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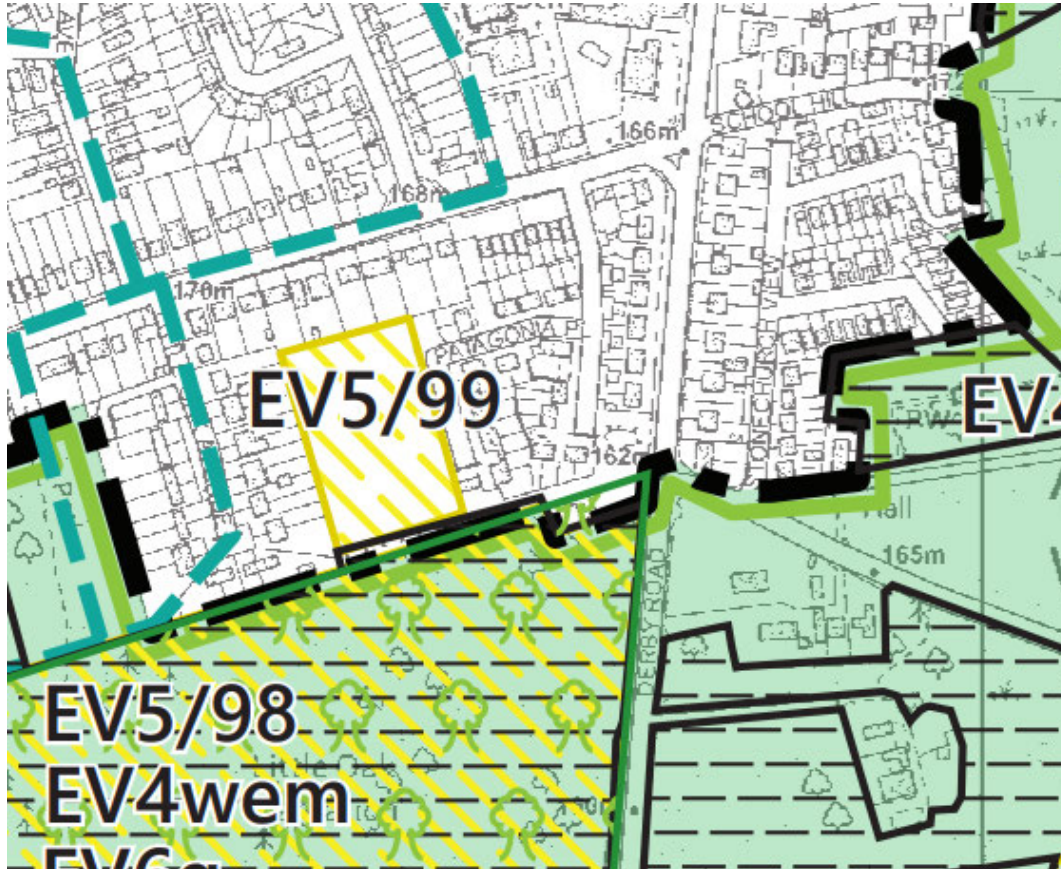
29th January 2024 / Emailed to localplan@ashfield.gov.uk

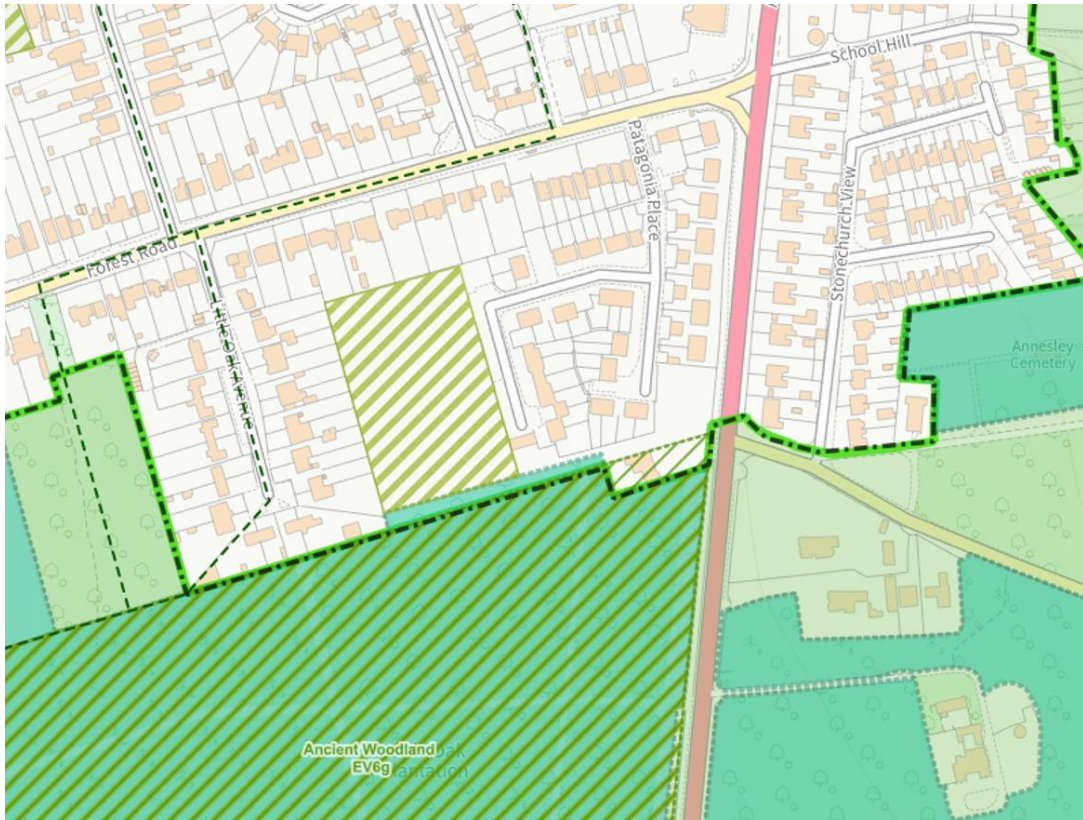
Dear Sirs

Re: Report Challenging Ashfield District Council's 'Draft Local Plan 2023 to 2040 out for consultation 1st December 2023 to 29th January 2024

The following statement is to challenge the designation of land to Green Space, ref: EV5/99 and HELAA ref KA049. Also, subsequently has also been referred to as Patagonia Green within the Draft local plan documents.

For clarity a map extract of the south map 2023 is shown below indicating the land in discussion.





A more detailed dynamic map extract shown above.

Within the draft there appears to be very little evidence why Ashfield DC has decided to allocate this site for Green Space specifically. I can make assumptions, such as access and traffic or for public sports or recreation, but all those are unfounded. The area in question is not council owned and therefore it is not for the wider public's use.

However, I will try to Justify why it should not be within the draft local plan allocated as Green Space. As follows:

Understanding the position from a policy perspective.

Policy H1: Housing Allocations - the policy allocates several sites that require land to be removed from the Green Belt. Exceptional circumstances have not been demonstrated that it is necessary to remove land from the Green Belt to meet the housing requirement. Our site (KA049, ENV5/99) for example is within the built-up area but has been rejected for the unjustified reasons of highway impact. Our transport assessment shows that transport impact can be mitigated (see attached Transport Assessment). The designated site currently has an adopted road abutting it, making it sustainable in enabling access to develop the land for 50% of its north to south axis. Many sites, only have limited access into the development land, causing considerable impact to it's surroundings through the loss of natural habitat (trees/hedges) or properties have to be demolished to make way to form many access road's. The main access route from Forest Road into the site bears little impact on the transport system and details of this can be found in the annexed report, despite what the

local highway authority may claim. Every other single policy of the councils document is achievable or not questioned as not being achievable and therefore to not even explore the possibility of the highway authority being incorrect or unreasonable, when so many other policies can be fully implemented should be re-examined. Given that paragraph 109 of the NPPF sets out that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”

It is suggested that adding a maximum 26 houses to the development site would increase the capacity to that which would be severe would not be the case as outlined in our transport assessment. Given the fact that the original development accounted for use of the land as a potential recreational ground in the transport assessment, which accounts for more vehicle movements than that of 26 houses would accumulate if the site were to be developed.

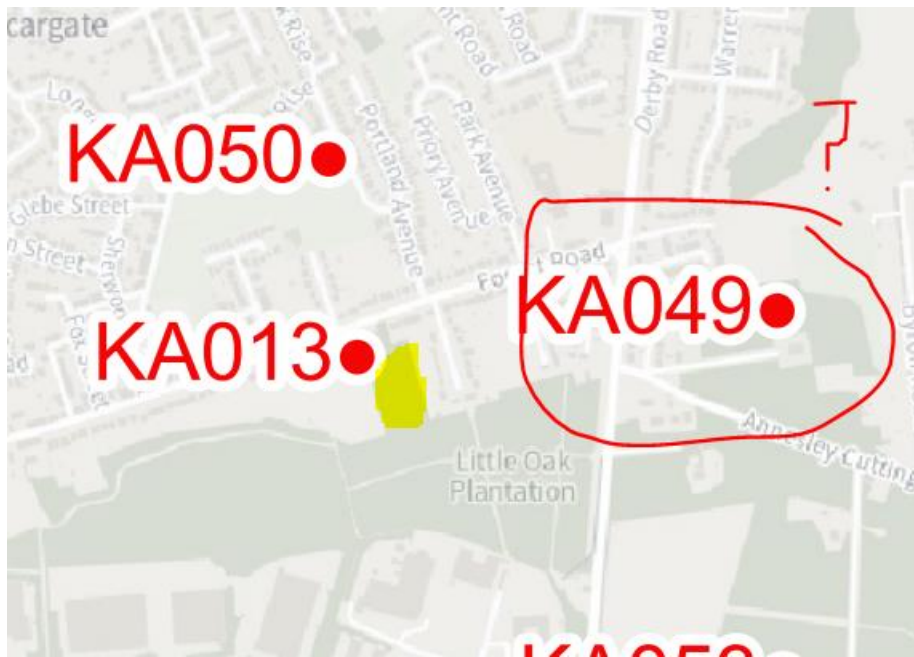
Policy EV5: Protection of Green Spaces and Recreation Facilities - object to designation of HELAA site KA049, ENV5/99 as a Green Space. There is insufficient evidence to justify that this is necessary to be retained and protected as a sports facility.

Supporting evidence base - Playing Pitch Strategy 2023-2027- has not been prepared in accordance with Sport England’s ‘Playing Pitch Strategy Guidance: An approach to developing and delivering a Playing Pitch Strategy’, which was published in October 2013. There are significant gaps in the evidence provided in the report. The councils plan for future football pitches and other sports facilities to be concentrated on one or two sites within each area (Hucknall, Kirkby, Rurals and Sutton) in order to provide better quality facilities to meet the relevant national governing body standards are welcomed and therefore it would appear that this site KA049 is not required to be retained for future use as a potential sports facility. Please note that vehicle numbers for the development adjacent, recently implemented, allowed additional parking spaces to cater for the sites future use - which given this consideration to green space is now pointless, as I’m sure the council would agree that we do not wish to have people driving to green spaces, given the apparent issues raised by the highway authority.

Supporting evidence base - Strategic Housing Land & Employment Availability Assessment - site ref KA049, ENV5/99 - Conclusion that "the site is not suitable for the proposed use without mitigation due to significant access constraints" is unsound as our transport assessment shows that transport impact can be mitigated (see attached Transport Assessment).

SHELAA KA049

Ashfield ‘s SHELAA Map (below) with designation KA049 and KA013 adjacent to the site – This does not indicate the correct location. How many people have looked at this and thought that the site is not part of SHELAA and not gone onto read the written report, going through every KA or checking KA013 and KA049? The draft’s policy documents being incorrect is surely a reason to retract and re-word / correct accordingly to afford further considered comments by others who may not have realised the drafts errors.



“The NPPF and supporting Planning Practice Guidance stresses the importance of having a planning system that is genuinely plan-led. They identify that succinct and up-to-date plans should provide a positive vision for the future of each area and a framework for addressing housing needs and other economic, social, and environmental priorities. This includes needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating, and adapting to climate change, and achieving well designed places.”

If the above statement is correct and ADC are serious, as they pinpoint the need for housing in Annesley, which has good infrastructure, community and a suitable site for SUDS and has a clear highway access opportunity into the site with walking and cycle routes, employment, then I do not see how ADC have warranted allocating this site as open space without reviewing and considering highways reasons for objecting. Considering that they wish to locate growth in sustainable and accessible locations through prioritising sites for development within and adjoining the main urban areas - Policy S1.

With regards to the Ashfield draft plan referring to green spaces being used to minimise the increased risk of flooding from all sources - statement. This needs careful consideration, as Ashfield don't own the land/site, and will have no rights to discharge flood water onto this land, and if it is not designed to do it in the first place, then this is just another sweeping statement with no evidence to justify how they propose to do this on ENV5/99. Another reason to retract the draft and re-word accordingly.

The council “wishes to set out standards for the provision of green spaces, and a basis for improving the quality and potential uses of green spaces to cater for increasing future demand arising from growth and the changing needs for the community”. However, the council don't own the site, and therefore how do they wish to propose to do this? Again, no justification for allocating this site. Do they intend to contribute financially to the upkeep of this site?

The Councillors own words:

“We are required by the government to bring forward a Local Plan that delivers the District’s objectively assessed housing need. Whilst none of us wish to see green fields being built over, it is clear that there are insufficient brownfield sites available to meet the identified need, and so the use of sustainably located greenfield sites is unavoidable. We have adopted a spatial strategy that has listened and responded to the consultation on the Draft Local Plan. The Plan is aimed at minimising the negative impacts of development; however, it is inevitable that there will be concern about some of the proposed development.

I am committed to ensuring that this document is prepared in an open and transparent manner and that the views of the public and stakeholders are listened to and taken into account. This is the final version of the Local Plan before it is submitted to the Secretary of State and the Planning Inspectorate for Examination in Public. Your views are very much welcomed and will be reviewed and submitted for consideration by an independent Inspector, who will be appointed as part of the Examination hearings process”.

As per the councillor’s own words stating that building in greenfield sites are unavoidable, that may well be the case to a certain extent, but a reduction in the requirement for developing further can be offset by re-considering the allocation of site KA049 as this would minimise impact of development elsewhere. We have reports indicating that there is no contamination on site, sustainable drainage systems work using soakaways for any built-up area and filtration basins for any highway’s drainage. These reports are for consideration of building a maximum of 26 houses and not 28 as per the HELAA Report. The site is adjacent to historic woodland and incorporating wildlife corridors from there into the site would be straightforward, compared to many areas seeking development in many urban environments.

Conclusion

Given that we have undertaken a report challenging the highways authority’s response to the viability of accessibility of this site and seemingly meet all other of the policies requirements and we have found errors in the local plan draft document relating to this site it is formally requested that the current allocation of the site KA049 does not change to become formally allocated as Green Space for the foreseeable future.

Yours faithfully



Gary Barlow
On behalf of Taggart Homes Ltd

APPENDIX: TRANSPORT TECHNICAL NOTE / REPORT (as attachment to email) issued 29th January 2024