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**Our Ref:** LP2/21.4  
**Your Ref:**  
**Date:** 21<sup>st</sup> March 2017

Ms Carmel Edwards (Programme Officer)  
C/O Gedling Borough Council  
Civic Centre  
Arnot Hill Park  
Arnold, Nottingham  
NG5 6LU

Dear Ms Edwards,

FAO Karen Baker DipTP MA DipMP MRTPI

**Re: Examination of the Gedling Local Planning Document Publication Draft (Part 2 Local Plan)  
- LPD16 Safeguarded Land and LPD63 Housing Distribution Main Modifications**

Thank you for allowing the Council to submit further comments in relation to the Main Modifications proposed by Gedling Borough Council.

**LPD16 Safeguarded Land**

Ashfield District Council (ADC) is disappointed that Gedling Borough Council (GBC) has objected (EX/87, Ref MM73) to our proposed modifications (EX/54) to Policy LPD 16 Safeguarded Land; GBC is not proposing to implement the suggested amendments. ADC is seeking to ensure that, when safeguarded land at Top Wighay Farm is reviewed in the future, the housing needs of Hucknall will be considered.

GBC's response demonstrates the level of cooperation ADC has experienced in trying to ensure the needs of Hucknall are taken into consideration by GBC. To ensure compliance with the Duty to Cooperate, ADC is asking for GBC to take into consideration Hucknall's future housing requirements when reviewing safeguarded land at Top Wighay Farm at the next Local Plan review, particularly in the context that Hucknall is completely encircled by Green Belt.

GBC has acknowledged that Top Wighay Farm forms part of Hucknall and will impact on infrastructure in the town. Therefore ADC is of the view that the request for the modification to Policy LPD16 Safeguarded Land is not unreasonable and is wholly justified.

**LPD63 Distribution of housing and upper limit in the 'adjoining Hucknall' area.**

ADC is of the view that GBC's proposed main modification (EX/87, Ref MM81) to LPD63 (inserting the words "up to" before "1265 homes around Hucknall") does not conform with Part 4 of the The Town and Country Planning (Local Plan) (England) Regulations 2012 or with the National Planning Policy Framework.

**2012 Regulations Part 4 – Form and content of documents and regard to be had to certain matters**

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## Regulation 8

- (2) A local plan of supplementary planning document must contain a reasoned justification of the policies contained in it
- (3) Any policies contained in a supplementary planning document must not conflict with the adopted development plan
- (4) Subject to paragraph (5), the policies contained in a local plan must be consistent with the adopted development plan.
- (5) Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state fact and identify the superseded policy.

## National Planning Policy Framework

Paragraph 17 (bullet point 1)

...be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with high degree of predictability and efficiency.

Paragraph 154

Local plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

### **ADC wishes to make the following key points:**

1. The draft main modification does not conform with Part 4, Regulation 8 due to the fact that:
  - a. The proposed policy (with or without the mod) is not in conformity with part 4 of Regulation 8; there is no consistency
  - b. There is no intention that any policies within the ACS will be superseded. Indeed we consider that it is not within Gedling's gift to unilaterally remove policies of the ACS. Any such action must be undertaken in conjunction with Nottingham City Council and Broxtowe Borough Council.
2. The proposed modification does not adhere to the guidance set out in the NPPF
  - a. Para 17; There is no practical framework within which decisions on planning applications can be made with high degree of predictability. The submitted policy is at best confusing, the draft modification would not remedy the problem because of issues set out in (1) above.
  - b. Para 154; the policy in conjunction with the adopted development plan is unclear; with or without the modification.

Yours faithfully



C.M.Sarris  
Corporate Planning and Building Control Manager