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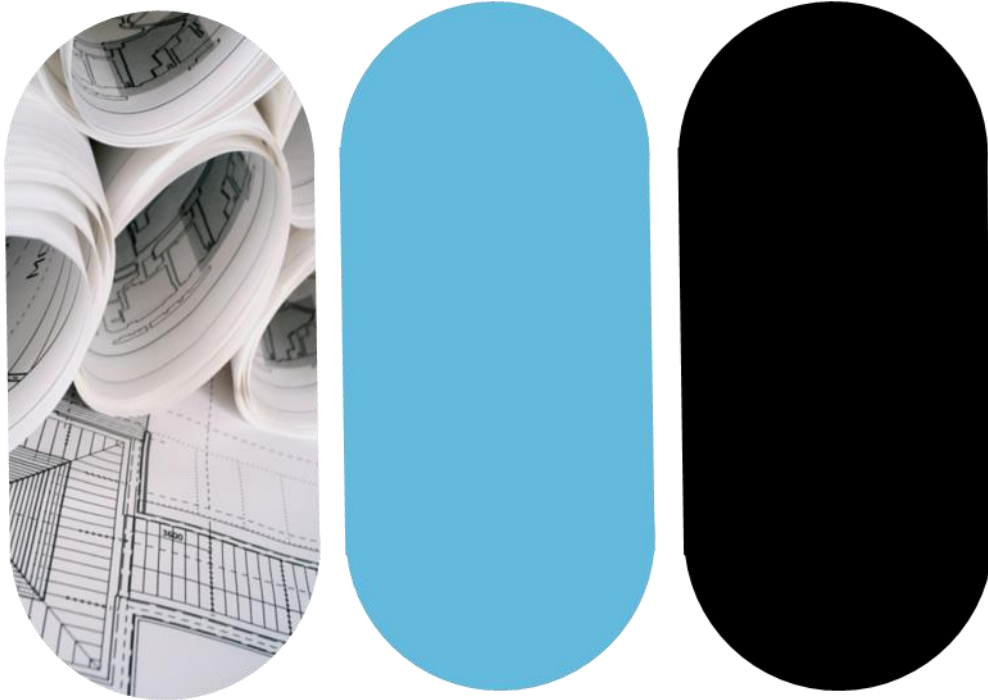
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WRITTEN STATEMENT IN RESPECT OF THE ASHFIELD LOCAL PLAN 2023-2040 EXAMINATION

MATTER 10 – SITE ALLOCATIONS

On Behalf of Persimmon Homes Nottingham



Waterfront House, Waterfront Plaza, 35 Station Street, Nottingham
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1. INTRODUCTION

- 1.1 This Written Statement is made on behalf of our client, Persimmon Homes Nottingham, in response to the Inspectors' Matters, Issues and Questions for the examination hearings for the Ashfield District Local Plan Examination.
- 1.2 Persimmon Homes Nottingham are promoting two sites; the Land North of Fackley Road, Teversal which is identified as a residential allocation within the plan (allocation reference H1Sl) and Sunnyside Farm, Blackwell Road, Huthwaite which is identified as a residential allocation within the plan (allocation reference H1Sk).
- 1.3 Persimmon Homes Nottingham has engaged in all stages of the plan making process and previously made representations to the Regulation 19 Local Plan consultation (Marrons Representation dated January 2024, Respondent ID 223).

2. MATTER 10 – SITE ALLOCATIONS

H1Sk – Sunnyside Farm, Blackwell Road, Huthwaite

Inspector's MIQ:

'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?'

- 2.1 The site has been the subject of a Phase 1 Site Investigation report prepared by Eastwood Consulting Engineers (Appendix 1).
- 2.2 The reports notes (paragraph 2) that parts of the site have been subject to historic mining uses from the 1800s.
- 2.3 Whilst it is expected that some areas of the site will contain top soil and

made ground that includes historic colliery spoil heaps, para 4.3 of the report notes that the natural ground is expected to comprise clay over mudstone bedrock and sand over sandstone bedrock, which is a suitably solid base for traditional house-builder foundations.

- 2.4 Paragraph 6 of the report notes that *'The most appropriate foundation solution for the majority of the site is likely to be strip or trench fill foundations taken through any soft or made ground onto undisturbed non-desiccated natural ground below. The minimum footing depth is likely to be 900 mm in clay, below original or finished ground level, whichever is lower, and 600 mm in sand or competent bedrock.'*
- 2.5 Paragraph 2 notes that two faults are indicated within the northern half of the site. The report notes that where foundations are located within 20 m of the inferred fault location, thickening and reinforcement of foundations to a 450 mm minimum, with a layer of B785 mesh reinforcement in the top and bottom of the foundation, should be allowed for. However, the faults are located in the northern section of the site where no built development is proposed (see indicative sketch layout plan at Appendix 2). The top fields will become receptor sites for BNG and public open space.
- 2.6 In addition to the Phase 1 Site Investigation report, Supplementary Geophysical Surveys have also been carried out too; the findings of which broadly corroborate the known locations for made ground.
- 2.7 The application will seek to, where possible, locate POS around the former shaft locations or drill & grout ground works will be implemented. As such, it is considered that the contaminated ground and historic mine activity identified within the site is relatively normal for the area and will not prejudice the delivery of this site.

H1SI – North of Fackley Road, Teversal

Inspector's MIQ:

'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?'

- 2.8 As noted in previous hearing statements, the site is the subject of a detailed planning application (ref: V/2022/0295) submitted April 2022 for *'Development of 124no. Dwellings, Access, Attenuation Basin and Associated Landscaping and Infrastructure'*.
- 2.9 Notwithstanding a recommendation of approval by officers, the application was refused at planning committee on the 6th December 2023. Persimmon Homes subsequently appealed the decision; this was heard at a hearing on the 10th December 2024. A decision is expected to be made by the Inspector (Diane Cragg) by the 17th January 2025. A costs application was made by the appellant on the grounds that the Council offered up no evidence to substantiate its refusal as part of its Statement of Case or at the hearing.
- 2.10 The red line area for the planning application site contained a very marginal area of surface water flooding adjacent to the River Meden (Appendix 2). However, this area of surface water flooding only contained public open space, as shown on the refused layout (Appendix 3).
- 2.11 It was the Appellant's view that no sequential assessment would be required as part of the application; this is based on the standing advice published by the Environment Agency on the 24th May 2024 (*'Flood risk assessment: flood zones 1, 2, 3 and 3b' advice*), which, referring to sites

that contain sources of flooding, states that:

'You may not need a sequential test if development can be laid out so that only elements such as public open space, biodiversity and amenity areas are in areas at risk of any source of current or future flooding.'

- 2.12 Notwithstanding this, and for completeness, the appellant made a very marginal Wheatcroft Amendment to the appeal site red line plan; the effect of this amendment was to omit the small area of surface water flooding from the site red line plan (Appendix 4). Naturally, this had no bearing on the layout plan (Appendix 5), which was duly amended to include the new red line.
- 2.13 The effect of the Wheatcroft Amendment was to ensure that the appeal site, which will ultimately reflect what is built on site should the appeal be allowed, contains no areas of flood risk whatsoever, thus ensuring that no sequential test is required.
- 2.14 In any event, and as indicated above, there is no flood risk associated with the proposed development even if the Wheatcroft Amendment was not accepted by the appeal Inspector, as it was only areas of public open space and landscaping that were located in the small area of surface water flooding adjacent to the River Meden.
- 2.15 Therefore, in response to the Inspector's MIQ para 10:54 (*'Is any mitigation for flood risk necessary? If so, what effect might this have on the allocation?'*), no flood risk mitigation is needed apart from the normal drainage and SUDs provision required as part of any development.