

Appendix D: Consultation Summary

Summary of the comments/issues raised on the Pre-Submission Draft SA Report (Nov 2023)

The following table summarises the main issues raised during the consultation on the SA Scoping Report, sets out the Council's response and, where appropriate, identifies how those issues have been addressed.

| Respondent ID Name | Section | Comment/ Summary of proposed amendment | Council response |
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| 27 Susannah Lepley - TOWN- PLANNING.CO.UK | Appendix H: Appraisal of Site Alternatives | <p>The Sustainability Appraisal incorrectly appraises site SJU021 (Land off Stoney Lane, Selston) as a potential housing allocation in Selston. As indicated in our representation on the SHELAA 2021; Appendix H (Rural Sites) of the SHELAA incorrectly lists the site as being 'Agricultural Land Classification – Grade 3'. In fact, on the Agricultural Land Classification mapping available on the Defra Data Portal the site falls within Grade 4 Agricultural Land Classification.</p> <p>This incorrect classification then impacts upon how the Sustainability Appraisal has assessed the site in Appendix H – Appraisal of Site Alternatives. As set out in Appendix L – Site Scoring Framework, SA Objective 8 gains a (-) score where development will result in the loss of the best quality agricultural land. Paragraph 5.3.9 of the SA defines the best and most versatile agricultural land as Grades 1 to 3 for the purpose of the SA. This has contributed to a 'Significant Negative Effect' score (-) for SA Objective 8; whereas it should in fact it should be scored as a 'Minor Negative Effect' (-) by virtue of being a greenfield site if Mineral Safeguarding is put to one side.</p> <p>The criterion in this SA objective referring to mineral safeguarding areas is unclear as it says, 'Development is within a Minerals Safeguarded Area, excluding urban areas identified by the Ashfield Local Plan Review 2002'. However, in fact the Nottinghamshire Minerals Local Plan in Policy SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure shows the Mineral Safeguarding Areas (MSA) washing over settlements with no exclusion from the MSA for any form or size of existing built-up area. As such the SA has not consistently scored this matter as the LPA have arbitrarily chosen to exclude urban areas that were identified in the</p> | <p>The site boundary intersects with Grade 3 (but appears to be a function of digitisation of the site boundary with the site being within Grade 4). This assessment commentary has been updated to reflect it is Grade 4. However, the site assessment identifies significant effects for SA Objective 8 due the site being greenfield and in the MSA. No change in assessment scoring has been identified.</p> <p>The application of MSA follows the site assessment framework established in the Scoping Report (2019). The Council considers that it is appropriate to make use of the defined urban areas.</p> <p>SA Objectives 5 and 14 – Positive effects is considered appropriate. It is also not considered that the primary school is within 10minute walking distance when it would require use of a public right across fields and over streams (which will</p> |

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| | <p>2002 Local Plan. Consequently, this results in more favorable scores under this SA objective for certain settlements, namely Hucknall, Kirkby in Ashfield and Sutton in Ashfield to other settlements. This calls into question the SA site assessment process and as such makes SA Objective 8 impossible to use for comparison between sites in different settlements. Consequently, the entire SA is unsound and should be reworked.</p> <p>In addition, the SA also incorrectly scores certain criteria as follows: SA Objective 5 (Social Inclusion Deprivation) – this is incorrectly scored as a ‘Minor Positive Effect’ (+) whereas it should be score as a ‘Significant Positive Effect’ (+ +); because the site is within 800m of walking distance of the primary school (it is 625m to the primary school via the public footpath) as well as within 320m of a bus stop; and it will deliver a proportion of affordable housing as it exceeds the thresholds requiring an element to be affordable housing.</p> <p>SA Objective 14 (Travel and Accessibility) - this is also incorrectly scored as a ‘Minor Positive Effect’ (+) whereas it should be score as a ‘Significant Positive Effect’ (+ +); because the site is within 800m of walking distance of the primary school (it is 625m to the primary school via the public footpath) as well as being within 320m of a bus stop.</p> <p>The site SJU021 scores more positively than the Sustainability Appraisal currently assesses; the site should be updated in the SA Appendix. The positive effects of the site support the principle that the site should be allocated for housing in the Local Plan.</p> <p>The analysis in the SA is shown below for comparison between those sites allocated and site SJU021 that was not allocated. As can be seen if the SA objectives 5 and 14 are correctly scored for site SJU021 then it scores significantly more positively than some of the sites allocated in Selston. Because SA Objective 8 for all sites in Selston will have consistently considered Mineral Safeguarding at the settlement level, because the entire settlement is in the Surface Coal MSA, we do not change this in the comparison below.</p> <p>Even at present the site SJU021 has fewer negative effects than all of the four sites allocated in the Local Plan, if the site SJU021 were to be scored correctly on SA objectives 5 and 14 then the site would have as many positive</p> | <p>not be lit). The Council’s SHELAA assessment also notes that the site is not within 10 minutes walking distance.</p> <p>The Council's reasoning for the selection of sites is set out in Appendix C.</p> |
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| | | <p>effects as all four of the sites allocated and less negative effects than all of the four sites allocated in the Local Plan. As such it would score more favourable overall than the allocated sites.</p> <p>As the emerging Local Plan is unsound on the basis that it doesn't meet its strategic housing requirement. Then additional work in the form of modifications to allocate additional housing sites to meet at least the shortfall of 963 dwellings should be undertaken. The selection of additional allocations should reflect the correct SA scores for site SJU021 and should reflect the consistent application of the Mineral Safeguarding provisions or discount that factor in the named settlements where it has had a negative impact. Having regard to the fact that in the SA site scoring framework for site SJU021 scores more favourable overall than the allocated sites in Selston, site SJU021 should be allocated as a housing site for 20 dwellings.</p> | |
| <p>63</p> <p>Whyburn Consortium - CarneySweeney Planning</p> | <p>S1</p> | <p>The spatial strategy for the Pre-Submission Draft Local Plan proposes a 'dispersed development' approach, with a specific reference to focusing on sites of less than 500 dwellings (Sustainability Appraisal Option 3). This is a substantial change from the Regulation 18 consultation stage which proposed a 'two new settlement' spatial strategy approach (Sustainability Appraisal Option 10).</p> <p>The reason provided for the revised spatial strategy approach within the Sustainability Appraisal, dated 2023 and Background Paper 1: Spatial Strategy and Site Sections, dated 2023, respectively refer to a "significant number of objections" and a "significant level of objections", received to the new settlement proposal, along with anticipated announcements from the Government regarding planning reforms.</p> <p>When reviewing Strategic Policy S1 against the evidence base and also the process of assessing alternative options as part of the Sustainability Appraisal process, the preferred spatial strategy option for a 'dispersed development' approach has not been justified.</p> <p>The Regulation 19 Sustainability Appraisal states that there are "no changes" to the reappraisal of the spatial strategy options, which includes the now preferred Option 3 dispersed development. Option 3 had been ruled out through the Sustainability Appraisal for the Regulation 18 consultation stage</p> | <p>The Pre-Submission Draft SA Report (2023) sets out the assessment of the spatial strategy in Section 5.5 and Appendix G. The assessment was reviewed at Regulation 19 stage with updates made to some commentary but no changes to the overall scoring.</p> <p>The reasons for the selection of the preferred spatial strategy option and rejection of other spatial strategy options in Section 5.5 paragraphs 5.5.76 -5.5.85 and Table 5.5. This sets out the Council's considerations and reasons for changes made between Regulation 18 and Regulation 19 stage.</p> |

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| | | <p>for the following reason: “This option would rely on the development of smaller sites (i.e. sites of less than 500 units) dispersed across the District. This approach has not been selected as it does not represent an option which would best meet the identified housing needs and would result in sites coming forward in less sustainable locations. The small-scale nature of the sites under this option would not provide the economies of scale necessary to deliver infrastructure in the district in line with the identified vision in the plan. Furthermore, there would be inadequate opportunities to build on existing transport links, again due to the dispersed nature of the sites and their scale.” (Source: Extracted from Table 5.5: Sustainability Appraisal 2021 – Regulation 18</p> <p>The justification for the dispersed development approach being an appropriate strategy to deliver sustainable development is not addressed in the evidence base. The authority is inconsistently seeking to rely upon a limited updated evidence base which supported a different spatial strategy approach at the Regulation 18 consultation stage. A summary table of the updated and new documents forming part of the evidence base is included within Appendix 5 of these representations.</p> | | |
| 63 | Whyburn Consortium - CarneySweeney Planning | S9 | <p>The Council’s reason for dismissing the dispersed development approach at the Regulation 18 consultation stage stated that “...the small-scale nature of sites under this option would not provide the economies of scale necessary to deliver infrastructure ...” (Table 5.5 of the Sustainability Appraisal 2021, Regulation 18 consultation stage). The evidence base has not addressed why this point has now been overcome, and neither has it been addressed through the IDP how the scale of development being proposed is capable of delivering the infrastructure aspirations of Policy S9. The reliance on a “small-scale nature” of sites to deliver infrastructure requirements does not take in to account the risk of such sites having viability issues and in turn, not being capable of delivering a full infrastructure package.</p> | <p>The Pre-Submission Draft SA Report (2023) sets out the reasons for the selection of the preferred spatial strategy option and rejection of other spatial strategy options in Section 5.5 paragraphs 5.5.76 - 5.5.85 and Table 5.5. This sets out the Council’s considerations and reasons for changes made between Regulation 18 and Regulation 19 stage.</p> |
| 69 | Wheeldon Brothers Ltd - Sean Ingle - Plan and Design Group (UK) Ltd | Housing growth option | <p>It is Wheeldon’s view that there is no clear reason as to why the Council is not allocating a level of housing any higher than the basic minimum (particularly considering the district’s economic problems). Although the SA is right to consider the effects of higher housing growth figure, on natural resources, it is important to note that a significant amount of the district is allocated as Green Belt (approximately half of the land outside the urban area in Ashfield forms part of the Green Belt).</p> | <p>The Council’s reasons for selection of the preferred housing figure in line with the LHN is set out in SA Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> |

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| | | <p>Wheeldon believe that the severe social and economic problems facing the Council must be addressed now. The SA shows that these can be helped by additional housing growth. Aldergate would say that proper consideration of sites within the Green Belt which do not meet the key Green Belt functions would lead to sustainable sites being released. The easing of the problems identified above would provide the required 'exceptional circumstances' (particularly when considered in the context that Green Belt boundaries and social / economic problems haven't been considered through the Local Plan process for more than 20 years).</p> | |
| <p>160 Avant Homes - David Bainbridge - Savills</p> | <p>HK046 West of Moor Road, Bestwood</p> | <p>Site reference: HK046, West of Moor Road, Bestwood is assessed within the Sustainability Report. The sustainability appraisal finds only 2 no. SA objectives are a significant negative effect in respect of the Site.</p> <p>SA 7. Landscape is intended to protect enhance and manage the character and appearance of Ashfield's landscape /townscape, maintaining and strengthening local distinctiveness and sense of place. We object to the scoring of a significant negative effect under this objective for the Site. Although not specified in the summary it is likely that the negative score has been attributed purely because the Site is in the Green Belt as opposed to any specific adverse effect on landscape/townscape character and/or designated landscape.</p> <p>The Site and location specific work undertaken and submitted over the years to the Council demonstrates that the proposed development framework will not have an adverse effect on the Green Belt or on the landscape/character of the area. The Site is bounded in part by existing development with development of various ages nearby including to the east of Moor Road.</p> <p>SA 12. Climate Change and Flood Risk is intended to reduce and manage the risk of flooding and the resulting detriment to people, property and the environment. Again the significant negative effect attributed to the Site is not adequately explained and it is not based on the evidence. The enclosed Flood Modelling Summary by ADC Infrastructure shows that discrepancy between the food mapping, historic flood modelling data and topography ay the Site in relation to the Flood Zone 2 outline associated with the River Leen. A new hydraulic model based on up to date survey data of the watercourse and surrounding area was prepared. Of significance is that the results shown a large reduction in the extents of Flood Zone 2 (1000 year event) across the</p> | <p>The site is assessed as having significant negative against landscape (SA Objective 7) reflecting the site assessment criteria (Appendix L of the SA Report 2019) which identifies that sites within Green Belt will receive a significant negative score. The sites are scored pre-mitigation.</p> <p>With regard to flood risk (SA Objective 12) the evidence submitted about the potential flood risk on the site is noted. This evidence does show that the EA flood mapping is incorrect, and the extent of the Flood Zone 2 is not as extensive (and this is accepted by the EA). However, the evidence shows that the site still includes areas that are in Flood Zone 2. Therefore, under the criteria for assessment for SA Objective 12, a significant negative scored is still assessed (as part of the site is within Flood Zone 2).</p> <p>The scoring against the other SA objectives referenced is based on</p> |

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| | | <p>Site, with central areas of the site that were previously shown in Flood Zone 2 to now be in Flood Zone 1 and consequently at lower flood risk.</p> <p>We are concerned about the views that there are some minor negative effects of the proposed development on some of the other objectives. For example, matters of historic environment, biodiversity and green infrastructure, natural resources, air and noise pollution. There is no evidence to support this position in respect of the proposed development of the Site.</p> <p>Overall, we are concerned that the sustainability appraisal is not technically robust, and the views expressed on the proposed development of the Site has adversely affected identification of the Site for development.</p> | <p>professional judgement informed by the specific criteria for that objective. However, in terms air and noise pollution (SA Objective 9) a minor negative score is identified for all site alternatives in line with the assessment criteria.</p> |
| <p>240</p> <p>Hallam Land Management - Linsay Salvin - Pegasus Group</p> | <p>Choice of spatial strategy</p> | <p>There is no clear justification provided in the Draft Local Plan, background papers or Sustainability Appraisal for the new preferred spatial option. The Sustainability Appraisal leaves the reader with a paper trail to follow. It highlights decisions made on the basis of emerging and potential planning policy changes at the national level and ministerial intentions to reduce Green Belt release across the country and amend how housing need is calculated. There is no clear justification or relative assessment provided of the spatial options.</p> <p>The Sustainability Appraisal goes on to set out the reasons alternative spatial strategy options were rejected. Our client's land south east of Sutton-in-Ashfield forms part of the rejected Options 4, 5 and 6 as a potential Sustainable Urban Extension adjacent to Kirkby/Sutton. A Concept Masterplan of this potential Sustainable Urban Extension is shown in Appendix A, updated to reflect the proposed employment allocation. The reason set out for rejecting the options with an urban extension to Kirkby/Sutton, despite scoring well against the sustainability criteria, is as follows:</p> <p>'The urban extension is located in the countryside on the Main Urban Area fringe. The site has been proposed for allocation in a number of draft Local Plans. It has encountered substantial local opposition. The site at Sutton Parkway was identified in the withdrawn local plan in 2018 for residential purposes.'</p> <p>The level of objections and political acceptability are not planning reasons</p> | <p>The Pre-Submission Draft SA Report (2023) sets out the Council's reasons for the selection of the preferred spatial strategy option and rejection of other spatial strategy options in Section 5.5 paragraphs 5.5.76 -5.5.85 and Table 5.5. This sets out the Council's considerations and reasons for changes made between Regulation 18 and Regulation 19 stage.</p> |

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| | | justifying the rejection of this spatial strategy option See attached representation. | |
| 240 Hallam Land Management - Linsay Salvin - Pegasus Group | S7 3.5 | <p>The draft plan as a whole fails to meet the development needs of Ashfield. At paragraph 3.5 of the Pre-Submission Draft Local Plan, the Council set out that the strategy is estimated to meet the housing requirement of 446 dwellings per annum (dpa), identified using the standard method for assessing housing need, up to the year 2038/39.</p> <p>The Pre-Submission Draft Local Plan is not positively prepared. The Draft Local Plan fails to provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs over the plan period to 2040. Instead, a strategy has been identified as the preferred spatial strategy for the District, despite it not meeting needs to 2040</p> <p>Whilst the Pre-Submission Draft Local Plan and supporting Sustainability Appraisal acknowledge that Ashfield District Council is part of a wider Nottingham Outer Housing Market Area and the Council is a member of the Greater Nottingham Joint Planning Partnership, the issue of unmet needs is not addressed.</p> <p>There is documented unmet need identified by Nottingham City, as set out in the Preferred Approach consultation published in January 2023. There is limited information available on the Council's website addressing how the Council has met the duty to cooperate, a key legal test of plan making process which needs to be met.</p> <p>It is standard practice for Housing Needs Assessments to consider the economic and property market dynamics. The Pre-Submission Draft Local Plan and supporting evidence sets out plans for significant infrastructure improvements related to new infrastructure associated with the Maid Marian Railway Line. Whilst the HS2 plans have been rescinded, Background Paper 1 Spatial Strategy and Site Selection (2023), highlights there are still plans for the electrification of the Midland Mainline and major development sites at Ratcliffe on Soar Power Station, and East Midlands Airport as part of the East Midlands Freeport proposal.</p> <p>There is no indication in the supporting evidence for the Local Plan that these infrastructure improvements and major employment developments have been considered in setting the housing requirement for the District, failing the positively prepared test of soundness. See attached representation.</p> | The Council's current consultation includes additional housing sites, following the Inspectors' concerns raised in their initial findings. The additional sites have been subject to SA in this addendum. |
| 240 | Land south of | Site selection: Land south of Newark Road, Sutton-in-Ashfield (Appendix B) was one of the last sites to be rejected in the site selection process. Despite | The Council has identified a range of additional sites that it proposes to |

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| <p>Hallam Land Management - Linsay Salvin - Pegasus Group</p> | <p>Newark Road, Sutton-in-Ashfield (SA024)</p> | <p>the summary in the Sustainability Appraisal, the Background Paper 1 is clear that it was not discounted for being too large or out of line with the preferred spatial strategy as it would accommodate 300 homes. It was not discounted for being with the Green Belt. It was not discounted for being in an isolated or unsustainable location. The site was only discounted on the basis of unresolved highways issues and uncertainty of delivering development. This is factually incorrect. The Council's site selection assessment of the site does not reflect the current evidence and instead refers to a position which pre-dates July 2019. There have been no unsolved highways issues that threaten the certainty of delivery of this site.</p> | <p>include in the Local Plan (and these have been appraised in the updated to Appendix H (Appendix C of this Addendum). The site (SA024) has now been included in the plan following the grant of planning permission. Reasons for selection/rejection have been revised.</p> |
| <p>357 Environmental Agency - Paul Goldsmith</p> | <p>S3</p> | <p>We are satisfied that there will be no negative impacts with regard to the strategic objectives 10 and 12 as detailed above. We are encouraged that with regard to climate change and flood risk minor positive impacts have been noted. We are satisfied that Biodiversity Net Gain (BNG) has been addressed within the Sustainability Appraisal. While BNG is only specifically mentioned once within the document we are satisfied with the wording which states "It is anticipated that potential effects on biodiversity could be lessened through the application of Draft Local Plan policies and at the individual planning application stage, when detailed design and mitigation measures will also be considered (such as ecological mitigation and enhancement measures). Furthermore, the requirements for biodiversity net gain for all new development will allow for enhancement."</p> | <p>Support for the findings of the SA is noted.</p> |
| <p>399 Bellway Homes Ltd</p> | <p>HK043</p> | <p>Object to the assessment of the site as having a 'significant negative' impact on objectives relating to health, which is a product of the Sustainability Appraisal Site Scoring Framework (Appendix L) stating that, with regards suitability, "if the proposal results in a loss of open space this will have a minor or significant negative impact", and going on to say that "open space is anticipated to include: ... allotments". The allotment use of the site ceased in circa 2019 and as such the land is now vacant and does not contribute to the open space network. Additionally, alternative allotment provision in a more appropriate location can be made elsewhere within the larger H1Hc draft allocation. The assessment of the site in this regard should be changed to neutral, as the proposal would not be located in close proximity to neighbouring uses which would have a negative impact on human health.</p> | <p>The cease of use of the allotments has been reflected in the site assessment as contained in Appendix C of the addendum.</p> |

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| <p>400 Stags</p> | <p>H1Saa (SA007) assessment</p> | <p>The site is assessed as having a significant negative impact upon objectives relating to landscape and natural resources. We object to the assessment of the site as having a ‘significant negative’ landscape impact as this is not an area of high landscape character nor Green Belt. We believe this assessment should be changed to ‘minor adverse’ impact</p> | <p>The assessment is based on professional judgement using the Site Appraisal Framework (SA Report Appendix L). Given the site size, location and assessment of landscape condition it is considered appropriate.</p> <p>It is important to note that the site scoring is pre-mitigation and therefore doesn’t take into account any measures that may be employed to minimise or mitigate impacts.</p> |
| <p>400 Stags</p> | <p>H1Su (SA Assessment)</p> | <p>Object to the assessment of the site (SA084) as having a ‘significant negative’ impact on travel and accessibility as the Sustainability Appraisal Site Scoring Framework (Appendix M) states that the ‘significant negative’ rating will be applied to sites that “are not within 800m or 10 minutes walking of a bus stop or any other services comprising a primary school, GP surgery and Post Office”</p> | <p>The site has been identified in the appraisal as not having access within 10m walking of facilities. SA084 forms part of the overall site included in the Local Plan. The assessment does not take into account mitigation measures or proposed bus provision in neighbouring sites which has not been provided as yet.</p> |
| <p>576 Paul Maltby</p> | <p>S7</p> | <p>The Plan now has an emphasis on a “dispersed” development strategy. However, the Plan gives insufficient weight to the sustainable credentials of Underwood and as a consequence fails to allocate sufficient sites in this locality.</p> <p>The Plan does not identify sufficient land to deliver housing over the minimum 15 year period as set out in the guidance. It only provides for 12.5 years. Hence, based on 446 houses per annum this represents a shortfall of 1,115 houses. The plan is not positively prepared and hence not sound. More housing sites need to be identified.</p> <p>Policy S7 - Meeting Future Housing Provision We have concerns that the Council is not allocating sufficient housing sites.</p> | <p>The Council’s reasons for selection of the preferred housing figure in line with the LHN is set out in SA Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> <p>The Council has identified a range of sites that it proposes to include in the Local Plan (and these have been appraised in the updated to Appendix H (Appendix C of this Addendum).</p> |

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| | | <p>Paragraph 60 of the NPPF states: “ To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed”.</p> <p>There has been a low level of housing delivery in Ashfield over recent years. The Sustainability Appraisal assessed two housing options. In our view the higher option - Reasonable Alternative Flexible buffer – which is a 20% buffer equivalent to 535 dpa and 9,095 over the plan period should be the basis for the Plan for two primary reasons:</p> <ol style="list-style-type: none"> 1. The Council is proposing to allocate (Policy S6) 45 hectares of employment land at Junction 27 of the M1 for an extension to Sherwood Business Park. It needs housing in the locality, so employees only have to travel a short distance. The Council needs to allocate more housing sites and on land close to the proposed Business Park extension. 2. The Council’s past housing delivery performance has been poor. It should be much bolder in allocating more sites to ensure delivery. <p>There are numerous opportunities to deliver sustainable developments around settlements such as Underwood. More housing sites should be allocated.</p> <p>Policy S7 is not supported it should be reviewed to adopt the Reasonable Alternative Flexible Buffer Option of 535 dwellings per annum.</p> | <p>The Council's reasoning for the selection/rejection of sites is set out in updated Appendix H (Appendix C of this Addendum).</p> |
| <p>576 Paul Maltby</p> | <p>S7</p> | <p>The Sustainability Appraisal assessed two housing options. In our view the higher option - Reasonable ALternative Flexible Buffer - which is a 20% buffer equivalent to 535 dpa and 9,095 over the plan period should be the basis for the Plan for two primary reasons: 1. The Council is proposing to allocate (Policy S6) 45 hectares of employment land at Junction 27 of the M1 for an extension to Sherwood Business Park. It needs housing in the locality, so employees only have to travel a short distance. The Council needs to allocate more housing sites and on land lose to the proposed Business Park extension. 2. The Council's past housing delivery performance has been poor. It should be much bolder in allocating more sites to ensure delivery. There are numerous opportunities to deliver sustainable developments around settlements such as Underwood. More housing sites should be allocated. Policy S7 is not supported it should be reviewed to adopt the Reasonable Alternative Flexible Buffer Option of 535 dwellings per annum.</p> | <p>The Council's reasons for selection of the preferred housing figure in line with the LHN is set out in SA Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> <p>The Council's reasoning for the selection/rejection of sites is set out in updated Appendix H (Appendix C of this Addendum).</p> |

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| <p>625</p> <p>TSS - Lis Reid - Teversal Skegby and Stanton Hill Neighbourhood Forum</p> | <p>Appendix B Consultation summary</p> | <p>The Forum provided a comprehensive response to the Regulation 18 (Teversal, Stanton Hill and Skegby Neighbourhood Forum: Comments on Ashfield District Local Plan 2020-2038), however, only 3 concerns were reproduced in the Regulation 18 consultation responses – Appendix B: Scoping Report Consultation Summary</p> | <p>The consultation summary in the SA (Appendix B of the SA Report 2023) focuses on specific comments raised in respect of the SA itself rather than the plan as a whole. The council took into account comments raised on the plan when taking forward the draft from Regulation 18 to Regulation 19.</p> |
| <p>625</p> <p>TSS - Lis Reid - Teversal Skegby and Stanton Hill Neighbourhood Forum</p> | <p>S10</p> <p>Page 72&73</p> <p>Table: 1-3</p> | <p>Strategic Policy: S10. Improving Transport Infrastructure</p> <p>The TSS Area is particularly poorly served by public transport with large parts having no bus service. The lack of public transport and its unreliability is one of the major complaints by residents during surveys carried out by the Forum. The proposition that new housing will lead to better public transport provision cannot be factored into assessments of sustainability for a number of reasons. There is no way of predicting how many of the residents will use public transport.</p> | <p>The assessment in the SA recognises the overall positive policy wording of S10 in terms of improving transport infrastructure with the objective of promoting travel choice and appraises it accordingly in relation to transport (SA Objective 14) with the identification of significant positive effects.</p> |
| <p>625</p> <p>TSS - Lis Reid - Teversal Skegby and Stanton Hill Neighbourhood Forum</p> | <p>H1</p> <p>Pages 159 - 165</p> <p>Para's 6.47, 6.48, 6.50, 6.54, 6.63-6.65, 6.67, 6.69, 6.72-6.76 6.78-6.79</p> | <p>Policy: H1: Housing Site Allocations (greater than 10)</p> <p>The choice of sites H1SI North of Fackley Road, Teversal, H1Sn and H1So contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs. Para 2 and the objectives set out in Para 3.100 (Safeguarding key landscape). They conflict with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (they do not respect landscape character nor do they deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide.</p> <p>The green corridors between settlements must remain intact. The preservation of green spaces scores most highly in Forum surveys so they should be preserved and enhanced. The green corridors are particularly sensitive and the Forum will defend these spaces against any erosion. They should therefore be withdrawn.</p> <p>These sites are not sustainable and have been included in the LP without consultation with Teversal, Stanton Hill and Skegby Neighbourhood Forum and despite widespread local opposition based on the same principles as</p> | <p>The Council's reasoning for the selection/rejection of sites is set out in updated Appendix H (Appendix C of this Addendum). The sites have been allocated in accordance with the Council's spatial strategy.</p> <p>The Council's current consultation includes additional housing sites, being included following the Inspectors' concerns raised in their initial findings. The Council's reasoning for the selection of additional sites is also set out in Appendix C.</p> |

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| | | <p>those outlined above.</p> <p>The new estates proposed for the Fackley area could also have deleterious effects on the River Meden which is an important water source for local wildlife including deer, badgers and birds and serves the wet meadowland of Teversal Pastures (SSSI).</p> <p>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.</p> <p>See also Chapter 3 - 3.16 The disparancies between allocations across the main towns of Hucknall, Sutton and Kirkby are stark and disproportionate. The difference between allocation for TSS and Kirkby is that TSS (including land adjacent to KingsMill as due to it proximity to TSS and other large developments it will create pressure on the same services and facilities that are currently struggling to cope) would have 66% more new dwellings than Kirkby. TSScomprise of three settlements, although in this Plan Skegby and Stanton Hill redesignated as Sutton MUA.</p> <p>Kirkby scored high on the Sustainability Assessment. However, unlike Kirkby, TSS does not have the benefit of good access to public transport - trains, buses, nor does it benefit from accessible health, education and community services and facilities etc.</p> <p>If Huthwaite were considered alongside TSS then they together would have approximately 78% more proposed dwellings than Kirkby. As stated elsewhere in this response TSS shares primary health care services with Huthwaite, and similarly Huthwaite residents are experiencing significant issues in accessing their health centre.</p> | |
| <p>687</p> <p>Ackroyd & Abbott Ltd - Robert Rusling - DLP Planning Ltd</p> | <p>H1</p> | <p>LAND AT PLEASLEY ROAD, ADJACENT TO STATION FARM, TEVERSALIn the SA the site is considered to be a “reasonable alternative” site for housing. However, the site was not selected for the following reason: “The site is located adjacent to Fackley where it can be seen as have a more rural character. It would represent the development of a greenfield land intruding into a key 'green gap' identified in the Teversal, Stanton Hill and Skegby Neighbourhood Plan. It would also be detrimental to the settlement</p> | <p>Comment on SA findings noted. The Council’s reasoning for the selection/rejection of sites is set out in updated Appendix H (Appendix C of this Addendum).</p> |

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| | | <p>pattern to this part of Fackley.”</p> <p>The SA was updated in November 2023 as part of the evidence base for the Regulation 19 consultation. The assessment of the site against the seventeen different SA objectives and the conclusion remains the same in the 2023 SA. The commentary provided above in response to the SHELAA’s conclusion, in relation to the openness between Teversal and Stanton Hill, is also applicable to the SA’s conclusion.</p> <p>This site should therefore be considered a suitable, available and deliverable site that accords with the overall proposed spatial strategy (as set out in Policy S1) and should be included as an allocation in Policy H1 in order to ensure that the Council meets its minimum housing requirement for the full plan period (as set out in our objections to Policy S7 above).</p> | |
| 756 Fisher German | Spatial Strategy | <p>The SA process necessitates the testing of ‘reasonable alternatives’ to achieve relevant environmental, economic and social objectives. The scope of reasonable alternatives is however dependent on each authority, as what would be constituted as reasonable in one authority, may not be reasonable in another. Ten reasonable alternatives were identified by the Council, however two were discounted prior to being formally tested by WYG, the Council’s external consultants. The two discounted were Option 1: Containment within existing settlements; and Option 2: Urban Concentration within/adjoining existing settlements, with no Green Belt release.</p> <p>Both of these options were excluded from being reasonable alternatives as there wasn’t sufficient land to meet the minimum housing requirement, a questionable conclusion given the Council’s eventual adopted strategy cannot meet its development needs in full. It is however noted that the only non-Green Belt release option was that of urban concentration, the Council did not test, or justify not testing, an option of no Green Belt release inclusive of dispersed development. Given the inherent protection afforded to Green Belt, this is a fundamental failing in the process undertaken. This option should have been tested, or at the very least rationale explained clearly why it was not reasonable. This is a significant flaw in the SA process and needs to be rectified prior to submission, as legal compliance is not an issue that can be rectified by Main Modifications and necessitates the failure of the Plan at examination.</p> | <p>It is for the Council to identify reasonable alternatives to test in the SA. Those are set out in Section 5.3 of the Pre-Submission Draft SA Report (Nov 2023).</p> <p>The Council has identified a range of sites that it proposes to include in the Local Plan (and these have been appraised in the updated to Appendix H (Appendix C of this Addendum).</p> |
| 722 Aldergate Properties Ltd - Wayne Scholter - | | <p>It is Aldergate’s view that there is no clear reason as to why the Council is not allocating a level of housing any higher than the basic minimum (particularly considering the district’s economic problems).</p> | <p>The Council’s reasons for selection of the preferred housing figure in line with the LHN is set out in SA</p> |

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| Plan and Design Group (UK) Ltd | | <p>Although the SA is right to consider the effects of higher housing growth figure, on natural resources, it is important to note that a significant amount of the district is allocated as Green Belt (approximately half of the land outside the urban area in Ashfield forms part of the Green Belt).</p> <p>Aldergate believe that the severe social and economic problems facing the Council must be addressed now. The SA shows that these can be helped by additional housing growth. Aldergate would say that proper consideration of sites within the Green Belt which do not meet the key Green Belt functions would lead to sustainable sites being released. The easing of the problems identified above would provide the required 'exceptional circumstances' (particularly when considered in the context that Green Belt boundaries and social / economic problems haven't been considered through the Local Plan process for more than 20 years).</p> | Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19. |
| 787 Kevin Wilson | H1St Para 77 | Legally Compliant - I do not believe the sustainability appraisal has been done properly | No detailed or specific SA comments are provided on the SA or findings. |
| 791 Richborough - Matt Dugdale - Nexus Planning | S1 | A sustainable strategy underpinned by evidence - The spatial strategy, with a focus of development at the main urban areas of Sutton in Ashfield, Kirby in Ashfield, Hucknall and the areas of the District adjacent to the Mansfield Urban Area, is sustainable and deliverable. It is clearly underpinned and supported by the evidence base, including the Sustainability Appraisal ("SA"). This confirms that the strategy scores positively for housing, social inclusion, employment, economy and town centres with a range of neutral effects. Significant negative effects solely related to the impact on natural resources by virtue of it being a greenfield site. This strategy clearly strikes an appropriate balance between the different sustainability objectives. | The support for the findings of the SA is noted. |
| 791 Richborough - Tom James - Nexus Planning Associate Director | S1 | The spatial strategy, with a focus of development at the main urban areas of Sutton in Ashfield, Kirby in Ashfield, Hucknall and the areas of the District adjacent to the Mansfield Urban Area, is sustainable and deliverable. It is clearly underpinned and supported by the evidence base, including the Sustainability Appraisal ("SA"). This confirms that the strategy scores1 positively for housing, social inclusion, employment, economy and town centres with a range of neutral effects. Significant negative effects solely related to the impact on natural resources by virtue of it being a greenfield site. This strategy clearly strikes an appropriate balance between the different sustainability objectives. | The support for findings of the SA is noted. |

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| | | Overall, the Council's approach to the spatial strategy is considered to be sound. | |
| 803 R Law - Campfield Farms Ltd - Ceres Property | S7 | <p>It also appears that the LPA tested two options when establishing their LHN. The Sustainability Appraisal (SA) assesses the LPA's preferred housing requirement of 446 dwellings per annum (dpa) against the reasonable alternative of applying a 20% buffer equivalent to 535 dpa and 9,095 over the plan period.</p> <p>The SA determines that following an appraisal of the reasonable alternative, that the higher growth option of 535 dpa is considered to perform similarly to the lower figure against most of the SA objectives. However despite providing a housing growth figure with a 20% buffer above the standard methods would enable a greater supply of housing in the District on plan adoption, there is some uncertainty over where the housing delivery can meet the higher growth figure. This is a matter for the proposed spatial strategy to address, which as discussed above and in Section 3 below, is capable of doing so subject to modifications.</p> <p>Use of a buffer is also consistent with national policy, with the NPPF not only requiring a Local Plan to meet its objectively assessed development needs in full but to do so through a considered strategy which engenders sufficient flexibility to adapt and respond to rapid change.</p> <p>To ensure sufficient flexibility, the Local Plan must account for the fact that both housing need and housing supply will inevitably fluctuate throughout the plan period due to a number of factors, including changes to population projections and affordability ratios, and sites failing to come forward as anticipated. Sufficient headroom is required over the Plan period to respond rapidly to these changes.</p> <p>A buffer is therefore important to account for these fluctuations, and overall housing need / supply and is necessary to ensure the Local Plan is effective, consistent with national policy, and positively prepared. The absence of a 20% buffer to the LHN figure is considered inconsistent with the NPPF and therefore unsound.</p> | <p>The Council has identified a range of sites that it proposes to include in the Local Plan (and these have been appraised in the updated to Appendix H (Appendix C of this Addendum).</p> <p>The Council's reasons for selection of the preferred housing figure in line with the LHN is set out in SA Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> |
| 812 Dukeries Homes Ltd | Housing growth option | The assessment in the Sustainability Appraisal (para 5.3.18) concludes: | The Council's reasons for selection of the preferred housing figure in line with the LHN is set out in SA |

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| | | <p>“ The flexible buffer option (535 dpa) is considered to perform similarly to the Preferred Option figure (446 dpa) for the remaining objectives’. In our opinion the Council should adopt the Flexible Buffer option so much needed homes are delivered, there is a range of choice and to support economic growth that does not encourage extensive in commuting.</p> | <p>Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> |
| <p>814 Harworth Group - Stuart Ashton - Pegasus Group</p> | <p>S1</p> | <p>Justification of New Preferred Spatial Strategy: The Draft Local Plan, background papers and Sustainability Appraisal fail to provide a clear justification for the new preferred spatial strategy. The reports to Cabinet highlight that decisions were made on the basis of emerging and potential planning policy changes at the national level and ministerial intentions to reduce Green Belt release across the country and amend how housing need is calculated. There is no evidence that the implications of removing the new settlements on the overall spatial strategy was considered or the alternative options returned to in light of the decision not to pursue Option 10. There is no clear justification or new relative assessment provided of the spatial options. It appears that the two new settlement sites were removed and then majority of the remainder of the sites were simply carried forward with some additions and adjustments and this has retrospectively been described as a new dispersed strategy. It is unclear why the dispersed strategy is the only option which was considered to ensure new development is located in the most sustainable locations, as there are a number of strategy options which direct growth to the Main Urban Areas.</p> <p>The lack of any sound planning justification for the selection of the preferred strategy or the rejection of alternative strategy options raises questions about the legal compliance of the Local Plan. The Environmental Assessment of Plans and Programmes Regulations 2004 set out the formal requirements. The lack of justification also means the plan is unsound. The strategy needs to be ‘Justified’, a test of whether it is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. A key element of evidence is the Sustainability Appraisal which need to set out the reason for any preferences. Settlement Hierarchy: Strategic Policy S1 sets out a logical settlement hierarchy, which is supported. The hierarchy reflects the evidence on existing infrastructure and access to services and facilities. It correctly identifies Sutton-in-Ashfield as one of the Main Urban Areas, with a range of facilities, services and employment opportunities serving the local community and beyond.</p> | <p>The Pre-Submission Draft SA Report (2023) sets out the reasons for the selection of the preferred spatial strategy option and rejection of other spatial strategy options in Section 5.5 paragraphs 5.5.76 - 5.5.85 and Table 5.5. This sets out the Council’s considerations and reasons for changes made between Regulation 18 and Regulation 19 stage.</p> |

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| 814 Harworth Group - Stuart Ashton - Pegasus Group | S7 | <p>Unmet Need: Whilst the Pre-Submission Draft Local Plan and supporting Sustainability Appraisal acknowledge that Ashfield District Council is part of a wider Nottingham Outer Housing Market Area and the Council is a member of the Greater Nottingham Joint Planning Partnership, the issue of Nottingham City's unmet needs is not addressed. The Sustainability Appraisal in rejecting the option for a 20% uplift on the standard method figure notes 'Furthermore, no additional housing requirements have been identified as arising from neighbouring council area under the duty to cooperate' (para 5.3.19). This is incorrect. There is documented unmet need identified by Nottingham City, as set out in the Preferred Approach consultation published in January 2023. Ashfield has large areas not designated as Green Belt and therefore the opportunity to meet these needs within Ashfield District should have been explored.</p> | <p>The Council's reasons for selection of the preferred housing figure in line with the LHN is set out in SA Report Pre-Submission Draft (Nov 2023) Section 5.3 paragraph 5.3.19.</p> |
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