

Examination of the Ashfield Local Plan

Inspectors:

Philip Mileham BA (Hons) MA MRTPI

Graham Wyatt BA (Hons) MRTPI

Programme Officer:

Miny Schofield

Contact: Melanie Wheelwright

Direct Line: 01623 457379

Email: melanie.wheelwright@ashfield.gov.uk

Our Ref: Inspectors Initial Questions

Your Ref:

Date: 29/08/2024

Dear Inspectors

EXAMINATION OF THE ASHFIELD LOCAL PLAN 2023 – 2040

Thank you for your letter dated 22nd July 2024.

I am pleased to provide the Council's response to your initial queries:

General

The Council can confirm that the submitted Plan intends to supersede all of the remaining saved policies from the adopted Ashfield Local Plan Review (2002).

Housing Shortfall

In respect of the housing shortfall, the Council can confirm that the shortfall figure, as set out in the Housing Background paper (BP.02) of 882 dwellings is correct. The table was updated to reflect a recent planning decision just prior to approval for the Regulation 19 consultation. Figures were revised accordingly, but this one field was inadvertently missed. The error has been identified and will be included in a proposed changes list to be compiled by the Council.

With regards to the Sustainability Appraisal (SA) (SD.03) and whether or not it has considered the implications arising from the under-allocation of sites over the full plan period, the Council can confirm that the SA has assessed Local Plan Regulation 19 Pre-Submission Draft (SD.01) consistent with the requirements of the NPPF and PPG, and in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. This includes noting any difficulties encountered, including uncertainties and assumptions (Section 4.5 of the SA).

Address: Council Offices, Urban Road, Kirkby in Ashfield, Nottingham, NG17 8DA

Telephone: 01623 450000 **Fax:** 01623 457006 **Web:** www.ashfield.gov.uk

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The assessment of the spatial strategy in Section 5.5 of the SA and Appendix G (SD.03h) identifies significant positive effects with some uncertainty with regards to SA Objective 1: Housing. Paragraph 5.5.6 of the SA notes that the *"option would meet housing need over the plan period but there would be lower flexibility for any additional needs or changes in future housing demand requirements"*. The proposed housing allocations (appraised in Section 5.6 of SA) and Appendix H (SD.03i) are sites that deliver the spatial strategy. In setting out the Council's reasoning for the choice of spatial strategy, paragraph 5.5.80 of the SA notes that *"the Council's Cabinet resolved to take forward an amended scenario that sought to reduce the impact on the Green Belt and meet housing need. It agreed: to reflect the standard method of housing need; [and] to provide a minimum of a 10-year housing supply."*

The SA sets out an appraisal of Local Plan Regulation 19 Pre-Submission Draft policies based on the policy wording and underlying assumption that the policy will be implemented, in line with the assumptions set out in Section 4.5 of the SA (including "there will be consistent policy implementation", the final bullet point following paragraph 4.5.2). Local Plan Regulation 19 Pre-Submission Draft Policy S7: Meeting Future Housing Provision articulates that *"a minimum of 7,582 new dwellings will be delivered within the period 2023 to 2040, dispersed across the District in accordance with the Council's spatial strategy for growth"*. The policy is therefore assessed as having significant positive effects against SA Objective 1: Housing, in Section 5.7 of the SA and Appendix I (SD.03j). This assessment reflects that the policy wording clearly sets out that the Local Housing Need (LHN) figure of 446 dwellings per annum, identified for the district, following the application of the standard methodology, is the minimum quantum of dwellings to be delivered in the plan period. With regards to housing supply, it is noted that Local Plan Regulation 19 Pre-Submission Draft explanatory text at paragraph 3.6.4 identifies that *"the supply of land for future housing will be kept under review"*.

Green Belt

To assist you in identifying the sites proposed to be released from the Green Belt, please see attached maps. The maps show the Green Belt boundaries as 'existing' and as 'proposed to be modified'.

The Council can confirm that all of the proposed changes to the Green Belt, as shown on the attached maps, have been considered as part of the Green Belt Assessment (SEV.07, SEV.07a – SEV.07i) and the Green Belt Harm Assessment – Background Paper 4 (BP.04).

Further details on the Council's approach to site selection and how Green Belt has been considered can also be found in Background Paper 1: Spatial Strategy and Site Selection (BP.01). Pages 33-39 of Paper 1 discusses the likely green belt harm, and pages 49 and 56-70 discusses the exceptional circumstances for green belt release.

Biodiversity

The Council does not consider that the restrictions on development within 400m of the Sherwood Forest ppSPA in Policy EV4 has had an impact of the spatial strategy for the area.

The purpose of Policy EV4 is to set out a policy approach to avoid any proposed new development (not allocated) within 400m of the Sherwood Forest ppSPA. Where exceptional circumstances exist, the development would be required to demonstrate appropriate mitigation to avoid or mitigate any adverse impact upon the integrity of the ppSPA.

Through consultation with Natural England, it has been agreed that the conclusions of the Regulation 19 Pre-Submission Draft Local Plan Habitats Regulations Assessment (HRA), that the Local Plan will have no adverse impact on site integrity of any Habitats sites, or upon the ppSPA, either alone or in-combination.

For clarification, the identification of sites available to deliver the Council's spatial strategy, the Council invited landowners and developers to submit land to be considered through the Strategic Housing and Land Availability Assessment (SHELAA) (SEV.20, SEV.20a – SEV.20d). As part of the assessment process, where a site was wholly affected by a 'major constraint' it was excluded from the site selection process at an early stage.

The SHELAA Methodology (2021) sets out that 'major constraint' include:

- Sites of Special Scientific Interest (SSSI)
- possible potential Special Protection Areas (ppSPA)
- Scheduled Monuments
- Historic Parks and Gardens
- Designated Local Green Space

The Sustainability Appraisal for the Ashfield Local Plan considers numerous environmental constraints including the Sherwood Forest ppSPA and the 400m restrictions for development.

Infrastructure

In respect of the total cost of the critical infrastructure necessary to deliver the Plan's spatial strategy, the Infrastructure Schedule set out in the Appendix to the Infrastructure Delivery Plan (IDP) November 2023 (SEV.36) summarises the infrastructure needs and prioritises each identified infrastructure project (or group of projects) as High, Medium or Low priority. The projects which are identified as High priority in the Infrastructure Schedule are those which are considered to be critical infrastructure.

The Infrastructure Schedule is provided at two spatial scales, consisting of area-based sections within the Infrastructure Schedule which list infrastructure projects that are relevant to that area, including an identified location, followed by a district-wide section

within the Infrastructure Schedule which lists additional infrastructure projects that are relevant across the district. In each section of the schedule, the identified projects include information related to that project including the estimated cost where known of each identified project.

More detailed information on the funding sources for the critical infrastructure projects is currently being prepared and will be forwarded separately.

Other

The evidence upon which the Council has based a proposal for the removal of Green Space is the Ashfield Public Open Space Strategy 2016 – 2026 (SEV.16). Pages 16 and 17 of the Public Open Space Strategy sets out that people should not live more than a certain distance from a neighbourhood / destination site.

There is one housing allocation within the emerging Ashfield Local that is proposed on land in use as green space. The site is H1Sq: Hardwick Lane Recreation Ground, Sutton-In-Ashfield. The site was assessed as having good accessibility to other existing open space – being within 480m of natural green space and neighbourhood park with a play area (Cowpasture Lane), and within 1000m of a destination park (The Lawn).

Next Steps

I trust the above information provides you with clarity on the issues raised, however, should you require any further information, please do not hesitate to contact us.

Yours sincerely

Ms Melanie Wheelwright CMLI
Forward planning and Economic Growth Team Manager