

# **Local Planning Document Publication Draft**

## **Report of Responses Addendum: Comments received from Nottinghamshire CPRE (January 2017)**

# **Contents**

<b>Introduction .....</b>	<b>3</b>
<b>Part A: Development Management Policies.....</b>	<b>4</b>
Spatial Vision and Spatial Objectives .....	4
Climate Change, Flood Risk and Water Management.....	4
Environmental Protection.....	5
Green Belt .....	5
Homes .....	7
Transport .....	7
<b>Part B: Site Allocations.....</b>	<b>8</b>
Policy LPD62 – Comprehensive Development .....	8
Policy LPD65 – Bestwood Village.....	8

## **Introduction**

This addendum summarises the key issues arising from the comments received from Nottinghamshire CPRE as a result of the consultation on the Local Planning Document Publication Draft. These comments were omitted at the time the Local Planning Document was submitted to the Planning Inspectorate.

Consultation on the Local Planning Document Publication Draft and the accompanying assessments including the Sustainability Appraisal, the Habitats Regulations Assessment and the Equality Impact Assessment was held between May and July 2016.

Taking account of the comments received from Nottinghamshire CPRE, this means a total of 659 comments were received as shown in the table below. This table updates the table in the Report of Responses (October 2016).

	Number of Respondents	Number of Comments
Local Planning Document Part A: Development Management Policies	55	210
Local Planning Document Part B: Site Allocations	364	420
Local Planning Document Part C: Policies Map	9	9
Local Planning Document Part D: Appendices	3	3
Sustainability Appraisal, Habitats Regulations Assessment and Equality Impact Assessment	12	17
<b>TOTAL</b>	<b>397<sup>1</sup></b>	<b>659</b>

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<sup>1</sup> Some respondents have commented on more than one part.

## **Part A: Development Management Policies**

### **Spatial Vision and Spatial Objectives**

Number of Respondents	Number of Comments
1	1

Consistency issue between objective x) in Spatial Vision and Spatial Objectives which refers to a possible NET extension to Top Wighay Farm and also the possible new River Trent crossing and transport policy LPD60 includes only the possible Trent road bridge. Nottinghamshire CPRE recommends that either the NET extension to Top Wighay Farm is included or neither scheme is.

**Response:**

Paragraph 14.5.2 of LPD60: Local Transport Schemes states that most of the schemes listed in the policy are included in the third Nottinghamshire Local Transport Plan 2011-2026. The NET extension is not included in the Local Transport Plan.

### **Climate Change, Flood Risk and Water Management**

Number of Respondents	Number of Comments
1	2

**Policy LPD1 – Wind Turbines**

**Policy LPD2 – Other Renewable Energy Schemes**

Nottinghamshire CPRE welcomes the intention to produce a Supplementary Planning Document on wind turbines and other renewable energy schemes. They would like to see “evidence of meaningful consultation with local residents and relevant amenity groups” added to the Planning Application Information for both Policies LPD1 and LPD2.

**Response:**

Paragraph 1.32 explains the purpose of the planning application information section which is information that may be required in support of development proposals which will be assessed against the policy. Local residents and relevant groups will be consulted as part of the planning applications for wind turbines and other renewable energy schemes and there will be public consultation on the drafting of the Supplementary Planning Document in accordance with the Borough Council's Statement of Consultation.

## **Environmental Protection**

Number of Respondents	Number of Comments
1	2

### **Policy LPD10 – Pollution**

Nottinghamshire CPRE welcomes Policy LPD10 but would like the policy to be strengthened by providing more detail on how Gedling Borough Council intends to control light pollution. This could be done through a Supplementary Planning Document and should include the identification of dark(er) areas in need of (more) protection. Referred to London Borough of Barnet and examples of effective policies can be found in the 2014 CPRE publication *Shedding Light: a survey of local authority approaches to lighting in England*<sup>2</sup>.

Also CPRE has recently published updated light pollution interactive maps<sup>3</sup> which can be used to map darker and lighter areas.

#### **Response:**

The proposed policy approach requires the effects of potential sources of pollution to be taken into account when considering planning applications and seeks to ensure that any proposal for development is accompanied by an appropriate scheme of mitigation. Light pollution is not an area of specific concern for the Borough Council but the policy will be monitored which will establish whether there is a need for additional policy advice.

### **Policy LPD11 – Air Quality**

Nottinghamshire CPRE notes Policy LPD11 identifies that emissions from vehicles are a key source of air pollution but there is no requirement in the policy for developers to specify measures to minimise air pollution associated with their development proposals or to assess the impact of their proposals on air pollution.

#### **Response:**

The Borough Council's Air Quality and Emissions Guidance for Developers sets out the measures to help reduce vehicle emissions and will apply to all proposals across the Borough in order to improve air quality.

## **Green Belt**

Number of Respondents	Number of Comments
1	2

### **Policy LPD12 – Reuse of Buildings within the Green Belt**

Nottinghamshire CPRE welcomes the policy and paragraph 6.2.3.

<sup>2</sup> <http://www.cpre.org.uk/resources/countryside/dark-skies/item/3608-shedding-light>

<sup>3</sup> <http://nightblight.cpre.org.uk>

**Response:**

Noted.

**Policy LPD16 – Safeguarded Land**

Nottinghamshire CPRE considers the policy is proposed to achieve three aims: (1) to ensure the permanence of Green Belt boundaries, thus avoiding the need for a further review of boundaries in the foreseeable future; (2) to ensure the Green Belt boundaries are defensible by following clear physical features; and (3) to create more flexibility when determining planning applications if a 5 year housing supply cannot be demonstrated. The first and second aims would be achieved. The third aim would be achieved by default if the policy is deleted because, if a 5 year housing supply cannot be demonstrated, the provisions of the NPPF as a whole apply. If implemented, Policy LPD16 would result in unsustainable development as the table at 6.6.6 (page 53) clearly demonstrates and it is considered that Policy LPD16 is neither necessary to achieve the stated policy aims nor suitable for achieving them and should therefore be deleted.

**Response:**

The Borough Council considers that the Green Belt policies in the Local Planning Document are consistent with the fundamental aim and purposes of the Green Belt as set out in the National Planning Policy Framework and that the proposals for alteration to Green Belt boundaries are justified by exceptional circumstances. The Aligned Core Strategy Inspector Report has confirmed that the Part 2 Local Plan should identify areas of Safeguarded Land by removing land from the Green Belt that is not required for development before the end of the plan period.

As identified in Safeguarded Land (March 2016) four areas of safeguarded land remain unallocated for development following the Site Selection process. These areas are:-

- Top Wighay Farm;
- Mapperley Golf Course;
- Glebe Farm, Lambley Lane; and
- Lambley Lane / Spring Lane.

Additional areas of safeguarded land have also been designated by the Local Planning Document.

As identified in paragraph 49 of the NPPF and confirmed by the Courts<sup>4</sup>, where a five year supply of housing land cannot be demonstrated, policies that restrict the supply of housing are considered to be out of date and the presumption in favour of sustainable development applies.

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<sup>4</sup> <http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2014/1283.html&query=EWHC+1283>

## **Homes**

Number of Respondents	Number of Comments
1	2

### **Policy LPD36 – Affordable Housing**

Nottinghamshire CPRE welcomes the requirement for an independent scrutiny of developers' viability appraisals.

#### **Response:**

Noted.

### **Policy LPD39 – Housing Development on Unallocated Sites**

Nottinghamshire CPRE states the rationale for the inclusion of the policy is not clear as the purpose of the site allocations in the Local Planning Document is to steer housing and other development to sustainable sites. The policy risks undermining the overall Local Planning Document's strategy of urban concentration and regeneration because it (1) presents granting planning permission on unallocated sites as the default instead of as a last resort; (2) does not prioritise previously developed land; and (3) only protects open space if it makes an "important contribution to the appearance of the area" thus allowing the loss of open space with a high amenity value but a low aesthetic value.

#### **Response:**

This policy has been rolled forward from two policies in the Gedling Borough Replacement Local Plan (i.e. H7 and H11) which are mainly used to determine unallocated sites for housing development. It is viewed important to include a policy as there will be opportunities for new residential development on unallocated sites and it is important to ensure that new development proposals do not adversely affect the appearance of the area.

## **Transport**

Number of Respondents	Number of Comments
1	2

### **Policy LPD59 – Park and Ride**

Nottinghamshire CPRE states these facilities need to be developed with care due to the evidence that strategic park and ride sites induce traffic rather than reducing it.

#### **Response:**

Noted.

### **Policy LPD60 – Local Transport Schemes**

Consistency issue between objective x) in Spatial Vision and Spatial Objectives which refers to a possible NET extension to Top Wighay Farm and also the possible new River Trent crossing and transport policy LPD60 includes only the possible

Trent road bridge. Nottinghamshire CPRE recommends that either the NET extension to Top Wighay Farm is included or neither scheme is.

**Response:**

Paragraph 14.5.2 of LPD60: Local Transport Schemes states that most of the schemes listed in the policy are included in the third Nottinghamshire Local Transport Plan 2011-2026. The NET extension is not included in the Local Transport Plan.

## **Part B: Site Allocations**

### **Policy LPD62 – Comprehensive Development**

Number of Respondents	Number of Comments
1	1

Nottinghamshire CPRE welcomes the policy to counter the piecemeal approach to site development.

**Response:**

Noted.

### **Policy LPD65 – Bestwood Village**

Number of Respondents	Number of Comments
1	1

**H12 – Westhouse Farm**

This allocation should not be included because it would have an adverse impact on a well used Right of Way, the key walking link between different parts of Bestwood Country Park. The landscape which would be developed is a functional part of the Country Park.

**Response:**

The masterplanning work for Bestwood recommends that the area to the north of the Village along Moor Road is the preferred option for future development at Bestwood with further detail outlined in the Site Selection Document Appendix B – Bestwood Village. The importance of maintaining linkages with Bestwood Country Park is recognised and will be addressed through the planning application. The sensitivity of land to the north east of the allocation which is in closer proximity to the Country Park is acknowledged and is not being removed from the Green Belt.