, heritage assets, nature conservation, biodiversity sites or the best and most versatile agricultural land;</li> <li>b. The site should be served, or be capable of being served by adequate sewerage disposal methods and mains water;</li> <li>c. The site has safe and convenient pedestrian and vehicular access to the highway network, and adequate space for vehicle parking, turning and servicing;</li> </ul>	

<p>d. The site will offer a suitable level of residential amenity to any proposed occupiers and have no adverse impact on the amenity of nearby residents or other neighbouring land uses;</p> <p>e. The site is capable of being designed to ensure that it would not have a significant adverse effect on visual amenity;</p> <p>f. In the case of any development proposal which raises the issue of flood risk, regard will be had to advice contained in national and local policy/guidance. Where flooding is found to be an issue, the Council will require the completion of a site specific Flood Risk Assessment;</p> <p>g. Proposed sites in rural areas should respect the scale of, and not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.</p> <p>h. Proposed sites will not have an adverse impact on public rights of way.</p> <p>3. New traveller site development in open countryside that is away from existing settlements or outside areas allocated in the plan will be very strictly limited. Any planning permission granted in the countryside will restrict the construction of permanent built structures to small amenity blocks associated with each pitch and to small buildings for appropriate associated business use.</p> <p>4. Existing authorised permanent gypsy/traveller and travelling showperson's sites will be safeguarded from alternative development, unless the site is no longer required to meet any identified traveller needs, or it is demonstrated the site is no longer suitable for such a use. Any new site subsequently granted permanent planning permission for gypsy/traveller or travelling showperson's accommodation will also be safeguarded in accordance with this policy.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>Greater Nottingham and Ashfield District Council Gypsy and Traveller Accommodation Assessment, 2021 - RRR Consultancy Ltd.</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>Planning Policy for Traveller Sites, 2015 - DCLG</li> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes</li> <li>Planning Practice Guidance: Housing and Economic Land Availability Assessment as at July 2019.</li> </ul>

6.100. **H2:2** sets out criteria to guide broad locations for any future requirements arising from evidence adopted by the Council. The assessment of accommodation need<sup>89</sup> will be subject to regular monitoring and update, with a review every five years. Where necessary the Council will seek to secure any future allocations based on this information through a review of the Local Plan or a Gypsy and Traveller DPD. The policy facilitates provision of Gypsy and Traveller sites in accordance with sustainable development principles and criteria set out in H2:2 will also guide decision making on planning applications. These criteria are not intended to be an exhaustive list and are cross-cutting with other policies in this document.

<sup>89</sup> Add link to website when published



- 6.101. Travelling Showpeople do not in general share the same culture or traditions as Gypsies and Travellers. Due to the nature of their business, sites often need to accommodate large amounts of fairground equipment to enable storage when not in use and for maintenance. These require much larger plots, rather than pitches, and can have a greater impact on the surrounding area both visually and in terms of noise.
- 6.102. With reference to flood risk, it should be noted that caravans, mobile homes and park homes intended for permanent residential use are classified as highly vulnerable in flooding terms and should not be permitted in Flood Zone 3. This approach is supported by Policy CC3 which requires development to meet the sequential test set out in the Technical Guidance to the NPPF.
- 6.103. Policies EV4, EV8 and EV9 refer to nature conservation and biodiversity, high quality agricultural land and heritage assets in more detail.
- 6.104. In general terms the Council will look favourably upon applications that:
- involve the development of previously developed untidy or derelict land;
  - are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
  - ensure adequate landscaping and play areas for children;
  - Do not enclose a site with so much hard landscaping, high walls or fences that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 6.105. The use of planning conditions or obligations should be considered in order to overcome planning objections to particular proposals, for example:
- limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise;
  - specifying the number of days, the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events);
  - limiting the maximum number of days for which caravans might be permitted to stay on a transit site.
- 6.106. **H2:3** seeks to limit development very strictly in the open countryside in accordance with national policy<sup>90</sup>. However, where the District has an identified unmet pitch or plot need, the Council will apply a presumption in favour of development for sustainably located proposals outside of the Green Belt. This

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<sup>90</sup>[Planning Policy for Traveller Sites, 2015 - DCLG](#)

presumption will only apply where there is an unmet need identified within an up-to-date Traveller Accommodation Assessment for Ashfield District.

- 6.107. **H2:4** of this policy safeguards both existing and future authorised gypsy/traveller or travelling showperson's sites. It aims to ensure that the permitted use is not lost through the grant of any subsequent planning permission, or relaxation of planning conditions which may allow alternative types of development or uses. It is important that sites are retained to meet identified traveller needs within the District, and any wider unmet needs under the Duty to Co-operate.

## Policy H2a: Gypsy, Traveller and Travelling Showpeople Site Allocations

- 6.108. Policy H2a allocates sites for use by the Gypsy, Traveller and Travelling showperson community to provide the assessed need identified in Strategic Policy S7.

Policy H2a: Gypsy, Traveller and Travelling Showpeople Site Allocations				
Strategic Objectives		SO3, SO5, SO11, SO12, SO13		
Development of plots for Travelling Showpeople's accommodation will be permitted on the sites listed below as shown on the Policies Map.				
Site Ref.	Site Name	Greenfield/Brownfield	Planning Permission*	Potential Yield (plots)
H2a(a)	Land off Park Lane (Phase 2), Kirkby-in-Ashfield	G	Yes	7
H2a(b)	Land off Park Lane (Phase 3), Kirkby-in-Ashfield	G	No	7
				<b>14</b>
Development of pitches for Gypsy /Traveller accommodation will be permitted on the site listed below as shown on the Policies Map.				
Site Ref.	Site Name	Greenfield/Brownfield	Planning Permission*	Potential Yield (plots)
H2a(c)	Land East of Park Lane, Kirkby-in-Ashfield	G	Yes	4

Evidence Base	<ul style="list-style-type: none"> <li>Greater Nottingham and Ashfield District Council Gypsy and Traveller Accommodation Assessment, 2021 - RRR Consultancy Ltd.</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>Planning Policy for Traveller Sites, 2015 - DCLG</li> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes</li> <li>Planning Practice Guidance: Housing and Economic Land Availability Assessment as at July 2019.</li> </ul>

- 6.109. Policy H2a meets the full assessed need of 14 additional plots for Travelling Showpeople accommodation over the plan period, and 4 pitches to meet the future needs of Gypsies and Travellers in the District. It is acknowledged that the assessed need figure does not represent a ‘cap’ on the level of development and as such criteria based policy H2 will guide future planning decisions and/or additional land allocations.
- 6.110. It is proposed that the Council monitors the longer-term need for pitches and plots in respect of any updated turnover rates and sites granted planning permission which will count towards meeting the longer-term need.

### Policy H3: Affordable Housing

- 6.111. Policy H3 set out the requirement for affordable housing within Ashfield. Affordable housing is housing for sale or rent for those whose needs are not met by the market. The NPPF breaks this down into defined types including affordable housing for rent, starter homes, discounted market sales housing and other affordable routes to home ownership.

<b>Policy H3: Affordable Housing</b>	
Strategic Objectives	SO1, SO2, SO3, SO5, SO12.
<p>1. Affordable housing contributions will be required on new housing developments of 10 or more dwellings or 0.5 ha or more, other than where affordable housing requirements are excluded by national planning policy, as follows:</p> <ul style="list-style-type: none"> <li>A minimum of 25% affordable housing on greenfield sites, and</li> <li>A minimum of 10% affordable housing on brownfield sites</li> </ul> <p>2. Of the affordable dwellings provided, the tenure mix should be identified through discussions with the local authority, and informed by the latest Government guidance and the evidence from the Council's Housing Need Assessment. The starting point for discussions will be based on delivery of:</p>	

<ul style="list-style-type: none"> <li>• 25% Shared ownership,</li> <li>• 25% Social Rents, and</li> <li>• 50% Affordable Rents.</li> </ul> <p>3. Affordable housing should be delivered on site and integrated with market housing. Off-site commuted sums of an equivalent value may be made in lieu of on-site provision (in total or in part) where on-site provision is satisfactorily demonstrated to be unwarranted, or where such off-site contributions can be shown to contribute to the successful development of other affordable housing and/or regeneration schemes within the district.</p> <p>4. Proposals that do not meet the policy requirements must provide a clear justification supported by an independent viability assessment that a different level or mix of affordable housing is required to make the development viable. It must be satisfactorily demonstrated to the Council that any alternatives approach will contribute towards creating mixed and balance communities.</p> <p>5. Developers are expected to make efficient use of land and attempts to artificially reduce the scale of development to below the threshold for providing affordable housing will not be acceptable.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>• Greater Nottingham &amp; Ashfield Housing Needs Assessment Final Report 2020 - Icen Projects Limited on behalf of the Greater Nottingham Planning Partnership.</li> <li>• First Homes Assessment 2022, Icen Projects Limited on behalf of the Greater Nottingham Planning Partnership.</li> <li>• Ashfield District Council Whole Plan Viability Assessment March 2023, Nationwide CIL Services.</li> <li>• Ashfield Affordable housing delivery strategy 2021 to 2023 including actions 2023 to 2025.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>• Planning Practice Guidance: First Homes as of December 2021.</li> <li>• Planning Practice Guidance Housing and economic needs assessment as at December 2020.</li> </ul>

6.112. The role of affordable housing is to meet local housing needs which are not being met by the market. It is a reflection of the difference between local housing prices and household income. New residential developments should provide for a proportion of affordable housing to contribute towards delivering a wide choice of high quality homes and create sustainable, inclusive and mixed communities.

6.113. The NPPF categorises affordable housing into four main types :

- a. Affordable housing for rent: owned and managed by a Council or other Registered Provider which meet the criteria set out by the Government

definition of affordable housing for rent. This will include social rents and affordable rents.

- b. Starter homes: are defined by the Housing and Planning Act 2016. They are new dwellings which are available for purchase by qualifying first-time buyers and are sold at a discount of at least 20% of the market value, subject to a price cap and with restrictions on sale or letting.
- c. Discounted market sales: housing which is sold at a discount of at least 20% below local market value with eligibility determined by local incomes and house prices and with provisions to ensure housing remains at a discount for future eligible households.
- d. Other affordable routes to home ownership: for those who could not achieve home ownership through the market including shared ownership, equity loans, low cost homes for sale and rent to buy.

6.114. The government's preferred form of discounted market sale housing (category c) is First Homes. First Homes are a specific kind of discounted market sale housing which are discounted by a minimum of 30% against the market value, sold to a person or persons meeting the First Homes eligibility criteria set out in the Planning Practice Guidance and cost no more than £250,000 (outside Greater London). This discount (30%) will apply to any subsequent sales of the property. Under national planning guidance, councils will be required to ensure that at least 25% of all affordable homes delivered through developer contributions will be First Homes. However, the NPPF in paragraph 65 identifies that at least 10% of all homes delivered on major development sites should be *"available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups."*

6.115. The Icen Housing Need Assessment identified a need in Ashfield for rented accommodation of 237 dwellings per annum. It is also indicated that social rents will be affordable to a greater proportion of households than affordable rents, although some households claiming benefits will be able to access an affordable rent as long as the rent is fully covered by Housing Benefit. Low income working households are likely to benefit most from a social rent.

6.116. In relation to owner occupation the analysis identifies that there are households in Ashfield who are being excluded from this sector. However, the analysis identified that a key issue is access to capital (e.g. for deposits, stamp duty, legal costs) as well as potentially mortgage restrictions (e.g. where employment is temporary) rather than simply the cost of housing to buy. Therefore, it recommends that if affordable home ownership is provided shared ownership is the most appropriate option. This is due to the lower deposit requirements and lower overall costs (given that the rent would also be subsidised). In these circumstances, the Council considers that the provision First Homes would significantly prejudice the ability of

local people to meet their housing needs and an emphasis is placed on share ownership rather than First Homes.

- 6.117. What can be provided through private sector development is related to viability and the demand for other infrastructure requirements. The current policy is informed by evidence from the Housing Need Study and the Whole Plan Viability Assessment, March 2023. After considering various levels of contributions towards infrastructure, the Assessment recommends that affordable housing on greenfield sites of 25% and brownfield sites of 10%, should be taken forward for the whole of the District. This is based on a tenure mix of 25% low-cost homes, 25% social rents and 50% affordable rents and the contribution towards the provision of infrastructure set out in the Assessment. The proposed affordable housing requirements reflect a minimum figure as, dependent on the tenure mix or infrastructure contributions, a higher level of affordable housing may be achievable to meet local needs.
- 6.118. Affordable housing should be provided on site as part of sustainable and mixed communities. It should be distributed in an appropriate manner within any development and should avoid an over-concentration in one part of the site, i.e. it should be 'pepper-potted' throughout the development and be indistinguishable from the market housing.
- 6.119. Under exception circumstances, the Council will consider alternative options<sup>91</sup>. In some instances, off site provision or a financial contribution in lieu of provision may be justifiable or will be preferable, for example to enable the Council to tackle an empty homes problem, or where provision would not result in mixed sustainable communities. This will be of an equivalent value to a viable provision made on-site.
- 6.120. The Council will seek to ensure that any affordable housing provision (excluding Starter Homes) will remain at an affordable price and be occupied in perpetuity by those in need of affordable housing. In imposing occupancy controls the Council will use planning agreements/ conditions setting out clear eligibility criteria for potential occupants. In any circumstance where this may become impractical, the subsidy will be recycled for alternative affordable housing provision.
- 6.121. Where a developer considers a site is financially unviable, the applicant will be required to provide a viability appraisal in accordance with Policy SD6 and Planning Practice Guidance on Viability.
- 6.122. Currently, national planning policy generally excludes small sites of less than 10 dwellings from contributing towards affordable homes. Any attempt to circumvent

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<sup>91</sup> Affordable Housing Delivery Strategy 2019-21 Review <https://www.ashfield.gov.uk/your-council/strategies-plans-policies/housing-strategy-research/>

the requirement for affordable homes through the inefficient use of sites or subdividing development sites is not acceptable will be resisted.

### Policy H4: Rural Exceptions Sites

6.123. Opportunities for delivery of affordable housing under Policy H3 will be limited where there is less potential for large sites to come forward, typically in the smaller settlements. Any development schemes coming forward under Policy H4 will therefore contribute towards the overall level of affordable housing whilst supporting the District’s more rural communities.

<b>Policy H4: Rural Exceptions Sites</b>	
<b>Strategic Objectives</b>	<b>SO1, SO2, SO3, SO5, SO12.</b>
<p>1. As an exception to normal housing policy, the provision of affordable housing immediately adjoining rural settlements* will be permitted provided that:</p> <ul style="list-style-type: none"> <li>a) Development is of a small scale not exceeding 9 dwellings and consisting of 100% affordable housing;</li> <li>b) There is robust evidence of local need for affordable housing for people with a local connection to the area;</li> <li>c) The type of housing provided reflects the nature and scale of the identified need;</li> <li>d) Arrangements exist to ensure that the housing will remain affordable in perpetuity;</li> <li>e) The development site immediately adjoins rural settlements and is accessible to services sufficient to support the daily needs of new residents via public transport, walking or cycling.</li> </ul> <p>2. Proposals for exceptions sites should be capable of management by an appropriate body, e.g., a Registered Social Landlord, Local Authority or any other organisation or body whose principle business is the provision of affordable housing.</p> <p>* ‘Named Settlement’ or settlement located within the ‘Remainder of the District’ as identified under Policy S3 and its immediate surrounds generally associated with that settlement.</p>	

Evidence Base	<ul style="list-style-type: none"> <li>• Greater Nottingham &amp; Ashfield Housing Needs Assessment Final Report, 2020 – Icen Projects Ltd.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 5: Delivering a sufficient supply of homes</li> <li>• Planning Practice Guidance: Housing and Economic Land Availability Assessment as at July 2019.</li> </ul>

- 6.124. NPPF paragraph 78 requires local planning authorities to be responsive to local circumstances and plan housing development to reflect local needs, including through rural exception sites where appropriate. Rural Exception policies are a key means of providing affordable homes in rural areas and enable small sites, generally on the edges of rural settlements, to be used specifically for affordable housing that would not normally be used for housing due to other policies of restraint.
- 6.125. Although the construction of new buildings is considered inappropriate in the Green Belt, limited affordable housing for local community needs under policies set out in the Local Plan is regarded as an exception under NPPF paragraph 149.
- 6.126. Rural areas can face particular difficulties in securing an adequate supply of land for affordable housing for local needs and are unable to compete against high land prices for private housing developments. Under Policy H4, a landowner provides a site at below housing market value on the basis the land is used to build affordable homes for local people. Landowners commonly have strong multi-generational ties to their communities, are often local employers, and wish to sustain that community for future generations.
- 6.127. The housing market is fairly strong in Ashfield's rural areas with prices generally higher than comparable properties in Sutton in Ashfield and Kirkby in Ashfield<sup>92</sup>. This can cause difficulties for people who want to live close to their families in such areas, and for those whose employment and livelihoods are based within the rural area. It can also push younger people out of the rural areas and lead to an imbalance in the age structure of the rural population.
- 6.128. For the purposes of the rural housing exceptions policy, local need is defined as identified needs in the individual rural settlement or the local area it serves. Before the Local Planning Authority will grant planning permission for affordable housing on a rural exception site, it must be satisfied that there is a genuine need for affordable housing in the locality. To establish that a genuine need does exist, the Local Planning Authority will require evidence from a local level Housing Needs Survey that is sufficiently recent to provide reliable evidence or some other objective proof of local need, proportionate to the scale of the development being proposed.

<sup>92</sup> Ashfield District Whole Plan Viability Assessment, 2023, Nationwide CIL Services



- 6.129. In assigning rural affordable housing, priority will be given to people that have a connection to that settlement and who are unable to afford market housing. Local connections are typically taken to be based on the following:
- applicant was born in the area and has lived there for more than 3 years
  - applicant lives in the area and has done so for more than 3 years
  - applicant used to live in the area for more than 3 years but had to move away because of the lack of affordable housing
  - applicant has been permanently employed in the area for more than 3 years
- 6.130. Although priority is given to applicants with a local connection, if there are still properties remaining, allocation will be opened up to surrounding local areas and then to the whole of the local authority area. This ensures that the homes are occupied by residents as local to the area as possible.
- 6.131. Rural Exceptions developments should be small in scale and reflect the dwelling size and tenure identified by the local needs survey, consistent with the provisions of the NPPF. For planning purposes, a ‘small’ site is taken to be one consisting of less than 10 dwellings. In order to minimise visual impact and provide reasonable access to local services and facilities, rural exception sites should be situated within or physically adjoining existing rural settlements and comply with all other relevant policies in the Local Plan.

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

- 6.132. This policy acknowledges the important contribution access to good quality public open spaces can make to the health and wellbeing of communities. It requires new residential developments to contribute to green open space provision either by the creation of additional areas or the improvement of existing facilities in the locality.

<b>Policy H5: Public Open Space in New Residential Developments</b>	
Strategic Objectives	SO1, SO2, SO4, SO5, SO7, SO8, SO9, SO11, SO12, SO14.
<p>1. New residential development will be required to provide for public open space according to the following criteria:</p> <p>a. On sites of two hectares or more, a minimum of 10% of the gross housing area will be provided as public open space.</p>	

<p>b. On sites of less than two hectares and more than five dwellings, the extent of public open space required will be assessed by taking account of house types and the extent and accessibility of the site to existing open space in the locality.</p> <p>c. On sites where it is inappropriate to provide new public open space within the site boundary, a planning obligation will be negotiated towards one or a combination of the following:</p> <ul style="list-style-type: none"> <li>• improvement of existing public open space provision/improved access to existing open space;</li> <li>• new open space to be provided elsewhere;</li> <li>• town centre and public realm improvements.</li> </ul> <p>d. Provision must be made for subsequent management and maintenance of new/improved open space.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>• Ashfield Public Open Space Strategy 2016-2026, Ashfield DC.</li> <li>• Ashfield Playing Pitch Strategy 2017-2026, Ashfield DC.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities</li> <li>• Planning Practice Guidance: Healthy and safe communities as at August 2022.</li> <li>• Planning Practice Guidance: Open space, as at Sports and Recreation facilities, public rights of way and local green space March 2014.</li> </ul>

- 6.133. Provision of Green Infrastructure and public open space plays a vital role in helping to create sustainable communities. Accessible open spaces, sport and recreation facilities are all highly valued assets to Ashfield's communities and new residential developments should, where appropriate, contribute to open space provision either by the creation of additional areas or the improvement of existing facilities in the locality.
- 6.134. In providing for new or improved public open space with regard to new development proposals, early discussions with the Council are encouraged in order to secure the right amount and type of open space in locations which provide most benefit to communities and the Green Infrastructure Network. Further detail and information on the criteria noted in the Policy may be found in Ashfield District Council's Public Open Space Strategy, Allotment Strategy, Green Infrastructure and Biodiversity Technical Paper, Playing Pitch Strategy and Town Centre Masterplans<sup>93</sup>.
- 6.135. The Ashfield Public Open Space Strategy identifies the Council's aims and objectives for improving the quality and access to open space within the District. It sets out Standards for the provision of informal recreational open space (including parks, amenity green space and green corridors), outdoor sports facilities, play

<sup>93</sup> <https://www.ashfield.gov.uk/planning-building-control/local-plan/>

space and natural green space. The Strategy aims to ensure a consistent approach to the planning of open space, enabling the development process to achieve the right type, quantity and quality of open space.

- 6.136. Informal recreational open spaces should, wherever possible, link to existing open spaces, rights of way and cycle routes. Where spaces incorporate landscaping and planting, these should be provided in accordance with Policy SD2: Design Considerations for Development and, in particular, provide opportunities to enhance make a net contribution to tree cover, habitat creation and connectivity to surrounding biodiversity networks. Biodiversity Net Gain will be required in addition to the provision of open space and is covered by Policy EV4: Green Infrastructure, Biodiversity and Geodiversity.
- 6.137. In the future football pitches and other outdoor sports facilities will be concentrated on one or two sites within each area (Hucknall, Kirkby, Rurals and Sutton) in order to provide better quality facilities which where possible meet the relevant national governing body standards.
- 6.138. H5:1a) Public open space (including informal recreational open space, outdoor sports facilities, play space, cemeteries, allotments, natural spaces, and areas of public realm) are integral to sustainable communities. Where existing Green Infrastructure and public realm provision is inadequate in terms of providing for the quantity, quality, and accessibility to meet projected needs arising from future occupiers of new development, those occupiers' needs must be met by the new development on-site.
- 6.139. Provision for subsequent management and maintenance of public open space must also be made. Generally, the Council will require an area of land not less than 10% of the gross housing area to be laid out as public open space with associated footpaths, boundary treatment, planting and other features. Specific areas for children's' play and young peoples' areas may be required, depending on whether such provision is needed to meet the standards set out in the Public Open Space Strategy. The area must be well related to dwellings for safety and be of a shape and gradient to facilitate maximum usage and ease of maintenance.
- 6.140. H5:1b) On some developments, including those with a gross area of less than two hectares and more than five dwellings, it may be inappropriate to require on-site public open space, for example, where small unmanageable sites may result; where proposed development is unlikely to generate the need for public open space; or where such sites may be in close proximity to existing provision.
- 6.141. H5:1c) Where public open space provision on any site is inappropriate, unnecessary, or better provided elsewhere, the Authority will require a financial contribution to facilitate off-site provision. This could take the form of enhancements to existing public open space in the locality or provision of new facilities close by, (including Green Infrastructure projects), in accordance with national guidance and standards, in order to create a more acceptable proposal.

- 6.142. It is recognised that small developments of less than six dwellings and certain types of new residential development (such as elderly sheltered accommodation and residential care facilities where residents are unlikely to benefit directly from local public open space provision) have different viability, functional and operational requirements. In such cases neither the provision of public open space nor the payment of a commuted sum will be required.
- 6.143. H5:1d) It is important that provision is made for the future management and maintenance of new/improved open space, having due regard to the requirements of biodiversity net gain and climate change, otherwise its value will deteriorate. The future development of open space, which is principally of benefit to the development, is the responsibility of the developer. Developers will need to demonstrate they have secured an acceptable means of ensuring future maintenance, preferably by way of a management company. The Council will require full details of any such arrangements before a planning application is determined. In certain circumstances, management by local authority adoption may be acceptable.

### Policy H6: Housing Mix

- 6.144. This policy aims to ensure that housing provision meets the needs of all sectors in the community including families with children, older people and people with disabilities by providing a range of house types and sizes as part of new residential developments.

<b>Policy H6: Housing Mix</b>	
Strategic Objectives	SO1, SO2, SO3, SO5, SO7, SO8, SO9.
<p>1. Proposals for new residential development should maintain, provide, and contribute to a mix of housing tenures, types and sizes in order to create mixed and balanced communities, having regard to the most up-to date evidence of need.</p> <p>2. Developments of 10 or more dwellings will be expected to provide 10% of dwellings that are accessible or easily adaptable for occupation by the elderly or people with disabilities (Category 2).</p> <p>3. The inclusion of self-build and custom-build properties on sites will be encouraged.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>Greater Nottingham &amp; Ashfield Housing Needs Assessment Final Report, 2020 – Icen Projects Ltd</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes</li> </ul>

	<ul style="list-style-type: none"> <li>• Planning Practice Guidance: Housing and economic needs assessment as at July 2019.</li> <li>• Planning Practice Guidance: Housing needs of different groups as at May 2021.</li> <li>• Planning Practice Guidance: Housing for older and disabled people as at July 2019.</li> </ul>
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6.145. **H6:1** The housing market is dynamic, and it is therefore inappropriate to establish inflexible targets for the mix of dwelling size and type that needs to be provided. Developers are therefore encouraged to discuss with the Council the appropriate mix of house size, type and tenure within any new housing development at an early stage in the application process. Requirements will be informed by the following, along with any additional up-to-date evidence:

- Evidence contained within the Greater Nottingham & Ashfield Housing Needs Assessment 2020, or subsequent assessment of local housing need;
- Local Housing Strategy;
- Context in relation to site location and existing neighbouring residential development;
- Site issues and design considerations.

6.146. The Greater Nottingham & Ashfield Housing Needs Assessment 2020 (HNA) analysis takes into account how people of different ages occupy homes, market evidence and modelled outputs. The analysis has also factored in the projected growth of family households in order to ensure that prospective development responds to the need for family-sized housing in particular areas; and the assessment has also reviewed recent development trends to better understand particular market strengths and identify any gaps in the market.

6.147. Estimates of future requirements by dwelling size are set out in Table 6 and will be used as a starting point to inform negotiations between the District Council and applicants in determining the appropriate mix of housing on schemes of 10 or more dwellings.

<b>Recommended Housing Mix</b>				
Housing Type	1 Bed	2 Beds	3 Beds	4+ Beds
Market	4%	27%	45%	24%
Affordable Home Ownership	23%	38%	24%	15%
Affordable Rented	35%	37%	25%	3%

**Table 6: Recommended Housing Mix**

Source: Greater Nottingham & Ashfield Housing Needs Assessment 2020

6.148. There are instances where adjustments may need to be applied according to the local profile of housing, the character of the local area, the sustainability credentials of the site and the viability of providing a particular mix of housing

dependent on submarket characteristics. The final mix of housing/types will be subject to negotiation and applicants will be expected to provide robust evidence relating to the identified level of housing need, financial viability or deliverability to support their proposals.

- 6.149. **H6:2** Greater Nottingham and Ashfield is projected to see a notable increase in the older person population, with the total number of people aged 65 and over projected to increase by 37.8% over the 18 years to 2038. This compares with overall population growth of 10.6% and a modest increase in the Under 65 population of 4.8%.
- 6.150. Projections linked to the standard method show an expected increase of the older population with dementia by 1,044 and those with mobility problems by 2,426 in Ashfield.

Projected Change to Older Population with Disabilities					
Council	Disability	2020	2038	Change	% Change
Ashfield	Dementia	1,619	2,663	1,044	64.5%
	Mobility problems	4,413	6,839	2,426	55.0%

**Table 7: Projected Change to Older Population with Disabilities**

Source: Greater Nottingham & Ashfield Housing Needs Assessment 2020

- 6.151. The analysis also shows that there is a substantial volume of younger adults (aged 65 and under) across the study area with a range of disabilities. Invariably, there will be a combination of those with disabilities and long-term health problems that continue to live at home with family, those who choose to live independently with the possibility of incorporating adaptations into their homes and those who choose to move into supported housing.

<b>Projected Change to Younger Adults with Disabilities</b>					
<b>Council</b>	<b>Disability</b>	<b>2020</b>	<b>2038</b>	<b>Change</b>	<b>% Change</b>
Ashfield	Impaired Mobility	4,348	4,327	-21	-0.5%
	Common Mental Disorder	14,529	15,029	500	3.4%
	Autistic Spectrum Disorders	755	779	24	3.2%
	Learning Disabilities	1,972	2,056	84	4.3%

**Table 8: Projected Change to Younger Adults with Disabilities**

Source: Greater Nottingham & Ashfield Housing Needs Assessment 2020

- 6.152. The projected change shown in the number of older persons and younger adults with disabilities provides clear evidence justifying delivering ‘accessible and adaptable’ homes as defined in Part M4(2) of Building Regulations, subject to viability testing and site suitability and, where possible, ‘fully adapted homes’ as defined in Part M4(3) of the same document.
- 6.153. The PPG for Housing for Older and Disabled People [63-006] refers only to specialist housing for older people; however, the Council acknowledges the importance of supporting specialist housing schemes for younger adults which could come forward – particularly those aimed at supporting those with autistic spectrum disorders and learning disabilities given these disabilities are expected to see an increase.
- 6.154. In line with the PPG, some older households, particularly those aged over 75, will require specialist housing provision. For Ashfield, the analysis points to a need for 2,463 units of housing with support, and 948 units of housing with care.
- 6.155. A need for around 3,203 wheelchair accessible dwellings for wheelchair users across the Greater Nottingham and Ashfield area has been identified, equivalent to 5% of the total housing need identified through the standard method. The Council consider that it would be appropriate to seek provision as part of major new-build schemes, subject to support from viability evidence studies and evaluation on a site-by-site basis.

<b>The Need for Specialist Accommodation for Older People, 2020-38</b>				
<b>Council</b>	<b>Accommodation</b>	<b>Rented</b>	<b>Leasehold</b>	<b>Total</b>
Ashfield	Housing with Support	1,037	1,426	2,463
	Housing with Care	507	441	948

**Table 9: Need for Specialist Accommodation for Older People, 2020-38**

Source: Greater Nottingham & Ashfield Housing Needs Assessment 2020

- 6.156. It is important to support the delivery of specialist housing in particular as a by-product of doing so will be the release of existing mainstream housing, including family housing, for other groups within the community. This may include sheltered housing, retirement schemes and extra care housing<sup>94</sup>. It is also considered that the provision of adaptable dwellings will make a valuable contribution towards meeting the future needs of the elderly or those with disabilities, enabling them to stay in their own home if desired. For many vulnerable older people, having the chance to avoid residential care and live in specially designed housing as tenants or owner-occupiers is an important element in retaining independence and dignity in older age. Many such individuals can be cared for in their own homes, particularly with the development of assistive technology (telecare and telemedicine), use of appropriate aids or adaptations to the dwelling, and new models of housing related care and/or support services.
- 6.157. In light of the above evidence, the Council will require that 10% of new housing built as part of major housing developments (10 dwellings and over) is accessible and easily adaptable for occupation by the elderly or people with disabilities (to comply with Building Regulations M4 (Category 2). Site specific factors such as vulnerability to flooding and site topography may make it less suitable for M4 (2) compliant dwellings, particularly where step-free access cannot be achieved or is not viable. Where step-free access is not possible, the requirement will not be applied.
- 6.158. The requirement for 10% adaptable dwellings on large sites will contribute towards future needs for specialist housing. The Council will also encourage proposals which include supported/specialist accommodation and residential institutions, where they are in suitable locations. It is acknowledged that applications for this type of accommodation will contain mainly one-bed and two bed homes. The final mix of housing on such schemes will therefore be determined on a site by site basis according to identified needs in the locality (in consultation with the Council's Housing Strategy team).

<sup>94</sup> Housing which enables older people with longer term health conditions to live independently in self-contained accommodation as an alternative to residential care.



- 6.159. The HNA also identifies a need for 1,252 care home bedspaces across Ashfield to 2038. For the avoidance of doubt, these are additional bedspaces and fall within a C2 use class. Netting off 95 new bed spaces delivered 2020-2023, the balance of requirement for 2023 to 2038 will be 1147. As of April 2023, the District has outstanding planning approvals for an additional 9 bedspaces on C2 schemes which will contribute towards the supply, giving a final requirement for 1,137 bedspaces over the remainder of the plan period. Having assessed the hectareage/bedspace ratio of recently delivered C2 schemes in Ashfield, this equates to approximately 6.6 hectares of land.
- 6.160. Although the HNA identifies the need for additional C2 schemes to 2038, it is considered inappropriate to apportion this need equally as an annual requirement over the plan period. Evidence held by Nottinghamshire County Council (NCC Adult Social Care Market Position Statement 2023-2025) and information supplied by the Clinical Commissioning Groups (CCGs) indicate a current over-provision of this type of development in Ashfield. The strategic direction of both the CCG and the County Council is to support people in their own homes for as long as is possible and feasible rather than placement in a care home. It is likely therefore, that any new delivery will come forward later in the plan period (anticipated beyond the first 10 years) as demographic changes and market dictates the need demand.
- 6.161. In the light of current evidence, it is not proposed to allocate land specifically for residential care homes, other than those with current planning permission, but to ensure that a supply of general housing land is provided sufficient to meet the LHN which includes the forecast need from this sector.
- 6.162. **H6:3** The development of self-build properties by individuals or community groups (including Community Land Trusts) can contribute to meeting the need for additional housing within the District and provide a more diverse housing stock. The Council, working with Mansfield District Council and Newark and Sherwood District Council, have set up a custom/self-build register for the Nottingham Outer Housing Market Area. The level of demand for such sites is monitored against small sites coming forward through the planning application process in an annual monitoring report<sup>95</sup>. Should demand exceed that which it is possible to accommodate through either voluntary measures or through Council owned sites, an SPD may be required setting out how development sites outside of the Council control can contribute to meeting established demand in line with government policy.

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<sup>95</sup> <https://www.ashfield.gov.uk/planning-building-control/building-control-regulations/self-build-custom-builds/self-build-custom-monitoring/>

## Policy H7: Housing Density

6.163. This policy aims to promote efficient use of land through optimising density, whilst reflecting the specific characteristics of a site and its surrounding area. Factors affecting density may include on-site constraints, the type of development proposed, and the level of transport accessibility. Whilst higher densities may be appropriate as part of major developments, or in town centre locations with good public transport and dense urban form, lower densities may be appropriate in established suburban areas or villages, in areas with an open character, or on the edge of settlements.

Policy H7: Housing Density							
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO7, SO8, SO9, SO12, SO14.						
<p>1. To promote efficient use of land proposals for housing developments will be expected to optimise density, whilst reflecting the specific characteristics of the site and its surrounding area (in terms of built form and landscape). Proposed residential development on sites of 0.4 hectares or greater, will be permitted subject to the following minimum density requirements:</p> <table border="1"> <tbody> <tr> <td>Within 400m of district shopping centres/major public transport nodes</td> <td>40 dwellings per hectare</td> </tr> <tr> <td>Within 1Km of district shopping centres/major public transport nodes</td> <td>34 dwellings per hectare</td> </tr> <tr> <td>Over 1km from district shopping centres/major public transport nodes</td> <td>30 dwellings per hectare</td> </tr> </tbody> </table> <p>2. Development schemes on sites delivering greater than 500 dwellings will be expected to provide a range of housing densities throughout the site.</p>		Within 400m of district shopping centres/major public transport nodes	40 dwellings per hectare	Within 1Km of district shopping centres/major public transport nodes	34 dwellings per hectare	Over 1km from district shopping centres/major public transport nodes	30 dwellings per hectare
Within 400m of district shopping centres/major public transport nodes	40 dwellings per hectare						
Within 1Km of district shopping centres/major public transport nodes	34 dwellings per hectare						
Over 1km from district shopping centres/major public transport nodes	30 dwellings per hectare						
Evidence Base	<ul style="list-style-type: none"> <li>Background Paper No 2 Housing 2023. Ashfield District Council.</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>						
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes.</li> <li>NPPF 2023, Part 11: Making effective use of land.</li> <li>Planning Practice Guidance: Effective use of land as of July 2019.</li> </ul>						

6.164. **H7:1** Developments carried out at a higher density in accordance with this policy will bring more people within walking/cycling distance of the District Shopping Centres, railway stations and tram stops, and encourage 'active travel' in general. This will support a subsequent reduction in private car journeys and improved usage of these services. The policy will also assist in encouraging the development of an increased number of smaller and more affordable properties.

- 6.165. Walking distances in the two density zones have been established at 400 metres within which it is likely that many people will choose to walk to District Shopping Centres and rail stops, and 1 kilometre within which a smaller but still significant number of people are likely to choose to walk/ cycle. The 1 kilometre zone is also considered to be the principal catchment of the Public Transport Corridor. Outside of these two zones a higher proportion of people are likely to use a private car rather than walk and as such a lower target density is appropriate. It must be noted that the distances involved should be based on actual walking routes, rather than an arbitrary radius (or 'as the crow flies').
- 6.166. Development densities in all major housing developments should normally be no lower than an average 30 dwellings per hectare (net). Densities below this will need to be justified, taking into account individual site circumstances.
- 6.167. Typical densities achieved on recent housing development across Ashfield are set out in Table 10 below. It can be seen that the vast majority of large housing sites delivered over the past 5 years have a density of 30 and above.

<b>Density of recently delivered large housing sites in Ashfield (2011 to 2021)</b>	
Below 30 dwellings per hectare (dph)	19%
Between 30%-50% dwellings per hectare (dph)	75%
Above 50 dwellings per hectare (dph)	6%

**Table 10: Density of recently delivered large housing sites in Ashfield**

Source: Ashfield District Council

- 6.168. **H7:2** Major schemes of over 500 dwellings should include a range of different housing density areas, to ensure varied character, appearance, and house types in accordance with agreed Masterplans which facilitate comprehensive development.
- 6.169. The density levels set by H7 are based on the net residential developable area of sites which will vary depending on the land taken by open space, infrastructure and facilities. The standard assumptions for identifying net developable areas are set out in Background Paper 2: Housing and should be used as a guide. Net residential density is measured as the number of individual dwelling units per hectare of land developed specifically for housing and directly associated uses. This includes access roads within the site, private garden space, car parking and incidental open space/landscaping. It does not include distributor roads, open space serving a wider area, significant landscape buffer areas and other facilities such as schools, shops and community buildings.

- 6.170. In considering appropriate densities, account will be taken of any relevant local appraisals, plans or strategies, including, but not restricted to:
- Neighbourhood Plans,
  - Landscape Character Assessments,
  - Conservation Area Appraisal or Character Appraisal approved or adopted by the District Council.
- 6.171. The Council’s Residential Design Guide Supplementary Planning Document (SPD) gives further useful information.

**Policy H8: Houses in Multiple Occupation, Flats and Bedsits**

6.172. This policy aims to ensure that an appropriate mix of housing is provided to meet the needs of the District in a way that does not create concentrations of particular types of housing in an area and therefore undermine the creation and maintenance of sustainable, inclusive and mixed communities.

<b>Policy H8: Houses in Multiple Occupation, Flats and Bedsits</b>	
Strategic Objectives	SO1, SO2, SO3, SO7, SO8, SO9, SO12, SO14.
<p>1. Planning permission for the following development will only be granted where it does not undermine local objectives to create or maintain sustainable, inclusive and mixed communities:</p> <ul style="list-style-type: none"> <li>a. Changes of use and / or the erection of buildings to create new Houses in Multiple Occupation (HMOs), flats or bedsits; and</li> <li>b. Extension / alteration of existing HMOs, flats or bedsits, including development that facilitates an increase in the number of occupiers / bedspaces.</li> </ul> <p>2. In assessing the development’s impact, regard will be given to all of the following relevant criteria:</p> <ul style="list-style-type: none"> <li>a. The extent to which it would contribute to the achievement of mixed and balanced communities;</li> <li>b. The individual characteristics of the building or site and immediate locality;</li> <li>c. Any evidence of existing HMO and purpose-built accommodation provision within the immediate vicinity of the site that already impacts on local character and amenity;</li> </ul>	

<p>d. The impact the proposed development would have on the character and amenity of the area or site, having particular regard to the criteria set out in Policies SD2 and SD3. External staircases and large extensions which reduce the amenities of adjoining occupiers and/or the private amenity space available to future residents to an unacceptable degree will not be supported;</p> <p>e. Whether the proposal would incorporate an appropriate level of car and cycle parking having regard to the location, scale and nature of the development in line with Policy SD11 ; and</p> <p>f. Whether the proposal would result in the positive re-use of an existing vacant building or disused land in accordance with wider regeneration benefits.</p> <p>3. Any planning application for a House of Multiple Occupation (HMO) will be required to produce a HMO Management Plan, as part of the application process, to demonstrate how the proposal is to align with the Management of Houses in Multiple Occupation (England) Regulations 2006.</p>	
Evidence Base	<ul style="list-style-type: none"> <li>Greater Nottingham &amp; Ashfield Housing Needs Assessment Final Report, 2020 – Iceni Projects Ltd.</li> <li>Sustainability Appraisal 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> <li>NPPF 2023, Part 5: Delivering a sufficient supply of homes</li> <li>Planning Practice Guidance: Effective use of land as at July 2019.</li> <li>Planning Practice Guidance: Healthy and safe communities as at August 2022.</li> </ul>

6.173. The conversion of existing residential units to provide houses in multiple occupation, bedsits and flats can provide a needed source of accommodation. HMOs play an important role in providing accommodation for many groups on lower incomes as well as a large proportion of younger members of the population for whom entry onto the property market as a first-time buyer is becoming increasingly delayed and all those displaced as a result of family change.

6.174. However, where concentrations of such uses develop, this can have a distorting effect on neighbourhoods with many residents not having a long-term stake in the community and some service needs of longer-term residents, such as schools becoming unsustainable.

6.175. In determining whether the proposal will contribute to the creation of mixed and balanced communities, consideration will be given to the number and location of existing HMOs. A report published by the Government in 2008, “Evidence Gathering: Housing in Multiple Occupation and possible planning responses – Final Report” recognises the impacts that can occur as a result of high concentrations of HMOs. These include:

- anti-social behaviour,
- noise and nuisance;

- imbalanced and unsustainable communities;
  - negative effects on the physical environment and streetscape;
  - pressure upon parking provision;
  - increased crime;
  - pressure upon local facilities;
  - and restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population.
- 6.176. HMO developments can raise issues relating to residential amenity and the visual character of the areas, for example, as a result of additional windows, external staircases, parking on and off-site, cycle storage, bin storage and access for rubbish collection etc.
- 6.177. Where the existing level of such developments in the local area is considered to adversely impact the community, proposals may not be supported unless there are other benefits for the local community, such as the reuse of building or site that has been vacant for a substantial period of time.
- 6.178. In cases where a conversion involves substantial alterations to an elevation, careful design which reflects the character of the property and the locality must be achieved. Proposals will only be supported in particular where they conform with Policy SD2 Design Considerations for Development, Policy SD3 Amenity and Policy SD11 Parking Standards. Ashfield's Residential Design SPD provides further useful information.
- 6.179. The Housing Act 2004 introduced licensing for houses in multiple occupation (HMOs). The Act provides a detailed definition of HMOs and sets out standards of management for this type of property. Licensing is mandatory for all HMOs which have three or more storeys and are occupied by five or more persons forming two or more households.
- 6.180. All HMOs, regardless of whether they are licensable or not, are subject to legislation about how they are managed. There are two main pieces of management legislation; the first being the Management of Houses in Multiple Occupation (England) Regulations 2006 and the second the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

## Chapter 7

### Building a strong economy which provides opportunities for local people

#### Policy EM1: Business and Economic Development

<b>Policy EM1: Business and Economic Development</b>	
Strategic Objectives	SO1, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12.
<p>1. The Council will give significant weight to proposals for business development, which provide for, or assist the creation of, new employment opportunities and inward investment. Business and economic development proposals will be directed towards town centres (where appropriate), employment sites, and employment allocations.</p> <p>2. The Council will sustain and enhance Ashfield’s employment capacity by supporting the following uses on allocated employment allocations sites and Key Employment Area as identified on the Policies Map:</p> <p>a) Office, light industrial and research and development, general industrial and storage and distribution.</p> <p>b) Sui generis uses where it can be demonstrated that the proposal is compatible with the predominant use, is of a scale, nature and form appropriate to the location and there are no other sites/buildings that could meet the use in question.</p> <p>c) Educational or training purposes which will assist in improving skills where:</p> <ul style="list-style-type: none"> <li>• it can be demonstrated that no suitable sites are available in town centre;</li> <li>• provision is made for access by a range of means of transport; and</li> <li>• the development would not conflict with the employment function of the estate or area.</li> </ul> <p>d) Ancillary uses including workplace nurseries and catering facilities where there is robust justification that it serves the needs of employees on the business park/industrial estate, it does not adversely affect the operations of other industrial uses in the vicinity of the site and will not result in significant levels of visitor traffic into the business park/estate.</p>	

<p>3. Business start-ups and small scale employment working from home through using part of a dwelling or a building within the curtilage of a dwelling will be supported providing that:</p> <p>a) The proposal would not have an unacceptable impact on the amenity of any nearby residential occupiers;</p> <p>b) The direct and indirect effects of the scale of the business activity, including the employment of non-residents at the business, remains incidental to the overall use of the site for residential purposes;</p> <p>c) There are no detrimental effects to parking or traffic generation in the area; and</p> <p>d) There are no direct sales from the site to visitors.</p>	
<p>Evidence base</p>	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023 Ashfield District Council</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2023. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• Ashfield and Mansfield - A Plan for Growth 2016 (Joint Economic Masterplan Update). Ashfield District Council &amp; Mansfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Logistics Study 2022, Icen.</li> <li>• Greater Nottingham Logistics Background paper 2023. Ashfield DC, Broxtowe BC, Erewash BC, Gedling BC, Nottingham City, &amp; Rushcliffe BC.</li> <li>• Maid Marian Rail Extension Economic Impact Analysis 2020. Lichfields.</li> <li>• Maid Marian Rail Extension - Ashfield Masterplan Report 2020. Ashfield District Council and Mansfield District Council.</li> <li>• D2N2 – the Spark in the UK’s Growth Engine Strategic Economic Plan 2019-2030. D2N2 Local Enterprise Partnership.</li> <li>• The D2N2 draft Local Industrial Strategy, March 2020. D2N2 Local Enterprise Partnership.</li> <li>• D2N2 Local Industrial Strategy Evidence Base - D2N2 Local Enterprise Partnership.</li> <li>• Employment Land and Monitoring Report 2020. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> </ul>
<p>National Planning Policy and Guidance</p>	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> <li>• Planning Practice Guidance: Housing and economic land availability assessment as of July 2019.</li> <li>• Planning Practice Guidance: Housing and economic needs assessment as of July 2019.</li> </ul>

7.1 In ensuring business and economic development across the District successfully contributes to delivering sustainable growth and productivity, the Council will seek to



direct development to the most sustainable and appropriate location for the given uses. These locations will include town centres for appropriate office development, Key Employment Areas and other existing employment sites and buildings. The Policy also recognises the benefits of home working, placing an emphasis on the ability to work or start new business from home.

- 7.2 The economic implications of a development proposal will be seen in the context of the evidence and objectives of The Ashfield and Mansfield Joint Economic Masterplan, the D2N2 economic strategy other appropriate evidence from economic analysis of the Ashfield and Mansfield or Greater Nottingham economic area (including any subsequent reviews). The economic significance of any application will depend upon:
- The scale and location of the proposed development; for example, the creation of ten jobs within a small village location can have a significant impact at a local level.
  - The short, medium or long term implications of the proposal, with a greater weight in favour of applications for long term sustainable development.
- 7.3 Where appropriate, planning applications should be supported by sufficient information about the positive and negative economic implications of the proposal to enable the Council to make an informed assessment of the potential economic impact.
- 7.4 Specific industrial parks/estates, identified as Key Employment Areas, are considered as having a key role in providing for opportunities for jobs and new investment derived from office, light industrial and research and development, general industrial and storage and distribution uses. Together with other employment sites, they will continue to play a crucial role in the economy of the area. These sites can also help to support less-skilled jobs for less-skilled workers in and near deprived areas. The Policy does allow for flexibility in relation to a number of uses:
- While it is anticipated that most of the uses on allocated employment sites or Key Employment Areas will fall within office, light industrial and research and development, general industrial and storage and distribution uses, the development of a sui generis employment use may be appropriate where they have similar characteristics. Any such uses will need to be considered against the following considerations:
    - economic implications including the impacts on local employment, deprived areas, physical regeneration of the area and the local and sub regional economy;
    - compatibility with the future operation of an existing or approved economic development use;
    - infrastructure requirements associated with the development and their impact on and off the estate;

- whether they are town centre uses and the sequential and/or impact test have been applied; and
  - promotion of skills provision and levels.
- Meeting education and training infrastructure needs, reflecting the importance to improved education qualification and skills in meeting the future needs of the local economy.
  - The provision of ancillary services on these estates where the intention is to meet the needs arising from workers on the estates. However, this does not allow for uses which are directed towards meeting a wider need and results in significant visitors to the estate. Any applications of this nature will need to demonstrate that the need for ancillary services, arises principally from the estate/business park in question.

## Policy EM2: Employment Land Allocations

<b>Policy EM2: Employment Land Allocations</b>		
Strategic Objectives	SO1, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12.	
<p>In addition to the employment land identified in Strategic Policy S6 at Junction 27 M1 Motorway, the following land, as shown on the Policies Map, will be allocated for use for office, light industrial, research and development, general industrial and storage/distribution:</p>		
Site Reference	Site Name	Approximate net area
EM2 S1	Castlewood Business Park, Sutton in Ashfield	2.38
EM2 S2	Fulwood Road North, Sutton in Ashfield	1.37
EM2 S3	Hamilton Road, Sutton in Ashfield	3.34
EM2 S4	West of Fulwood, Export Drive, Sutton in Ashfield	5.68
EM2 K1	Kings Mill Road, Kirkby-in-Ashfield	1.99
EM2 K2	Park Lane, Kirkby-in-Ashfield	1.50
EM2 K3	Portland Industrial Park, Kirkby-in-Ashfield	1.76
EM2 K4	Land to the East of Lowmoor Road, Kirkby-in-Ashfield	11.11
EM2 H1	Aerial Way, Hucknall	0.82
EM2 H2	Butlers Hill, Hucknall	0.60
EM2 H3	Harrier Park, Hucknall	13.39
	<b>TOTAL</b>	<b>43.94</b>
Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2021. Ashfield District Council.</li> </ul>	

	<ul style="list-style-type: none"> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> <li>• Planning Practice Guidance: Housing and economic land availability assessment as at July 2019.</li> </ul>

7.5 The supply of employment land sites is derived from existing employment land allocations, land submitted for employment purposes through the Strategic Housing and Employment Land Availability Assessment (SHELAA) and from existing planning permissions.

7.6 The employment land demand under Policy S8 requires 81 ha of employment land from 2023 to 2040. This requirement will be met by:

- Strategic Policy S6 - Protecting and allocating approximately 40.92 ha (net developable area) of employment land at the District’s Strategic Employment Area of Sherwood Business Park / M1 Motorway junction 27 as shown on the Policies Map for logistics and distribution. Part of this allocation is required by High Speed Railway Phase 2b as a compound for the construction of HS2. Consequently, it is unlikely to come forward until the latter stages of the Plan period.
- Policy EM2 - Two new allocations at Hamilton Road, Sutton in Ashfield comprising approximately 3.34 ha.
- Policy EM2 - Existing employment land of 40.60 ha (net developable area). This reflects sites allocated under the Ashfield Local Plan Review 2002 for employment land or land which has planning permission for office, light industrial, general industrial or distribution uses.

7.7 Employment Background Paper 3: Economy and Employment Land, 2023, identifies sites, including those that are strategic, that are anticipated to meet the demand for employment land from 2023 – 2040.

### Policy EM3: Retention of Employment Sites and Allocations

<b>Policy EM3: Retention of Employment Sites and Allocations</b>	
Strategic Objectives	SO1, SO2, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12.
<ol style="list-style-type: none"> <li>1. Development proposals which would result in the loss of an allocated employment site will only be permitted where it can be demonstrated to the Council that there is no reasonable prospect of an application coming forward for the use identified in the Policy EM2 and the proposed use would contribute to meeting an unmet need for development in the area.</li> <li>2. Development proposals which would result in the loss of a site/building within a Key Employment Area will only be permitted where it can be demonstrated to the Council that there is no reasonable prospect of an application coming forward for office, light industrial and research and development, general industrial and storage and distribution and the proposed use would contribute to meeting an unmet need for development in the area.</li> <li>3. Development proposals which would result in the loss of other existing employment sites or employment buildings will only be permitted where the applicant can demonstrate that:             <ol style="list-style-type: none"> <li>a) Retention of the uses for employment development would cause unacceptable environmental problems; and/or</li> <li>b) Taking into account market conditions and anticipated longer term demand requirements, the building/site is no longer physically suitable for employment uses and there is no realistic prospect of the re-use or redevelopment for such uses.</li> </ol> </li> <li>4. Within the rural areas of the District there are limited employment sites and the Council would not support these sites being used for alternative purposes.</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2021. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> <li>• Planning Practice Guidance: Housing and economic land availability assessment as at July 2019.</li> </ul>

- 7.8 Ashfield's existing employment areas, primarily the main industrial estates, will continue to play a crucial role in the economy of the area. These employment areas not only provide space for current employers and business but also opportunities for new investment and rejuvenation, through intensification or re-use.
- 7.9 The purpose of the Policy is to ensure that the existing employment areas are provided with some element of protection. This reflects the need to ensure a range and choice of employment land and premises are available across the District to assist economic competitiveness, encourage entrepreneurship, promote the growth of indigenous businesses of all types and size and attract inward investment.
- 7.10 A critical factor in maintaining a supply of employment land will be the ability to protect some protection for land and premises for employment from being lost to alternative uses.
- 7.11 There has been growing pressure over recent years for the development/ redevelopment of employment land and premises for other uses (predominantly residential). Such development proposals can result in significant losses to the District's stock of employment land and premises.
- 7.12 The NPPF emphasises the need to consider the changing economic environment and provide flexibility in relation to employment opportunities. Consequently, in exceptional circumstances, the Policy enable development, which provide an unmet need in that area to be considered on allocated employment sites or Key Employment Areas. In these cases, it will be necessary for:
- the applicant to demonstrate to the Council that there are substantial economic and employment benefits from allowing such a use on the site through an economic assessment of the implications of the development proposal, and
  - that there is substantial evidence that there is a lack of demand for office, light industrial and research and development, general industrial and storage and distribution uses on the site. (See Policy SD6 Assessing Development Viability and Development Demand).
- 7.13 For other employment sites and buildings, where economic circumstances change, the Policy allows for changes to other uses in specific circumstances, which are usually reflected in a lack of demand for the site in question. In these circumstances, the Council will require the development to meet the provisions set out under Policy SD6.

## Policy EM4: Rural Development

<b>Policy EM4: Rural Development</b>	
Strategic Objectives	SO1, SO2, SO4, SO5, SO6, SO12, SO14.
<p>1. The Council will support rural development for employment or appropriate recreational uses within Named Settlements and, where appropriate, within the countryside, provided that:</p> <ul style="list-style-type: none"> <li>a) It can be demonstrated that the scale, and character of development is designed and operated so as to cause no detriment to the character and appearance of the Named Settlement or the countryside;</li> <li>b) It is of a scale appropriate to the nature of the site and its setting;</li> <li>c) It is sensitively sited to protect the amenity of existing neighbouring uses in the locality;</li> <li>d) It can be accommodated by the transport network in the locality and would not be detrimental to highway safety;</li> <li>e) It is not inappropriate development within the Green Belt; and</li> <li>f) Individually, or cumulatively, there are no significant adverse effects in relation to other policy requirements.</li> </ul> <p>2. In addition to Policy EM4 1, proposals for agricultural, forestry or horticultural or other land use development should demonstrate that:</p> <ul style="list-style-type: none"> <li>a) The proposed development is necessary for the purpose of agriculture, forestry, horticulture or other land based use within the unit.</li> <li>b) Adequate provision will be made for the storage and disposal of slurries and manures without polluting any watercourse or water supply sources.</li> <li>c) For farm diversification: <ul style="list-style-type: none"> <li>i. The proposal is ancillary to and operated as part of an established agricultural enterprise; forms part of a comprehensive farm diversification scheme and will contribute to making the holding viable;</li> <li>ii. Where a retail use is proposed it is directly related to the farm unit, it provides adequate access and parking arrangements, and the proposal must be of a scale appropriate in a rural location.</li> </ul> </li> </ul> <p>3. In addition to Policy EM4 1, proposals for equestrian development should demonstrate that:</p> <ul style="list-style-type: none"> <li>a) Priority has been given to the re-use of existing buildings.</li> </ul>	

- b) Where new buildings or structures are justified in relation to the proposed development, they will use appropriate materials, are well related to existing buildings, and consist only of essential facilities necessary for the proposed use.
- c) There is sufficient provision of land for the proper care of horses<sup>1</sup> including stabling, grazing and exercise having regard to appropriate guidelines.
- d) Adequate provision will be made for the storage and disposal of waste materials from horses.

In determining any application for equestrian purposes, the Council will consider the cumulative impact with other existing equestrian developments or equestrian developments for which there is planning permission in the local area, on the wider landscape and environment.

4. Planning permission for the removal of a restrictive occupancy condition on a dwelling for an agricultural, forestry or other similar worker will only be given where the following can be evidentially shown:
  - a) That there is no longer a continued need for the property on the holding or for the business; and
  - b) There is no long term need for a dwelling with restricted occupancy to serve a need in the area.

<sup>1</sup> 'Horse' is used as a generic term. The policy and supporting justification applies to development relating to all sizes, types and breeds of equines.

Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council.</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2021. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023 Part 11: Making effective use of land.</li> </ul>

7.14 The 2011 Rural-Urban Classification for Local Authority Districts in England identifies Ashfield as falling within the “Urban with city and town”. This means that it is predominantly urban as more than 74% of the resident population lives in urban areas. However, beyond these urban areas the District contains a number of rural areas that contribute significantly to its character.

7.15 The NPPF identifies that the countryside should be protected for its intrinsic value and beauty. However, this has to be balanced against the need to promote appropriate development within rural areas to ensure that they remain viable and

sustainable, meeting the needs of their resident population. The Policy is intended to provide flexibility in providing premises whilst protecting the Green Belt and countryside.

- 7.16 The size, siting, material used, and appearance of any building or structure will be an important consideration. New buildings should integrate with existing features and should normally be located as closely as possible to existing buildings. Opportunities to re-use existing buildings or previously built sites will be preferred except in the case that removal of an existing structure and re-building in a more appropriate location is more beneficial. In the context of sustainable development, it should be recognised that the private car can have an important role to play in rural areas as it may be the only real option for travel.
- 7.17 Applicants will be required to provide sufficient information to demonstrate a level of involvement commensurate with commercial activity. For agricultural, forestry or horticultural enterprise this may require all or some of the following: business accounts, County/Parish holding number, movement records for animals, identifying that land is register with the Rural Land Register, registration with food standards/accreditation (such as Red Tractor, Soil Association organic certification), evidence that the business is register for the Basic Payment Scheme (or any replacement scheme), or such other evidence that establishes the existence of the business. For equine businesses, such information could include a statement of the commercial rates history for the business, copies of appropriate insurances, copies of horse passports (if applicable) and any other information considered relevant to demonstrating it is a commercial business.

### **Agriculture**

- 7.18 The demands on the agricultural sector are likely to increase into the future reflecting:
- food security;
  - the expansion of non-food crops; and
  - the impact of climate change with rising global temperatures and changing patterns of precipitation.
- 7.19 Buildings and structures associated with agriculture are necessarily located in the countryside and many are large to meet the functional agricultural requirements. The agricultural need has to be balanced against the value of the countryside for its landscape, and its contribution to biodiversity and conservation. The Council will consider whether a proposed agricultural building is necessary in relation to the needs of a Holding and where appropriate will obtain advice from an agricultural adviser.
- 7.20 Farm diversification is anticipated to be increasingly important to the continuing viability of farm enterprises in the future. The Council supports farm diversification schemes where it can be demonstrated that the scheme is financially viable from an



economic perspective, the project is part of an existing farm holding, and is capable of satisfactory integration into their rural location. Diversification schemes must be capable of supporting the farm economy in the long term and be compatible with the main farming activities of the farm business. The Council will expect an appropriate farm diversification plan to be submitted with the proposal, which must set out the short and long term business plan of the existing farm business and explain how in functional and financial terms the proposal will support the long-term viability of the farm business.

- 7.21 One form of diversification is a farm shop. A farm shop can make an important contribution toward the viability of an agricultural holding; by reducing food miles, adding to the vibrancy of the rural economy and responding to customer requirements for quality local products. The success of a farm shop may be dependent on the correct product mix reflecting the seasonality of farm production, the ability to access and provide quality niche products from small local providers for customers, as well as providing a basic range of products for those customers. In assessing application for farm shops, the Council will have regard to advice from the National Farmers' Retail & Markets Association (FARMA), when assessing the appropriate product mix to be sold by the proposal. Their recommendation is that:
- 20% of products should be sourced and produced from the Farm;
  - 20% of products sourced and produced within 30 miles of the Farm;
  - 40% of products should be sourced and produced within the Region;
  - 20% of the products are sourced and produced from elsewhere.
- 7.22 Where permission is granted for a farm shop, conditions may be applied in relation to limits on the broad type of goods sold and the scale of development, to ensure that the shop is not run independently of the farm and to ensure adequate car parking and landscaping is provided. Depending on the scale of the shop proposed, there may also be a requirement to undertake an impact assessment.
- 7.23 The use of land for equestrian purposes, may be for business or recreational activity. The Policy emphasises the use of existing building as far as possible to minimise the impact on the countryside. For equestrian use this will include for stables, tack rooms, and feed stores. If new buildings are necessary, the buildings should be constructed in good quality appropriate materials and designed clearly for their intended purpose. In the countryside (including the Green Belt) or Green Belt the Council anticipates that buildings will be of timber construction and of a small scale so as to minimise the impact on the countryside. Buildings of permanent construction such as bricks/block walls and tile roofs would normally only be considered appropriate where required to preserve or enhance a Conservation Area or if it is sited within a group of existing traditional buildings.
- 7.24 In terms of scale, the number of stables/loose boxes/sheds should be proportional to the accommodation of reasonable leisure needs of a householder or occupier or of the business requirement. This will be balanced against the need to protect the countryside and character of the landscape. In addition, the land associated with the buildings will also be a determinate of the size of any buildings. However, it is not

anticipated that recreational uses of stables for non-commercial purposes will typically require more than four loose boxes.

- 7.25 Well-managed horse pasture can contribute positively to the landscape character and openness of the countryside and Green Belt. However, horse keeping can also have detrimental impacts through excessive subdivision of fields, unsightly built development (stables, horse shelters, jumps and other structures), there can be waste management issues, overgrazing of pasture, loss of soil structure, and poor quality fencing. DEFRA's Code of practice for the welfare of Horses, Ponies, Donkeys and their hybrids, The British Horse Society, Equine Industry Welfare Guidelines and other welfare organisations set out standards regarding well managed grazing land required per horse. The availability of sufficient well managed grazing land associated with a development is considered by the Council to prevent over-grazing, which is detriment to animal welfare, and the character and appearance of the landscape. The Council will utilise information from the British Horse Society, Equine Industry Welfare Guidelines and other equine and welfare organisations in considering the pasturage, and the stabling welfare requirements for horses.
- 7.26 Where appropriate buildings should be a suitable distance away from dwellings to avoid problems of smell, noise, and pests, if necessary taking account of wind directions and other relevant factors.
- 7.27 The Water Framework Directive requires all water bodies to achieve good ecological status by 2027. This requires that everyone works together to protect and improve water environment. Diffuse pollution of water (DPW) arises from numerous pollution sources including agriculture and horses. An average horse will produce 20.4 kilos (or 45 pounds) of manure each day, equating to 7.5 tonnes annually. This quantity does not include the addition of soiled stable bedding material. Although individually minor, such pollution on a catchment scale can be significant in terms of the cumulative effect on the environment. Animal waste is a potential threat to the environment and human health, especially if it is stored or spread near water and one of the key elements of good management is the correct storage and consideration of the disposal of waste. Ashfield is within a Nitrate Vulnerable Zone and the regulation requirements will be applicable to animals kept on agricultural holdings or enterprises.
- 7.28 Where the need to provide accommodation to enable farm, forestry or other workers to live at or near their place of work has been accepted as providing the special justification required for new, isolated residential development in the countryside, it will be necessary to ensure that the dwellings are kept available for meeting this need for as long as it exists<sup>96</sup>. For this purpose, planning permission should be made subject to appropriate occupancy conditions. This will ensure that the dwelling is not subsequently sold on the open market and ensures that sporadic development is carefully controlled. Changes in the scale and character of farming

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<sup>96</sup> See Policy EV1 Green Belt, EV2 Countryside and Appendix 5 Agricultural, Forestry and Other Occupational Dwellings.

and forestry may affect the longer-term requirement for dwellings for which permission has been granted subject to an agricultural or forestry occupancy condition. Such dwellings, and others in the countryside with an occupancy condition attached, should not be kept vacant. Consequently, if the Policy requirements are met, the conditional may be released.

### Policy EM5: Education, Skills and Training

<b>Policy EM5: Education, Skills and Training</b>	
Strategic Objectives	SO1, SO4, SO6, SO7, SO8, SO9, SO12.
<p>1. The Council will support development that contributes towards raising the level of skills and opportunities for all ages in the District. Development of education and skills will be promoted through:</p> <ul style="list-style-type: none"> <li>a) Supporting the growth, development and improvement of Vison West Nottinghamshire College, Nottingham Trent University and other educational institutions within Ashfield.</li> <li>b) Supporting new educational facilities to improve local skills and training in the working age population, including on sites allocated for employment uses where: <ul style="list-style-type: none"> <li>• it can be demonstrated that no suitable sites are available in town centre;</li> <li>• provision is made for access by a range of means of transport; and</li> <li>• development would not conflict with the economic development function of the estate or area.</li> </ul> </li> <li>c) Utilising training and employment agreements to secure employment and skills development for the local workforce.</li> </ul> <p>2. The Council will support the renovation, redevelopment and expansion of the District’s schools. Where additional school places are anticipated to be required as a result of a development proposal or have been forward funded to meet new housing requirements, the Council will require the provision of:</p> <ul style="list-style-type: none"> <li>a) A primary school on site or contributions towards the expansion of existing or new primary school provision; and/or</li> <li>b) A secondary school on site or contributions towards the expansion of existing or new secondary school provision.</li> </ul>	

Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council</li> <li>• Background Paper No 3: Economy &amp; Employment Land 2023. Ashfield District Council.</li> <li>• The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Lichfield.</li> <li>• Strategic Housing and Employment Land Availability Assessment 2021 - 2023. Ashfield District Council.</li> <li>• Securing developer contributions for education, April 2019. Department for Education.</li> <li>• Sustainability Appraisal 2023, WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities.</li> </ul>

7.29 Improving skills is a national priority for strengthening productivity performance given. It is important to improve both school performance and skills in the existing workforce. With economic restructuring there is an increasing need for people with high skill levels and the Council will support development proposals which seek to raise skill levels.

7.30 Vision West Nottinghamshire College (VWNC) play a key role in improving local skills. The Construction and Logistics Skills Academy off Lowmoor Road, Kirkby-in-Ashfield provides some of the best training facilities in the sector, allowing students to gain valuable practical experience using state-of-the-art technology and industry standard equipment. These facilities are proposed to be expanded through the Ashfield Civil Engineering Centre. This is part of VWNC’s development programme supporting the future requirements for skills for more specialist construction areas and seeks to address the skills shortage in a rapidly changing construction industry.

7.31 The Vision University Centre at the main campus operated by Nottingham Trent University delivers Higher Education including Nursing and Allied Healthcare. The partnership between the college and the university has significantly enhanced skills provision and includes a wide range of foundation degrees to increase accessibility for local people to achieve key and higher level skills, including social care; paramedic training; business; computing and technology. This is helping to create a growing pool of highly skilled local people who can work in growth sectors helping to re-balance Ashfield’s economy towards higher value and skilled jobs, making it more resilient and more able to capitalise on higher value opportunities to attract investment. It is important that the skills of the graduates from this and other centres of learning are retained within the area to facilitate inward investment and economic growth.

7.32 Work is ongoing for the development of the Automated Distribution and Manufacturing Centre (ADMC) in the District. It aims to create a national centre of excellence focussed on promoting and providing access to the latest technologies and best practice in automated distribution. The concept of a purpose-built innovation facility has been developed, targeted at improving international

competitiveness and inward investment attractiveness. The ADMC will support the adoption, integration and expansion of automated technologies for businesses; locally and across the Midlands region in a sustainable manner. It will provide access to skills training to meet the increasing need for talent and upskilling by employers to meet the requirement of automation technology. This will link to Vision West Nottinghamshire College's (VWNC) Automation and Robotics programme and the emerging higher-level education programmes being developed by Nottingham Trent University (NTU).

- 7.33 Construction is an important sector in Ashfield and labour demand is forecast to grow significantly over the next five years. Ashfield Construction Centre is a partnership project with Vision West Nottinghamshire College, Inspire, Portland College and Sutton Academy to provide a new Level 1 construction facility at a gateway site in Sutton which complements VWNC higher level courses at its campus in Kirkby. The Portland College campus will provide a satellite education centre for students with complex disabilities. The Construction Centre will help to meet the demand for construction workers by increasing the number of qualified learners.
- 7.34 To improve skills and economic inclusion in the District, the Council will, where appropriate, look to negotiate planning agreements to secure local labour agreements for development. These are anticipated to relate to:
- a. developments of 10 or more dwellings
  - b. On 0.5 hectares or more of land (excluding residential)
- 7.35 Education attainment is a crucial driver in terms of determining life choices, particularly 'employability' and resulting livelihoods. Poor education and a lack of basic skills often prevent people from reaching their full potential and contribute to deprivation. Spatial planning can have a direct positive impact on education and learning by helping to improve the location and quality of learning facilities. It can also have wider impacts such as raising aspirations and skills, increasing opportunities for work and enterprise, improving the quality of life and environment in the District and contributing to reducing worklessness. Good quality educational is an important criterion in anchoring families in the area, as a good quality education, particularly in secondary schools, impacts on where people look to live.
- 7.36 There is a requirement to improve qualifications in Ashfield. The Council will work with Nottinghamshire County Council, as the Education Authority, and local schools in:
- Planning for infrastructure to support development, to ensure that the provision of schools reflects the anticipated population implications arising from development.
  - Monitoring the supply and demand for primary and secondary school places to determine whether a development will result in a requirement for the expansion of local school places.

7.37 Housing allocations set out in the Local Plan will be required to contribute towards the provisions of the primary pupil place arising from the development. This may be through the expansion of existing schools or the provision of new schools.

7.38 The need for school places can vary over time, consequently:

- specific requirements for developer contributions to increasing capacity of existing schools and the provision of new schools for any particular site will be confirmed at application stage to ensure the latest data on identified need informs delivery; and
- requirements to deliver schools on some sites could change in future if it were demonstrated and agreed that the site had become surplus to requirements, and is therefore no longer required for school use.

## Chapter 8

### Placing vibrant town and local centres at the heart of the community

- 8.1 Town centres play an important role within the District, contributing to the local economy and providing a range of services and facilities. Supporting the growth and regeneration of the District's centres is a key element of the Plan's Vision and the Council want to ensure all new development within the centres positively contributes their regeneration.
- 8.2 The Council aims to promote competition and consumer choice within each town centre and Local Shopping Centre by supporting proposals which create a mix of uses appropriate in scale for each area. In areas outside the town centres and Local Shopping Centres, the day to day needs of the community will be met through parades of shops and small scale convenience shops of an appropriate size.
- 8.3 Town and local centres enable access to local goods, services, and leisure facilities, enable social interaction and provide employment and business opportunities. They are also a place to live, which is well located for access to local facilities. Consequently, town and local centres form a focal point for communities.

#### Policy SH1: Retail, Leisure, Commercial and Town Centre Uses

<b>Policy SH1: Retail, Leisure, Commercial and Town Centre Uses</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO6, SO7, SO8, SO9, SO10.
<p>1. Within the town centres of Sutton in Ashfield, Kirkby-in-Ashfield and Hucknall, as identified on the Policies Maps, the Council will support development for main town centre uses<sup>1</sup>, residential, health care and educational development that:</p> <ol style="list-style-type: none"> <li>Is of a scale which reflects the role, function and distinctive qualities of the town centre having regard to the delivery of the vision, objectives and projects set out in the Town Centre Masterplans.</li> <li>Will not adversely affect the character, quality, amenity and safety of any area within the Town Centre.</li> <li>Will not have a significant adverse effect on the retail vitality of the town centre.</li> <li>Widens the range of main town centre uses in the centre.</li> <li>Provides a diverse range of day and evening uses.</li> </ol>	

- f. Maintains street frontage activity which encourages footfall within the Centre and does not result in the core retail function of the Primary Shopping Area, identified on the Policies Map, being undermined.
- g. Makes use of above ground floor spaces, particularly for residential purposes.
- h. Ensures that proposed signage does not detract from the character and appearance of the surrounding area.
- i. Is well designed and enhances or complement the street scene;
- j. Ensures servicing arrangements are maintained or improved and the proposed development does not conflict with the day to day activities of the area.

2. Subject to the provisions of Policy SH1 – 1, the Council will support the conversion of surplus shop units to residential use where:
  - a. The unit is appropriately sited and designed so as not to impact on the street scene or create conflict between users;
  - b. It can be demonstrated there is a lack of demand for the unit for town centre uses.
3. Proposals that result in clusters of hot food takeaways, betting shops or pubs/drinking establishments will not be supported, taking account of the concentration and proximity of existing such establishments in the immediate area.
4. The Council will apply the sequential test and, where appropriate, the impact test to the location of main town centre uses.
  - a. Sequential Test - The sequential test requires main town centre uses to be located in town centre locations. Only where no suitable and available sites exist, or expect to become available within a reasonable period will alternative locations be considered, taking into account proximity and access to Primary Shopping Areas. If no suitable sites within a town centre location are available, development should be located to edge of centre location, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations. Flexibility will be required on the format and scale of the development proposed with preference given to accessible sites, which are well connected to the town centre. Where an application fails to satisfy the sequential test it will be refused.

If after applying the sequential test, out-of-centre sites are necessary, preference will be given to sites that are, or will be, served by a choice of means of transport, which are close to the centre and have a high likelihood of forming links with the town centre.
  - b. Impact Test – Where considered necessary by the Council, an impact test will be required for retail or leisure proposals exceeding 300 square metres



gross of floorspace. This will include significant extensions to existing facilities for retail or leisure uses falling outside the designated town centres (or local centres). Where the development is likely to have a significant adverse impact on:

- a. existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal, and/or
- b. town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme),

it will be refused.

1. Main Town Centre Uses – reflect the NPPF 2023, Annex 2: Glossary definition of Main Town Centre Uses.

Evidence base	<ul style="list-style-type: none"> <li>• Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council.</li> <li>• Sutton Town Centre Spatial Masterplan, 2019. Ashfield District Council.</li> <li>• Kirkby Town Centre Spatial Masterplan, 2021. Ashfield District Council.</li> <li>• Hucknall Town Centre Spatial Masterplan, 2022. Ashfield District Council.</li> <li>• Ashfield Town Centre / Local Centre Study, 2023. Nexus Planning.</li> <li>• Retail Floorspace Survey 2020. Ashfield District Council.</li> <li>• Kirkby-in-Ashfield &amp; Sutton in Ashfield Town Fund.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving Sustainable Development.</li> <li>• NPPF 2023, Part 7: Ensuring the vitality of town centres.</li> <li>• Planning Practice Guidance: Town centres and retail as of September 2020.</li> </ul>

8.4 To enhance the vitality and viability of town and local centres development will be supported where it provides a range of uses, that encourage a strong daytime and evening economy, and enhance local employment opportunities. This includes appropriate residential uses within centres, particularly at upper floor levels, to enhance activity, footfall and natural surveillance.

8.5 Hucknall, Sutton in Ashfield and Kirkby-in-Ashfield will be the focus for larger scale retail and leisure developments, in line with Strategic Policy 11, as they serve wider catchment areas. In considering the appropriateness and scale of proposed development, the Council will have regard to the following matters:

- the role and function of the centre within the wider hierarchy and the catchment served;
- the pattern of existing development within the centre;
- the scale of existing development.

8.6 The Council recognises the importance of supporting appropriate diversification of uses within a town centre but considers that retail uses should form the principle use within all the District’s centres, supported by complementary non-retail uses.

- 8.7 The Council will support proposals which deliver the objectives of the Masterplans for Hucknall<sup>97</sup>, Sutton in Ashfield<sup>98</sup> and Kirkby-in-Ashfield<sup>99</sup>, provided that there are no adverse effects on neighbouring sites or on the area as a whole. The design of town centre developments, including architectural style, functionality, materials, accessibility arrangements and colour scheme, should enhance the street scene.
- 8.8 Residential and office uses are an important element of a diverse and vibrant centre, providing vibrancy and customers to a centre. The Policy has to be seen in the context that there are permitted development rights<sup>100</sup> for various use which grant permission for development without the requirement for a planning application. This includes the potential conversion of retail units into residential use subject to specific requirements and considerations set out in the prior approval. However, where possible, within the Primary Shopping Area the Council will seek to locate such uses at first floor levels. Where these uses are proposed at ground floor, designs should effectively integrate the uses within the existing street scene and create an appropriate environment for future users and residents. Further information on this aspect is set out in supplementary planning guidance<sup>101</sup>.

#### **Hot Food Takeaways and Pubs/Drinking Establishments**

- 8.9 Hot food takeaways provide a facility in centres and can support local evening economies. However, the over concentrations of hot food takeaways, particularly on prominent streets or retail frontages, can detract from the overall appearance of centres due to their predominant evening use. It can also result in a lack of street activity and limit footfall in the daytime, consequently, detracting from the vitality and viability of the town centre.
- 8.10 A harmful concentration of pubs/drinking establishments is considered to arise when the cumulative impacts are likely to have harmful effects on the amenity of a centre. This is likely to occur when the pubs/drinking establishments and their users have a detrimental effect on the quality and character of a centre that in turn diminishes the attractiveness of the centre to other users for shopping, working, socialising and living. The point when that harmful concentration is reached will vary from place to place depending on the character of the area and specific local circumstances.
- 8.11 When assessing development proposals for hot food takeaway or pub/drinking establishments, the Council will assess a range of issues to ensure the develop proposed will not result in a negative impact on the surrounding environment and existing uses. The assessment will include:

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<sup>97</sup> Hucknall Town Centre Spatial Masterplan, 2022. Ashfield District Council.

<sup>98</sup> Sutton Town Centre Spatial Masterplan, March 2019. Ashfield District Council.

<sup>99</sup> Kirkby-in-Ashfield Spatial Masterplan, 2021. Ashfield District Council.

<sup>100</sup> The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021.

<sup>101</sup> Guide for Converting Shops to Residential Supplementary Planning Document 2019. Ashfield District Council

- The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission;
- Impact on the street scene;
- Potential for an increase in anti-social behaviour and crime;
- The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;
- Highway safety;
- The availability of refuse storage and disposal facilities; and
- The appearance of any associated extensions, flues and installations.

### **Sequential Test and Impact Test**

- 8.12 The NPPF endorses a 'town centre first' approach to all retail activity (including leisure). It stipulates that where retail and leisure proposals cannot be accommodated within, or, adjacent to the town centre applicants have to demonstrate through the application of dual impact test and the sequential test that the development will not impact negatively upon the vitality and viability of town centres.
- 8.13 The sequential test should align with the requirements of NPPF and national planning practice guidance. If after applying the sequential test, out-of-centre sites are necessary, preference will be given to sites that are, or will be, served by a choice of means of transport, which are close to the centre and have a high likelihood of forming links with the town centre. Developers should demonstrate that they have been flexible in their approach to site selection by submitting a report which sets out the following as a minimum:
- a detailed description and plan of the development
  - a reasoned justification for the location of the development
  - the scale of the development
  - a sequential test for sites outside or on the edge of the Town Centre
  - the scope for flexibility in the format and/or scale of the proposal
  - what contribution more central sites are able to make individually to accommodate the proposal.
  - an impact test for sites over the specified threshold.
- 8.14 On edge-of-centre, or out-of-centre sites, the Council will require an impact assessment to be undertaken for retail, and leisure developments beyond the threshold outlined in Policy SH1. This assessment should align with the requirements of NPPF and national planning practice guidance; assessing potential impact on existing, planned and committed investment and a centre's vitality and viability. National guidance dictates that the impact test should be undertaken in a proportionate and locally appropriate way, commensurate to the scale of development proposed. The level of detail would typically be agreed with Council officers during the pre-application process in order to avoid overly onerous requirements. Where proposals seek to extend existing out of centre premises, the total gross floorspace of the unit (including the extension) will be taken into account when determining whether an impact assessment is required.

8.15 The Ashfield Town Centre / Local Centre Study, 2023, concluded that each of the three primary centres (Town Centres) are potentially vulnerable to competing edge-of-centre and out-of-centre retail developments of 300 sq. m. Consequently, the recommended local threshold of 300 sq. m has been set out in the Policy across the District’s three town centres.

## Policy SH2: Local Shopping Centres, Shopping Parades and Single Shops

<b>Policy SH2: Local Shopping Centres, Shopping Parades and Single Shops</b>	
Strategic Objectives	SO1, SO2, SO5, SO6, SO10.
<p><b>Local Shopping Centres</b></p> <p>1. Local Shopping Centres are set out below and identified on the Policies Maps:</p> <p><b>Hucknall</b> SH2 Ha Annesley Road. SH2 Hb Watnall Road.</p> <p><b>Kirkby-in-Ashfield</b> SH2 Ka Forest Road, Annesley Woodhouse.</p> <p><b>Sutton in Ashfield</b> SH2 Sa Outram Street. SH2 Sb Huthwaite Market Place. SH2 Sc High Street, Stanton Hill.</p> <p><b>Jacksdale</b> SH2 Ja Village Centre.</p> <p>2. The Council will support well designed town centre uses<sup>1</sup> in Local Shopping Centres provided that:</p> <p>a. It is of a scale and character which reflects the role, function and distinctive qualities of the local centre;</p> <p>b. It would have a positive effect and not harm the health, vitality and viability of the local centre.</p> <p>3. The change of use of ground floor retail/commercial units to residential use will only be supported where:</p>	

- a. It is appropriately sited and designed so as not to impact on the street scene or create conflict between users;
  - b. It will not negate the role of the local centre in providing a range of goods and services;
  - c. It can be demonstrated there is a lack of demand for the unit for town centre uses.
  - d. The dwelling will be consistent with other policies and standards relating to housing and design.
4. Proposals that result in clusters of hot food takeaways, betting shops or pubs/drinking establishments will not be supported, taking account of the concentration and proximity of existing such establishments in the immediate area.
  5. The Council will apply the sequential test and, where appropriate, the impact test. An impact test will be required for retail or leisure proposals exceeding 200 square metres gross of floorspace in relation to Local Shopping Centres. Where the development proposal fails to satisfy the sequential test or is likely to have a significant adverse impact on the local centre it will be refused.
  6. The Council will protect convenience food stores which provide for the day to day needs of the community unless it can be demonstrated that:
    - a. alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area;
    - b. there is no demand for the current use; and
    - c. the site has been marketed effectively for the current use, for an appropriate period.
  7. Where a unit has been vacant for a long period, community uses appropriate to the Local Shopping Centre will be supported.
  8. Retail and leisure development proposals should not have a significant adverse effect on the amenity of existing residents through noise, odour, litter or disturbance.

### **Shopping Parades and Single Shops**

9. In the settlements of Nuncargate, Skegby, Selston and Underwood small scale retail development will be supported where it would not adversely affect the character, quality, safety or amenity of the environment.
10. Alternative uses to retail will not be favoured in areas where there are established shopping parades or single shops, unless it can be demonstrated that there is no demand for the retail use, or the proposal will not impact on core retail function of the parade or shop.
11. Retail development to meet local shopping needs will be permitted where:

- a. It primarily involves the sale of convenience goods, and  
b. The floorspace is below 200 square metres.

1 – The National Planning Policy Framework 2021, Annex 2: Glossary identifies that reference to town centre includes local centres. Therefore, it would include the definition of Main Town Centre Uses set out in the Glossary.

Evidence base	<ul style="list-style-type: none"> <li>Background Paper No 1: Spatial Strategy and Site Selection 2023. Ashfield District Council.</li> <li>Ashfield Town Centre / Local Centre Study, 2023. Nexus Planning.</li> <li>Retail Floorspace Survey 2020. Ashfield District Council.</li> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving Sustainable Development.</li> <li>NPPF 2023, Part 7: Ensuring the vitality of town centres.</li> <li>Planning Practice Guidance: Town centres and retail as of September 2020.</li> </ul>

- 8.16 Ashfield has a high percentage of households (20.6%) without access to a private vehicle (Census, 2021) and local centres and small out of centre shops provide a convenient, vital lifeline to local communities within many areas of the District. As such, this policy seeks to protect local and minor shopping centres and smaller scale out of centre convenience shops.
- 8.17 Local Shopping Centres and Shopping Parades should provide for the day to day needs of the community without threatening the vitality and viability of Primary Shopping Areas. At a national level, the NPPF promotes strong neighbourhood centres because they provide consumer choice and reduce the need to travel.
- 8.18 Local Planning Authorities are required to plan positively for the provision of facilities, such as local shops and other local services, which serve the community's day-to-day needs. The Ashfield Town Centre / Local Centre Study 2023<sup>102</sup>, which forms the evidence base for policies relating to retail in the Ashfield Local Plan, recommends that small scale local facilities should be promoted in Local and Minor Shopping Centres and in areas less well served within Ashfield District.
- 8.19 The Council will require evidence of a lack of demand for main town centre uses within the local centre before residential development is considered. Further advice on converting shops to residential is set out in a supplementary planning document<sup>103</sup>.
- 8.20 Small convenience shops have an important role in meeting local needs. Larger housing developments may justify the provision of additional local shopping facilities. However, the demand for such provisions is difficult to quantify. Proposals for smaller shops, either as new development or change in the use of an existing building will generally be favourably considered. The policy limits the

<sup>102</sup> Nexus Planning (2023) Ashfield Town Centre / Local Centre Study

<sup>103</sup> Guide for Converting Shops to Residential Supplementary Planning Document 2019. Ashfield District Council

floorspace to 200 sq. m. in line with the recommendations from the Town Centre / Local Centre Study in relation to the threshold for an impact test.

### Policy SH3: Shopfronts

<b>Policy SH3: Shopfronts</b>	
Strategic Objectives	SO1, SO2, SO7, SO8, SO9, SO10, SO14.
<ol style="list-style-type: none"> <li>1. Premises shall provide and retain clear views into and out of shop window(s). Inset entrances on shopfronts should be glazed and well lit, to contribute to the attractiveness, safety and vitality of shopping areas and avoid blank frontages to the street.</li> <li>2. The Council will resist the removal of shopfronts of architectural or historic interest.</li> <li>3. The Council will expect proposals for new shopfronts and alterations to existing shopfronts to demonstrate a high quality of design, which complements, and is in proportion with, the architectural style of the whole building and the street scene.</li> <li>4. Canopies and blinds, where acceptable in principle, must be appropriate to the character of the shopfront and its setting.</li> <li>5. External security shutters and grilles will only be permitted in exceptional circumstances. Security provisions must have some visual permeability.</li> <li>6. Illumination to shopfronts must be sited and designed so as not to negatively impact on the street scene or cause visual intrusion from light pollution into adjoining or nearby residential properties. Flashing internal or external lighting will not normally be permitted.</li> <li>7. Shop signage should form an integral part of a shop front design, but it must not have an overbearing effect on the building or the surrounding street scene. Signage should generally be limited to appropriately designed and located fascia boards and/or projecting signs. Further guidance is detailed within Policy SD12.</li> <li>8. New shopfronts must be designed to allow equal access for all users, while having regard to a Best Practice approach to access and inclusion.</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>• Ashfield Town Centre / Local Centre Study, 2023. Nexus Planning.</li> <li>• Retail Floorspace Survey 2020. Ashfield District Council.</li> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving Sustainable Development.</li> <li>• NPPF 2023, Part 7: Ensuring the vitality of town centres.</li> </ul>

	<ul style="list-style-type: none"> <li>• NPPF 2023, Part12: Achieving well-designed places.</li> <li>• Planning Practice Guidance: Town centres and retail as of September 2020.</li> <li>• Planning Practice Guidance: Design: process and tools as at October 2019.</li> <li>• National Design Guide Planning practice guidance for beautiful, enduring and successful places, 2021. Ministry of Housing, Communities &amp; Local Government.</li> </ul>
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8.21 Ashfield has many important shopping areas and groups of shops which are popular public places with their own distinctive character and history. However, the character and quality of many of Ashfield’s traditional shopping streets has been eroded by poor, careless and unsympathetic alterations to shopfronts. Widespread use of inappropriate materials and standardised shopfront designs has led to a loss of local distinctiveness and a negative impact on the streetscape.

8.22 The design of new shopfronts and alterations to existing shopfronts is important to the appearance of the individual property, to the character and appearance of shopping areas, and provides visual connections between ground floor shops and the street. The council will expect well designed, accessible shopfronts that respect the character of the area and the architectural unity and integrity of the shop building of which they form part.

8.23 The presence of poorly designed shopfronts in the vicinity will not be accepted as justification for a lesser standard of design. The introduction of well-designed shop fronts can often act as a catalyst for the same within a street or area with economic benefits.

8.24 The design of a new shopfront within a modern building should reflect the design of the building of which it forms part but should also consider the appearance of neighbouring shopfronts in terms of fascia lines, stall riser height, materials and other architectural features.

8.25 The design of a shopfront where the traditional surround and shopfront remain complete should be repaired and conserved wherever possible. These repairs must preserve the character of the original shopfront and be of matching style, materials and construction, whilst delivering a contemporary standard of amenity that meets current access standards. Where shopfronts are part of, or affect, a heritage asset, Policy EV9 is applicable.

**Canopies and Blinds**

8.26 Canopies and blinds give some protection to the shoppers and shop window against rain and sun and can be a lively addition to the street scene, provided that they are designed as an integral part of the shopfront and are confined to it. Care should be taken to ensure that their size, shape, and position is compatible with the character of the building. Architectural details should not be obscured when canopies or blinds are installed. The colour and materials should be in keeping with the materials of the shopfront and building.



**Security Shutters/Grilles**

- 8.27 It is important to strike a balance between protecting property, ensuring that the vitality of an area is not undermined, and ensuring that the perception of crime is not increased.
- 8.28 Many retail frontages have been blighted by long stretches of solid aluminium shutters. At night these shut off light from within the shops creating an intimidating atmosphere. They prevent observation of break-ins and attract graffiti. External shutters often retract into external boxes below the fascia and vertical runners attached to the pilasters. These both harm the appearance of a shopping street scene and also the street's trading potential.
- 8.29 When designing a new shopfront, it is essential to build into the design adequate security arrangements. The preferred solution to physical security is the use of security glass, if necessary, combined with internal retractable grilles. These should be of an open mesh design to allow the shop window display to be visible and light to filter through. They should be the same colours as the shopfront. Internal grilles do not normally require planning permission, however, Listed Building Consent may be required if the building is Listed.
- 8.30 On new shop developments shutters should be designed as part of the building and located internally to prevent retrofitting of security measures to the detriment of the property. Security measures should be incorporated at design stage to prevent the installation of shutter housing at a later stage.
- 8.31 External security shutters and grilles will only be permitted in exceptional circumstances, for example shops that have an open frontage such as greengrocers or for shops that have special security needs such as jewellers. Where a proposal includes external security shutters or grilles, applicants will need to demonstrate why the products or services they are providing require external shutters, and/or details of crime rates that support their rationale for the proposed shutter system.

**Illumination**

- 8.32 As with any part of a shop front, lighting must be appropriately designed into a shop front and not considered as an afterthought. A well-lit window display or simply lit fascia sign is an effective method of advertising, it can aid security and make a positive contribution to the street at night. However, illumination that dominates a building and/or negatively impacts on the surrounding street scene will not be supported. In assessing possible negative impacts, the Council will consider the potential cumulative impacts that may arise as a result of the proposal.
- 8.33 The intensity of the illumination should also be considered. Illumination should allow the sign to be easily read, but not cause a distracting glare or adversely affect homes above or near the shop. Flashing signs must not be used where they could be a distraction to traffic.

**Signage**

- 8.34 Shop front signage plays an important role in advertising the business within a property and contributing to the street scene of its surroundings. In designing and locating shop front signage, proposals must successfully balance these aspects. The Council acknowledges that businesses require signage, but this must not be to the detriment of the surrounding street scene or other uses. Further guidance on signage is detailed within Policy SD12. In the future, this may be supplemented by supplementary planning guidance.

**Access**

- 8.35 Wherever it is practicable, alterations should ensure access for all through the main entrance by creating a clearly defined, well lit, unobstructed and level approach.

**Shopfront Design Guide**

- 8.36 The Council intends to prepare a Shopfront Design Guide to assess proposals for shopfronts and shop signage. Sufficient details regarding shopfronts should therefore be provided at planning application stage to enable assessment of the proposal in the context of this policy, the Shopfront Design Guide and other relevant planning considerations.

## Chapter 9

# Achieving successful development through well designed places

### Policy SD1: Social Value

<b>Policy SD1: Social Value</b>	
Strategic Objectives	SO1, SO2, SO4, SO6, SO11, SO12, SO13.
<p>Development in Ashfield will maximise social value in order to deliver as many public benefits as possible. 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. The SVS will need to demonstrate how the development contributes positively to:</p> <ol style="list-style-type: none"> <li>1. Placemaking</li> <li>2. Health and wellbeing</li> <li>3. Local employment, regeneration and growth,</li> <li>4. Community resilience, and</li> <li>5. Safeguarding the environment and responding to climate change</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, August 2023. WSP UK Ltd.</li> <li>• Ashfield Social Value Policy, 2020. Ashfield District Council</li> <li>• Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 Ashfield Health and Wellbeing Partnership.</li> <li>• Ashfield Community Partnership Strategic Plan 2019-2022</li> <li>• Ashfield Community Partnership Strategic Assessment 2019-2022</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> </ul>

9.1 Within the Public Services (Social Value) Act 2012 social value is described as the ‘economic, social and environmental wellbeing’ that is created by a service (or development) and is delivered as both direct and indirect outcomes or benefits arising from an intervention over a period of time. This is consistent with the provisions of the NPPF which has as its three core dimensions of sustainable development - social, economic, environmental.

9.2 Ashfield District Council (ADC) adopted its corporate social value policy on the 23rd March 2020 following the introduction of The Public Services (Social Value) Act (2012) on the 31st January 2013. In line with the definition of social value in the Act, the Council defines social value as economic, social and environmental wellbeing. A social value approach gives greater thought to how we can best use limited resources more strategically, to produce a wider benefit than would

otherwise have been achieved. Our goal in Ashfield through the adopted social value policy is ‘for every £ that Ashfield spends, we will aim to deliver at least the same value of return in social value’.

- 9.3 The adopted corporate social value policy not only sets out how we embed social value in how we operate our public services but also seeks to build social value into planning services. One way of doing this is via the local plan and setting out the parameters, as identified in this Local Plan Policy, which need to be demonstrated when submitting a major planning application in the district.
- 9.4 Planning can play a key role in ensuring that social value is maximised, by encouraging all relevant development proposals to engage with the concept and consider whether doing things differently can lead to additional benefits; for example, by utilising local supply chains so money spent on developments stays in the local economy; and taking steps to recruit local people for construction of development and in any resulting employment use.
- 9.5 Social value is linked directly to the achievement of sustainable development as is set out in paragraph 8 of the NPPF. The Social Value Policy seeks to further the achievement of sustainable development by requiring the social value return of a development throughout its lifecycle (from construction through to the operational phases) to be considered by the submission of a Social Value Statement (SVS). The statement should be positively prepared and informed by both pre – application participation and consultation with stakeholders and the community, focussing on placemaking, health and wellbeing, local employment, regeneration and growth, community resilience and the environment and climate change. These elements of social value can be directly influenced by the planning system through considerations in relation to the design and accessibility of spaces. Further considerations may also include thinking about how the development could reduce inequality for the people of Ashfield and contribute to improving their health and wellbeing? How can the development make the best use of local labour, businesses and supply chains? Will there be any training opportunities for local people as a result of the development either during construction or as a result of the end user? Thinking about development in this way helps decision makers evaluate the social value of a development.
- 9.6 In order to support the submission of a SVS, the Council will prepare a Supplementary Planning Document (SPD) to set out how the SVS should be prepared along with further guidance on what it should contain. Commitments made in the SVS can be secured via planning condition.

## **Policy SD2: Good Design Considerations for Development**

- 9.7 The NPPF identifies that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. This policy requires all new development to be of a high quality sustainable design that ensures attractive, usable and durable places

which help deliver economic and social prosperity; in turn helping to attract inward-investment.

<b>Policy SD2: Good Design Considerations for Development</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO7, SO8, SO9, SO11, SO12, SO13, SO14.
<p>1. Through its layout and design, the Council will expect all new development to contribute to place making and be of high quality that contributes to a healthy, safe and sustainable environment. Proposals must have regard to the National Design Guide, and successfully integrate with and enhance their surroundings, be innovative where appropriate, and be adaptable to the evolving effects of climate change.</p> <p><b>Development Form</b></p> <p>2. Development proposals will be expected to respect, take advantage of and reinforce distinctive, local character and features. Development proposals should demonstrate that account has been taken of the following factors:</p> <ul style="list-style-type: none"> <li>a. The character of the area, including local materials (where deemed appropriate), architectural style and detailing;</li> <li>b. Existing land forms, orientation, natural and historic landscape features;</li> <li>c. Existing uses and activities;</li> <li>d. The local pattern and grain of development, with respect to the arrangement of street layout and open spaces, block size, plots and building patterns;</li> <li>e. The scale, shape, form and proportion of existing buildings, building lines and heights within the street scene;</li> <li>f. The scale in relation to the surrounding topography, views, vistas and skylines;</li> <li>g. Local landmarks, focal buildings and features, particularly heritage assets;</li> <li>h. Important views into, out of and through the area;</li> <li>i. Landscape character and features;</li> <li>j. Green and blue infrastructure assets; and</li> <li>k. Opportunities to enhance gateways.</li> </ul>	

**Movement**

3. Development proposals should create permeable and legible layouts that provide clear and direct access to, through and within the development for all potential users, including those with impaired mobility. In achieving this, proposals should ensure:
- They create effective pedestrian and cyclist routes / movement;
  - Integration, retention and/or reinstatement of existing footpaths, cycle routes and bridleways; and
  - Where appropriate, creation of new routes linking to existing green and blue infrastructure networks, including rights of way within the countryside.

**Public Realm & Open Space**

4. The public realm elements of a development proposal must complement the proposed building/s and seek to enhance its surroundings. Proposals must apply an appropriate balance of hard and soft landscape that contributes to the overall design of the scheme. When creating public realm strategies for a site, proposals should apply and consider the following:
- a. Locate public spaces on main lines of movement (pedestrian or vehicular);
  - b. Spaces must present imaginative, high quality design and contributes to the District's wider green infrastructure framework;
  - c. Spaces and routes must be overlooked from surrounding buildings, with active frontages onto spaces where appropriate;
  - d. Creation of incidental and/or small areas of grass / open space with little function will not be accepted;
  - e. Prioritise the retention of key natural features, such as mature trees, hedgerows and land forms;
  - f. Provide new trees, including street trees, hedgerows and additional native species planting as part of the overall landscaping framework throughout a site;
  - g. Strengthen and protect existing boundary hedgerows around the site;
  - h. Provide appropriate landscaping and screening to aid residential amenity; and
  - i. Potential impact of artificial lighting on wildlife.

**Safety**

5. Through the application of secure-by-design, balanced with urban design principles, development proposals should incorporate measures to help reduce crime and the fear of it (including appropriate infrastructure). Applying layout principles that

enhance natural surveillance, create active frontages and clearly delineate private and public space can considerably aid this process.

**Standards**

6. Development proposals will be expected to demonstrate how they have been designed to perform to a high standard. Developers will be expected to undertake a Design Review where appropriate.

Evidence Base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Sutton Town Centre Spatial Masterplan 2019. Ashfield District Council.</li> <li>• Kirkby Town Centre Spatial Masterplan 2021. Ashfield District Council.</li> <li>• Hucknall Town Centre Spatial Masterplan 2022. Ashfield District Council.</li> <li>• Cycle infrastructure design (LTN 1/20) (2020), Department for Transport.</li> <li>• Active Design 2015 Sport England.</li> <li>• Handbook Designing for physical activity 2021, Sports England.</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2 – Achieving Sustainable Development</li> <li>• NPPF 2023, Part 12 – Achieving Well Designed Places</li> <li>• Planning Practice Guidance Design: Process and Tools as of October 2019.</li> <li>• Planning Practice Guidance Neighbourhood Planning as of September 2020.</li> </ul>

9.8 The NPPF makes clear that creating high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. As such, the Council will not accept designs for new development that are inappropriate to its context or do not take opportunities to improve the character and quality of an area.

9.9 The NPPF is supported by a suite of planning practice guidance that is relevant to both design quality and quality in delivery, including the National Design Guide , which illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

**Development Form**

9.10 In terms of place making the quality of places has a major influence on the quality of life for people living and working in the district. Through high quality and sustainable design developers should be able to create strong, locally-distinctive places that are safe, inclusive and accessible to all, that promote social interaction and a healthy and active lifestyle.

9.11 To ensure development proposals, represent high quality design the Council encourages architects and designers to take appropriate design cues from the character and architecture of the surrounding area. Where appropriate, this should include the use of locally produced or recycled materials, to aid integration.

9.12 The components of a development, including its integration with its surroundings and its mix, layout and form, will be assessed to ensure that development makes a

positive contribution to achieving the qualities of a successful place. Considered layouts aid effective movement and providing the opportunity to utilise solar gain through building orientation.

- 9.13 Inclusiveness and accessibility need to be considered from an early stage of design, preferably including consultation with a wide range of potential users.
- 9.14 A Design and Access Statement should be submitted for all relevant proposals that describes the design approach undertaken including how it has utilised an appropriate character assessment to inform the proposal's design. Such an assessment should consider and appraise a number of elements within the surrounding area including orientation of buildings, their scale and mass, height, architectural styles, periods and detailing, access and parking arrangements, plot widths and size, landscape form, street and building lines and materials. Architects and designers should then utilise these characteristics to influence the form of their design, to help ensure the visual connection to its surroundings.
- 9.15 Whilst acknowledging local character is important, this does not mean new development must be a pastiche of existing buildings. The Council will consider, and where appropriate promote contemporary designs that effectively respond to a site's constraints, promote innovation and make a positive contribution to the surrounding area.
- 9.16 Existing character areas are areas which are important because of their similar characteristics and the contribution they make collectively to the local environment. These may be historical areas, areas with a particular character of buildings, areas with a particular layout, or areas where established soft landscaping is particularly important, such as tree lined avenues and mature hedgerows.
- 9.17 In mixed character areas, where there is a greater variety in character, contextual features are likely to be diverse. This may allow for a more flexible architectural approach, albeit one which still follows the key components of design such as building line, widths, height and scale.
- 9.18 In fragmented character areas, where the context is less cohesive or undesirable, the response can be more creative. This can help in achieving a new character for the area but should still respond to the basic characteristics of the site such as topography or natural features.

#### **Infill Developments**

- 9.19 Any proposal for infill development should be of a comparable scale, character and size to surrounding properties. The Council defines limited infill development as the completion of an otherwise substantially built up frontage by the filling of a small gap normally capable of taking one or two dwellings only. A substantial built up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene. Not all gaps within existing



development are suitable for infill development, particularly where these are not in sustainable locations.

### **Movement, Public Realm & Open Space**

- 9.20 Coupled with a well-designed building, public realm plays an important role in the urban and rural environment, creating spaces for public interaction, amenity and movement. Public realm can also provide biodiversity benefits, flooding infrastructure and solar shading.
- 9.21 Public realm comprises a range of streets, squares and spaces much of which we interactive with on a daily basis. Attractive and well designed environments can help attract inward investment and users to a town centre; encourage sustainable forms of travel; promote health activity; and discourage antisocial behaviour and crime. It is therefore important that such spaces are designed to function well, whilst complementing and enhancing their surroundings. They should be appropriately located and surveyed from surrounding properties / uses.
- 9.22 In designing new streets, development proposals should apply standards and guidance from Manual for Streets, which sets out guidance for residential street design and aims to ensure streets are places that people want to spend time in, rather than just transport corridors.
- 9.23 The quality of materials play an important role in the effectiveness of public realm, creating attractive spaces that invite safe use. The Council will therefore require new development to design its public realm with an appropriate palette of high quality materials that seek to enhance the environment. Proposals should apply a mix of hard and soft landscaping, appropriate to the setting. Wherever possible, and particularly in relation to large scale developments, a landscaping framework utilising native species should be provided, reflecting the objectives of the Public Open Space Strategy. Proposal should also effectively use and enhance existing landscape features such as mature trees, hedgerows and land forms to help add character to the development and increase opportunities for wildlife.
- 9.24 Planting that blends with its surroundings, contributes positively to the creation of a sustainable quality environment. It also mitigates against the impacts of climate change, facilitate health and wellbeing and enhance the character and appearance of the District. Design considerations for new planting should:
- ensure the continuance of tree cover by incorporating a mix of existing trees and new planting in the design.
  - design for a hierarchy of different types of planting including avenue planting, trees in gardens, boundary planting and open space planting.
  - consider the size and species of trees to be planted. Often a mixture of sizes is best. Planting larger trees creates an instant effect but young trees and whips transplant better and will develop faster.

Major development proposals should provide for the planting and maintenance of street trees of appropriate species at intervals appropriate to the site, except where the site's location requires a clearly building-dominated design approach that would be prejudiced by the inclusion of street trees.

### **Safety**

- 9.25 The NPPF requires planning policies to promote safe and accessible environments where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion. Developers should therefore ensure that 'Secured by Design' principles are incorporated within all schemes where appropriate, balanced with good urban design.
- 9.26 Where appropriate, public areas should be clearly visible from adjoining buildings and the design and landscaping should provide for clear sight-lines on public routes (for example, paths and cycle ways), and not create unnecessary concealed areas. For development proposals generating public assembly or relating to the night time economy, an assessment of the potential for crime or anti-social behaviour will be required. Where potential adverse impacts are identified, these should be addressed as part of the proposal. This may include design measures forming part of the proposal such as boundary treatments or off site measures such as contributions towards CCTV.

### **Standards**

- 9.27 All new developments should aspire to the highest standards of design, including construction methods and materials, and these issues should be integrated into the development process at an early stage, along with consideration of community safety, residential amenity and sustainable access.
- 9.28 Local evidence will be used to inform and guide decisions, including the following Council documents:
- District-Wide Design Supplementary Planning Document;
  - Greater Nottingham Landscape Character Assessment, TEP & NCC (2009)
  - Kirkby Cross Conservation Area Appraisal (adopted 1975, amended 2004)
  - Lower Bagthorpe Conservation Area Appraisal (adopted 1975, amended 2007)
  - Teversal Conservation Area Appraisal (2012)
  - Sutton in Ashfield Church and Market Place Conservation Area (adopted 2015)
  - Hucknall Conservation Area Appraisal (adopted 2019)
  - Sutton Town Centre Masterplan (2019)
  - Kirkby Town Centre Masterplan (2021)
  - Hucknall Town Centre Masterplan (2009)
- 9.29 Future design guidance may include masterplans, design briefs, design codes, village statements or informal planning guidance. The Council will require developers to undertake a Design Review where it could aid the design process.

- 9.30 The Council may also use characterisation techniques promoted by Historic England to understand better the character of places and help to ensure the Local Plan is sound and locally distinctive. This more detailed guidance will assist in the implementation of this policy, and address particular design issues or provide more detail, such as defining locally important views.
- 9.31 Development should also take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:
- Building for a Healthy Life 12 (for residential developments of 10 or more dwellings).
  - Secured By Design/ Safer Places- the Planning System and Crime Prevention.
  - Manual for Streets (for residential developments).
  - Manual for Streets 2 - Wider Application of the Principles (which takes this guidance beyond just residential developments).
- 9.32 The sustainability of the buildings themselves are guided by the National Housing Standards, administered through Building Regulations. Over the plan period, these standards are expected to require regular improvements in the environmental performance and efficiency of new buildings. Whilst applied through building regulations it is important that any design implications resulting from these standards are resolved at the planning stage. Policy CC1 sets out how new development should contribute to mitigating and adapting to climate change.

**Policy SD3: Amenity**

9.33 This policy aims to protect and enhance amenity to maintain quality of life and ensure the successful integration of new development into existing neighbourhoods. It will ensure that new development takes account of community and individual privacy, safety considerations and potential for crime or anti-social behaviour. Ashfield’s Residential Design Guide SPD offers greater detail on many aspects.

<b>Policy SD3: Amenity</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO11, SO12, SO13, SO14.
<p>1. The Council will support development that safeguards conditions for users or occupants of adjoining or nearby properties, and future users/occupants of new development proposals. Proposals should:</p> <p>a. Provide protection from over massing and overshadowing;</p>	

- b. In the case of residential care homes, ensure that the outlook from bedrooms and communal rooms are adequate, and that the site has level access to a garden or sitting out area;
  - c. In respect of all residential development, ensure adequate access to sufficient open space and garden space;
  - d. Not result in overlooking that would result in loss of privacy;
  - e. Avoid potential for pollution, including air quality, light spillage, noise and disturbance, and contamination of land, groundwater or surface water;
  - f. Achieve effective traffic movement to, from and within the site;
  - g. Be appropriate in terms of appearance, scale and siting, including resultant physical relationships being oppressive or overbearing;
  - h. Provide an acceptable boundary treatment in terms of privacy and visual amenity; and
  - i. Demonstrate that they will not undermine the quality of life or community cohesion of their surroundings through increased levels of vandalism, anti-social behaviour criminal activity and/or the fear of crime by:
    - i. incorporating elements of Secured By Design or similar standards;
    - ii. enabling passive surveillance of public spaces and parking;
    - iii. distinguishing clearly between public and private areas; and
    - iv. incorporating appropriate security measures, such as lighting, CCTV and hard and soft landscape treatments.
    - v. Where appropriate, submission of a crime impact assessment.
2. The Council will not support development where, through consultation with the Police and other relevant bodies, it is considered it will have the potential to exacerbate vandalism, anti-social behaviour and/or the fear of crime.

Evidence Base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2 – Achieving Sustainable Development</li> <li>• NPPF 2023, Part 12 – Achieving Well Designed Places</li> <li>• Planning Practice Guidance Design: Process and Tools as of October 2019.</li> <li>• Planning Practice Guidance Neighbourhood Planning as at September 2020.</li> </ul>

9.34 National planning policy promotes more intensive forms of development to make more efficient use of land and buildings and this increases the importance of careful design, layout and orientation to ensure proposals do not adversely affect others. Such considerations apply equally to proposals to extend or alter existing buildings as they do to new developments.

- 9.35 Protection and enhancement of amenity is essential to maintaining quality of life and ensuring the successful integration of new development into existing neighbourhoods. A vital part of this is to ensure that new development takes account of community and individual privacy, safety considerations and potential for crime or anti-social behaviour.
- 9.36 The above Policy sets out the criteria that will be used to assess whether a proposal will have a significant impact upon amenity. Further guidance on how this is detailed within the Residential Design Guide Supplementary Planning Documents (SPD).
- 9.37 The Council will not permit any development which has a seriously detrimental effect on neighbouring properties by reasons of overlooking, massing or overbearing impact. Equally, proposals that do not provide adequate amenity for its proposed users / residents will not be supported.

### **Care Homes**

- 9.38 Proposals for new or extensions to existing Care Homes should ensure that all bedrooms and communal rooms, such as lounges and dining rooms, will normally have a pleasant and interesting outlook and a minimum unobstructed view of 4.5 metres. The pleasantness and safety of the outdoor environment is known to be significantly associated with people's perception of their quality of life. It is therefore important to consider the design features to be adopted both in the grounds of the scheme and in the immediate vicinity. A private garden on a level site should be provided, with either a minimum total area of 150 square metres, or a minimum of 6 square metres per resident, whichever is the greater.

### **Open Space & Gardens**

- 9.39 Access to good quality public open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. The Ashfield Public Open Strategy identifies the Council's aims and objectives for improving the quality and access to public open space within the District and sets out Local Standards for provision through new development. The Strategy aims to ensure a consistent approach to the planning of public open space, enabling the development process to achieve the right type, quantity and quality of public open space.
- 9.40 In addition to public open space, adequate garden space should normally be provided within the curtilage of new dwellings as set out in Ashfield's Residential Design Guide Supplementary Planning Document. Garden size is an essential part of the amenity of residential development and new houses should ordinarily have gardens that are comparable with those of adjacent properties, providing adequate private space for drying laundry, sitting out and for children's play. Proposals which arithmetically achieve the required area of private garden ground, but only by aggregating an assortment of irregular pieces of land, i.e. narrow strips or verges to the side of the house or ground which is significantly sloping, will not be acceptable.

**Privacy Distances**

- 9.41 To minimise loss of privacy from overlooking, minimum distances between the main aspects of proposed developments should be maintained as set out in Ashfield's Residential Design Guide SPD.

**Access**

- 9.42 Development proposals should provide for safe access and egress for vehicles, including larger delivery vehicles and emergency vehicles such as ambulances and fire appliances. In the case of care home developments, an internal manoeuvring area for all vehicles to leave in forward gear should also be provided. Adequate off-street parking space should be provided to avoid on-street congestion, as set out in Policy SD10.

**Pollution and contamination**

- 9.43 All development proposals will be considered in respect of the potential for pollution, including air quality, light spillage, noise and disturbance, and contamination of land, groundwater or surface water. Policies CC2: Water resource management and SD8: Environmental Protection contain further details in this respect.

**Boundary Treatments**

- 9.44 The provision of satisfactory boundary treatment can help to create and maintain amenity. Where screening is necessary to provide adequate standards of privacy, or to preserve the street scene, and sited adjacent to the public highway, the Council will normally expect such boundary treatment to take the form of either brick walling and fencing or appropriate hedge planting in combination with temporary fencing. Walling and fencing should be no more than two metres high and be in place prior to occupation on new developments.
- 9.45 Where boundaries of new development abut open countryside or areas of public or private open space, appropriate hedge and tree planting should be implemented and supported by temporary fencing where appropriate.

**Crime and the fear of crime**

- 9.46 It is important that future developments seek to enhance the quality of life of the District's residents and does not have a negative impact on existing uses or exacerbate the potential for crime or fear of it.
- 9.47 Under the Ashfield Community Safety Partnership, geographical action groups and associated delivery plans have been created for Priority Areas across the District. The Community Partnership set out a Strategic Plan identifying for three year period how the Partnership plans to tackle local community safety issues that matter to the local community. Priority Areas based upon severity plans produced by Nottinghamshire Police analysts.
- 9.48 The Council will require development proposals that it considered could have the potential to exacerbate elements of crime, or conflict with the project work within the Priority Areas, to submit a crime impact assessment. This assessment should seek to highlight any potential crime or anti-social behaviour issues that may arise as a

result of the proposed use and outline mitigation measure the proposal will put in place to reduce the potential of it occurring and/or the span of its impact on surrounding uses.

- 9.49 Beyond the potential for crime related to the proposed use, development proposals should seek to apply appropriate Secure-By-Design and urban design principles to help ensure the design of the proposed development enhances the surrounding environment and does not provide opportunities through its design for crime to occur. The aim should be to design a physical environment that positively influences human behaviour. This should help people feel safe and secure within their built environment, while simultaneously make criminals at greater risk of being caught, and therefore less inclined to offend.

### Policy SD4: Recycling and Refuse Provision in New Development

- 9.50 This policy sets out the criteria for the provision and location of recycling and refuse provision in new developments.

<b>Policy SD4: Recycling and Refuse Provision in New Development</b>	
Strategic Objectives	SO1, SO2, SO3, SO7, SO8, SO9.
<p>1. The Council will require all new development to take full account of the location and design of recycling and refuse provision. The following criteria should be met in assessing recycling and refuse provision:</p> <ul style="list-style-type: none"> <li>a. For proposed residential house developments, space should be provided for the storage of refuse bins and recycling facilities of sufficient capacity to serve the proposed development as a whole, as agreed with the Council (to include whole street solutions where appropriate). Proposed development with private garden areas should also include space for the storage of an additional bin for garden waste or composting facilities;</li> <li>b. For proposed flats and non-residential developments, space should be provided for the storage of shared refuse bins and recycling facilities of sufficient capacity to serve the proposed development, as agreed with the Council;</li> <li>c. For proposed large scale commercial developments which draw significant numbers of visitors, the developer may be expected to provide an element of appropriately sited and designed recycling provision for public use, as agreed with the Council. Proposals to extend this provision to serve the wider community will be encouraged.</li> </ul> <p>2. In assessing the recycling and refuse provision, regard will be had to the following considerations:</p>	

<p>a. The level and type of provision, having regard to the above requirements;</p> <p>b. The location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives;</p> <p>c. The impact of the provision on visual amenity, having regard to the need to minimize the prominence of the facilities and screen any external provision;</p> <p>d. The impact of the provision on the amenity of neighbouring development and the proposed development; and</p> <p>e. The security of the provision against scavenging pests, vandalism and unauthorized use.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 12: Achieving well designed places.</li> </ul>

9.51 The Council is required to meet the Waste Framework Directive target of recycling 50% of waste from households by 2020. This will require significant co-operation from householders in waste separation; part of achieving such involvement is the designing-in of appropriate storage in all new development.

9.52 Poorly sited or designed recycling and refuse storage provision has the potential for considerable adverse impact on the visual appearance of an area as well as its general amenity, for instance by odours, obstruction of footways and cluttering the public realm. An untidy proliferation of bins in streets and forecourts is often one of the most visible signs of higher residential densities when development is poorly designed, particularly when houses are subdivided.

9.53 Policy SD4 sets out requirements for recycling and refuse provision in all new development proposals by ensuring that adequate provision for waste storage, separation of recyclables and access for collection is designed into all new buildings, re-developments, conversions (including where houses are subdivided) and changes of uses. Recycling and refuse provision should be discussed with the Council at an early stage to ensure that proposed systems are compatible with its requirements.

9.54 For the Council to be able to collect all of the waste generated by new developments in a sustainable manner improved disposal facilities will need to be available and vehicular access will need to be considered with all new developments particularly where there will be multi occupancy waste disposal requirements.

9.55 To meet current recycling requirements a dwelling is provided with one 180 litre bin for general waste, one 240 litre bins for dry recyclables, and one 44 litre box 140



litre bin for recycling glass. However, this may increase in the future with potentially higher recycling rates and therefore additional bin requirements. Where residential developments are proposed with gardens, including communal gardens in apartment developments, consideration should be given to the use of a composting facility. Composting facilities are preferable to garden waste bins, as treatment of waste at source is recognised as the most sustainable method of treatment. However, consideration needs to be given on the siting of such facilities in relation to odour and vermin prevention.

- 9.56 Large scale commercial developments which draw large numbers of visitors, such as shopping centres, leisure centres or tourist attractions may be expected to provide an element of appropriately sited and designed recycling provision for public use. Proposals to extend this provision to serve the wider community will be encouraged by the Council. Developers should seek guidance on these requirements at early design stage.
- 9.57 Where a development is seeking to accommodate refuse bins in a detached bin store, this must be appropriately designed and secure. If a residential proposals, the store must be constructed of complementary material and be sited to not impact on property or street frontage. Wherever possible, stores should be incorporated into the primary building.
- 9.58 The Council will require the submission of a waste storage and collection plan for major residential or commercial developments. The plan should include the following information:
- for residential properties; how the managing agent will work with tenants to ensure that recycling takes place;
  - for commercial properties; how the managing agents will ensure that recyclable waste is separated from general refuse, details of the location of waste receptacles, and how litter will be controlled at the site when the development is in use; and
  - details on how waste will be managed during the construction period.

## Policy SD5: Developer Contributions

<b>Policy SD5: Developer Contributions</b>	
Strategic Objectives	SO1, SO2, SO3, SO4, SO5, SO7, SO8, SO9, SO11, SO12, SO13, SO14.
<p>1. Development will be required to:</p> <ul style="list-style-type: none"> <li>a) meet all reasonable costs associated with the infrastructure required as a consequence of the proposal;</li> <li>b) where appropriate, contribute to the delivery of infrastructure to enable the cumulative infrastructure impacts of developments to be managed, including identified transport infrastructure requirements; and</li> <li>c) provide for the future maintenance of facilities delivered as a result of the development.</li> </ul> <p>This includes provision of new, or enhancement of the existing infrastructure and facilities, including where appropriate, but not limited to:</p> <ul style="list-style-type: none"> <li>i. Affordable housing.</li> <li>ii. Education provisions/facilities.</li> <li>iii. Regeneration of town centres.</li> <li>iv. Provision of appropriate sport and recreation facilities, new and improved open space, improving quality and access to green and blue infrastructure.</li> <li>v. New and expanded health and/or community facilities;</li> <li>vi. Conservation and enhancement of the historic environment.</li> <li>vii. Improving transport infrastructure including the strategic transport network, public transport, cycleways and pedestrian access to town centres.</li> <li>viii. Tackling climate change including flooding or water quality.</li> <li>ix. Cross-boundary infrastructure to help deliver and mitigate the effects of development.</li> <li>x. Supporting service infrastructure.</li> </ul> <p><i>Requirements may be clarified by supplementary planning documents where considered necessary.</i></p> <p>2. The Council will require on-site or off-site provision of developer contributions through planning obligations (financial, in-kind or a combination of both), the Community Infrastructure Levy (if adopted), planning conditions or other relevant mechanisms.</p> <p>3. Contributing will be required retrospectively when it has been necessary to forward fund infrastructure projects in advance of anticipated housing growth.</p>	

<p>4. Where appropriate, developer contributions will be pooled to allow the provision of strategic infrastructure that will serve more than one scheme.</p> <p>5. The subdivision of sites to avoid thresholds for developer contributions will be resisted.</p> <p>6. Where the delivery of a proposed scheme is threatened on the basis of viability, the Council may consider whether a reduction in the extent of the developer contributions can be justified.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> <li>• Background Paper No 5: Infrastructure Delivery Plan, 2023. Ashfield District Council.</li> <li>• Ashfield Transport Study, 2023. Systra.</li> <li>• Securing developer contributions for education, April 2019. Department for Education.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan making.</li> <li>• NPPF 2023, Part 4: Decision Making.</li> <li>• NPPF 2023, Part 5. Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> </ul>

9.59 Strategic Policy 11 identifies that infrastructure has a key role in meeting the requirements for sustainable development. Developer contributions can be used as a means of offsetting the impact of a development on infrastructure either by seeking the developer to undertake the necessary work or via a financial contribution that cannot be secured by a planning condition.

9.60 The current regulative requirements<sup>104</sup>, which are also set out as part of national planning policy, identify that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.’

9.61 If a site has been sub divided in an attempt to avoid contributions towards affordable housing and other infrastructure, the Council will refuse the application.

9.62 When determining the nature and scale of any planning obligations sought, account will be taken of any evidence of viability, specific site conditions, priorities in the Infrastructure Delivery Plan and other material considerations. If viability is considered to be an issue any planning application should be accompanied with a viability assessment together with any other evidence setting out why the proposed development is no longer deliverable. Where the viability of a site is in dispute, the Council will require developers to meet the requirements set out under Policy SD6.

<sup>104</sup> Community Infrastructure Regulations 2010 (as amended). Paragraph 122 & National Planning Policy Framework 2021, para. 57

**Policy SD6: Assessing Development Viability and Development Demand**

<b>Policy SD6: Assessing Development Viability and Development Demand</b>	
Strategic Objectives	SO3, SO4, SO5.
<p>Development Viability</p> <ol style="list-style-type: none"> <li>1. Development proposals that are unable to meet the Policy and infrastructure requirements set out in the Local Plan, must be supported by viability evidence that establishes why any departure from policy or a deficit in infrastructure contributions is necessary to make the scheme viable and that the wider planning benefits for the development to go ahead outweighs the shortfall in contributions.</li> <li>2. The viability assessment should:             <ul style="list-style-type: none"> <li>• set out and justify the methodology, the inputs and assumptions applied in the assessment;</li> <li>• apply sensitivity analysis and/or scenario analysis of the results; and</li> <li>• set out an explanation and interpretation of the viability calculations and results have regard to risk and returns.</li> </ul> <p>Any viability assessment to support an application will be tested by a viability specialist appointed by the Council with the cost of the assessment being met by the applicant.</p> </li> <li>3. In considering the viability assessment, regard will be had to national planning policy guidance on viability and other guidance issues issued by the professional bodies such as the RICS and RTPI.</li> <li>4. Where appropriate, if planning contributions are reduced below the requirements set out in Local Plan policies on major developments, the developer will be required to enter into an agreement on how policy compliance on those contributions can be sought to be achieved over the lifetime of the project.</li> <li>5. The Council will consider the timing and level of planning obligations that can be supported as a part of the viability assessment process. Where safeguards are necessary to make a development acceptable in planning terms and these cannot be secured, planning permission will be refused.</li> <li>6. A viability assessment should be prepared on the basis that it will be made publicly available. If any aspects of the assessment are considered to be commercial sensitive the developer should agree with the Council what information will release and in what format.</li> </ol>	

Lack of Demand	
7. Where policies in the Local Plan or national planning policy require the demonstration of a lack of demand for a building or site, the Council will require the applicant to demonstrate:	
a. the building or site has been openly marketed for an appropriate period at an appropriate asking price, and there is no demand for the proposed use, and	
b. Re-development of the building or land for the existing use is not viable on the site.	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal 2023. WSP UK Limited.</li> <li>• Background Paper No 5: Infrastructure Delivery 2023. Ashfield District Council.</li> <li>• Ashfield Whole Plan Viability Assessment, 2023. Nationwide CIL Service.</li> <li>• Guidance Note - Assessing Viability in planning under the National Planning Policy Framework 2019 for England, 1<sup>st</sup> Edition 2021. RICS</li> <li>• Viability Testing Local Plans Advice for planning practitioners, 2012. Local Housing Delivery Group Chaired by Sir John Harman.</li> </ul>
National Planning Policy & Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 3: Plan making.</li> <li>• NPPF 2023, Part 4: Decision Making.</li> <li>• NPPF 2023, Part 5. Delivering a sufficient supply of homes.</li> <li>• NPPF 2023, Part 6: Building a strong, competitive economy.</li> <li>• Planning Practice Guidance: Viability as of September 2019.</li> </ul>

### Viability

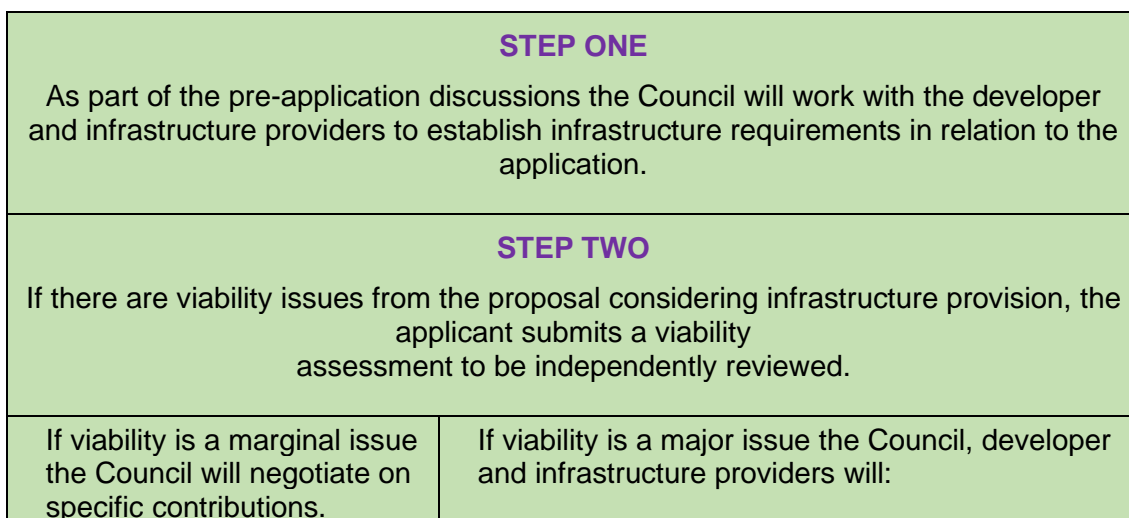
9.63 National planning policy sets out that the Local Plan has to be subject to a whole plan viability assessment to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan. However, viability will change over time such as economic conditions or there may be exceptional costs associated with a specific site. In these circumstances, applicants will be required to demonstrate how planning obligations and policies result in the development being unviable by preparing a viability assessment. Any viability assessment will be subject to an independent assessment, the cost of which will be made by the applicant.

9.64 In considering issues of viability, the Council will have regard to:

- The quality and value of a scheme in the context of how the development contributes towards the vision, objectives and policies for the locality. It will need to be established that the benefits from the development significantly outweigh the harm of not providing for full infrastructure contributions;
- National Planning Practice Guidance on viability and other guidance on viability particularly derived from the Royal Institution of Chartered Surveyors (RICS) or the Royal Town Planning Institute (RTPI).

- The evidence submitted must include an appropriate and robust viability assessment based on realistic assumptions and up-to-date baseline information prepared by a suitably qualified independent surveyor. This should include:
  - supporting evidence from applicants to justify proposed rates of profit, taking into account the individual characteristics of the scheme, including property market conditions and a development’s risk profile, and profits achieved on comparable schemes.
  - Hypothetical current use schemes, which maximise the redevelopment potential of the site, should be appraised to prove their lack of viability. Mixed use schemes should also be appraised and in both circumstances, market evidence should be used to support them.
  - A technically robust case for a variation of obligations which examines value, cost and profit assumptions;
  - A justification for the input and outputs used in the appraisal;
  - Whether the land value can be justified. (Landowners and site purchases should consider policy requirements when agreeing land transactions);
  
- Given the sensitive to changes of inputs/outputs into viability appraisals, the Council will require sensitivity analysis and/or scenario analysis to demonstrate the implications of changes to the inputs/outputs into the appraisal.
  
- Whether a deferred scheme is possible to claw back as much as the deficit in contributions as possible should market conditions improve. These schemes may reflect a variety of forms such as short life planning consents, reassessment of land values during the development period (overage), reversion to a policy compliant level of provision after a specified period within planning agreements and deferred payments.

9.65 The diagram below illustrates in broad terms, the approach that the Council will adopt to planning applications and infrastructure requirements.



	<ul style="list-style-type: none"> <li>• consider whether the use of deferred obligations to support infrastructure provision long term</li> <li>• investigate whether any alternative sources to fund infrastructure.</li> </ul>
<b>STEP THREE</b>	
<p>Agree Developer Contributions and the terms of the S106 Agreement or if agreement cannot be reached or the application does not meet the requirements for sustainable development the application will be refused.</p>	

9.66 The availability of information is an important part of the planning system. Planning Practice Guidance Viability emphasises that any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. The Council will consider exceptions to this in limited circumstances where there is a convincing case that information is commercially sensitive. If aspects of any assessment are considered to be commercial sensitive the developer should agree with the Council what information will release and in what format.

**A Lack Of Demand**

9.67 There is generally a presumption in favour of retaining existing and allocated future uses, as such land or buildings may contribute towards economic or social objectives of sustainable development. Consideration should only be given to alternative uses where an applicant is able to clearly demonstrate that there is no demand for the site and that it is unviable to retain the site in the current use. Evidence should be included within a supporting statement that accompanies the planning application and demonstrates that there is no reasonable prospect of the site or buildings being used or reused for these purposes. The evidence should include, where relevant:

- The length of time the property has been unused for the use classes in question.
- That the existing or recent business is not financially viable, as evidenced by trading accounts for the last three years in which the business was operating as a full-time business.
- A range of measures were tried or explored to increase trade and diversify use.
- The facility has been adequately marketed, including internet, and local and national publications.
- The length of time during which the property has been actively marketed. In order to prove that there is a significant lack of demand for the existing premises, it is anticipated that the landowner should have openly marketed the site for sale or let for a period of at least 12 months. Depending upon the

location of the premises, it may be more appropriate to increase this period to 18 months, especially if in a secondary location where demand is consistently slow to emerge. (This will depend upon the location of the premises and the state of the market).

- That the site has been marketed at an appropriate price to reflect the current use and the price should be justifiable given market conditions over time. If the site represents an employment redevelopment opportunity, an open request for offers may be more suitable in order to attract the widest interest. The prices at which the land and buildings have been marketed during this period should reflect that obtained for similar property in the locality and the evidence should identify the appropriate comparable evidence.
- A full record of enquiries, interested parties and bids should be recorded, with explanations and substantiation of why they have not been progressed.
- An evaluation of why it is considered that the property has failed to attract interest from potential occupiers or for redevelopment.
- Why the site or buildings are physically unsuitable for the use classes even after adaptation (including subdivision into smaller units) refurbishment or redevelopment, in terms of siting, design, access, layout and relationship to neighbouring buildings and uses.

### Policy SD7: Communications Infrastructure

<b>Policy SD7: Communications Infrastructure</b>	
Strategic Objectives	SO1, SO4, SO5, SO6, SO7, SO8, SO9, SO10, SO12, SO14.
<p><b>Telecommunications</b></p> <p>1. Telecommunications development proposals will be permitted where:</p> <ul style="list-style-type: none"> <li>a) The siting and external appearance of any installation is designed to minimise the impact on the character or appearance of the building on which, or space in which, the equipment is located;</li> <li>b) Options for sharing of existing equipment, and erecting masts on existing tall buildings or other structures have been fully explored;</li> <li>c) the significance, appearance, character and setting of heritage assets are conserved;</li> </ul>	



- d) there is no significant adverse impact upon biodiversity, ecology, geodiversity or best and most versatile agricultural land;
- e) they are appropriately designed, minimising size and scale and camouflaging appearance wherever possible;
- f) All masts or base stations and additions there to are certified to meet International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards;
- g) Consultations have been undertaken with organisations with an interest in the proposed development and their views have been taken into account in the development proposal. This is particularly relevant where a mast is to be installed near a school or college or within a statutory safeguarded zone surrounding an aerodrome or technical site; and
- h) Provision is made to ensure that equipment that has become obsolete or that is no longer in use is removed as soon as practicable and the site restored to its former condition.

**Broadband**

2. The rollout and continued improvement of affordable, high speed, high capacity digital infrastructure serving all parts of the District will be supported.
3. New development should enhance Ashfield’s digital infrastructure with new development demonstrating the anticipated connectivity of the proposed use.
4. Major development proposals will be supported where broadband infrastructure is to be made available to all residents and / or users of the development.
5. Major development proposals should incorporate a bespoke duct network, designed and implemented in cooperation with a recognised network provider, and where viable, a fibre to the premises (FTTP) solution.
6. Where appropriate, other forms of infrastructure, such as facilities supporting mobile broadband and Wi-Fi, should be included in major development proposals and designed in a sympathetic and appropriate way in order to reflect the character of the surrounding area.

Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 10: Supporting high quality communications.</li> </ul>

9.68 The communications sector is important to economic growth and productivity in Ashfield as well as residents’ social relations and access to information. From an economic perspective, new technology allows companies to download and transmit substantially greater amounts of data, reduce their costs, satisfy more customers and gain access to new markets. It offers a number of valuable social and

educational benefits for residents. A good telecommunication infrastructure can help reduce the need to travel and hence reduce vehicle emissions and congestion, for example by enabling home working'. It also enables the development of 'real time' driver information systems which can lead to better use of roads and reduced congestion. The Council's aim is to promote the growth of new and expanding telecommunications systems in ways which do not prejudice amenity and environmental quality. However, the Council will take into account in determining applications that certain locations are particularly sensitive to the impact of telecommunications equipment. These include:

- Locations within the Green Belt and open countryside,
- Sensitive landscape areas, including but not limited to valued landscapes, sites of special scientific interest, local wildlife sites and local nature reserves, and
- Heritage assets including conservation areas, historic buildings and Historic Parks including, where applicable, the potential effects on their setting.

- 9.69 The Policy has to be seen in the context that there are permitted development rights<sup>105</sup> for electronic communications infrastructure. At present, most electronic communications apparatus can be installed and maintained as permitted development. However, limits are set out in legislation on the scale of development that can be deployed in this way and the circumstances in which prior approval is required.
- 9.70 The availability of fast and reliable broadband is now seen as an essential component of everyday life and supports economic growth. The Government's objective through Building Digital UK (BDUK), part of the Department for Digital, Culture, Media & and Sport is to delivering broadband networks to the nation. The Policy aims to strike a balance between what is reasonable and proportional for developers to provide, with the essential need for a certain standard of broadband within all new developments.
- 9.71 Developers should engage with broadband providers at the earliest opportunity to enable the highest possible internet connection speeds to be provided in new developments. Applications for major development should be supported by a connectivity strategy that delivers future-proofed infrastructure and supports sustainable communications services having regard to the latest appropriate BDUK strategy and other relevant industry guidance.
- 9.72 Exceptions will be made to the Policy requirements, where applicants can provide evidence through consultation with broadband infrastructure providers, that this would not be possible, practical or economically viable.
- 9.73 Modern communications also mean that all kinds of businesses may be undertaken in rural areas and this includes home working, particularly where broadband can be improved. Consequently, diversification of the economic base of the rural areas is

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<sup>105</sup> The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

more achievable as technology allows greater workplace flexibility. As such, the Council will continue to support the roll out superfast broadband within rural communities.

### Policy SD8: Contaminated Land and Unstable Land

<b>Policy SD8: Contaminated Land and Unstable Land</b>	
Strategic Objectives	SO1, SO2, SO13, SO14.
<p>1. When considering applications for development on sites which are:</p> <ul style="list-style-type: none"> <li>a) Contaminated or potentially contaminated;</li> <li>b) On unstable land or potentially unstable land; or</li> <li>c) Within the Coal Authority’s defined Development High Risk Area.</li> </ul> <p>the prospective developer must demonstrate that any existing contamination or instability of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use taking into account the likely effects (including cumulative effects) of pollution or unstable land on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from development. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design.</p> <p>2. Issues to be addressed by prospective developers should include but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Avoiding exposing the occupiers of the development and neighbouring land users to significant risk;</li> <li>b) Any threats to the structural integrity of any building or structure on the site or any adjoining site;</li> <li>c) Avoiding the contamination of any watercourse, water body, groundwater or aquifer; and</li> <li>d) Having an adverse effect upon natural habitats and/or ecosystems.</li> </ul> <p>3. Proposals for development will be considered in the context of the cumulative impact. The extent of the area over which the cumulative impact will be taken into account will be determined on a site to site basis.</p> <p>4. Where appropriate, proposed development should demonstrate that it will not cause the land to become contaminated to the detriment of future use or restoration of the site or so that it would cause pollution in the surrounding area.</p>	

<p>5. The responsibility for ensuring a safe development rests with the developer and/or landowner. Where considered necessary, the developer will be required to enter into conditions or planning obligations to undertake further investigative works, remedial measures, or to ensure that development does not take place until appropriate measures are completed.</p>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Hazardous substances as of November 2019.</li> <li>• Planning Practice Guidance: Land affected by contamination as of July 2019.</li> <li>• Planning Practice Guidance: Land stability as of July 2019.</li> </ul>

- 9.74 Contaminated land may be regarded as any land which is in such a condition by reason of substances in, on or under the land, that it can result in risks to human health, property and the wider environment, including long-term limitations on the use of soils. It may arise from a number of sources being typically associated with some types of former industrial sites, but even agricultural land can have issues through for example, excessive use or spills of pesticides, or relating to farm waste disposal. There are also natural sources of contamination and radon gas, a naturally occurring radioactive gas, is present within the District. Previously developed sites in particular may have infestations of Japanese Knotweed, which has a detrimental impact on native wildlife as well as having the potential to damage buildings and hard surfaces.
- 9.75 Development provides the opportunity to bring about improvements and remediation to contaminated or unstable land. One of the overarching objectives of the Government’s policy on contaminated land is to seek to ensure that contaminated land is made suitable for its current use (Defra, Environmental Protection Act 1990: Part 2A Contaminated Land Statutory Guidance 2012). The aim is not to prevent development of such land but to ensure development is suitable and the contamination and physical constraints are taken into account at the planning stage. The risks to human health, buildings and the environment are remediated before the new use commences.
- 9.76 It is recognised that contamination and instability may add substantially to the difficulty and cost of developing. Consequently, the viability of development where there are high remediation costs will be a factor which the Council will take into account in considering planning contributions.
- 9.77 In Ashfield, the principal issue in relation to ground instability relates to past coal mining. The Coal Mining Referral Areas in Ashfield are largely located towards the western part of the District. For non-householder applications in Coal Mining Referral Areas the developer will be required to prepare and submit a Coal Mining Risk Assessment (CMRA) with the planning application. There may be a need for appropriate mitigation measures to ensure that there will be no future ground

instability and public safety issues arising from the development. Within the rest of the coalfield area the Coal Authority's Standing Advice Area will apply.

- 9.78 When a new development is proposed that could cause land to become contaminated, for instance, by the nature of the proposed use, the development should be designed in such a way as to minimise the risk of contamination occurring.

### **Groundwater**

- 9.79 The prevention of pollution and reversal of environmentally significant and sustained deteriorating trends in groundwater quality is a requirement of the Water Framework Directive and its associative legislations/regulations, as well as good practice. Prospective developers should:
- assess the area of influence of their activities and to take account of groundwater uses and dependent ecosystems within this area during planning, construction and operation;
  - provide adequate information to statutory bodies such as the Environment Agency when submitting their proposals so that the potential impact on groundwater resources and quality can be adequately assessed.
- 9.80 A substantial part of the District of Ashfield is located on a principal aquifer where groundwater is sensitive to pollution. It is important that standards of design, materials specification and of on-site construction practices respect the vulnerability of these aquifers as well as all watercourses, and environmentally sensitive areas. During and post construction it is possible that this contamination could be mobilised and find its way into the aquifer. The Council will need to be satisfied that any risk has been properly assessed and viable mitigation and remediation is in place. The Council will require the applicant to provide such information as is necessary to determine whether the proposed development can proceed. Investigations will need to consider the possibility that new pathways may be introduced as a result of development activities, such as piling, drain laying and trenches for services and that new receptors may be introduced by the development proposed. Development proposals should not create a pathway into the water supply.
- 9.81 The Council will adopt a balanced approach to contamination and unstable ground as it is unreasonable for the Council to require every applicant to carry out a detailed and expensive site investigation. However, sufficient information should be required to determine the existence or otherwise of contamination or unstable ground, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where a desk study and site reconnaissance does not provide sufficient information to assess the risks and appraise remedial options, further investigations will need to be carried out before the application is determined. Any remedial measures should be agreed by the Council before the development is commenced and completed prior to occupation.

9.82 Planning decisions will take into account the most up to date national, regional or local guidance in relation to pollution control/unstable land and planning.

**Policy SD9: Environmental Protection**

<b>Policy SD9: Environmental Protection</b>	
Strategic Objectives	SO1, SO2, SO5, SO13, SO14.
<ol style="list-style-type: none"> <li>1. Development should be sited and designed so as to avoid adversely impacting upon health, living conditions, the natural environment, and the welfare of livestock by reasons of fumes, dust, noise, vibration, smell, light or other forms of pollution.</li> <li>2. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to existing sensitive uses or sites.</li> <li>3. Proposals for development will be considered in the context of the cumulative impact of pollution. The extent of the area over which the cumulative impact will be taken into account will be determined on a site by site basis.</li> <li>4. Development sensitive to the effects of noise or other pollution will not be permitted where the presence of that sensitive development could threaten the ongoing viability of existing uses that are considered desirable for reasons of economic or wider social need.</li> <li>5. Where significant pollution may be created the applicant will provide sufficient information on the potential impact to enable a determination to be made on the effect of pollution and any remediation measures necessary.</li> <li>6. Where the operation of an existing business or community facility could have a significantly adverse effect on new development (including a change of use) in its vicinity, the applicant for the proposed development (or ‘agent of change’) shall be required to provide suitable mitigation before development has been completed.</li> </ol> <p>Noise</p> <ol style="list-style-type: none"> <li>7. Development proposals will be required to demonstrate that:             <ol style="list-style-type: none"> <li>a) The proposal does not have a detrimental impact on the indoor and outdoor acoustic environment of existing or planned development;</li> <li>b) The occupiers of the proposed development will not be subject to detrimental noise levels from the existing or potential future operations of adjacent uses; and</li> <li>c) The proposed development:                 <ol style="list-style-type: none"> <li>i. does not cause a significant increase in the background noise level to nearby existing noise sensitive land uses, and</li> </ol> </li> </ol> </li> </ol>	

- ii. protects tranquil areas, which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

**Lighting**

8. Development proposals will be required to demonstrate that:

- a) Light pollution from glare and light spillage is minimised, including into the night sky;
- b) The lighting is necessary;
- c) The proposed lighting scheme is the minimum needed for security, working or recreational purposes;
- d) The level of luminance is appropriate to the character of the landscape and the surrounding area as a whole, including any cumulative impact of lighting;
- e) There is no significant loss of privacy or amenity to nearby properties and no danger to pedestrians and road users; and
- f) There is no detrimental harm to natural ecosystems, including nocturnal wildlife such as bats.

**Air Quality**

9. Development proposals will be required to demonstrate that proposals minimise harmful emissions to air, will not lead to the declaration of a new Air Quality Management Area, and will not impact negatively on any existing Air Quality Management Areas. Planning permission will only be granted in areas nearing Air Quality Management Area threshold limits if an Impact Assessment shows that the development in question and its associated activities would not increase air pollution to unacceptable levels, as defined in the National Air Quality Strategy. Where applicable, it should be demonstrated that proposed development will not have a significantly impact through nitrogen deposition on sensitive natural habitats.

**Soils**

10. Development will take appropriate measures to safeguard and utilise on-site soil resources. Regard should be had to the Defra code of practice for the sustainable use of soils on construction sites. Where requested, evidence of the adoption of best practice in the movement of, storage, management, reuse and reinstatement of soils must be submitted along with any planning application.

Evidence base	Sustainability Appraisal, 2023. WSP UK Limited.
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 15: Conserving and enhancing the natural environment.</li> <li>• Planning Practice Guidance: Air quality as of November 2019.</li> <li>• Planning Practice Guidance: Light pollution as of November 2019.</li> <li>• Planning Practice Guidance: Noise as of July 2019.</li> </ul>

9.83 Damage to the environment is usually identified as pollution and it arises from a wide variety of sources and has a detrimental impact on human health, wellbeing, amenity and the natural environment. The natural environment includes the landscape, the quality of the soil, air, ground/surface water or areas of nature conservation (comprise plants and animals). The nature of pollutants will vary, but in terms of Ashfield, issues typically arise in relation to noise, lighting and air quality. Nevertheless, pollution can arise from other sources such as emissions of smoke,

fumes, gases, dust, steam, smells or vibrations all of which will be considered during the planning process.

- 9.84 In assessing a scheme of mitigation, account will be taken of:
- The location, design and layout of the proposed development;
  - Measures to bring levels of emissions to an acceptable level;
  - Measures to control run-off and other diffuse pollution;
  - Hours of operation; and
  - Measures that reduce existing levels of pollution.
- 9.85 Where significant pollution may be created, the applicant will be required to provide sufficient information on the potential environmental impacts to enable a determination to be made whether or not planning permission should be granted. Where a desk study and site reconnaissance does not provide sufficient information to assess the risks and appraise remedial options, further investigations will need to be carried out before the application is determined. Where appropriate, any report will need to set out the cumulative impacts.
- 9.86 The adverse impact or potential impact of pollution will be a key aspect in any planning decision. This includes the relationship with sensitive uses such as residential areas, schools, hospitals, or the natural environment. The position and orientation of sensitive uses should be taken into account at the earliest stages of any building design or consideration of location.
- 9.87 Matters for consideration in taking decisions on planning applications in relation to pollution are set out in Appendix 3. However, decisions will also take into account the latest national, regional or local guidance in relation to pollution control and planning.

### **Noise**

- 9.88 Noise has the potential to cause both physical and psychological health issues for humans and can have a negative impact on wildlife and livestock. Within this context, noise includes both ambient levels and noise impulses whether irregular or tone. New development which involves noisy uses should also be located away from:
- Noise sensitive uses such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments
  - Noise sensitive land including areas valued for their recreational and amenity reasons. Certain areas, particularly in rural places, may have very low background noise and the Council will take into account that the introduction of noisy activities may be especially disruptive.
- 9.89 The potential impact of noise on wildlife, on conservation sites and, where relevant, the welfare of livestock will be taken into account in any planning determination.



9.90 It may be acceptable in meeting other planning objectives that noise generating activities should be allowed near to or adjoining noise sensitive uses. In these circumstances, the design and layout of the development should reduce noise impact and conditions or planning obligations will be used to safeguard local amenity

### **Lighting**

9.91 Lighting becomes a problem where it is excessive, poorly designed and located, badly installed or poorly maintained. This can result in light pollution from a number of sources including:

- sky glow: the orange glow seen around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky;
- glare: the uncomfortable brightness of a light source when viewed against a darker background; and
- light trespass: light spilling beyond the boundary of the property on which a light is located.

9.92 Wherever possible, the use of artificial lighting should be avoided as it has a number of negative impacts including increased energy use, detrimental impacts on local amenity and nature conservation and it can affect people's health through disrupting sleep. Nevertheless, it is recognised that in specific circumstances lighting can result in benefits including safety of movement, security, extension of working hours, and for facilitating leisure activities.

9.93 Where lighting is necessary, the Council will expect that, as far as reasonably possible, the design and future maintenance of any light system related to the proposed development will minimise light pollution.

### **Air Quality**

9.94 Local Authorities are required to carry out periodic reviews of air quality in their areas, and to assess present and likely future quality against statutory air quality standards. It is a key environmental factor that has an impact on health and the Council will have regard to the Nottinghamshire Air Quality Strategy 2020 -2030 and the East Midlands Air Quality and Emissions Mitigation Guidance for Developers (July 2018).

9.95 Air quality assessments may be required as part of an Environmental Impact Assessment, for a major development, or as a stand-alone air quality report submitted in support of a specific planning application. Whether an air quality assessment is requirement will depend on a number of issues including:

- traffic generated, including the potential impact on peak flow;
- whether it will have a significant impact on the traffic composition on local roads;
- location of the proposed development, particularly where new development is proposed close to existing sources of air pollutants, including road traffic, industrial operations and agricultural operations;

- whether the proposal includes significant new car parking, taking into account car park turnover;
- whether the proposed development may significantly affect Nitrogen deposition to sensitive habitats;
- proposals that include biomass boilers or fuels; and
- the time and scale of the demolition and/or construction phases of a development, particularly near sensitive locations, such as residential areas, or commercial operations that may be sensitive to dust.

**Soils**

9.96 Soil is essential finite, with a wide-ranging functions and it is important that soils are managed sustainably, in order that they can retain the capacity to carry out these vital functions. We rely on soil in relation to food production, water management and support for valuable biodiversity and ecosystems. As a large store of carbon, it also plays a vital role in the fight against climate change. Protecting soils must therefore be an important priority and this relates to soils within the urban area, where the negative impacts of development on soil resources need to be minimised.

9.97 DEFRA has published a Code of Practice on the sustainable use of soils on construction sites. This provides guidance to protect the soil resources. Although the Code itself is not legislatively binding, by following it DEFRA identifies that:

- you will help protect and enhance the soil resources on site and achieve wider benefits for the environment;
- you may achieve cost savings for your business;
- it may help you to achieve your business sustainability targets; and it may help you to meet legal obligations regarding waste controls.

The Highways Agency and the Construction Industry Research and Information Association have produced a best practice guide on habitat translocation external site which also includes useful information on soil handling.

**Policy SD10: Transport Infrastructure**

<b>Policy SD10: Transport Infrastructure</b>	
Strategic Objectives	SO1, SO2, SO4, SO6, SO7, SO8, SO9, SO11, SO12, SO14.
<p>1. The Council will support development where:</p> <p>a. It reduces the need to travel by private motor vehicle and promotes smarter choices (to reduce congestion and air pollution);</p>	

- b. The transport network is well designed, with particular emphasis on high quality materials and appropriate landscape features, taking into consideration the needs of all users;
  - c. Parking provision conforms to local standards and can be shown to satisfy the requirements of the development;
  - d. Parking is effectively designed and integrated into the public realm;
  - e. It is legible and provides safe, direct and effective access for pedestrians; cyclists; and people with a disability;
  - f. It is safe and convenient, and has excellent connections both within the development and to neighbouring areas, and to public transport;
  - g. It promotes the safe and efficient flow of traffic on the highway network; and
  - h. Suitable provision is made for cyclists and people with a disability, where necessary; and
  - i. The standards and principles set out in national best practice guidance are incorporated into the scheme.
2. Proposed new development should:
- a. Protect established rights of way and cycle routes. Where possible, these should be incorporated into the scheme. If this is not practical, established rights of way or cycle routes should be re-directed via the most suitable route to maintain the connection to the neighbouring areas and the green infrastructure network.
  - b. Where appropriate, create new rights of way and cycle routes which connect to the neighbouring areas and to the green infrastructure network.
  - c. In the vicinity of railway level crossings (both vehicular and pedestrian), assess the potential increase in risk at each crossing affected and undertake improvements that are necessary to mitigate the identified risk.
3. New development, singularly or combined with other proposed development, should demonstrate that a sufficient package of measures are proposed as part of the development to ensure that the wider transport system, in terms of effective operation, is not compromised. Where development places additional demands on transport infrastructure appropriate mitigation will be required.
4. 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.	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Transport Study 2023. Systra.</li> <li>• Nottinghamshire Local Transport Plan Strategy 2011 – 2026. Nottinghamshire County Council.</li> <li>• Gear change: a bold vision for cycling and walking (2020) Department for Transport.</li> <li>• Cycle infrastructure design (LTN 1/20) (2020), Department for Transport.</li> <li>• National Bus Strategy for England, 2021, Department of Transport</li> <li>• Ashfield Green &amp; Blue Infrastructure and Biodiversity Strategy. Ashfield District Council, 2022-2032.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 9: Promoting sustainable transport.</li> <li>• Planning Practice Guidance: Transport evidence bases in plan making and decision taking March 2015.</li> </ul>

9.98 The Policy set out provision for the required transport infrastructure to support development with an emphasis on reducing the need to travel by the private motor vehicle.

9.99 The Nottinghamshire Local Transport Plan (LTP3)<sup>106</sup> details the transport strategy for the whole of Nottinghamshire for a fifteen year period. This Policy is closely linked to the objectives of the LTP3 in seeking to promote smarter choices which will reduce congestion on the highway network.

9.100 New development should not put a burden on the public highway or lead to an unacceptable increase in emissions in relation to air quality. The Council will seek to ensure that new development promotes smarter choices which support sustainable patterns of travel. This can be achieved in a number of ways but in land use planning terms new development should provide opportunities for good access to public transport; walking and cycling routes, town centres and local services and facilities. Travel plans are also a useful tool for large scale residential developments and for commercial developments. To outline how a development will propose to promote sustainable travel.

9.101 One of the priorities for infrastructure provision in the District is to improve railway connections and facilities on the Robin Hood Line and the Maid Marian Line. Where appropriate, improvements may be required to the existing railway infrastructure such as level crossings including contributions from development where the requirements of the Community Infrastructure Regulations are met.

9.102 Where there are known areas of public transport deficiency, such as the area to the west of Hucknall. The Council will seek to address this by working with developers

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<sup>106</sup> Nottinghamshire County Council (2011) Nottinghamshire Local Transport Plan Strategy 2011/12 – 2025/26.

and service providers to promote well designed development which promotes smarter choices of travel.

### **Design**

- 9.103 With regard to transport and movement, development proposals should be well designed in terms of the site layout, connectivity, legibility and landscaping; new neighbourhoods should create a sense of place with a strong identity which links well to the surrounding area. In achieving this, development proposals must create high quality public realm that enhances 'place', whilst providing an effective movement network.
- 9.104 When designing the road network, including vehicular access points, consideration must be given to the needs of all users. Safety and convenience are key issues which must be addressed. The needs of pedestrians, cyclists<sup>107</sup> and people with disabilities, including wheelchair users and the visually impaired, must be at the forefront of the design process.
- 9.105 Development to which cyclists and pedestrians would reasonably be expected to have access will need to facilitate:
- safe and convenient cycle access, which link to existing or future cycle routes;
  - provide for the safe and convenient access by pedestrians including those with limited mobility.
- 9.106 New residential developments need to provide a safe, attractive and quality highway network for all users. The Council will require all new residential developments to accord with the principles set out in both local and other relevant national standards, in particular Building for a Healthy Life standards.

### **Highway Improvements**

- 9.107 Development within the District and in surrounding districts will impact on local roads and strategic routes including M1 junctions. Working in partnership with the Highway Authority, the Highways England, neighbouring authorities and other partners, the Council will seek to improve and ensure that the cumulative impact of development in the wider area will not adversely affect the operation of the highway and public transport networks. This will be achieved through the implementation of projects and plans identified through the Local Plan, Infrastructure Delivery Plan, the Nottinghamshire Local Transport Plan (LTP3) and, where appropriate, other development schemes and studies. Where appropriate, developer contributions will be required to enable transport improvement works within the affected area.
- 9.108 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

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<sup>107</sup> Nottinghamshire County Council (2006) Cycling Design Guide.

proposals. Planning applications should accord with current standards and guidance set out in national and local highway design guides<sup>108</sup>.

## Policy SD11: Parking

Policy SD11: Parking	
Strategic Objectives	SO1, SO2, SO3, SO4, SO11, SO12, SO14.
<p>1. The Council will promote an integrated, design-led approach to vehicle parking. Parking provision should be adequate to serve the proposed development, appropriately sited and complement the street scene. In order to achieve this, developments must meet the following criteria:</p> <ol style="list-style-type: none"> <li>a) Parking facilities should appropriately provide for the needs of the development;</li> <li>b) Off-street parking should be designed to incorporate safety and security measures, to minimise inappropriate parking and to minimise the urban heat island effect by providing soft landscaping, permeable surfaces and other treatments to offset adverse impacts of surface water run-off;</li> <li>c) On-street parking must be well located and should be suitably integrated into the development scheme, utilising high quality materials and landscaping. It must not dominate building and road frontage;</li> <li>d) Provision must be made for people with impaired mobility where necessary;</li> <li>e) Provision must be made for emergency service vehicles and delivery vehicles where necessary; and</li> <li>f) Provision should be designed to: <ul style="list-style-type: none"> <li>• include electrical car charging provision appropriate to the scale and use of the of the proposed development, and</li> <li>• incorporate sustainable urban drainage system appropriate to the scale and use of the proposed development</li> </ul> </li> </ol> <p>Parking provisions will be required, taking into account local and national guidance on parking provisions for vehicles including cycles.</p> <p>2. The Council will be flexible with parking provision where:</p> <ul style="list-style-type: none"> <li>• The location of the development will result in a lower parking requirement including the close proximity to a major transport node.</li> <li>• The development includes realistic, alternative arrangements that result in a requirement for a lower parking provision and provides for a planning contribution to facilitate these alternative arrangements.</li> </ul>	

<sup>108</sup> At the time of publication, the Nottinghamshire Highway Design Guide

Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Nottinghamshire Local Transport Plan Strategy 2011 – 2026. Nottinghamshire County Council.</li> <li>• Cycle infrastructure design (LTN 1/20) (2020), Department for Transport.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023 Part 9: Promoting sustainable transport.</li> <li>• Ministerial Guidance- Parking policy. March 2015</li> <li>• Planning Practice Guidance: Transport evidence bases in plan making and decision taking March 2015.</li> </ul>

9.109 Effective, well designed and considered parking provision is a key element of any development proposal. Insufficient and poorly located parking provision can lead to inappropriate parking on streets and verges, which has implications for the health and safety of all highway users. On street parking is very limited in some areas of the District, particularly in and around the main town centres.

9.110 There is no single best solution to resolve the issue of vehicle parking. A combination of parking typologies (on-street, off-street, courtyards etc.) may be required to create an acceptable solution in terms of design and function. The Residential Parking Standards Supplementary Planning Document (SPD) provides further guidance on the design and amount of parking needed to support residential development. Developments standards are set out in the Nottinghamshire Highway Design Guide. All proposals should also be guided by national best practice and guidance such as the Manual for Streets and Building for a Healthy Life 12.

9.111 All development proposals should consider the parking requirements of their scheme from the initial stages of the design process, ensuring it is integrated and not considered as an afterthought. Development proposals should consider the following elements:

- Design & Siting – parking must be sited and designed to reduce its impact on the public realm (visual and actual). Proposals should apply high quality, permeable materials, appropriate landscaping and a considered siting to help achieve this. All parking should be overlooked by surrounding development and/or in appropriate circumstances, have sufficient security and CCTV coverage to ensure adequate users and vehicle safety.
- Pedestrians & Cyclists - Parking spaces and facilities should be designed so that they do not inconvenience pedestrians and cyclists. The street should be designed so that it can be easily and safely used and navigated by pedestrians and cyclists, including people using wheelchairs and pushchairs. Cycling is an important mode of travel offering a more sustainable alternative to the car and making a positive contribution to the overall character of a place, public health and to tackling climate change through reductions in carbon emissions. Providing well-located, safe and secure cycle parking is a major factor in encouraging people to cycle as an alternative to the car. Applications should have regard to local and national guidance on anticipated requirements for different types of development.

- Disabled parking provision must accord with the standards adopted by Nottinghamshire County Council. Where necessary, an assessment of need should be undertaken to ascertain the level of disabled parking that will be required. Prospective developers will need to demonstrate that adequate parking space is being provided to enable people with a disability to use the building.
- Parking Solutions – Off Street – proposals should apply a mix of parking solutions appropriate to the site. Large surface car parks and long sections of bays at road or property frontage will not be supported. Off-street parking should provide a sufficient amount of space in order to prevent excessive overspill parking on adjacent streets. This can be provided in the form of in-curtilage parking or small parking courts. Bays should be well connected to the wider development and not satellite from the development they serve, in order to discourage inappropriate or unnecessary on-street parking.
- Parking Solution – On-Street - On-street parking must not lead to street cluttering. They must be integrated into the wider public realm and include landscape features to reduce the potential for unmanaged parking beyond the designed bays. Parking bays should be clearly delineated and not obstruct footpaths or cycle ways. Large groups of bays will not be supported.
- Garages - Garages should be large enough to accommodate vehicles for the proposed development.

9.112 The Government has taken the decision that by 2040 no new diesel vehicles will be produced. The implication is that more electric vehicles will be on our road and there needs to be the necessary infrastructure, including the appropriate conduit and cables, to support electric vehicles. Rapid charging points will be particularly important in the public domain. In addition, domestic properties and commercial premises need to provide for the opportunity to charge vehicles close to the parking of vehicles.

9.113 The water run-off from impervious surfaces can result in localised flooding. Therefore, it is necessary to reduce flood risk by incorporating sustainable urban drainage system.

### **Exceptions**

9.114 Generally, development will only be permitted where it is in accordance with current Parking Standards. The Council will work closely with the Highway Authority on issues relating to parking.

9.115 In exceptional circumstances a more flexible approach may be required and parking standards could be negotiable. In particular, developments in areas in close proximity to major transport nodes, such as railway and bus stations, may warrant a more flexible approach where there are no implications for amenity or health and



safety. In appropriate locations or developments, this may include alternative proposals, which lead to lower parking requirements. For example, the provision of a car club as part of the development.

9.116 The onus is on the developer or applicant to demonstrate that the proposed parking facilities or alternative proposals are sufficient to meet the needs of the development as a whole.

## Policy SD12: Advertisements

<b>Policy SD12: Advertisements</b>	
Strategic Objectives	SO1, SO7, SO8, SO9, SO10, SO13, SO14.
<p>Advertisements, including boards and signs, will be supported where they:</p> <ol style="list-style-type: none"> <li>Do not have a negative impact on the visual amenity of the street scene;</li> <li>Do not affect public safety;</li> <li>Do not have a negative impact on the character of an area or a building; and</li> <li>Preserve or enhance the special character of conservation areas and do not have an adverse effect on listed buildings, Scheduled Ancient Monuments and other heritage assets or their setting.</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>Sustainability Appraisal, 2023. WSP UK Limited.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>NPPF 2023, Part 2: Achieving sustainable development.</li> </ul>

9.117 The Policy aims to ensure that adverts do not have detrimental impacts and contribute to maintaining the character and appearance of an area.

9.118 Outdoor advertisements are essential to commercial activity in a diverse economy. Outdoor advertisements take many forms. Among the most common are:

- fascia signs and projecting signs on shops.
- pole signs at petrol-filling stations.
- sign boards at factories.
- advance signs alongside the highway.
- menu boards at restaurants and cafés.
- poster hoardings.
- notices announcing the visit of a travelling fair.

- 9.119 Advertising is a part of everyday life, but poorly sited or badly designed advertisements and signage can have a detrimental effect on the character and appearance of areas and may raise issues of public safety. Advertisements and signage should not dominate the street scene in terms of size, scale, lighting and positioning.
- 9.120 The design of advertisements should complement the architecture of the host building and the area. Consideration should also be given to the cumulative effect of other signage. In particular regard should be had to:
- the impact on architectural features.
  - the size and style of signage boards and lettering.
  - materials, colour and finish.
  - the effects of illumination, where appropriate.
- These design details should be considered as an integral part of the host building.
- 9.121 The Council places an emphasis on improvements to town centres and shopping parades. In these areas, advertisements should enhance the appearance and character of the area. Shop front fascia signage should fit flush with the fascia (unless it can be demonstrated that this is not possible), be positioned below the first floor and blend with the architectural style of the shop front and overall colour scheme.
- 9.122 Where advertisements affect a heritage asset, the test is to ensure that no harm occurs to the heritage asset or its setting. In order to prevent this, the Council will require a planning statement to be submitted with an application which sets out how the character of the heritage asset and, where appropriate, their setting has been taken into account in the size and design of the advertisements.

### **Policy SD13: Provision and Protection of Health and Community Facilities**

<b>Policy SD13: Provision and Protection of Health and Community Facilities</b>	
Strategic Objectives	SO1, SO2, SO4, SO5, SO7, SO8, SO9, SO10, SO14.
<p>1. The Council will work with developers and strategic partners to provide District wide high quality, accessible and inclusive health, and community facilities by:</p> <p>a) Enhancing health, wellbeing, social, spiritual, sport, leisure and cultural provision for the use by schools, clubs, community organisations and the public;</p>	

<p>b) Encouraging the co-location of educational, health and community facilities where opportunities arise;</p> <p>2. Where additional facilities are needed as a result of a development proposal, the Council will require the provision of:</p> <ul style="list-style-type: none"> <li>• a new community facility on site or contributions towards the expansion of existing or new community provision off site; and/or</li> <li>• a new health facility on site or contributions towards the expansion of existing or new health provision off site.</li> </ul> <p>For larger development schemes, the Council may require the applicant to submit a Health Impact Assessment to identify the health implications for the local population arising from the development.</p> <p>3. Development for the alternative use of buildings or sites required for the provision of health and community facilities will not be permitted unless:</p> <ol style="list-style-type: none"> <li>a. Adequate replacement provision is made;</li> <li>b. There is no longer a requirement for the facility in that location or an alternative facility in the locality has the capacity to meet those need; and</li> <li>c. For commercial community facilities, it can be demonstrated the current use is no longer economically viable and there is no prospect of it becoming viable.</li> </ol>	
Evidence base	<ul style="list-style-type: none"> <li>• Sustainability Appraisal, 2023. WSP UK Limited.</li> <li>• Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 Ashfield Health and Wellbeing Partnership.</li> </ul>
National Planning Policy and Guidance	<ul style="list-style-type: none"> <li>• NPPF 2023, Part 2: Achieving sustainable development.</li> <li>• NPPF 2023, Part 8: Promoting healthy and safe communities.</li> <li>• Planning Practice Guidance: Healthy and safe communities as of August 2022.</li> </ul>

9.123 The provision of a full range of community and health services is of importance to the social and economic well-being of Ashfield residents. These facilities play an important role in facilitating social interaction, providing recreational, educational and cultural needs and creating healthy, inclusive communities.

9.124 Community facilities include local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. This list is not exhaustive and they may include other community facilities or other local services, which enhance the sustainability of communities and residential environments.

9.125 The Council will support the co-location of community facilities and other services, where viable. Working in partnership with other service providers and the voluntary

sector provides an effective and accessible way to meet the needs of communities. If services and facilities can be housed within a single building or area there can be numerous benefits to users and providers; aiding accessibility, increasing users and sharing resources.

- 9.126 New development has the potential to result in increased pressure on Ashfield's existing health and community facilities, either cumulatively or individually. Where appropriate, the Council will expect schemes that create additional demand for health and community facilities to make an appropriate contribution to meet local needs. This may be through on-site provision or a contribution towards improving existing facilities close to the development, or within the appropriate catchment for the health or community facilities. When assessing the impact of new development, the Council will consider:
- the likely number of future occupants of the development and their impact on the demand for health and community facilities;
  - the capacity of existing health and community facilities and their accessible to the development;
  - the accommodation requirements of community service providers operating in the area.
- 9.127 A Health Impact Assessment may be required on developments of 50 dwellings or more. It is anticipated that any Health Impact Assessment will utilise The Nottinghamshire Planning and Health Framework (2019 -2022) document or any update.

#### **Loss of Health or Community Facilities**

- 9.128 The Council will resist the loss of health and community facilities unless there is no longer a requirement for the facility in that location. The application will need to demonstrate that:
- No shortfall in provision will be created by the loss;
  - Adequate alternative facilities are already available in the area;
  - A replacement facility that meets the needs of the local population will be provided;
  - The facility is no longer required in its current use;
- 9.129 In addition, for commercial community facilities run for business purposes to make a profit (although there may be exceptions), such as local shops or public houses, the Council will require evidence that the facility is not viable in accordance with Policy SD6: Assessing Development Viability and Development Demand. The Council will utilise existing tools such as The Campaign for Real Ale "Public House Viability Test" or other similar evaluation method to help assess the viability of the business and to make an informed judgement on the need for the facility in the locality.

## Appendix 1 - Glossary of Terms and Abbreviations

**Affordable Housing:** A definition of affordable housing is set out in the Glossary of the National Planning Policy Framework.

**Agricultural Building:** Is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

**Ancient or Veteran Tree:** A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape or culturally.

**Allocation:** Land identified in the Local Plan as appropriate for a specific land use.

**Ancient Monument:** A structure regarded by the Secretary of State for the Environment, Transport and the Regions as being of national importance by virtue of its historic, architectural, traditional or archaeological interest. Scheduled Ancient Monuments are listed in a schedule compiled under the requirements of Section 1 of the Ancient Monuments and Archaeological Areas Act, 1979.

**Annual Monitoring Report (AMR):** A report which is produced annually to establish what is happening now and what may happen in the future and compare trends against existing Local Plan policies to determine if changes need to be made.

**Archaeological Interest:** There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of the past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**Archaeological Desk-Based Assessment:** Is an assessment of the known or potential archaeological resource within a specified area or site, consisting of a collation of existing written and graphic information in order to identify the likely character, extent, quality and worth of the known or potential archaeological resource in a local, regional or national context as appropriate.

**Basic Payment Scheme:** Was part of the Common Agricultural Policy (CAP), as the principal agricultural subsidy scheme in the European Union. Under the scheme farmers have freedom to farm to the demands of the market as payments are not linked to production, and environmentally friendly farming practices, known as cross compliance, are acknowledged.

**Best and most versatile agricultural land:** Land in grades 1, 2 and 3a of the Agricultural Land Classification.

**Biodiversity:** The range of life forms which constitute the living world, from microscopic organisms to the largest tree or animal, and the habitat and ecosystem in which they live.

**Blue Infrastructure (space):** Encompasses all watercourses and wetlands network (rivers, streams, lakes, canals, ponds, reservoirs wetlands, etc.) These 'blue' features can play an important part within a green infrastructure strategy.

**BREEAM:** An Environmental Assessment Method used to assess the environmental performance of both new and existing buildings. It is regarded by the UK's construction and property sectors as the measure of best practice in environmental design and management.

**Brownfield Land:** A general term used to define land which has been previously developed. It excludes land that was previously developed but where the remains of permanent structure or fixed surface structures have blended into the landscape in the progress of time (See NPPF Glossary 'Previously developed land'.)

**Bus Service Improvement Plan (BSIP):** Sets out how local transport authorities (LTAs) and bus operators can work together to develop a bus service improvement plan which is intended to improve bus services.

**Census of Population:** A survey of the entire population of the United Kingdom, undertaken on a ten-yearly basis.

**Character:** A term relating to Conservation Areas or Listed Buildings, but also to the appearance of any rural or urban location in terms of its landscape or the layout of streets and open spaces, often giving places their own distinct identity.

**Civic Space:** A subset of open space consisting of urban squares, markets and other paved or hard landscaped areas with a civic function.

**Community facilities:** Community facilities are set out in the National Planning Policy Framework as including local shops, meeting places, sports venues, cultural buildings, public houses and places of worship and other local services to enhance the sustainability of communities and residential environments.

**Comparison Goods:** A term used in retailing to indicate goods purchased for longer term use and likely to be subject to 'comparison' between suppliers before purchase. For example, clothing, footwear, household goods, books, stationery, chemist goods, photographic goods, jewellery, cycles, pushchairs.

**Conversion Method Statement:** A Conversion Method Statement sets out the specific programme of works to be undertaken in order to convert a building and should be submitted as part of a planning application for the conversion of a building.

**Conservation Area:** An area designated by Local Planning Authority under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, regarded as being an area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance.

**Convenience Goods:** A term used in retailing to indicate goods purchased for regular consumption. For example, food, groceries, drink, confectionary, tobacco, newspapers.

**Countryside:** For the purposes of the Local Plan, it refers the rural parts of the District lying outside the defined Main Urban Areas and Named Settlements.

**Density:** The intensity of development in a given area. Usually measured, for housing, in terms of number of dwellings per hectare.

**Department for Communities and Local Government (CLG):** The Government Department responsible for planning and local government.

**Designated Heritage Asset:** A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

**Development Plan Document (DPD):** A spatial planning document under the provisions of Planning and Compulsory Purchase Act 2004 which is designed to secure the development and use of land in the local planning authority's area. It includes the Local Plan

**Duty to cooperate:** The duty to cooperate, (NPPF paragraph 24), is a requirement by the Government for public bodies to work together on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. Local Planning Authorities must work with neighbouring authorities and other bodies, where necessary, to ensure that the development requirements of both the district and the surrounding areas are met.

**Economic development:** includes development within the office uses, industry and warehousing uses, public and community uses, leisure and tourism uses and main town centre uses. It also includes any other development which provides employment opportunities, generates wealth or produces or generates an economic output or product. It does not include housing development.

**Edge of centre:** For retail purposes, a location that is well connected to and up to 300 metres from the Primary Shopping Area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

**Employment Land:** For the purposes of this Local Plan, the term employment land will normally refer to land intended for use as offices, light industrial, general industrial or storage and distribution. Under the Town and Country Planning (Use Classes) Order 1987 (as amended), Sui Generis employment uses outside these categories but of a similar character may also be appropriate, subject to normal site planning considerations.

**Environmental Assets:** Physical features and conditions of notable value occurring within the District.

**Farm shops:** A farm shop will form an ancillary activity to a commercial farm.

**First Homes:** First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria;
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

*(See Planning Practice Guidance First Homes)*

**Green Belt:** Describes an area of land surrounding certain cities and large built-up areas whose fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. (See NPPF). The Green Belt is identified as having five distinct purposes:

- i to check the unrestricted sprawl of large built up areas;
- ii to prevent neighbouring towns from merging into one another;
- iii to assist in safeguarding the countryside from encroachment;
- iv to preserve the setting and special character of historic towns, and;
- v to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

**Greenfield Run-off:** This is the surface water run-off from a greenfield site before development.

**Green Infrastructure:** A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and well-being benefits for nature, climate, local and wider communities and prosperity. This includes but is not limited to parks (including historic parks and gardens), open spaces, playing fields, woodlands, allotments, cemeteries, private gardens and river corridors, green roofs and walls as well as archaeological features, agricultural land, country parks, private estates, and wasteland.

**Greenfield Land:** A term used to define land that has never been built on or where the remains of any structure or activity have been blended into the landscape over time. Greenfield land should not be confused with Green Belt land (see definition above).

**Green Wedge:** Green wedges are local policy designations comprising open areas around and between parts of settlements, which maintain the distinction between the countryside



and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities.

**Groundwater:** An important part of the natural water cycle present underground, within strata known as aquifers.

**Gypsies and Travellers:** Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

**Ha/ha (Hectare):** An area 10,000 sq. metres or 2.471 acres.

**Health and Wellbeing:** Health is often considered as being an absence of illness or disability. Health and wellbeing is much wider and is a combination of physical, mental and social factors. (Nottinghamshire Health & Wellbeing Strategy 2014 -2017).

**Heritage Asset:** A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

**Historic Environment:** All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**Historic Environment Record:** Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

**Infrastructure:** The basic structures and facilities necessary for the efficient functioning of a given geographical area.

**Key Diagram:** Map, picture, figure or plan which is integral to the importance of the document.

**Knowledge Economy:** Classification of a particular individual industry, if 25% of its workforce is qualified to graduate standard.

**Listed Buildings:** A building or structure of special architectural or historic interest included on a list prepared by the Secretary of State for Culture, Media and Sport under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. Consent is required for its demolition in whole or part, and for any works of alteration or extension (both internal and external) which would affect its special interest.

**Local Development Document (LDD):** A document under the provisions of Planning and Compulsory Purchase Act 2004 that can be either a Development Plan Document or a Supplementary Planning Document.

**Local Development Framework (LDF):** A term used to describe a portfolio of Local Development Documents, which set out the spatial strategy for the development of the district. It is now typically identified as the Local Plan.

**Local Development Scheme (LDS):** A document setting out the timescales for the production of the Local Development Documents. (Usually the Local Plan).

**Local Labour Force:** There are a number of different definitions of local labour markets. However, in simple terms the labour market is made up of:

- self-containment, which is measured as the share of the population of an area that is employed locally, and the share of the employed who also live in the local area.
- the commuting relationships of the area with other areas

The local labour force reflects the population of Ashfield that lives within the District and which is economically active, being identified by the application of economic activity rates (by age and sex) to the population.

**Local Nature Reserve (LNR):** Established by a Local Authority under the powers of the National Parks and Access to the Countryside Act 1949.

**Local Plan:** Comprises a Written Statement and a Policies Map. The Written Statement includes the Authority's detailed policies and proposals for the development and use of land together with reasoned justification for these proposals. (A development plan document).

**Local Planning Authority (LPA):** A Local Planning Authority is the local authority or council that is empowered by law to exercise planning functions for a particular area of the United Kingdom.

**Local Strategic Partnership (LSP):** An overall partnership of people that brings together organisations from the public, private, community and voluntary sector within a local authority area, with the objective of improving people's quality of life.

**Local Shopping Centre:** Shopping areas defined on the Local Plan Policies Map which are smaller than town centres and serve local communities. Local shopping centres usually contain small scale development which offers a variety of convenience goods and services.

**Local Transport Plan:** Undertaken by Nottinghamshire County Council and by Nottingham City Council the local transport plans sets out the transport strategy and outlines a programme of measures to be delivered over the short, medium and long term. The strategies covers all types of transport including public transport, walking, cycling, cars and freight.

**Local Wildlife Sites:** Site of local importance for nature conservation or geology identified by the Nottinghamshire Biological and Geological Records Centre. They were formally known as Site of Importance for Nature Conservation (SINC).

**Minerals Local Plan:** In Nottinghamshire prepared by the County Council acting as the Authority responsible for minerals related issues. Key issues include the amount of minerals we will need to produce to meet demand, the location of future sites and the social and environmental impacts of mineral working.

**National Planning Policy Framework:** The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework of policies within which local people and their accountable council can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

**Nottingham Express Transit (NET):** The light rail system for Greater Nottingham with stops at Hucknall and Butlers Hill in Ashfield.

**Open Space:** Any unbuilt land within the boundary of a village, town or city which provides, or has the potential to provide, environmental, social and/or economic benefits to communities, including visual amenity, whether direct or indirect. It can include areas of water such as rivers, canals, lakes and reservoirs.

**Out of centre:** A location which is not in or on the edge of a centre but not necessarily outside the urban area.

**Physical Infrastructure:** Physical infrastructure refers to the technical services that support, sustain or enhance living conditions. This includes but is not limited to providing energy, water, telecommunications, highways, bridges, airports, waste management and disposal that allow communities and local businesses to thrive.

**Pitch:** A pitch on a "gypsy and traveller" site. As a general guide an average family pitch should be capable of accommodating an amenity building, a large trailer and touring caravan, parking space for 2 vehicles and a small garden area. (CLG, Designing Gypsy & Traveller Sites: Good Practice Guidance, 2008).

**Planning and Compulsory Purchase Act 2004:** Government legislation which sets out the provisions for the local planning system.

**Planning Practice Guidance:** Published by the Department for Communities and Local Government to provide guidance to the NPPF.

**Plot:** A pitch on a "travelling showpeople" site (often called a "yard"). The area of land for which a site license is paid and includes the area set aside by one family unit as well as land set aside for the storage and maintenance of their equipment. The Showman's Guild recommend a minimum area of 0.2 ha (0.5 acres) per yard.

**Previously Developed Land (PDL):** Land which has in the past been a developed site (see Brownfield land).

**Primary Shopping Area:** Defined area where retail development is concentrated (generally comprising primary and those secondary frontages which are contiguous and closely relating to the primary frontage).

**Prior Approval** - In relation to planning permission this can be granted through:

- A planning application which is submitted to the local planning authority, who can balance the impact of the development including on the environment and community with the economic benefits, and make a decision; and
- Government can grant planning permission for specific types of development under the General Permitted Development Order. Most permitted development rights are subject to conditions and limitations. One such condition on certain classes of permitted development is the need to apply to the Local Planning Authority for its 'Prior Approval'; or to determine if its 'Prior Approval' will be required. This allows the Local Planning Authority to consider the proposals, their likely impacts in regard to certain factors (e.g. transport and highways) and how these may be mitigated.

**Recreational Equine Development:** Means the keeping and training of horses/ponies which are owned by the occupant or owner of the property for leisure purposes. The horses/ponies are not kept for remuneration, hire or sale and the development is not open for public use.

**Regeneration:** The Review of sub national economic development and regeneration, July 2007 defined regeneration “as the broad process of reversing physical, economic and social decline in an area where market forces will not do this without intervention”. (HM Treasury, Department for Business, Enterprise and Regulatory Reform and Department for Communities and Local Government). Consequently, regeneration is a comprehensive approach, which includes:

- Economic attributes – relating to employment, skills, and economic opportunities;
- Social attributes – quality of life, health, crime, community engagement;
- Physical attributes – housing types and condition, neighbourhood centres, the public realm; and
- Environmental attributes – the impact on biodiversity, low energy efficiency, localised pollution and poor visual appearance.

**Regional Plan, Regional Spatial Strategy (RSS):** The East Midlands Regional Plan (RSS) was issued in March 2009, and provided a framework of planning policies for East Midland Region. This document was formally revoked in April 2013.

**Renewable Energy:** The term ‘renewable energy’ covers those resources which occur and recur naturally in the environment. Such resources include heat from the earth or sun, power from the wind and from water and energy from plant material and from the recycling of domestic, industrial or agricultural waste, and from recovering energy from domestic, industrial or agricultural waste.

**Robin Hood Line:** The passenger railway line developed to connect Nottingham to Worksop. Stations in Ashfield are located at Hucknall, Kirkby-in-Ashfield and Sutton Parkway.

**Rural Area:** Those parts of the District identified as Green Belt or Countryside.

**The Rurals –** Covers the District Council wards of Selston, Jacksdale and Underwood and the villages of Selston, Jacksdale, Bagthorpe and Underwood.

**Saved Policies:** Policies in the current Local Plan which have been retained and are utilised in making planning decisions.

**Section 106 agreement (s106):** Planning obligations (or “section 106 agreements”) are an established and valuable mechanism for securing necessary infrastructure arising from a development proposal. They are commonly used to bring development in line with the objectives of sustainable development as outlined through the relevant local, regional and national planning policies. The agreements can be used, for example, to provide new or improved open spaces, better sustainable transport links, or more affordable housing.

**Sequential approach/sequential test:** A planning principle that seeks to identify, allocate or develop certain types or locations of land before others. For example, brownfield housing sites before greenfield sites, or town centre retail sites before out-of-centre sites or Flood Zone 1 before Flood Zone 2 or 3.

**Setting of a Heritage Asset:** The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

**Shopping parades:** A small row of shops within a predominantly residential area which provide convenience goods and retail services to the local community.

**Significance (For Heritage Policy):** The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

**Site of Importance for Nature Conservation (SINC):** Site of local importance for nature conservation or geology identified by the Nottinghamshire Biological and Geological Records Centre. They have been renamed as Local Wildlife Sites.

**Site of Special Scientific Interest (SSSI):** The designation under Section 28 of the Wildlife and Countryside Act, 1981, of an area of land of special interest by reason of its flora, fauna, geological or physiological features.

**Small Dwelling:** A dwelling with a floor area of 80 square metres or less as it existed on the 1 July 1982, or as the dwelling was originally built or legally established, if the residential use post-dates 1 July 1982.

**Smarter choices:** Smarter choices are ‘soft’ transport measures which are aimed at helping people to choose to reduce their car use while enhancing the attractiveness of alternatives. They include workplace and school travel plans; personalised travel planning, public transport information and marketing; car clubs and car sharing schemes; teleworking, teleconferencing and home shopping.

**Social Infrastructure:** Social infrastructure includes a wide variety of services that are essential to the sustainability and wellbeing of a community. This includes but is not limited to educational facilities including early years education, primary education, secondary education, further education and adult learning; Health services including primary and secondary health; sports and leisure facilities; libraries; theatres; community centres, meeting rooms and halls; cemeteries; faith facilities; and public houses.

**Soundness:** Under the National Planning Policy Framework 2021 paragraph 35 a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- a. Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs<sup>21</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b. Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c. Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d. Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

**Starter Homes:** Defined under the Housing and Planning Act 2016 as a new dwelling which is available for purchase by qualifying first-time buyers only (being at least 23 years old but has not yet reached the age of 40). They are sold at a discount of at least 20% of the market value with a price cap (2016) outside Greater London of £250,000. Any future sale or letting is subject any regulations made by the Secretary of State. There is a statutory duty on local planning authorities to require starter homes on a planning application.

**Statement of Community Involvement (SCI):** This document informs of how the Council intends to engage the community on all major planning applications and in the preparation of the Local Plan.

**Supplementary Planning Document (SPD):** Provide supplementary information in respect of the policies in Development Plan Documents (Local Plan). They do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal (SA):** Examines the social, environmental and economic effects of strategies and policies in a Local Plan from the outset of preparation to allow decisions to be made that accord with sustainable development.

**Sustainable Communities:** Places in which people want to live, now and in the future. They embody the principles of sustainable development at the local level. This means they improve quality of life for all whilst safeguarding the environment for future generations. (Source DCLG)

**Sustainable Community Strategy:** A joint plan agreed by the Local Strategic Partnerships to enhance the economic, social and environmental wellbeing of each District/Borough.

**Sustainable Development:** International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

**Town centre:** An area defined on the Local Plan Policies Map which includes primary shopping areas. Town centres are predominantly occupied by main town center uses within or adjacent to the primary shopping area. Main town centre uses include: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices, and arts, culture and tourism development (including theatres, museum, galleries and concert halls, hotels and conference facilities).

**Transport assessment:** A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

**Transport statement:** A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.

**Travel plan:** A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

**Traveller (gypsies and travelers):** 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.' Planning policy for traveller sites 2015, Department of Communities and Local Government.

**Travelling Showpeople:** Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependents' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above. Planning policy for traveller sites 2015, Department for Communities and Local Government.

**Waste Local Plan:** In Nottinghamshire prepared by the County Council acting as the Authority responsible for waste related issues including disposal, treatment, transfer and recycling within the County.

**Wellbeing:** See health and wellbeing.

**Worklessness:** Refers to people who are unemployed or economically inactive, and who are in receipt of working age benefits.' (Social Exclusion Unit, 2004).



## Appendix 2 - Five Year Land Supply and Housing Trajectory

### Five Year Housing Land Supply at April 2025 (post adoption)

The National Planning Policy Framework (NPPF) places a duty on Local Planning Authorities to demonstrate a supply of specific deliverable sites sufficient to provide five years' worth of housing against their requirements (5YHLS).

The following calculation refers to a five year period **post adoption** to ensure that the Local Plan will meet the requirements of the NPPF.

#### Five Year Housing Requirement (Dwellings)

Local Housing Need @ 446 dpa x 5 years	2230
Add 20% buffer	446
<b>Total 5 year requirement including buffer</b>	<b>2676</b>
<b>Annual requirement including buffer</b>	<b>535</b>

#### Housing Land Supply (Dwellings)

Allocations without planning permission deliverable within 5 years (2025-2030)	2059
Planning permissions deliverable within 5 years (2025-2030)	1332
Discount applied to permissions based on historic lapse rate	-105
Permitted Development deliverable within 5 years	2
Residential Institutions (C2) deliverable within 5 years <sup>#</sup>	5
Small site windfall allowance (2028 to 2030)	120
<b>Total deliverable housing land supply 2025-2030</b>	<b>3413</b>

#### Calculation of 5 year Housing Land Supply

Deliverable sites for the 5 year period	3413
Divided by annual requirement for next 5 years	535
<b>Equates in years to</b>	<b>6.38</b>
<b>Oversupply (+) or undersupply (-) of dwellings</b>	<b>737</b>

<sup>#</sup> dwelling equivalent based on planning practice guidance ratio of 1.8

It should be noted that the council do not ordinarily include a small site windfall allowance in the 5YHLS calculation. However, as this calculation relates to the post adoption time period 2025 to 2030, it is appropriate to include a figure for years 2028-2030 and is offset by excluding potential delivery from current planning permissions for the years 2023-2025.

### Anticipated Annual Housing Delivery by Site

The following schedule gives details of anticipated delivery on individual sites where the yield exceeds 10 dwellings, together with a summary of delivery on smaller sites.

#### Hucknall Area

REG 19 Site Ref.	Planning Appn Ref	Database/SHELAA/Brownfield Register Site Ref	Address	Site Area	Total number of Dwellings on site	Total number of Dwellings remaining at 1st April 2023	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	
							23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	37/39	37/40	
<b>Available sites without Planning Permission</b>																								
H1Ha	n/a	HK009	Seven Stars Public House and adjoining land, West Street	0.66	28	28						28												
H1Hb	V/2020/0855	HK013	Linby Boarding Kennels, East of Church Lane, Hucknall	1.60	43	34						34												
H1Hc	n/a	HK051 (composite site HK016, HHK034, Hk043 & HK050)	Land north of A611 / South of Broomhill Farm, Hucknall	31.00	5	499						9	70	70	70	70	70	70	70					
H1Hd	n/a	HK022	Land adjoining Stubbing Wood Farm, Watnall Road, Hucknall	8.82	198	198						35	35	35	35	35	23							
<b>Total Hucknall sites without planning permission</b>							<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>106</b>	<b>105</b>	<b>105</b>	<b>105</b>	<b>105</b>	<b>93</b>	<b>70</b>	<b>70</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Hucknall Large Sites with Outline Planning permission</b>																								
H1Hg	V/2016/0619	80	Hucknall Town Football Club, Watnall Road	2.52	82	82				35	35	12												
<b>Total Hucknall Large Sites with Outline Permission</b>							<b>0</b>	<b>0</b>	<b>0</b>	<b>35</b>	<b>35</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Hucknall Large Sites with Detailed Planning Permission</b>																								
H1Hi	V/2020/0563	H0265	Land at, Shepherd Street, Rolls Royce	1.34	100	42	42																	
H1Hn	V/2019/0483	H0335	Phase 2, Broomhill Farm, Nottingham Road	7.16	217	168	35	35	35	35	28													
H1He	V/2020/0553	H0265	Phase 5b, Former Rolls Royce Site, Off Watnall Road	3.84	150	150	35	50	50	15														
H1Hf	V/2020/0553	H0265	Phase 9, Former Rolls Royce Site, Off Watnall Road	4.12	101	101				50	51													
<b>Total Hucknall Large Sites with Detailed Permission</b>							<b>112</b>	<b>85</b>	<b>85</b>	<b>100</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Kirkby Area

REG 19 Site Ref.	Planning Appn Ref	Database/SHELAA/Brownfield Register Site Ref	Address	Site Area	Total number of Dwellings on site	Total number of Dwellings remaining at 1st April 2023	Year 1 23/24	Year 2 24/25	Year 3 25/26	Year 4 26/27	Year 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 33/34	Year 12 34/35	Year 13 35/36	Year 14 36/37	Year 15 37/38	Year 16 38/39	Year 17 39/40	
<b>Available sites without Planning Permission</b>																								
H1Ka	n/a	KA002	Beacon Farm, Derby Road, Kirkby-In Ashfield	1.50	41	41						35	6											
H1Kc	n/a	KA011	Land at Doles Lane, Kirkby-In Ashfield	2.39	54	54						35	19											
H1Kd	V/2020/0518	KA012	Land off Farm View Road/Walesby Drive, Kirkby-In Ashfield	7.33	196	196			35	35	35	35	35	21										
H1Ke	n/a	KA026	former allotments land at Diamond Ave	2.20	63	63						35	28											
H1Kg	n/a	KA038	Rear 126 Skegby Road, Annesley	0.55	15	15						15												
H1Kh	n/a	KA046	Hucknall Road, Newstead	1.55	47	47						35	12											
H1Kk		n/a	Land off Laburnum Ave	1.03	38	38				35	3													
<b>Total Kirkby/Sutton sites without planning permission</b>						454	0	0	35	70	38	190	100	21	0	0	0	0	0	0	0	0	0	
<b>Kirkby Large Sites with Detailed Planning Permission</b>																								
H1Kb	V/2019/0756	K0283	Land off Millers Way	1.40	54	54		35	19															
H1Kf	V/2022/0326	K0306	Warwick Close, Kirkby	0.83	34	34	34																	
<b>Total Kirkby Large Sites with Detailed Permission</b>						88	34	35	19	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Sutton Area

REG 19 Site Ref.	Site Type (SHLAA/ Planning Permission/ Brownfield Register)	Planning Appn Ref	Database/ SHLAA/ Brownfield Register Site Ref	Address	Site Area	Total number of Dwellings on site	Total number of Dwellings remaining at 1st April 2023	Year 1 23/24	Year 2 24/25	Year 3 25/26	Year 4 26/27	Year 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 33/34	Year 12 34/35	Year 13 35/36	Year 14 36/37	Year 15 37/38	Year 16 38/39	Year 17 39/40	Year 18 40/41	Year 19 41/42	Year 20 42/43	
<b>Available sites without Planning Permission</b>																												
H1Sb	SHLAA site	n/a	SA009	South of Vision West Nottinghamshire College, Cauldwell Road, Sutton-In-Ashfield	9.24	208	208						35	35	35	35	35	33										
H1Sd	SHLAA site	n/a	SA016 & SA044	Adj Oakham Business Park, Sutton-In-Ashfield	9.99	225	225						35	35	35	35	35	35	15									
H1Sf	SHLAA site	n/a	SA022	Rear 23 Beck Lane, Skegby	0.84	23	23						23															
H1Sg	SHLAA site	n/a	SA023	Former Miner's Welfare Sports Ground, Stanton	3.78	85	85						35	35	15													
H1Si	SHLAA site	n/a	SA033	Rear Kingsmill Hospital, Sutton-In-Ashfield	14.64	264	264						35	35	35	35	35	35	35	19								
H1Sj	SHLAA site	n/a	SA041	Clegg Hill Drive, Huthwaite	4.62	104	104						35	35	34													
H1Sk	SHLAA site	n/a	SA057	Sunnyside Farm, Blackwell Road, Huthwaite	18.89	283	283						35	35	35	35	35	35	35	35	3							
H1Sl	SHLAA site	n/a	SA058	North of Fackley Road, Teversal	5.09	124	124			35	35	35	19															
H1Sn	SHLAA site	n/a	SA064	Adj Molyneux Farm, Fackley Road, Teversal	0.50	14	14						14															
H1So	SHLAA site	n/a	SA065	off Fackley Road, Teversal	0.44	12	12						12															
H1Sq	SHLAA site	n/a	SA069	Hardwick Lane Recreation Ground, Sutton-In-Ashfield	1.10	40	40						35	5														
H1Ss	SHLAA site	n/a	SA074	Land to the east off A6075 Beck Lane, Skegby	11.80	212	212						35	35	35	35	35	35	2									
H1St	SHLAA site	n/a	SA082	Blackwell Road/ Main Street, Huthwaite	4.42	99	99						35	35	29													
H1Su	SHLAA site	n/a	SA084	Rear 113 to 139 Beck Lane	4.46	100	100						35	35	30													
H1Se	SHLAA site	lapsed outline V/2009/0559	SA017	Land at priestic Road/Northern View	0.50	19	19						19															
H1Sh	SHLAA site	n/a	SA025	Pasture Farm, Alfreton Road, Sutton	1.26	34	34						34															
H1Sm	SHLAA site	n/a	SA061	adjacent 88 High Hazels Drive, Huthwaite	0.41	11	11						11															
H1Sag	Brownfield register	Lapsed V/2015/0264	S0320 BFR14	Quantum Clothing North St Huthwaite	2.50	71	71						35	35	1													
H1Sah	Brownfield Land Review	n/a	n/a	Land adjacent no.208 Mansfield Road, Sutton in Ashfield		36	36						35	1														
<b>Total Sutton sites without planning permission</b>							<b>1964</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>35</b>	<b>35</b>	<b>568</b>	<b>375</b>	<b>284</b>	<b>175</b>	<b>175</b>	<b>173</b>	<b>87</b>	<b>54</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

REG 19 Site Ref.	Site Type (SHLAA/ Planning Permission/ Brownfield Register)	Planning Appn Ref	Database/ SHELAA/ Brownfield Register Site Ref	Address	Site Area	Total number of Dwellings on site	Total number of Dwellings remaining at 1st April 2023	Year 1 23/24	Year 2 24/25	Year 3 25/26	Year 4 26/27	Year 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 33/34	Year 12 34/35	Year 13 35/36	Year 14 36/37	Year 15 37/38	Year 16 38/39	Year 17 39/40	Year 18 40/41	Year 19 41/42	Year 20 42/43				
<b>Sutton Large Sites with Outline Planning permission</b>																															
H1Sad	Outline PP	V/2018/0212	S0638	The Pattern House, Crossley Avenue, Huthwaite,	0.68	23	23				23																				
H1Hc	Outline PP	V/2020/0784	S0675	Land West Off, Fisher Close	3.63	84	84						35	35	14																
<b>Total Sutton Large Sites with Outline Planning permission</b>								0	0	0	23	0	35	35	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
<b>Sutton Large sites with Detailed Planning Permission</b>																															
H1Sx	Full PP	V/2016/0487	S0575	rear of 249-251 Alfreton Road, sutton	4.12	118	43	35	8																						
H1Sw	Full PP	V/2018/0783	S0498	land off Gillcroft street/St Andrews Street & Vere Avenue, Skegby	8.30	206	206	20	35	35	35	35	35	11																	
H1Sy	Full PP	V/2018/0120	S0567	off Brand Lane	7.26	172	71	35	35	1																					
H1Sac	reserved matters	V/2020/0832	S0621	The Quarry, 57, Stoneyford Road	1.29	47	47	12	35																						
H1Sa	Full PP	V/2020/0884	S0658	Land Rear of 211, Alfreton Road, NG17 1JP	4.09	110	110	35	35	35	5																				
H1Sr	Full PP	V/2020/0791	S0665	Land at, Clare Road	2.92	69	69			35	34																				
H1Saf	Full PP	V/2021/0776	S0454	North of Midland Road	0.48	20	20	20																							
H1Saa	Full PP	V/2021/0089	S0587	Land at Beck Lane	13.34	322	322	7	35	35	35	35	35	35	35	35	35														
H1Sz	reserved matters	V/2020/0411	S0293	land at Outram Street/Park Street	0.23	24	24						24																		
H1Sae	reserved matters	V/2022/0262	S0670	Land Off, Ashland Road West	10.46	300	300		35	35	35	35	35	35	35	35	20														
<b>Total Sutton Large Sites with Detailed Permission</b>								164	218	176	144	105	129	81	70	70	55	0	0	0	0	0	0	0	0	0	0	0	0		

Selston, Jacksdale, Underwood Area

REG 19 Site Ref.	Planning Appn Ref	Database/ SHELAA/ Brownfield Register Site Ref	Address	Site Area	Total number of Dwellings on site	Total number of Dwellings remaining at 1st April 2023	Year 1 23/24	Year 2 24/25	Year 3 25/26	Year 4 26/27	Year 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 33/34	Year 12 34/35	Year 13 35/36	Year 14 36/37	Year 15 37/38	Year 16 38/39	Year 17 39/40
<b>Available sites without Planning Permission</b>																							
H1Va	n/a	SJU001	Land at Plainspot Farm, New Brinsley, Underwood	1.56	42	42						35	7										
H1Vc	n/a	SJU014	Land adj. Bull & Butcher PH, Selston	6.60	149	149						35	35	35	35	9							
H1Vd	n/a	SJU016	Adj 149 Stoney Lane, Selston	0.20	6	6						5	1										
H1Ve	n/a	SJU020	Land off Park Lane/ South West M1, Selston	9.39	169	169						35	35	35	35	29							
H1Vg	n/a	SJU031 + SJU043	Land North of Larch Close, Underwood	3.02	52	52						35	17										
H1Vh	n/a	SJU032	Rear of 64-82 Church Lane, Underwood	0.62	10	10						5	5										
H1Vb	n/a	SJU003	Land off Westdale Road, Jacksdale	2.10	49	49						35	14										
H1Vi	n/a	SJU035	Land off Westdale Road/ Rutland Road, Jacksdale	0.81	22	22						22											
H1Vj	V/2022/0066	SJU008 (part)	Off Main Road, Jacksdale	4.19	81	81				35	35	11											
<b>Total 'Rurals' sites without planning permission</b>						580	0	0	0	35	35	218	114	70	70	38	0	0	0	0	0	0	0

District Summary

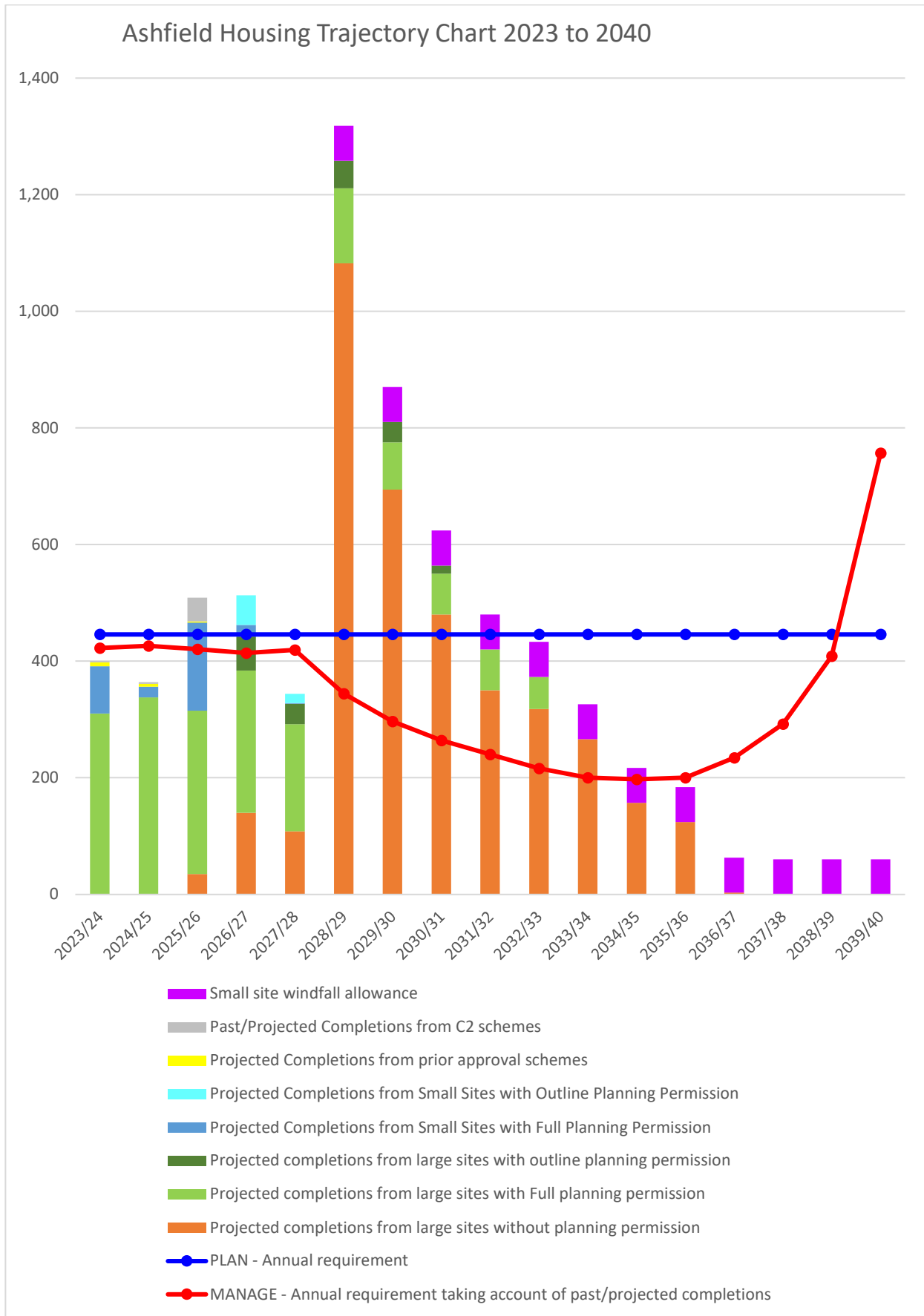
Source	Total number of Dwellings remaining at 1st April 2023	Year 1 23/24	Year 2 24/25	Year 3 25/26	Year 4 26/27	Year 5 27/28	Year 6 28/29	Year 7 29/30	Year 8 30/31	Year 9 31/32	Year 10 32/33	Year 11 33/34	Year 12 34/35	Year 13 35/36	Year 14 36/37	Year 15 37/38	Year 16 38/39	Year 17 39/40	
<b>All sites with Planning Permission</b>	2288	391	356	431	373	236	176	116	84	70	55	0	0	0	0	0	0	0	
Within 5 years						1787													
5 years post adoption								1332											
<b>Known PD/Prior Approvals</b>	14	7	5	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Within 5 years						14													
5 years post adoption								2											
<b>C2 schemes (Dwelling equivalent)**</b>	46	2	3	41	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Within 5 years						46													
5 years post adoption								41											
<b>Large Sites without Planning Permission (Policy H1)</b>	3757	0	0	35	140	108	1082	694	480	350	318	266	157	124	3	0	0	0	
Within 5 years						283													
5 years post adoption								2059											
<b>Small windfall sites beyond 5 years*</b>	720	0	0	0	0	0	60	60	60	60	60	60	60	60	60	60	60	60	
Within 5 years						0													
5 years post adoption								120											
<b>ALL DISTRICT SITES</b>	<b>6825</b>	<b>400</b>	<b>364</b>	<b>509</b>	<b>513</b>	<b>344</b>	<b>1318</b>	<b>870</b>	<b>624</b>	<b>480</b>	<b>433</b>	<b>326</b>	<b>217</b>	<b>184</b>	<b>63</b>	<b>60</b>	<b>60</b>	<b>60</b>	
Within 5 years						2130													
5 years post adoption								3554											
				adoption of local plan															

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**Ashfield Housing Trajectory 2023 to 2040**

Housing Supply and Requirement (Dwellings)	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	Total
Past C3 Completions (net)*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Projected completions from large sites without planning permission	0	0	35	140	108	1,082	694	480	350	318	266	157	124	3	0	0	0	3,757
Projected completions from large sites with Full planning permission	310	338	280	244	184	129	81	70	70	55	0	0	0	0	0	0	0	1,761
Projected completions from large sites with outline planning permission	0	0	0	58	35	47	35	14	0	0	0	0	0	0	0	0	0	189
Projected Completions from Small Sites with Full Planning Permission	81	18	151	20	1	0	0	0	0	0	0	0	0	0	0	0	0	271
Projected Completions from Small Sites with Outline Planning Permission	0	0	0	51	16	0	0	0	0	0	0	0	0	0	0	0	0	67
Projected Completions from prior approval schemes	7	5	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Past/Projected Completions from C2 schemes	2	3	41	0	0	0	0	0	0	0	0	0	0	0	0	0	0	46
Small site windfall allowance	0	0	0	0	0	60	60	60	60	60	60	60	60	60	60	60	60	720
Cumulative Completions	400	764	1,273	1,786	2,130	3,448	4,318	4,942	5,422	5,855	6,181	6,398	6,582	6,645	6,705	6,765	6,825	6,825
PLAN - Annual requirement	446	446	446	446	446	446	446	446	446	446	446	446	446	446	446	446	446	7,582
PLAN - Cumulative requirement	446	892	1,338	1,784	2,230	2,676	3,122	3,568	4,014	4,460	4,906	5,352	5,798	6,244	6,690	7,136	7,582	7,582
MONITOR - No. dwellings above or below cumulative requirement	-46	-128	-65	2	-100	772	1,196	1,374	1,408	1,395	1,275	1,046	784	401	15	-371	-757	-757
MANAGE - Requirement taking account of past/projected completions	7,182	6,818	6,309	5,796	5,452	4,134	3,264	2,640	2,160	1,727	1,401	1,184	1,000	937	877	817	757	757
MANAGE - Annual requirement taking account of past/projected completions	422	426	421	414	419	345	297	264	240	216	200	197	200	234	292	409	757	757





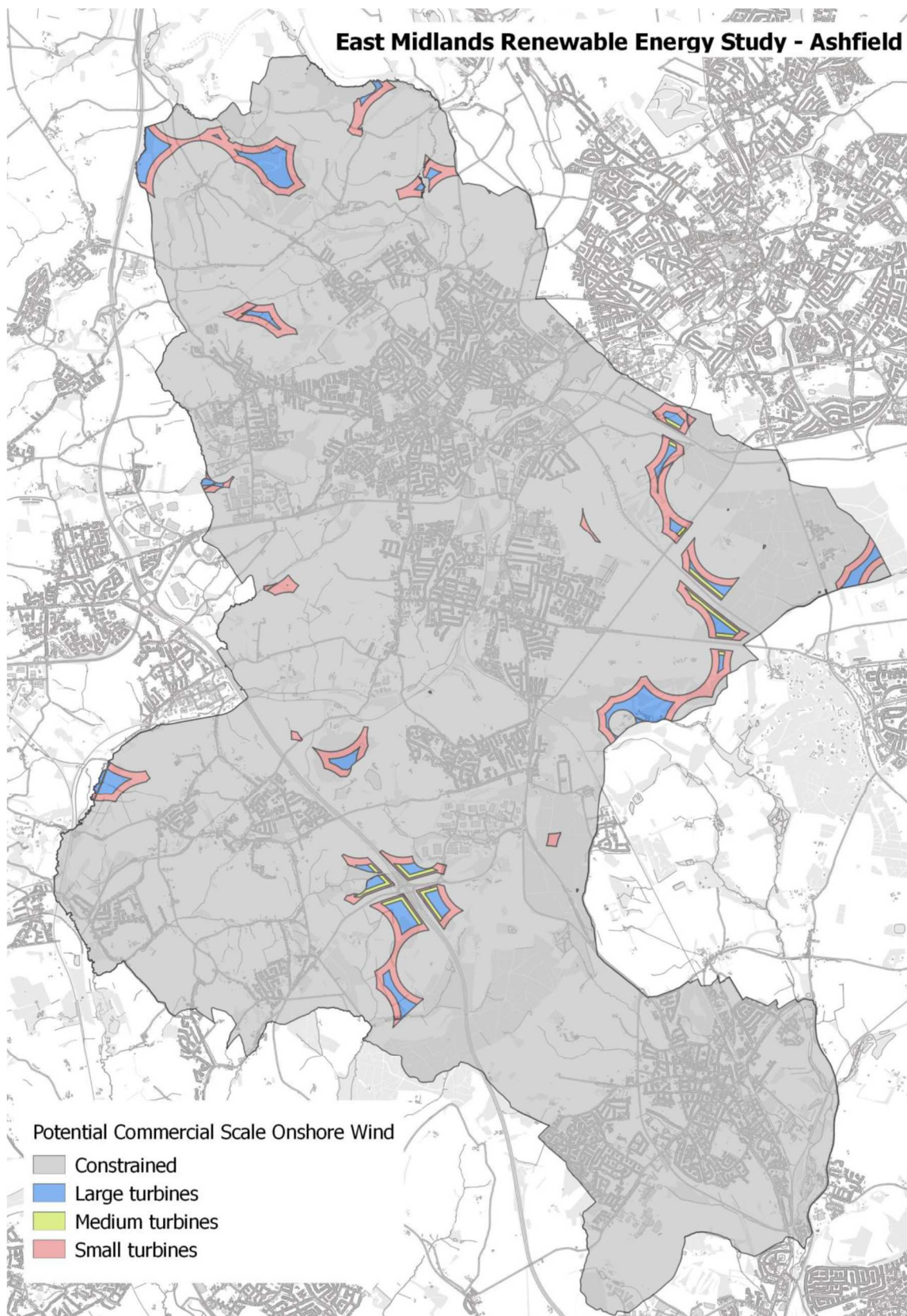
## **Appendix 3 - Environmental Protection – Matters For Consideration In Taking Decisions On Planning Applications**

The following matters (not in any order of importance) should be considered in the determination of planning applications where pollution considerations arise:

- The possible impact of potentially polluting development (both direct and indirect) on land use, including effects on health, the natural environment or general amenity.
- The potential sensitivity of the area to adverse effects from pollution, in particular reflected in landscape, the quality of soil, air, and ground and surface waters, nature conservation including Sites of Special Scientific Interest (SSSIs), Protection Areas (SPAs), Wetland of International Importance (RAMSAR sites), and Local Wildlife Sites agricultural land quality, water supply (Source Protection Zones), Special Areas of Conservation (SAC), archaeological designations and the need to protect natural resources.
- The environmental benefits that the development might bring, such as: resulting reductions in the need to travel; – accompanying improvements to transport infrastructure; restoration of former habitats; enhancement or creation of habitats; and the remediation of past contamination.
- The economic and wider social need for development (including potentially polluting development) such as the provision of a product or service, the generation of secondary trade with local businesses, the creation of new jobs and meeting regional or national environmental objectives including: the need to identify land, or establish criteria, for the acceptable location of potentially polluting developments and the availability of alternative sites; and the need to separate necessary but potentially polluting and other land uses (recognising the potential conflict with sustainable development over mixed-use developments) so as to reduce conflicts, for example by identifying where necessary areas around existing sources of pollution (including roads) in which proposed new developments and uses should be carefully considered in terms of their potential as pollution receptors.
- The existing, and likely future, air quality in an area, including any Air Quality Management Areas (AQMAs) or other areas where air quality is likely to be poor (including the consideration of cumulative impacts of a number of smaller developments on air quality, and the impact of development proposals in rural areas with low existing levels of background air pollution).
- The need for compliance with any statutory environmental quality standards or objectives (including the air quality objectives prescribed by the Air Quality Regulations 2000 and Amending Regulations 2002, the water quality objectives prescribed in EU legislation including the 1991 Urban Waste Water Treatment Directive and Nitrate Vulnerable Zones identified under the 1991 Nitrates Directive).

- The need to ensure that land, after development, is not capable of being determined as contaminated land under Part IIA of the EPA 1990 and that all unacceptable risks have been addressed.
- The need to limit and where possible reduce greenhouse gas emissions and take account of potential effects of climate change.
- The possible adverse impacts on water quality and the impact of any possible discharge of effluent or leachates which may pose a threat to surface or underground water resources directly or indirectly through surrounding soil.
- The need to make suitable provision for the drainage of surface water.
- The provision of sewerage and sewage treatment and the availability of existing sewage infrastructure.
- Existing action and management plans with a bearing on environmental quality including: Air Quality Management Area Action Plans, inspection strategies and programmes for contaminated land, River Basin Management Plans, Catchment Abstraction Management Strategies, Catchment Flood Management Plans, Biodiversity Action Plans Noise Management Plans and Noise Action Plans, Sustainable Community Strategies.
- The possibility that (whether or not some aspects of the development are subject to pollution control), emissions of smoke, fumes, gases, dust, steam, smell, vibration or noise from the development might nevertheless be seriously detrimental to amenity in addition to constituting a statutory nuisance under the Environmental Protection Act 1990.
- The possibility that the development might present a Major Accident Hazard under the Control of Major Accident Hazard Regulations 1999 or an unacceptable risk to the health or safety of the public arising from the development.
- The need to limit and, where possible, reduce the adverse impact of light pollution.

# Appendix 4 - Wind Energy Opportunities Within Ashfield



## Appendix 5 - Agricultural, Forestry and Other Occupational Dwellings

1. National planning guidance makes clear that isolated new houses in rural areas require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.
2. It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.
3. New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
  - i there is a clearly established *existing* functional need (see paragraph 4 below);
  - ii the need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
  - iii the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so (see paragraph 8 below);
  - iv the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
  - v other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.
4. A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most

- times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:
- i in case animals or agricultural processes require essential care at short notice;
  - ii to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.
5. In cases where there is particularly concerned about possible abuse, the Council will investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.
  6. The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.
  7. If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.
  8. New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A *financial test* is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test (see paragraph 3(iii) above), the Council will take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.
  9. Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.
  10. The Council will consider making planning permissions subject to conditions removing some of the permitted development rights under part 1 of the Town and Country Planning (General Permitted Development) Order 1995 for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use, given the income that the agricultural unit can sustain. However, it will always be preferable for such conditions to restrict the use of specific permitted development rights rather than to be drafted in terms which withdraw all those in a Class (see paragraphs 86-90 of the Annex to DOE Circular 11/95).

11. Agricultural dwellings should be sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings.

### **Temporary agricultural dwellings**

12. If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:
- i clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
  - ii functional need (see paragraph 4 of this Appendix);
  - iii clear evidence that the proposed enterprise has been planned on a sound financial basis;
  - iv the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
  - v other normal planning requirements, e.g. on siting and access, are satisfied.
13. If permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in paragraph 3 above are met. The Council will make clear the period for which the temporary permission is granted, the fact that the temporary dwelling will have to be removed, and the requirements that will have to be met if a permanent permission is to be granted. The Council not normally grant successive extensions to a temporary permission over a period of more than three years, nor should they normally give temporary permissions in locations where they would not permit a permanent dwelling.

### **Forestry dwellings**

14. The Council will apply the same criteria to applications for forestry dwellings as to those for agricultural dwellings. The other principles in the advice on agricultural dwellings are equally relevant to forestry dwellings. Under conventional methods of forestry management, which can involve the use of a peripatetic workforce, new forestry dwellings may not always be justified, except perhaps to service intensive nursery production of trees.

### **Other Occupational Dwellings**

15. There may also be instances where special justification exists for new isolated dwellings associated with other rural based enterprises. In these cases, the enterprise itself, including any development necessary for the operation of the enterprise, must be acceptable in planning terms and permitted in that rural location, regardless of the consideration of any proposed associated dwelling. The Council

will apply the same stringent levels of assessment to applications for such new occupational dwellings as they apply to applications for agricultural and forestry workers' dwellings. They should therefore apply the same criteria and principles in paragraphs 3-13 of this Appendix, in a manner and to the extent that they are relevant to the nature of the enterprise concerned.

### Occupancy Conditions

16. Where the need to provide accommodation to enable farm, forestry or other workers to live at or near their place of work has been accepted as providing the special justification required for new, isolated residential development in the countryside, it will be necessary to ensure that the dwellings are kept available for meeting this need for as long as it exists. For this purpose planning permission should be made subject to appropriate occupancy conditions. DOE Circular 11/95 gives further advice and provides model occupancy conditions for agricultural dwellings and for other staff accommodation. This will ensure that the dwelling is not subsequently sold on the open market and ensures that sporadic development is carefully controlled.
17. It will also be necessary to impose an occupancy condition on the existing dwelling where there is an established case for two or more full time workers on a unit. Where the existing dwelling does not form part of the planning application then an occupancy condition will be negotiated as part of a legal agreement.
18. Changes in the scale and character of farming and forestry may affect the longer-term requirement for dwellings for which permission has been granted subject to an agricultural or forestry occupancy condition. Such dwellings, and others in the countryside with an occupancy condition attached, should not be kept vacant, nor should their present occupants be unnecessarily obliged to remain in occupation simply by virtue of planning conditions restricting occupancy which have outlived their usefulness. However, in order to justify the removal of an occupancy condition the applicant must:
  - i. outline the changes which have occurred since the granting of the original permission; a minimum time period of 10 years since the granting of the original permission must have elapsed before an application to remove an occupancy condition will be considered;
  - ii. demonstrate that there is no longer a need for an agricultural/forestry worker's dwelling on the unit/enterprise or in the area;
  - iii. provide documentary evidence to show that an attempt has been made to let or sell the property at a realistic price (less than full market value) for at least one year with the occupancy condition.

#### Note:

- The argument that the dwelling is not suitable for an agricultural worker i.e. too large and expensive will not be considered as a relevant issue.
- In addition personal circumstances will not be relevant as it is the needs of the holding and not the individual which must be the overriding issue.



## Appendix 6 - Policy EV4: Green Infrastructure, Biodiversity and Geodiversity Sites

### Site of Special Scientific Interest (SSSI)

Plan Ref.	Site Name	Description	Ward
EV4sa	Annesley Woodhouse Quarries	An excellent Magnesian Limestone grassland.	Annesley & Kirkby Woodhouse
EV4sb	Bagthorpe Meadows	Lowland acid and neutral grassland.	Underwood
EV4sc	Bogs Farm Quarry	Species-rich pools, flushes and grassland developed in a former quarry.	Annesley & Kirkby Woodhouse
EV4sd	Bulwell Wood, Hucknall	An ancient deciduous woodland with a characteristic ground flora.	Hucknall West
EV4se	Dovedale Wood	Broadleaved, mixed and yew woodland.	Stanton Hill & Teversal
EV4sf	Friezeland Grassland	An interesting range of habitat types and plant communities developed on disturbed clays and sands.	Underwood
EV4sg	Kirkby Grives	Very fine examples of calcareous and more neutral grassland, with scrub and floristically species-rich communities.	Kirkby Cross & Portland
EV4sh	Teversal Pastures	Excellent neutral grasslands with marsh and wet woodland - of botanical and zoological interest.	Skegby
EV4si	Teversal-Pleasley Railway	A range of habitats, with especially valuable calcareous grassland, along a length of railway.	Stanton Hill & Teversal

### Local Nature Reserve (LNR)

Plan Ref.	Site Name	Description	Ward
EV4na	Brierley Forest Park	A series of plantation woodlands, hay meadows, water bodies, streams and wetland areas.	Huthwaite & Brierley
EV4nb	Kings Mill Reservoir	A large reservoir and area of natural beauty on the Sutton-in-Ashfield and Mansfield border. It provides a habitat for a wide range of wildlife.	Sutton Junction & Harlow Wood
EV4nc	Portland Park	Located on a band of magnesium limestone, providing woodland with several areas of species rich grassland and a number of wetland areas.	Kirkby Cross & Portland
EV4nd	Teversal/Pleasley Network (east)	An area of mature Oak and Ash woodlands, wildflower meadows, limestone grassland terraces and pools and wetlands.	Skegby
EV4ne	Teversal/Pleasley Network (west)	An area of mature Oak and Ash woodlands, wildflower meadows, limestone grassland terraces and pools and wetlands.	Skegby

EV4nf	Bulwell Hall Park Meadows	A mix of wildflower meadows, ancient woodland, streams and lake.	Hucknall West
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### Local Wildlife Sites (LWS) and Local Geological Sites (LGS)

Plan Ref.	Site Name	Description	Ward
EV4wa	Allen's Green Dumble	LWS - Steep unmanaged wooded dumble and coal-measures grassland	Jacksdale & Westwood
EV4waa	Allen's Green Grassland	LWS - A locally species-rich Coal Measures grassland	Selston
EV4wab	Annesley Cemetery	LWS - A notable acid grassland community persisting in a cemetery	Annesley & Kirkby Woodhouse
EV4wac	Annesley Forest	LWS - A mixed forestry plantation with a noteworthy and diverse flora	Annesley & Kirkby Woodhouse
EV4wad	Annesley Park Duck Decoy	LWS - A lake with a noteworthy flora, together with a mostly naturally regenerated woodland	Annesley & Kirkby Woodhouse
EV4wae	Annesley Park Pond	LWS - A relatively large field pond that is rich in aquatic and marginal species	Annesley & Kirkby Woodhouse
EV4waf	Annesley Pit	LWS - A diverse site of botanical and zoological importance	Annesley & Kirkby Woodhouse
EV4wag	Annesley Scarp Grassland	LWS - A species-rich calcareous grassland	Annesley & Kirkby Woodhouse
EV4wah	Annesley Track Verge	LWS - Grassy track verges bounded by species-rich hedgerows	Annesley & Kirkby Woodhouse
EV4wai	Annesley Woodhouse Cemetery	LWS - Noteworthy grassland	Annesley & Kirkby Woodhouse
EV4waj	Annesley Woodhouse Grassland	LWS - A fine example of a damp coal measures grassland	Annesley & Kirkby Woodhouse
EV4wak	Annesley Woodhouse Pond Grassland	LWS - Damp grassland with species-rich flushes	Annesley & Kirkby Woodhouse
EV4wal	Annesley Woodhouse Quarry	LWS - An excellent Magnesian Limestone grassland	Annesley & Kirkby Woodhouse
EV4wam	Annesley Woodhouse Woodland	A mixed woodland with a rich ground flora and wet flush communities	Annesley & Kirkby Woodhouse
EV4wan	Annesley Woodland I	LWS - A noteworthy mosaic of dry and wet deciduous woodland	Annesley & Kirkby Woodhouse
EV4wao	Annesley Woodland II	LWS - A small valley with notable deciduous woodland, flush and aquatic communities	Annesley & Kirkby Woodhouse
EV4wap	Ashfield District By-pass Meadows	LWS - Herb-rich meadows	Larwood
EV4waq	Bagthorpe Brook	LWS - A brook with species-rich semi-natural woodland, relict coal measures grassland and scrub communities	Jacksdale & Westwood
EV4war	Bagthorpe Brook Grassland	LWS - A notable coal-measures grassland	Jacksdale & Westwood

EV4was	Bagthorpe Grassland	LWS - A grassland with an impressive herb and grass content	Underwood
EV4wat	Bagthorpe Grasslands	LWS - Traditionally managed grasslands with a rich and varied botanical interest	Underwood
EV4wau	Bagthorpe Meadow	LWS - A species-rich coal measures type hay meadow	Jacksdale & Westwood
EV4wav	Bagthorpe Pastures	LWS - Notable pastures with an especially valuable stream	Underwood
EV4waw	Bagthorpe Plantation	LWS - A plantation with dry and wet deciduous woodland communities and a notable species diversity	Underwood
EV4wax	Bentinck Colliery	LWS - A site supporting a butterfly species of high conservation priority in Nottinghamshire	Annesley & Kirkby Woodhouse
EV4way	Bentinck Void	LWS - A mosaic of habitats of botanical and zoological note on the site of a former mine	Annesley & Kirkby Woodhouse
EV4waz	Blackwell Road Grassland	LWS - A notable dry grassland community	Huthwaite & Brierley
EV4wb	Bleinheim Lane Ponds	LWS - Species-rich pools surrounded by a noteworthy grassland and newly planted saplings'	Hucknall West
EV4wba	Blenheim Farm	LWS - An area of notable calcareous grassland and pond	Hucknall West
EV4wbb	Blenheim Lane Grassland	LWS - A species-rich calcareous grassland with a clear stream	Hucknall West
EV4wbc	Blenheim Lane Hedgerows	LWS - Hedgerows along a lane supporting notable shrub and tree species	Hucknall West
EV4wbd	Blenheim Lane Quarry	LWS - Former quarry with calcareous grassland and scrub communities	Hucknall West
EV4wbe	Blidworth Road Verge	LWS - Species-rich grassland along a stretch of road verge	Abbey Hill
EV4wbf	Boar Hill	LWS - A bank of calcareous grassland	Larwood
EV4wbg	Bogs Farm Quarry	LWS - Species-rich pools, flushes and grassland developed in a former quarry	Annesley & Kirkby Woodhouse
EV4wbh	Border Marsh, Huthwaite	LWS - A notable marshy community on the county boundary	Huthwaite & Brierley
EV4wbi	Brierley Forest Marsh	LWS - Wet neutral grassland	Huthwaite & Brierley
EV4wbj	Brierley Park Marshy Grassland	LWS - An interesting and valuable remnant of rough marshy grassland	Huthwaite & Brierley
EV4wbk	Brookside Farm Grassland, Bagthorpe	LWS - Neutral grassland	Underwood
EV4wbl	Bulwell Hall Park	LWS - An excellent assemblage of species-rich habitats in a large city park	Hucknall West
EV4wbm	Bulwell Wood and Pond	LWS - An ancient deciduous woodland with a characteristic ground flora	Hucknall West

EV4wbn	Cauldwell Brook	LWS - A length of stream of zoological importance	Sutton Junction & Harlow Wood
EV4wbo	Cauldwell Brook Marsh	LWS - Marshy grassland in willow plantation by tributary of Cauldwell Brook	Sutton Junction & Harlow Wood
EV4wbp	Cauldwell Dam and Drain	LWS - A pond, marsh and drain with a noteworthy community	Sutton Junction & Harlow Wood
EV4wbq	Chesterfield Road Grassland, Whiteborough	LWS - A neutral grassland of note	Stanton Hill & Teversal
EV4wbr	Chesterfield Road Pastures, Huthwaite	LWS - A network of four grazed pastures with an impressive diversity of community types	Huthwaite & Brierley
EV4wbs	Coppy Wood	LWS - A remnant area of ancient woodland with a surviving ground flora	Stanton Hill & Teversal
EV4wbt	County Dumble	LWS - A wooded stream supporting a noteworthy flora	Stanton Hill & Teversal
EV4wbu	Coxmoor Golf Course	LWS - An excellent habitat mosaic with a most impressive flora	Sutton Junction & Harlow Wood
EV4wbw	Crossley Avenue Grassland	LWS - A noteworthy calcareous grassland with a field pond	Huthwaite & Brierley
EV4wbw	Crossley Plantation	LWS - A mature neglected plantation site with a very rich ground flora	Stanton Hill & Teversal
EV4wbx	Davis's Bottom	LWS - A valuable woodland with a notable ground flora	Annesley & Kirkby Woodhouse
EV4wby	Davis's Bottom Grassland	LWS - A grassland with a notable species assemblage	Annesley & Kirkby Woodhouse
EV4wbz	Davis's Bottom Pasture	LWS - Two through-grazed grasslands with an excellent herb-rich sward showing calcareous and Coal Measure	Annesley & Kirkby Woodhouse
EV4wc	Dawgate's Lane Grassland	LWS - Steep, unimproved grassland with a noteworthy sward	Skegby
EV4wca	Dobpark Grassland	LWS - Remnant area of pastures incorporating some notable marshy areas	Hucknall West
EV4wcb	Dovedale Farm Field Bank	LWS - A species-rich grassland bank	Stanton Hill & Teversal
EV4wcc	Dovedale Wood	LWS - An ancient deciduous woodland with an excellent ground flora and invertebrate interest	Stanton Hill & Teversal
EV4wcd	Dovedale Wood Grassland	LWS - A floristically rich grassland with Coal Measures indicator species	Stanton Hill & Teversal
EV4wce	Dumbles Bungalow Grassland	LWS - A species-rich coal-measures grassland	Larwood
EV4wcf	Eelhole Wood	LWS - A valuable, deciduous woodland with areas of open acidic and grassland in an urban setting	Hucknall West
EV4wcg	Erewash Grassland	LWS - Neutral grassland	Kirkby Cross & Portland

EV4wch	Erewash Meadow 1 Kirkby Grives	LWS - A notable hay meadow	Kirkby Cross & Portland
EV4wci	Erewash Meadow, Portland Park	LWS - A hay meadow with a coal measures grassland flora	Annesley & Kirkby Woodhouse
EV4wcj	Farley's Disused Railway	LWS - A valuable wooded and scrubby habitat with a most interesting flora	Hucknall West
EV4wck	Farley's Grassland	LWS - A species-rich coal measures grassland	Hucknall South
EV4wcl	Felley Brook	LWS - A stream of zoological note	Annesley & Kirkby Woodhouse
EV4wcm	Felley Brook Wood	LWS & LGS - A semi-natural riparian woodland with a notable ground flora	Annesley & Kirkby Woodhouse
EV4wcn	Felley Dumble	LWS - A good habitat mosaic of woodland, scrub, banks, stream and pond with a noteworthy flora	Annesley & Kirkby Woodhouse
EV4wco	Felley Mill Pond	LWS - A drying pool with woodland and damp grassland	Annesley & Kirkby Woodhouse
EV4wcp	Felley Priory Pond	LWS - A pond with a notable aquatic and bankside flora	Underwood
EV4wcq	Forest Road Grassland	LWS - A species rich coal measures grassland	Annesley & Kirkby Woodhouse
EV4wcr	Fountain Dale	LWS - A damp, open valley woodland with drying out fish pools, and clearings of an acidic character	Sutton Junction & Harlow Wood
EV4wcs	Franderground Farm Disused Railway	LWS - A wooded disused railway with a notable flora	Larwood
EV4wct	Freizeland Grassland	LWS - An interesting range of habitat types and plant communities developed on disturbed clays and sands	Underwood
EV4wcu	Fulwood Grassland	LWS - Damp coal-measures grassland	Ashfields
EV4wcv	Fulwood Grassland II	LWS - A noteworthy hay meadow	Larwood
EV4wcw	Fulwood Grassland III	LWS - A traditionally managed coal measures grassland	Larwood
EV4wcx	Fulwood Meadow	LWS - A base-rich unimproved neutral grassland with a noteworthy flora	Larwood
EV4wcy	Glasswork Grassland, Kirkby-in-Ashfield District	LWS - A notable magnesian limestone grassland community	Kirkby Cross & Portland
EV4wcz	Halfmoon Plantation	LWS - A valuable habitat mosaic of woodland, scrub, and acidic grassland	Kingsway
EV4wd	Hall Green Grassland	LWS - A classic Coal Measures grassland	Selston
EV4wda	Hall Green Meadow	LWS - A large, unimproved coal measures type hay meadow	Selston
EV4wdb	Hamilton Hill	LWS - A remnant acid grassland on a isolated hill	Sutton Junction & Harlow Wood
EV4wdc	Handstubbing's Meadows	LWS - A series of hay -cut species rich neutral grasslands	Selston

EV4wdd	Hardwick Farm Grasslands	LWS - Large area of neutral grassland	Stanton Hill & Teversal
EV4wde	Harlow Wood	LWS - An extensive coniferous plantation with a noteworthy flora	Sutton Junction & Harlow Wood
EV4wdf	Heald's Wood	LWS - An ancient semi-natural woodland with a species-rich ground flora on a steep North facing slope	Skegby
EV4wdg	Heald's Wood Grassland	LWS - A notable calcicole grassland community	Stanton Hill & Teversal
EV4wdh	Heatherdale Pond	LWS - A pond with a noteworthy aquatic flora and a complementary wooded fringe	Annesley & Kirkby Woodhouse
EV4wdi	Herod's Hill Grassland	LWS - Well-established, species-rich pastures	Huthwaite & Brierley
EV4wdj	High Park Wood	LWS - A predominantly coniferous plantation with deciduous portions and numerous species-rich pockets	Annesley & Kirkby Woodhouse
EV4wdk	Hollinwell Golf Course	LWS - An extensive area incorporating a number of acidic habitat types with characteristic species	Kingsway
EV4wdl	Holly Hill, Selston	LWS - An interesting area of scrub with coal measure grassland	Selston
EV4wdm	Hucknall Airfield	LWS - A significant area of species-rich calcareous and base-rich neutral grassland	Hucknall West
EV4wdn	Hucknall Colliery Site	LWS - Landscaped colliery spoil, colonised by plants of nutrient poor habitats with areas of tree planting	Hucknall North
EV4wdo	Hucknall Disused Railways	LWS - A valuable length of disused railways with a notable, characteristic community	Huthwaite & Brierley
EV4wdp	Huthwaite Commonside Industrial Estate Grassland (III)	LWS - Remnant coal-measures grassland	Huthwaite & Brierley
EV4wdq	Huthwaite Grassland	LWS - A noteworthy meadow with both dry, acidic and neutral grassland communities	Huthwaite & Brierley
EV4wdr	Huthwaite Meadow	LWS - A mosaic of coal-measures grassland, base-rich flushes and mature scrub along a stream	Huthwaite & Brierley
EV4wds	Jacksdale Meadow East	LWS - A notable hay meadow	Jacksdale & Westwood
EV4wdt	King's Mill Reservoir	LWS - A valuable water body for fauna and flora	Sutton Junction & Harlow Wood
EV4wdu	Kirby Bentinck Colliery Yard	LWS - Colliery yard of botanical interest	Kirkby Cross & Portland
EV4wdv	Kirkby Bentinck Dismantled Railway	LWS - A mosaic of scrub and grassland with diverse calcicole species	Kirkby Cross & Portland

EV4wdw	Kirkby Bentinck Dismantled Railway Spoil	LWS - A naturally vegetated spoil heap and valuable dismantled railway habitat	Kirkby Cross & Portland
EV4wdx	Kirkby Bentinck Erewash Meadow	LWS - Neutral grassland with permanent wet areas supporting notable species	Kirkby Cross & Portland
EV4wdy	Kirkby Bentinck Grassland	LWS - A once-typical grassland of grazed hay meadows	Kirkby Cross & Portland
EV4wdz	Kirkby Dismantled Railway	LWS - A scrubby dismantled railway with a notable calcicolous grassland community	Larwood
EV4we	Kirkby Grives Grassland	LWS - A rough, damp, notable grassland	Kirkby Cross & Portland
EV4wea	Kirkby Grives I	LWS & LGS - Very fine examples of calcareous and more neutral grassland, with scrub and floristically species-r	Kirkby Cross & Portland
EV4web	Kirkby Grives Grasslands	LWS - Two horse grazed grasslands with wet and dry areas	Annesley & Kirkby Woodhouse
EV4wec	Kirkby Grives II	LWS - A very fine calcareous grassland	Kirkby Cross & Portland
EV4wed	Kirkby Wasteland	LWS – Interesting, neglected grasslands with a number of notable plant species	Greenwood & Summit
EV4wee	Kirkby Woodhouse Bank	LWS - A steep bank clothed in ruderal vegetation with a notable calcareous community	Annesley & Kirkby Woodhouse
EV4wef	Kirkby Woodhouse Grassland	LWS - A species-rich scarp grassland, incorporating unimproved dry calcareous and damp neutral grassland,	Annesley & Kirkby Woodhouse
EV4weg	Kirkby Woodhouse Limestone Grassland	LWS - A species-rich calcareous bank	Annesley & Kirkby Woodhouse
EV4weh	Lady Spencer's Wood	LWS - Deciduous woodland with a noteworthy ground flora	Stanton Hill & Teversal
EV4wei	Langton Marshy Grassland	LWS - Interesting marsh, swamp, and damp grasslands - of both botanical and zoological interest	Kirkby Cross & Portland
EV4wej	Langton Meadow	LWS - A notable Coal Measures grassland	Kirkby Cross & Portland
EV4wek	Linby Colliery Railway	LWS - An interesting community developed on cinder and ballast	Hucknall North
EV4wel	Little Dawsgate's Wood	LWS - A deciduous plantation woodland with a remnant ground flora	Skegby
EV4wem	Little Oak Plantation	LWS - Plantation woodland supporting a noteworthy ground flora	Annesley & Kirkby Woodhouse
EV4wen	Long Hill Disused Pit	LWS - Once typical dry grassland communities on disused workings	Hucknall West
EV4weo	Long Hill Meadow	LWS - A damp species-rich meadow	Hucknall West
EV4wep	Longside Farm Grassland	LWS - Two hay meadows and a pasture with diverse floras	Huthwaite & Brierley

EV4weq	Maghole Brook and Ashfield District Dumble	LWS - A stream and dumble with their associated woodland and sections of interesting ground flora	Larwood
EV4wer	Mawkin Lane Grassland	LWS - Notable coal-measures grassland	Kirkby Cross & Portland
EV4wes	Mawkin's Lane	LWS - A green path with a notable community	Kirkby Cross & Portland
EV4wet	Middle Brook and Millington Springs	LWS - Large area of replanted woodland with an ancient woodland flora along a stream	Underwood
EV4weu	Middlebrook Grassland	LWS - A good species-rich example of a Coal Measures type grassland	Underwood
EV4wev	Middlebrook Meadow	LWS - A classic Coal Measures type community	Underwood
EV4wew	Mill Lake Pasture, Bestwood	LWS - A valuable damp riverside pasture	Hucknall South
EV4wex	Mill Lake Swamp	LWS - A valuable tall swamp habitat	Hucknall South
EV4wey	Mill Lakes, Bestwood	LWS - A landscaped lake with a good range of species	Hucknall South
EV4wez	Millington Springs Grassland	LWS - A good species-rich example of a damp Coal Measures type grassland	Underwood
EV4wff	Moor Road Disused Railway, Bestwood	LWS - An interesting length of disused railway vegetated by dense scrub and a notable herb community	Hucknall South
EV4wfa	Morning Springs	LWS - A coniferous plantation with deciduous areas and species-rich pockets	Annesley & Kirkby Woodhouse
EV4wfb	Moseley Spring	LWS - A damp acid woodland	Kingsway
EV4wfc	New Hucknall Sidings Grasslands	LWS - A valuable series of grasslands with a number of notable species	Huthwaite & Brierley
EV4wfd	Newboundmill and Blackholme Woods	LWS - Wet species-rich deciduous woodland	Stanton Hill & Teversal
EV4wfe	Newstead Park (including River Leen System)	LWS - An impressive variety of habitats of faunal and floral importance	Kingsway
EV4wff	Newstead Robin Hood Line	LWS - A site supporting a butterfly species of principle importance	Annesley & Kirkby Woodhouse
EV4wfg	Norwood Plantation	LWS - A sizeable deciduous woodland, grassland, streamside flush communities and some noteworthy species	Stanton Hill & Teversal
EV4wfh	Oak Plantation, Annesley	LWS - An interesting woodland with a noteworthy ground flora	Annesley & Kirkby Woodhouse
EV4wfi	Papplewick Ponds	LWS - Interesting subsidence ponds with some valuable peripheral habitats	Hucknall North
EV4wfj	Park Forest, Annesley	LWS - A mixed forestry plantation on a ancient woodland site	Annesley & Kirkby Woodhouse



EV4wfk	Pinxton Lane	LWS - A roadside verge supporting an interesting flora	Kirkby Cross & Portland
EV4wfl	Pinxton Road Grasslands, Bentinck	LWS - A group of species-rich grasslands	Kirkby Cross & Portland
EV4wfm	Pleasley Road Grassland	LWS - A damp neutral grassland with notable species	Stanton Hill & Teversal
EV4wfn	Pye Hill Marshy Grassland	LWS - An interesting marshy field with locally characteristic grassland species	Jacksdale & Westwood
EV4wfo	River Leen	LWS - A stretch of river of zoological importance	Hucknall North
EV4wfp	River Leen (Part)	LWS - City section of a river with important plant and animal communities	Hucknall South
EV4wfq	River Leen Pastures, Bestwood	LWS - Fine pastures with an unusual and valuable species composition	Hucknall South
EV4wfr	River Meden - Newboundmill Bridge	LWS - A section of the River Meden of interest for Water beetles	Skegby
EV4wfs	River Meden Grassland, Skegby	LWS - Sloping grassland with species-rich calcareous banks	Skegby
EV4wft	Robin Hood Hills	LWS - A large area of acidic woodland, extensive bracken and notable heath communities on South facing slope	Annesley & Kirkby Woodhouse
EV4wfu	Hucknall Dismantled Railway	LWS - A dismantled railway with a characteristic flora	Huthwaite & Brierley
EV4wfv	Rosemary Hill Pasture	LWS - Notable pastures with a basic influence	Selston
EV4wfw	School Road Pasture, Bagthorpe	LWS - An interesting pasture and stream, showing an excellent species-diversity	Underwood
EV4wfx	Selston Common Grasslands	LWS - A valuable pocket of grasslands with especially notable flush communities	Selston
EV4wfy	Selston Golf Course	LWS - Grassland, scrub and wetland communities of conservation interest	Selston
EV4w fz	Selston Grassland (I)	LWS - A little-managed, species-rich grassland	Underwood
EV4wg	Selston Grassland (II)	LWS - A notable grassland community	Underwood
EV4wga	Selston Meadow	LWS - A traditionally managed species-rich coal measures type grassland	Selston
EV4wgb	Silverhill Colliery	LWS - Former colliery site of botanical and zoological interest	Stanton Hill & Teversal
EV4wgc	Silverhill Lane	LWS - An attractive cutting with tall, botanically interesting, hedgebanks	Stanton Hill & Teversal
EV4wgd	Skegby Disused Quarry I	LWS - Species-rich calcareous community on the lower exposures of a disused quarry	The Dales
EV4wge	Skegby Disused Quarry III	LWS - A mosaic of neutral and species-rich calcareous grassland in a abandoned quarry	The Dales
EV4wgf	Skegby Grassland II	LWS - A damp grassland with a valuable collection of herbs	Skegby
EV4wgg	Skegby Grassland III	LWS - A valuable wet meadow	Skegby

EV4wgh	Skegby Junction Grassland	LWS - A linear hay meadow with characteristic species	Huthwaite & Brierley
EV4wgi	Skegby Railway Cutting	LWS & LGS - A good exposure of Lower Magnesian Limestone with botanical interest	The Dales
EV4wgj	Skegby Railway Grassland	LWS - A grassland with an impressive herb content	Skegby
EV4wgk	Skegby Railway Grassland III	LWS - A noteworthy calcareous grassland.	Skegby
EV4wgl	Skegby Riparian Woodland	LWS - A grassland, short length of stream and a pond with a well-developed submerged and marginal aquatic	Stanton Hill & Teversal
EV4wgm	Skegby to Pleasley Railway	LWS - A range of habitats developed on a disused railway, including some excellent species-rich grassland	Stanton Hill & Teversal
EV4wgn	Spring Farm Meadows, Huthwaite	LWS - A sequence of species-rich hay meadows	Huthwaite & Brierley
EV4wgo	Spring Farm Pasture, Huthwaite	LWS - A long-established and notably species-rich grassland community	Huthwaite & Brierley
EV4wgp	Spring Wood, Stanton Hill	LWS - Deciduous woodland and scrub in a shallow valley with noteworthy wet areas and ponds	Stanton Hill & Teversal
EV4wgq	Springfield Cottage Grasslands	LWS - A fine series of little-improved, species-rich grasslands	Kirkby Cross & Portland
EV4wgr	Springfield Grassland Ext	LWS - Neutral grassland of note	Kirkby Cross & Portland
EV4wgs	St Helen's Grassland	LWS - A noteworthy horse grazed semi-improved neutral grassland	Kirkby Cross & Portland
EV4wgt	Stanley Farm Grasslands	LWS - Species-rich Coal Measures grasslands along a tree-lined stream	Stanton Hill & Teversal
EV4wgu	Stanley Grange Grassland	LWS - Species-rich coal-measures grassland	Stanton Hill & Teversal
EV4wgv	Stanley Grasslands	LWS - An unimproved coal measures type grassland	Stanton Hill & Teversal
EV4wgw	Stanton Hill Colliery Dismantled Railway Line	LWS - A notable mosaic of scrub, relict grassland and track-bed flora along a dismantled railway line	Stanton Hill & Teversal
EV4wgx	Stanton Hill Colliery Spoil	LWS - Colliery spoil with a collection of rare and notable species	Carsic
EV4wgy	Stanton Hill EV4whGrasslands	LWS - Grasslands with a number of notable species	The Dales
EV4wgz	Stanton Hill Grassland I	LWS - Damp and wet neutral grassland with notable herbs characteristic of inundation communities	Stanton Hill & Teversal
EV4wh	Stanton Hill Relict Grassland	LWS - An unimproved calcareous grassland with a noteworthy flora	Carsic
EV4wha	Starth Wood	LWS - Species-rich deciduous coppice with standards	Hucknall West

EV4whb	Strawberry Bank Meadow	LWS - A species-rich hay meadow	Huthwaite & Brierley
EV4whc	Stubbinghill Farm Meadow	LWS - A notable meadow with a particularly valuable sloping portion	Huthwaite & Brierley
EV4whd	Sunnyside Farm Meadows	LWS - A fine sequence of variously wet and dry grasslands	Huthwaite & Brierley
EV4whe	Sutton-in-Ashfield District Grassland	LWS - A species-rich grassland with damp and dry parts	Huthwaite & Brierley
EV4whf	Teversal Cemetery	LWS - A species-rich calcareous grassland within a cemetery	Stanton Hill & Teversal
EV4whg	Teversal Disused Railway	LWS - An interesting stretch of disused railway with a particularly notable calcicolous community	Stanton Hill & Teversal
EV4whh	Teversal Flush	LWS - A notable base-rich wet flush community	Stanton Hill & Teversal
EV4whi	Teversal Pastures	LWS - Excellent neutral grasslands with marsh and wet woodland - of botanical and zoological interest	Skegby
EV4whj	Teversal to Pleasley Railway	LWS - A range of habitats, with especially valuable calcareous grassland, along a length of railway	Stanton Hill & Teversal
EV4whk	Thieves Wood	LWS - An extensive coniferous plantation with ancient deciduous portions and an interesting flora and fauna	Sutton Junction & Harlow Wood
EV4whl	Underwood Football Ground	LWS - A football pitch flanked by notable damp areas	Underwood
EV4whm	Sheepwash Lane	LGS – An old disused quarry and road cutting. The exposure is composed of buff/pink sandy dolostone, parallel bedded and nodular in places.	Sutton Junction & Harlow Wood
EV4wi	Underwood Grassland	LWS - Grasslands with a noteworthy sward	Underwood
EV4wj	Underwood Meadow	LWS - A small unimproved hay meadow with a rich diversity of characteristic species	Underwood
EV4wk	Underwood Meadows	LWS - Herb-rich meadows with an especially important stream	Underwood
EV4wl	Underwood Plantation	LWS - Coniferous plantation with notable acidic flushes, tall wetland herb communities and acidic fen	Underwood
EV4wm	Washdyke Lane Hedges	LWS - Shrub-rich hedges	Hucknall West
EV4wn	Watnall Coppice East	LWS - A deciduous woodland with an impressive flora	Hucknall West
EV4wo	Weaver's Lane Grassland	LWS - A notable neutral grassland	Annesley & Kirkby Woodhouse
EV4wp	Weaver's Lane Verge	LWS - Notable calcareous communities adjacent to a track	Annesley & Kirkby Woodhouse
EV4wq	Westwood Bents Corner	LWS - A noteworthy coal-measures grassland	Jacksdale & Westwood

EV4wr	Wharf Yard Bank, Kirkby Woodhouse	LWS - A herb-rich, calcareous bank	Annesley & Kirkby Woodhouse
EV4ws	Whiteborough Farm Pasture	LWS - A well-established pasture with a notable plant community	Stanton Hill & Teversal
EV4wt	Whiteborough Railway	LWS - An interesting stretch of active railway with a grassland community of particular note	Stanton Hill & Teversal
EV4wu	Wighay Road Grassland	LWS - A base-rich grassland with a notable flora	Hucknall North
EV4ww	Wighay Wood	LWS - A mixed woodland that retains some interest	Annesley & Kirkby Woodhouse
EV4ww	Wighay Wood Stream	LWS - A rich woodland lining a clear stream	Hucknall West
EV4wx	William Wood	LWS - A mature deciduous woodland with a noteworthy ground flora	Annesley & Kirkby Woodhouse
EV4wy	Winter Close Grassland, New Brinsley	LWS - Neutral grassland	Underwood
EV4wz	Woodhouse Lane Quarry	LWS - A calcareous grassland and scrub on an old quarry site	Skegby

## Appendix 7- Policy EV5: Protection of Green Spaces and Recreational Facilities

### Green Spaces and Recreational Facilities

Local Plan Reference	Site Name	Sheet
EV5/1	Hucknall Bypass Embankment - South	South Sheet
EV5/2	Hucknall Lane Nature Area	South Sheet
EV5/3	Shelton Avenue	South Sheet
EV5/4	Rolls Royce Sports Ground	South Sheet
EV5/6	Astral Grove	South Sheet
EV5/7	Lancaster Road	South Sheet
EV5/8	Fields off Farleys Lane	South Sheet
EV5/9	Kingsway Gardens	South Sheet
EV5/10	Mill Lakes	South Sheet
EV5/11	Farm Avenue Fields	South Sheet
EV5/12	Edgewood School and Leisure Centre Playing Fields	South Sheet
EV5/13	Lime Tree Road Recreation Ground	South Sheet
EV5/14	Ruffs Drive/Robin Hood Drive	South Sheet
EV5/15	Nabbs Lane Park	South Sheet
EV5/16	Farleys Lane	South Sheet
EV5/17	Broomhill School Playing Fields	South Sheet
EV5/18	Jenny Burton Way	South Sheet
EV5/19	Salterford Road Open Space	South Sheet
EV5/20	Aerial Way	South Sheet
EV5/21	Hucknall Cemetery	South Sheet
EV5/22	Butlers Hill Recreation Ground	South Sheet
EV5/23	Titchfield Park	South Sheet
EV5/24	Land off Totnes Close	South Sheet
EV5/25	The Holgate Comprehensive School Playing Fields	South Sheet
EV5/26	Rollestone to Tiverton Close	South Sheet
EV5/27	Field End of High Leys Road	South Sheet
EV5/28	Polperro Lagoon	South Sheet
EV5/29	The Holgate Comprehensive School Open Area	South Sheet
EV5/29	Garden Road	South Sheet
EV5/30	Annie Holgate School Playing Field	South Sheet
EV5/31	Common Farm	South Sheet
EV5/32	Wigwam Lane Open Area	South Sheet
EV5/33	Leen Valley Golf Course	South Sheet
EV5/34	Garden Road	South Sheet
EV5/35	Wood Lane	South Sheet
EV5/36	St Mary Magdalen's Church Cemetery	South Sheet
EV5/37	Whyburn Primary School Playing Field	South Sheet
EV5/38	Greenwood Vale	South Sheet
EV5/39	Wigwam Lane Playing Field	South Sheet

EV5/40	Albert Street Recreation Ground	South Sheet
EV5/41	Papplewick Lane Football Pitches	South Sheet
EV5/42	Papplewick Leen Corridor	South Sheet
EV5/43	Hucknall National Junior School Playing Field	South Sheet
EV5/44	Washdyke Lane Recreation Ground/Wighay Park	South Sheet
EV5/45	Field at Leen Mills School	South Sheet
EV5/46	Leen Mills School Playing Fields	South Sheet
EV5/47	Bishops Way Walk	South Sheet
EV5/48	Boatswain Drive	South Sheet
EV5/49	Dob Park	South Sheet
EV5/50	Holy Cross Primary School Playing Fields	South Sheet
EV5/51	Barbara Square/ Coronation Road Footpath	South Sheet
EV5/52	The National School Playing Fields	South Sheet
EV5/53	The Ranges	South Sheet
EV5/54	Church Lane Cycle Way	South Sheet
EV5/55	Grange Cottage Woods	South Sheet
EV5/56	Church Lane	South Sheet
EV5/57	Church Lane Open Space	South Sheet
EV5/58	Fields off Winter Close/ Cordy Lane	South Sheet
EV5/59	Felley Wood	South Sheet
EV5/60	Underwood Church of England School Playing Field	South Sheet
EV5/61	Alfreton Road Cricket Ground	South Sheet
EV5/62	Fields off Felley Mill Lane	South Sheet
EV5/63	South of Main Road, Underwood Hill Recreation Ground	South Sheet
EV5/64	St Michael and All Angels Church Cemetery	South Sheet
EV5/65	Church Lane Recreation Ground, Friezeland	South Sheet
EV5/66	Underwood Football Club	South Sheet
EV5/67	Bagthorpe Primary School Playing Field	South Sheet
EV5/68	Fields at Millington Springs	South Sheet
EV5/69	Jacksdale Nature Reserve	South Sheet
EV5/70	Land at Miners Welfare Club Jacksdale	South Sheet
EV5/71	Main Road Recreation Ground	South Sheet
EV5/72	Wharf Green	South Sheet
EV5/73	Pye Hill Road	South Sheet
EV5/74	Westwood Recreation Ground	South Sheet
EV5/75	Fields at Pye Hill	South Sheet
EV5/76	Pye Hill	South Sheet
EV5/77	Nottingham Road Recreation Ground	South Sheet
EV5/78	Selston Par 3 Golf Course	South Sheet
EV5/79	Green Well Park	South Sheet
EV5/80	Selston High School Playing Field (south)	South Sheet
EV5/81	The Hills	South Sheet
EV5/82	Green Farm Road Recreation Ground	South Sheet
EV5/83	Alexander Avenue	South Sheet
EV5/84	Selston Parish Hall	South Sheet
EV5/85	Selston High School Playing Field (north)	South Sheet
EV5/86	Valentine Avenue Play Area	South Sheet

EV5/87	Holly Hill School Playing Field	South Sheet
EV5/88	St Helen's Church	South Sheet
EV5/89	Portland Road	South Sheet
EV5/90	Jubilee Recreation Ground	South Sheet
EV5/91	New Selston Recreation Ground	South Sheet
EV5/92	Annesley Wood	South Sheet
EV5/93	Annesley Church	South Sheet
EV5/94	Hucknall Road	South Sheet
EV5/95	Sherwood Business Park Lakes	South Sheet
EV5/96	Playground opposite Newstead School	South Sheet
EV5/97	Oak Field Woods	South Sheet
EV5/98	Annesley Woods	South Sheet
EV5/100	Acacia Avenue Recreation Ground	South Sheet
EV5/101	Annesley Primary School Playing Field	South Sheet
EV5/102	Nuncargate Recreation Ground	South Sheet
EV5/103	Nuncargate Road Cricket Field	South Sheet
EV5/104	Annesley Cutting	South Sheet
EV5/105	New Annesley Green, Byron Road	South Sheet
EV5/106	New Annesley Recreation Ground	South Sheet
EV5/107	Annesley Parish Millennium Garden	South Sheet
EV5/108	Kirkby Woodhouse Cemetery	South Sheet
EV5/109	Skegby Road Recreation Ground	South Sheet
EV5/110	Kirkby Woodhouse Playing Field	South Sheet
EV5/111	Broad oak Park	South Sheet
EV5/112	Park Forest	South Sheet
EV5/113	Notts Golf Club	North Sheet
EV5/114	Kirkby Forest	North Sheet
EV5/115	Portland Park	North Sheet
EV5/116	Kingsway Cemetery (Newest)	North Sheet
EV5/117	Kingsway School Playing Field	North Sheet
EV5/118	Footpath adjacent Kingsway Park	North Sheet
EV5/119	Portland Park Extension	North Sheet
EV5/120	Land at Studfold farm	North Sheet
EV5/121	Old Kingsway Cemetery	North Sheet
EV5/122	Kingsway Park	North Sheet
EV5/123	Mayfield Recreation Ground	North Sheet
EV5/124	Church Hill Cemetery	North Sheet
EV5/125	Lindleys Lane Footpath	North Sheet
EV5/126	Land at Lane End	North Sheet
EV5/127	Kirkby College Playing Field	North Sheet
EV5/128	Lindleys Lane to Studfold Farm Footpath	North Sheet
EV5/129	St Wilfreds Church Cemetery	North Sheet
EV5/130	Lime Street	North Sheet
EV5/131	Titchfield Park	North Sheet
EV5/132	Orchard Primary and Nursery School Playing Field	North Sheet
EV5/133	Morven Park	North Sheet
EV5/134	Bracken Hill and Coxmoor Primary School Field	North Sheet

EV5/135	Jeffries School Field	North Sheet
EV5/136	BRSA Football Ground	North Sheet
EV5/137	Ashfield Drive	North Sheet
EV5/138	Sutton Road Miners Welfare	North Sheet
EV5/139	Warwick Close	North Sheet
EV5/140	Southwell Lane to Rowan Drive Footpath	North Sheet
EV5/141	Land at rear of Ashfield Community Hospital	North Sheet
EV5/142	West Park	North Sheet
EV5/143	Summit Centre Open Space	North Sheet
EV5/144	Coxmoor Plantation	North Sheet
EV5/145	Forster Street	North Sheet
EV5/146	Coniston Road	North Sheet
EV5/147	Southwell Close	North Sheet
EV5/148	Acorn View	North Sheet
EV5/149	Chapel Street/Lindrick Road (Footpath)	North Sheet
EV5/150	Beacon Drive	North Sheet
EV5/151	Greenwood Primary and Nursery School Field	North Sheet
EV5/152	Rowan Drive	North Sheet
EV5/153	David Street	North Sheet
EV5/154	Sutton Middle Lane	North Sheet
EV5/155	Summerfields Road	North Sheet
EV5/156	Ashfield Comprehensive School Field	North Sheet
EV5/157	Orchid Close	North Sheet
EV5/158	Penny Emma Way (South)	North Sheet
EV5/159	Kirkby Summit West	North Sheet
EV5/160	Swans Ground	North Sheet
EV5/161	Maun Valley	North Sheet
EV5/162	Orchid Drive	North Sheet
EV5/163	Thieves Wood	North Sheet
EV5/164	Harlow Wood	North Sheet
EV5/165	Fields opposite Orchard Way and A38	North Sheet
EV5/166	Coxmoor Golf Course	North Sheet
EV5/168	Leamington County Primary School Field	North Sheet
EV5/169	Lynton Drive footpath	North Sheet
EV5/170	Ashfield Park	North Sheet
EV5/171	Hill Top View Open Space	North Sheet
EV5/172	Lynton Drive	North Sheet
EV5/173	Twinyards Close Footpath	North Sheet
EV5/174	Calladine Open Space	North Sheet
EV5/175	Taylor Crescent Recreation Ground	North Sheet
EV5/176	Roundhills Recreation Ground	North Sheet
EV5/177	Cow Pasture Lane Recreation Ground	North Sheet
EV5/178	Calladine Pond and Open Space	North Sheet
EV5/179	Mapplewells School Playing Field	North Sheet
EV5/180	Land to rear of Crowtrees Drive	North Sheet
EV5/181	Oakleaf Crescent	North Sheet
EV5/182	Kirkby Folly Road	North Sheet



EV5/183	Cauldwell Wood	North Sheet
EV5/185	Charnwood Street Recreation Ground	North Sheet
EV5/186	Peveiril Drive	North Sheet
EV5/187	The Lawns	North Sheet
EV5/188	Maun Way - Kingsmill Road East	North Sheet
EV5/189	St Mary Magdalen's Church Cemetery	North Sheet
EV5/190	Hosiery Mills Football Ground	North Sheet
EV5/191	Sutton Cemetery	North Sheet
EV5/192	Hosiery Mills Cricket Ground	North Sheet
EV5/193	Maun Way - Kingsmill Link	North Sheet
EV5/194	Jubilee Road	North Sheet
EV5/195	St Mary's Primary School Playing Field	North Sheet
EV5/196	Hillocks School Playing Field	North Sheet
EV5/197	Springwood View Close	North Sheet
EV5/198	Priestsic Road Recreation Ground	North Sheet
EV5/199	Priestic Primary School Field	North Sheet
EV5/200	Pretty Polly Sports Ground	North Sheet
EV5/201	Carsic School Playing Field	North Sheet
EV5/202	Westbourne Road	North Sheet
EV5/203	Westbourne Road	North Sheet
EV5/204	John Davies School Playing Field	North Sheet
EV5/205	Sowter Avenue	North Sheet
EV5/206	Rear of Shortwood Avenue	South Sheet
EV5/207	Kingsmill Reservoir	North Sheet
EV5/208	The Oval	North Sheet
EV5/209	Stoneyford Road Trail - South	North Sheet
EV5/210	Lawrence Crescent	North Sheet
EV5/211	Stoneyford Road Recreation Ground	North Sheet
EV5/212	Brierley Forest Park	North Sheet
EV5/213	Hill Crescent	North Sheet
EV5/214	Dalestorth School Playing Field	North Sheet
EV5/215	Cosgrove Avenue footpath	North Sheet
EV5/216	Cosgrove Avenue Open Space	North Sheet
EV5/217	Quarrydale Road Recreation Ground	North Sheet
EV5/218	Quarrydale Comprehensive School Playing Field	North Sheet
EV5/219	Stamper Crescent Recreation Ground	North Sheet
EV5/220	St Andrew's Church of England School Playing Field	North Sheet
EV5/221	Saville Road	North Sheet
EV5/222	Nunn Brook	North Sheet
EV5/223	Rookery Park	North Sheet
EV5/224	Field off Sudbury Drive	North Sheet
EV5/225	Huthwaite Cemetery	North Sheet
EV5/226	Huthwaite Welfare Park	North Sheet
EV5/227	Strawberry Bank (2)	North Sheet
EV5/229	Woodland Avenue	North Sheet
EV5/230	Fackley Way Open Space	North Sheet
EV5/231	Brand Lane	North Sheet

EV5/232	Wharf Road Hill	North Sheet
EV5/233	Healdswood Recreation Ground	North Sheet
EV5/234	Meden Bank	North Sheet
EV5/235	Skegby Hall	North Sheet
EV5/236	Stoneyford Trail	North Sheet
EV5/237	St Andrews Church	North Sheet
EV5/238	Skegby Quarries	North Sheet
EV5/239	Skegby Junior Academy Playing Field	North Sheet
EV5/240	Teversal Grange Sports Ground	North Sheet
EV5/241	Teversal Football Ground	North Sheet
EV5/242	Teversal Trail - Skegby to Teversal	North Sheet
EV5/243	Pleasley to Teversal Footpath	North Sheet
EV5/244	Teversal Recreation Ground	North Sheet
EV5/245	Silverhill Country Park	North Sheet
EV5/246	Teversal Trail - Skegby to Pleasley	North Sheet
EV5/247	Teversal to Blackholme	North Sheet
EV5/248	Hardwick Fields	North Sheet
EV5/249	Lady Spencer's Wood	North Sheet
EV5/250	Shepherd Street	South Sheet
EV5/251	Airfield Way	South Sheet
EV5/252	Kenbrook Road	South Sheet
EV5/253	Red Kite Close	South Sheet
EV5/254	Emporer's Way	South Sheet
EV5/255	Snowdrop Close	South Sheet

## Appendix 8 - Policy EV6: Trees, Woodlands and Hedgerows

### Ancient Woodland Sites

Local Plan Reference	Site Name	Policies Map
EV6a	Healds Wood	North Sheet
EV6b	Bloomer Wood	North Sheet
EV6c	Bulwell Wood	South Sheet
EV6d	Dawgates Wood 1	North Sheet
EV6e	Dovedale Wood	North Sheet
EV6f	High Park Wood	South Sheet
EV6g	Little Oak Plantation	South Sheet
EV6h	Millington Springs	South Sheet
EV6i	Normanshill/ Thieves Wood	North Sheet
EV6j	Norwood	North Sheet
EV6k	The Dumbles	North Sheet

## Appendix 9 - Policy EV7: Provision and Protection of Allotments

### Allotments

Local Plan Reference	Allotment Name	Location
EV7 Ha	Butlers Hill	Hucknall
EV7 Hb	High Leys	Hucknall
EV7 Hc	Wood Lane/A611	Hucknall
EV7 Hd	Wigwam Lane	Hucknall
EV7 He	Linby Road East	Hucknall
EV7 Hf	St Mary's Way	Hucknall
EV7 Hg	Wighay	Hucknall
EV7 Hh	Washdyke Lane	Hucknall
EV7 Va	Plainspot Road	Brinsley
EV7 Vb	Cordy Lane	Underwood
EV7 Vc	School Road	Bagthorpe
EV7 Vd	Westwood Gardens	Westwood
EV7 Ve	Nottingham Road	Selston
EV7 Vf	Mansfield Road	Selston
EV7 Ka	Wesley Street	Annesley Woodhouse
EV7 Kb	Sherwood Rise	Annesley Woodhouse
EV7 Kc	Recreation Road	Annesley
EV7 Kd	Kingsway	Kirkby
EV7 Ke	Church Gardens	Kirkby
EV7 Kf	Diamond Avenue	Kirkby
EV7 Kg	Harcourt Street	Kirkby
EV7 Kh	California, Cowpasture Lane	Kirkby
EV7 Ki	Sutton Road	Kirkby
EV7 Sa	Willowbridge	Sutton
EV7 Sb	Jubilee Gardens	Sutton
EV7 Sc	Mill Lane	Huthwaite
EV7 Sd	Garden Gap	Huthwaite
EV7 Se	Carsic	Sutton
EV7 Sf	Lane End	Sutton
EV7 Sg	Wharf Road	Stanton Hill
EV7 Sh	New Lane	Stanton Hill

## Appendix 10 - Policy EV9 – The Historic Environment

### Scheduled Monuments

Local Plan Reference	Site Name
EV10 Aa	Remains of Old Manor House, Skegby, Sutton-in-Ashfield.
EV10 Ab	Market Cross, Kirkby Cross, Kirkby-in-Ashfield.
EV10 Ac	Fish Ponds 220m East of St. Wilfred's Church, Kirkby Cross, Kirkby-in-Ashfield.
EV10 Ad	Castle Hill, Annesley.
EV10 Ae	All Saints Church, Annesley.
EV10 Af	Fish Ponds, South of Damstead Farm, Annesley.
EV10 Ag	Castle Hill Fortified Manor, South of St Wilfred's Church, Kirkby-in-Ashfield.
EV10 Ah	Mound on Hamilton Hill, Sutton-in-Ashfield.
EV10 Ai	Wansley Hall Manorial Site, Bagthorpe.



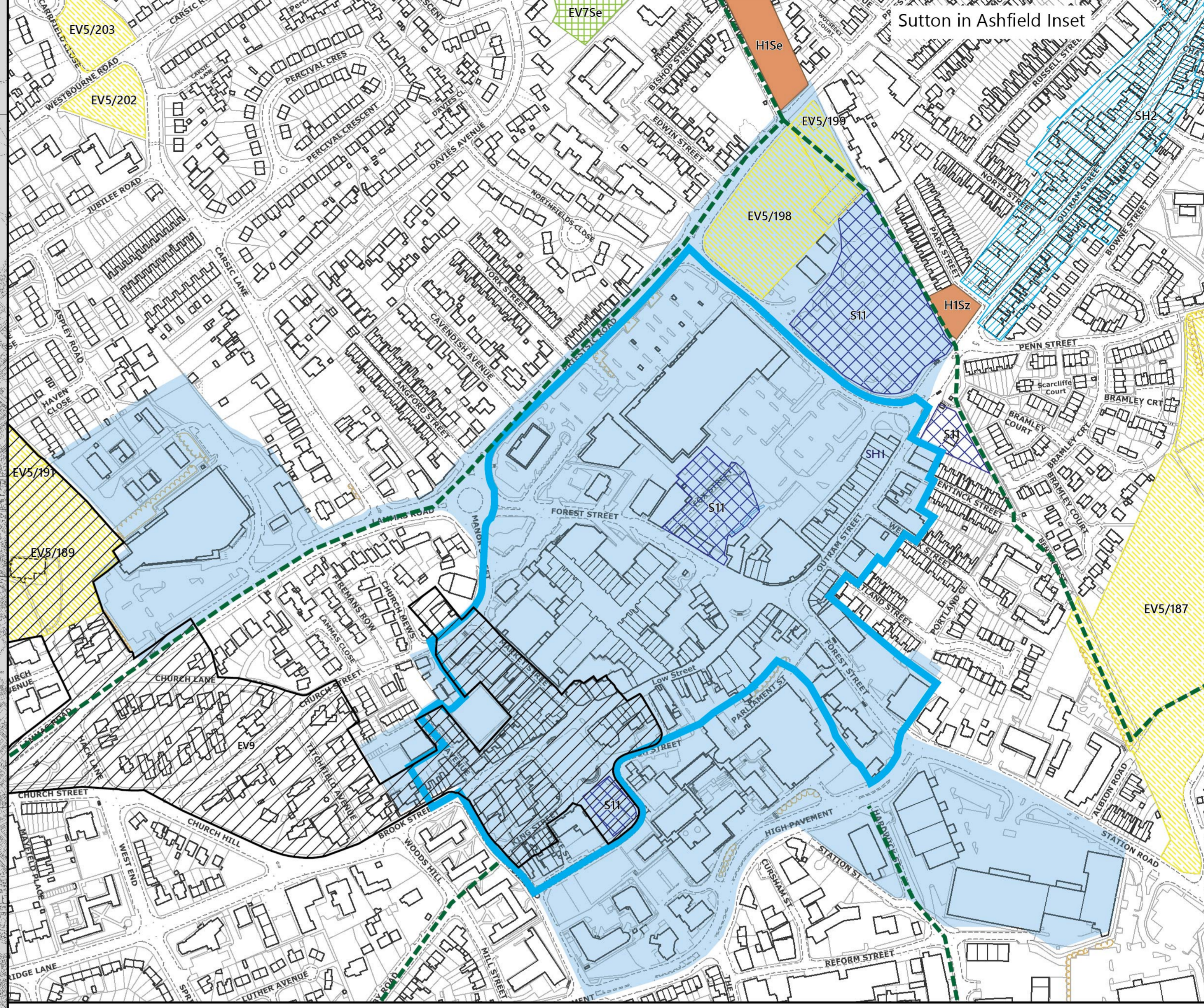
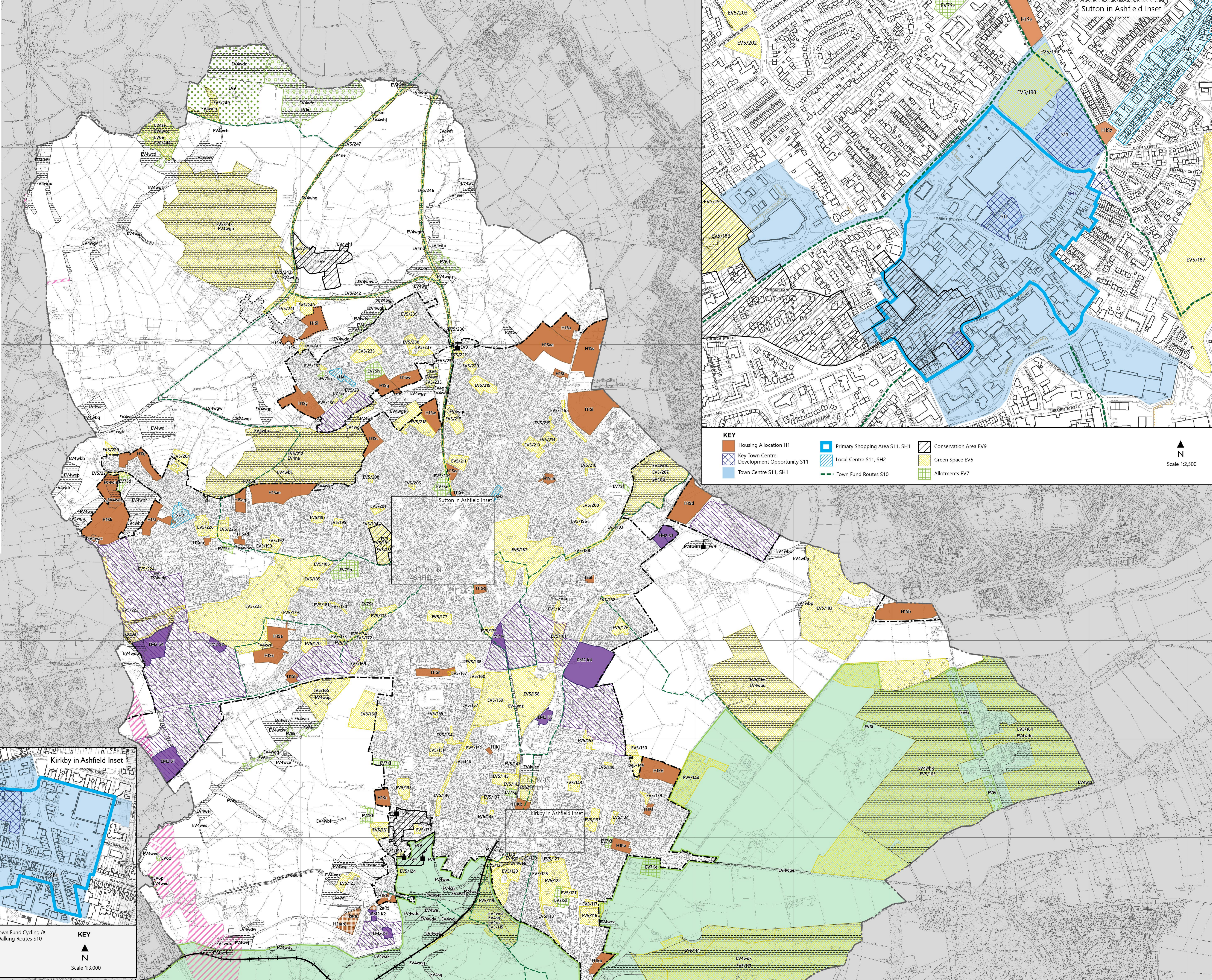
**Policies Map - North Sheet**

- District Boundary
- Main Urban Area S1(a)
- Named Settlement S1(c)
- Green Belt EV1
- Nature Sites EV4
  - EV4s - Site of Specific Scientific Interest (SSSI)
  - EV4n - Local Nature Reserve (LNR)
  - EV4w - Local Wildlife Sites (LWS)
  - EV4r - Local Geological Site (LGS)
- Green Space EV5
- Ancient Woodland EV6
- Allotments EV7
- Conservation Area EV9
- Ancient Monument EV9
- Historic Park and Gardens EV9
- Housing Land Allocation H1
- Gypsy, Traveller & Showpeople Site Allocations H2a
- Employment Land Allocation EM2
- Key Employment Area S8, EM1
- Town Centre S11, SH1
- Primary Shopping Area S11, SH1
- Local Centre S11, SH2
- Key Town Centre Development Opportunity S11
- Safeguarded Route for HS2
- Maid Marian Line S10
- Towns Fund Walking & Cycling Route S10

Other Policies which relate to the whole plan area:  
S1, S2, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, CC1, CC2, CC3, EV2, EV3, EV8, EV10, H3, H4, H5, H6, H7, H8, EM3, EM4, EM5, SH4, SD1, SD2, SD3, SD4, SD5, SD6, SD7, SD8, SD9, SD10, SD11, SD12

**Scale 1:12,500**

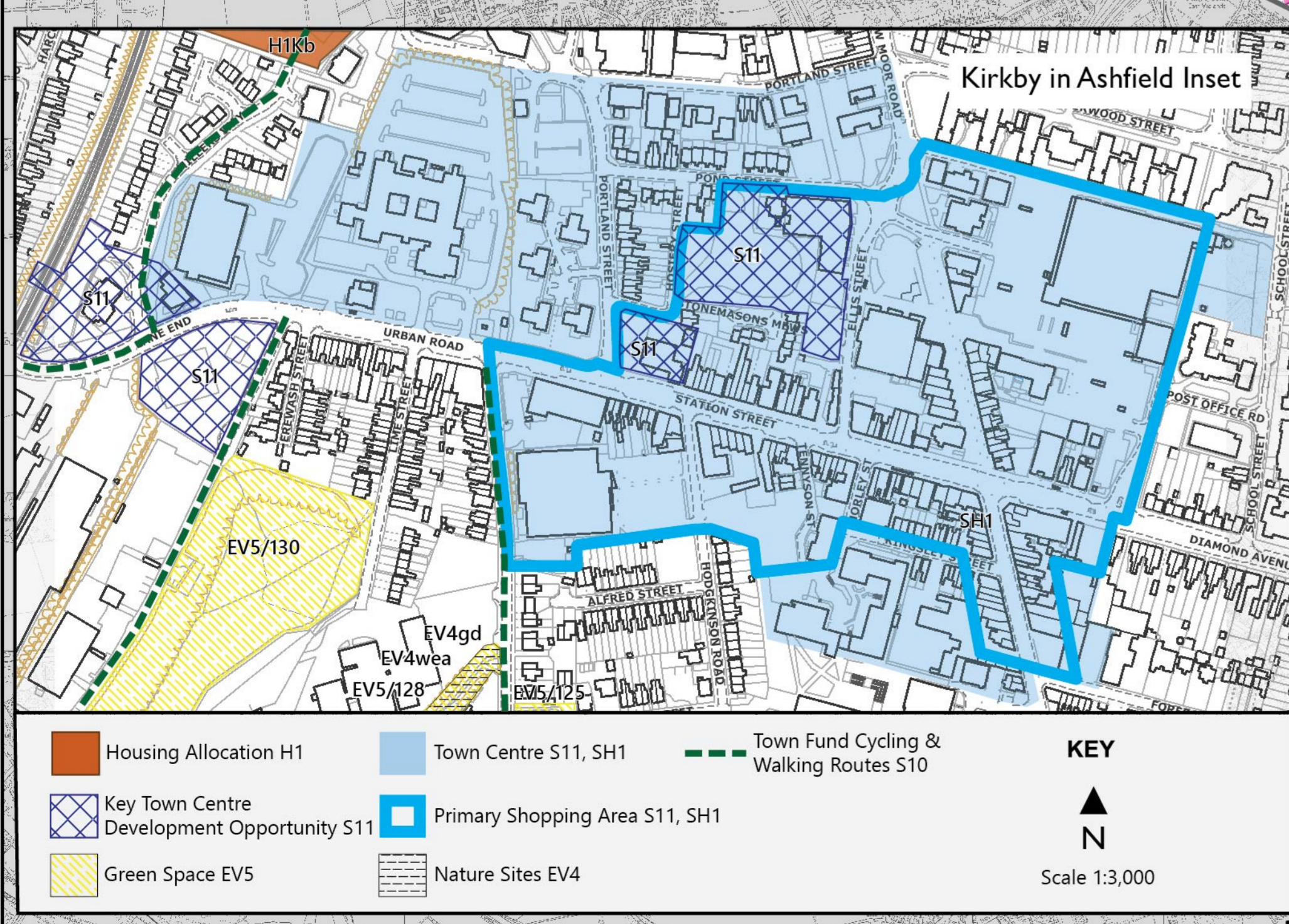
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**KEY**

Housing Allocation H1	Primary Shopping Area S11, SH1	Conservation Area EV9
Key Town Centre Development Opportunity S11	Local Centre S11, SH2	Green Space EV5
Town Centre S11, SH1	Towns Fund Routes S10	Allotments EV7

Scale 1:2,500



**KEY**

Housing Allocation H1	Town Centre S11, SH1	Towns Fund Cycling & Walking Routes S10
Key Town Centre Development Opportunity S11	Primary Shopping Area S11, SH1	Nature Sites EV4
Green Space EV5	Conservation Area EV9	

Scale 1:3,000

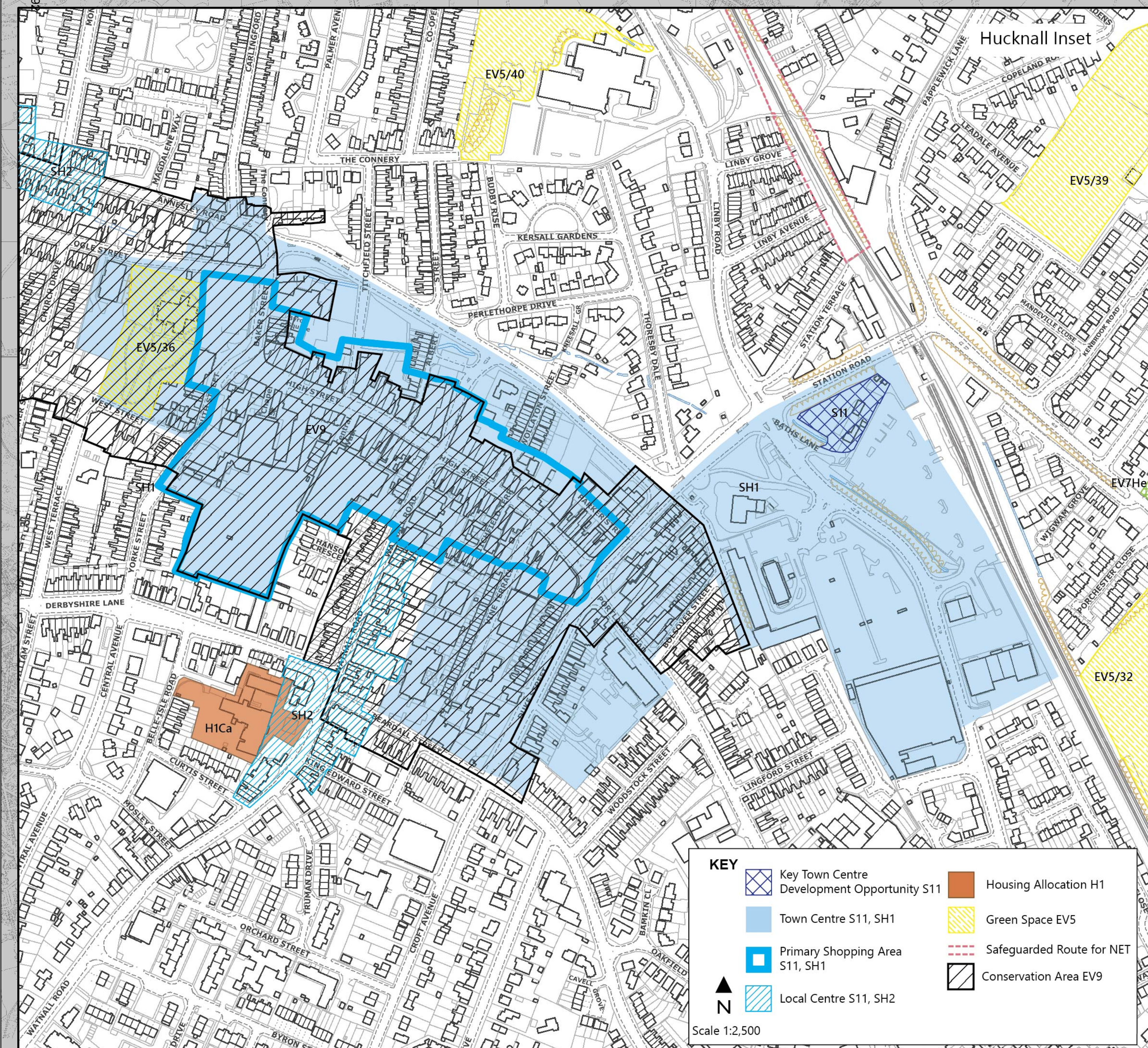
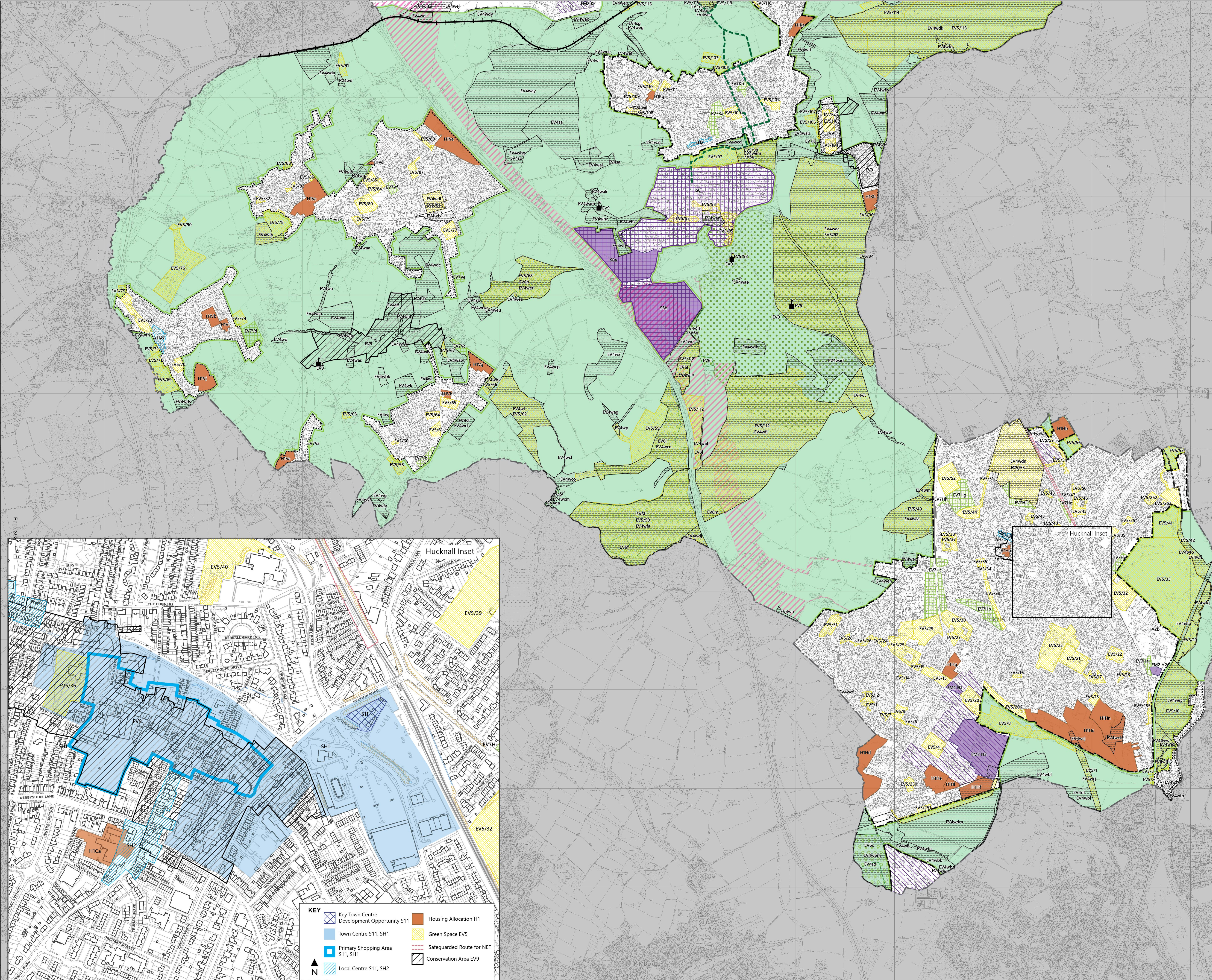
**Policies Map -South Sheet**

- District Boundary
- Main Urban Area S1(a)
- Named Settlement S1(c)
- Blenheim Industrial Estate S1(d)
- Green Belt EV1
- Nature Sites EV4
  - EV4s - Site of Special Scientific Interest (SSSI)
  - EV4n - Local Nature Reserve (LNR)
  - EV4w - Local Wildlife Site (LWS)
  - EV4r - Local Geological Site (LGS)
- Green Space EV5
- Ancient Woodland EV6
- Allotments EV7
- Conservation Area EV9
- Ancient Monument EV9
- Historic Park and Gardens EV9
- Housing Land Allocation H1
- Strategic Employment Area S8, S1(c)
- Employment Land Allocation EM2
- Key Employment Area S8, EM1
- Town Centre S11, SH1
- Primary Shopping Area S11, SH1
- Key Town Centre Development Opportunity S11
- Local Centre S11, SH2
- Safeguarded Route for HS2
- Safeguarded Route for NET S10
- Maid Marian Line S10
- Towns Fund Walking & Cycling Route S10

Other Policies which relate to the whole plan area:  
S1, S2, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, CC1, CC2, CC3, EV2, EV3, EV8, EV10, H3, H4, H5, H6, H7, H8, EM3, EM4, EM5, SH4, SD1, SD2, SD3, SD4, SD5, SD6, SD7, SD8, SD9, SD10, SD11, SD12

Scale 1:12,500

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**KEY**

	Key Town Centre Development Opportunity S11		Housing Allocation H1
	Town Centre S11, SH1		Green Space EV5
	Primary Shopping Area S11, SH1		Safeguarded Route for NET
	Local Centre S11, SH2		Conservation Area EV9

Scale 1:2,500



<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>6<sup>TH</sup> NOVEMBER 2023</b>
<b>Heading:</b>	<b>PROGRAMME MONITORING REPORT: MAJOR PROJECTS AND FUNDING</b>
<b>Executive Lead Member:</b>	<b>CLLR MATTHEW RELF, EXECUTIVE LEAD MEMBER FOR GROWTH, REGENERATION AND LOCAL PLANNING CLLR HELEN-ANN SMITH, DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR COMMUNITY SAFETY AND CRIME REDUCTION</b>
<b>Ward/s:</b>	<b>ALL WARDS</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

### **Purpose of Report**

To ensure that Cabinet is kept updated on Major projects, progress of funded programmes and bids for external funding, and that the necessary approvals are in place.

### **Recommendation(s)**

1. To note the progress on major projects and funding programmes
- Plan for Towns programme for Kirkby**
2. To recommend to Council to accept funding from the programme
  3. To agree that the Council will act as the Accountable Body
  4. To delegate authority to the Chief Executive Officer for the signing of documents including a Heads of Terms and Memorandum of Understanding
  5. To recommend to Council to accept the Devolution – Retrofit funding.

## **Reasons for Recommendation(s)**

1. To ensure that Cabinet is kept updated on progress with the Major projects, funding programmes and submission of funding bids.
2. To ensure that projects and spend within the funding programmes are achieved within the set timeframes and programme budget envelopes.
3. To ensure funding streams are delivered collaboratively and effectively.
4. To ensure Members are aware as early as possible about the potential cost pressures which may require additional Council funding in the future.

## **Alternative Options Considered**

Not to accept the funding from government for Kirkby from the Plan or Towns programme or the Devolution – Retrofit funding. This option was rejected as the funding is available and can be utilised effectively to deliver the Council's corporate priorities.


## **Detailed Information**

The report provides an overview of programme performance and new/ potential funding for the following:

- 1.0 Future High Streets Fund
- 2.0 Towns Fund and Levelling Up Fund
- 3.0 UK Shared Prosperity Fund
- 4.0 Kirkby 'Plan for Towns' programme
- 5.0 Place Partnership bid
- 6.0 Public Open Space/ Public Realm
- 7.0 Public Sector Decarbonisation Scheme
- 8.0 Devolution – Retrofit Funding
- 9.0 Community Safety

### **1.0 Future High Streets Fund**

A progress and risk-based summary for each project is provided below.

<b>Project</b>	<b>Achievements/ progress/next steps</b>	<b>Risk Level / programme and cost</b>
<b>Theatre Project</b>	RIBA stage 3 has been developed and reviewed and the procurement strategy is being progressed. We are in discussion with DLUHC regarding revising the delivery programme. The risk remains elevated because the project programme has slipped without the ability to bring forward the completion.	





<b>Low Street</b>	14 Low Street - Complete. 9-11 Low Street – the contract has been awarded and the Council is progressing the contract agreement and mobilisation.	↔
<b>High Pavement</b>	Project on site and remains on track to complete in November. Heads of Terms have been agreed with an anchor tenant who will take on the ground floor and first floor in the west wing of the building. Makerspace committee is growing and now leading on promotion of the new facilities and developing the fit out of the space. Business unit promotion is progressing alongside the UKSPF business grant scheme.	↔
<b>Fox Street</b>	Value engineering has reduced the project budget requirements to £1.9 – £2.1 million to deliver the combined Portland Square and Fox Street projects. Subject to approval of funding reallocation and final value engineering options the project can be delivered.	↑





## 2.0 Towns Fund

A progress and risk-based summary for each project is provided below.

<b>Project</b>	<b>Achievements/ progress/next steps</b>	<b>Risk Level / programme and cost</b>
<b>Be Healthy Be Happy</b>		
North Kirkby Gateway	A specialist property legal team has been appointed and has drafted a development agreement with a developer to progress the land assembly and development for the Pond Hole / Ellis Street development. Options for development partnerships and delivery models are being explored. The project will reach a critical point during the next reporting period to establish the preferred delivery model.	↔
Kirkby Sports Hub	A project cost and risk management appraisal has been undertaken and updated to establish a deliverable cost plan with will achieve the Towns Fund and Football Foundation objectives.  The revised cost plan has identified where additional funding is required through the Towns Fund programme. Subject to approval of the funds being reallocated the project risks remain controlled.	↔
Sutton Lawn Sports Hub	A project cost and risk management appraisal has been undertaken and updated to establish a deliverable cost plan with will achieve the Towns Fund and Football Foundation objectives.	↔

	<p>The revised cost plan has identified where additional funding is required through the Towns Fund programme. Subject to approval of the funds being reallocated the project risks remain controlled.</p> <p>A planning application has been submitted for the tennis court floodlighting which will be taken to planning committee later this year. Contracts are being prepared for the delivery of the improvements.</p> <p>A revised cost plan has been developed and identified where additional funds are required. Subject to approval of the funds being reallocated the project risks remain controlled.</p>	
<b>More to Discover</b>		
<b>Sutton Town Centre</b>		
Portland Square	Value engineering has reduced the project budget requirements to £1.9 – 2.1 million to deliver the combined Portland Square and Fox Street projects. Subject to approval of funding reallocation and final value engineering options the project can be delivered.	↔
Sutton Academy Theatre	<p>RIBA stage 3 has been completed and the procurement strategy is now being progressed.</p> <p>We are in discussion with DLUHC regarding revising the delivery programme. The risk remains elevated because the project programme has slipped and without the ability to bring forward the completion.</p>	↑
<b>Visitor Economy</b>		
Cycling and walking routes	A mini tender is being prepared through the ESPO framework.	↔
Visitor digital offer	<p>Testing protocol is underway of the new website and app. Due to a late release of the testing model the final commissioning has been delayed.</p> <p>Marketing assets are being developed ready for the launch. The risk remains elevated slightly because the project programme has slipped due to the testing protocol of the system requiring additional time to be completed before the launch.</p>	↑
Science Discovery Centre and Planetarium	The principal contractor has commenced on site and a ground-breaking ceremony was well attended by the project partners. Current risks are controlled.	↔
Kings Mill Reservoir leisure development	<p>The enabling contract work is completed for the car park and demolition of the former club house. The team is now developing a marketing pack for the site and exploring delivery models with the Mill Adventure Base.</p> <p>The Mill Base public high ropes outdoor adventure system is completed and is in the commissioning and testing stage.</p>	↔


Succeed in Ashfield		
ADMC (Kirkby/Sutton)	<p>Heads of Terms have been agreed for the purchase of the preferred site and the legals are being progressed.</p> <p>The design team have been instructed to finalise RIBA stage 2 and subject to approval through the project gateway, progress RIBA stage 3.</p> <p>Development work for the operating model is being progressed.</p>	
Ashfield Construction Centre and Satellite	<p>Due to complexities around the delivery timings and interdependencies within the College, VWNC have proposed to deliver the scheme and have worked up a cost plan from delivery within the budget envelope. The plans are to be presented to the VWNC finance committee mid-October for approval.</p>	
Ashfield Civil Engineering Centre	<p>VWNC are progressing further detailed surveys of the project site to inform potential ecological site constraints.</p> <p>Further site assembly options are being explored; however, this may result in a delay to the opening of the facilities until 2024. Complexities around land ownership are being reviewed to enable the legal agreements between ADC and Vision West Notts to be progressed.</p>	
Enterprising Ashfield	<p>Enterprise – HeadStart</p> <ul style="list-style-type: none"> <li>• 126 total enrolments to date</li> <li>• 42 clients undergoing active delivery.</li> <li>• 45 clients assessed and confirmed Enterprise Ready</li> <li>• 43 Grant Agreements signed.</li> <li>• 38 grants paid to clients.</li> </ul> <p>Enterprise – R&amp;D Collaboration</p> <ul style="list-style-type: none"> <li>• 10 total enrolments to date</li> <li>• 1 in delivery</li> <li>• 11 potential leads</li> <li>• 2 in development.</li> </ul> <p>Enterprise – Growth</p> <ul style="list-style-type: none"> <li>• 15 total enrolments to date</li> <li>• 23 diagnostics completed.</li> <li>• 6 businesses completed workshops (6 in pipeline)</li> <li>• 4 businesses receiving ongoing 1:1 bespoke support.</li> </ul> <p>Talent – Graduate Placements</p> <ul style="list-style-type: none"> <li>• 16 graduates enrolled and placed.</li> <li>• 5 Placements currently on-going</li> <li>• 2 placements employed, contracts signed and waiting to start</li> <li>• 11 Placements completed.</li> <li>• 10 Grant Agreements in pipeline/development</li> </ul> <p>Talent – Apprenticeships</p> <ul style="list-style-type: none"> <li>• 26 total enrolments to date across Health, Civil Engineering, Social Work, Construction and Law.</li> </ul>	

	<ul style="list-style-type: none"> <li>• 2023/ 24 Starts currently = 8 Apprenticeships (30 - target to Sept 24)</li> <li>• 10 (current) potential leads</li> <li>• Apprenticeship targets being reviewed.</li> </ul> <p>Skills</p> <ul style="list-style-type: none"> <li>• 30 short courses completed:</li> <li>• 153 clients attended courses to date</li> <li>• 253 total enrolments to date</li> <li>• 43 people attended second course, with 68 places booked on future 2nd courses.</li> </ul> <p>Delivered / in delivery:</p> <ul style="list-style-type: none"> <li>• Better Writing Skills course was delivered on 11th July for an engineering company.</li> <li>• Mill Waters Café – 10 enrolled for a course in Sales Success.</li> </ul> <p>In pipeline:</p> <ul style="list-style-type: none"> <li>• 36 attended 'Business Intelligence' course in September</li> <li>• potential 36 attendees for Import/Export course.</li> </ul> <p>The risk remains elevated because although individuals are benefitting from multiple strands of the programme the numbers cannot be double counted. The outputs are currently down on the expected numbers for this point in the project delivery. The programme is being reviewed by NTU to ensure that the targets can be met.</p>	
Library Innovation Centres - Kirkby & Sutton	Project planning is progressing for the Sutton project in collaboration with Nottinghamshire County Council and Inspire.	
<b>Greener Ashfield</b>		
West Kirkby Gateway & public transport hub	<p>The design team is progressing the RIBA Stage 3 plans and procurement plan for the Wyvern Club site and improvements to the station car park.</p> <p>Options for the land on Lane End are being monitored.</p>	
Green Ashfield	<p>The procurement strategy, documents for the various energy reduction interventions, an energy monitoring strategy and an implementation plan have been drafted for review.</p> <p>The risk remains elevated slightly because the project programme has slipped due to delays in agreeing the project plan.</p>	
High Street Property Fund	Development phase for the Moor Market flats is progressing. The property market is being monitored for new opportunities.	

### 3.0 UK Shared Prosperity Fund

A progress and risk based summary are provided below for Community and Place projects and the Supporting Local Business and People and Skills programmes.

Programme	Achievements/ progress/next steps	Risk Level / programme and cost
<b>Communities and Place Projects</b>		
Hucknall Town Centre- High Street Property Improvement Fund	Jointly launched with the Supporting Local Business Enterprise Grant on 31 July. Town Centre Management has visited all eligible properties, but uptake has been low with only 4 enquiries. Officers are reviewing both the funding and the eligibility criteria. Risk increased due to lack of take up.	↑
Selston Country Park Phase 2 improvements	The project is on the Capital Programme and being procured.	↔
Coxmoor Estate, Kirkby – environmental improvements	Meetings held with stakeholders to agree priorities. The contractor is engaged, and the programme is being developed.	↔
Sutton – environmental improvements	Completed	N/A
Hucknall Safer Streets	Completed	N/A
Events and Activities	Several events have been delivered including the Coronation, Ashfield Day, and Selston Community Event, with the Christmas events upcoming.	↔
Visitor economy	The budget has been reprofiled and a consultant is being appointed to undertake a review and provide recommendations	↔
Arts Council Bid	EOI submitted, Arts Council feedback has been received and some clarifications are being provided.	↔
Kings Mill Ranger / activities	Whilst this element is planned for 2024-25, steps are being taken to ensure this links well with activities delivered by the Mill Adventure Base	↔
Green social prescribing	Programme has been accelerated to meet local demand.	↔
Cycling and Walking	Proposal to accelerate the programme is proposed below.	↓
Community Vertical Farming	Preplanning for delivery is underway with NTU. Risk increased due to limited progress.	↑
Digital support for local communities	ATTFE has been awarded the contract. They have put in place promotion and marketing materials, launched the programme and are preparing to start delivery.	↓
<b>Supporting Local Business</b>	Most of the programme is being delivered by East Midlands Chamber of Commerce through the Nottinghamshire Joint procurement. The programme is known as the Ashfield Accelerator Local Business Framework. It will offer to	↔

	<p>businesses access to develop Decarbonisation Plans, with funding, move into Overseas trade, and specialisation in Digital and Innovation along with specialist workshops that align to the District's leading sectors.</p> <p>The Enterprise Grant has been launched with interest but currently a low uptake. The eligibility criteria are to be reviewed. Online trading opportunities are being considered with West Nottinghamshire College developing a proposal for an online tool. The Pre-opening ADMC programme is in delivery.</p> <p>Two specialist events are due to be delivered, in October there is the Career's Fair and in November a Go Green business event.</p> <p>The High Pavement rental incentive scheme is about to be launched with promotional materials. The application will be online and will precede the completion of the facility. Work is being undertaken with Inspire to develop a job description for a Maker Space coordinator.</p>	
<p><b>People and Skills</b></p>	<p>Mobilisation is at pace. The joint procurement for supporting economically inactive people has been awarded to Futures. The potential start date is imminent. The Council is undertaking procurement for Basic and Lifestyle skills with five bids received. For the services to be delivered in 2024-25, specifications have been prepared and the tender will go live on 1<sup>st</sup> November for Business and Education, Talent retention, Digital skills level 2, and Local Careers advice.</p>	

#### 4.0 Kirkby 'Plan for Towns' programme

A £20m allocation of government funding has been announced for Kirkby as part of a national 'Plan for Towns' programme. Kirkby is one of 55 towns to receive the allocation, to be paid over a period of 10 years, to invest in local people's priorities. The endowment-style fund will be split 25% Revenue, 75% Capital.

The long-term 'Plan for Towns' will empower communities to take control of their future and take long term decisions, setting out the town's vision and priorities for investment and regeneration, aligned to the themes of:

- Safety and security
- High streets, heritage and regeneration
- Transport and connectivity.

Towns will be required to demonstrate how they have developed plans in consultation with local people and will be expected to provide a contribution, for example time and resource, local match-funding or properties to include in regeneration projects.



## Town Board

A Town Board will need to oversee the fund and plan, and should be chaired by a local business or community leader and include:

- Community partners - groups, faith groups, local charities, infrastructure organisations.
- Local businesses and social enterprises, key local employers or investors.
- Key cultural, arts, heritage and sporting organisations.
- Public sector agencies e.g. schools, police etc.
- MP, district council, parish council, Mayoral and Upper Tier Authority.

Where the town already has a Town Deal Board, they will be able to repurpose the Board to make sure that they have the right people to drive forward their priorities. This is being discussed by the Discover Ashfield Board at its next meeting.

Town Boards will be responsible for:

- Identifying the issues, priorities and a shared vision to focus on for the Long-Term Plan, including supporting a process of ongoing community engagement
- Working with the local authority to develop the Long-Term Plan for their town, setting out how local partners will use their knowledge, powers, assets and new funding to deliver for their communities
- Identifying opportunities for Board members to utilise specific powers, such as neighbourhood planning, to drive forward their Long-Term Plan
- Identifying opportunities to bring in additional philanthropic or private investment to support the Long-Term Plan
- Overseeing the delivery of projects set out in the plan.

Ashfield District Council will act as the accountable body and be responsible for ensuring good use of public funds via existing Section 151 officer duties.

The Long-Term Plan will need to include:

- The priorities of residents, evidenced by local engagement
- How the funding and support will be deployed in line with investment themes to support these priorities
- How local authorities, community groups and businesses are using their existing assets and resources to support these priorities
- How the Board intends to attract additional private and philanthropic investment
- How members of the Town Board are using their existing powers and flexibilities to support these priorities.

## Timeline

DLUHC (Department for Levelling Up, Housing and Communities) to provide further guidance and discuss next steps	TBC
ADC to bring local partners together to form Town Board/ expand existing Town Deal Board	By April 2024
Begin to set out a vision, formulate investment priorities and engage with local communities.	Prior to Spring 2024

Capacity funding released to support the development of investment plans, including additional community engagement activities	Spring 2024
Submission of Long-Term Plans and release of year one funding - subject to assessment of the Plan by DLUHC	From Summer 2024

A new government Towns Taskforce will engage towns to monitor progress and provide support. The full guidance can be found via this link: <https://www.gov.uk/government/publications/our-long-term-plan-for-towns>

## 5.0 Place Partnership bid

We have now received feedback on the expression of interest submitted to Arts Council England and additional information is being provided to them. The community-led bid will support increased creative engagement and activity and build skills and capacity in the cultural sector. The bid includes in-kind partnership contributions and projected revenue of c.£300k and together with UKSPF funding this will allow us to bid for the maximum grant of up to £1million. If the bid is successful delivery of the three-year programme would commence in spring 2024.

The Council would act as the Accountable Body for the bid which would support arts and educational partners to deliver activity across the District.

## 6.0 Public Open Space and Public Realm

The Council is investing over £140k before the end of March next year which will include £110k in Selston Country Park to create a new play space for young people 3-14 years. The project will complement and improve the current offer at the site providing more choice and facilities for families. A contractor has been appointed and equipment is being procured. £30k will be invested in Nuncargate Recreation to improve the BMX course enabling the equipment to be used all year round.

The investment in tennis provision at Sutton Lawn has progressed with the planning application submitted to upgrade the floodlighting ready for work to commence later this year. The Council is working in partnership with the Lawn Tennis Association (LTA) to invest in and refurbish public tennis courts at Sutton Lawn and Huthwaite Welfare Park with investment of over £215k, helping to ensure that quality facilities are available for the local community. Works are due to commence in mid-November.

## 7.0 Public Sector Decarbonisation Scheme Phase 3b (PSDS)

Approval was granted at Council on the 25<sup>th</sup> September for the following:

- Additional funding of £815,714 for Central Offices; total project cost £1,654,899
- Additional funding of £332,743 for Hucknall Leisure Centre; total project cost £1,475,508.

Full designs are in progress and costs will not be certain until these are complete and materials have been sourced.

The contract terms and conditions are currently being developed with Leisure Energy (LE) and the framework provider, Everything FM. If agreement with LE cannot be reached, the project will have to be stopped, unless an extension to the deadline for delivery of the project is later granted by the

funder, Salix. Salix, despite national delivery issues, is not offering any extension to delivery deadlines at present (March 2024 is the date when the funded portion must be spent). Salix can withdraw the funding if they wish if the projects are deemed 'at risk' of not meeting delivery deadlines.

There remain significant risks which the Council has little control over, however will mitigate such risks as far as possible, namely:

- 1) Agreeing contract terms with Leisure Energy, including expenditure of Salix funding by the end of March 2024 to satisfy the funding requirements.
- 2) Cost certainty; will not be established until designs are complete and material costs are known
- 3) Materials being available (long lead-in for renewable technology due to high demand), impacting cost further
- 4) Remaining survey outcomes being positive (ecological, structural)
- 5) Third party approvals/interventions e.g. Planning approval/ District Network Operator (DNO) responses and installation within required timelines.
- 6) Timeframes for the DNO if new sub-stations are required, achieving Planning Permission (if required) further to completion of RIBA Stage 4 designs.
- 7) Funder (Salix) approach to project delivery (ultimate possible loss of all funding); it is considered that Salix will not look to recoup monies spent by March 31<sup>st</sup> as long as delivery is ultimately achieved, which would lower the risk to the Council.

Members are asked to note that if all funding was to be withdrawn for any reason, the Council would have to fund the costs incurred and any further costs to complete the projects. The Council must submit a Project Change Request (PCR) imminently (as the project has changed in scope and specification since the bid) for each project. It will take Salix approximately 4 – 6 weeks to assess the change request. At this point Salix could choose to put the project 'at risk' or approve the change. The risk is that the Council could continue and expend further monies over the next two months without knowing if Salix will approve the changes. If the Council does not continue with expenditure, the programme for delivery within the timescales (funding spent by the end of March 2024) will not be met, and so is continuing to progress both projects to benefit from the £2m funding offered.

## **8.0 Devolution – Retrofit Funding**

In preparation for the Combined Authority the Department for Levelling Up, Housing and Communities (DLUHC), has allocated a total of £18m of capital funding to Derbyshire County Council as the Lead Funder on behalf of the four Constituent Councils who will form part of the East Midlands County Combined Authority (EMCAA), if approved.

On 13<sup>th</sup> September, the Council was contacted by the Midlands Net Zero Hub (MNZH) offering funding of £583,500 and requesting that the Council sign a grant agreement and provide an indicative programme of works. The funding relates to the installation of decarbonisation measures, similar to recent government funded carbon reduction projects. Works are to be PAS2035 compliant and must be lodged with Trustmark when complete.

## 9.0 Community Safety

### Safer Streets 4

The Safer Streets 4 programme delivered in Kirkby-in-Ashfield has now been completed with all areas identified within the terms of reference being satisfied. A formal evaluation is in the process of being finalised and will be ready for distribution later this year.

New funding opportunities for 2023/2024 are detailed below:

### Safer Streets 5

An application has been submitted to the Home Office for Safer Streets 5, undertaken in partnership via the Ashfield and Mansfield Community Safety Partnership (CSP). The request is for funding of £143,354 each for the two districts, spread over this and next financial year.

The focus for Ashfield will be on tackling neighbourhood crime and Anti-Social Behaviour whilst improving feelings of safety. The proposed focus is for the Carsic Estate in Sutton-in-Ashfield and Mansfield Town Centre.

### Police and Crime Commissioner Funding

Following a funding submission application to the Police and Crime Commissioner, Ashfield has secured £22,000 for the following interventions within the District.

<b>Name of Initiative</b>	<b>Brief overview</b>	<b>PCC Funding</b>	<b>Detail of Initiative</b>
Shop Watch' Scheme,	Installation and delivery of scheme	£11,000	Reduction in demand/retail crime and ASB. Improved feelings of safety
VAWG initiative (Violence Against Women and Girls)	Delivery of project and engagement of young people	£4,000	20 young people engaged
Safe Space Accreditation Scheme	Delivery of project and engagement of young people	£7,000	3-5 businesses accredited using funds utilising packages assessed as either bronze, silver or gold for local businesses – target hardening, Improving feelings of safety. Reduction in retail crimes

### Domestic Abuse Funding

Match funding from Nottinghamshire County Council for the Sanctuary Scheme for 2023/2024 has been granted to Ashfield District Council which will support the undertaking of the Council's safe accommodation duties via the Sanctuary Scheme, which supports domestic violence survivors to

remain in their own home through added security and reducing the levels of risk through support and intervention.

<b>Scheme</b>	<b>Ashfield Contribution</b>	<b>NCC Contribution</b>
Sanctuary Scheme	£20,000	£20,000

Additional funding opportunities are also being considered and will be updated in the next Cabinet report.

## **Implications**

### **Corporate Plan:**

#### **Town Centres**

1. Deliver key masterplans, including town centres and railway stations
2. Revitalise and re-purpose town centres by:
  - a. Bringing empty buildings back into use
  - b. Diversifying the town centre economy
  - c. Capitalising on external funding

#### **District Wide Physical Regeneration**

Support economic growth by:

1. Delivering the Future High Streets and Towns Fund programmes

#### **Health and Happiness**

Arts, Culture and Events

1. Work with partners to develop Ashfield's arts and cultural offer
2. Deliver the annual events programme
3. Facilitate community-led events

#### **Cleaner and Greener**

Parks and Open Spaces

1. To ensure delivery of the Council's Corporate Plan and continue to improve parks and green spaces with a rolling programme of investment.

#### **Safer and Stronger**

Anti-social Behaviour and Hot Spots

3. Working in collaboration with partner agencies to improve positive activity and tasking

Working in Partnership to Deliver Outcomes

4. Maximise external funding opportunities to deliver initiatives including Safer Streets 4 for Coxmoor

### **Legal:**

The Legal Team and Executive Director of Governance are actively supporting and advising in relation to all Regeneration projects where required. Where required specialist external legal advice is being obtained to advise on the funding programmes to ensure all risks to the Council are fully considered. [RLD 12/10/2023]

## Finance:

Budget Area	Implication
General Fund – Revenue Budget	No Implications
General Fund – Capital Programme	No Implications
Housing Revenue Account – Revenue Budget	No Implications
Housing Revenue Account – Capital Programme	No Implications

## Risk:

Risk	Mitigation
Programme budget pressures from market changes.	Programme budget pressures from market changes. Risk is mitigated by the due diligence work undertaken and approved through a gateway process. Monitoring of market trends and budget forecasting to reduce risks. Resourcing and delivery risks associated with multiple project/programme delivery Corporate Risk identified. Appointment and engagement of staff and consultants to support the programmes where necessary. Project Management for each programme.

## Human Resources:

There are no direct HR implications contained in the report in relation to the funding. However, the projects relating to the funding may have a HR implication which would be identified in subsequent reports

## Environmental/Sustainability:

Not applicable for this report. Sustainability is a priority of the Towns Fund programme.

## Equalities:

No issues identified for this report. Equality Impact Assessments will be undertaken to support delivery of the Towns Fund and FHSF programmes and Public Open Space projects.

## Other Implications:

Not applicable

## Reason(s) for Urgency

Not applicable

## **Reason(s) for Exemption**

Not applicable

## **Background Papers**

Not applicable

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<b>Report To:</b>	<b>Licensing Committee</b>	<b>Date:</b>	<b>10<sup>th</sup> October 2023</b>
<b>Heading:</b>	<b>REVIEW OF THE STATEMENT OF LICENSING POLICY</b>		
<b>Portfolio Holder:</b>	<b>DEPUTY LEADER – OUTWARD FOCUS</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>Yes</b>		
<b>Subject to Call-In:</b>	<b>No</b>		

### **Purpose of Report**

To agree a Draft Revised Statement of Licensing Policy for public consultation.

### **Recommendation(s)**

**The Licensing Committee is recommended to:**

- a) Consider the amendments to the Statement of Licensing Policy highlighted within the Draft Revised Statement of Licensing Policy as detailed within this report;**
- b) Agree the Draft Revised Statement of Licensing Policy for consultation;**
- c) Authorise the Licensing Manager to carry out the consultation programme as laid out within the report.**

### **Reasons for Recommendation(s)**

The Council is obliged to determine and publish a "Statement of Licensing Policy" and to keep it under review and to republish it at least every five years. The Statement of Licensing Policy sets out how the Licensing Authority intends to exercise its functions under the 2003 Act.

The current Policy is nearing the end of its five year life span, and as such, requires updating and republishing.

### **Alternative Options Considered (With Reasons Why Not Adopted)**

**Do nothing:** not recommended for a number of reasons.

The Council has a duty to carry out its licensing functions in accordance with the relevant legislation and regulations in force for each of the functions detailed within this report.

By carrying out its licensing functions, the Licensing Authority will contribute towards the reduction of crime and disorder within the District, and seek to improve community safety and environmental quality, whilst in turn seeking to promote a vibrant and sustainable local economy.

## **Detailed Information**

### **Introduction**

The Committee is reminded that all licensing authorities have adopted a Licensing Policy Statement. This statement must promote the four licensing objectives of the Licensing Act 2003 (the 2003 Act), which are:

- **The Prevention of Crime and Disorder**
- **Public Safety**
- **The Prevention of Public Nuisance**
- **The Prevention of Children from Harm**

The Council is obliged to determine and publish a "Statement of Licensing Policy" and to keep it under review and to republish it at least every five years. The Statement of Licensing Policy sets out how the Licensing Authority intends to exercise its functions under the 2003 Act.

In carrying out its functions the council must also have regard to the "Guidance issued under section 182 of the Licensing Act 2003" by the Home Office. These measures ensure clarity and consistency across all authorities in England and Wales. Revised guidance came into force in April 2018.

In drafting the original policy considerable work was done by a team of officers from Nottinghamshire districts on drafting a common 'core' Statement of Licensing Policy that each district adapted for its own use.

The Council has continued to work with other Licensing Authorities in Nottinghamshire and others nationally, so that a consistent approach is taken to assist applicants for licences and those who may wish to make representations under the provisions of the 2003 Act.

### **Amendments & Additions to the Statement of Licensing Policy**

To assist all parties to this Committee meeting, the proposed amendments and additions are briefly bulleted below (and the relevant Page Number within the draft Policy that these can be found):

- Additional criteria used by Public Health for identification of areas of higher levels of alcohol related harm (Page 6).
- Advice to applicants relating to the need to provide evidence of Entitlement to Work in the UK when making licence applications (Page 17).
- Advice to applicants seeking to provide Alcohol Delivery Services when making licence applications (Page 17).
- Inclusion of advice to applicants and licence holders regarding taking steps to counter terrorism (Page 28).
- Inclusion of advice to applicants and licence holders regarding preventing drink spiking (Page 29).
- Inclusion of advice to applicants and licence holders relating to (Temporary) Pavement Licences (Page 30).

- Inclusion of advice to applicants and licence holders relating to Closure Notices (Page 31).
- Inclusion of advice to applicants and licence holders relating to their Duty of Care to their customers (Page 32).

## **Consultation on the Draft Revised Statement of Licensing Policy**

The draft revised Statement of Licensing Policy requires approval from the Committee prior to commencing formal consultation. Proposed amendments are included in the appendices to this report.

The proposed consultation timetable is as follows:

- 10<sup>th</sup> October 2023: Licensing Committee to agree that the draft revised Statement of Licensing Policy be put out to consultation.
- Consultation between 11<sup>th</sup> October 2023 and 21<sup>st</sup> November 2023 to “Responsible Authorities” (Police, Fire Service, Trading Standards, Planning, Environmental Protection, Children’s Safeguarding Board, Health & Safety, etc), representatives of current licence holders and registered clubs, and others including Community Safety teams, Building Control and the local Primary Health Care. The general public will have access to the consultation via the Council’s website, reception area and local libraries.
- 22<sup>nd</sup> November 2023: any valid consultation responses will be put to the Chair of the Licensing Committee for consideration, and for the Chair to instruct the Licensing Manager to make any relevant changes to the Policy to finalise accordingly, and to make a recommendation to Council to adopt the final Policy.
- 27<sup>th</sup> November 2023: Council to adopt the Policy.

## **Implications**

### **Corporate Plan:**

The Council has a duty to carry out its licensing functions in accordance with the relevant legislation and regulations in force for each of the functions detailed within this report.

By carrying out its licensing functions, the Licensing Authority will contribute towards the reduction of crime and disorder within the District, and seek to improve community safety and environmental quality, whilst in turn seeking to promote a vibrant and sustainable local economy.

### **Legal:**

Information Only

There are no legal implications contained within this report.

### **Finance:**

Information Only

There are no financial implications contained within this report.

This report is effective from 10<sup>th</sup> October 2023 and has the following financial implications.

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

**Risk:**

Risk	Mitigation
The Council has a statutory duty to carry out its licensing functions.	Approved processes, procedures and policies are in force to ensure that the Licensing Authority minimises any risks it may be exposed to when carry out its licensing functions and decision making processes.

**Human Resources:**

*Information Only*

There are no direct HR implications contained within this report

**Equalities (to be completed by the author):**

*Information Only*

There no diversity or equality implications contained within this report.

**Other Implications:**

None

**Reason(s) for Urgency (if applicable):**

Not applicable

**Background Papers**

**Appendix One:** Draft Statement of Licensing Policy

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# **LICENSING ACT 2003**

# **STATEMENT OF LICENSING POLICY 2024 – 2019**

Effective from: 1<sup>st</sup> January 2024

Adopted: TBA



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## 1. INTRODUCTION

- 1.1 Ashfield District Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies. The Statement of Licensing Policy can be reviewed and revised by the authority at any time.
- 1.2 Ashfield District Council covers a mix of urban and rural areas in central Nottinghamshire, to the north east of Nottingham City. It includes the main towns of Sutton-in-Ashfield, Kirkby-in-Ashfield and Hucknall. There are several other smaller towns and villages. The 2016 census gives the population of Ashfield as 124,500. The main concentrated areas of licensable activities are in the town centres of Hucknall and Sutton-in-Ashfield.
- 1.3 The Authority recognises that licensed premises in the district are a major contributor to the district, attracting tourists and visitors and making for vibrant towns and communities. The Council also recognises the problems that can be caused if licensed activities are not properly managed and premises well run.
- 1.4 Ashfield District Council believes that good management of the entertainment, alcohol and late night refreshment industries (and of the street environment within which it operates) is essential to the continued success of the District and to attracting the wide range of people who want to come here to work, to visit and to live. The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music in the area.
- 1.5 This Policy Statement seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that arise from licensable activities.

This will be achieved by:

- Establishing and building upon best practice within the industry;
  - Recognising and facilitating the role of partners and stakeholders;
  - Encouraging self-regulation by licensees and managers;
  - Providing a clear basis for the determination of licence applications; and
  - Supporting related policies and strategies of the District Council.
  - An inspection and enforcement regime targeted at premises that present a high risk.
- 1.6 The Authority is committed to working with its licensing partners and stakeholders in delivering the licensing function. This Policy Statement therefore seeks to provide information on the general approach that the Authority will take in carrying out its licensing functions.
- 1.7 In preparing and publishing this Policy Statement due regard has been given to the guidance issued by the Secretary of State under section 182 of the Act, and to good practice advice issued by approved government advisory bodies. In particular the Authority has consulted those persons and bodies as required by the guidance and given proper weight to their views.

Partnership working between licensing authorities in Nottinghamshire has enhanced the production of this Policy Statement and will help ensure consistency in terms of both policy and enforcement where licensing boundaries meet.

- 1.8 This Policy Statement should not be regarded or interpreted as indicating that any requirement of law may be overridden; each application will be considered and treated on its own merits. No restrictive controls will be introduced or imposed unless they are felt to be necessary and appropriate.
- 1.9 There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example the Authority is not entitled to take the issue of the “need” for further licensed premises into account when determining licence applications.

On the other hand the cumulative impact of licensed premises on the promotion of the Licensing Objectives is a matter that can be properly considered by the Authority. Cumulative impact and related matters are dealt with in section 6 of this Policy Statement.

- 1.10 Nothing in this Statement of Policy prevents any one person or body applying for a variety of current permissions under the Act. Nor does it override the right of any Responsible Authority, any person or business to make representations or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

## 2. LICENSING OBJECTIVES AND LICENSABLE ACTIVITIES

2.1 In exercising their functions under the Licensing Act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the Act. The licensing objectives are:

- (a) the prevention of crime and disorder;**
- (b) public safety;**
- (c) the prevention of public nuisance; and**
- (d) the protection of children from harm.**

2.2 Guidance on the Licensing Objectives is available on the Government's website at: <https://www.gov.uk/alcohol-licensing>

2.3 Licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various authorisations will be focused on matters which are within the control of the individual licence holder and others.

2.4 The Act only covers certain "licensable activities" namely:

- (a) the sale by retail of alcohol**
- (b) the supply of alcohol by or on behalf of a club to a member**
- (c) the provision of "regulated entertainment" and**
- (d) the provision of late night refreshment**

2.5 The definition of what constitutes "regulated entertainment" is complex and has been the subject of Government deregulation. Whilst "regulated entertainment" covers live or recorded music, dancing, plays, films, and certain types of sporting activity the Act itself provides various exemptions and restrictions on the types of activities which are subject to the Licensing regime.

The Live Music Act 2012 and the Deregulation Act 2015 has removed the ability of the Licensing Authority to regulate many "regulated entertainments" at certain times and in certain circumstances based on the nature of the premises where the activity takes place, the times during which the activity is held, and the audience numbers in attendance. It cannot be assumed therefore that a licence is required for all forms of entertainment or, even if a licence is required, that the Licensing Authority will necessarily have the power to impose restrictions or conditions on such entertainment.

2.6 Where an activity is licensable the promotion of the Licensing Objectives is the paramount consideration for the Authority. In the absence of valid representations from responsible authorities, other persons or businesses, all applications must be granted subject only to any prescribed mandatory conditions and such other conditions which are consistent with the operating schedule provided by the applicant. Where valid representations are received and maintained the application will normally be determined at a hearing before the Licensing Committee or one of its Panels.

The Committee or Panel will then assess whether the application would result in the licensing objectives being undermined to such an extent that the application should be refused or, whether it would be possible to grant the licence subject to such conditions as are felt appropriate by the Authority. Conditions will be tailored to the size, style, characteristics and activities taking place at the premises concerned. Conditions will be focused on matters that are within the control of individual licensees and others granted relevant permissions.

- 2.7 Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises or places, is ultimately a matter of fact to be decided by the courts in cases of dispute.
- 2.8 In addressing such matters consideration will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The imposition of standardised conditions is prohibited as being disproportionate and burdensome.
- 2.9 It should be noted, however, that the Authority is permitted to establish pools of conditions from which appropriate and proportionate conditions may be drawn. Further details regarding such conditions can be obtained from the Licensing Team.

### 3. HOW THIS STATEMENT OF POLICY WORKS

3.1 The purpose of the Statement of Policy is to:

- provide a clear basis for determining licence applications;
- provide a clear framework for licensing strategies, including the effect known as 'cumulative impact';
- support wider strategies and policies of the Council.

3.2 The text of this Statement of Policy **in bold type** indicates the **Policies** with ***the reason*** for each policy shown immediately after ***in bold italics***.

3.3 This Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their Operating Schedules they may find that responsible authorities other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the application is not found to sufficiently promote the licensing objectives and meet this Policy. On appeal the Court is also obliged to have regard to the terms and requirements of this Policy and can only depart from it if it has good reason.

3.4 In this Statement of Policy any reference made to the imposition of conditions refers to conditions imposed in accordance with the requirements of the Act outlined in paragraphs 2.6 – 2.9 in the previous Section.

#### 4. STRATEGIC LINKS AND OTHER REGULATORY REGIMES

- 4.1 There is a range of strategic influences and statutory controls which affect the licensing system in terms of policy formulation, administration and enforcement activities. Examples of these strategies can be found in the Section 182 guidance produced by the Home Office:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

The Authority will seek to have an active involvement in the development and review of these by ensuring an appropriate exchange of dialogue between the Licensing Authority and other relevant regimes.

Such involvement may result in the imposition of conditions and formulation of policies supporting the relevant strategies where appropriate.

- 4.2 The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes.

However there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives.

Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.

- 4.3 The The four statutory licensing objectives aim to reduce crime and disorder and increase public safety. Licensing policies are not currently required to address Public Health concerns; however, there is strong evidence that alcohol outlet density is associated with increased alcohol-related hospital admissions and alcohol-related mortality. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.

Whilst the exact relationship between alcohol and ill-health is often complex and affected by other factors such as the socio-economic make-up of the neighbourhood, studies have found that local authorities' greater use of licensing powers leads to reductions in alcohol-related hospital admissions in England (Institute of Alcohol Studies, 2017). In light of this, public health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level have been reviewed.

Across Ashfield, public health analysts have mapped a number of alcohol related measures that are considered to have a negative impact on health and well-being to show how alcohol-related harms vary across Nottinghamshire County Districts and Boroughs.

Measures used were selected for their relevance to licensing and public health and their availability at sub-district level and include:

- alcohol-related hospital admissions
- anti-social behaviour
- crimes against the person including domestic violence
- rate of persons in treatment for substance use
- an estimate of the percentage of the population drinking at least once a day
- deprivation.

These measures have been used to create a matrix which ranks small area within Ashfield in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made.

Applications within these areas or surrounding areas should be aware of, and consider, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application. Further information can be found at: [www.nottinghamshireinsight.org.uk/d/205125](http://www.nottinghamshireinsight.org.uk/d/205125)

## **5. DELIVERING LICENSING SERVICES**

- 5.1 The Authority will make available guidance and such resources as required by law to enable engagement with the licensing process. Such guidance and resources may be accessed through the Ashfield District Council web site, Liquor Licensing Policy or by contacting the Authority direct.
- 5.2 The Licensing Authority will maintain an impartial role in service delivery and cannot act in favour of one party over another. The Licensing Authority may, in certain circumstances, act as a Responsible Authority. However this will only be done in exceptional circumstances and the Licensing Authority will not normally take over the role of other Responsible Authorities or parties.
- 5.3 Details of Responsible Authorities can be found on the Council's website:  
**<https://www.ashfield.gov.uk/business/licensing/beer-and-entertainment-licensing/responsible-authorities-licensing-act/>**



## **6. APPLICATIONS, NOTIFICATIONS AND THEIR CONSIDERATION**

- 6.1 The procedure and documentation required for the various applications and notices is prescribed by the Act and Regulations. Further advice on these processes is available on the Council's web site. This section of the policy gives basic guidance on how those applications and notifications will be considered. Failure to comply with the statutory requirements may result in the application or notice being invalid.

To ensure the application is completed fully, applicants must consider the contents of this policy statement, the government guidance issued under section 182 Licensing Act 2003 and relevant guidance published by the licensing authority.

Applicants are encouraged to seek advice from the licensing authority and responsible authorities before submitting an application. Failure to comply with the statutory requirements may result in an application or notice being invalid / rejected.

- 6.2 The process of applying for new premises licences and full variations of current premises licences are dealt with in same way and involve serving the application on all responsible authorities and advertising the application in the prescribed way. If objections are received the matter will be heard by the Licensing Committee of the Council. The fee for such applications depends on the size of the premises.
- 6.3 The process of a minor variation to current premises licences are dealt with differently. Minor variations can be applied for to vary times of activities but not to increase the hours when alcohol can be sold. The process can also be used when making minor structural alterations to the premises and to add or remove conditions from the licence.

These minor variations should not have a material effect on the way in which the premises are operated and there is one set fee. The granting of a minor variation is determined at officer level after consultation with those responsible authorities affected. If the application is refused the applicant can resort to the full variation process.

- 6.4 All applicants are encouraged to use the gov.uk site to submit on line applications.

### **6.5 Representations**

- 6.6 Where the licensing authority receives an application for a new licence or a variation to an existing licence, the responsible authorities, local residents and businesses have 28 days to make representations about the application. Representations can be positive as well as negative.

Guidance on making a representation is available from the Home Office and is also available on the Council's Licensing Policy web page for individuals or groups to make their representations in writing (or by email).

- 6.7 For a representation to be relevant it should be positively tied or linked by a causal connection to particular premises. Representations received outside the statutory period for making such representations will be invalid and will not be taken into consideration when the application is determined.

The Licensing Authority also has the power to reject a representation made by someone other than a Responsible Authority if it finds it to be vexatious or frivolous. An example could be where a representation was made solely on the basis that the application would provide competition to an existing trader or where no link was made to any of the licensing objectives.

- 6.8 Members of the public who wish to submit a representation need to be aware that their personal details will be made available to the applicant, unless the person making the representation clearly states that they wish for their personal details to be redacted. Anonymous representations however, will not be accepted by the Licensing Authority.
- 6.9 Where a representation proceeds to a hearing the Hearings Regulations allow for further information to be put forward in support of that representation. However, that material must only relate to the initial representation and must not add new grounds of objection.

It is therefore vitally important that as much detail and evidence as possible is included at the time the representation is made. Representations made without supporting detail and evidence may be viewed as frivolous or vexatious and disregarded. An example could be where a representation was made solely on the basis that the application would provide competition to an existing trader, where there is no relevance or link made to any of the licensing objectives.

- 6.10 Where representations are received the characteristics of an area and the impact that the premises may have upon that area will be a fundamental consideration in determining whether a licence should be granted and if so what conditions should be attached to it.

Conditions will be focused on matters that are within the control of individual licensees and others in possession of relevant authorisations. These matters will centre on the premises being used for licensable activities and the vicinity of those premises. What amounts to the vicinity will be a question of fact to be determined in the light of the individual circumstances of the case.

Consideration will primarily be given to the direct impact of the licensed activity on those who live, work or are engaged in business or other activities in the area concerned.

### **6.11 Responsible Authorities**

- 6.12 Although the licensing authority is a responsible authority in its own right, it expects other parties such as local residents, Councillors or community groups should make representations in their own right when they are reasonably able to do so rather than rely on the licensing authority to make representations for them.

6.13 The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not yet a licensing objective but Public Health is a responsible authority under the Licensing Act, and the licensing authority believes that public health has much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data not available to other responsible authorities which may inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.

#### **6.14 Sub-Committee Hearings**

6.15 The Act creates a presumption that applications will be granted unless a valid representation is raised. An application will then be determined by the Licensing Sub-Committee unless the issue that led to the representation can be negotiated to an agreed conclusion between the parties.

6.16 The Authority considers the effective and responsible management of the premises, the instruction, training and supervision of staff and the adoption of best practice in the leisure industry, which may include participation in such schemes as Best Bar None, Purple Flag or Business Improvement Districts (BIDs), to be amongst the most important control measures for the achievement of all of the Licensing Objectives.

## 7. LICENSING POLICIES

### Policy 1

**The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.**

***REASON: To ensure the promotion of the licensing objectives.***

- 7.1 Licensing law is not the primary mechanism for the general control of the anti-social behaviour of patrons once they have left the vicinity of the licensed premises rather it is part of a holistic approach to the management of the District.
- 7.2 Where appropriate the Authority will seek to identify mechanisms that are available for addressing the potential impact of anti-social behaviour arising both in respect of the management and operation of licensed premises themselves and that arising once patrons leave the licensed premises.

Regard will be had to the Section 182 Guidance in this respect and the following may be employed to address such behaviour and the potential for cumulative impact:

- planning controls;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance;
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate; and
- Early Morning Alcohol Restriction Orders (EMROs).
- Any other local initiatives that similarly address these problems.

## Policy 2

When preparing or considering applications, applicants, responsible authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.
- (ii) The precise nature, type and frequency of the proposed activities.
- (iii) Any measures proposed by the applicant in the Operating Schedule.
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.
- (v) Means of access to and exit from the premises.
- (vi) Transport provision in the area and the likely means of public or private transport that will be used by customers either arriving or leaving the premises.
- (vii) Parking provision in the area.
- (viii) Noise from the premises or people visiting the premises.
- (ix) The potential cumulative impact (see below).
- (x) Other means and resources available to mitigate any impact.
- (xi) Such other matters as may be relevant to the application.

***REASON: To ensure that all relevant matters are taken into consideration during the application process.***

- 7.3 The authority wishes to encourage high quality, well managed premises. The operating schedule should describe how these high management standards will be achieved. In particular applicants will be expected to demonstrate:
- Knowledge of best practice.
  - That they understand the legal requirements of operating a licensed business.
  - Knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003.
- 7.4 The operating schedule must include all of the information necessary to enable the licensing, responsible authorities and members of the public to assess whether the steps outlined for the promotion of the licensing objectives are sufficient. This will mean that applicants will need to complete their own risk assessments on their businesses. Where the operating schedule does not provide enough detail, there is an increased likelihood that representations will be made.
- 7.5 The authority will expect that the completed operating schedule is specific to the premises subject to the application and the licensable activities to be carried out rather than containing general or standard terms.

- 7.6 Levels of noise from licensed premises, which may be acceptable at certain times of day, may not be acceptable later in the evening or at night when ambient noise levels are much lower.

The main impact of customers arriving, queuing and leaving should be confined to principal pedestrian routes as far as possible.

The impact of noise arising from patrons that are temporarily outside the premises (e.g. smoking), must be recognised and mitigated against.

- 7.7 Applicants should carefully consider the hours that they will wish to operate for each licensable activity and when to close their premises for the entry of customers and to require them to leave.

They should consider each licensable activity separately and carefully, and reflect this in their operating schedule. Shops, stores and supermarkets will normally be permitted to sell alcohol and or late night refreshment anytime when they are open for shopping unless there are good reasons related to the promotion of the licensing objectives for restricting these hours.

- 7.8 Applicants should consider the benefits of stopping serving alcohol before other licensable activities stop and a suitable time before the premises close and customers must leave. In noise sensitive areas operators should consider ceasing the playing of dance music and switching to quieter, slower tempo music with a less pronounced beat for a period prior to the closure of the premises.

- 7.9 Applicants should also consider making arrangements with local transport operators to provide information to customers to ensure they can access public transport and leave the vicinity of the premises quickly by the most appropriate route.

- 7.10 The Authority is mindful of the responsibilities that licence holders have for preventing anti-social behaviour on and within the vicinity of their premises. The Authority must, however, also bear in mind its statutory duty under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the District. Where appropriate conditions will be imposed which reflect local Crime Prevention strategies.

- 7.11 Applicants are expected to have carried out the relevant assessments under other legislation (e.g. fire precautions, health and safety at work, etc) prior to submitting their applications.

These assessments should be used to identify particular issues which may need to be addressed in the operating schedule in order to ensure that the objectives will not be undermined. Suggested methods of addressing **Policy 2** may be outlined in more detail in any guidance issued by the Responsible Authorities but could include the matters listed below where appropriate.

- 7.12 Examples of recommended management practice to minimise Crime and Disorder:

- Use of CCTV both within and outside the premises.

- Metal detection and search facilities.
- Procedures for risk assessing promotions and events such as “happy hours” and plans for minimising such risk.
- Measures to prevent the use or supply of illegal drugs.
- Employment of licensed door supervisors and other appropriately trained staff.
- Participation in an appropriate Pub Watch Scheme or other such scheme aimed at achieving a safe, secure and social drinking environment e.g. bar tariffs (for all bar price lists to carry a guide of how many units of alcohol each individual drink contains) and recommendations that all licensees, managers or supervisors attend regular Pub Watch meetings or send a representative if they cannot attend.
- The licensee providing a taxi call point, waiting and concierge service for taxi marshalling at the licensed premises.
- Use of measures aimed at ensuring patrons are more relaxed and quieter when leaving the licensed premises e.g. playing quieter music and promoting non-alcoholic drinks towards the end of the event, ensuring good lighting outside the premises, staggering the closing time with regard to nearby licensed premises, etc.

#### 7.13 Examples of recommended management practice to ensure public safety:

- The preparation and application of appropriate risk assessments.
- The setting and monitoring of occupancy levels for the premises.
- Reasonable facilities, access and egress for people with disabilities.
- Having glassware policies.

#### 7.14 Examples of recommended management practice for the protection of children:

- Exclusion from the premises in certain circumstances.
- Implementation of a robust proof of age scheme.
- The display of prominent warning notices about the supply of alcohol to minors.
- Knowledge of the offences which adults can commit by buying alcohol for minors.
- The requirements for production of satisfactory proof of age.
- A commitment to the promotion of age verification schemes (i.e. Challenge 21 / Challenge 25).
- Whether any high strength beers, lagers, ciders, etc will be made available for sale.

#### 7.15 Examples of recommended management practice for preventing nuisance:

- Keeping doors and windows of licensed premises closed to minimise noise break out.
- Sound limiting devices, or insulation to contain sound and vibration so as to address noise break out not only from music but also, for example, from air handling equipment, generators or patrons.
- With popular premises that attract queues ensuring that the direction of any queue is away from residential accommodation.

- Proper and adequate door supervision.
- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors and repeating such requests verbally.
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down.
- Arrangements with licensed taxis or private hire vehicles to take patrons from the premises.
- In appropriate cases door supervisors or a manager patrolling nearby streets to assess for themselves whether there is a problem and how best to deal with it.
- Banning people who regularly leave in a noisy fashion and liaising with other premises on such bans.
- Where the premises have a membership scheme, including provisions in the conditions of membership concerning conduct and noise when leaving the premises.
- Adequate provisions for dealing with litter/refuse arising from the operation of premises.
- Appropriate times for and methods of dealing with bottle delivery, disposal and collection.
- The licensee providing a help line or contact number for concerned residents.

7.16 In some cases it may be helpful for applicants and/or their advisors to discuss their draft Operating Schedule with representatives of Responsible Authorities, before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise to concern.

7.17 In order to provide a consistent and clear approach, when considering the addition of conditions to a licence, the Licensing Authority will where possible use a condition from a 'pool of potential conditions' that has been agreed by all the Licensing Authorities in Nottinghamshire. Other Responsible Authorities will be encouraged to do like wise. Details of the Councils pool of conditions can be obtained from the Councils web site.

7.18 Any condition attached to a licence or certificate should be:

- clear
- enforceable
- evidenced
- proportionate
- relevant
- be expressed in plain language capable of being understood by those expected to comply with them.

7.19 As a general rule, the Licensing Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes.



## 7.20 Entitlement to work in the UK

7.21 All individual applicants applying for a “Premises Licence”, or a “Personal Licence” with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK).

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK
- is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity

Any licence issued in respect of an application made on or after 6<sup>th</sup> April 2017, will become invalid if the holder ceases to be entitled to work in the UK. Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

1. by providing, with this application, copies or scanned copies of the documents\* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance
2. by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below).

\*Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.

## 7.22 Home Office online right to work checking service

7.23 To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at **Prove your right to work to an employer: get a share code (GOV.UK)**) which, along with the applicant's date of birth, will allow the Licensing Authority to carry out the check.

## 7.20 Alcohol Delivery Services

7.21 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:

- That the person they are selling alcohol to is over the age of 18

- That alcohol is only delivered to a person over the age of 18
- There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
- A refusals log will be maintained for deliveries and available for inspection on request
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol
- Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place
- Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated
- Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded.

## **7.22 Outside areas**

- 7.23 The prohibition on smoking in enclosed public spaces has increased the demand for outside areas. Applicants are reminded that whilst they can be a valuable addition to the business, they can cause increased nuisance and disorder for residents. Operating schedules should detail how noise nuisance and disorder will be dealt with.
- 7.24 Although the consumption of alcohol is not a licensable activity, if the plan of the premises does not show outside areas such as beer gardens or similar, then any premises licence authorising the sale of alcohol “on the premises only” would not authorise the sales to be made in such external areas.

## **7.25 Large Scale Events**

- 7.26 Existing licensed premises which intend to run one-off large scale events (and particularly dance events) are encouraged to consult with the responsible authorities and the Safety Advisory Group well in advance of the event taking place, to ensure that the event does not undermine the licensing objectives.

## **7.27 Cumulative Impact**

- 7.28 In some areas concentrations of licensed premises exist where the combined effect of all of the premises, causes problems for a wider area and undermines, or potentially undermines, the Licensing Objectives.
- 7.29 This potential impact on the promotion of the Licensing Objectives by a significant number of licensed premises concentrated in one area is called “cumulative impact”. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.

- 7.30 Having consulted with the relevant bodies, and taking into account the evidence presented, the Council is satisfied that there are no areas within the District presently suffering from cumulative impact. However there is potential for a change in this situation.

The Authority therefore considers it both necessary and appropriate to include an approach to this issue, which can be applied in the event of evidenced need being established

- 7.31 In order to address cumulative impact in particular areas the Authority may apply the policies below ("*The Cumulative Impact Policies*") which create a rebuttable presumption that certain types of applications for new premises licences or club certificates or material variations will normally be refused.

The presumption will be rebutted where applicants can demonstrate through the operating schedule and, where appropriate, supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced or that the risk factors associated with the application are such that cumulative impact will not be an imminent threat were the application to be granted.

The policies however do not relieve responsible bodies, other persons or businesses of the need to make representations before such applications are considered.

If no representations are received then the application must be granted in terms consistent with the submitted operating schedule.

- 7.32 This policy creates a rebuttable presumption that certain types of applications will be refused.

The presumption may be rebutted where applicants can demonstrate through the Operating Schedule and, where appropriate, supporting evidence such as risk assessments, that the operation of the premises will not potentially add to the cumulative impact already being experienced.

- 7.33 Whilst the policy will not be applied inflexibly the circumstances in which the presumption of refusal may be rebutted will need to be exceptional and directly related to the reasons why the policy was adopted. An application is not likely to be classed as exceptional merely on the grounds that the premises have been or will be operated within the terms of its licence or that they are or will be well managed.

This is to be expected of any application. An example of the type of application which might be granted could be where premises are being relocated or act as a direct replacement for others and where the impact is likely to be similar to the original location.

- 7.34 The Policy however does not relieve Responsible Authorities, other persons or businesses of the need to make representations before such applications are refused. If no representations are received then the application must be granted in terms consistent with the submitted operating schedule. The Authority will regularly review this Policy to assess its impact.

Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence

- 7.35 Where a provisional statement has been issued by the Authority and the relevant works are completed satisfactorily then any subsequent application for a premises licence must be granted and any objection which could have been raised at the Provisional Statement stage must be disregarded. It is important therefore that if there is potential for new or altered premises to contribute to or cause cumulative impact in any given area that the issue is addressed as soon as possible in the licensing process.

Whilst applications for Provisional Statements cannot be refused it is considered that such statements could properly be used to indicate that even if the works were satisfactorily completed that the subsequent premises licence application could be refused on the grounds of cumulative impact.

- 7.36 Responsible Authorities, other persons or businesses may still make representations on specific applications concerning cumulative impact even though those applications are not for premises in designated saturation zones. In such circumstances the application may be refused, (though there will be no presumption that this will be the case), and the Authority may then choose to review this Statement of Policy and consult as to whether the particular area should be designated as a saturation zone to which such a policy should apply.

### **Policy 3**

**In cases where Responsible Authorities, other persons or businesses seek to establish that an application should be refused on the grounds that it would result in or further contribute to a cumulative impact in an area not designated as a saturation zone, which would undermine one or more of the Licensing Objectives the Local Authority expects that they shall:**

- (i) Identify the boundaries of the area from which it is alleged problems are arising;**
- (ii) Identify the Licensing Objective(s) which it is alleged will be undermined;**
- (iii) Identify the type of licensable activity alleged to be causing the problem (e.g. sale of alcohol, late night refreshment etc)**
- (iv) Provide full details and evidence to show the manner and extent to which it is alleged that the Licensing Objective(s) are being, or are at risk of being, undermined in the area;**
- (v) Provide evidence to show that the undermining of the objective(s) is caused by the patrons of licensed premises in the area.**

***REASON: To ensure that objections are neither frivolous nor vexatious and that there is an evidential basis for the Committee to reach a decision.***

### **7.37 Public Space Protection Orders**

7.38 The Authority supports the use of public space protection orders as a tool to prevent alcohol related crime and disorder in the streets. The authority expects premises that operate in areas where DPPOs have been implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behavior.

### **7.39 Encouraging Diversity**

7.40 The Licensing Authority recognises that creating a vibrant night time economy is important. Key to this is ensuring that the area appeals to a wide group of people including families and older adults who may not wish to frequent premises where the main, if not only attraction is the consumption of alcohol.

7.41 Applications for premises whose predominant offer is vertical drinking are not encouraged, but if applications are made for such premises, it is expected that the operating schedule will demonstrate robust arrangements for promoting the licensing objectives.

### **7.42 Provisional Statements**

7.43 Where it is proposed to build or alter premises which may require a premises licence then the Licensing Act permits an application for a Provisional Statement. This application is dealt with in the same way as an ordinary application but does not result in the issue of a premises licence. That is applied for when the premises are complete.

7.44 Where a provisional statement has been issued by the Authority and the relevant works are completed satisfactorily then any subsequent application for a premises licence must be granted and any objection which could have been raised at the Provisional Statement stage must be disregarded.

### **7.45 Adult Entertainment**

7.46 The potential for the provision of adult entertainment to impact on the licensing objectives is recognised in the prescribed application form and all applicants are required by the prescribed application form to indicate in their operating schedules whether they intend to provide any such entertainment which may give rise to concerns in respect of children.

7.47 The Policing and Crime Act 2009 potentially provides an additional licensing requirement for operators who provide “sexual entertainment venues” to licence them as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982.

These are essentially premises which provide live entertainment or performances to a live audience which either involve nudity (such as lap or pole dancing establishments) or which are for the purpose of sexually stimulating a member of the audience. These licensing provisions have been adopted by Ashfield District Council.

## **7.48 Sexual Entertainment Venues**

Where a business wishes to operate as a sexual entertainment venue it may still need to be licensed under the Licensing Act for the sale of alcohol and the provision of regulated entertainment.

The provision of sexual entertainment (known as “relevant entertainment”) will however be regulated solely under the terms of any sex establishment licence which may be granted under the 1982 Act. Any licence granted under the Licensing Act 2003 will then continue to regulate the other licensable activities.

7.49 Certain forms of adult entertainment are excluded from requiring sex establishment licences under the Local Government (Miscellaneous Provisions) Act 1982, and these will still be regulated under the terms of the Licensing Act 2003.

7.50 The provision of adult entertainment on premises may mean that access by children will not be permitted during periods when such entertainment is taking place. Where such entertainment is to be provided under the terms of the premises licence or club premises certificate the Authority expects applicants to include arrangements for restricting children from viewing any adult entertainment in their Operating Schedule.

The Authority expects licensees to ensure that any age restrictions for shows or entertainment of an adult or sexual nature are properly complied with. In addition it may be appropriate to impose age restrictions for persons working in the premises, and applicants are advised to also consider the wider crime and disorder issues which can be associated with such forms of entertainment such as issues relating to drugs and prostitution.

7.51 Responsible authorities are likely to continue to consider all applications involving adult entertainment very carefully with regard to the promotion of the licensing objectives within the vicinity in which the premises are located.

## **7.52 Licence Suspensions**

7.53 The Licensing Act 2003 requires Licensing Authorities to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due unless an administrative error or dispute has been notified to the Licensing Authority. In such cases there will be a grace period of 21 days to allow the matter to be resolved. If the matter is not resolved within the grace period the licence must be suspended.

7.54 Where such a suspension takes place the Licensing Authority must give a minimum of two days notice and may inform the police and other Responsible Authorities of the suspension. All licensable activities must cease when the suspension takes effect. The suspension will only cease on payment of the outstanding fee irrespective of any transfer or hearing which may take place.

## **7.55 Reviews**

- 7.56 At any stage following the grant of a premises licence or club premises certificate a Responsible Authority, any person or business, may ask for a review. Evidence will however be required to show that a specific concern exists relating to one or more of the licensing objectives.
- 7.57 Where a review Hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and not that of the individual licence/certificate holder.

Whilst the financial circumstances of the licence / certificate holder will be a consideration for the Licensing Authority the promotion of the licensing objectives will be the Authority's primary concern. In some circumstances e.g. the use of premises for the purchase and consumption of alcohol by minors, revocation may be considered an appropriate course of action even in the first instance.

## **7.58 Early Morning Restriction Orders (EMRO)**

- 7.59 The legislation gives licensing authorities discretion to restrict sales of alcohol by introducing an EMRO to restrict the sale or supply of alcohol to tackle high levels of alcohol related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of the licensing authority area and if relevant on specific days and at specific times. The licensing authority must be satisfied that such an order would be appropriate to promote the licensing objectives.
- 7.60 The only exemptions relating to EMROs are New Years' Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.
- 7.61 The decision to implement an EMRO should be evidence based and may include consideration of the potential burden imposed as well as the potential benefits.

## **7.62 Personal Licences**

- 7.63 In most cases the Authority is under a duty to grant a Personal Licence so long as the applicant meets the criteria prescribed in section 120 of the Act.

Where an applicant for a Personal Licence has certain types of conviction ( for relevant or foreign offences as defined by the act) or, has been required to pay an immigration penalty the Authority is required to notify the police, and, in the case of immigration offences and penalties, the Secretary of State.

In these cases a licence will still be granted unless an objection is received within the prescribed period.

## Policy 4

When considering an objection notice or immigration objection notice the authority will take the following matters into consideration

- (i) The circumstances in which the offences were committed or the penalty imposed;
- (ii) The period that has elapsed since the offence(s) were committed or the penalty imposed;
- (iii) Whether the offences/penalty reveal a pattern of offending or were a one-off occurrence; and
- (iii) Any mitigating circumstances.

In consideration of an objection notice the Authority will reject the application/ revoke the licence if it considers it appropriate to do so in order to promotion of the crime prevention objective.

In consideration of an immigration objection notice the Authority will reject the application/ revoke the licence if it considers it appropriate to do so for the prevention of illegal working in licensed premises.

***REASON: Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Authority under the Crime and Disorder Act 1998. Granting a licence to a person with relevant convictions will in many cases undermine rather than promote the crime prevention objective.***

***Similarly granting a licence to a person convicted of an immigration offence or who has paid an immigration penalty will in many cases undermine the prevention of illegal working in licensed premises which itself is a crime.***

7.64 Where a Personal Licence holder is convicted of a relevant offence the Court may order that the licence be forfeit. If an applicant is convicted of a relevant offence during the application period and this only comes to light after the licence has been granted or renewed then the Authority must notify the Chief Officer of Police and if an objection notice is lodged within the relevant period a Hearing will be held to determine whether the licence should be revoked.

7.65 Where the Authority is aware that a Personal Licence holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty it may suspend the licence for a period not exceeding six months or revoke the licence.

Before doing so the Authority will serve a notice on the personal licence holder inviting them to make representations within 28 days regarding:

- The offence /penalty
- Any decision a court made regarding the licence at the time of the conviction
- Any other relevant information (including the holder's personal circumstances)



7.66 After the 28 day period has elapsed the authority will make a decision as to what action it will take based on the information provided to it. In circumstances where the Authority does not propose to revoke the licence, notice must be given to the Chief Officer of Police inviting representations as to whether the licence should be suspended or revoked. **The Act does not require a hearing to be held at any stage during the process**, although the Authority may invite the licence holder to make a personal representation. Licence holders (and the police) will be notified of the Authority's decision in writing along with their right of appeal.

### **7.67 Temporary Event Notices**

7.68 There are two types of types of Temporary Event Notice:

- A Standard TEN, and
- A Late TEN

A standard TEN must be served no later than ten working days before the event to which it relates and this does not include the day it is given or the day of the event, and a late TEN is served not before nine and not less than five working days before the event to which it relates.

7.69 Whilst the Council recognises that a Temporary Event Notice may be served at least ten clear working days prior to the commencement of a Permitted Temporary Activity (the event), the current Guidance issued under the Act encourages a locally established preferred period of notice.

There is a case for not serving such Notices too early as this could make it difficult for a sensible assessment to be made of the implications of such an event on the Crime and Disorder and Prevention of Public Nuisance objective's. The Council considers that a reasonable period of notice for the service of a Temporary Event Notice is 28 days.

7.70 Persons serving Temporary Event Notices must also serve a copy notice on the police and the responsible authority for Environmental Health functions i.e. the Councils Environmental Health section. The need to serve such copies is negated if the Notice is served electronically on the Licensing Authority.

7.71 Further information regarding Temporary Event Notice's is contained on the Councils web pages.

## 8. SAFEGUARDING CHILDREN AND VULNERABLE PERSONS

- 8.1 Ashfield District Council is committed to the safeguarding of children and vulnerable persons. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.
- 8.2 The Licensing Authority in partnership with the Police, the Nottinghamshire Safeguarding Board, and local Community Safety Partnerships works closely with licensed premises in order to build an awareness across the industry as to how those who work in such establishments may better recognise the “indicators” of children and vulnerable persons who may be subject to or at risk of abuse, exploitation, and trafficking; and to whom to report any concerns that those licence holders and their staff may have should they identify someone who is / may be at risk.
- 8.3 As part of this process the Licensing Authority carries out regular enforcement / compliance checks across all of the premises licensed in our area, in order to build good working relationships with licence holders and designated premises supervisors, and providing them with advice as to how they and their staff can help safeguard children and vulnerable persons across the Nottinghamshire region.
- 8.4 When considering applications for new licences and variations to existing licences, the Licensing Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable persons within the Operating Schedule of the application.’
- 8.5 Where there are concerns over the potential for harm to children from licensable activities the Authority recognises the following body as competent to advise on matters relating to the protection of children from harm:
- The Nottinghamshire Safeguarding Children Board.
- Applications should therefore be copied to this body in its capacity as a responsible authority.
- 8.6 Examples which may give rise to concerns in respect of children include those:
- Where there have been convictions for serving alcohol to minors
  - Where there is a reputation for underage drinking
  - Where there is a known association for drug taking or dealing
  - Where there is a strong element of gambling on the premises
  - Where entertainment of an adult or sexual nature is provided
- 8.7 Where premises are used for film exhibitions, the Authority will impose the mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Authority itself.

- 8.8 The Authority expects applicants to include any arrangements for restricting under-age children from viewing age-restricted films in their Operating Schedule. The Authority expects that licensees will ensure that any age restrictions for cinema exhibitions are properly complied with.

***Policy 5***

**Where representations have raised concerns in respect of individual premises and it is felt that access of children should be restricted, the Authority will consider imposing conditions which may include the following:**

- (i) Limitations on the hours when children may be present.**
- (ii) Age limitations for persons under 18.**
- (iii) Limitations or exclusion when certain activities are taking place.**
- (iv) Full exclusion of persons under 18 when certain licensable activities are taking place.**
- (v) Limitations of access to certain parts of the premises for persons under 18.**
- (vi) A requirement for adults to be present.**

***REASON: To protect children from harm.***

- 8.9 Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- The person they are selling alcohol to is over 18.
- That alcohol is only delivered to a person over 18.
- That a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer.
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

**8.10 Age Verification Policies**

- 8.11 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application.

## 9. COUNTER TERRORISM

9.1 The licensing authority expects that: a venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:

- Evacuation/Invacuation/Lockdown
- RUN/HIDE/TELL principles
- How customers will be safeguarded.

And that steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:

- the current terrorist threat level
- what that level means in relation to the possibility of an attack.
- Have undertaken the Action Counters Terrorism (ACT) e.learning course within the last 12 months. See note below.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. .
- Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.
- All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.
- Measures to alert staff and visitors of any immediate threat or incident.

9.2 Licensees can access the Action Counters Terrorism (ACT) training programme, and obtain updates, and register for the ACT e-learning training course at: <https://www.protectuk.police.uk/>

## 10. DRINK SPIKING

10.1 Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, ie. where drugs or alcohol are added to someone's drink without them knowing.

10.2 Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.

- The use of toilet attendants or regular documented toilet checks and Searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances
- Physical measures to deter drug use on the premises.
- Make customers aware of the risk of drink-spiking.
- Train staff in drug awareness issues and ensure sufficient staffing and managerial support to make identification and handling of incidents practicable.
- Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example.

## **11. (TEMPORARY) PAVEMENT LICENCE**

- 11.1 A (temporary) pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.
- 11.2 It is important to note the grant of such a licence only permits the placing of furniture on the highway for the purposes of the provision of food and drink.
- 11.3 The licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses.
- 11.4 It is important that any licence granted promotes the four licensing objectives.
- 11.5 A temporary pavement licence scheme was implemented during the Covid Pandemic (through the Business & Planning Act 2020), and this scheme has been extended to 30<sup>th</sup> September 2024 (when it will either be further extended or replaced by permanent legislation).
- 11.6 Further information on this (temporary) pavement licence scheme can be found at: [www.ashfield.gov.uk/temporarypavementlicence](http://www.ashfield.gov.uk/temporarypavementlicence)

## **12. CLOSURE NOTICES**

**12.1** Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.

**12.2** The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if unauthorised alcohol sales continue, an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.

### 13. DUTY OF CARE

13.1 Employers have a duty of care for employees and should adopt a risk based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home

13.2 Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives in the to improve safety in the night time economy:

- Vulnerability training for staff working in the night time economy
- Ask for Angela <https://askforangela.co.uk/>
- Street Pastors <https://www.streetpastors.org/>
- Best Bar None <https://bestbarnone.com/>
- Pubwatch <https://www.nationalpubwatch.org.uk/>
- Nights of action

13.3 Violence against women and girls' covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, 'honour'-based abuse (including female genital mutilation, forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many others. These crimes disproportionately affect women and girls.

13.4 The licensing authority supports and positively promotes the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy that can be accessed: <https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx>



## 14. EQUALITY AND DIVERSITY

- 14.1 Ashfield District Council is committed to promoting equal opportunities, valuing diversity and tackling social exclusion.

The Council will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and employment opportunities are accessible to all.

Everyone will be treated fairly and with respect. Diverse needs will be understood and valued. The Council will aim to eradicate all forms of discrimination.'

Further information on the Council's policy can be viewed on the website at: [www.ashfield.gov.uk](http://www.ashfield.gov.uk)

- 14.2 Advice and guidance will be made available in English which is the most common language of customers and stakeholders.

On request the Council will signpost customers to providers of guidance and information relating to translation services.

## **15. GENERAL ENFORCEMENT STATEMENT**

- 15.1 All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance, relevant codes of practice and the enforcement policy of the Council which is produced to the principles of the Enforcement Concordat and the Regulators Compliance Code.
- 15.2 The Authority has established and maintains enforcement protocols with the local police and other relevant enforcement agencies.

## **16. MONITORING AND REVIEW OF THIS STATEMENT OF POLICY**

- 16.1 This Statement of Policy will be reviewed within legislative timescales and as and when appropriate.
- 16.2 In preparing the succeeding Statement of Policy regard will be had to data and information collated over the operating period of the current policy together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.

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<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>27 NOVEMBER 2023</b>
<b>Heading:</b>	<b>MINUTES OF CABINET AND COMMITTEE MEETINGS</b>
<b>Executive Lead Member:</b>	<b>LEADER OF THE COUNCIL</b>
<b>Ward/s:</b>	<b>N/A</b>
<b>Key Decision:</b>	<b>N/A</b>
<b>Subject to Call-In:</b>	<b>N/A</b>

## Purpose of Report

To present a list of minutes of Cabinet and Committee meetings which have been published since the last ordinary meeting of the Council and for Members to consider whether they wish to give notice of their intention to ask a question of the relevant Chairman under Council Procedure Rule 13.2. Questions are limited to a maximum of two per Member.

## **MINUTES PUBLISHED SINCE 18 SEPTEMBER 2023.**

The minutes are accessible via the Council's website:

<https://democracy.ashfield.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

<b>Committee Meeting:</b>	<b>Date of Meeting:</b>
Local Plan Development Committee	11 September 2023 16 October 2023
Planning Committee	12 September 2023
Cabinet	18 September 2023 6 November 2023
Principal Select Committee	28 September 2023
Standards and Personnel Appeals Committee	3 October 2023
Licensing Committee	10 October 2023
Inward Focus Select Committee	19 October 2023

Outward Focus Select Committee	24 October 2023
Planning Committee	1 November 2023

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