

<b>Report To:</b>	<b>LOCAL PLAN DEVELOPMENT COMMITTEE</b>
<b>Date:</b>	<b>26TH FEBRUARY 2024</b>
<b>Heading:</b>	<b>ASHFIELD LOCAL PLAN 2023-2040 REGULATION 19 PRE-SUBMISSION DRAFT – SUMMARY OF CONSULTATION RESPONSES</b>
<b>Executive Lead Member:</b>	<b>NOT APPLICABLE</b>
<b>Ward/s:</b>	<b>ALL WARDS</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

### **Purpose of Report**

To present a summary of the key issues raised in response to the Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040.

### **Recommendation(s)**

The Local Plan Development Committee to note the contents of the report.

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

To inform Members of the key issues raised in response to the Regulation 19 Pre-submission draft of the Local Plan and the next steps in the Local Plan process.

### **Alternative Options Considered**

Not to update Members of the key issues raised in response to the Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040 and therefore not allow them the opportunity to raise any questions for officers to consider.

The responses will be incorporated into a Statement of Consultation which sets out a summary of the main issues raised at Regulation 18 and Regulation 19 consultations and will be submitted to the Secretary of State as part of the Plan submission.

## Detailed Information

- 1.1 The Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040 was subject to an 8-week consultation commencing on Monday 4th December 2023 to 5pm on Monday 29th January 2024. A total of 122 persons or organisations responded resulting in a total of 438 individual representations. Representations are comments made to a specific part of the Plan e.g. a policy or site allocation.
- 1.2 Table 1 below provides a summary of the key issues raised through the consultation, set out under each chapter in the draft Plan. Appendix A follows on from Table 1 in this report and sets out a summary of key issues raised in objections to Housing Allocations (Policy H1).
- 1.3 Where a policy, site allocation or other part of the Plan is not listed under the summary of key issues, the following applies:

- no comment was received,
- or the comments submitted are of minor issue – which are of little risk to the soundness of the Plan or would not potentially require changes that materially affect the policies or proposals in the Plan or are considered by officers to be of least significance relating to the ‘soundness’ of the Plan.

**Table 1: Summary of Key Issues raised in Response to the Regulation Pre-submission Draft Local Plan**

<b>Plan Reference</b>	<b>Summary of Key Issues</b>
<b>Chapter 2 Shaping the future of Ashfield, what we want to achieve (Vision and Objectives)</b>	
Vision	<p>Objection received to the Plan period being 2023 – 2040 - strategic policies should look ahead over a minimum 15-year period from adoption.</p> <p>Objection received to the omission of cross-boundary co-operation including meeting part of the unmet needs of Nottingham City Council within the vision and objectives.</p>
Vision and Strategic Objectives	A number of comments supported the vision and strategic objectives 4, 13 and 14, including support from the Environment Agency and Historic England.
<b>Chapter 3 Sustainable development in Ashfield - Strategic Policies</b>	
Strategic Policy 1: Spatial Strategy to deliver the Vision	<p>Respondents that consider Policy 1 to be ‘unsound’ noted the following:</p> <ul style="list-style-type: none"> <li>• Challenged the release of Green Belt sites, stating more suitable / sustainable sites are available – broadly this relates to the objection to the inclusion of site allocations or land promoters / owners seeking the allocation of new / previously assessed sites located outside of the Green Belt.</li> <li>• Comment that it is not justified, nor clear as to why the proposed strategy only focusses on sites of less than 500 dwellings where the respondent(s) feel there is a perceived under supply in the Local Plan (see also comments under Policy S7). The respondent(s) commented that a dispersed</li> </ul>

	<p>strategy will not deliver sufficient homes, or the new and improved infrastructure needed and will not deliver against the plan's vision and objectives – their view is that other spatial options are considered preferable and more sustainable, such as a new settlement / strategic site options included in the Regulation 18 draft of the Plan.</p> <ul style="list-style-type: none"> <li>• Concern raised over the amount of growth in some settlements such as Stanton Hill, Skegby and Huthwaite due to existing pressures on infrastructure such as health care facilities, schools, and the impact on the local highway network. (see also comments in response to housing allocations – Policy H1).</li> </ul> <p>A number of other respondents supported the spatial growth strategy as it does not rely on the need for a new settlement and is considered to deliver proportionate growth in the more sustainable settlements.</p>
<p>Strategic Policy S2: Achieving Sustainable Development</p>	<p>One respondent commented that the Local Plan policies should clearly state how social value is calculated, how it is achieved, and how that will be possible on all the allocations and sites that will come forward within the authority area and they felt the Council's use of the term social value is not consistent with national policy.</p>
<p>Strategic Policy S3: Meeting the Challenge of Climate Change</p>	<p>Natural England noted that Integrated Water Management (IWM) is only referenced in the Plan once, and the broader thinking of this concept of water management is not positively considered throughout the Plan and so does not align with the Plan being positively prepared within the tests of soundness. Natural England requested that IWM is woven throughout the Plan in a considered way, including in policy CC3: Flood Risk &amp; SuDS.</p> <p>A number of recommended changes to the policy are proposed, notably from the Environment Agency, relating to improving the quality of water bodies and achieving better than existing water run-off rates for both greenfield and brownfield development.</p>
<p>Strategic Policy S4: Green Belt</p>	<p>Challenges from land owners / land promoters for the need for further release of Green Belt to accommodate additional site allocations to meet the Plan's objectively assessed housing need (see also comments under Policy S7).</p>
<p>Strategic Policy S5: High Quality Buildings and Places through Place Making and Design</p>	<p>Challenge to point 3 (relating to the use of Neighbourhood Plans/orders) that the current wording is not consistent with national policy – wording is suggested to address this.</p> <p>Comment that the policy is considered to be over-lengthy and risks repeating what is already in the Framework. Furthermore there is no mention of the National Design Guide and uncertainty over what is intended for the use of the Design Review Panel.</p>

<p>Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocation at Junction 27 M1 Motorway</p>	<p>Overall, responses to Policy S6 supported the allocations at Junction 27 of the M1.</p> <p>Historic England maintain objection to both sites north and south of Junction 27 due to the potential adverse impacts on Annesley Hall Registered Park and Garden and other heritage assets.</p> <p>Policy and the supporting text could clarify other uses that would be acceptable on the site would be B2.</p> <p>Concerns relating to the allocations that an increase in traffic flow along the A608 and A611 as a result of the proposed development would have a considerable negative effect for residents in the area, including a significant increase in air pollution and impact on existing wildlife corridors.</p>
<p>Strategic Policy S7: Meeting Future Housing Provision</p>	<p>Objections to the policy primarily relate to:</p> <ul style="list-style-type: none"> <li>• Comments that the dispersed development spatial strategy has not been positively prepared as it fails to meet the minimum objectively assessed housing over the plan period, and so additional sites should be allocated to address the shortfall. Objections on this basis are broadly from land owners / promoters and seeking to allocate additional sites, within and outside of the Green Belt.</li> <li>• Concern that the Council has not presented sufficient evidence to demonstrate that allocating sufficient land to meet housing needs in full would be inconsistent with the spatial strategy.</li> <li>• Consideration that there is additional suitable, available, and deliverable land available on non-Green Belt sites and in sustainable locations within Ashfield that could be allocated to address the shortfall.</li> <li>• In relation to the above comments, the site assessment conclusions set out within the SHELAA, Sustainability Appraisal and Background Paper 1 are also challenged.</li> <li>• Concern that if the housing need is not met, this will result in a shortfall in affordable housing.</li> </ul> <p>Comments also raise concerns regarding the Duty to Cooperate and the Council should be allocating sites (which are considered to be suitable) to accommodate some of Nottingham City's unmet housing need.</p>

Strategic Policy S8: Delivering Economic Opportunities	As noted above, Historic England object to the employment land allocations at Junction 27.  A number of responses support the policy; however, one land promoter states the Plan significantly underestimates the requirement for employment land and so fails to allocate sufficient land to meet identified local and strategic employment needs. It is stated this will perpetuate the longstanding shortfall of available land for strategic B8 distribution and constrain the growth potential of the local and regional economy.
Strategic Policy S9 Aligning Growth and Infrastructure	Some concerns existing infrastructure will not accommodate the level of growth proposed in the Plan.  Concern that the reference to development on the boundaries of adjoining authorities potentially contributing towards infrastructure requirements of the District, is not clear on how this would be achieved.
Strategic Policy S13: Protecting and Enhancing Our Green Infrastructure and the Natural Environment	The Environment Agency recommends to encourage, where possible, in excess of the mandatory 10% of Biodiversity Net Gain (up to 20%).
Strategic Policy S14: Conserving and Enhancing Our Historic Environment	The policy is supported by Historic England.
<b>Chapter 4 Meeting the challenge of climate change and adapting to its effects</b>	
Policy CC1: Zero/Low Carbon Developments and Decentralised, Renewable, Low Carbon Energy Generation	Natural England raise concern that there is no mention of ensuring any development protects and enhances the natural environment or biodiversity in delivering net zero targets. NE do however suggest additional wording to address their concern and make the policy 'sound'.  One respondent raises concern that the Plan has not practically addressed the key fundamental and critically important issues of climate change – i.e. poor insulation, gas-fired domestic heating, and fossil fuel powered cars.
Policy CC3: Flood Risk and SuDS	A number of representations, whilst not objecting to the policy, propose additional or revised wording to strengthen the policy, – notably from the Environment Agency, Historic England, and Severn Trent.  Comments relate to broad concerns regarding issues of existing flooding and potential exacerbation of existing issues as a result of the proposed site allocations.
<b>Chapter 5 Protecting and enhancing Ashfield's character through its natural environment and heritage</b>	
All policies	A number of recommendations have been put forward to the Council to strengthen the aspirations of the policies in Chapter 5, including:

	<p>Seeking 20% Biodiversity Net Gain</p> <p>Give weight to the emerging Local Nature Recovery Strategy</p> <p>Increased woodland planting and improved accessibility to woodland.</p> <p>Seeking opportunities to enhance/ better reveal the historic environment, through any provision of Green Infrastructure/ biodiversity provision. The policy should recognise the value of the historic environment in contributing to the multi-functionality of green-blue infrastructure via cultural heritage, recreation, and tourism through assets such as registered parks and gardens, local historic parks, canals, heritage/ historic landscapes etc.</p> <p>Comments encouraging additions to the policy to include reference to identifying opportunities to create and enhance blue green corridors to protect watercourses and their associated habitats from harm.</p>
EV5: Protection of Green Spaces and Recreation Facilities	<p>Sport England have raised concern the wording of the policy is not clear regarding the protection of sports facilities, including playing fields and the policy does not address the replacement of the equivalent quantity of provision in accordance with national policy. Sport England also recommends the policy should include wording that clarifies a proposal for a flood resilience scheme affecting sports facilities, including playing fields, should be assessed against Paragraph 103 of the NPPF. Solutions to these are however proposed by Sport England.</p> <p>Two land owners / agents have requested that two sites designated as Green Space should not be subject to this designation.</p>
Policy EV9: The Historic Environment	<p>Historic England have made a number of recommended changes to the policy for clarity and to ensure consistency with National Policy.</p>
Policy EV10: Protection and Enhancement of Landscape Character	<p>CPRE Nottinghamshire consider that the exclusion of Named Settlements from this policy leaves them open to the future proliferation of inappropriate housing and renewable energy development, and proposal within these settlements should be subject to as assessment of impact on landscape character referred to in the policy.</p>
Chapter 6 Meeting local housing needs and aspirations	
Policy H1: Housing Allocations	<p>A majority of the representations to Policy H1 are objecting to the inclusion of a number of the site allocations, notably sites relating to Hucknall, Jacksdale and Huthwaite. A list of the site allocations that have received objections and a summary of the issues raised against each is provided in Appendix A to this report.</p> <p>A number of other representations were received from landowners / land promoters who, in challenging that the</p>

	<p>Council has not met its objectively assessed housing need (see comments under Policy S7), are promoting the inclusion of their sites to address the shortfall. These includes sites that were previously included in the Regulation 18 draft of the Plan but have subsequently been omitted for reasons set out by the Council, have been assessed in the SHELAA but have not been considered developable / deliverable, or are new sites that have not yet been submitted to the Council for consideration.</p>
Policy H5: Public Open Space in New Residential Developments	<p>Sport England consider the policy and supporting text is not clear on how the requirements for outdoor sports facilities on new residential developments will be calculated and secured and have requested additional wording to clarify this.</p>
Policy H6: Housing Mix	<p>One respondent states the policy should provide clarity regarding the optional standards in building regulations for accessible housing and the policy should explicitly make reference to technical standards M4(2) and M4(3) to ensure clarity.</p> <p>The same respondent also recommends that all new homes (not only large developments) meet Building Regulations M4 Category 2 accessible and adaptable standard homes to meet the needs of disabled and older people in the District.</p>
Policy H8: Houses in Multiple Occupation, Flats and Bedsits	<p>The policy is challenged by one respondent who states the plan is not clear as to what form 'mixed and balanced communities' take (referred to in criteria 1 and 2 of the policy) and how proposals will be assessed against this criteria. It is also stated that the Local Plan evidence base does not set out relevant information and evidence relating to existing HMOs in the District and the justification for controlling HMOs (and the policy).</p>
Chapter 7 Building a strong economy which provides opportunities for local people	
Policies EM1-EM3	<p>10 representations received to policies EM1, EM2 and EM3, nine of which supported policies EM1-EM3. One respondent objecting to the policy seeks the allocation of a site for employment land stating this will be to accommodate a shortfall in employment land provision to account for the area of existing allocations taken up by Biodiversity Net Gain.</p>
Chapter 8 Placing vibrant town and local centres at the heart of the community	
Policy SH1: Retail, Leisure, Commercial and Town Centre Uses	<p>One respondent recommends the threshold for applying the sequential test should be increased to 1000 sq.m (or at least 500 sq.m) to more closely align with the guidance set out in the PPG and to prevent potential future town centre investment being undermined by perceived unnecessary planning policy requirements.</p> <p>Historic England suggest Conservation Areas/ historic cores of high streets/ retail centres and how to enhance heritage assets in a retail setting to benefit the wider economy of the area. It is also suggested the policy could set out what type of design considerations are appropriate in the context of Conservation Areas and heritage assets such as shopfronts.</p>

Policy SH3: Shopfronts	Historic England states the policy should include a specific clause on how to deal with Shopfronts on heritage assets and in Conservation Areas.
Chapter 9 Achieving successful development through well designed places	
Policy SD1: Social Value	One respondent suggests the policy is not a land user matter and is not consistent with national policy, justified and effective and the policy should be deleted.
Policy SD5: Developer Contribution	Nottinghamshire County Council have requested that Household Waste Recycling Centres (HWRC) should be included in the list of infrastructure which is eligible for developer contributions.
Policy SD6: Assessing Development Viability and Development Demand	Respondent considers that point 4 introduces a review mechanism for all section 106 contributions and policy requirements including affordable housing without any justification, which is not in accordance with national policy.
Policy SD7: Communications Infrastructure	One respondent suggests that infrastructure supporting mobile broadband and Wi-Fi should be included in all new development, not just major developments as referred to in the policy.
Policy SD8: Contaminated Land and Unstable Land	The Environment Agency recommend that the policy should explicitly state that, impacts caused by contamination on water sources and resources caused by the site or previous use should be remedied.
Policy SD10: Transport Infrastructure	One respondent states the transport assessment and cumulative impacts of the assessment is based on the strategy and proposals in the Regulation 18 draft of the plan (notably inclusive of the new settlement site at Whyburn), and the proposed mitigation does not reflect the proposed growth strategy set out in Regulation 19. The comment is made in the context of point 3 of policy SD10 which states that new development, singularly or combined with other proposed development should demonstrate that a sufficient package of measures are proposed (to mitigate the impact on the highway network.)
Policy SD13: Provision and Protection of Health and Community Facilities	<p>Sport England welcome the commitment within the policy to enhancing sports provision but recommend that a separate criterion is added to the policy to address proposals for the loss of sports facilities which is consistent with national policy.</p> <p>Sport England recommend that criterion 3(c) of the policy (relating to exceptions of the loss of health and community facilities where they are no longer economically viable) is deleted as this is not consistent with national policy.</p> <p>NHS Property Services suggest an exception to criterion 3(c) that the loss of existing facilities can be accepted where this forms part of a wider public service estate reorganisation.</p>
General comments and Evidence Base	
Evidence Base	A number of comments have been received in response to the evidence base documents, predominantly the Sustainability Appraisal, Strategic Housing Land & Employment Availability Assessment, Green Belt Harm



	<p>Assessment and Background Paper 1: Spatial Strategy and Site Selection.</p> <p>A majority of the comments relate to supporting the allocation of sites not allocated in the plan, challenging the conclusions of the site assessment and selection process and justification for the preferred spatial strategy.</p>
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## Appendix A: Summary of key issues raised in objections to Housing Allocations (Policy H1).

Site Reference	No. of respondents objecting to the site allocation	Summary of key issues
Sites relating to Hucknall	See numbers of objections to the respective site allocations in Hucknall below.	<ul style="list-style-type: none"> <li>Traffic congestion - the quantity of traffic now using Watnall Road causes serious traffic congestion.</li> <li>Inadequate basic facilities - doctors, dentist and schools are already inadequate, without the increased population from the proposed level of development.</li> <li>Local Services and Facilities – concern there is no commitment in the Plan to local services (leisure facilities).</li> </ul>
Sites relating to Huthwaite	See numbers of objections to the respective site allocations in Huthwaite below.	<ul style="list-style-type: none"> <li>Huthwaite does not have the infrastructure to support the proposed level of development (capacity of schools, GP surgery, increased congestion on the highway network).</li> <li>Adverse impacts on biodiversity/wildlife</li> <li>Steep topography – impact on views / landscape</li> <li>Increased flooding – concern development will exacerbate existing issues</li> </ul>
Sites relating to Jacksdale	See numbers of objections to the respective site allocations in Jacksdale below.	<ul style="list-style-type: none"> <li>Flooding, notably on local road and existing drainage is not suitable.</li> <li>Potential adverse impacts on wildlife</li> <li>Green Belt should not be changed.</li> <li>Jacksdale does not have the infrastructure to support the proposed level of development (capacity of schools, GP surgery, increased congestion on the highway network).</li> </ul>
<b>Specific sites</b>		
H1Hb Linby Boarding Kennels, East of Church Lane, Hucknall	1	<ul style="list-style-type: none"> <li>The background paper Spatial strategy and site selection document, October 2023 gives site H1HB an overall green belt harm rating of 'relatively high' (score 15). This is the highest score for sites in Hucknall.</li> <li>This shows the site as having high impact in terms of preventing settlements merging. Allocation of the site would have particular implications for the village of Linby, in terms of coalescence with Hucknall. It would result in an irregular and irrational green belt boundary.</li> </ul>
H1Hc Land north of A611 / South	1	<ul style="list-style-type: none"> <li>Potential significant impact on biodiversity - there are two Local Wildlife Sites 2/235 and 2/2275 which will be affected.</li> </ul>

of Broomhill Farm, Hucknall		<ul style="list-style-type: none"> <li>• Challenge that the scheme is viable due to the cost of delivering BNG.</li> <li>• The land would be more viable for biodiversity offsetting.</li> <li>• Concern over the impact on local services/infrastructure.</li> </ul>
H1Hd Stubbing Wood Farm, Watnall Road, Hucknall	6 (plus a petition of 103 signatures)	<ul style="list-style-type: none"> <li>• Potential for an adverse impact on ancient woodland.</li> <li>• The developer failed to declare multiple privately owned dwellings that are on the site, all of the privately owned dwellings have full access rights to their properties via the private lane. The submission should not be allowed to be put forward on this basis.</li> <li>• Concerns on impacts on the adjacent ancient wood land, including the wildlife (deer's, badgers, wild ducks, hedgehogs, moles, hares, bats, toads, and woodpeckers).</li> <li>• Historic War Tower (protected) is located on the site. Concerns that development would take the tower out of its natural surroundings and could suffer with anti-social behaviour.</li> <li>• The front and back fields are particularly prone to flooding since the soil is clay sitting on bedrock, and surface water from Westville Estate runs across this land, adding to the flooding because it finally passes under Watnall Road, which floods on the bends of the road after heavy rain.</li> <li>• Lack of infrastructure to support the new development (lack of capacity at the Flying High Academy, GP surgery, dentist)</li> <li>• Long standing of many years, 60 to 70 years of flooding from Long Lane onto Watnall Road.</li> <li>• Existing traffic congestion - the site will exacerbate existing issues and concerns over cumulative impacts of vehicles existing from Stubbing Wood on to Watnall Road or Lancaster Road.</li> </ul>
H1Se Priestic Road, Sutton	1	<ul style="list-style-type: none"> <li>• Concern regarding land stability. The site is a former railway embankment which has been filled in.</li> </ul>
H1Sf Rear 23 Beck Lane, Skegby	2	<ul style="list-style-type: none"> <li>• Flooding - exacerbating existing issues (extensive comments provided on this issue in the original submission).</li> <li>• Access will be obtained via Omberley Avenue and associated issues such as congestion, safety and issues associated with cars parked on Mansfield Road.</li> <li>• There appears to be no plans to build / include bungalows or dwellings for the elderly or disabled within the site.</li> <li>• Lack of infrastructure to support the growth, notably schools and healthcare facilities.</li> <li>• Historic England remain concerned about the development in the setting of Dalestorth House Grade II, and the</li> </ul>

		<p>cumulative impact of the developments H1Ss and H1Si. HE recommended additional detail within the Heritage Assessment and again we consider that further consideration is required of the cumulative impacts and what mitigation measures are possible and appropriate to bring forward to reduce the harm to this heritage asset. A masterplan for development in this vicinity could be useful to understand the cumulative effects and solutions.</p>
H1Sh Pasture Farm, Alfreton Road	1	<ul style="list-style-type: none"> <li>• The site should not be included in the Local Plan for development of new housing as it cannot create a "better place to live" it will be wholly unhealthy due to its proximity to a major road (A38) above its level.</li> <li>• The site has a public house sitting above/alongside another side and finally a Haulage contractors yard on the adjoining Calladine Lane industrial estate.</li> <li>• All of the above will be detrimental to the health of any residents.</li> <li>• There is no safe access. The only access is along a private driveway not designed for vehicles.</li> <li>• There is an ancient laid hedgerow through the middle of the site.</li> <li>• Two footpaths located on the site – concern these will be lost.</li> <li>• A stream forms at this location.</li> <li>• There is no opportunity for a green space in this Hollow should it be developed.</li> </ul>
H1Si Rear Kingsmill Hospital	1 objection and 1 respondent Historic England providing comments	<ul style="list-style-type: none"> <li>• Historic England (HE) remain concerned about the development in the setting of Dalestorth House Grade II, and the cumulative impact of the developments H1Ss and H1Sf.</li> <li>• HE recommended additional detail within the Heritage Assessment and further consideration is required of the cumulative impacts and what mitigation measures are possible and appropriate to bring forward to reduce the harm to this heritage asset. A masterplan for development in this vicinity could be useful to understand the cumulative effects and solutions.</li> <li>• The site will have a major impact on the surrounding area, especially highways.</li> </ul>
H1Sj Clegg Hill Drive, Huthwaite	2	<ul style="list-style-type: none"> <li>• Concern regarding the existing capacity at the dentist, GP and whether there will be the investment in new local infrastructure.</li> <li>• Concern whether utilities infrastructure can support another 500+ properties.</li> <li>• The 300 homes planned for Ashland Road area will put an unacceptable strain on Huthwaite.</li> </ul>

		<ul style="list-style-type: none"> <li>• Flooding – development will exacerbate existing issues.</li> <li>• There is insufficient road access and capacity.</li> </ul>
H1Sk Sunnyside Farm, Blackwell Road, Huthwaite	23	<ul style="list-style-type: none"> <li>• Adverse impact on amenity with potential loss of light and noise pollution for nearby properties.</li> <li>• Flooding - Having more houses on Blackwell Road will affect the drainage and can result in flooding. The road already floods in heavy rain – existing issues will be exacerbated.</li> <li>• No Bus Route available - there is no bus route on Blackwell Road which affects the residents, the paths are not wide enough with parking for residents with prams or in a wheelchair.</li> <li>• Concerns regarding the available capacity of local schools and GP surgeries which will be put under more pressure by development of the site.</li> <li>• Development would result in the loss three local wildlife sites (LWS) as well as having a detrimental impact on 5 further sites in close proximity.</li> <li>• No consideration given to the infrastructure requirements (references to limited capacity at existing schools, GP surgery, hospitals).</li> <li>• Development of the site will result in the loss of green spaces, impacting on physical and mental well-being and tackling poor health.</li> <li>• Ground stability is a concern - a former colliery spoil tip is located on the southern part of the site.</li> <li>• There are several natural springs running across the site, which results in flooding.</li> <li>• Ancient rural footpaths will be lost.</li> <li>• There is a potential for buried archaeological remains on the site.</li> </ul>
H1SI North of Fackley Road, Teversal	1	<ul style="list-style-type: none"> <li>• The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs.</li> <li>• Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide.</li> <li>• The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded.</li> </ul>

		<ul style="list-style-type: none"> <li>The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.</li> </ul>
H1Sn Adj Molyneux Farm, Fackley Road, Teversal	1	<ul style="list-style-type: none"> <li>The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs.</li> <li>Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide.</li> <li>The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded.</li> <li>The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.</li> </ul>
H1So Off Fackley Road, Teversal	1	<ul style="list-style-type: none"> <li>The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs.</li> <li>Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide.</li> <li>The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded.</li> <li>The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.</li> </ul>
H1Sq Hardwick Lane Recreation Ground	2 (plus a petition of 654 signatures)	<ul style="list-style-type: none"> <li>Sport England objects to the allocation of site H1Sq – Hardwick Lane as it is not consistent with the requirements of paragraph 103 of the NPPF.</li> <li>Site H1Sq is a playing field, Sport England’s Active Places Power lists this site as including 1 adult football pitch. The Ashfield Playing Pitch Strategy (2023) (PPS) identifies the Hardwick Lane Recreation Ground as a lapsed site. However, a lack of use of a playing field should not be taken as necessarily indicating an absence of need in an area. The PPS identifies shortfalls in provision of youth 11v11 and youth 9v9 football pitches.</li> <li>Sport England recommended that: <ul style="list-style-type: none"> <li>a footnote is added to Policy H1 for site H1Sq which states that the allocation is subject to proposals demonstrating that the requirements of paragraph 103 of the NPPF have been met; and</li> <li>Paragraph 6.71 is updated to require mitigation for the loss of the playing field unless it can be</li> </ul> </li> </ul>

		<p>demonstrated that the provision is surplus to requirements in line with NPPF paragraph 103.</p> <ul style="list-style-type: none"> <li>The response, inclusive of the petition of 654 signatures, objects to the loss of Hardwick Recreation Ground (H1Sq) as it does not align with the Council's Health and Wellbeing Strategy 2021-2025. It is also stated the Playing Pitch Strategy 2023-2027 which does not demonstrate that Hardwick Lane Recreation Ground is surplus to requirement in the catchment area.</li> </ul>
H1St Land off Blackwell Road/Main Street, Huthwaite	17	<ul style="list-style-type: none"> <li>This area is prone to flooding and ground stability also, lack of drainage.</li> <li>Development will result in the loss of wildlife.</li> <li>Development will put strain on Blackwell Road which is already busy with traffic from the nearby the industrial estate.</li> <li>The area is already struggling with spaces for school, doctors, and dentists.</li> <li>Adverse impact on amenity – the noise and disruption for all local residents will be too much along with all the other traffic.</li> <li>Ancient rural footpaths will be lost.</li> <li>The community of Huthwaite does not have capacity in its education, health, sewerage, fire, and policing policies and cannot accommodate a further 400 families.</li> <li>Concerns over highways safety as a result of increased traffic movements</li> <li>There is a potential of archaeological remains on the site.</li> <li>No bus service available on Blackwell Road</li> </ul>
H1Va Land at Plainspot Farm, New Brinsley, Underwood	1	<ul style="list-style-type: none"> <li>Francis Street and Plainspot Road provide vehicular access to the site, both of which are narrow roads with existing traffic issues, which will only worsen with further development in the area.</li> <li>Concerns regarding the accumulation of new housing surrounding the village leading to urban sprawl, and this will lead to the loss of village character and sense of community and have a detrimental impact on quality of life.</li> <li>Further development on the edge of the village could lead to coalescence with surrounding villages, contrary to Green Belt policy, and will add further pressure to the existing local services and infrastructure.</li> </ul>
H1Vj Land off Main Road, Jacksdale	10	<ul style="list-style-type: none"> <li>Concerns development will exacerbate existing flooding issues related to Bagthorpe Brook which is poorly maintained.</li> <li>Issues of flooding on Main Road, Westwood and Brinsley Hill also noted as an issue.</li> </ul>

		<ul style="list-style-type: none"> <li>• Infrastructure will not be able to accommodate the growth (roads, schools, GP surgery and dentist).</li> <li>• Respondents note the issues raised in the SHELAA report as matters of concern, including: <ul style="list-style-type: none"> <li>• Likely existence of contamination.</li> <li>• Likely ground stability issues. Part of the site is Coal High Risk Area</li> <li>• The site has significant access constraints and watercourse / surface flooding issues.</li> <li>• It is located in the Green Belt and therefore it is necessary to demonstrate that there are exceptional circumstances, for the site to be taken out of the Green Belt</li> <li>• A risk to wildlife and biodiversity</li> </ul> </li> <li>• Landscape objectives are to enhance (e.g.: house building will detract severely).</li> </ul>
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### Next Steps

Subject to the approval of Council, the Plan will be submitted to the Secretary of State for Independent Examination in April 2024. The submission document will include a Statement of Consultation which sets out a summary of the main issues raised at Regulation 18 and Regulation 19 consultations, and the Council’s response to each of the representations made at Regulation 19.

### Implications

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

**Legal:** The National Planning Policy Framework requires local authorities to develop local plans for development in their area that are consistent with national policy. In turn, applications for planning permission must be determined in accordance with local development plans, unless material considerations indicate otherwise. The National Planning Policy Framework is a consideration in all decision making as part of the planning process. Any implications relating to the Local Plan will be kept under review. [RLD 14/02/2024]

**Finance:** There are no direct financial implications arising because of this report. [PH 12/02/2024].

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.
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## **Risk:**

**Human Resources:** There are no direct HR implications contained within this report.[KB 13/02/2024]

**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 has been undertaken as part of the consideration of the Regulation 19 Local Plan.

## **Other Implications:**

None

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

Not applicable

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

Not applicable

## **Background Papers**

Not applicable

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