

ASHFIELD DISTRICT COUNCIL



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

Agenda

Local Plan Development Committee

Date: **Monday, 16th October, 2023**

Time: **2.00 pm**

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

For any further information please contact:

Lynn Cain

lynn.cain@ashfield.gov.uk

01623 457317

Local Plan Development Committee

Membership

Chairman: Councillor Paul Grafton

Vice-Chairman: Councillor John Smallridge

Councillors:

Jamie Bell

Arnie Hankin

Gordon Mann

Helen-Ann Smith

Samantha Deakin

Christopher Huskinson

Matthew Relf

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 Local Plan Development Committee 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 the minutes of the meeting of the Panel held on 11 September 2023.** 5 - 6
- 4. Ashfield Local Plan - Employment Land Site Update.** 7 - 52

This page is intentionally left blank

LOCAL PLAN DEVELOPMENT COMMITTEE

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 11th September, 2023 at 10.00 am

Present: Councillor Paul Grafton in the Chair;

Councillors Samantha Deakin, Arnie Hankin,
Christopher Huskinson, Gordon Mann,
Matthew Relf, John Smallridge, Helen-Ann Smith
and Jason Zadrozny.

Officers Present: Lynn Cain, Hannah Cash, Julie Clayton,
Neil Oxby, Christine Sarris, Melanie Wheelwright
and Shane Wright.

In Attendance: Councillors Rachel Madden, Andy Meakin and
John Wilmott.

LP.8 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

LP.9 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 3 July 2023, be
received and approved as a correct record.

LP.10 Ashfield Local Development Scheme

Members were asked to consider the revised Ashfield Local Development
Scheme which detailed the Council's programme for the production of the
Ashfield Local Plan (2023 – 2040).

AGREED

that Cabinet be recommended to approve the revised Ashfield Local
Development Scheme, as set out at Appendix 1 to the report, to come into
effect on 10 October 2023.

LP.11 Evidence Base Update

Committee Members were updated in respect of the following evidence base
documents and their implications for the emerging Local Plan:

Sustainability Appraisal
Habitats Regulation Assessment
Infrastructure Delivery Plan
Strategic Transport Study
Local Plan Evidence Base
Heritage Impact Assessment
Town Centre/Local Centre Study
Brownfield Capacity Assessment
Strategic Flood Risk Assessment
Background Papers
Statements of Common Ground
Draft Local Plan Consultation 2021 Response.

AGREED

that the evidence base documents which inform future needs and opportunities to be reflected in the Local Plan, be received and noted.

(During consideration of this item, Councillors Jason Zadrozny and Helen-Ann Smith entered the meeting at 10.15am and 10.20am respectively.)

LP.12 Ashfield Local Plan - Sites Update

Committee was asked to consider the potential housing sites to be taken forward in the Ashfield Local Plan 2023 – 2040, Regulation 19 Pre-Submission Draft. A request was also made to add the site of land off Laburnum Avenue, Kirkby-in-Ashfield for 38 dwellings (site reference H1Kk) to the housing allocations list as presented.

AGREED that

- a) the amended housing allocations as set out in the Committee report, including the addition of the site of land off Laburnum Avenue, Kirkby-in-Ashfield for 38 dwellings (site reference H1Kk), be approved;
- b) the Assistant Director of Planning, in consultation with the Local Plan Development Committee Chairman, be authorised to make any subsequent amendments to reflect up to date information on the proposed site allocations as set out in the report.

The meeting closed at 10.43 am

Chairman.

Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	16TH OCTOBER 2023
Heading:	ASHFIELD LOCAL PLAN – EMPLOYMENT LAND SITES UPDATE
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To consider the proposed employment land sites to be taken forward in the Ashfield Local Plan 2023 – 2040 Regulation 19 Pre-Submission Draft. (Identified in the Report as Regulation 19 Plan). This includes consideration of the Green Belt and heritage implications for the strategic employment allocations at Junction 27 of the M1 Motorway.

Recommendation(s)

Cabinet be recommended to:

- a) Approve the amended employment land allocations set out in the Report.**
- b) Authorise the Assistant Director of Planning to making subsequent amendments to the Local Plan 2023 – 2040 Regulation 19 Pre submission to reflect up to date information on employment site allocations.**

Reasons for Recommendation(s)

Additional sites submitted after the preparation of the Regulation 18 Draft Local Plan 2021 have been assessed through the Strategic Housing and Employment Land Availability Assessment (SHELAA) and the Sustainability Appraisal. The sites have been considered in the context of achievability, location, and consistency with the Council's spatial strategy for growth.

The site allocations identified in the Draft Local Plan have been revised based on more up to date information, including the deletion of sites which have been completed, and changes to the area of land available to reflect development since the Draft Local Plan consultation was undertaken. Where considered appropriate, additional site allocations have been set out in the report.

Alternative Options Considered

To make no amendments to the Local Plan site allocations proposed and consider other site options to be included in the Local Plan. This option is not recommended.

Detailed Information

This Report sets out an update on the Draft Local Plan 2021 proposed employment land allocations. It identifies additional sites that have been submitted to the Strategic Housing Employment Land Availability (SHELAA) and considered through the Sustainability Appraisal. It sets out proposed amendments to the sites to be taken forward in the Local Plan 2023 – 2040 Regulation 19 Pre submission consultation. (Regulation 19 Plan).

Draft Local Plan 2021

Table 2 below identified the sites which were proposed employment allocation or included employment land as part of a proposed allocation in the Draft Local Plan 2021. A number of the proposed employment allocations are anticipated to contribute towards the future strategic logistics requirements including Harrier Park Hucknall, West of Fulwood, Export Drive Sutton in Ashfield and the proposed allocations at Junction 27 of the M1 Motorway. Whyburn Farm New Settlement was a mixed-use site including employment but is not proposed to be included in the Regulation 19 Plan.

Site Reference	Site Name	Comments
S6	New Settlement: Land at Whyburn Farm, Hucknall.	Mixed use site including approximately 13 ha gross for employment purposes. The site is not taken forward.
S8	Strategic Employment Allocations Junction 27, M1 Motorway, Annesley.	Subject to current planning applications V/2022/0246 and V/2022/0360
EM2 S1	Castlewood Business Park, Sutton in Ashfield.	Development substantially completed, one plot under construction.
EM2 S2	Fulwood Road North, Sutton in Ashfield.	Forms part of a substantial industrial park.
EM2 S3	Hamilton Road, Sutton in Ashfield.	Proposed greenfield development site.
EM2 S4	South West Oakham, Sutton in Ashfield.	Fully developed.
EM2 S5	West of Fulwood, Export Drive, Sutton in Ashfield.	Planning applications approved for strategic logistics unit.
EM2 K1	Kings Mill Road, Kirkby-in-Ashfield.	Forms part of a substantial industrial park.
EM2 K2	Park Lane, Kirkby-in-Ashfield.	Former colliery sites, which forms part of a substantial industrial park.
EM2 K3	Portland Industrial Park, Kirkby-in-Ashfield.	Former colliery sites, which forms part of a substantial industrial park.
EM2 H1	Aerial Way, Hucknall.	Former colliery sites, which forms part of a substantial industrial park.
EM2 H2	Blenheim Park, Hucknall.	Fully developed.
EM2 H3	Butlers Hill, Hucknall.	Forms part of a small site which has been reclaimed and laid out using grant funding.
EM2 H4	Harrier Park, Hucknall.	Part of the mixed used development of the former Rolls Royce aerodrome.

Table 1: Draft Local Plan 2021, Proposed Employment Allocations

Source: Ashfield District Council

New employment sites submitted to the Strategic Housing and Employment Land Availability Assessment (SHELAA)

The Council received a number of additional submissions to the SHELAA for employment purposes subsequent to the preparation of the Regulation 18 Draft Local Plan, October 2021. Table 1 below sets out the employment land sites, alongside the SHELAA outcome: 'Red' being unachievable, 'Amber' being potentially achievable, and 'Green' being achievable. This is an assessment of physical, legal or financial constraints and does not necessarily mean that a site is appropriate for allocation in the Local Plan. This is a matter of being sustainably located and being consistent with the Council's strategy for growth.

Site name	Proposed Use	SHELAA Ref.	Gross Area	SHELAA outcome
Land south of Hucknall Bypass A611	Employment	HK052	26.0 Ha	Site is not suitable. Areas of the site are in Flood Zone 2 and 3. Located in the Green Belt.
Land to the east of Lowmoor Road, Kirkby-in-Ashfield	Employment	KA027	14.81 Ha	The site is potentially suitable, and potentially achievable.
Land east of Sherwood Business Park A611, Annesley	Employment	KA053	8.97 Ha	Potentially suitable. Mitigation to address access constraints will be very costly. Adjacent to a Local Wildlife Site. Southern boundary adjoins the Grade II* Registered Park and Garden at Annesley Park. Existing infrastructure on site is likely to impact on developable area. Located in Green Belt.
Land south of Sherwood Business Park & North of Mansfield Road, Annesley	Employment	KA054	17.58 Ha	Site is not suitable. Part of the site is within the Grade II* Registered Park & Gardens of Annesley Hall.
East of Pinxton Lane and South of the A38, Sutton in Ashfield	Employment	SA086	33.0 Ha	Potentially suitable but there are a number of issues associated with the site. In relation to ecology, part of the site comprises an ancient woodland and local wildlife sites are located on and adjacent to the site. Significant highway improvements are anticipated to be required including the access into the site.
Nunn Brook Rise, Huthwaite	Employment	SA090	1.2 Ha	Site is potentially suitable. However, a substantial part of site is identified as a local wildlife site.

Table 2: SHELAA sites for employment purposes assessed since the Draft Local Plan consultation 2021.

Source: Ashfield District Council

The following sets out a short description of the SHELAA sites identified in Table 2, which were identified as potentially suitable. It includes a recommendation of whether or not they should be taken forward as an allocation in the Local Plan.

Land to the East of Lowmoor Road, Kirkby-in-Ashfield (SHELAA KA027 – employment)

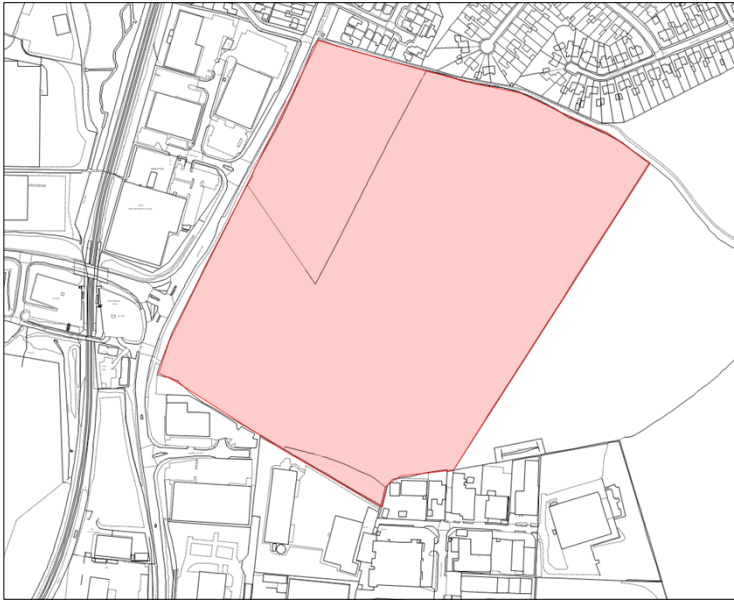


Figure 1: Land off Lowmoor Road, Opposite Sutton Parkway Station.
Source: Ashfield District Council

Land to the East of Lowmoor Road, Kirkby-in-Ashfield has been put forward by the landowner through the SHELAA. The land is located adjacent to the Main Urban Area and forms an extension to the Lowmoor Road Industrial Estate. It is opposite Sutton Parkway Railway Station which provides a sustainable travel means for the site to be accessed for employment purposes. The site, comprising an area of approximately 14.81 ha, could include the Advanced Distribution and Manufacturing Centre (ADMC) funded by the Towns Fund Delivery Programme. 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 links into the existing Vision West Notts. education facilities locate off Julius Way on Station Park and Oddicroft Lane.

It is recommended that the site is included in the employment land allocations set out in the Local Plan.

Land east of Sherwood Business Park A611, Annesley (SHELAA - KA053)

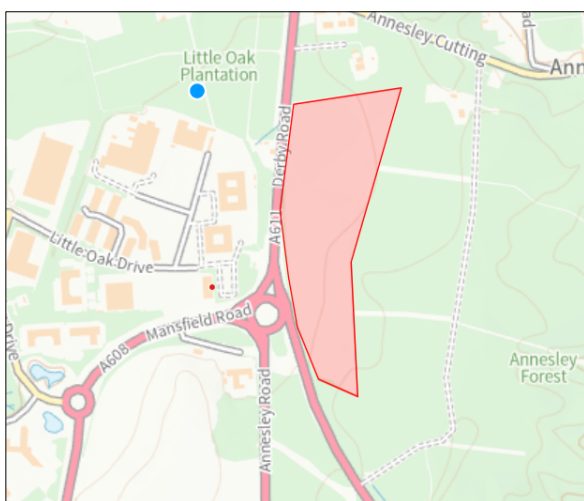


Figure 2: Land east of Sherwood Business Park, A611, Annesley.
Source: Ashfield District Council

The site comprises a gross area of approximately 8.97 ha. It is located in the Green Belt to the east of Sherwood Business Park off the A611, however, it would extend development to the east of the A611 which forms a current defensible boundary to the Green Belt at Sherwood Business Park. The developable area of the site would be further limited by existing infrastructure on site. Adjacent to the site is a Local Wildlife Site and the Annesley Hall Registered Park and Gardens with mitigation measures being required. In this context, due to the size of the proposed site it would make a limited contribution towards the strategic logistics needs along the M1 Motorway.

Recommended that at this time the site is not taken forward as an employment allocation in the Local Plan.

East of Pinxton Lane and South of the A38, Sutton in Ashfield (SHELAA - SA086)

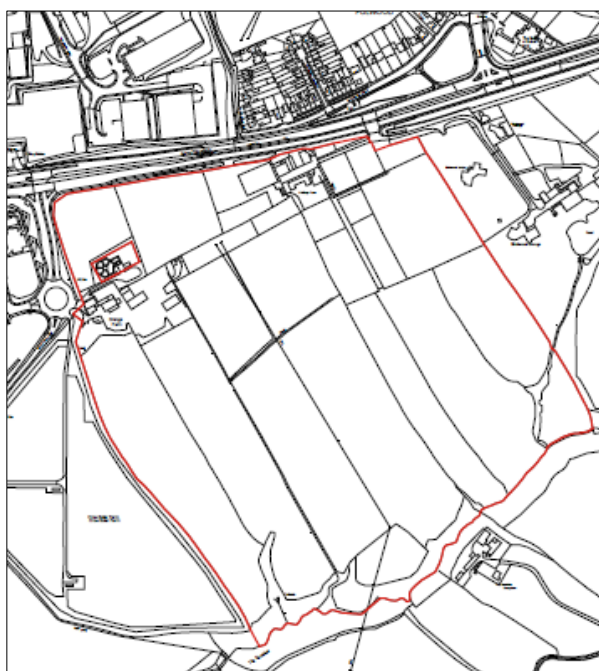


Figure 3: Planning Application Land East of Pinxton Lane, Sutton in Ashfield (v/2023/0023).

Source: Planning application V/2023/0021

SHELAA site SA086 East of Pinxton Lane and South of the A38, Sutton in Ashfield is subject to an outline planning application with all matters reserved other than access (V/2023/0021). The site area is identified in the application as 33 ha. It proposes that it could accommodate up to 80,250 sq. m (863,832 sq. ft) of employment uses in Classes B2 (general industrial) and B8 (storage and distribution) with ancillary offices. The illustrative masterplan identifies a variety of unit sizes could be located on the site including strategic logistics. The application is pending as there are a number of issues associated with the proposed development, including holding objections from National Highways and the Highway Authority.

Based on the potential impact of the development on the highways network, there are significant highway improvements anticipated to be required. These have not been resolved. The development would also have an impact on ecology and biodiversity as part of the site comprises an ancient woodland. Local wildlife sites are also located on a substantial part of the site and also adjacent to the site.

Recommended that at this time the site is not taken forward as an employment allocation in the Local Plan.

Nunn Brook Rise, Huthwaite (SHELAA - SA090)

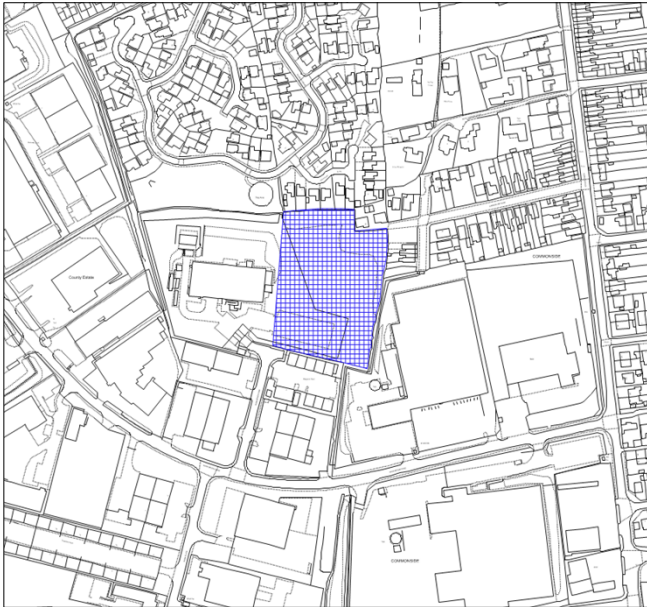


Figure 4: Nunn Brook Rise, Huthwaite

Source: Ashfield District Council

A small site of approximately 1.2 ha on an established industrial estate. While the site has been assessed as potentially available, a significant part of the site is identified as a local wildlife site. It is not considered appropriate to allocate the site without further information on how any ecological aspects will be resolved. As the site is located in the Main Urban Area of Sutton in Ashfield it could come forward as a planning application, but it would need to identify how the ecological aspects have been resolved and how it achieves biodiversity net gain.

Recommended that at this time the site is not taken forward as an employment allocation in the Local Plan.

Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocation at Junction 27 M1 Motorway (Draft Local Plan 2021 Consultation identified as Strategic Policy S8)

The Draft Local Plan 2021 included a strategic employment allocation to the north east and south east of Junction 27 of the M1 Motorway, Figure 5.

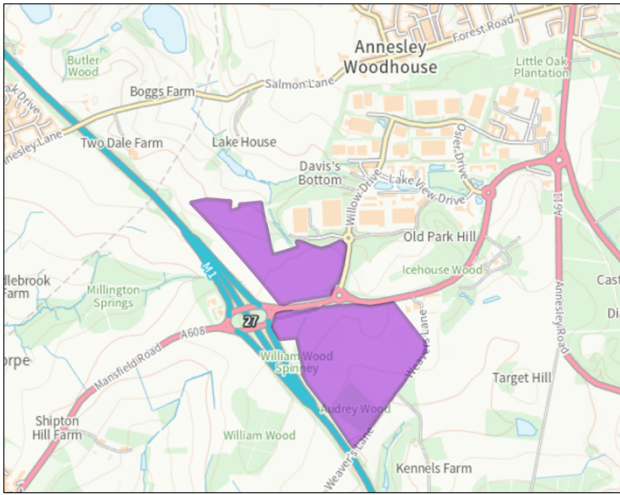


Figure 5: Strategic Employment Allocation Junction 27, M1 Motorway, Annesley. Source: Ashfield District Council

The Draft Local Plan 2021 consultation responses and the evidence base identify there are important considerations that need to be taken into account principally in relation to:

- The Green Belt.
- Heritage.

The sites are both subject to current planning applications for slightly different areas to the proposed allocations, the applications have not been determined at this time.

Green Belt

The NPPF identifies that:

- The Green Belt should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Strategic policies should establish the need for changes to the Green Belt boundaries.
- Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.
- Plans should define Green Belt boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

Appendix 1 sets out further information on the assessment of the Green Belt in this location through the Strategic Green Belt Review, 2016 and Addendum 2021 (SGBR) and Background Paper No.4: Green Belt Harm, 2021. Both of these documents are also available on the Council website at [ADC Emerging Local Plan](#).

The assessments reflected the five purposes of the Green Belt as set out in NPPF paragraph 138:

- a) to check the unrestricted sprawl of large built-up areas.
- b) to prevent neighbouring towns merging into one another.
- c) to assist in safeguarding the countryside from encroachment.
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Green Belt Harm Assessment gives an overall harm rating based on the combined score of all Green Belt purposes. The site to the northeast of M1 Junction 27 was submitted to the SHELAA as reference KA020 has a harm rating of 'Relatively High'. The site to the southeast of M1 Junction 27 was submitted to the SHELAA as reference KA025 has a harm rating of 'High'.

Site Area (ha)	Release Scenario	Purpose 1 (Unrestricted Sprawl)	Purpose 2 (Prevent Settlements Merging)	Purpose 3 (Safeguard from Encroachment)	Purpose 4 (Preserve Historic Settlements)	Purpose 5 (Urban Regeneration)	Overall Harm Score	Overall Harm Rating	Green Belt Assessment Area (* Please refer to Stage 1: SGBR)
20.47	Release of KA020 as a strategic employment site off Junction 27 of the M1	High	Moderate	High	Low	N/A	14	Relatively High	Majority of KA17*

Table 3: Ashfield DC Background Paper No 4: Green Belt Harm. Appendix 4: Kirkby In Ashfield - Assessment Table and Map showing harm rating for each assessed parcel of land

Site Area (ha)	Release Scenario	Purpose 1 (Unrestricted Sprawl)	Purpose 2 (Prevent Settlements Merging)	Purpose 3 (Safeguard from Encroachment)	Purpose 4 (Preserve Historic Settlements)	Purpose 5 (Urban Regeneration)	Overall Harm Score	Overall Harm Rating	Green Belt Assessment Area (* Please refer to Stage 1: SGBR)
36.79	Release of KA025 as a strategic employment site off Junction 27 of the M1	High	Moderate	High	Relatively High	N/A	17	High	M01*

Table 4: Ashfield DC Background Paper No 4: Green Belt Harm. Appendix 4: Kirkby In Ashfield - Assessment Table and Map showing harm rating for each assessed parcel of land

On this basis both sites make a valuable contribution towards the Green Belt. However, it is considered that the sites meet the requirement of exceptional circumstances for changes to the Green Belt boundaries. The reasons for meeting exceptional circumstances also reflect the public benefits set out under the heritage section of the report.

The NPPF in paragraph 141 requires that before concluding there are exceptional circumstances to justify changes to Green Belt boundaries it should be demonstrated that it has examined all other reasonable options for meeting the need for development. Alternative options have been looked at (see heritage) and are not considered to form reasonable alternatives at this time.

The NPPF requires that Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset). This information should be taken into account when considering the impact of a proposal on a heritage asset to minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 199 to 208 outline the consideration of potential impacts of a proposed development on the significance of a designated heritage asset. This includes the concept of harm to a designated heritage asset. Under paragraph 199, there are three levels of harm identified to the significance of designated heritage assets:

- Substantial harm.
- Total loss; or
- Less than substantial harm to its significance.

Planning Practice Guidance: Historic Environment, identifies that within each category of harm, the extent of the harm may vary and should be clearly articulated. Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the NPPF. The NPPF identifies that great weight should be given to a designated heritage asset (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The NPPF identifies the following:

- Paragraph 200 makes clear that any harm to a designated heritage asset requires clear and convincing justification. It sets out that substantial harm or loss of:
 - a) grade II listed buildings, should be exceptional.
 - b) assets of the highest significance, which includes Scheduled Monument and Annesley Hall Grade II* Register Park and Gardens, should be wholly exceptional.
- Paragraph 201 identifies that “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.”
- Paragraph 202 sets out “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
- Paragraph 203 identifies that the significance of a non-designated asset should be taken into account and a balanced judgement will be required having regard to the scale of any harm or loss.
- The NPPF requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Heritage Impact Assessment

As part of the evidence base for the Local Plan the Council commissioned Rocket Heritage & Archaeology Ltd to undertake a Heritage Impact Assessment (HIA) to understand the implications of proposals in the Local Plan on the District's heritage assets. In addition to the HIA, the two allocations at Junction 27 of the M1 are subject to planning applications. The site to the north-east of Junction 27 is planning reference V/2022/0360 and includes evidence in relation to heritage aspects by the RPS Group. The site extends further north than the proposed allocation including additional land to be utilised for landscape purposes. The site to the south-east is planning reference V/2022/0246 with heritage evidence from Locus Consulting Ltd. The site is slightly smaller than the proposed allocation. Historic England have been consulted as part of the HIA, and they have responded to the Local Plan Consultation 2021 and to both planning applications.

A summary of the heritage impact assessments by various heritage parties is set out in Table 3 below. It reflects the Council's Heritage Impact Assessment (undertaken by Rocket Consultants) for the Strategic Employment sites both in relation to the impact on the heritage assets and the cumulative impact from the proposals within the draft Local Plan. The Table includes assessments from the HIA, Historic England and the heritage assessment submitted with the planning applications on the two sites. This report should be read in conjunction the Council's Heritage Impact Assessment in relation to:

- Site Ref.: S8 – (KA020) North-east of J27, West of Sherwood Business Park, A608, Annesley.
- Site Ref.: S8 – (KA025) South-east of M1 Junction 27, Annesley.

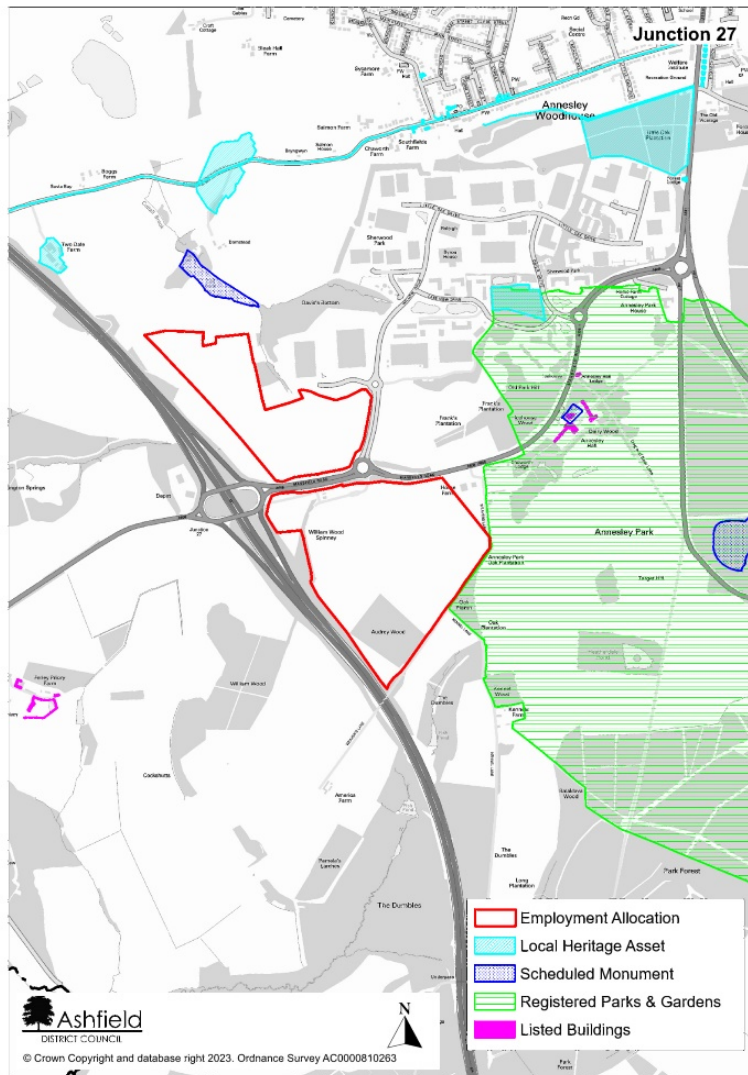


Figure 6: Designated and None Designated Heritage Asset Junction 27, M1 Motorway.

Site	Heritage Asset	Level of Harm to the Historic Environment	Level of Change to the Historic Landscape Character	Recommendation	Level of Harm to the Historic Environment	Level of Harm to the Historic Environment
Rocket Consultants (ADC) - Heritage Impact Assessment (HIA)					Historic England	Planning application HIA
S8 – North east of M1 Motorway J27, Annesley	Annesley Hall Grade II* Registered Park and Garden	Less than substantial harm (Cumulatively: substantial harm, if allocated with S8 – Southeast of J27)	Major	Remove allocation	Less than substantial harm.	No impact on the significance
	Damstead Fishponds Scheduled Monument (SM)	Less than substantial harm			Less than substantial harm.	Less than substantial harm, at the lower level following maturing of trees, reducing to no impact with intervening planting.
S8 – South east of M1 Junction 27, Annesley	Annesley Hall Grade II* Registered Park and Garden	Less than substantial harm, at the higher end of the scale (Cumulatively: substantial harm, if allocated with S8 Northeast of Jn 27)	Major	Remove allocation	Likely to be substantial harm – Objects to allocation	Less than substantial harm, at the higher end of the scale
	Annesley Hall Grade II Listed Building and associated designated heritage assets ¹	Less than substantial harm on the higher end of the scale			Likely to be substantial harm – Objects to allocation	Less than substantial harm, at the lower end of the scale.

Table 3: Heritage Impact Assessment Employment Land Sites

Source: Ashfield DC Heritage Impact Assessment 2023, Historic England Responses, Planning Application V/2022/0246 Heritage Assessment by Locus Consulting Ltd, Planning Application V/2022/0360 Heritage Assessment by RSP Group.

The Registered Park and Garden at Annesley Hall, the Scheduled Monuments, and the Listed Buildings are designated heritage assets under the NPPF, which are of national importance for their historic, architectural, and archaeological interest. There are also non designated assets at Two Dales Farm, Annesley to the north of the proposed allocation.

As can be seen from Table 3 above, there is not universal agreement over the specific heritage impact of the allocation.

- For the Land to the North East of Junction 27 all parties identify that there is less than substantial harm to the heritage assets. The Council's HIA identifies that due to the distance of

¹ including the Grade II Listed Gatehouse Range, the Grade II Terrace to the Southwest of Annesley Hall, All Saints Church and Graveyard SM, Annesley Motte, and Bailey Castle SM, and Grade I Listed Ruins of Church of All Saints.

several of these assets, as well as intervening topography and tree screening, the site is not considered to form part of the setting of the following: All Saints Church and Graveyard, Ruins of Church of All Saints, Annesley Hall, Terrace to southwest of Annesley Hall, Annesley Lodge, Gatehouse Range to Annesley Hall.

- For the land to the South East of Junction 27 it is considered that there is less than substantial harm in relation Annesley Hall Grade II Listed Building and associated designated heritage assets. For the Registered Park, Historic England considers that there is likely to be substantial harm.
- Cumulatively, in allocating the land to the North East and land to the south east of Junction 27, both HIA and Historic England considers there is substantial harm arising from the proposal to the heritage assets.

NPPF paragraph 201 in relation to substantial harm consent sets out that an application should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss. Under paragraph 202, where the proposal will lead to less than substantial loss harm should be weighed against the public benefits. In relation to public benefits, Planning Practice Guidance Historic Environment (PPG) states that:

“Public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.”

The PPG applies a broad meaning to the concept of "public benefits". While these may include heritage benefits, the guidance confirms that all types of public benefits can be taken together and weighed against harm.

Public Benefits

The public benefits substantially arise from the economic aspects of sustainable development. The National Planning Policy Framework 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.

Under statute, local planning authorities and county councils are under a duty to co-operate with each other and other prescribed bodies, on strategic matters that cross boundaries. The evidence from the Nottinghamshire Core & Outer Housing Market Area Employment Land Needs Study, 2021 (ELNS) indicated there was a significant demand for strategic logistics, particularly along the M1 Motorway. In this context, working with other councils, the following work has been undertaken as part of the evidence base for the Local Plan:

- Nottinghamshire Core & Outer Housing Market Area Logistics Study 2022, and
- A Greater Nottingham Partnership Strategic Distribution and Logistics Background Paper by the authorities comprising Ashfield DC, Broxtowe BC, Erewash BC, Gedling BC, Nottingham City and Rushcliffe BC.

The Logistics Study utilised a floorspace of 9,000 sq. m or more as reflecting strategic logistic requirements. It confirmed that there was a significant demand for strategic logistics with a lack of supply. The evidence from development on employment allocations in Ashfield since 2015/16 is that

a number of strategic logistics units have been brought forward including Castlewood Business Park and Summit Park.

As part of the Greater Nottingham Partnership Strategic Distribution and Logistics Background Paper, the Councils undertook a call for strategic logistics sites. Any interested party was invited to submit land for consideration as a strategic logistics site, defined as a site of 25 ha or more. Table 2 includes the employment sites that were assessed in the Council's SHELAA since the Draft Local Plan consultation 2021. No additional site to those identified in the SHELAA were proposed in Ashfield through the Strategic Logistics Call for Sites.

In summary, the economic position in relation to strategic logistics is that the ELNS, the Logistic Study and other evidence identifies that there is a substantial demand for strategic logistics. The Strategic Distribution and Logistics Background Paper identifies that there is a requirement for 137 - 155 ha. (Paragraph 10.16). There has been an additional strategic logistics site brought forward through a planning permission in Newark and Sherwood subsequently to the Logistics Study. Applying the same approach as the Logistics Study would result in a slightly smaller requirement of between 131 ha and 147 ha of land required across the study area. From work undertaken with the Nottingham Core HMA authorities it is not anticipated that there will be sufficient sites allocated to meet the logistic need

In relation to the strategic employment allocations in Ashfield at Junction 27 the public benefits are:

- The National Planning Policy Framework 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 Council has adopted a positive approach to sustainable economic growth at a local level which is reflected in the Regulation 19 Local Plan which recognised the need to respond to the wider sub regional demand for logistics. This is reflected in the policy approach which identify the following:
 - Strategic Policy 1: Spatial Strategy to Deliver the Vision sets out the ambition to *“Maximising the economic development potential of key sites including land adjacent to M1 junction 27 and Sherwood Business Park.”*
 - Strategic Policy S6 identifies two strategic allocations at Junction 27 of the M1 Motorway which are identified as being accessible to the strategic road network which will create high quality business space to contribute towards meeting the regional demand for logistics.
 - Strategic Policy S8: Delivering Economic Opportunities identifies that *“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: a. Providing for the growth of the local and sub-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 Logistics Sector makes a substantial contribution to the national and regional economy. There is an urgent requirement for meeting the needs of the Logistics Sector along the M1 corridor in Nottinghamshire as demonstrated through the evidence base on employment needs generally and the logistics sector specifically in relation to demand and supply.
- For Ashfield, jobs in the manufacturing sector are predicted to decline. The development of logistics on the allocation contributed toward providing job opportunities for local people, for local

economic growth and value added to the local economy. The multiplier effect of the significant investment at Junction 27, with increased expenditure to support other local businesses. There are anticipated to be positive impacts for Ashfield residents reducing employment deprivation and income deprivation.

- Under statute, local planning authorities and county councils are under a duty to co-operate with each other and other prescribed bodies, on strategic matters that cross boundaries. The evidence from the Nottinghamshire Core & Outer Housing Market Area Employment Land Needs Study, 2021 (ELNS), the Logistics Study and the Greater Nottingham Partnership Strategic Distribution and Logistics Background Paper is that there is a significant demand for logistics space which will not be met. There is an urgent requirement for meeting the needs of the Logistics Sector along the M1 corridor in Nottinghamshire as demonstrated through the evidence base on employment needs generally and the logistics sector specifically in relation to demand and supply. In this context, the site at Junction 27 makes a significant contribution towards meeting this requirement.
- The need to identify sufficient employment land to meet local needs and contribute towards the wider requirements for the economy with the associated benefits from investment, job creation and value added to the local economy. Strategic logistics sites have come forward in Ashfield including land at Castlewood Business Park and land off Common Road Huthwaite. However, these business parks have been substantially completed and currently very limited opportunity to meet the logistics sector requirements in alternative locations in Ashfield.
- Sherwood Business Park at Junction 27 is a prime location for the logistics sector having already developed. The evidence from the Council's Employment Land Needs Study and Logistic Study and the Avison Young report all reached a conclusion that the site is a suitable and prime location for strategic distribution uses which will serve both regional and national market requirements. There are opportunities to expand the Business Park to meeting the on-going economic needs of the logistics sector. The location is close to the motorway junction, therefore potentially reducing the impact on the wider road network.
- The allocation links with Sherwood Business Park which results in the clustering and more efficient working practices for existing local businesses.
- Sherwood Business Park has been developed to the east of Junction 27 of the M1 Motorway. The character of the local area is already defined by a Business Park with its associated existing built form and overall massing of logistic and office units. The area is also influenced by its role as a key transport link to the significant urban areas of Kirkby-in-Ashfield and Hucknall. This will gain more prominence with the development of Top Wighay Farm along the A611. Therefore, the area, particularly the area to the North East, already has a more commercial feel to it rather than rural tranquillity. Consequently, the development of logistics units is not out of character with the local area as it stands.
- Junction 28 has seen substantial development around the Junction, and there is a requirement for long term improvements to Junction 28 reflecting the congested transport system in this location.

Alternative sites

The Court in *Forge Field Society v Sevenoaks District Council* ([2014] EWHC 1895 (Admin)) sets out the "need for suitably rigorous assessment of potential alternatives" where any harm is identified to

the significance of a heritage asset, but there is a need for the type of development to be considered and any alternative site on which such harm can be avoided all together. When the Draft Local Plan 2021 was consulted upon the Council Strategic Housing and Economic Land Availability Assessment (SHELAA) did not identify any alternative sites to meet the anticipated local and the regional need particularly for logistics requirements with a requirement for land close to the M1 Motorway. Subsequently, the following sites have been submitted and assessed as part of the SHELAA. They are located in close proximity to Junction 27 or 28 of the M1 Motorway and potential could be an alternative to provide logistics in Ashfield:

- East of Pinxton Lane and South of the A38, Sutton in Ashfield (SHELAA - SA086). The site is located off the A38 to the east of Castlewood Business Park. There is a current planning application for the site which has not been determined (v/2023/0021). However, at this stage there are issues associated with ecology, potentially air quality and highway access both in relation to accessing the site and to the strategic highway network.
- Land east of Sherwood Business Park A611, Annesley (SHELAA - KA053). The site is substantially smaller comprises a gross area of approximately 8.97 ha and therefore it does not have the same capacity to deliver strategic logistic sites. The site is also subject to constraints which further reduce the capacity. It is located in the Green Belt and adjacent to the Annesley Hall Registered Park and Garden. Consequently, it is not considered to be an alternative to the sites allocated.

Conclusion

The Council's Green Belt assessment identifies that the proposed allocations form part of an area which are assessed in terms of Green Belt harm "Relatively High" and "High". The buildings on the site are anticipated to be logistics units which by their size and scale would have an adverse impact on the spatial and visual openness of the Green Belt. However, the impact is ameliorated to an extent by the proposed structural landscaping and the site location adjacent to the M1 and for the site to the North East by Sherwood Business Park.

From a heritage aspect the Council's HIA recommends the removal of the strategic employment sites Policy S6 (formally S8) comprising land northeast of Junction 27 of the M1 and land southeast of Junction 27 of the M1. The buildings on the allocation would be visible, and there would be harm notwithstanding the landscaping to mitigation anticipated. The planning balance must be weighed in terms of the harm caused to the significance of heritage assets against the public benefits of the proposed use. The NPPF requires that great weight should be given to harm to heritage assets and any substantial harm to Annesley Hall Registered Park and Gardens (Grade ii*) and scheduled monuments should be 'wholly exceptional'.

The economic evidence for the Local Plan identifies that there is a significant demand for strategic logistics, particularly along the M1 Motorway. The evidence identifies that there is a shortage in the supply to meet the needs of major logistics operators. With the substantial development of Castlewood Business Park and the building out of Summit Park, Ashfield no longer has the capacity to significantly contribute towards meeting this requirement. The Council considers that currently there are no sites in the District which would provide a realistic alternative with the necessary attributes the site at Junction 27 possesses. Junction 27 site is well placed to meet demand for logistics in terms of scale, access to the motorway network and deliverability. The strategic proposed allocation provides a major economic opportunity for Ashfield. It provides investment to boost the local economy and jobs opportunities.

There are socio-economic benefits for the Ashfield economy in terms of jobs and help to address local deprivation issues.

The need to weigh competing issues lies at the heart of the NPPF. It is considered, on balance, the public benefits of the proposed allocation in relation to heritage assets and the exceptional circumstances in relation to the Green Belt provide the justification for the allocation to be taken forward in the Local Plan.

Regulation 19 Local Plan Proposed Employment Land Allocations

The proposed employment allocations that could be taken forward into the Regulation 19 Local Plan are set out in Table 7.

Site Reference Draft Local Plan 2021	Site Name	Approximate net area ha
S6 (a & b)	Strategic Employment Allocations Junction 27, M1 Motorway, Annesley.	40.92
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. (Proposed new allocation SHELAA: KA027)	11.11
EM2 H1	Aerial Way, Hucknall.	0.83
EM2 H2	Butlers Hill, Hucknall.	0.60
EM2 H3	Harrier Park, Hucknall.	13.39
	Total	84.87

Table 7: Local Plan 2023, Potential Employment Allocation.

Source: Ashfield District Council

A number of the employment allocations in the Draft Local Plan 2021 are currently subject to planning applications. Approval is requested for the Assistant Director of Planning to update information in the Local Plan 2023 – 2040 Regulation 19 Pre submission Draft regarding the sites identified in the Report.

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) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the

legislative requirements in bringing a local plan forward. Under Section 20 of The Act, an authority must not submit a Local Plan unless they have complied with any relevant requirements contained in the regulations and the document is ready for independent examination. [RLD 02/10/2023]

Finance: There are no direct financial implications arising as a result of this report. [PH 29/09/2023].

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
An additional employment site is proposed to be included in the Local Plan at Lowmoor Road. The site is located in the countryside. The site was not included in the Draft Local Plan and has not been subject to previous consultation. Consequently, there are risks associated with what responses to the Regulation 19 Local Plan Consultation could raise.	Two of the proposed allocations in the Draft Local Plan 2021 are now fully development and other allocation site are nearing completing. The additional site is considered to meet future potential employment land needs and ensuring sufficient employment land is allocated to meet those needs.
Some of the proposed employment sites are located in the Green Belt and it will be necessary to establish that there are exceptional circumstances to changing the Green Belt boundaries.	The evidence base will set out the case for the change to the Green Belt boundaries at Junction 27 of the M1 Motorway.
The Strategic Employment Sites will impact on designated heritage assets including a Grade II* Registered Park and Gardens and scheduled ancient monuments. Heritage assets should be given great weight in relation to the asset's conservation. Therefore, there	<p>The Council evidence base will set out the public benefits of the proposed allocations at Junction 27.</p> <p>While additional sites could come forward, they may provide additional sites as there is anticipated to be a shortfall in the need for logistics within the Nottingham Core and Outer Housing Market Area.</p>

<p>needs to be a substantial justification for taking the sites at Junction 27 forward. While it is recommended that the sites are allocated an Inspector on Examination may come to a different conclusion.</p> <p>Alternative sites have been considered but at this time the evidence does not identify that there are any alternatives. However, this position may have changed before or during the Examination as there is an outstanding planning application on land off Pinxton Lane, Sutton in Ashfield.</p>	
<p>An additional employment site is proposed to be included in the Local Plan at Lowmoor Road. The site is located in the countryside. The site was not included in the Draft Local Plan and has not been subject to previous consultation. Consequently, there are risks associated with what responses to the Regulation 19 Local Plan Consultation could raise.</p>	<p>Two of the proposed allocations in the Draft Local Plan 2021 are now fully development and other allocation site are nearing completing. The additional site is considered to meet future potential employment land needs and ensuring sufficient employment land is allocated to meet those needs.</p>

Human Resources: There are no direct HR implications contained within this report.

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021. The Plan has been prepared in accordance with the Planning & Compulsory Purchase Act 2004, as amended, which requires the Council to conduct an appraisal of the sustainability of the proposals in Local Plan and prepare a report of the findings of the appraisal.

Equalities: An Equality Impact Assessment will be undertaken as part of the consideration of the Regulation 19 Local Plan Regulation 19.

Other Implications:

None

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable

Background Papers

Draft Local Plan Regulation 18, and the Local Plan evidence base which is available on the Council's website.

Report Author and Contact Officer

Christine Sarris
Assistant Director Planning
Christine.Sarris@ashfield.gov.uk
01623 457375

Neil Oxby
Forward Planning
neil.oxby@ashfield.gov.uk
01623 457381

Sponsoring Director

John Bennett
Executive Director for Place
john.bennett@ashfield.gov.uk

Appendix One - Green Belt Assessment Strategic Employments Sites (Strategic Policy S6) M1 Motorway Junction 27, Annesley.

1.1 An assessment of the Green Belt has been undertaken in relation to two stages:

- Stage 1 – A Strategic Green Belt Review, 2016 and Addendum 2021 (SGBR) and
- Stage 2 – A Green Belt Harm Assessment September 2023.

A SGBR, 2016 and Addendum 2021 was undertaken by the Council using a framework agreed with the neighbouring Green Belt authorities of Broxtowe Borough Council, Gedling Borough Council and Nottingham City Council. The Strategic Framework has not been queried by the inspectors at these councils Local Plan Part 2 examinations.

1.2 The SGBR provides a means of identifying the most important areas of Green Belt, when assessed against the purposes of Green Belt as set out in national policy. The SGBR was a two stage process:

- Assessment 1 - Assessment 1 gives a broad overview of the performance of the Green Belt at a strategic level. The joint Framework enables authorities to remove a stage 1 area from further assessment at this point if it is deemed appropriate.
- Assessment 2 - The broad areas from Assessment 1 were then divided into smaller sites, using defined physical features such as roads, railways, watercourses, tree belts, woodlands, ridgelines or field boundaries to determine suitable sites for assessment. Sites were then assessed again, using the Criteria set out in Figure 1 of the SGBR and the Matrix in Figure 2 in the same way as at Assessment 1.

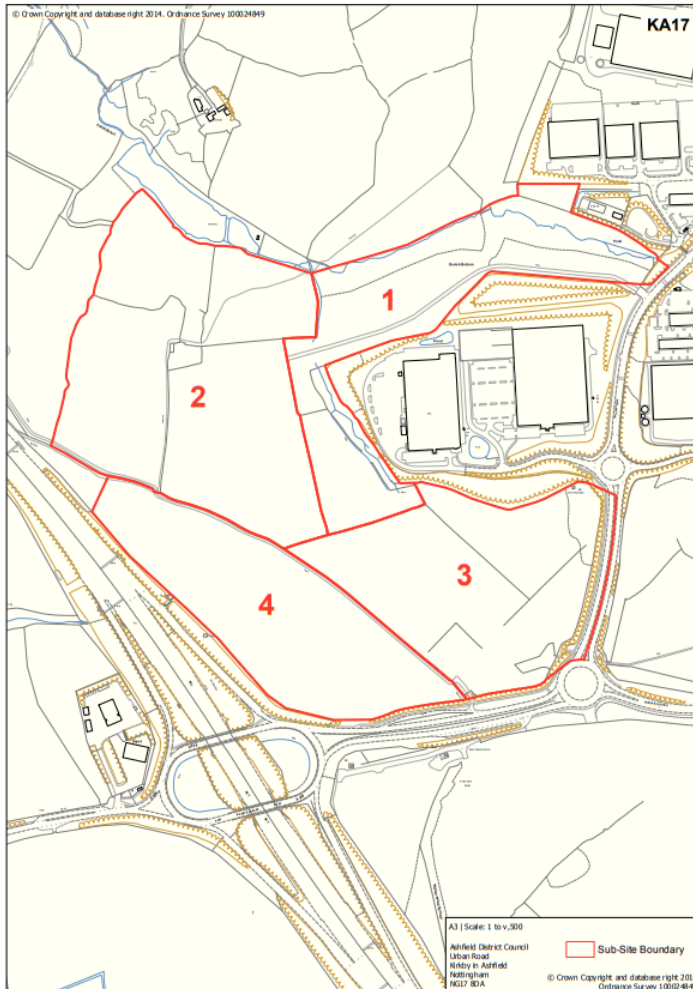
The assessments reflected the five purposes of the Green Belt set out in NPPF paragraph 138:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

1.3 SGBR Assessment Criteria, sets out the basis of the assessment criteria. Each site assessed has been given an overall score ranging between 4 (low) and 20 (high). As set out in the SGBR, this is a technical exercise and does not determine whether or not land should remain or be excluded from the Green Belt. It is the role of the District's emerging Local Plan to formally revise Green Belt boundaries and to allocate land for development, where appropriate, having taken into account all relevant planning considerations. The allocations at Junction 27 forms part of the following assessments:

- SGBR KA17 – Land south west of Sherwood Business Park
- SGBR M01 – Land South East of Junction 27 of M1

1.4 SGBR KA17 – Land south west of Sherwood Business Park



Assessment 1**KA17 – Land south west of Sherwood Business Park**

Date: 2/12/14

Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> The area does not adjoin an existing settlement, but does adjoin Sherwood Business Park to the north-east. Development of this area would not 'round off' existing settlement. The area is well contained in the south by the M1 motorway, the A608 and Willow Drive. The northern part of the area is moderately well contained by field boundaries in the west and north-west (beyond which lie fish ponds), and tree belts/plantations (beyond which lies the business park) in the east and north-east. The area is not visually connected to an existing settlement. (<i>The business park is screened by trees</i>)
Prevent neighbouring settlements from merging into one another	3	<ul style="list-style-type: none"> Development of this area would extend beyond the business park and could potentially lessen the existing gap between the employment area and Selston/Underwood to the west by 500m.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development. The area comprises fields, plantation and a forest track. The area is open countryside in character.
Preserve the setting and special character of historic settlements	1	<ul style="list-style-type: none"> Development of the area would have no adverse impact on the setting and special character of a historic settlement.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	14	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

Assessment 2**KA17 / Site 1 – Land south west of Sherwood Business Park**

Date: 2/12/14

Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> The site does not adjoin an existing settlement, but does adjoin Sherwood Business Park to the east. Development of this site would not 'round off' existing settlement. The site is moderately well contained by trees which occupy the site itself. The site is not visually connected to an existing settlement. (<i>The business park is screened by trees</i>)
Prevent neighbouring settlements from merging into one another	3	<ul style="list-style-type: none"> Development of this site would extend beyond the business park and could potentially lessen the existing gap between the employment area and Selston/Underwood to the west by 50m.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development. The site comprises plantation and a forest track. The site is open countryside in character.
Preserve the setting and special character of historic settlements	1	<ul style="list-style-type: none"> Development of the site would have no adverse impact on the setting and special character of a historic settlement.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	14	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

Assessment 2 KA17 / Site 3 – Land south west of Sherwood Business Park

Date: 2/12/14 Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> The site does not adjoin an existing settlement, but does adjoin Sherwood Business Park to the east. Development of this site would not 'round off' existing settlement. The site is moderately well contained by hedgerows (shown on the 1835 Sanderson's map). The site is not visually connected to an existing settlement. (<i>The business park is screened by trees</i>)
Prevent neighbouring settlements from merging into one another	2	<ul style="list-style-type: none"> Development of this site would extend marginally beyond the business park and could potentially lessen the existing gap between the employment area and Selston/Underwood to the west by 100m.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development. The site comprises fields. The site is open countryside in character.
Preserve the setting and special character of historic settlements	1	<ul style="list-style-type: none"> Development of the site would have no adverse impact on the setting and special character of a historic settlement.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	13	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

Assessment 2 KA17 / Site 3 – Land south west of Sherwood Business Park

Date: 2/12/14 Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> The site does not adjoin an existing settlement, but does adjoin Sherwood Business Park to the east. Development of this site would not 'round off' existing settlement. The site is moderately well contained by hedgerows (shown on the 1835 Sanderson's map). The site is not visually connected to an existing settlement. (<i>The business park is screened by trees</i>)
Prevent neighbouring settlements from merging into one another	2	<ul style="list-style-type: none"> Development of this site would extend marginally beyond the business park and could potentially lessen the existing gap between the employment area and Selston/Underwood to the west by 100m.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development. The site comprises fields. The site is open countryside in character.
Preserve the setting and special character of historic settlements	1	<ul style="list-style-type: none"> Development of the site would have no adverse impact on the setting and special character of a historic settlement.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	13	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

Assessment 2
KA17 / Site 4 – Land south west of Sherwood Business Park

Date: 2/12/14

Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> The site does not adjoin an existing settlement. Development of this site would not 'round off' existing settlement. The site is well contained by the M1 motorway to the west, the A608 to the south and a hedgerow to the north east (shown on the 1835 Sanderson's map). The site is not visually connected to an existing settlement. (<i>The business park is screened by trees</i>)
Prevent neighbouring settlements from merging into one another	2	<ul style="list-style-type: none"> Development of this site would extend beyond the business park and could potentially lessen the existing gap between the employment area and Selston/Underwood to the west by 500m.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development. The site comprises a field. The site is open countryside in character.
Preserve the setting and special character of historic settlements	1	<ul style="list-style-type: none"> Development of the site would have no adverse impact on the setting and special character of a historic settlement.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	13	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

- 1.5 The Green Belt Harm Assessment assesses the potential harm to the Green Belt purposes that release of identified sites would cause to help inform site selection. It reflects that planning judgments setting out the 'exceptional circumstances' for the amendment of Green Belt boundaries require consideration of the 'nature and extent of harm' to the Green Belt and 'the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent'. The analysis of contribution draws on the assessment carried out in the Stage 1 Strategic Green Belt Study. Consistent with the Stage 1 study, there is no individual assessment of contribution to the fifth Green Belt purpose – assisting with urban regeneration – as it is not possible to draw a meaningful distinction between the availability of brownfield land within individual settlements. Contribution to the other four Green Belt purposes is rated on a five point scale of:

5	High
4	Relatively High
3	Moderate
2	Relatively Low
1	Low

Each site assessment area was given an overall harm rating based on the combined score of all Green Belt purposes. The overall harm rating is based on the following scale:

17 - 20	High
14 - 16	Relatively High
11 - 13	Moderate
8 - 10	Relatively Low
4 - 7	Low

The site to the north east of M1, Junction 27 was submitted to the Strategic Housing and Economic Land Availability Assessment as reference KA020. The Green Belt harm assessment is set out below

Site Area (ha)	Release Scenario	Purpose 1 (Unrestricted Sprawl)	Purpose 2 (Prevent Settlements Merging)	Purpose 3 (Safeguard from Encroachment)	Purpose 4 (Preserve Historic Settlements)	Purpose 5 (Urban Regeneration)	Overall Harm Score	Overall Harm Rating	Green Belt Assessment Area (* Please refer to Stage 1: SGBR)
20.47	Release of KA020 as a strategic employment site off Junction 27 of the M1	High	Moderate	High	Low	N/A	14	Relatively High	Majority of KA17*

Table 1: Ashfield DC Background Paper No 4: Green Belt Harm. Appendix 4: Kirkby In Ashfield - Assessment Table and Map showing harm rating for each assessed parcel of land

1.6 The planning history of Sherwood Business Park is set out in summary below. The value of the site in relation to economic activity and the M1 as part of the strategic transport network was recognised from the 1970s.

- 1976 The County Council granted permission for light industrial, warehousing and offices on a sites of approximately 93 ha. This was a major departure from the development plan and was granted as a personal permission to Kodak. It was anticipated that Kodak would develop the entire site over a period of 25 years.
- 1991 Planning permission was granted on appeal for Class B1 used and a hotel (No longer a personal permission).-
- 1991 Nottinghamshire County Council Structure Plan identified a requirement for a Business Park in Ashfield, Policy 2/6 which, as the Plan emerged, was identified as land to the south of Annesley.
- 1995 Ashfield Local Plan 1995 identified the site as "Employment Land with Planning Permission" with a site are Of 67 ha (developable parts of the site) allocated the site for employment purposes. (Excluded the area comprising the existing Kodak Factory). Para 4.16 sets out information on Sherwood business Park where it was identified as a high quality site located close to M1 Junction 27

offering an attractive environment for employment development of strategic significance with the scope for considerable employment generation.

- 1995 Outline planning permission granted for business park comprising B1, B2, B8 and a hotel (V/1995/0012).
- 1995 - The designation of an Enterprise Zone was made in accordance with the Local Government Planning and Land Act 1980 (Schedule 32). A statutory instrument (1995 No.278) designated The East Midlands Enterprise Zones(Ashfield) (Designation) Order 1995. It ran for 10 years from 21st November 1995. (East Midlands Enterprise Zone No. 7 (Sherwood Business Park)).
- 2002 Ashfield Local Plan Review 2002, part of the site was already developed. The Plan allocations 18.5 ha of employment land. Similar updated paragraph (4.21) to the Ashfield Local Plan.

The land comprising Sherwood Business Park was not included in the Nottinghamshire Green Belt Local Plan 1989

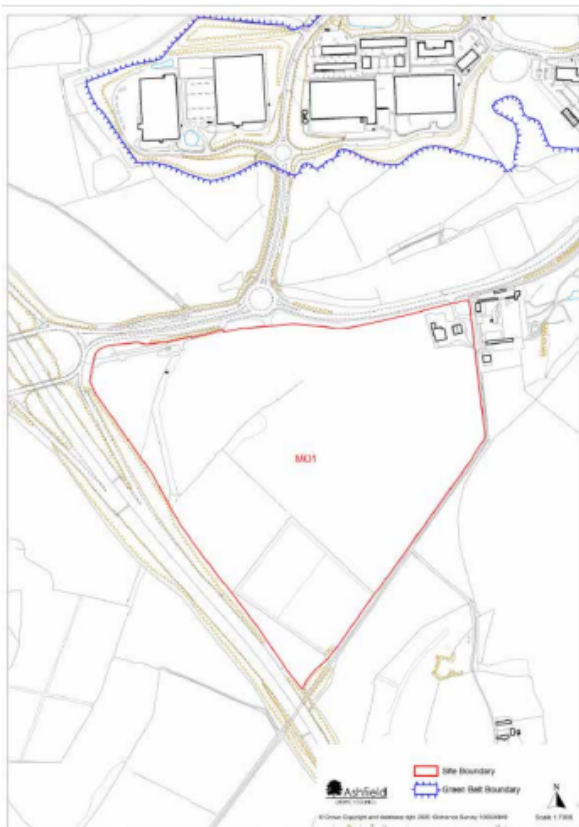


Source: Nottinghamshire Green Belt Local Plan 1989

- 1.7 The allocation of the land to the north east of Junction 27 of the M1 Motorway is effectively an extension to Sherwood Business Park. In relation to the five purposes of the Green Belt the site to the reflects the following:
- a) Unrestricted sprawl - The north eastern site is located between Sherwood Business Park and the M1 Motorway and potentially HS2 Phase 2b route. There are already significant belts of landscaping forming part of Sherwood Park. The existing boundary features would be buttressed by additional landscaping including potential planted earth bunding to the north of the site. To the west of the site it would be enclosed by the M1 Motorway and potential HS2 route, To the south of the site the A608 acts as a boundary to the proposed allocation. As such, there are defined boundaries that are likely to be permanent.

- b) Merging Towns – There is a substantial distance between Kirkby-in-Ashfield, including Annesley, and Hucknall, therefore this purpose is not considered to be engaged.
- c) Safeguarding the countryside – The Green Belt Harm Background Paper identifies that an overall harm rating is ‘Relatively High’. However, the character of the proposed allocation is already heavily influenced by the urbanising influences of Sherwood Park, the M1 and potential the HS2 Phase 2b route to the west. Clearly, there will be a loss of countryside. In terms of the landscape, it is considered that a landscape lead approach would mitigate the impact of the proposed development and should, where ever possible, retaining the existing hedgerows, woodlands and mature trees.
- d) Setting & character of historic towns – It is considered that this purpose is not engaged.
- e) Urban regeneration – There are no alternatively brownfield sites both in terms of the size and location which could accommodate the proposed allocation for logistics.

1.8 SGBR M01 – Land south east of Junction 27 of M1



Assessment 1 M01 – Land South East of Junction 27 of M1

Date: 2/03/2021

Surveyed by: LF & JC

Purpose / Impact	Score (1 – 5)	Justification/Notes Based on Assessment Matrix and Assessment Criteria (Figures 1 and 2)
Check the unrestricted sprawl of settlements	5	<ul style="list-style-type: none"> No boundaries adjoin an existing settlement. Development of this area would not 'round off' existing settlement. The area is well contained. Boundaries are formed by the M1 to the west/south west, A608 to the north and Weaver Lane and a 2m hedgerow to the east and south east. The area is not visually connected to the existing settlement. The land is predominantly flat, undulating in parts.
Prevent neighbouring settlements from merging into one another	3	<ul style="list-style-type: none"> There is currently in order of a 2km green wedge between Sherwood Business Park and Underwood to the south west. Development of this 37ha (approx.) site would encroach into this green wedge.
Assist in safeguarding countryside from encroachment	5	<ul style="list-style-type: none"> No inappropriate development – Agricultural buildings and 3 telecommunication masts. The area comprises fields and woodland. The area is open countryside in character.
Preserve the setting and special character of historic settlements	4	<ul style="list-style-type: none"> This area is adjacent to Annesley Hall Historic Park and Garden to the east. Development of this area is likely to have an adverse impact on the setting and special character of the Historic Park and Garden.
Assist in urban regeneration	N/A	It is considered that all sites in the Green Belt assist in urban regeneration. This is not considered to be a matter of difference between Green Belt sites and therefore this Green Belt purpose is not scored as part of the Framework.
TOTAL SCORE	17	The score indicates how an area/site performs as a whole when assessed against the 5 purposes of Green Belt (as set out in Greater Nottingham and Ashfield Green Belt Assessment Framework). In general terms a higher score indicates a stronger performing parcel of land.

1.9 The site to the south east of M1 Junction 27 was submitted to the Strategic Housing and Economic Land Availability Assessment as reference KA025. The Green Belt harm assessment is set out below.

Site Area (ha)	Release Scenario	Purpose 1 (Unrestricted Sprawl)	Purpose 2 (Prevent Settlements Merging)	Purpose 3 (Safeguard from Encroachment)	Purpose 4 (Preserve Historic Settlements)	Purpose 5 (Urban Regeneration)	Overall Harm Score	Overall Harm Rating	Green Belt Assessment Area (* Please refer to Stage 1: SGBR)
36.79	Release of KA025 as a strategic employment site off Junction 27 of the M1	High	Moderate	High	Relatively High	N/A	17	High	M01*

Table ??: Ashfield DC Background Paper No 4: Green Belt Harm. Appendix 4: Kirkby In Ashfield - Assessment Table and Map showing harm rating for each assessed parcel of land

1.10 The allocation of the land to the south east of Junction 27 of the M1 Motorway extends to the south of the A608, Mansfield Road. In relation to the five purposes of the Green Belt the site to the reflects the following:

- a) Unrestricted sprawl - To the east the site would be enclosed by the M1 Motorway and potential HS2, by the A608 to the north and by Weavers Lane and woodland to the other boundary.
- b) Merging Towns – There is a substantial distance between Kirkby-in-Ashfield, including Annesley, and Hucknall, therefore this purpose is not considered to be engaged.
- c) Safeguarding the countryside – The Green Belt Harm Background Paper identifies that for the site to the south east the overall harm rating is ‘High’. It is acknowledged that the site form part of the rural landscape that extends to the east of the M1 and south of the A608. In terms of the landscape, it is considered that a landscape lead approach would mitigate the impact of the proposed development
- d) Setting & character of historic towns – It is acknowledged that the proposed allocation is adjacent to the Annesley Hall Registered Park and Garden to the east and development is likely to have an adverse impact on the special character of the Park and Garden.
- e) Urban regeneration – It is not considered that there are any alternatively available brownfield sites or other urban land submitted to the assessed SHELAA to meet the requirements of logistics.

Exceptional Circumstances for amending the boundary of the Green Belt.

The following are consider to meet the requirement of exceptional circumstances for changes to the Green Belt boundaries:

- The urgent requirement for meeting the needs of the Logistics Sector along the M1 corridor in Nottinghamshire as demonstrated through the evidence base on employment needs generally and the logistics sector specifically in relation to demand and supply.
- The evidence from the Council’s Employment Land Needs Study and Logistic Study and the Avison Young report all reached a conclusion that the site is a suitable and prime location for strategic distribution uses which will serve both a regional and national market requirements.
- The allocation is considered to have a key role in meeting future employment land requirements in Ashfield. Employment allocations near to the M1 Motorway outside the Green Belt such as Castlewood Business Park and land off Common Road Huthwaite have seen a number of strategic logistics units being brought forward. As have sites allocated by Bolsover District Council. However, these business parks have been substantial completed and therefore there is currently limited opportunity to meet the logistics sector requirements in alternative locations in Ashfield.
- Sherwood Business Park has been developed to the east of Junction 27 of the M1 Motorway. The character of the local area is already defined by a Business Park with it

associated existing built form and overall massing of logistic and office units. The area is also influenced by its role as a key transport link to the significant urban areas of Kirkby-in-Ashfield and Hucknall. This will gain more prominence with the development of Top Wighay Farm along the A611. Therefore the area already has a more commercial feel to it rather than rural tranquility. Consequently, the development of logistics units is not out of character with the local area as it stands.

- The allocation links with Sherwood Business Park which results in the clustering and more efficient working practices for existing local businesses.
- Economic benefits would ensue from development in the creation of construction jobs.
- The need to identify sufficient employment land to meet local needs and contribute towards the wider requirements for the economy with the associated benefits from investment, job creation and value added to the local economy.
- The multiplier effect of the significant investment at Junction 27, with increased expenditure to support other local businesses.
- There are anticipate to be positive impacts for Ashfield residents reducing employment deprivation and income deprivation.
- The M1 through Nottinghamshire is substantially within the Green Belt (Junction 24 to 28). If logistics requirements are to be met along the M 1in Nottinghamshire by necessity there will need to be the release of Green Belt sites.
- Junction 28 has seen substantial development around the Junction, and it is there is a requirement for long term improvements to Junction 28 reflecting the congested transport system in this location.
- It is acknowledged that the proposed allocation will have an environmental impact. However, in accordance with the PPG Green Belt it is considered that the impact of removing land from the Green Belt can be offset by compensatory improvements to the environment, public access and ecology.

The NPPF in paragraph 141 requires that before concluding there are exceptional circumstances to justify changes to Green Belt boundaries it should be demonstrated that it has examined all other reasonable options for meeting the need for development. Alternative options have been looked at (see heritage) and are not considered to form reasonable alternatives at this time.

This page is intentionally left blank

Appendix Two – Heritage Considerations Strategic Employments Sites (Strategic Policy S6) M1 Motorway Junction 27, Annesley.

- 1.1 The NPPF, paragraph 190 requires that *“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
 - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
 - d) opportunities to draw on the contribution made by the historic environment to the character of a place.*
- 1.2 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset). This information should be taken into account when considering the impact of a proposal on a heritage asset to minimise conflict between the heritage asset's conservation and any aspect of the proposal. (Para 195).
- 1.3 NPPF paragraphs 199 to 208 outline the consideration of potential impacts of a proposed development on the significance of a designated heritage asset. This includes the concept of substantial harm to a designated heritage. Under paragraph 199, there are three levels of harm identified to the significance of designated heritage assets, substantial harm, total loss, or less than substantial harm to its significance. In relation to this aspect NPPF, Annex 2 defines the following:
- *Significance - “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting....”*
 - *Setting – “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 a 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.”*
- 1.4 Planning Practice Guidance Historic Environment, identifies that within each category of harm, the extent of the harm may vary and should be clearly articulated. Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the NPPF. The NPPF identifies that great weight should be given to a designated heritage asset (and the more important the asset, the greater the weight should be). This is irrespective of

whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

1.5 The NPPF identifies the following:

- Paragraph 200 makes clear that any harm to a designated heritage asset requires clear and convincing justification. It sets out that substantial harm or loss of
 - a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- Paragraph 201 identifies that *“where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.”*
- Paragraph 202 sets out *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

1.6 The NPPF requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. The PPG identifies that *“public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF paragraph 8. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.”*

1.7 The context for planning applications is that the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Section 66 of the 1990 Act is relevant as it states that the decision maker, when exercising planning functions, must give special regard to the desirability of preserving a listed building and its setting. Section 72 of the 1990 Act provides protection for the character and appearance of Conservation Areas.

1.8 As part of the evidence base for the Local Plan the Council has commissioned Rocket Heritage & Archaeology Ltd to undertake a Heritage Impact Assessment (HIA) to understand the implications of proposals in the Local Plan on heritage assets. The purpose is to:

- gain an understanding of the cultural heritage assets in and around a site,
- evaluate the consequences of proposed change to the significance of heritage assets

It provides the Council with information to understand the impact of the proposals on the significance of any heritage assets affected.

- 1.9 In addition to the HIA, the two allocations are subject to planning applications but the sites reflect slightly different geographic areas that the proposed allocations. The site to the north East Junction 27 is planning reference V/2022/0360 and includes evidence in relation to heritage aspects by the RPS Group. The site extends further north than the proposed allocation including additional land to be utilised for landscape purposes.. The site to the south east is reference v/2022/0246 with heritage evidence from Locus Consulting Ltd. The site is slightly smaller than the proposed allocation.
- 1.10 Historic England have been consulted as part of the HIA, they have responded to the Local Plan Consultation 2021 and to both planning applications.
- 1.11 For the site to the north east of Junction 27 the HIA identifies there are 3 Scheduled Monuments, 1 Registered Park and Garden and 5 Listed Buildings within the vicinity of the site. There are 9 further non-designated heritage assets identified in the Nottinghamshire HER (See HIA Figure 1 and Figure 2). The key heritage assets are as follows:
- Scheduled Monument Fishponds 170m south of Damstead Farm.
 - Scheduled Monument All Saints Church and graveyard, 150m south of Annesley Hall Lodge.
 - Grade I Listed Ruins of Church of All Saints.
 - Grade II* Listed Registered Park and Garden Annesley Hall.
 - Grade II Listed Terrace to southwest of Annesley Hall.
 - Grade II Listed Gatehouse Range to Annesley Hall.
 - Grade II Listed Annesley Lodge.
 - Grade II Annesley Hall.

The Council's HIA identifies that due to the distance of several of these assets, as well as intervening topography and tree screening, there is a lack of visibility between many of these assets and the study site. The study site is not considered to form part of the setting of the following: All Saints Church and Graveyard, Ruins of Church of All Saints, Annesley Hall, Terrace to southwest of Annesley Hall, Annesley Lodge, Gatehouse Range to Annesley Hall.

- 1.12 The heritage assessments by the various parties are set out in summary below.

Asset: Annesley Hall Registered Park & Garden

- Rocket – **less than substantial harm, but substantial harm to the historic landscape character.**

The site is located approximately 470m northwest of the Registered Park and Garden. Although the proposed development area does not have much intervisibility with the park, it is located within its wider agricultural setting.

The site is comprised of several parcels of arable land and thus makes a positive contribution to the asset's setting, especially by providing an important buffer

between the park and the M1 motorway to the west. The impact of the proposed development on the historic environment would therefore be less than substantial harm, but substantial harm to the historic landscape character.

Due to topography involved, mitigation of extensive development would be very difficult and would be incapable of removing or minimising harm to a wholly acceptable degree.

- Historic England – **less than substantial harm.**

The proposed development would infill with development the last surviving area of rural landscape that connects Damstead Fishponds Scheduled Monument and Annesley Hall and Registered Park and Garden.

Even with planting to screen views of the development, there would be a loss of openness and the rural character of the landscape surrounding the fishponds that help to provide an understanding of their historic context and connection to the wider estate of which they were a part.

HE considers the harm to the significance that the scheduled fishponds and the registered park and garden derive from their setting to be less than substantial, but greater in the case of the fishponds, which would become isolated from the rest of the surviving historic estate at Annesley.

- RPS Group – **no impact on the significance.**

The proposed development site lies c.400m west of the boundary of the RPG at its nearest point, and may once have formed part of the Estate's wider landholding. However, there remains no legibility of any such historic connection at present, and whilst the study site currently comprises agricultural land, it is experienced in conjunction with the adjacent business park and motorway and therefore does not contribute to an appreciation of the asset's historic rural context. The boundary of the RPG and study site are visible sequentially along the A608 Mansfield Road. However, there is no direct intervisibility between the two, and the significance of the asset or any of the separately assets within, cannot be appreciated from the study site. Overall, it is therefore considered that the proposed development will have no impact on the significance of the Annesley Hall RPG (or any of the separately designated assets contained within).

Asset: Damstead Fishponds

- Rocket – **less than substantial harm.**

The site is located high upon the hillside to the south of Damstead Fishpond Scheduled Monument. The site it forms part of the skyline above the monument, as such, any development would potentially be highly visible and dominate the immediate setting of the Scheduled Monument. Development would consequently negatively impact the rural setting of the asset which makes an important contribution to its significance. The development is, therefore, likely to cause less than substantial harm to Damstead Fishponds.

- Historic England – **less than substantial harm.**

See the summary to the Registered Park and Garden.

- RPS Group – **low level of harm in the spectrum of less than substantial harm, reducing to no impact following maturing of the intervening planting.**

Damstead Farm Fishponds are primarily experienced in their immediate setting, which comprises the small valley in which they are set. It is considered that the study site makes a negligible contribution to the overall significance of the heritage asset. It is therefore considered that the proposed development will initially have a low level of harm to the significance of the Damstead Farm Fishponds within the spectrum of less than substantial harm, reducing to no impact following maturing of the intervening planting.

1.13 For the site to the south east of Junction 27 the HIA identifies there are 2 Scheduled Monuments, 1 Registered Park and Garden and 5 Listed Buildings (1 Grade I and 4 Grade II) within the vicinity of the site. There are also 11 further non-designated assets identified in the Nottinghamshire HER (Figure 1 and Figure 2). The key heritage assets are as follows:

- Scheduled Monument All Saints Church and Graveyard.
- Scheduled Monument Annesley Motte and Bailey Castle.
- Grade I Listed Ruins of Church of All Saints..
- Grade II* Listed Registered Park and Garden Annesley Hall.
- Grade II Listed Annesley Hall.
- Grade II Listed Annesley Lodge.
- Grade II Listed Gatehouse Range.
- Grade II Listed Terrace to south west of Annesley Hall.

1.14 The heritage assessments by the various parties are set out in summary below.

Site	Heritage Asset	Level of Harm to the Historic Environment	Level of Change to the Historic Landscape Character	Recommendation	Level of Harm to the Historic Environment	Level of Harm to the Historic Environment
Rocket Consultants (ADC) - Heritage Impact Assessment (HIA)					Historic England	Planning application HIA
S8 – North east of M1 Motorway J27, Annesley	Annesley Hall Grade II* Registered Park and Garden	Less than substantial harm (Cumulatively: substantial harm, if allocated with S8 – Southeast of J27)	Major	Remove allocation	Less than substantial harm.	No impact on the significance

	Damstead Fishponds Scheduled Monument (SM)	Less than substantial harm			Less than substantial harm.	Less than substantial harm, at the lower level following maturing of trees, reducing to no impact with intervening planting.
--	--	----------------------------	--	--	-----------------------------	--

Asset: Annesley Hall Registered Park & Garden

- Rocket – **less than substantial harm, but substantial harm to the historic landscape character.**

Proposed allocation is located immediately adjacent to the Annesley Hall Registered Park and Garden, and it forms something of a backdrop to the estate being the highest point within the vicinity of the estate for some distance.

Development upon the site would have the potential to dominate the landscape and this would irreparably alter the setting, views and experience of several of the nearby heritage assets.

Development would result in further encroaching urbanisation around the Park and Garden and its associated heritage assets, which lie within an area that has remained relatively intact from such change. This would have an extremely negative impact upon both the immediate and surrounding setting of the heritage assets.

Overall, the proposed development would cause less than substantial harm to the historic environment, but substantial harm to the historic landscape character. Due to topography involved mitigation of extensive development would be very difficult and would be incapable of removing or minimising harm to an acceptable degree.

- Historic England – **likely to be substantial harm.**

The Registered Park and Garden at Annesley Hall, containing Annesley Hall, are heritage assets of the highest significance and national importance. They are associated with literary works of international importance through the poetry and prose of Lord Byron and DH Lawrence, and also with the life of Lord Byron.

The proposed development for B2-B8 units on land in the sensitive landscape immediately adjacent to the registered park would not contribute to local distinctiveness, would erode the estate setting of these important heritage assets, including the buffer between the M1 and the registered park, and have a harmful visual impact in key public views that would impair the ability to appreciate these assets in their historic setting.

Considered that there is likely to be substantial harm to Annesley Hall Registered Park and Garden.

- Locus Consulting Ltd – **less than substantial harm, at the higher end of the scale.**

The proposed development will bring about a less than substantial harm, at the higher end of the scale, to the heritage significance of the Grade II* Registered Park and Garden of Annesley Hall.

The proposed development will bring about a less than substantial degree of harm, at the lower end of the scale, to their heritage significance of Annesley Hall and its associated gatehouse and terrace, Annesley Motte and Bailey Castle Scheduled Monument, the Grade I listed building of the Ruins of the Church of All Saints and the 'All Saints Church and Graveyard' scheduled monument within which it sits.

Asset: Annesley Hall (including All Saints Church and Graveyard SM, Annesley Motte and Bailey Castle SM, and Grade I Listed Ruins of Church of All Saints.

- Rocket – **less than substantial harm.**
- Historic England – **likely to be substantial harm.**
- Locus Consulting Ltd – **less than substantial harm, at the lower end of the scale.**

See the summary commentary on the Registered Park and Garden.

As well as harm to individual heritage assets the HIA and Historic England consider the cumulative harm. It is to be noted that the line of HS2 and associated compound areas remains a safeguarded route to the east and south east of M1 Jct 27.

Rocket's Conclusions - Together the Junction 27 sites (KA020 & KA025) and Whyburn Farm (HK028) would cause substantial harm to Annesley Hall Registered Park and Garden. As a result, it is recommended that both Junction 27 sites be removed from being allocation. It has been raised with Rocket whether the removal of Whyburn Farm would change the above recommendation but they remain of the view that while the removal of the Whyburn Farm allocation does lessen the overall (cumulative) harm to Annesley Park, the two employment sites together would still, result in substantial harm to the significance of the asset.

Historic England's Conclusions - Taken together these two employment allocations, along with the proposed New Settlement at Whyburn Farm, would have a cumulative harmful impact on the significance derived from its setting of Annesley Hall Grade II* Registered Park and Garden. Annesley Hall Registered Park and Garden would be increasingly surrounded by development and would lose much of its remaining rural setting on the north, west and south sides. This is especially pertinent given that Annesley Hall is Ashfield's only RPG (with the exception of a small portion of Hardwick Hall RPG, which mostly falls within Derbyshire) and is also highly graded at II*.

NPPF paragraph 201 in relation to substantial harm consent sets out that an application should be refused unless it can demonstrated that the substantial harm is necessary to

achieve substantial public benefits that outweigh that harm or loss. Under paragraph 202, where the proposal will lead to less than substantial loss harm should be weighed against the public benefits. In relation to the historic environment the Planning Practice Guidance Historic Environment (PPG) states that:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.”

The PPG applies a broad meaning to the concept of "public benefits". While these may include heritage benefits, the guidance confirms that all types of public benefits can be taken together and weighed against harm. The public benefits below sets out how they can outweigh the harm.

Public Benefits

The public benefits substantially arise from the economic aspects of sustainable development.

- The National Planning Policy Framework 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 Council has adopted a positive approach to sustainable economic growth at a local level which is reflected in the Regulation 19 Local Plan which recognised the need to respond to the wider sub regional demand for logistics. This is reflected in the policy approach which identify the following:
 - Strategic Policy 1: Spatial Strategy to Deliver the Vision sets out the ambition to *“Maximising the economic development potential of key sites including land adjacent to M1 junction 27 and Sherwood Business Park.”*
 - Strategic Policy S6 identifies two strategic allocations at Junction 27 of the M1 Motorway which are identified as being accessibility to the strategic road network which will create high quality business space to contribute towards meeting the regional demand for logistics.
 - Strategic Policy S8: Delivering Economic Opportunities identifies that *“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: a. Providing for the growth of the local and sub-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 Logistics Sector makes a substantial contribution the national and regional economy. There is an urgent requirement for meeting the needs of the Logistics Sector along the M1 corridor in Nottinghamshire as demonstrated through the evidence base on employment needs generally and the logistics sector specifically in relation to demand and supply.

- For Ashfield jobs in the manufacturing sector are predicted to decline. The development of logistics on the allocation contributed toward providing job opportunities for local people, for local economic growth and value added to the local economy. The multiplier effect of the significant investment at Junction 27, with increased expenditure to support other local businesses. There are anticipate to be positive impacts for Ashfield residents reducing employment deprivation and income deprivation.
- Under statute, local planning authorities and county councils are under a duty to co-operate with each other and other prescribed bodies, on strategic matters that cross boundaries. The evidence from the Nottinghamshire Core & Outer Housing Market Area Employment Land Needs Study, 2021 (ELNS), the Logistics Study and the Greater Nottingham Partnership Strategic Distribution and Logistics Background Paper is that there is a significant demand for logistics space which will not be met. There urgent requirement for meeting the needs of the Logistics Sector along the M1 corridor in Nottinghamshire as demonstrated through the evidence base on employment needs generally and the logistics sector specifically in relation to demand and supply. In this context the site at Junction 27 make a significant contribution towards meeting this requirement.
- The need to identify sufficient employment land to meet local needs and contribute towards the wider requirements for the economy with the associated benefits from investment, job creation and value added to the local economy. Strategic logistics sites have come forward in Ashfield including land at Castlewood Business Park and land off Common Road Huthwaite. However, these business parks have been substantial completed and currently very limited opportunity to meet the logistics sector requirements in alternative locations in Ashfield.
- Sherwood Business Park at Junction 27, is a prime location for the logistics sector having already developed. The evidence from the Council's Employment Land Needs Study and Logistic Study and the Avison Young report all reached a conclusion that the site is a suitable and prime location for strategic distribution uses which will serve both a regional and national market requirements. There are opportunities to expand the Business Park to meeting the on-going economic needs of the logistics sector.
- Junction 28 has seen substantial development around the Junction, and there is a requirement for long term improvements to Junction 28 reflecting the congested transport system in this location.
- Sherwood Business Park has been developed to the east of Junction 27 of the M1 Motorway. The character of the local area is already defined by a Business Park with it associated existing built form and overall massing of logistic and office units. The area is also influenced by its role as a key transport link to the significant urban areas of Kirkby-in-Ashfield and Hucknall. This will gain more prominence with the development of Top Wighay Farm along the A611. Therefore the area, particularly the area to the north east, already has a more commercial feel to it rather than rural tranquility. Consequently, the development of logistics units is not out of character with the local area as it stands.

- The allocation links with Sherwood Business Park which results in the clustering and more efficient working practices for existing local businesses.

Alternative sites

The Court in *Forge Field Society v Severnoaks District Council* ([2014] EWHC 1895 (Admin)) sets out the “need for suitably rigorous assessment of potential alternatives” where any harm is identified to the significance of a heritage asset, but there is a need for the type of development to be considered and any alternative site on which such harm can be avoided all together. When the Draft Local Plan 2021 was consulted upon the Council Strategic Housing and Economic Land Availability Assessment (SHELAA) did not identify any alternative sites to meet the anticipated local and the regional need particularly for logistics requirements with a requirement for land close to the M1 Motorway. Subsequently, the following sites have been submitted and assessed as part of the SHELAA. They are located in close proximity to Junction 27 or 28 of the M1 Motorway and potential could be an alternative to provide logistics in Ashfield:

- East of Pinxton Lane and South of the A38, Sutton in Ashfield (SHELAA - SA086). The site is located of the A38 to the east of Castlewood Business Park. There is a current planning application for the site which has not been determined (v/2023/0021). However, at this stage there are issues associated with ecology, potential impacts on air quality and highway access both in relation to accessing the site and to the strategic highway network.
- Land east of Sherwood Business Park A611, Annesley (SHELAA - KA053). The site is substantially smaller comprises a gross area of approximately 8.97 ha and therefore does not have the same capacity to deliver strategic logistic sites. The site is also subjects to constraints which further reduce the capacity. It is located in the Green Belt and adjacent to the Annesley Hall Registered Park and Garden. Consequently it is not considered to be an alternative to the sites allocated.

Historic England Response to Planning Applications

Planning application v/2022/0360 (Land At Junction Of Willow Drive, Mansfield Road, Annesley, Nottinghamshire) is located on the Councils website at:

<https://planning.ashfield.gov.uk/planning-applications/search-applications/?civica.query.FullTextSearch=v%2F2022%2F0360#VIEW?RefType=GFPlanning&KeyNo=226938&KeyText=Subject>

Planning application v/2022/0246 (Land Adjacent To Junction 27 Of The M1, Mansfield Road, Annesley, Nottinghamshire) is located on the Councils website at:

<https://planning.ashfield.gov.uk/planning-applications/search-applications/?civica.query.FullTextSearch=v%2F2022%2F0246#VIEW?RefType=GFPlanning&KeyNo=226285&KeyText=Subject>

Historic England Official Entry Lists

Annesley Hall Registered Park and Gardens.

Historic England official entry list for Annesley Park Register Park and Gardens is available on their website at <https://historicengland.org.uk/listing/the-list/list-entry/1001077?section=official-list-entry>

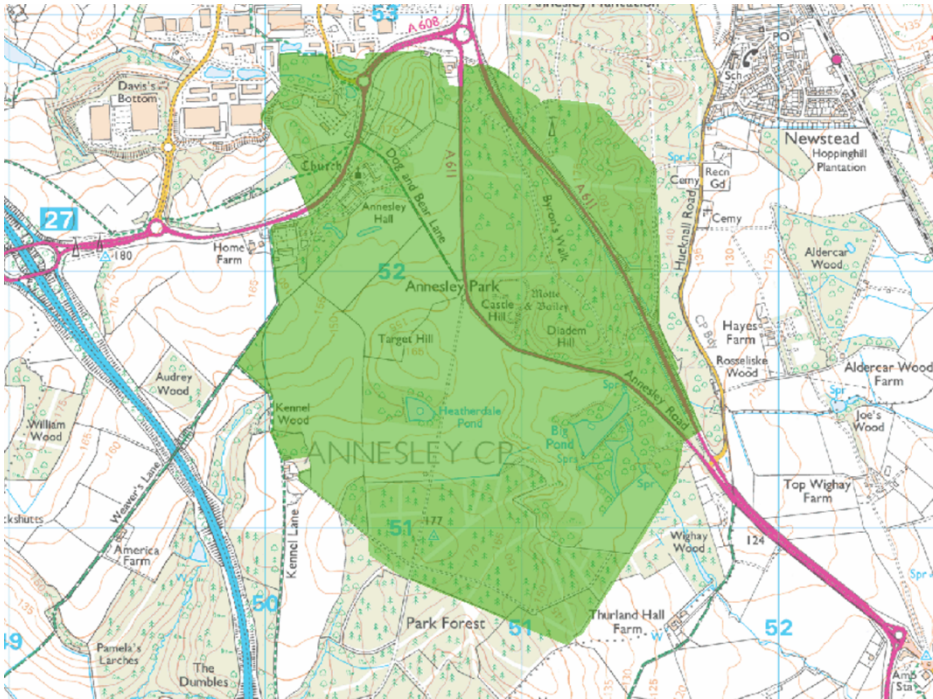
Official list entry

Heritage Category: Park and Garden

Grade: II*

List Entry Number: 1001077

Date first listed: 01-Jan-1986



Annesley Hall

Historic England official entry list for Annesley Park Register Park and Gardens is available on their website at <https://historicengland.org.uk/listing/the-list/list-entry/1234836?section=official-list-entry>

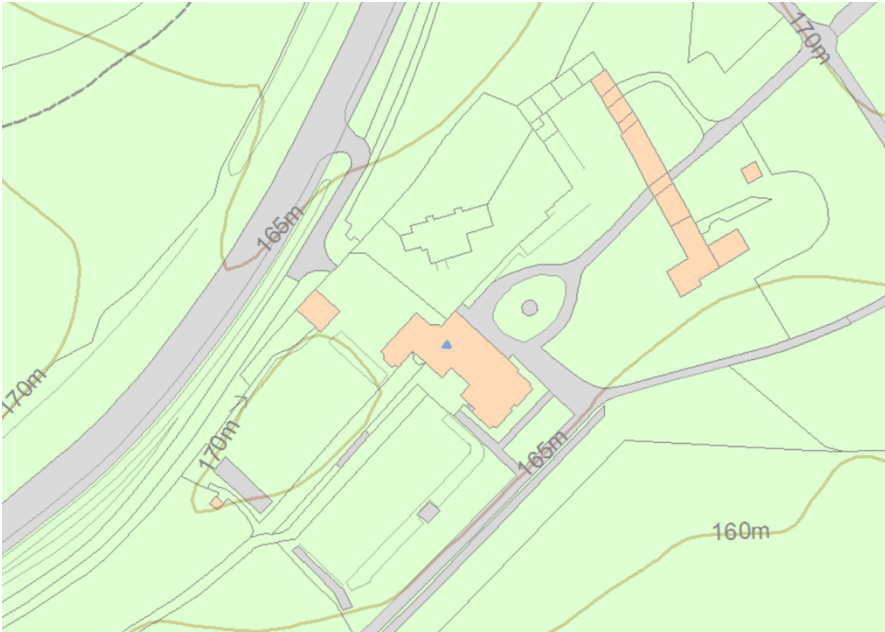
Heritage Category: Listed Building

Grade: II

List Entry Number: 1234836

Date first listed: 14-May-1952

List Entry Name: Annesley Hall



Other Designated Asset

The official entry list for designated heritage assets can be assessed through Historic England website <https://historicengland.org.uk/listing/the-list/>

This page is intentionally left blank