

**Ashfield District Local Plan Examination**  
**Matters, Issues and Questions identified by the Inspectors**

**Inspectors Matters, Issues and Questions**

Introduction

The hearing sessions will take place over a number of weeks between **12 November 2024** and **January 2025**. The MIQs are structured to deal with matters of strategy and policies before considering site specific matters. The deadline(s) for submitting statements in response to these MIQs is set out in the guidance note. Please note, you can only respond to questions below which are relevant to your representations on the Ashfield District Local Plan (submission version).

Hearing statements are not an opportunity to introduce additional points not previously raised in your representations on the Plan, broaden the scope of your representations or comment on new matters.

Agendas for the individual hearing sessions will be issued in due course prior to the commencement of the hearings.

<b>Matter 1 – Procedural and legal requirements including the Duty to Cooperate</b>
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**Issue 1**

Whether the Council has complied with the Duty to Co-operate in the preparation of the Ashfield Local Plan.

**Questions**

*Duty to Cooperate*

- 1.1 Having regard to the proposed release of land from the Green Belt, what discussions have been held with neighbouring authorities as to whether they could accommodate some of the identified need for housing and employment development?
- 1.2 What form did these discussions take, and what was the outcome?
- 1.3 Is this clearly evidenced?
- 1.4 What are the cross-boundary issues relating to economic growth and employment land provision?

*Other strategic matters*

- 1.5 Are there any other relevant strategic matters in relation to the Duty to Cooperate?
- 1.6 If so, how have they been addressed through co-operation and what is the outcome of this? How have these informed the plan's policies?
- 1.7 Are there any strategic cross-boundary issues in relation to any of the proposed site allocations and any general policies, and if so, how have they been considered via the Duty to Cooperate?

*Overall*

- 1.8 Overall, has the Council maximised the effectiveness of the Local Plan by engaging constructively, actively and on an ongoing basis with the prescribed bodies on relevant strategic matters during the preparation of the Local Plan?

## **Issue 2**

Whether the Council has complied with relevant procedural, legal and other requirements.

### **Questions**

#### *Plan preparation*

- 1.9 Has the plan been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?
- 1.10 Has the preparation of the plan been carried out in accordance with the Local Development Scheme?
- 1.11 Is the plan sufficiently clear whether there are any policies from the existing development plan that would be superseded by its adoption?

#### *Habitats Regulations Assessment*

- 1.12 How was the Habitats Regulations Assessment (HRA) carried out and was the methodology appropriate?
- 1.13 What potential impacts of the Local Plan were considered? What were the conclusions of the HRA and how has it informed the preparation of the Local Plan?
- 1.14 Have any concerns been raised regarding the HRA and if so, what is the Council's response to these? How has Natural England been involved?

#### *Sustainability Appraisal*

- 1.15 Does the Sustainability Appraisal (SA) meet the requirements for a Strategic Environmental Assessment?
- 1.16 How has the SA informed the preparation of the Local Plan at each stage and how were options considered?
- 1.17 What were the conclusions of the SA and how has it informed the preparation of the Local Plan?
- 1.18 Are the likely environmental, social and economic effects of the Local Plan adequately and accurately assessed in the SA?

#### *Climate Change*

- 1.19 Does the plan accord with s19(1A) of the Planning and Compulsory Purchase Act (2004) (as amended) by including policies that are designed to secure that the development and use of the land in the District contribute to the mitigation of, and adaptation to, climate change?

#### *Equality and Diversity*

- 1.20 Having regard to the Equality Impact Assessment [SD.09], in what way does the Plan seek to ensure that due regard is had to the three aims expressed in Section 149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

#### *Other matters*

- 1.21 Are any other the implementation policies to be regarded as 'strategic policies'?

## **Matter 2 – Meeting Ashfield's Housing Needs**

### **Issue 1**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to meeting housing needs.

**Relevant policies – S1, S7, H2, H2a, H3, H4, H5, H6, H7, H8**

## Questions

- 2.1 Has the calculation of Local Housing Need (LHN) (446 dwellings per annum) been undertaken correctly?
- 2.2 Has the correct median workplace-based affordability ratio been used to undertake the LHN calculation having regard to the date of submission of the Plan?
- 2.3 Are there any exceptional circumstances which justify an alternative approach to using the standard method? If so, what are they, and what should the housing requirement be?
- 2.4 Is the plan positively prepared in light of the under-identification of homes over the full Plan period compared with the requirement under the standard method (6,825 compared to the LHN of 7,582)?
- 2.5 The plan identified a shortfall in housing allocations over the full plan period but nonetheless proposes the release of a number of sites from the Green Belt. Is this approach consistent with paragraph 143(e) of the Framework which indicates that when defining Green Belt boundaries, plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period?
- 2.6 How has the SA considered the under-allocation of housing compared to the housing requirement over the full plan period?
- 2.7 Do the Council's latest Housing Delivery Test results have implications for the housing delivery and trajectory expectations in the submitted plan?

## Issue 2

Whether the plan will deliver an appropriate mix of housing to meet the various housing needs over the plan period and whether these are justified, effective and consistent with national policy.

- 2.8 How does the need for affordable housing compare to the housing requirement? Based on the thresholds and requirements in Policy H3, will affordable housing needs be met?
- 2.9 What is the need for specialist forms of accommodation (e.g. Older persons housing, housing people with disabilities, student accommodation)? How does the submitted plan seek to address these needs?
- 2.10 Are the requirements for affordable housing in Policy H3, including the proposed tenure splits justified? Are the affordable housing percentages justified? Will they be viable?
- 2.11 Are the requirements in Policy H4(1) justified?
- 2.12 What is the need for custom and self-build housing in the District? How will this be met over the plan period?
- 2.13 Are the requirements of Policy H5 justified? What is the evidence for the thresholds set out in the Policy?
- 2.14 Is Policy H5(1)(b) sufficiently clear to developers, decision-makers and local communities? Is it justified?
- 2.15 Does Policy H6 accord with paragraph 62 of the Framework in respect of those who wish to commission or build their own homes?
- 2.16 Does Policy H6 reflect the housing mix that was subject to viability testing in the Whole Plan Viability Assessment (SEV.38)? Why is the recommended housing mix not included within the text of Policy H6?
- 2.17 Are the housing density requirements in Policy H7 justified? Are they evidence-based?
- 2.18 Is the wording of Policy H7 sufficient clear as to whether the density requirements are gross or net? Is Policy H7 sufficiently flexible to deal with circumstances where the minimum densities set out may not be appropriate for particular site-based reasons?
- 2.19 Is Policy H8 sufficiently clear to decision-makers, developers and local communities where Houses in Multiple Occupation (HMOs) will be permitted?
- 2.20 Taking each in turn, are the criteria in Policy H8(2) justified?

### **Issue 3**

Whether the plan will meet the needs of Gypsies, Travellers and Travelling Showpeople.

#### *Policy H2a – Gypsy, Traveller and Travelling Showpeople Site Allocations*

- 2.21 With regard to the need for pitches and plots for Gypsies, Travellers and Travelling Showpeople, is the Gypsy and Traveller Accommodation Assessment sufficiently up to date?
- 2.22 Is the plan's approach to addressing the needs of ethnic Gypsies and Travellers justified?
- 2.23 Is the need for Gypsies, Travellers and Travelling Showpeople's pitches identified over the full plan period? If not, is the submitted approach justified?
- 2.24 Is the plan sufficiently clear as to when the proposed allocations to meet the needs of Gypsies and Travellers are required by?
- 2.25 What process and methodology did the Council use to determine which sites to allocate?
- 2.26 The plan identifies a requirement for 4 plots to meet the needs of Gypsies and Travellers. The table at page 97 of the GTAA identifies a total additional plot requirement of 9 yard plots. What is the reasoning for the difference between this figure and the submitted plan and where is this set out?
- 2.27 Taking each in turn, are the proposed site allocations for Gypsies, Travellers and Travelling Showpeople justified? Is each site deliverable?
- 2.28 Having regard to *Lisa Smith v SSLUHC [2022] EWCA Civ 1391* dated 31st October 2022, a judgement regarding the interpretation of the Planning Policy for Traveller Sites (PPTS) and the application of that policy to Gypsies and Travellers who have ceased to pursue nomadic lifestyles. Does the Plan make adequate provision to meet the housing requirement for Gypsies, Travellers and Travelling Show People in Ashfield District Council? Or considering this Judgement does the Council judge it necessary to review their assessment of Traveller site needs for the District?
- 2.29 Can the Council demonstrate a supply of specific deliverable sites sufficient to provide five years' worth of sites for gypsies and travellers against the requirement?

### **Matter 3 – The Spatial Strategy and the distribution of development**

#### **Issue**

Whether the Spatial Strategy and the distribution of development are justified, and can be accommodated without releasing land from the Green Belt? If not, do exceptional circumstances exist that would justify altering the Green Belt boundary?

#### **Relevant policies – S1, S4, S7, EV1**

#### **Questions**

- 3.1 Is the spatial distribution of development across the borough justified and what factors influenced the Spatial Strategy, for example physical and environmental constraints and the capacity to accommodate development?
- 3.2 What alternative options for the spatial strategy were considered?
- 3.3 Why was the submitted approach to disperse development chosen and is it an appropriate strategy having regard to reasonable alternatives?
- 3.4 Are the Plan's Strategic Policies sufficiently clear about the scale of development envisaged in each settlement/ area?
- 3.5 Does the submitted Plan's approach strike an appropriate balance between the identification of land for new homes and employment?
- 3.6 Is the settlement hierarchy set out in Policy S1 Justified?

- 3.7 What evidence is there to justify the identification of each settlement within the respective tiers of the hierarchy?
- 3.8 What reliance does the Plan's overall strategy have on the proposed Maid Marian line? Is there a reasonable prospect of it coming forward during the plan period? How will the Plan respond to it?

### *Green Belt*

- 3.9 What proportion of new housing and employment proposed in the Plan would be on land currently designated as Green Belt?
- 3.10 What other reasonable options for meeting the identified housing requirement were considered prior to the proposed release of land from the Green Belt?
- 3.11 Not all of Ashfield District is within the Green Belt. Could the need for new housing and employment be met by locating such uses outside Green Belt? If not, why is this the case?
- 3.12 How has the assessment of sites within the Green Belt informed the Council's approach to site selection?
- 3.13 Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 141 of the Framework states that strategic policy-making authorities should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for housing. This will be assessed through the examination and will consider whether the strategy:
- Makes as much use as possible of suitable brownfield sites and underutilised land;
  - Optimises the density of development, and
  - Has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need.

How has the preparation of the Plan sought to make as much use as possible of suitable brownfield sites and optimise the density of development?

- 3.14 How would the proposed release of land maintain the openness and permanence of the Green Belt?
- 3.15 How has the Green Belt assessment considered the potential for mitigation?
- 3.16 Do the Plan's strategic policies set out the scale and need for the release of land from the Green Belt as required by paragraph 140 of the Framework?
- 3.17 Having regard to the shortfall of housing provision over the plan period, what evidence is there that the Green Belt boundary will not need to be altered at the end of the plan period as set out at paragraph 143(e) of the Framework?
- 3.18 At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in other ways?

## **Matter 4 – Economy, retail, and town centres**

### **Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the economy, retail, and town centres.

### **Relevant policies – S11, SH1, SH2, SH3, EM1-EM5**

### **Questions**

## *Economy*

- 4.1 How has the amount of employment land identified in the plan been calculated and is it justified?
- 4.2 Are the employment site allocations detailed at Policy EM2 deliverable?
- 4.3 Is the evidence base in the Employment Land Forecasting Study (SEV.30) and the Employment Needs Study (SEV.28) sufficiently up to date? Are the forecasts still robust?
- 4.4 The projections in the Employment Needs Study (SEV.28) are between 2018-2038. How does this correlate with the plan period?
- 4.5 Is there clear evidence that past take-up rates of employment land with particular regard to logistics, will continue over the plan period?
- 4.6 What are the implications if the scale of employment land identified in the plan is taken up? Will there be sufficient labour to fill the local jobs anticipated, or will it result in additional in-commuting from outside the District?
- 4.7 What implications has the Coronavirus pandemic ('COVID-19') had on the assumptions in the Employment Needs Study (SEV.28)?
- 4.8 Is the plan sufficiently clear on the split of floorspace proposed for office floor space and industrial floor space?

## *Detailed policies for Economy*

- 4.9 Are the requirements building a strong economy which provides opportunities for local people policies justified by appropriate available evidence, having regard to national guidance, and local context.
- 4.10 Does Policy EM4 enable the sustainable growth and expansion of businesses in rural areas in accordance with Section 6 of the National Planning Policy Framework?
- 4.11 Do Policies EM1 – EM5 provide clear direction as to how a decision maker should react to a development proposal?
- 4.12 Do the policies serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?

## *Retail and Town Centres*

- 4.13 Is there a need for any additional retail floorspace over the plan period? If so, what quantity is required and where?
- 4.14 How will circumstances under which 'where appropriate' in Policy S11 be defined and operated? Is this consistent with the Council's evidence base in the Town Centre Study?
- 4.15 What is the status of the Town Centre Masterplans? What elements are included on the Policies Map? Is there accompanying policy in the plan which supports the inclusion of these particular elements?
- 4.16 Are the requirements of the protecting what is special and improving our areas policies justified by appropriate available evidence, having regard to national guidance, and local context?
- 4.17 Has Policy SH1 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees? Is the locally applied threshold of developments exceeding 300 sq. m requiring a sequential test supported by best available evidence?
- 4.18 Do Policies SH1 – SH3 provide clear direction as to how a decision maker should react to a development proposal?
- 4.19 Do policies SH1 – SH3 serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?

## **Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to sustainable development in the district.

## **Relevant Policies – S12-S14**

### **Questions**

- 5.1 Are the requirements of the sustainable development in Ashfield policies S12 – S15 justified by appropriate available evidence, having regard to national guidance, and local context?
- 5.2 Do Policies S12 – S15 provide clear direction as to how a decision maker should react to a development proposal?
- 5.3 Do Policies S12 – S15 serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?

## **Matter 6 – Climate Change**

### **Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to climate change

## **Relevant Policies – CC1-CC3 and S3**

### **Questions**

- 6.1 Are the requirements of the Meeting The Challenge of Climate Change And Adapting To Its Effects policies CC1 – CC3 justified by appropriate available evidence, having regard to national guidance, and local context?
- 6.2 Has Policy CC1 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees?
- 6.3 Has Policy CC3 and S3 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees?
- 6.4 Do Policies CC1 -CC3 serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?
- 6.5 Do Policies CC1 – CC3 provide clear direction as to how a decision maker should react to a development proposal?

## **Matter 7 – Heritage and the Natural Environment**

### **Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to heritage and the Natural Environment.

## **Relevant Policies - EV1-EV10**

### **Questions**

#### *Heritage and the Natural Environment*

- 7.1 Does Policy EV2 enable the sustainable growth and expansion of businesses in rural areas in accordance with section 6 of the Framework?
- 7.2 Has Policy EV4 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in relation to the provision of Green Infrastructure/Biodiversity Net Gain?

- 7.3 Has Policy EV5 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in relation to the loss of sporting facilities and its protection from flooding?
- 7.4 Has Policy EV9 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees to ensure its consistency with National Policy?
- 7.5 Has Policy EV10 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in relation to Named Settlements?
- 7.6 Do policies EV1 to EV10 serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?
- 7.7 Do Policies EV1 to EV10 provide clear direction as to how a decision maker should react to a development proposal?

## **Matter 8 – Design, developer contributions and other place-making policies**

### **Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to design, developer contributions and other place-making policies.

### **Relevant Policies – S5 and SD1-SD13**

### **Questions**

#### *Design*

- 8.1 Has Policy S5 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees to ensure its consistency with National Policy?
- 8.2 Are the requirements of achieving successful development through well designed places policies justified by appropriate available evidence, having regard to national guidance, and local context.
- 8.3 Is Policy SD1 consistent with National Policy in seeking to maximise social values?
- 8.4 Is Policy SD6 consistent with Section 5 of the National Planning Policy Framework in seeking to clawback contributions over the lifetime of a development?
- 8.5 Has Policy SD8 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in identifying sources of water contamination and remediation caused by the site or its previous use?
- 8.6 Has Policy SD13 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in seeking to retain existing sporting facilities within the District?
- 8.7 Is Policy SD13 consistent with Section 11 of the National Planning Policy Framework in seeking to protect the loss commercial community facilities?
- 8.8 Do Policies SD1 – SD13 serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?
- 8.9 Do Policies SD1 – SD13 provide clear direction as to how a decision maker should react to a development proposal?

## **Matter 9 - The supply and delivery of housing land**

### **Issue**

Whether there would be a deliverable housing land supply in years 1-5 and developable supply in years 6-15.



## Questions

### *Overall Supply*

- 9.1 What is the estimated total supply of new housing over the period 2023/24-2039/40? How has this been determined? Is the housing trajectory justified?
- 9.2 What is the estimated supply from site allocations? What is the evidence to support their deliverability? Are the estimates of dwelling completions and their timing justified?
- 9.3 What evidence is there to support the timing of projected completions from each of the large sites (50 dwellings and above) without planning permission that are relied upon within the housing trajectory?
- 9.4 Is there compelling evidence that demonstrates windfall development will provide a reliable source of supply as anticipated?
- 9.5 Is the inclusion of housing falling within Class C2 of the Use Classes Order as part of the housing requirement justified?
- 9.6 Paragraph 69 of the Framework states that in order to promote the development of a good mix of sites, local planning authorities should (amongst other things) identify land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, unless there are strong reasons why this cannot be achieved. What proportion of the housing requirement will be met from sites no larger than 1 hectare?

### *Five year housing supply*

- 9.7 What is the requirement for the first five years following the anticipated adoption of the plan and what buffer should be applied?
- 9.8 What is the estimated total supply of specific deliverable sites for this period?
- 9.9 What is the estimated supply from each source for this?
- 9.10 What is the evidence to support this and are the estimates justified?
- 9.11 Taking into account completions since the base date of the Plan, what will be the anticipated five-year housing land requirement on adoption of the plan?
- 9.12 How does the five-year requirement compare to previous rates of delivery in Ashfield?
- 9.13 Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?
- 9.14 Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

### *Developable supply in years 6-15*

- 9.15 What is the estimated total supply of specific developable sites or broad locations for growth for years 6-10 and 11-15?
- 9.16 What is the evidence to support this and are the estimates justified?

<b>Matter 10 – Site allocations</b>
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## **Issue**

Whether the proposed site allocations are justified and deliverable/ developable at the point envisaged

## **Relevant Policies –H1, S6a and S6b**

## **Questions**

### *Site allocations overall*

- 10.1 How were the site allocations chosen? What factors were considered? Is the approach justified? Is it evidence-based?

10.2 In deciding whether to allocate sites for development, how did the Council take into account the effects of development on:

- Landscape character,
- The availability of best and most versatile agricultural land;
- The local and strategic road network;
- The need for new and improved infrastructure (including community facilities);
- Heritage assets; and
- Nature conservation.

10.3 How did the Council take into account flood risk? Has the Plan applied a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property as required by paragraph 161 of the Framework?

10.4 Do the Plan's policies provide sufficient specificity of the requirements expected of the larger site allocations (i.e. those of 100 dwellings and above), particularly for sites where there is no planning permission in place?

10.5 Do the Plan's policies relating to the site allocations contain sufficient requirements to ensure that sites, particularly those comprised of multiple parcels of land, will be developed in a comprehensive manner?

10.6 What is the justification for the proposed restriction on development within 400m of the Sherwood Forest Possible Potential Special Protection Area (ppSPA)? Overall, will it be effective?

#### *Changes to the Green Belt boundary*

10.7 Why has the Green Belt Assessment not considered sites against the Green Belt purpose of 'assisting with urban regeneration' as set out at paragraph 138(e) of the Framework? Is this justified?

10.8 Taking each site proposed to be released from the Green Belt in turn, what would be the extent of the harm to the Green Belt if the boundaries were changed in the locations as proposed? Are there any ways in which harms could be minimised or mitigated?

10.9 Taking each proposed change to the Green Belt boundary as set out in document ADC.02a in turn, has it been clearly defined, using physical features that are readily recognisable and likely to be permanent as required by paragraph 143 of the Framework?

#### *Hucknall site allocations*

##### *H1Ha – Seven Stars Public House, West Street/Ogle Street, Hucknall*

10.10 Having regard to the site being a locally listed heritage asset and with archaeological potential, is the proposed allocation justified? What effect might these factors have on the potential dwelling yield?

##### *H1Hb – Linby Boarding Kennels, East of Church Lane, Hucknall*

10.11 What effect does the local highway network have on the capacity of the site? What effect does the allocation have on the significance of nearby heritage assets?

10.12 What effect does the presence of a nearby Local Wildlife Site (LWS) have on the site allocation? Is it justified?

10.13 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

##### *H1Hc: Land north of A611/ South of Broomhill Farm, Hucknall*

10.14 How will the Plan ensure the site comes forward comprehensively, particularly having regard to highway matters?

10.15 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

*H1Hd – Land adjoining Stubbing Wood Farm, Watnall Road, Hucknall*

10.16 What effect does the allocation have on the significance of nearby heritage assets? Is it justified?

10.17 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

*H1He – Phase 5b, Land at Rolls Royce, Watnall Road, Hucknall*

10.18 What is the latest position in respect of the Planning Permission on the site?

*H1Hf – Phase 9, Land at Rolls Royce, Watnall Road, Hucknall*

10.19 What is the latest position in respect of the Planning Permission on the site?

*H1Hg – Hucknall Town Football Club*

10.20 What is the latest position in respect of the Planning Permission on the site?

*H1HI – Land at Shepherd Street (Rolls Royce Site)*

10.21 What is the latest position in respect of the Planning Permission on the site?

*H1Hn – Phase 2, Land at Broomhill Farm*

10.22 What is the latest position in respect of the Planning Permission on the site?

*H1Ca – Former Hucknall Police Station, Watnall Road, Hucknall*

10.23 What is the latest position in respect of the Planning Permission on the site?

*Kirkby area site allocations*

*H1Ka: Beacon Farm, Derby Road, Kirkby-in-Ashfield*

10.24 What guidance does the plan provide to assist the consideration of mitigation requirements for Site H1Ka?

10.25 In light of the proposed restriction on development (Site H1Ka) within 400m of the ppSPA, is there a reasonable prospect that mitigation measures can be secured?

10.26 Is the allocation of Site H1Ka justified? Does its identification accord with the Conservation of Habitats and Species Regulations (2017)? How has the Council considered the 'mitigation hierarchy' as set out in the Planning Practice Guidance<sup>1</sup>? Would any mitigation measures affect the site's viability?

10.27 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

*H1Kb – Land at Millers Way, Kirkby-In-Ashfield*

10.28 What is the latest position in respect of the extant Planning Permission on the site?

10.29 Is the allocation justified? Will it be effective?

*H1Kc – Land at Doles Lane, Kirkby-In-Ashfield*

10.30 What effect does the allocation have on the significance of nearby heritage assets? Is there a need for mitigation to avoid harm to designated heritage assets?

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<sup>1</sup> Paragraph: 004 Reference ID: 65-004-20190722

10.31 What effect would the allocation of the site have in isolation in relation to the highway mitigation measures recommended by the Local Highway Authority?

10.32 Overall, is the allocation justified?

*H1Kd – Off Walesby Drive*

10.33 What effect would the allocation of the site have in isolation in relation to the highway mitigation measures recommended by the Local Highway Authority?

10.34 What effect would the allocation have on non-designated heritage assets on the site?

10.35 Overall, is the allocation justified?

*H1Ke – Land off Diamond Avenue, Kirkby-In-Ashfield*

10.36 Is the allocation justified? Will it be effective?

*H1Kf – Warwick Close, Kirby-In-Ashfield*

10.37 Is the allocation justified? Will it be effective?

*H1Kg – Land behind 126 Skegby Road, Kirkby-In-Ashfield*

10.38 What is the current status of the site? Has development commenced? Is the allocation necessary?

*H1Kh - Land off Hucknall Road, Newstead*

10.39 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

*H1Kk – Land Off Laburnum Avenue, Kirkby*

10.40 What effect might any previous uses of the have on the allocation?

*Sutton area site allocations*

*H1Sd – Adj. Oakham Business Park, Off Hamilton Road*

10.41 What effect does the presence of nearby heritage assets have on the site allocation? Is there a need for mitigation to avoid harm to designated heritage assets?

10.42 How would the site secure the required access points recommended by the Local Highway Authority?

10.43 Is the allocation otherwise justified?

*H1Se – Priestic Road*

10.44 What effect would previous uses have on the effectiveness of the allocation? Is the site deliverable having regard to potential contamination, ground stability and surface water flooding issues identified in the SHELAA?

*H1Sf – Rear 23 Beck Lane, Skegby*

10.45 What effect does the presence of nearby heritage assets have on the site allocation?

10.46 How would the site secure the required access points recommended by the Local Highway Authority?

*H1Sg – Former Miners Welfare Sports Ground, Stanton Hill*

10.47 Is the allocation justified?

*H1Sh – Pasture Farm, Alfreton Road*

10.48 Is the site deliverable having regard to potential contamination and ground stability as identified in the SHELAA?

*H1Si – Rear Kingsmill Hospital*

10.49 What effect does the presence of nearby heritage assets including Dalestorth House have on the site allocation? Is there a need for mitigation to avoid harm to designated heritage assets?

10.50 Is the allocation justified?

*H1Sk – Sunnyside Farm, Blackwell Road, Huthwaite*

10.51 What effect does the identification of contamination and ground stability as identified in the SHELAA have on the allocation?

10.52 Is it justified?

*H1Sl – North of Fackley Road, Teversal*

10.53 Is the site at risk of flooding? Has the identification of the site been carried out in accordance with the sequential, and if necessary, the exceptions test?

10.54 Is any mitigation for flood risk necessary? If so, what effect might this have on the allocation?

10.55 Is it justified?

*H1Sm – Land adjacent 88 High Hazels Drive*

10.56 What effect does the identification of contamination and ground stability as identified in the SHELAA have on the allocation?

*H1Sn – Adj Molyneux Farm, Fackley Road, Teversal*

10.57 Is the site at risk of flooding? Has the identification of the site been carried out in accordance with the sequential, and if necessary, the exceptions test?

10.58 Is the allocation justified?

*H1So – Off Fackley Road, Teversal*

10.59 What effect does the topography of the site have on the deliverability of the site?

*H1Sq – Hardwick Lane recreation ground, Sutton-In-Ashfield*

10.60 What evidence is there that the site is no longer needed for open space?

10.61 Is the allocation justified?

*H1Sr – Land off Clare Road*

10.62 Provide an update on the status of the site's planning permission.

*H1Ss - Land East of A6075 Beck Lane, Skegby*

10.63 What effect does the presence of nearby heritage assets including the Grade II\* Listed Registered Park and Garden Hardwick Hall and the Grade II Listed Dalestorth House have on the site allocation? Is there a need for mitigation to avoid harm to designated heritage assets?

10.64 Is this allocation justified?

*H1St - Land off Blackwell Road/Main Street, Huthwaite*

10.65 Is this allocation justified?

*H1Su – Rear 113 – 139 Beck Lane, Skegby*

10.66 Is this allocation justified?

*H1Sw - Off Gilcroft Street/St Andrews Street/Vere Avenue, Skegby*

*H1Sx – Rear 249, 251 Alfreton Road*

*H1Sy – Off Brand Lane, Stanton Hill*

*H1Sz - Junction of Outram Street/Park Street*

*H1Saa - Land at Beck Lane, Skegby*

*H1Sac – The Quarry, 57 Stoneyford Road*

*H1Sad – The Pattern House, Crossley Avenue, Huthwaite*

*H1Sae – Ashland Road West*

*H1Saf – Quantum Clothing Site, North Street, Huthwaite*

10.67 Provide an update on the status of each of the above site's planning permissions.

*Selston, Jacksdale and Underwood Area allocations*

*H1Va – Land at Plainspot Farm, New Brinsley, Underwood*

10.68 Does the evidence in support of the site allocation justify the exceptional circumstances required to enable the proposed alterations to the Green Belt boundaries?

*H1Vb – Off Westdale Road, Jacksdale*

10.69 Is the site subject to flooding? Is this allocation justified?

*H1Vc – Land Adj. Bull & Butcher PH, Selston*

10.70 Does the evidence in support of the site allocation justify the exceptional circumstances required to enable the proposed alterations to the Green Belt boundaries?

*H1Vd – Adj 149 Stoney Lane, Selston*

10.71 Does the evidence in support of the site allocation justify the exceptional circumstances required to enable the proposed alterations to the Green Belt boundaries?

*H1Ve – Land Off Park Lane/South West M1, Selston*

10.72 Does the evidence in support of the site allocation justify the exceptional circumstances required to enable the proposed alterations to the Green Belt boundaries?

*H1Vg – Land North of Larch Close, Underwood*

10.73 Does the evidence in support of the site allocation justify the exceptional circumstances required to enable the proposed alterations to the Green Belt boundaries?

*H1Vh – Rear of 64-82 Church Lane, Underwood*

10.74 Is the site subject to flooding? Is this allocation justified?

*H1Vi – Westdale Road/Rutland Road, Jacksdale*

10.75 Is the site subject to flooding? Is the allocation justified?

*H1Vj Land off Main Road, Jacksdale*

10.76 Provide an update on the status of the site's planning permission.

*Employment allocations*

*Policy S6a - Land to the north-east of Junction 27 of the M1 Motorway*

- 10.77 What effects would the proposed employment site allocation have on the significance of nearby designated heritage assets, including Annesley Hall and Felly Priory? Does the plan identify potential mitigation measures in respect of the heritage assets?
- 10.78 What improvements are required to the Strategic and Local Highway Networks as a result of the allocation? What is the evidence to support this, and what effect does this have on the timing and deliverability of the allocation?
- 10.79 How is the allocation anticipated to come forward for development? Will the requirements of the Policy be capable of come forward in a comprehensive manner?
- 10.80 Is the requirement for the proposal to exceed the Building Regulations requirements for carbon emissions justified? What evidence is there to support this?
- 10.81 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

*Policy S6b – Land to the south-east of Junction 27 of the M1 Motorway*

- 10.82 What improvements are required to the Strategic and Local Highway Networks as a result of the allocation? What is the evidence to support this, and what effect does this have on the timing and deliverability of the allocation?
- 10.83 Is the requirement for the proposal to exceed the Building Regulations requirements for carbon emissions justified? What evidence is there to support this?
- 10.84 How is the allocation anticipated to come forward for development? Will the requirements of the Policy be capable of come forward in a comprehensive manner?
- 10.85 Does the wording of Policy S6b provide sufficient clarity on when the allocation may come forward for development? Will it be effective?
- 10.86 Is there a reasonable prospect the land allocated in Policy S6b will come forward within the plan period?
- 10.87 Having regard to the location of land south-east of Junction 27 within the Green Belt and the HS2 safeguarding direction currently in place, is the release of this land from the Green Belt justified?
- 10.88 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

<p><b>Matter 11 – Transport and Infrastructure</b></p>
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**Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to transport and infrastructure.

**Relevant policies – S9, SD10**

**Questions**

*Infrastructure overall*

- 11.1 How will key infrastructure be delivered and funded?
- 11.2 Do the Plan's Strategic Policies clearly identify and make provision for infrastructure including, but not limited to, transport, telecommunications, security, waste management, water supply, flood risk and community facilities as required by paragraph 20 of the Framework?
- 11.3 Does the Plan's spatial strategy rely on any critical infrastructure which is subject to phasing?

## *Transport*

- 11.4 How have the potential impacts of the development proposed in the Plan been tested, and how will the necessary highways mitigation be delivered?
- 11.5 Does the Plan clearly identify necessary transport mitigation measures that arise from the overall spatial strategy, but also from specific site allocations?
- 11.6 What effect does the Plan's strategy and site allocations have on the Strategic Road Network? What evidence is there that the mitigation measures proposed in the Strategic Transport Modelling Assessment Report (SEV.39.1) will be effective? Is this evidence sufficiently clear?
- 11.7 What effect does the Plan's strategy and site allocations have on the Local Highway Network?
- 11.8 Is there clear evidence that the proposed highway interventions in the full mitigation scenario have been suitably assessed and any critical transport improvements identified and costed?
- 11.9 What does 'large scale development' mean in the context of requirement in Policy SD10 for a Transport Assessment? Is there a threshold? If so, what is it and is it justified by evidence?
- 11.10 Has Policy SD10 been shaped by engagement with all stakeholders, including infrastructure providers and statutory consultees in seeking to address the impacts of development on transport infrastructure and potential mitigation strategies?

## **Matter 12 - Viability**

### **Issue**

Whether the cumulative effect of the Local Plan's policies would result in the overall strategy being viable

### **Relevant Policies – Site allocation policies, H3**

### **Questions**

#### *Viability*

- 12.1 How has the presence of contamination and ground stability issues on the proposed site allocations been considered? How might this affect the viability and deliverability of the site allocations?
- 12.2 Has the viability assessment made any assumptions regarding site remediation? If so, what are they?
- 12.3 Is the submitted Plan's Spatial Strategy viable and deliverable having regard to the extent of previously developed sites or sites requiring remediation identified?
- 12.4 Does Policy H3 recognise the potential impacts of abnormal costs such as ground conditions on greenfield sites in relation to viability?
- 12.5 Does Policy H3 provide sufficient flexibility where viability may be challenging? Is the wording of the policy sufficiently clear in this regard?
- 12.6 Are the requirements for contributions towards any key supporting infrastructure clearly set out in the Plan?
- 12.7 Overall, do the submitted policies clearly set out the contributions expected from development along with other infrastructure, and would these cumulatively not undermine the deliverability of the Plan?