

Report To:	LOCAL PLAN DEVELOPMENT PANEL
Date:	15TH NOVEMBER 2022
Heading:	DRAFT LOCAL PLAN 2021 CONSULTATION REPORT
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To advise Members of the findings of the draft Local Plan Consultation Report.

Recommendation(s)

To note the findings of the Draft Local Plan 2021 Consultation Report.

Reasons for Recommendation(s)

In taking the Local Plan forward, the Council must take into account the representations received to the Draft Local Plan 2021 Consultation.

Alternative Options Considered

In order to meet the requirements of the Town and Country Planning (Local Planning)(England Regulations) 2012, as amended, there is no alternative option.

Detailed Information

Cabinet at its meeting on 20 September 2021 approved the consultation on a Draft Local Plan. The Consultation commenced on 4th October and closed on 16th November 2021. A short extension was granted in relation to Policy S7 Meeting Future Needs – New Settlement: land at Cauldwell

Road, Sutton in Ashfield as the site notice initially identified the area submitted to the Strategic Housing and Economic Land Assessment (SHELAA) rather than the area identified as potentially forming the New Settlement area. The extension was granted until the 1st December 2021. The Consultation Report sets out the information required under the Town and Country Planning (Local Planning) (England) Regulations 2012 and also confirms that the consultation has been conducted in accordance with the requirements of Ashfield Statement of Community Involvement. Under Regulation 18, the Council as the local planning authority must take into account any representations made to them in response to the Consultation.

The Consultation Report is set out in Appendix 1. The Council received a total of 742 responses, 93 from organisations and 649 from individuals. This resulted in 1,633 representations of which 312 supported various policies and site allocations, 996 raised objections to policies and site allocations and 325 raised comments on Policies and site allocations, Figure 1.

It is emphasised that representations should not be seen purely in the context of the numbers of representations to a particular policy or site. For example, a policy may have very few or no representations on the basis that there are no identified issues with the policy. Responses to a site may reflect that a more limited number of people live closely to the site in question.

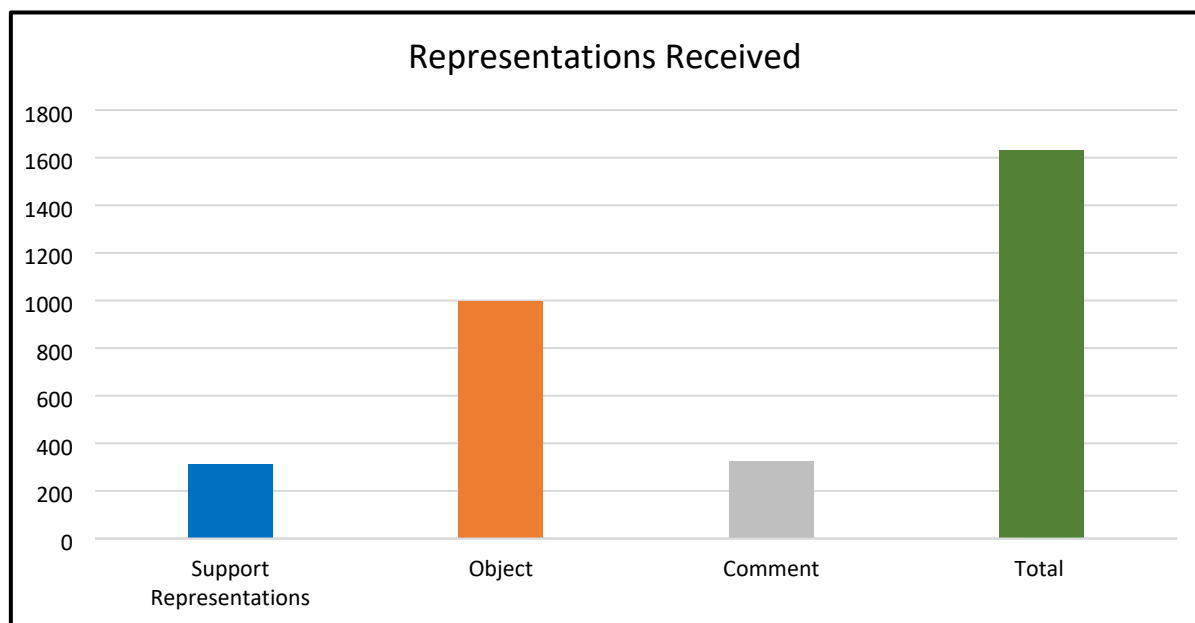


Figure 1: Draft Local Plan Consultation Representations Received

Source: Ashfield District Council

The breakdown of the representations received is set out in Figure 2. The majority of responses related to objections to the strategic site allocations under Strategic Policy S6 Whyburn Farm, Strategic Policy S7, Cauldwell Road and the housing site allocations. The strategic and site allocation figures include the strategic sites under Policies S6 Whyburn Farm, S7 Cauldwell Road/Derby Road, S8 Employment land at Junction 27, the housing site allocations and employment land allocations. However, a limited number of responses were received in relation to the employment land allocations.

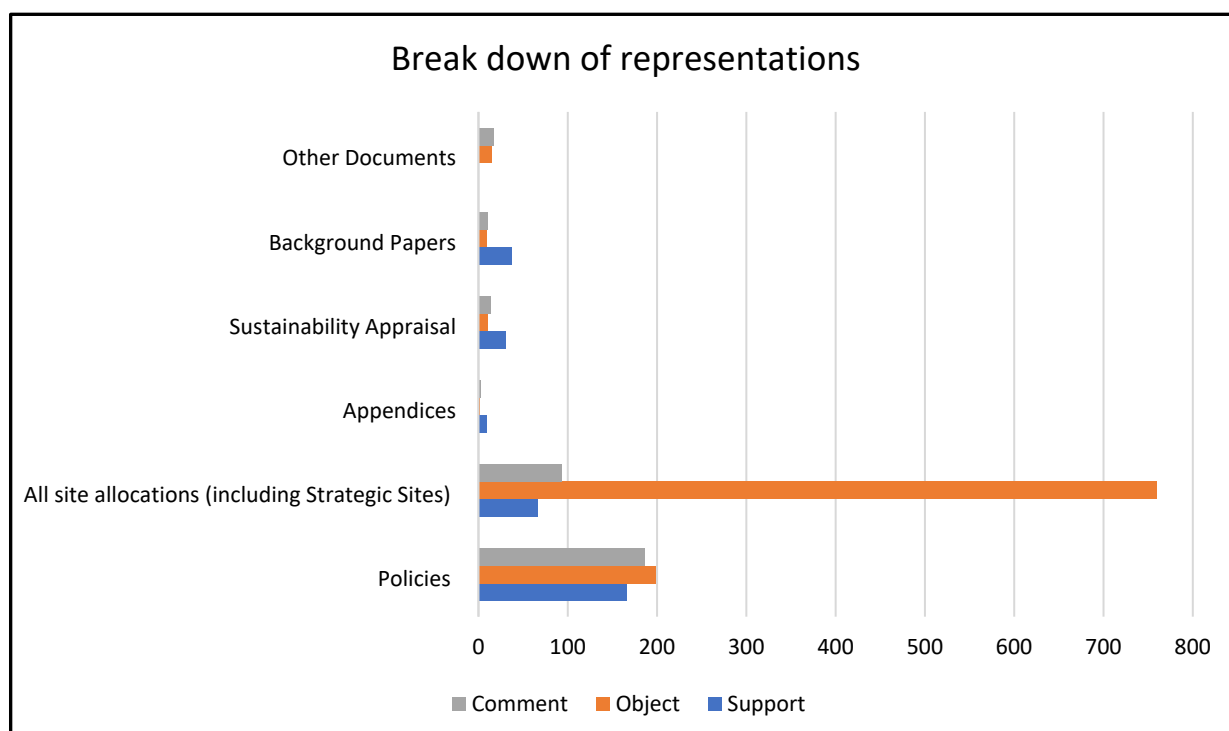


Figure 2: Draft Local Plan Consultation break down of representations received

Source: Ashfield DC

The Consultation Report set out the following:

- Introduction – This includes the key points to note when considering the responses set out in the Report.
- Who we consulted and how we consulted – Details of how the consultation was undertaken including the parties who were invited to make representations.
- Infrastructure – Sets out what steps have been undertaken to date in relation to the provision of infrastructure.
- Allocations – identifies how, in broad terms, the sites allocated have been arrived at.
- Responses to the Draft Local Plan Consultation – Sets out a break-down of the responses received to the Consultation. Identifies the next steps in relation to the Local Plan.
- Summary of main issues raised through consultation – Based on the chapters within the Draft Local Plan, this section sets out a series of tables, which identify the following:
 - The number of representations received in relation to specific policies/allocations reflecting whether it was a representation which was in support, an objection or a comment.
 - Petitions received.
 - A summary of the representations received.

- For the policies it sets out a brief response to the representations. It is anticipated that a specific response to the policy aspects will be set out in supporting appendices when the Consultation response is published on the Council's website.
- For the strategic sites, housing allocations and the employment allocations there are not individual responses to the responses received. This reflects that typically responses will fall under broad headings with a common theme for example: Alternative Sites, Climate Change, Brownfield Development, Flooding/Drainage, Food Production etc. Within the summary tables, the comments have been analysed under specific headings into which they fall and the Council's response is set out as part of the summary relating to the specific site allocation.

Policies

Figure 3 sets out the responses to the Vision, Strategic Objectives and the Strategic Policies, which did not allocate land for development. Figure 4 sets out the responses received in relation to Development Management Policies.

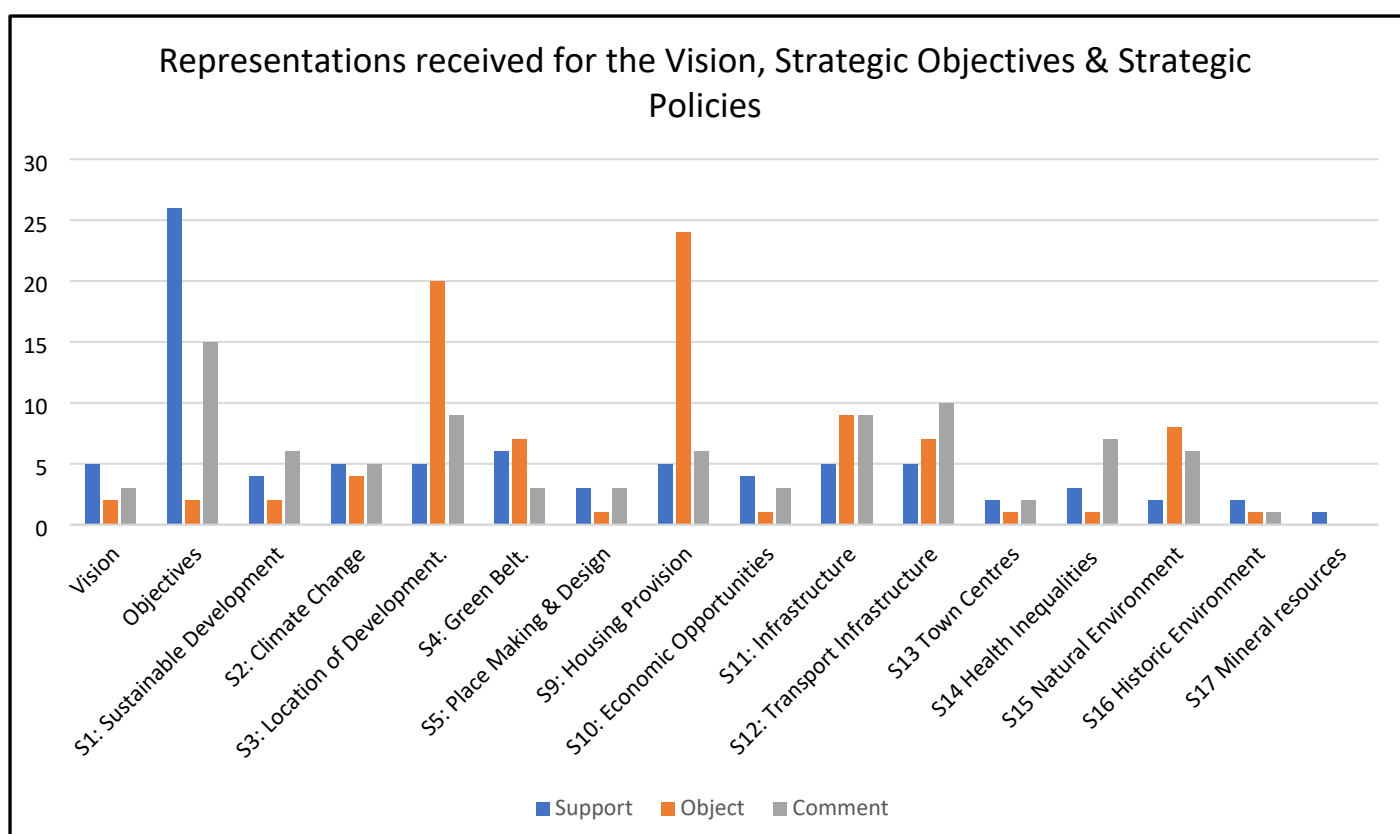


Figure 3: Draft Local Plan Representations in relation to Vision, Strategic Objectives and Strategic Policies which did not allocate development.

Source: Ashfield District Council

The Strategic Objectives were substantially supported.

The largest number of representations were received in relation to the strategic policies on the location of development (Strategic Policy 3) and housing (Strategic Policy 9). The location of development is strongly linked to housing development and the majority of responses related to this aspect. A number of responses have identified that it is unclear what the spatial strategy is in

relation to the strategic policies set out in the Draft Local Plan. In this context, Strategic Policy 3 will be reviewed and consideration given to whether the policy should incorporate the spatial strategy to provide clarity on how the Council will deliver the Vision for the future of Ashfield.

In relation to climate change, a number of responses considered the policy should have more specific local standards, whilst others raised issues over viability if the Policies went beyond the provisions set out in the Building Regulations. It was also raised that the evidence on climate change was dated. Representations on infrastructure typically consider that there are issues in relation to education capacity, health and transport.

With the exception of the housing allocations policy, the remainder of the development management policies substantially received representations of support or general comments.

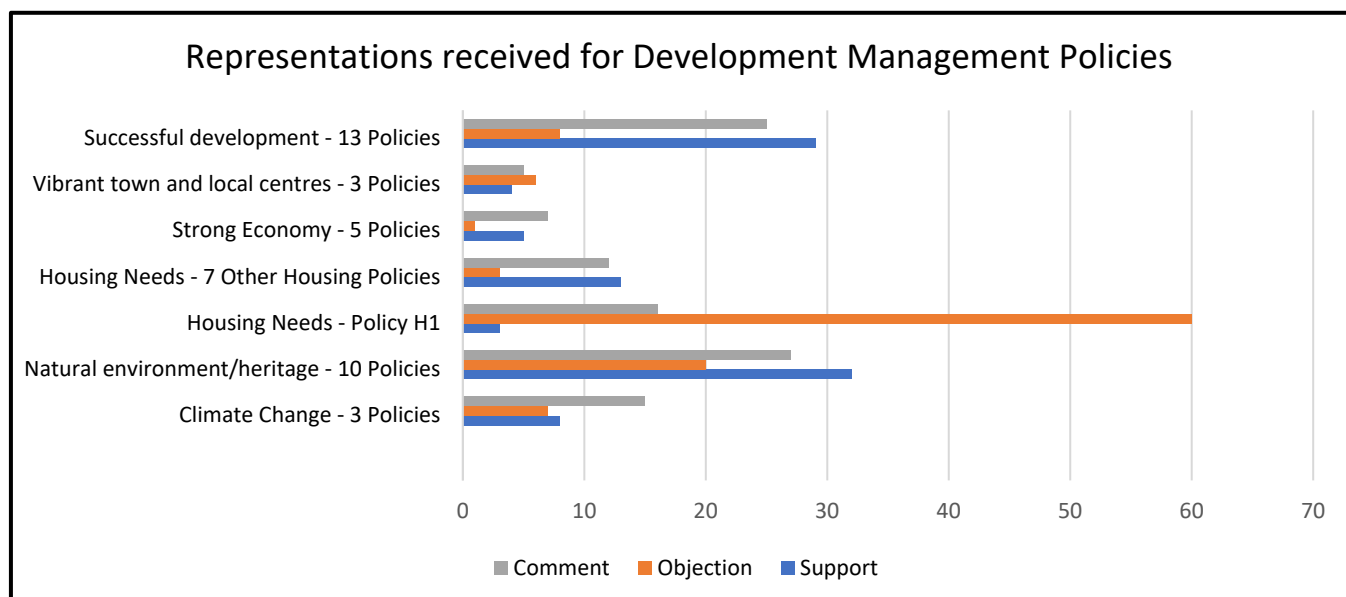


Figure 4: Draft Local Plan Representations in relation to Development Management Policies

Source: Ashfield District Council.

As a result of the responses received, some minor changes are proposed to the wording of policies and the supporting text. The changes are substantially related to clarification and are summarised in the Tables set out in Section 6 of the Consultation Report.

Housing and Employment Allocations

The majority of representations related to the strategic policies for Whyburn Farm and Cauldwell Road/Derby Road and the housing site allocations. These include representations regarding the level of housing and the distribution of housing within the Draft Local Plan.

Figure 4 sets out the responses received in relation to individual strategic sites and the total representations received in relation to housing sites allocated under Policy H1 and employment sites allocation under Policy EM2.

Five petitions were received in relation to the specific site allocations for Whyburn Farm (Strategic Policy S6), Cauldwell Road/Derby Road (Strategic Policy S7), Stubbing Wood Farm (Policy H1Hd), Annesley Miners Welfare (Policy H1Ki) and Plainspot Farm, New Brinsley (Policy H1Va). The nature of the petitions is set out in paragraph 5.3 of the Report.

Section 5 of the Consultation Report identifies housing sites that received the majority of representations (more than 10), and also representations received in relation to sites which were not allocated in the draft Local Plan, (para 5.6/ Table 4 and para 5.7/ Table 5 respectively).

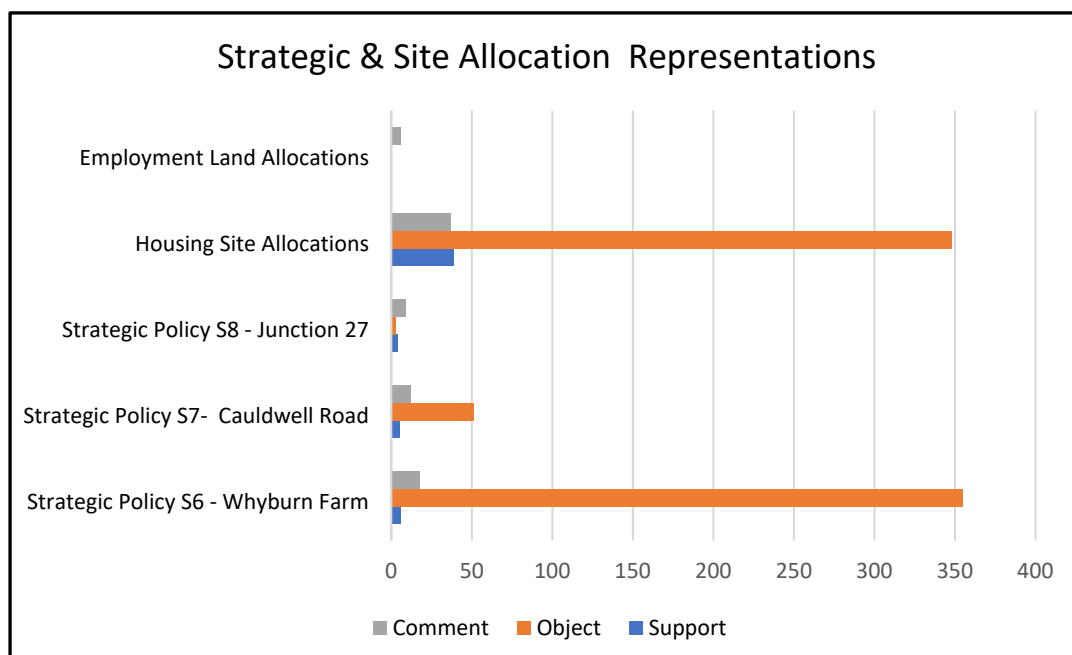


Figure 5: Draft Local Plan Consultation Representations received in relation to Allocations of Strategic Sites, Housing Sites and Employment sites.

Source: Ashfield District Council

Concerns include environmental issues, and the ability of infrastructure to cope (particularly health, education and transportation), development on greenfield and Green Belt sites rather than brownfield sites. The distribution of housing requirements across the District was raised, particularly in relation to Hucknall.

Limited responses were received in relation to employment growth. Additional employment sites have been promoted around Junctions 27 of the M1 and off the A38. The comments include that the A38 should be allocated in preference to taking land out of the Green Belt at Junction 27 and that the proposed strategic allocations at Junction 27 should reflect B2 uses (general industrial) under the Use Classes order and not just B8 (storage and warehouse) uses.

Sustainability Appraisal (SA), Appendices, Background Paper and Other Documents

Responses were received regarding the SA, appendices, background papers and other documents. The latter includes the evidence base, the Strategic Housing and Economic Land Availability Assessment, Policy Maps, Statement of Common Grounds, Health Impact Assessment, Habitat Regulations Assessment, Statement of Community Involvement, and the Whole Plan Viability Study. The representations are summarised in Section 6 of the Consultation Statement.

Background Papers will need to be updated as the Plan moves forward and comments will be taken into account in this context.

Comments raised include the impact on heritage assets, the need for a whole plan viability assessment and for habitat regulation assessment. Evidence on these aspects was planned to be

commissioned after the draft Local Plan consultation and the findings reflected in the next iteration of the Local Plan.

Members are requested to note the contents of the report. All representations are being considered in taking forward the Local Plan and, where considered appropriate, changes will be made to the policies and allocations.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the six 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 green spaces.

Legal: The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the legislative requirements in bringing a Local Plan forward. The Act includes a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Under Regulation 18 (3) 'In preparing the local plan, the local planning authority must take into account any representation made to them.' [RLD 04/11/2022]

Finance: There are no financial implications arising as a result of this report. [PH 03/11/2022]

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
There are no identified risks in relation to the Report.	-

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

Environmental/Sustainability: Sustainability is at the heart of the planning system and a development plan has to be prepared with the aim of delivering sustainable development in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework, 2021. The development plan is informed by a Sustainability Appraisal considering the economic, social and environmental objectives of sustainability.

Equalities: An equalities impact assessment of the Draft Local Plan was undertaken and was made available as part of the consultation documentation. It is not considered that there are equality, diversity or inclusion implications in association with this report.

Other Implications: Not applicable

Reason(s) for Urgency: Not applicable.

Reason(s) for Exemption: Not applicable.

Background Papers

The Draft Local Plan and consultation documents are available on the Council's website. ([Link to webpage](#)).

The evidence that supports the emerging Local Plan is available on the Council's website. ([Link to webpage](#)).

Report Author and Contact Officer

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

Sponsoring Director

Robert Docherty
DIRECTOR OF PLACE & COMMUNITY
robert.docherty@ashfield.gov.uk
01623 457183

