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- email: Forward planning – localplan@ashfield.gov.uk
- telephone: 01623 457381

Ashfield Local Plan (2023-2040)

Main Modifications Representation Form

YOU ARE ADVISED TO READ THE GUIDANCE NOTE BEFORE COMPLETING THIS FORM

Please use this form to provide representations on the Main Modifications, the Policies Map schedule, the Sustainability Appraisal or the Habitats Regulations Assessment only.

Your representations will be sent to the Planning Inspectors without prejudice to the Inspectors Report. It is not necessary to re-submit previous representations. These have already been considered by the Inspectors during the examination process. Ashfield District Council must receive representations by 5pm on Thursday 30 July 2026. Late representations will not be accepted.

Please submit comments using this form by the following methods:

- Online form at: <https://www.ashfield.gov.uk/main-modifications-consultation/>
- E-mail form to: localplan@ashfield.gov.uk
- Post form to: Forward Planning Team, Ashfield District Council, Urban Road, Kirkby-in-Ashfield, Nottingham, NG17 8DA

This form has two parts:

Part A – Personal/Agent contact details and further notification requests.

Part B – Your representations (Please fill in a separate part B for each aspect or part of the Local Plan you wish to comment on).

Data Protection Terms

Any personal details submitted as part of a representation will be processed by Ashfield District Council in accordance with the Data Protection Act 2018 and used in connection with the development and adoption of the Ashfield Local Plan. Please note, **the Council cannot accept anonymous responses**. All representations received will be made available for public inspection and therefore cannot be treated as confidential. They will also be:

- Published in the public domain;
- Published on the Council's website;
- Shared with other organisations for the purposes of developing/adopting the Ashfield Local Plan
- Forwarded to the Secretary of State for consideration;
- Made available to the Planning Inspector appointed by the Secretary of State to examine the Local Plan; and
- Used by the Inspector to contact you regarding the Examination of the Plan.

When making representations available on the Council's website, the Council will remove all telephone numbers, email addresses and signatures.

By submitting your Response Form/representation you agree to your personal details being processed in accordance with these Data Protection Terms.

Part A

In circumstances where individuals/groups share a similar view, it would be helpful to the Inspector to make a single representation, stating how many people the submission is representing and how the representation was authorised.

1. Personal Contact Details

If an agent is appointed, only complete Title, Name and Organisation in section 1, and all of section 2.

Title:

Mr.

First name:

David

Last name:

Peck

Organisation/Group:

Planning and Design Group (UK) Limited

Number of people
representing:
(if relevant)

Address:

Pure Offices, Lake View Drive, Sherwood Park, Nottingham

Postcode:

NG15 0DT

Telephone Number:

Email address:

2. Agent Contact Details

Title:

First name:

Last name:

Organisation/Group:

Number of people
representing:
(if relevant)

Address:

Postcode:

Telephone Number:

Email address:

Part B

(Please fill a separate Part B for each individual representation)

Please fill in your Name and Organisation here for every Part B sheet that you submit:

Name:

David Peck

Organisation:

Planning and Design Group (UK)
Limited

1. To which Main Modification does this representation relate?

Please include the Main Modification reference number:

MM91

2. Do you consider the Main Modification is:

Legally compliant

Yes

☒

No

☐

Sound

Yes

☐

No

☒

3. Please give details of why you consider a Main Modification is not legally compliant or sound.

Please be precise as possible. Your comment should cover all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification please also use this box to set out your comments.

Support MM91 in that the narrower focus of the policy offers the potential for greater clarity and certainty. Concerns remain, however, as to the basis (evidence) on which Policy H8 has been put forward and its detailed wording – see comments on other Main Modifications.

Continue on separate sheet if necessary

4. Please set out the change(s) to the Main Modification that you consider necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 3.

Please be as precise as possible. You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

Delete Policy H8.

Continue on separate sheet if necessary

5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this modification?

Continue on separate sheet if necessary

Signed:

Date:

30/7/26

Please refer to the first page of this questionnaire for the submission information.

If you require any further information or assistance in completing this Representation Form, please contact the Forward Planning Team at:

Website	https://www.ashfield.gov.uk/planning-and-building-control/local-plan/
Telephone	01623 457 302
E-Mail	localplan@ashfield.gov.uk
Post	Forward Planning Team, Council Offices, Urban Road, Kirkby in Ashfield, Nottingham, NG17 8DA.

Part B

(Please fill a separate Part B for each individual representation)

Please fill in your Name and Organisation here for every Part B sheet that you submit:

Name:

David Peck

Organisation:

Planning and Design Group (UK)
Limited

1. To which Main Modification does this representation relate?

Please include the Main Modification reference number:

MM92

2. Do you consider the Main Modification is:

Legally compliant

Yes



No



Sound

Yes



No



3. Please give details of why you consider a Main Modification is not legally compliant or sound.

Please be precise as possible. Your comment should cover all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification please also use this box to set out your comments.

As referenced in the representation made in response to the Regulation 19 consultation, Policy H8 'Houses in Multiple Occupation' (as amended) seeks to influence and control specified forms of residential development. As amended, Policy H8 states that new HMOs '*should not undermine local objectives to create or maintain sustainable, inclusive and mixed communities*'. The policy uses the concept of 'sandwiching' as a measure to gauge whether a proposal will be supported, or not.

The premise of the Policy continues to be focused around 'sustainable, inclusive and mixed communities'. Supporting and maintaining such communities would be an entirely reasonable objective and accord with national guidance and policy. To be able to work towards and / or support such communities, it is first necessary to understand what form such communities take. In the context of the controls that Policy H8 seeks to impose, the Local Plan continues to be silent on any explanation as to what form such 'communities' take. The Council would not appear to have presented any updated evidence base since the publication of the draft Local Plan from which the Local Plan may draw support for the inclusion of Policy H8. As referenced in my Regulation 19 representation, the Local Plan's evidence base does not:

- Identify how many Houses in Multiple Occupation (HMO) there are within the District
- Identify any concentrations of HMOs within the District
- Identify any specific difficulties that have been experienced with regards to HMOs across the

District (the Policy and its explanatory narrative references generalised assertions without reference to any locally-specific evidence).

The 'Background Paper 2: Housing' (October 2023) made no reference to HMOs and no update to that Paper or other relevant evidence has, to my understanding, been prepared in support of the Main Modifications specifically with reference to HMOs. If matters pertaining to the number, location, operation or concentration of HMOs is a matter of such importance to the achievement of the objectives of the Local Plan, then it would not be an unreasonable expectation that such forms of residential development would feature within the Local Plan's evidence base.

Main Modification 92 goes some way to clarifying how the Council would seek to identify locational characteristics that would not be acceptable, i.e. the 'sandwiching' of C3 properties between two HMOs. Reference to *'...applications for HMOs will be supported where the application site does not sandwich C3 residential properties between two HMO properties'* is clear. The following-on reference to *'This includes at least three existing C3 residential properties in a single street located between two HMO properties, unless the effects are reduced by separation of properties due to intervening spaces'* is not clear. Is this an additional characteristic of the street that should be assessed? Is it intended to mean that *'for a HMO to be acceptable, the street must have at least one uninterrupted row of three C3 dwellings'*? Is the 'sandwiching' that would be acceptable *'one HMO between two C3 dwellings'* or is it *'three or more C3 dwellings with HMOs at either end'*? Is it some other interpretation? How would an applicant be expected to assess *'unless the effects are reduced by separation of properties due to intervening spaces'*? Would physical separation by way of driveways be sufficient? What of side passageways? What form and / or size of *'intervening space'* would be acceptable? MM93 presents a policy that lacks clarity from the outset.

The Council would also not appear to have presented any evidence to support its proposed blanket ban on the intensification (or more efficient) use of existing HMOs, in that MM92 proposes that *'Where any residential property or properties are already sandwiched between two HMOs, proposals for the intensification of either HMO, for example the provision of additional bed spaces, will not be permitted'*. The intensification of the use of existing HMOs, by way of an increase in the occupancy rate, can be a highly effective and efficient way of providing additional residential accommodation. This may be, for example, by changing rooms from single to double occupancy. It is not uncommon for HMOs to be established to a standard that allows for future increased occupancy. MM92 as proposed would preclude reasonable flexibility for property owners to help meet the housing needs of the district.

Continue on separate sheet if necessary

4. Please set out the change(s) to the Main Modification that you consider necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 3.

Please be as precise as possible. You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

Delete Policy H8 in its entirety.

Continue on separate sheet if necessary

5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this modification?

Continue on separate sheet if necessary

Signed:

Date:

30/7/26

Please refer to the first page of this questionnaire for the submission information.

If you require any further information or assistance in completing this Representation Form, please contact the Forward Planning Team at:

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Post	Forward Planning Team, Council Offices, Urban Road, Kirkby in Ashfield, Nottingham, NG17 8DA.

Part B

(Please fill a separate Part B for each individual representation)

Please fill in your Name and Organisation here for every Part B sheet that you submit:

Name:

David Peck

Organisation:

Planning and Design Group (UK)
Limited

1. To which Main Modification does this representation relate?

Please include the Main Modification reference number:

MM93

2. Do you consider the Main Modification is:

Legally compliant

Yes

☒

No

☐

Sound

Yes

☐

No

☒

3. Please give details of why you consider a Main Modification is not legally compliant or sound.

Please be precise as possible. Your comment should cover all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification please also use this box to set out your comments.

The second bullet point within the first paragraph refers to '*large HMOs*'.

Under the second paragraph, the second bullet points refers to '*larger HMO*' as does the final paragraph ('*larger HMOs*'). Consistent terminology should be used throughout, the commonly used term being simply '*large HMO*'.

This introduces a lack of clarity and resulting uncertainty to the Local Plan.

Continue on separate sheet if necessary

4. Please set out the change(s) to the Main Modification that you consider necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 3.

Please be as precise as possible. You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

If MM93 is to be accepted, it should be amended to refer only to 'large' HMO(s).

Continue on separate sheet if necessary

5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this modification?

Continue on separate sheet if necessary

Signed:

Date:

30/7/26

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Name:

David Peck

Organisation:

Planning and Design Group (UK)
Limited

1. To which Main Modification does this representation relate?

Please include the Main Modification reference number:

MM94

2. Do you consider the Main Modification is:

Legally compliant

Yes



No



Sound

Yes



No



3. Please give details of why you consider a Main Modification is not legally compliant or sound.

Please be precise as possible. Your comment should cover all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification please also use this box to set out your comments.

The proposed amended text is supported. It sets out the positive contribution that HMOs can make in helping to meet the district's housing needs.

Continue on separate sheet if necessary

4. Please set out the change(s) to the Main Modification that you consider necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 3.

Please be as precise as possible. You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

n/a

Continue on separate sheet if necessary

5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this modification?

Continue on separate sheet if necessary

Signed:

Date:

30/7/26

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Name:

David Peck

Organisation:

Planning and Design Group (UK)
Limited

1. To which Main Modification does this representation relate?

Please include the Main Modification reference number:

MM95

2. Do you consider the Main Modification is:

Legally compliant

Yes



No



Sound

Yes



No



3. Please give details of why you consider a Main Modification is not legally compliant or sound.

Please be precise as possible. Your comment should cover all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification please also use this box to set out your comments.

As referenced within the response to MM92, the Council has not presented any specific evidence to inform or underpin its views in relation to 'local imbalance'.

MM95 helpfully sets out information sources that the Council would use to identify the number of HMOs in a locality. If Policy H8 is to be retained (contrary to the position held by this representation), then any reader of the Local Plan must be assured that such data would be readily available, so as to allow a property owner/potential applicant or other reader of the Local Plan to undertake their own assessment to best inform their interpretation of the Local Plan and the prospective use of a particular property or acceptability of a proposal. The Local Plan should include a commitment by the Council to make the data on which it would rely easily and readily available to a prospective applicant, and, if there is a cost to that data, the charge does not restrict reasonable access to the planning system. It must not be necessary for an applicant to make a planning application to be able to 'discover' such data. MM95 does not make any such commitment.

Continue on separate sheet if necessary

4. Please set out the change(s) to the Main Modification that you consider necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 3.

Please be as precise as possible. You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

Delete Policy H8 in its entirety.

If Policy H8 is retained in some form, for the Local Plan to make clear that any data sources on which the Council would base an assessment of any HMO proposal would also be readily and easily available to any reader of the Local Plan, and at zero cost or a cost that would not preclude any individual in engaging with the Local Plan and / or application process.

Continue on separate sheet if necessary

5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this modification?

Continue on separate sheet if necessary

Signed:

Date:

30/7/26

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