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Ashfield Local Plan Regulation 19 Pre-Submission Draft Consultation
Planning Policy
Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham
NG17 8DA

By email: localplan@ashfield.gov.uk

Date: 29 January 2024

Our ref: 66375/01/JW/LBu/29435578v1

Dear Sir/Madam

Ashfield Local Plan (2023-2040) Regulation 19 pre-submission draft Representation on behalf of McDonalds Restaurants Ltd

On behalf of our client, McDonalds Restaurants Ltd ("McDonalds"), Lichfields is pleased to submit a formal representation to the Ashfield Local Plan (ALP) (2023-2040) Regulation 19 pre-submission draft.

McDonalds is a globally recognised brand and currently trades from more than 1,450 restaurants across the UK and Ireland and employs around 180,000 people. In 2017, McDonald's sites across the East Midlands contributed £245 million to the national economy and supported 12,740 jobs. This included:

- 9,620 direct jobs within the 91 restaurants in the region;
- 1,075 indirect jobs in the supply chain; and
- 2,045 induced jobs within the wider economy.

McDonalds operates two restaurants within the district, both within Sutton-in-Ashfield - at Kings Mill Road and Priestsic Road. As a significant contributor to the local and national economy, and with plans to extend its representation across Ashfield, McDonalds welcomes the opportunity to comment upon the latest proposed changes to the ALP.

Further comments on the soundness of the pre-submission plan are set out below.

Policy S11: Vibrant Town Centres

The Reg 19 draft proposals map specifically identifies Lane End as a Key Town Centre Development Opportunity Site. The adjacent Ashfield Evergreen Centre and The Wyvern Club have also been identified as Key Town Centre Development Opportunities (Figure 1). Strategic Policy S11 is supportive of development which accords with the objectives and schemes set out in the Kirkby Town Centre Spatial Masterplan.

The Kirkby Town Centre Spatial Masterplan (February 2021) identifies three sites as outside of the town centre boundary, but part of the ‘Station Gateway’ which forms the western gateway to the town centre. The ‘Station Gateway’ is made up of the following sites:

- Site A5 (Wyvern Club and station car park site): identified for mixed use development with additional car parking which should include a food and beverage unit to support business cluster;
- Site B1 (Ashfield Evergreen site): identified for a landmark structure; and
- Site B2 (Lane End): identified as a preferred location for a mixed-use gateway development, which includes residential, business, local convenience retail and parking.

Figure 1: Reg 19 Policy Map (Station Gateway)



McDonalds supports the identification of Lane End as a Key Town Centre Development Opportunity which forms a key gateway into the town centre for people entering by road and rail, and McDonald’s considers that the site offers potential to be developed as a drive thru restaurant.

The site is a brownfield site which has remained undeveloped for a significant period of time, with planning history connected to industrial uses, dating back to the 1970s and 1980s. The buildings have since been demolished and the site is characterised by areas of hardstanding and cleared land. The site forms a poor entrance to the town centre and parts of the site fall within Flood Zone 3, which is likely to impact upon the range of uses which could be developed.

The masterplan identifies uses that could come forward on the three sites (A5, B1 and B2), with Lane End (B2) identified as a preferred location for a mixed-use gateway development, which includes residential, business, local convenience retail and parking.

While the uses identified in the masterplan would not appear unreasonable, in principle, given the site's location at the edge of the town centre, it will be important to ensure that planning policies relating to the site are not restrictive, and indeed allow for some flexibility in terms of land uses. Given that part of the site lies within Flood Zone 3, it is likely to be difficult to accommodate residential development within the site in particular. National policy set out in the NPPF provides context in this regard, encouraging local authorities to use planning policies and decisions to create the conditions in which businesses can invest, expand and adapt (Paragraph 85 of the NPPF).

Furthermore, an element of flexibility is likely to be required in relation to the Lane End site, in order to ensure the deliverability of redevelopment proposals. This is particularly the case in the context of both the site's industrial past, and the location of part of the site within Flood Zone 3.

Policy S11 should therefore be modified to address these issues. It should reflect the fact that while a mixed-use development may be desirable, the site could accommodate a range of town centre uses, including retail and / or food and beverage developments.

Policy SH1 Retail, Leisure, Commercial and Town Centre Uses

Policy SH1 sets out that the Council will apply the sequential test and, where appropriate, the impact test to main town centre uses. Where considered necessary by the Council, an Impact Test will be required for retail or leisure proposals exceeding 300 sq m (gross) floorspace.

The PPG notes that the impact assessment should only apply to proposals exceeding 2,500 square metres gross of floorspace, unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold, the local planning authority need to consider the:

- scale of proposals relative to town centres
- the existing viability and vitality of town centres
- cumulative effects of recent developments
- whether local town centres are vulnerable
- likely effects of development on any town centre strategy
- impact on any other planned investment

(Paragraph: 015 Reference ID: 2b-015-20190722)

The Kirkby Town Centre Spatial Masterplan (February 2021) identifies a series of sites throughout the town centre as priority projects (sites A1-A6), medium term projects (sites B1-B3) and long-term projects (C1-C7).

These projects have been identified as redevelopment opportunities, and a number are being promoted through the Local Plan as site allocations (including Lane End). There should, therefore, be no requirement for application proposals for these sites – which are generally modest in scale (and therefore unlikely to be able to accommodate large developments which would result in significant adverse impacts on town centres) – to be subject to impact assessment.

Furthermore, and in any event, the proposed 300 sq m threshold, above which impact assessment will be required in association with application is too low – and there is no justification for requiring impact

assessments to be undertaken of relatively small schemes. This is a particular concern as it is likely to have the effect of undermining potential investment in town centre / edge of town centre locations such as those identified through Policy S11.


The threshold identified in Policy SH1 should therefore be increased – perhaps to 1,000 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 unnecessary planning policy requirements.

Summary

We trust that these comments will be helpful in progressing towards adoption of the ALP and would be happy to expand upon any of the comments made within this response, in which case I can be contacted on the number above.

Please also notify us of any future stages in the progression of the Council's Local Plan.

Yours faithfully


Lucy Sime
Senior Planner
BA (Hons) MSc MRTPI