

Report To:	CABINET	Date:	20th September 2021
Heading:	DRAFT ASHFIELD LOCAL PLAN (2020 – 2038) PUBLIC CONSULTATION (REGULATION 18)		
Portfolio Holder:	CLLR MATTHEW RELF, PORTFOLIO HOLDER FOR REGENERATION AND PLANNING		
Ward/s:	ALL		
Key Decision:	NO		
Subject to Call-In:	YES		

Purpose of Report

To present to Members the Draft Ashfield Local Plan (2020 – 2038) (as set out in Appendix 1) and to seek approval to undertake public consultation under Regulation 18 of the Town and Country Planning, (Local Planning) (England) Regulations 2012, as amended.

Recommendation(s)

That Cabinet:

- a) Approve the Draft Ashfield Local Plan (2020 – 2038) and accompanying evidence base and supporting documents;**
- b) Approve public consultation on the Draft Ashfield Local Plan (2020 – 2038) and associated evidence base and supporting documentation for a minimum of 6 weeks in October / November 2021; and**
- c) delegates authority to the Assistant Director of Planning and Regulatory Services, in consultation with the Portfolio Holder for Regeneration and Planning, to approve minor amendments to the Draft Local Plan and any accompanying documents in preparing them for the period of public consultation**

Reasons for Recommendation(s)

To ensure that the Council continues to make progress towards the adoption of a replacement local plan for the District.

Alternative Options Considered

A number of alternative options for the growth and spatial strategy identified in the plan have been considered as part of the local plan preparation process; these are detailed further in the Sustainability Appraisal which has been used to inform the Local Plan.

In respect of the options for the local plan itself at this stage, there are 2 options as set out below:

- 1) Do not progress with Regulation 18 consultation:** This option would continue to rely on the use of the Ashfield Replacement Local Plan (2002) as a basis for making planning decisions in the District. Whilst it is still the most recent adopted plan for the area, it is not up to date and many of the policies are not in conformity with national planning policy and guidance. The use of an outdated plan for making planning decisions often results in planning by appeal which can be costly to the District. It also means that there is a lack of certainty for stakeholders and members of the public in the District around where and when certain developments will take place in the future, something which can be avoided with an up to date local plan. Not recommended

- 2) Progress with Regulation 18 consultation:** This is the recommendation that is proposed in order to ensure that the District has an up-to-date local plan to ensure the delivery of sustainable development over the plan period 2020 – 2038.

Detailed Information

The Draft Ashfield Local Plan sets out the policies and proposals to ensure the delivery of sustainable development in the District for the period 2020 – 2038. It has been shaped by an extensive evidence base and assessment of alternative options (Sustainability Appraisal) and takes into consideration the reasons for the withdrawal of the most recent version of the Local Plan (see Council report dated 6th September 2018)¹.

The Draft Plan comprises 9 chapters in total. It sets out where we are now in chapter 1, with a vision for the District over the plan period, along with 14 strategic objectives which are categorised under the three pillars of sustainability (social, economic, and environmental) in chapter 2. Chapter 3 sets out the spatial strategy and includes the key diagram which demonstrates where development will be directed over the plan period along with 17 strategic policies as follows:

- Strategic Policy S1: Achieving Sustainable Development.
- Strategic Policy S2: Meeting the Challenge of Climate Change.
- Strategic Policy S3: Location of Development.
- Strategic Policy S4: Green Belt.
- Strategic Policy S5: High Quality Building and Places through Place Making and Design.
- Strategic Policy S6: Meeting Future Needs: New Settlement at Whyburn Farm, Hucknall.
- Strategic Policy S7: Meeting Future Needs: New Settlement at Cauldwell Road, Sutton in Ashfield.
- Strategic Policy S8: Meeting Future Needs: Strategic Employment Allocation Junction 27, M1 Motorway, Annesley.
- Strategic Policy S9: Meeting Future Housing Provision.

¹ <https://democracy.ashfield-dc.gov.uk/ieListDocuments.aspx?CId=132&MIId=3675&Ver=4>

- Strategic Policy S10: Delivering Economic Opportunities.
- Strategic Policy S11: Aligning Growth and Infrastructure.
- Strategic Policy S12: Improving Transport Infrastructure.
- Strategic Policy S13 Vibrant Town Centres.
- Strategic Policy S14 Tackling Health Inequalities and Facilitating Healthier Lifestyles.
- Strategic Policy S15 Green Infrastructure and the Natural Environment.
- Strategic Policy S16 Historic Environment.
- Strategic Policy S17 Mineral Safeguarding.

Briefly, the Plans strategy (chapter 3) seeks to deliver the vision and objectives by:

- Taking advantage of the District's proximity to Nottingham City,
- Capitalising on the accessibility of the M1 motorway transport corridor,
- Locating growth in sustainable and accessible locations,
- Ensuring a strong regeneration focus in Kirkby-in-Ashfield and Sutton-in-Ashfield,
- Allow proportionate and sustainable growth in the villages,
- Facilitate the delivery of new infrastructure, and
- Deliver high quality design and placemaking.

Chapters 4-9 of the Draft Ashfield Local Plan set out more detailed policies under the following headings:

- Chapter 4 - Meeting the challenge of climate change and adapting to its effects.
- Chapter 5 - Protecting and enhancing Ashfield's character through its natural environment and heritage.
- Chapter 6 - Meeting local housing needs and aspirations.
- Chapter 7 - Building a strong economy which provides opportunities for local people.
- Chapter 8 - Placing vibrant town and local centres at the heart of the community.
- Chapter 9 - Achieving successful development through well designed places.

In relation to specific elements of the Plan, the following paragraphs set out further detail:

Climate change: The Plan includes policies (CC1, CC2 and CC3) that seek to address climate change, including policies that relate to zero and low carbon development and decentralised, renewable and low carbon energy generation, water resource management, and flood risk and sustainable urban drainage systems respectively.

Housing Requirement and allocations: The District is seeking to meet its own identified housing need as set out in the standard methodology which equates to 457 dwellings per annum or a minimum of 8,226 dwellings over the plan period to 2038 (policy S9). Affordable housing, housing for older people and those with disabilities (including specialist accommodation) and self and custom build provision is also identified in the Plan and there is an expectation that the appropriate type and tenure mix of housing is also delivered on site in accordance with evidenced needs. The plan also makes provision to meet the identified needs of both the Gypsy and Traveller Community and Travelling Showpeople. A criteria-based policy has been drafted for the provision of Gypsy and Traveller accommodation, with an allocation identified to meet the needs of the Travelling Showpeople on land adjacent to the existing site at Park Lane.

In order to deliver the evidenced housing need, the plan allocates two new settlements which are discussed further below, along with a number of other housing sites (policy H1). The H1 allocations comprise sites with planning permission and those which have been selected from the pool of sites as part of the Strategic Housing and Employment Availability Assessment (SHELAA). Sites are allocated in the areas of Hucknall, Kirkby, Sutton and Selston, Jacksdale and Underwood.

New Settlements: Two new settlements are proposed as part of the Local Plan. Not only will these sites help meet the evidenced housing need for this plan period, but they will also provide new homes beyond the end date of the plan, along with a range of other uses and services as are summarised below:

- i. **Whyburn Farm, Hucknall (policy S6):** The site is located in the greenbelt and is the largest of the two proposed new settlements, a mixed-use proposal for 3,000 dwellings in total (1,600 of which are identified to be delivered within the plan period) along with 13 ha of employment land. The site will also need to deliver an element of affordable housing with a range of house types and tenures including adaptable and accessible homes. An on-site primary school and secondary education contributions, along with a local centre with a range of retail and community uses is also required. Transport infrastructure including the potential extension of the tram into the site, along with a park and ride facility, walking and cycling routes and a package of transport improvements are also detailed in the policy. A high-quality environment is also expected both in terms of the design of the built form, with the development expected to exceed building regulations in respect of carbon emissions, as well as the provision of multifunctional greenspace. The greenspace will be in the form of sports pitches, play areas and a destination play park, along with blue and green infrastructure and areas which provide for significant biodiversity net gain. A development framework will be produced in due course to address further detail in respect of the delivery of the site over the plan period. The site has developer interest to bring it forward.
- ii. **Cauldwell Road, Sutton in Ashfield (policy S7):** This site is smaller than the Hucknall site and is not located in the greenbelt. It is proposed for the delivery of 1,000 homes, 315 of which are identified to be delivered towards the end of the plan period. The site will also need to provide affordable housing with a range of house types and tenures as well as accessible or easily adaptable homes. An on-site primary school as well as secondary school contributions will also be required along with the provision of a local centre with a range of retail and community uses. Walking and cycling routes to Sutton in Ashfield and Mansfield, public transport and a comprehensive package of highway improvements are also identified in the policy, along with the need to provide a high-quality design in the built form and in the approach to greenspace on the site. A development framework will be produced in due course to address further detail in respect of the delivery of the site and further work will be required to discuss bringing forward the site with the development industry.

Employment Provision and allocations: Policy S10 sets out the employment land requirements and includes the protection and allocation of land at junction 27, Sherwood Park, the District's Strategic Employment Area (policy S8) and the District's Key Employment Areas which are detailed in policy S10 and EM1.

The strategic allocations at junction 27 requires the release of land from the greenbelt. There is developer interest in bringing one of the sites forward (land to the north east of junction 27), with the other (land to the south east of junction 27) being safeguarded for the construction of the HS2 phase 2b. As such it is unlikely to be available until the latter part of the plan period.

The need for allocations in this location is evidenced in the Nottingham Core Housing Market Area (HMA) and Nottingham Outer HMA Employment Land Needs Study (Litchfield, 2021). Policy S8 sets out the detailed policy requirements for bringing these sites forward which will substantially be for businesses operated in the logistics sector.

Chapter 7 sets out additional employment allocations in policy EM2 together with other policies which protect employment sites (EM3) consider rural development (EM4) and support education skills and training (EM5).

The natural and historic environment: Strategic policies S4, S15 and S16 relate to the greenbelt, green infrastructure and the natural environment and the historic environment respectively. There are also a number of other, more detailed policies contained in chapter 5 of the plan which cover the green belt (EV1), countryside (EV2), reuse of buildings in the greenbelt and countryside (EV3), green infrastructure, biodiversity and geodiversity (EV4), protection of greenspace and recreation facilities (EV5), trees woodland and hedgerows (EV6), provision and protection of allotments (EV7), agricultural land (EV8), the historic environment (EV9) and the protection and enhancement of landscape character (EV10). These policies ensure replacement tree planting in the District for any trees lost as part of development schemes and also make sure that provision is made for biodiversity net gain (in line with national policy).

Transport: Policy S12 sets out the strategic policy direction in relation to transport in the District. It safeguards and enhances the transport infrastructure. This includes the connectivity of the Nottingham Express Transit System (NET), the potential offered by the Robin Hood Line Stations/additional stations, the benefits generated by opening of the Maid Marian Line to passengers and improvements to the bus/coach services and cycle networks. Further detailed policies in relation to transport issues are contained in chapter 9, policies SD10, transport infrastructure and SD11, parking.

Infrastructure: Strategic policy S11 relates to infrastructure delivery which covers issues such as education provision, health care and community facilities, broadband, transport networks and electric vehicle charging points. The infrastructure required as a result of development will vary on a site-by-site basis and where infrastructure requirements are known at this stage, they are included in the relevant policies (S6, S7 and S8 for example). Policy SD5 also refers to planning obligations and SD6 to development viability which can, depending on site specific proposals have an impact on the amount and type of infrastructure that can be delivered on site. There is a supporting infrastructure background paper that will form part of the consultation and an Infrastructure Delivery Plan will be produced in due course.

Town centres: S13 sets out the strategic approach to town centres in the District, supported by the town centre masterplans for Hucknall, Kirkby and Sutton. No retail allocations are proposed in the plan and further detailed policies are contained in chapter 8 which relate to town centre uses (SH1), local shopping centres, parades and single shops (SH2) and shopfronts (SH3).

Placemaking and design: The recent emphasis in the updated National Planning Policy Framework (NPPF) on beautiful and sustainable places has shaped much of the design and placemaking elements in the plan. The benefits of good design are many and the plan's vision places an emphasis on high quality design and place making shaping the delivery of new development in the

District. This is reflected in strategic policy S5 and S14 as well as in the more detailed policies contained in chapter 9 including policy SD1 social value, SD2 good design considerations for development and SD3 amenity.

Consultation

Consultation on the Draft Plan will take place for a period of 6 weeks in October / November subject to Cabinet approval. A public friendly consultation strategy has been drawn up which comprises the following to ensure that consultation engages as many people as possible:

- Website – specific consultation page and a front-page news section to be retained for the 6-week consultation period,
- ADC intranet – message of the day and a link will be provided on all staffs outgoing emails to the consultation event,
- Emails and letters to be sent to everyone on the local plan consultation database (738 in total) which includes landowners, developers, specific consultees, duty to cooperate bodies and community groups,
- Additionally, emails will go out to business through the economic regeneration database (4,726) and to community organisations through Place & Communities database.
- Posters promoting the event to be placed on notice boards,
- Emails, letters and posters will be sent to all ADC Councillors, as well as Nottinghamshire County Councillors, MP's, ADC management team and various officers,
- Covid safe, in person consultation events by appointment are also being arranged at publicly accessible locations throughout the district including Sutton Library, Kirkby Council Offices, the Old Council Offices in Selston Parish, Hucknall Library and Selston Parish Council Hall,
- Meetings with groups such as the parish councils and neighbourhood planning groups,
- Site notices will be placed on all the proposed site allocations in the plan,
- Displays of the consultation will be located at:
 - Hucknall Library
 - Sutton in Ashfield Library
 - Selston Library
 - Kirkby in Ashfield Council Offices
- Copies of the local plan, supporting documents and posters will be placed at:
 - Hucknall Library
 - Sutton in Ashfield Library
 - Selston Library
 - Kirkby in Ashfield Library

- Kirkby in Ashfield Council Offices
 - Annesley Library (Acacia Centre)
 - Huthwaite Library
 - Skegby Library
 - Edgeware Road Library Hucknall
- Press releases and formal notification of the consultation will be placed in newspapers,
 - Banners will be placed in the Town Centres on ADC land, and a
 - Video message advertising the consultation will be undertaken.

Consultation responses will be recorded in the consultation database and officers will provide an update on consultation progress to the Local Plan Working Group in due course.

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, facilitating economic growth especially around transport hubs, improving parks and open space and increasing tree coverage.

Legal:

The Planning and Compulsory Purchase Act 2004 (as amended) requires Local Planning Authorities to prepare Local Plans. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the procedures to be followed in the preparation of such Plans and the consultation requirements that must be followed.

Finance:

There are no financial implications arising as a result of this report, there is an existing budget identified to ensure the preparation and adoption of the plan.

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
<p>The NPPF paragraph 137 sets out that '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.' These alternative options have been assessed in the Sustainability Appraisal, however, the plan strategy is heavily reliant on the release of Green Belt land in the vicinity of Hucknall.</p> <p>Whilst there are a number of opportunities associated with development in this location, there are also other large, non-greenbelt sites in sustainable locations that are suitable, available and achievable to deliver development over the plan period. These sites have formed part of a previous attempt at a local plan, however, they do not represent the strategic approach favoured. There is therefore a level of risk associated with the plan strategy as proposed.</p> <p>The strategy also sets out that some development could be delivered towards the back of the plan period on a new settlement at Caudwell Road. The new settlement study has identified that this site is marginally more viable than the other option identified in the new settlement study. However, further work will be required to explore the opportunities available with developers on this site as it is necessary to demonstrate to the Inspector at Examination of the Local Plan that the site is deliverable.</p>	<p>In order to seek to address this risk, the strategy would need to optimise the density of development in line with the policies in NPPF chapter 11 including whether policies promote a significant uplift in minimum density standards in town centres and other locations well served by public transport, something which the plan encourages.</p> <p>Early engagement with the Planning Inspectorate can also help to mitigate this risk.</p>

Human Resources:

There are no Human Resources issues contained in the report associated with the Draft Ashfield Local Plan. The plan has produced using the existing resources in the team and it is not anticipated that further resources will be required for the forthcoming public consultation, should this change the relevant Authority would be sought and policies and procedures followed.

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. Furthermore, the plan has been prepared taking into consideration the findings of the Sustainability Appraisal.

Equalities:

An equalities impact assessment of the Draft Local Plan has been undertaken and will be available as part of the consultation documentation.

Other Implications:

A Habitat Regulation Assessment, Health Impact Assessment and Data Protection Impact Assessment will be produced to support the Plan as it moves forward.

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

The Draft Local Plan (2020 – 2038). - There are a number of supporting background papers and an extensive evidence base that will be made available on the Council website for the public consultation.

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