**Ashfield Local Plan 2023-2040: Additional Housing Site Allocations Consultation**

**Guidance Note for Completing the Representation Form**

This note explains how to provide comments on the Ashfield Local Plan (2023-2040) Additional Housing Site Allocations document, which for ease of reference is identified as the “Local Plan” in this guidance and the Representation Form.

On 29th April 2024 Ashfield District Council submitted its Local Plan to the Planning Inspectorate (PINS) and the first week of public examination hearings commenced 12th November 2024 to discuss matters pertaining to; procedural and legal requirements including duty to co-operate, meeting Ashfield’s housing needs and the spatial strategy and the distribution of development.

A post hearing letter from the Inspectors was received by the Council on 6th January 2025. The letter asked the Council to undertake further work before hearings may continue. The Council has been asked to consider the appropriateness of the plans spatial strategy and identify additional sites for the housing requirement and the justification for the release of green belt land.

The Council responded to the Inspector’s letter setting out the intention to undertake immediate work in identifying further sites of less than 500 dwellings, in accordance with the submitted plan’s spatial strategy. Under the Town and Country (Local Planning) (England) Regulations 2012 (as amended), the Council is required to carry out a minimum six-week period of public consultation on the potential new housing site allocations.

The current consultation will be held over a six-week period, commencing Thursday 20th February 2025 until 5.00pm Thursday 3rd April 2025, providing an opportunity for any person or group to submit a representation on the Local Plan.

Responses submitted at this stage of the process will be considered during the Examination in Public by the Independent Planning Inspectors appointed by the Secretary of State. Statements of Representation must focus on issues which underpin the Examination, i.e., whether the plan is:

* **legally compliant;**
* **sound**; and
* that the **duty to cooperate** has been met.

For example:

* If your response relates to the way the Local Plan has been prepared, it is likely to relate to whether it is **legal**.
* If your response relates to the content of the Local Plan and the strategy it adopts, it is likely to relate to whether it is **sound**.
* If your response relates to the way in which Ashfield District Council has worked with other authorities, it is likely to relate to the **duty to co-operate**.

This guidance is designed to be read when completing the Representation Form to ensure that responses are made in a way which means they are considered correctly by the Inspector at Examination.

**Deadline**

All completed Representation Forms must be received by Ashfield District Council by **5.00pm on Thursday 3rd April 2025.**

Any responses received after this deadline will not be considered. Comments received either anonymously or not made in writing will not be accepted. Comments received during previous consultations have been summarised in the Local Plan Statement of Consultation document which will be submitted to the Planning Inspector.

**Completing the Response Form**

Your response should cover succinctly all the information and evidence to support/justify your representation and any suggested changes. There will not normally be a subsequent opportunity to make further representations based on submissions made at the Regulation 19 stage. After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues they identify for Examination.

**Group responses**

* If you are part of a group with a common view, you should submit a single representation outlining the groups concerns, rather than submitting a large number of individual comments repeating the same points.
* Make clear how many people your group is representing and how it has been authorised.

**Part A - Personal/Agent Details**

**Question 1 & 2: Personal details & Agent’s details**

Please complete all your contact details unless you are using an agent to represent you. This is used to identify who has made the comment(s), so it is important you complete this fully.

If you are using an agent please:

1. complete the Title, Name and Organisation of the Personal details, and
2. complete the agent’s details in full.

**Question 3: Request for Further Notification**

Please tick the relevant boxes if you wish to be kept informed of the progress of the Local Plan.

**Part B- The Representations**

**Question 1: Which proposed Additional Housing Site Allocation does this representation relate?**

Please state which additional housing site allocation your representation relates to. Please tick the relevant box and fill out a separate Part B form for each housing site allocation you wish to comment on.

**Question 1a: Comments on the additional housing site allocation ticked in Qu.1.**

In relation to the housing site allocation identified in Question 1, please set out any comments you wish to make.

**Question 1b: Comments on supporting text for Policy H1: Housing Site Allocations**

In relation to the housing site allocation identified in Question 1, please set out any comments you wish to make on the supporting text, clearly identifying the relevant paragraph(s).

**Question 2:**

In relation to the housing site allocation identified in Question 1, please state whether you consider the allocation or supporting text to be legally compliant by ticking the relevant box. If you consider the Local Plan it is not legally compliant please set out why (in Question 5) with any alternative suggested changes to make it legally compliant (in Question 6).

**Legal Compliance**

When the Local Plan is submitted, the Inspector will check that it meets the legal requirements required under various statutes including the Planning and Compulsory Purchase Act 2004, (as amended), The Localism Act 2011 (as amended) and the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Environmental Assessment of Plans and Programmes Regulation 2004.

Consideration by the Inspector will include:

* Has the Local Plan been prepared in accordance with the Local Development Scheme. (The LDS is available on the Council’s website).
* Is the Local Plan in compliance with the Statement of Community Involvement?

(The SCI is available or on the Council’s website)

* Has the Local Plan been subject to Sustainability Appraisal (SA)?
* Does the Local Plan comply with the Acts and Regulations outlined above?

**Question 3:**

In relation to the housing site allocation selected in Question 1, please set out whether you consider that part of the Local Plan to be sound by ticking the relevant box.

If you consider the Local Plan it is not sound please set out why (in Question 5) with any alternative suggested changes to make it sound (in Question 6).

**Soundness**

Soundness means that the inspector has to be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy.

Paragraph 35 of National Planning Policy Framework 2023 requires a Local Plan to examined for “Soundness””. Plans are “sound” if they are:

* **Positively prepared** – the Plan should provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
* **Justified** – the Plan should have an appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
* **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
* **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in accordance with the policies in the Framework and other statements of National Planning Policy, where relevant.

**Question 4:**

In relation to the parts of the Local Plan selected in Question 1, please set out whether you consider that part of the Local Plan to meet the duty to co-operate by ticking the relevant box.

If you consider that the Local Plan does not comply with the duty to co-operate, please set out why (in Question 5) with any alternative suggested changes to make it comply (in Question 6).

**Please Note:** Representations made in relation to compliance with the duty to co-operate should be made only by the relevant persons. These are surrounding Local Planning Authorities, County Councils, and the prescribed bodies (as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012) including the Environment Agency, Historic England, Natural England, the Civil Aviation Authority, the Integrated Care Board, the National Health Service Commissioning Board, The Office of Rail Regulation (Office of Rail and Road) the Highway Authority. The Council should also have regard to the Local Enterprise Partnership and Local Nature Partnerships.

**Duty to Cooperate**

A Local Plan is considered to have the ‘duty to cooperate’ when the Inspector is satisfied that the Council has worked collaboratively with other local planning authorities, the County Council, and other prescribed bodies on matters of cross-boundary strategic priority. The requirements of the duty-to-cooperate are set out in Section 110 of the Localism Act 2011. In preparing the DPD, the Council is required to cooperate on strategic matters by:

* Engaging constructively, actively and on an on-going basis with other local planning authorities, the County Council, and prescribed bodies.
* Having regard to the activities of other local planning authorities, the County Council, and prescribed bodies.

Issues relating to strategic matters are defined as:

* Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including that in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.
* Sustainable development or use of land in a two-tier area if the development or use is a county matter or would have significant impact on a county matter.

**Questions 5 & 6:**

Complete questions as appropriate to justify your response and add suggested changes.

**Question 7: Do you wish to participate at the hearing sessions at Examination?**

Please state whether you wish to present your representation in person to the Planning Inspector during the Examination and why. The Examination will involve a series of Hearing sessions chaired by the Inspector part way through the Examination period and it is here that individuals will be invited to verbally contribute to the discussion and debate on the legal compliance and soundness of the Local Plan.

It is likely that the majority of representations will be considered using the written representations submitted at this stage, which carry equal weight to those heard in person by the Inspector.

It is the Inspector will decide who will be invited to speak at the Hearing sessions, not the Council, and the Inspector will decide the topics to be covered in each Hearing session, based on the issues raised by the written representations at this Pre-submission stage.

**If you need any assistance in completing the Representation Form or further information/ advice please contact the Forward Planning Team on: 01623 457302 or email** [**localplan@ashfield.gov.uk**](mailto:localplan@ashfield.gov.uk)