

**Policy Comments for:
Land at Stubbin Hill Farm, Sutton – V/2020/0615 – 142 dwellings**

The Proposal

This is an outline planning application with all matters reserved for a proposed development of up to 142 dwellings and associated infrastructure at Land at Stubbin Hill Farm, Sutton in Ashfield. The site comprises approximately 6.2 hectares, with various farm buildings present on site.

Policy Context

Ashfield Local Plan Review (ALPR) 2002 as amended by "saved policies" 2007. The following ALPR 'saved' policies are considered relevant to the application:

- Policy ST1: Development.
- Policy ST4: Remainder of the District.
- Policy EV2: Countryside.
- Policy EV6: Sites of Importance for Nature Conservation. (Now known as Local Wildlife Sites).
- Policy EV8: Trees and woodlands.
- Policy HG3: Housing density.
- Policy HG4: Affordable Housing.
- Policy HG5: New residential development.
- Policy HG6: Open space in residential developments.
- Policy TR2: Cycling provisions in new development.
- Policy TR3: Pedestrians and People with limited mobility.
- Policy TR6: Developer contributions to transport improvements.
- Policy RC8: Recreational Routes.

Teversal, Stanton Hill & Skegby (TSS) Neighbourhood Plan (2016-2031):

- NP1: Sustainable development.
- NP2: Design Principles for Residential Development.
- NP3: Housing Type.
- NP6: Improving Access to the Countryside.

Material Considerations

National Planning Policy Framework (NPPF) policies relevant to the application are:

- Para 11: Sustainable Development.
- Part 5: Delivering a sufficient supply of homes.
- Para 64 Affordable Housing requirements
- Part 8: Promoting healthy and safe communities.
- Part 9: Promoting sustainable transport.
- Part 11: Making effective use of land.
- Part 12: Achieving well designed places.
- Part 14: Meeting the challenge of climate change, flooding and coastal change.
- Part 15: Conserving and enhancing the natural environment.

The NPPF at para. 3 identifies that the NPPF should be read as a whole including its footnotes and annexes.

National Planning Policy Guidance (PPG) brings together national planning guidance on various topics.

ODPM Circular 06/2005 Biodiversity and Geological Conservation - The circular remains in force. In summary:

- This provides that it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before planning permission is granted. This is a material consideration and must be addressed in making the decision.
- If potential harm cannot be ruled out in relation to this issue, then all such surveys should be undertaken before any planning permissions are granted, as made clear in the circular.
- The Circular identifies that the Biodiversity Action Plan (BAP) is capable of being a material consideration in the making of planning decisions.

Supplementary Planning Documents:

- Residential Design Guide SPD 2014.
- Residential Car Parking Standards 2014

Legislation

- Natural Environment and Rural Communities Act 2006 section 40 duty “to have regard” to the conservation of biodiversity in England.
- The Hedgerow Regulations 1997.

Summary

The development plan comprises the saved policies within the Ashfield Local Plan Review 2002 (ALPR) and the policies within the Teversal Stanton Hill and Skegby Neighbourhood Plan. The Council does not have a 5-year housing supply of deliverable housing sites. In these circumstances, the application has to be seen in the context of the National Planning Policy Framework (NPPF) paragraph 11. Consequently, the starting point is the presumption in favour of sustainable development. Paragraph 11 provides that, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

NPPF paragraph 14 in relation to the Neighbourhood Plan will not be applicable.

The proposal needs to be considered against ALPR Policy ST1,

The proposed development is located in the Countryside as defined by the ALPR Policy ST4 and the Proposals Map. The proposed development does not fall within the definition of appropriate development in ALPR, and consequently does not meet the policy requirements of EV2. However, the Policy has to be considered in relation

to the provisions of the NPPF. Policy EV2 has a broad consistency with the NPPF's requirement to recognise the intrinsic beauty and character of the countryside. However, it is more restrictive and lacks the NPPF's more flexible approach. Consideration should be given to the impact on the character and appearance of the countryside in relation to the Stanton Hill.

The Council is under a duty to protect all nature, not just in specific protected sites and species. The Council must consider how a development might affect 'protected' and 'priority' species and habitats on or near a proposed development site when reviewing a planning application. There are local wildlife sites adjacent to the site and Brierley Forest Park in a local nature reserve. An ecology report submitted with the application advises that the application site has limited ecological value and set out a number of recommendations in relation to ecology, including additional work in relation to badgers. These should be considered in relation to ALPR Policy EV6 and the provisions of the NPPF and Planning Practice Guidance (PPG).

In relation to net ecological gain, Natural England set out a National Habitat Network. The western part of the application site is identified as being within an Enhancement Zone 1, (See plan within these comments). Given the location of various Local Wildlife Sites there are opportunities if the development proceeds to facilitate ecology and the wider ecological networks.

While no designated or non-designated heritage assets have been identified on or adjacent to the site, the Heritage Report identifies that specific hedges on the site are likely to be considered important hedges under The Hedgerows Regulations 1997.

In terms of landscape, the site is not covered in the ALPR by any landscape designation and there appears to be no evidence that it would fall within a valued landscape as set out in the Stroud case. However, if the development is taken forward TSS Neighbourhood Plan Policy NP4, which looks to integrate development into the landscape and maintain countryside connections will be applicable. ALPR Policy RC8 protects the footpath running across the application site.

If it is proposed that the development proceeds, the policy comments include policies in relation to design, housing mix and transport aspects. However, in this context:

- It is anticipated that the affordable housing requirement is 10% (not 18.5 % as identified in the Planning Statement).
- Based on the commonly cited Chartered Institute of Highways and Transportation's (CIHT) advice *Providing for Journeys on Foot*, the development is not located within ten minutes' walking distance (800 m) of a range of facilities.

The NPPF advises that planning policies and decisions should support development that makes efficient use of land, taking into account the scope to promote NPPF in Part 8, Promoting healthy and safe communities emphasises the importance of planning positively for community facilities, ensuring sufficient choice of school places, and access to high quality open spaces respectively. Developer contributions are likely to be required in order to ensure a sustainable development, which satisfies NPPF requirements. It is advised that Nottinghamshire County Council

highways, and education, together with the healthcare providers are consulted in respect of these requirements.

It is understood that the site is located in a minerals safeguarded area – Limestone and the County Council should be consulted on this aspect.

Policy Comments

Under the Planning and Compulsory Purchase Act 2004, section 38(6) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the starting point for decision making are the policies set out in the following:

- Ashfield Local Plan Review 2002 (saved policies), and
- Teversal, Stanton Hill and Skegby Neighbourhood Plan.

The National Planning Policy Framework (NPPF) is a material consideration, which, as it is government policy, is likely to command significant weight. The NPPF may provide reasons why an application for planning permission should be granted notwithstanding the development plan. When taking into account the weight to be given to development plan policies, it is necessary to consider the degree of consistency of development plan policies with the NPPF (NPPF paragraph 213) and that the Council does not have a 5-year housing supply.

In relation to the operation of the ‘tilted balance’, the High Court¹ has clarified that it is a matter for the decision-maker to decide how much weight should be given to the policies of the development plan, including the “most important policies” referred to in paragraph 11(d). The triggering of the tilted balance does not automatically lead to the grant of planning permission. Instead, it involves the balancing of competing interests, but with the tilt towards granting permission. This should involve consideration of whether or not the policies are in substance out-of-date and, if so, for what reasons.

The most important development plan policies for an application should be viewed together and an overall judgement must be formed as to whether or not taken as a whole the policies are to be regarded as out of date for the purpose of the decision².

If a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, a neighbourhood plan may benefit from the protections set out in paragraph 14 of the NPPF. However, as not all the four of the requirements set out the paragraph are met, it is not applicable.

¹ Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government & Anor [2020] EWHC 518 (Admin)

² Wavendon Properties Ltd v SSHCLG [2019] EWHC 1524 (Admin).

Housing Supply

The Housing Land Monitoring Report 2020 provides information on the District's five year housing land supply based on the standard methodology as set out in NPPF paragraph 60, and the supporting Planning Practice Guidance. As of 31st March 2020, Ashfield District had a 2.53 years housing land supply based on a 5% buffer. Consequently, the application will need to be considered against the provisions of NPPF paragraph 11 and the relevant footnotes.

The Housing Land Monitoring Report 2020 is available on the Council's website at:

<https://www.ashfield.gov.uk/planning-building-control/local-plan/monitoring/>

The ALPR in Policy HG1 sets out allocations of housing sites. This included allocations in what was formally the open countryside to meet anticipated future need. As part of the Plan, the urban and settlement boundaries were amended to include these allocations, which were typically adjacent to the former main urban areas or named settlements. These boundaries were defined in order to allow sufficient growth, which was anticipated to meet future land use needs for the Plan period to 2011. Many of the housing allocations under ALPR, Policy HG1 have been developed. As such, this limits the opportunity for the existing ALPR to meet future housing needs.

Policy ST1 Development.

The proposal needs to be considered against ALPR Policy ST1, which specifies a number of provisions including that development will be permitted where:

- a) It will not conflict with other Local Plan policies.
- b) It will not adversely affect the character, quality, amenity or safety of the environment.
- c) It will not adversely affect highway safety or the capacity of the transport system.
- d) It will not prejudice the comprehensive development of an area.
- e) It will not conflict with adjoin or nearby land use.

Policy ST1 is generally consistent with the provision of the NPPF. However, in relation to any conflict with 'other Local Plan policies', these other policies have to be considered in relation to the provisions of the NPPF.

Countryside

The ALPR Policies ST2, ST3 and ST4 set out the Council's approach in the Plan to the future physical form of the District. The site in question is within the countryside as defined by the ALPR and set out in the Proposals Map. In this context, Policy ST4 identifies that outside the Main Urban Areas and Named Settlements permission will only be given for sites allocated for development or development appropriate to the Green Belt or Countryside as set out in Policies EV1 and EV2. Therefore, in relation to the application site, one of the key policies in the ALPR is Policy EV2 (The Countryside).

The Policy identifies that planning permission will only be given for 'appropriate' development and development that is located and designed so as not to adversely affect the character of the countryside and its openness. None of the forms of 'appropriate' development are applicable in relation to the proposed application. Consequently, the proposal is contrary to Policy EV2.

The NPPF sets out a more flexible approach to rural housing in paragraph 77 and 78 and to the rural economy in paragraph 83. Policy EV2 does allow some development and does not impose a blanket ban on new development in the countryside. The NPPF in paragraph 170 (b) also recognises the intrinsic character and beauty of the countryside. Consequently, the Policy has some consistency with the NPPF and can be considered to attract weight in this context³.

The TSS Neighbourhood Plan identifies in Policy NP 4: Protecting the Landscape Character, the importance of the green corridors between the various settlements in the neighbourhood plan area. However, Map 12 identifies that the application site is outside the narrowest areas of this corridor (TSS Neighbourhood Plan Page 50).

The site is not the subject of any special protective designation and is a relatively ordinary parcel of farmland. However, development has already taken place off Brand Lane outside the urban boundary identified in the ALPR. Consequently, the development extends to future settlement boundary significantly to the west of the boundary identified in the ALPR. Therefore, will the proposal:

- Result in a substantial intrusion of development into otherwise mainly undeveloped open countryside?
- Result in a marked change of appearance to the character of the area?
- Does it have a detrimental impact on the character and appearance of the area?

Clearly, ALPR Policy EV2 looks to ensure that development must be located and designed so as not to adversely affect the character of the countryside, in particular its openness.

Landscape Area

A Mature Landscape Area (ALPR Policy EV4) is adjacent to the sites western and southern boundaries. Policy EV4 seeks to ensure that development does not adversely affect the character and quality of Mature Landscape Areas. However, it is considered that policy EV4 should be read in conjunction with the Greater Nottingham Landscape Character Assessment, undertaken in 2009. Accordingly the site area falls within two Landscape Character Areas; mainly within ML21 (Brierley Forest Park), but also partly within NC07 (Stanley and Silverhill).

Such assessment concludes that the landscape condition and strength of character for ML21 are both moderate, with an overall landscape strategy to enhance. NC07

³ Appeal A Ref: APP/C/19/3226736 Land known as former Greenhills Garden Centre, Cauldwell Road, Sutton-in-Ashfield, Nottinghamshire NG17 5LB

presents a good landscape condition with a moderate strength of character to the area, and also seeks to conserve and enhance the landscape.

If the development is taken forwarded, TSS Neighbourhood Plan Policy NP4 requires that development proposals are required to demonstrate that;

- a) landscaping and boundary treatments reflect and where possible enhance existing landscape character; and
- b) connections with and to the surrounding countryside are maintained; and
- c) the layout provides public views into and out of the development to identified landscape features.

A Landscape and Visual Appraisal of the site has been submitted which recognises the need to reduce the visibility of the proposed development on the surrounding countryside, particularly to the south and west. The report concludes that existing features and new landscaping can be utilised to achieve this.

Environment

The Council is under a duty under section 40 of the Natural Environment and Rural Communities Act 2006 “to have regard” to the conservation of biodiversity in England, when carrying out their normal functions. This duty protect all nature, not just in specific protected sites and species. The Council must consider how a development might affect ‘protected’ and ‘priority’ species and habitats on or near a proposed development site when reviewing a planning application.

Planning Practice Guidance- Natural Environment sets out that *‘a key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan.’⁴*

The NPPF para 170 stresses that planning policies and decisions should contribute to and enhance the natural and local environment by a variety of measures including minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks. Trees and woodlands on the site are protected in accordance with Policy EV8.

A Nature Conservation (ALPR Policy EV6) and Local Wildlife Site (Stubbinghill Farm Meadow) sits just beyond the southern site boundary, which is separated by the Stanton Hill Colliery Dismantled Railway Line, which is itself a Local Wildlife Site. Spring Wood, which abuts the North West site boundary, is also a Local Wildlife Site.

National Planning Practice Guidance Natural Environment (para 10 – 35) sets out responsibilities regarding protected and priority species and habitats; ‘proportionate’ information and assessment required on biodiversity impacts at all stages of development; local ecology networks and nature recovery networks; application of mitigation hierarchy, net gain metrics, and promotion of woodlands.

⁴ Planning Practice Guidance Natural Environment Paragraph: 009 Reference ID: 8-009-20190721

Ecology Report

I noted that a joint Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment has been submitted as part of the application. The assessment concluded that wildlife interest at the site was mainly confined to the boundaries of the site due to the intensity in which the site is managed due to its equestrian use, i.e. short grazed grassland. The ecology report includes:

- Para 7.1.3 identifies that there is evidence of badger activity and identifies that a detail survey.
- The design of the development should include the retention of nocturnal dark boundaries with adequate uninterrupted light corridors adjacent hedgerows, tree lines and woodland edges. This could be achieved through the provision of buffer strips and avoidance of construction directly next to boundary vegetation along the southern and western edges of the site. (7.2.2.1.3)
- Minimisation of lighting ((7.2.2.1.2? should probably be 7.2.2.1.4)

It is noted that the preliminary site layout includes ecological buffers on the south and western site boundaries, presumably due to the presence of the adjacent wildlife sites. This does however raise the question as to who will be responsible for the long term management of these areas. To avoid them becoming unmanaged, overgrown, and the prevention of a nuisance, it is suggested that the developer explores alternative options to mitigating/enhancing local ecology, and how these measures can be better integrated into site layout and design. Alternatively, a long term management plan should be submitted.

The information contained within the aforementioned Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment, along with any future findings contained within additional species specific assessments, should inform overall site layout and design in the event that a Reserved Matters application is submitted to the Council.

Net Gain

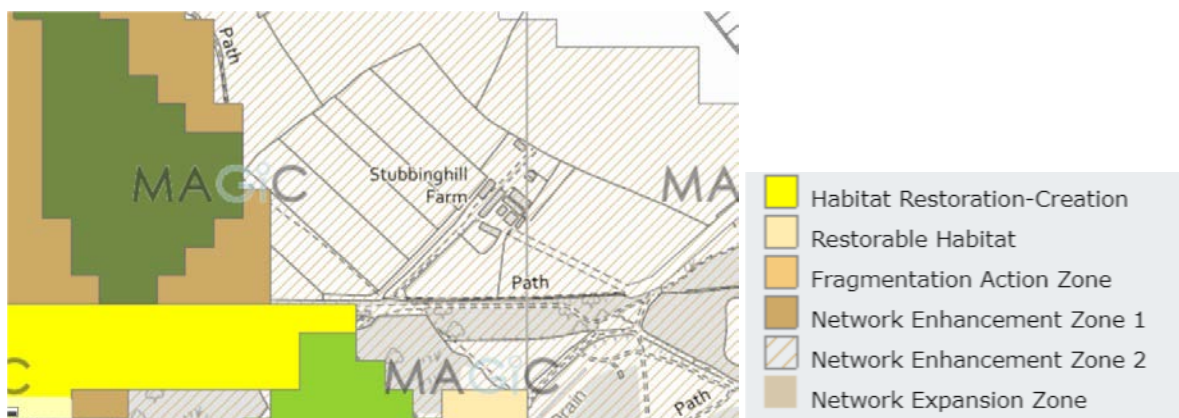
The NPPF in para 170 identifies that Planning policies and decisions should contribute to and enhance the natural and local environment by:

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Defra's 25 Year Environmental Plan aim is to 'leave our environment in a better state than we found it and to pass on to the next generation a natural environment protected and enhanced for the future' (Defra 2018a). The plan highlights six key areas for action, one being to establish a Nature Recovery Network. The intention is to protect and restore wildlife, as well as providing greater public enjoyment of the countryside; increased carbon capture; and improvements in water quality and flood management.

Planning Practice Guidance Natural Environment⁵ identifies that *‘high-quality networks of multifunctional green infrastructure contribute a range of benefits, including ecological connectivity, facilitating biodiversity net gain and nature recovery networks and opportunities for communities to undertake conservation work.’* Networks are identified as a consideration in relation to how planning decisions plan for biodiversity and geodiversity⁶?

The National Habitat Network sets out national scale maps based on the Natural England Priority Habitat Inventories that combine data to represent a national habitat network for priority habitats. These national habitat network maps can be used to contribute to the development of a local nature network, alongside local information, data and knowledge. They can assist in identifying priorities for habitat restoration and creation in order to enlarge existing habitat patches and reduce fragmentation. The western part of the application site is identified as being within an Enhancement Zone 1. This reflects that it is land in close proximity to existing patches of primary and associated priority habitats where improving the biodiversity value would be beneficial and would contribute towards greater ecological resilience of the existing habitat patches. Within Zone 1 conditions are likely to be suitable for creation and restoration of the primary priority habitat. (See Plan below).



Source: Natural England Magic Maps

The Nottinghamshire Biodiversity Opportunity Mapping Project 2016 sets out the site forms part of the North Ashfield opportunity area. This includes the opportunity to enhance the existing woodland network, with a focus on improving the existing plantation woodlands on the old pit tips at Silverhill and Brierley Forest and create better connections between these and through the wider landscape. It specifically identifies under ‘Map 3 - Grassland Biodiversity Opportunity Map - 206 Improve linkages along disused railways - Teversal, Brierley, Skegby. RT’

While there are no LWS on the proposed development site, there are both LWS and a Local Nature Reserve in close proximity. These are areas of substantive nature conservation value and make an important contribution to ecological networks and nature’s recovery. Therefore, it is important that if the proposed development is taken forward, it facilitates ecology and the wider ecological networks.

⁵ Planning Practice Guidance Natural Environment Paragraph: 006 Reference ID: 8-006-20190721

⁶ Planning Practice Guidance Natural Environment Paragraph: 010 Reference ID: 8-010-20190721

Agricultural Land

ALPR Policy EV9 Agricultural was not saved. Nevertheless, under NPPF paragraph 170 (b) consideration should be given to the benefits of the best and most versatile agricultural land (grades 1, 2 and 3a).

Based on East Midlands Region Agricultural Land Classifications Map (high level mapping; 1:250 000), the site is identified as potentially being grades 2 and 4. However, this cannot be determinative of the grade of the land and no site specific agricultural classification is available.

Footpath

Public footpath No.36 runs through the site in the south west corner. Byway No.148 (the railway line) runs along the southern boundary.

ALPR Policy RC8 identifies that development will only be permitted on existing footpaths where:

- a) An acceptable access corridor along the original route is retained or
- b) A suitable direct alternative route is provided.

Recreational routes provide important linear open space links within and between urban areas and the countryside.

The TSS Neighbourhood Plan in Policy NP 4: Protecting the Landscape Character Requires that development proposals are required to demonstrate that connections with and to the surrounding countryside are maintained. Policy NP 6: Improving Access to the Countryside identifies that *'proposals for housing development will be expected to demonstrate how they protect and enhance existing public rights of way affected by those developments and show the opportunities taken to improve linkages between existing routes and from the edge of the existing settlement to the countryside and open spaces.'*

This is reinforced by NPPF para 102 that identifies that opportunities for walking, cycling and public transport use are identified and pursued. NPPF para 110 identifies that priority should be given to pedestrian and cycle movements within the scheme and create places that are safe, sure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

It is positive to see the footpath link onto the former railway being maintained, although it is considered that the footpath should be an integral part of the site design and be a defensible route.

Flooding

Flooding was not a saved policy under the ALPR. Consequently, any application will need to be considered against the provisions of the NPPF Part 14 (Meeting the challenge of climate change, flooding and coastal change). The site is identified as being in Flood Zone 1, with no flood risk from water courses being identified, with

only a very small low risk area of surface water flooding being identified on the western side of the site. A joint Flood Risk Assessment & Drainage Strategy has been submitted.

NPPF paragraph 165 emphasises that given that this is major development, Sustainable Drainage Systems (SuDs) should be utilised unless there is clear evidence that this would be inappropriate. The submitted information will need to identify the proposed operational standards and what maintenance arrangements will be in place to ensure an acceptable standard of operation for the lifetime of the development.

Heritage

No designated or none designated heritage assets have been identified on or adjacent to the site.

The site area is broadly discussed within the Hardwick Hall Setting Study (March 2016), identified as Area G (Meden Valley). It identifies that the:

“majority of the area comprises a shallow valley associated with the River Meden... There is little built form within the area. Views are generally restricted in the area by topography although ... the area also includes the Brierley Forest Park on the restored Sutton colliery and Brierley spoil tip.”

The setting study concludes that *“although the area does not feature strongly in views from the roof of Hardwick Hall it does still provide a useful rural landscape buffer between Hardwick and Sutton in Ashfield.”*

The Hedgerow Regulations 1997

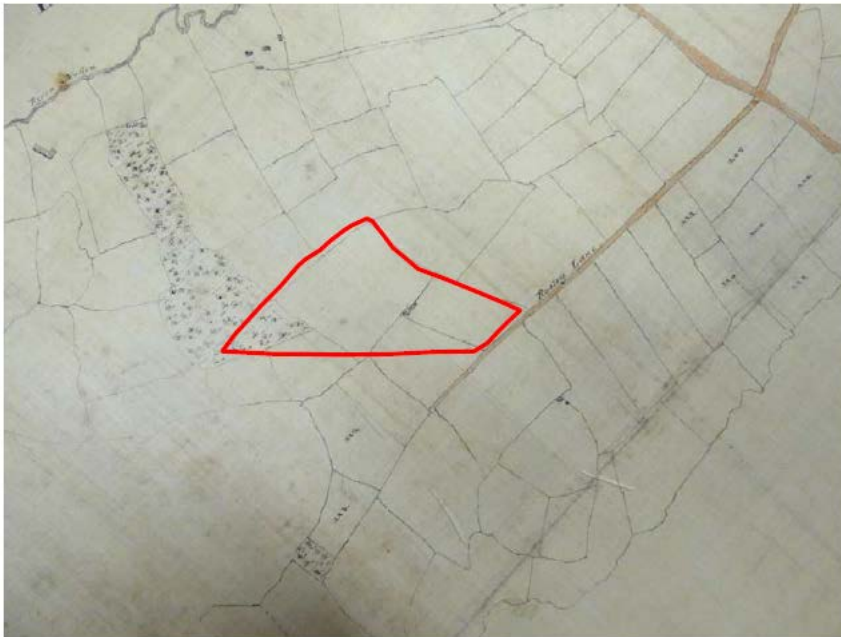
Under the Regulations, a hedgerow is 'important'⁷ if it has existed for 30 years or more and it meets one of the criteria set out in the Regulations, which include from a heritage aspect:

- It marks a boundary between parishes existing before 1850;
- It marks an archaeological feature of a site that is a scheduled monument or noted on the Historic Environment Record;
- It marks the boundary of a pre-1600 estate or manor or a field system pre-dating the Enclosure Acts.

If removal is proposed as part of a planning application then its impact on the heritage significance of the area and its impact on the setting of any heritage assets around may be taken into account in accordance with planning policies in the National Planning Policy Framework (NPPF) (1) and the local development plan.

⁷ <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>

The Archaeological desk-based heritage assessment with the application identifies that 'The north-western and north-eastern boundaries of the site are shown on the Skegby Inclosure map of 1823 (Fig 13). As such, they may be afforded protection under the Hedgerow Regulations 1997, 5(a).'



Skegby Inclosure map, 1823 Fig 13

Design, Housing Density & Housing Mix

Due to the nature of the application (seeking outline permission), specific details are limited at this stage.

Any future development scheme should aim to achieve a permeable, safe and accessible environment with clear legible pedestrian routes and high quality public space. The ALPR sets out policies on design aspect in Policy ST1 and HG5 and these are supported by SPDs on residential design and car parking, which provides detailed guidance on the standards of design the Council is looking to achieve. The policies in the development plan are supported by the provisions of the NPPF, which emphasises the importance of good design with the creation of high quality buildings and places (NPPF paragraph 124) and the effective use of land (NPPF Part 11).

The TSS Neighbourhood Plan sets out Policy for design principles for various settlements within the neighbourhood plan area, which includes Stanton Hill (Policy NP 2: Design Principles for Residential Development and Appendix C: TSS Design Guide

Housing density requirements are set out in ALPR saved Policy HG3. In this location, the Policy requires a net minimum density of 30 dwellings per hectare (dph). Paragraph 5.69 sets out how the net density is derived. The ALPR recognises that it may not always be possible or appropriate to achieve minimum requirements, for example, where higher densities are not compatible with the site or its surroundings, as set out in ALPR paragraph 5.65. However, this has to be seen in

the context of the NPPF, paragraph 123 where it is identified that where there is an existing shortage of land for meeting housing needs, planning decision should avoid homes being built at low densities and ensuring that development makes optimal use of the potential of each site.

The NPPF emphasises the need to make effective use of land in meeting the need for homes. The supporting Planning Practice Guidance on Effective Use of Land highlights that it is important to consider housing needs, local character and appropriate building forms relate to the density measures being used.

In the context of housing mix, the TSS Neighbourhood Plan requires:

- Policy NP 1: Sustainable Development - *Where appropriate schemes will also demonstrate; a) housing development of a size, type and tenure to meet identified local need¹⁹; (¹⁹ See questionnaire responses showing need for smaller homes, retirement homes and starter homes see also more details in policy 3)*
- Policy NP 3: Housing Type provides that *'Development proposals for housing schemes are required to deliver a housing mix that reflects the local identified need. This should include smaller market dwellings to suit older people (for example bungalows) and for homes for first time buyers.'*

The Greater Nottingham & Ashfield Housing Need Assessment, September 2020, Icen, sets out recommendations on market housing mix which seeks to respond to the modelled outputs, recent delivery trends and the needs for family households; as well as the role which each area plays in the wider housing market area. In terms of affordable housing provision, consideration is also given to affordability as well as the types of housing which will meet the needs of those of greatest priority. All of these factors have been brought together by Icen to arrive at a recommended housing mix by size and type.

Recommended Housing Mix by Size by Type

Authority	Housing Type	1 Bed	2 Beds	3 Beds	4+ Beds
Ashfield	Market	4%	27%	45%	24%
	Affordable Home Ownership	23%	38%	24%	15%
	Affordable Rented	35%	37%	25%	3%

Icen identify that the recommendations can be used as a set of guidelines to consider the appropriate mix on larger development sites, and Icen consider that it would be reasonable to expect justification for a housing mix on such sites, which significantly differs from that modelled herein. It is also the case that site location and the character of an area are also relevant considerations in determining the appropriate mix housing on individual development sites.

Affordable Housing

The applicant's Planning Statement refers to a requirement for 18.5% affordable housing. This is incorrect as this applies to Hucknall and not the rest of the District.

The current affordable housing requirement is set out in 'saved' ALPR policy HG4. The size and location of the proposal would require 6% affordable housing, preferably provided on-site. However, it is considered that the Policy is not consistent with the NPPF paragraph 64. Paragraph 64 sets out that

"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership²⁹, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups."

29 - As part of the overall affordable housing contribution from the site.

For Sutton in Ashfield 10% affordable housing should be provided on site, which would be affordable home ownership unless Housing Strategy can identify that this will significantly prejudice the ability to meet the identified affordable housing needs of specific groups in which case alternative mix of provisions should be considered.

Highways/Transport

There are policies in the ALPR, which relate to the development of the site and transport aspects but it is recognised that they are not comprehensive. Policy ST1 seeks to ensure that development will not adversely affect highway safety. Policy TR2 Cycling provisions in new development set out the requirements in relation to cycling. Policy TR3 covers accessibility for pedestrians and people with limited mobility.

Policy TR6 of the ALPR seeks contributions towards transport improvements where they are directly related/needed as a consequence of the development.

The NPPF has a more comprehensive approach to transport, it promotes sustainable transport and looks to ensuring it contributes towards sustainability and health objectives. In particular it emphasises the opportunities to promote walking, cycling and public transport (para 102 and 110).

The commonly cited Chartered Institute of Highways and Transportation's (CIHT) advice *Providing for Journeys on Foot*. The government's *Manual for Streets 2* advises that walking offers the greatest potential to replace short car trips, particularly those under 2km but walkable neighbourhoods are typically characterised by having a range of facilities within ten minutes' (up to about 800m) walking distance of residential areas. CIHT's advice is that 800m is an acceptable distance but that 400m is desirable. In this context from the centre of the proposed development:

- Stanton Hill High Street, defined as a Local Shopping Centre by the ALPR, is approximately 1.06 km via the highway/footpaths.
- Skegby Junior School 2.20 km.
- Brierley Forest Primary School 2.49 km.
- Quarrydale Academy 1.55 km.

The NPPF advises that planning policies and decisions should support development that makes efficient use of land, taking into account the scope to promote sustainable travel modes that limit future car use. Clearly, given the distances involved, walking as a sustainable travel mode would not be promoted by development on this site.

In terms of access and impact on the highway from the development (para 108 & 109) advice should be sought from the Highway Authority.

Climate Change

Addressing climate change is one of the core land use planning principles, which the NPPF seeks to underpin in both plan making and decision taking.

Opportunities for reducing climate change impacts should be reflected in development proposals. NPPF para 110 e) identifies that development should be designed to enable charging of plug-in and other ultra-low emissions vehicles in safe, accessible and convenient locations.

The NPPF places a substantial emphasis on design and this is reflected in National Design Guidance. L2 on National Design Guidance sets out the need for adapting to changing needs and evolving technologies:

- 156 - ...well-designed private places, such as homes and gardens, are designed to be flexible to adapt to the changing needs of their users over time. This includes changes in the health and mobility of the user, as well as potential changes in lifestyle due to developing technologies, such as use of electric vehicles, remote working and general changes to the way in which people live'.
- 157 - Well-designed places also have high speed digital connectivity in order to provide options and information for education, health, leisure, social interaction, businesses and home working.

Infrastructure

A significant element of local infrastructure supporting local housing relates to the responsibilities of the County Council. The County Council has set out a Planning Obligations Strategy adopted in 2019. This includes education as, while school may well be run by academies, this has not change the County Council's legal duty to ensure sufficient school places are available. Therefore, it is important that where appropriate development should contribute towards the provisions of school places. While the ALPR is silent on this aspect, the NPPF in paragraph 94 emphasis the requirement to:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

It is anticipated from the evidence base for the withdrawn Local Plan (2017-32) that there is a need for primary and secondary school places in Sutton in Ashfield, as identified within the Educational Needs assessment for Ashfield. The County Council will need to be consulted on this aspect.

Health provision is also important and the Nottingham and Nottinghamshire CCGs Primary Care Estates Team should be consulted on any health requirements that could arise from the proposed development.

Minerals Consultation

The site is located within a minerals consultation area for limestone and therefore the Nottinghamshire County Council should be consulted on this aspect.