

Independent Examination of the Gedling Local Planning Document

Comments on Additional LPA Evidence Submitted During Examination Hearings As Requested by Inspector on 26th April 2017

Calverton Parish Council

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Introduction

1. Calverton Parish Council have actively participated in the examination hearings for the Gedling LPD, however during those hearings we have drawn attention to a number of concerns regarding the submission of late evidence by the LPA during the Examination Hearing sessions. On the 19th April 2017, Calverton Parish Council wrote to the Inspector requesting that she formally suspend the Examination due to the substantial prejudice caused to the Parish Council by this late evidence, which has been submitted outside of the timetables set for the submission of evidence (EX/109).
2. The Inspector, Ms Karen Baker responded on the 26th April 2017 inviting the Parish Council to make further comments on the evidence documents by the 12th May 2017 (EX/110). As the emerging Gedling LPD is an issue which is extremely politically sensitive, the Parish Council have not undertaken work on this matter between the date of request and the date of the County Council election. In our latest statement on housing for the Hearing Session scheduled for the 16th May 2017, we have responded to documents EX/98 (Site Selection document - Addendum 2); EX/104 (Revised Housing Background Paper Addendum); and EX/105 (Proposed revised Policy LPD 63).
3. **The Parish Council welcomes the invitation to submit further written evidence on the late evidence, Calverton Parish Council considers that it was substantially prejudiced in not being able to effectively respond to this late evidence. To address this prejudice we requested that the Inspector suspend the Examination and once the LPA had finalised the evidence base for new Hearing Sessions to be held on a range of topics including housing and the individual settlements. Whilst the opportunity to provide written comments is an important step, we consider that it is imperative that further Hearing Sessions should be held on a number of topics:**
 - **Sustainability Appraisal;**
 - **Housing;**
 - **Heritage;**
 - **All Settlements; and**
 - **Gypsy and Travellers**

4. We noted in our letter to the Inspector that twenty nine evidence documents, which we consider should have formed part of the 'proposed submission documents', have been published post-submission. Of these twenty nine evidence documents, fifteen have been submitted by the LPA during the Examination Hearing sessions which we have not had an appropriate opportunity to respond to. These are:
EX43; EX51; EX/56, EX/57, EX/58 & EX/59; EX/62; EX/65, EX/66, EX/67, EX/68, EX/69 & EX/70; EX/80; and EX/101.
5. We address these documents submitted by the LPA during the Examination Hearing sessions in the various sections below.

Main Issue – Sustainability Appraisal and Site Selection

EX/43 – Assessment of Impact of LPD Development Sites on Scheduled Monuments

6. The purpose of this document was to seek to address an omission in the existing heritage assessment included within the site assessment process. This clearly demonstrates a fundamental failing in the site assessment process which informed the Publication LPD. The LPA seek to argue that the document only endorses the conclusions made previously by officers on this matter and as such results in no material change in the evidence base. However if the LPA were satisfied that their original evidence and site assessment process was sound then there would have been no need to commission further late evidence. The LPA has fundamentally undermined its position by commissioning this new evidence. The comments by Trigpoint Conservation & Planning Ltd in response to Calverton Preservation and History Society's statement prepared in relation to Matter 15 are also relevant here (EX/89).
7. Gedling contains 9 recorded Scheduled Ancient Monuments, Calverton has one third of Gedling Borough's total number of SAMs. Two Iron Age hillforts are located on Calverton's southern ridgeline. It is made clear in Calverton's Submission Neighbourhood Plan that the settings of the Scheduled Ancient Monuments, as well as the Conservation Area, are of great importance to the integrity of the historic landscape of the landscape to the south of Calverton, referred to in the emerging Neighbourhood Plan as the 'Southern Ridge Area'.
8. It remains of significant concern to Calverton Parish Council that there has been almost no consideration of the hillside settings of the Iron Age hillforts as part of the LPD process and the underpinning Sustainability Appraisal. The importance of the settings of the Iron Age hillforts are also not considered in the Green Belt Assessment (LPD/GRE/02) and the Heritage Assets study

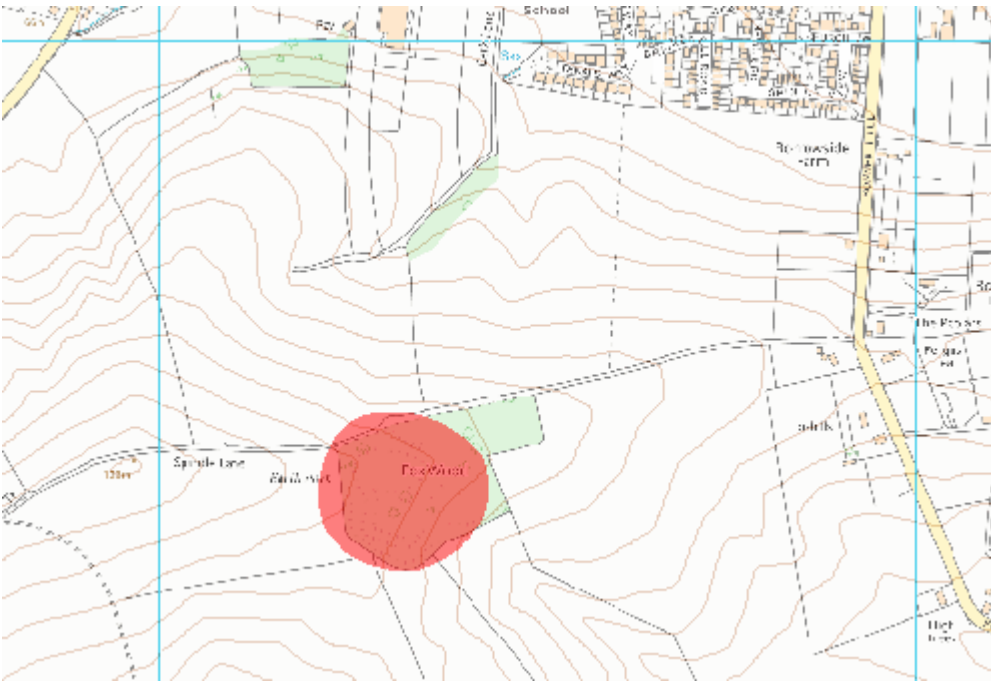
(LPD/HIS/01). Neither of these studies reference Calverton's Scheduled Ancient Monuments in their assessments of individual sites.

9. The Sustainability Appraisal Publication Draft Appendix D: Reasonable Alternative Sites for Housing in the Key Settlements (LPD/REG/15) also makes absolutely no reference to Calverton's Scheduled Ancient Monuments. Appendix H of the Sustainability Appraisal (LPD/REG/19) makes brief reference to the Fox Wood Scheduled Ancient Monument with respect to H14 (Dark Lane) - a site with extant planning permission that was allocated during the previous local plan.
10. Historic England has submitted comments regarding site H14 (Dark Lane) to GBC in which consideration was given to the harm that development would have on the designated heritage assets of the conservation area and the scheduled ancient monument at Fox Wood. Calverton Parish Council shares the position of Historic England that the hillside constitutes the setting of the Iron Age hillfort at Fox Wood and that this setting will be harmed by the Dark Lane development.
11. Document EX/43 has not been subject to any consultation with statutory consultees or to public consultation. As such we do not know whether Historic England is content with the conclusions. Had the document formed part of the original Publication evidence base then bodies such as Historic England would have been able to provide an expert view which would help to inform the Examination. We are aware that the Calverton Preservation and History Society, who are an important local consultation body, consider that the evidence document fundamentally misinterprets the impact of the LPD Development Sites on the Scheduled Monuments in Calverton.
12. In response to Planning Application 2012/1503, the Reserved Matters application for the Dark Lane (H14) site, the following comments from English Heritage, as they were then, was summarised by the LPA in their committee report:

English Heritage – Their previous advice relating to application nos.2005/0910 and 2010/0514 focused on the impact of the outline proposals on the setting of the scheduled monument, Fox Wood earthworks, and the loss of the barns, which they considered would have a harmful impact on the significance of the conservation area. English Heritage further considered that the supporting information was insufficient to justify the demolition of these structures within the conservation area. In their most recent letter relating to the previous applications English Heritage recognised the reduction in housing and layout which pushed the housing back to follow the existing housing line established to the east of the site. However the housing would still result in a loss of open space, harming the rural relationship between the scheduled ancient monument (on higher ground) and conservation area. Accordingly English Heritage recommended that the Borough Council judged whether the case had been fully made in accordance with the National Planning Policy framework

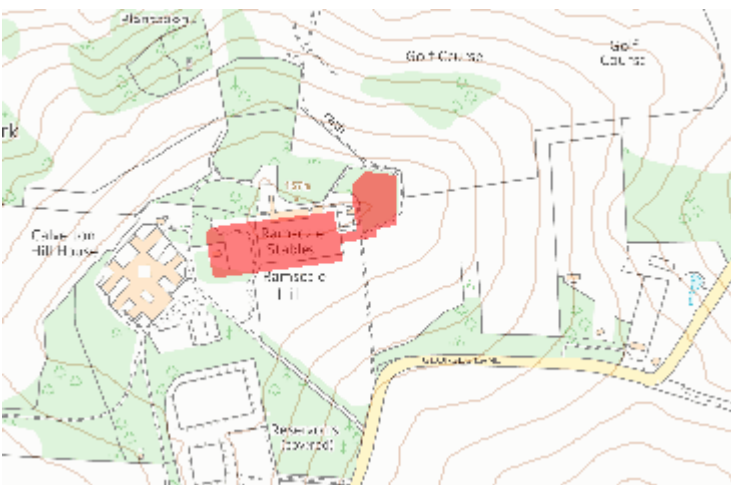
(para.134), weighing up the public benefit of housing against the harm to significance of both the designated and non-designated heritage assets.

13. Calverton Parish Council accepts that, as a site with an extant planning permission on which development has now commenced, there is no scope to avoid the development of site H14, even though it is not in conformity with the policy context of the ACS Policy 11: Historic Environment, which seeks to conserve and enhance *“elements of the historic environment which contribute towards the unique identity of areas and help create a sense of place”*. The SA site assessment process also draws attention to the shortcomings of site H14 which further supports the consensus view of the local community that site H14 should never have been allocated previously and that GBC were fundamentally wrong in granting it planning permission.
14. Calverton Parish Council is concerned that Historic England’s views, with reference to site H14, have been misrepresented in the LPD’s Sustainability Appraisal (LPD/REG/19, *page 42, 3. Heritage & Design*) and that this could have had implications for the protection of Calverton’s historic ridgeline during the LPD site selection process. Not addressing the site assessment process on a grouped basis has then perpetuated this misrepresentation.
15. Consideration of Historic England’s comments in full would help to provide an informed context for assessing the potential impact of future development to the south of Main Street, not only on the scheduled ancient monument hillfort of Fox Wood, but also, through extrapolation, to the similar type of designated heritage asset at Cockpit Hill (Ramsdale).
16. Historic England have clearly identified that in their view the rural relationship between the Scheduled Ancient Monuments on the higher ground to the south of Calverton and the existing village southern edge is important.
17. The entire methodology for the assessment in Document EX/43 must be called into question. In paragraph 7.20, the author states in relation to site H14: *“The previous grant of planning permission has determined that the development of this site would have no impact on any local designated heritage assets and given that it is now under construction, no further consideration is given to this site.”* This would suggest that the author of the evidence has not had any regard to the fact that Historic England (English Heritage as was) concluded in 2012/13 that site H14 was harmful to the setting of the Fox Wood SAM. The factors of rural relationship and topography were also identified as important factors in assessing impact. The conclusions of Historic England (English Heritage as was) and the factors identified should have been built into the assessment process.

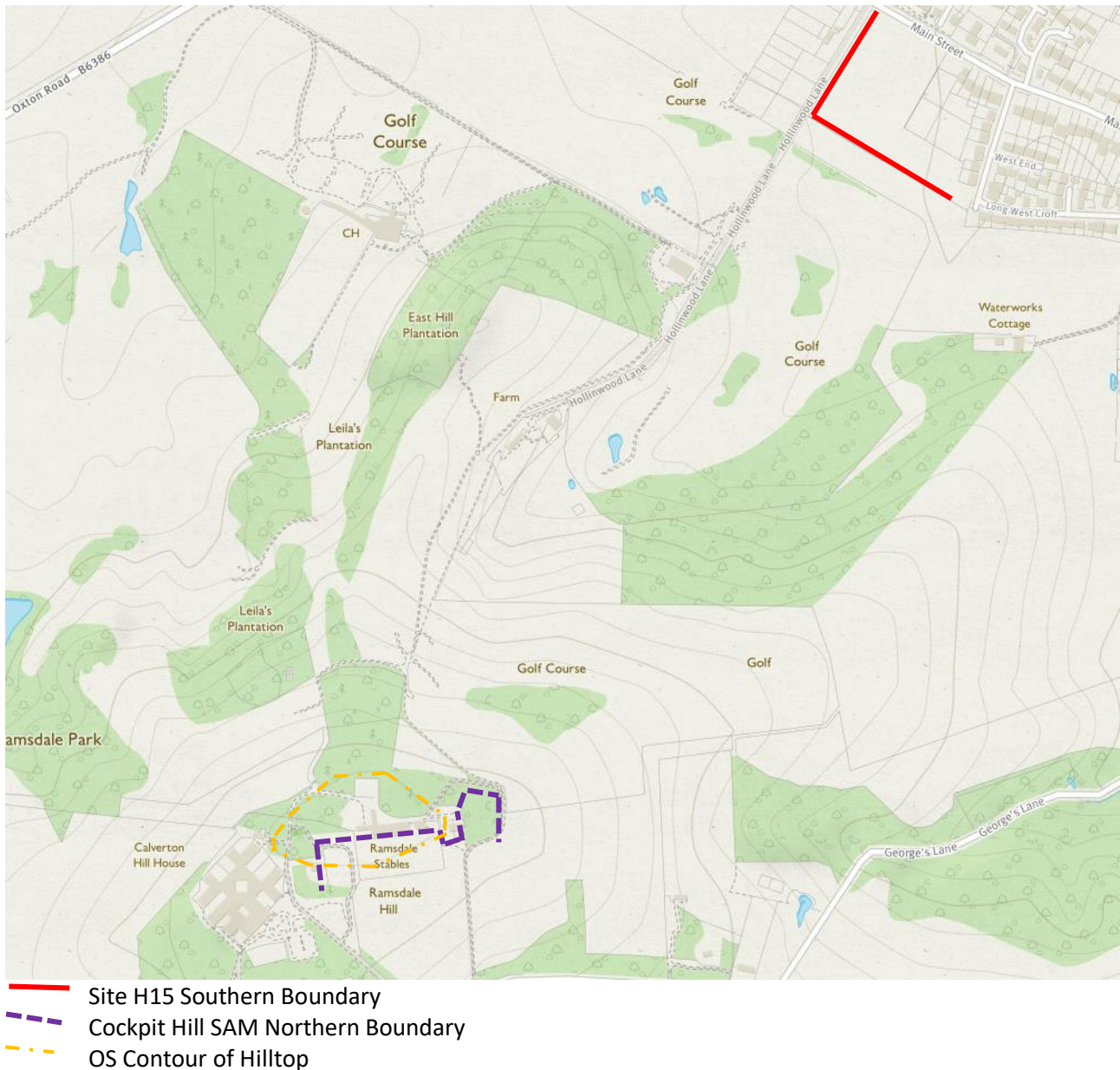


Fox Wood Earthworks SAM (List Entry Number: 1006398) © Historic England

18. Cockpit Hill (Ramsdale) SAM lies at the top of the hill, the local topography which can be seen by looking at the contours on the map overleaf. Hollinwood Lane follows a valley up the rising hill clearly drawing a visual connection between the proposed site H15 and the SAM. Both Cockpit Hill SAM and Fox Wood SAM are sited in prominent locations whose presence is enhanced as a feature in the landscape by them being located in areas of trees. Both of these monuments were strategically located on the ridgeline and therefore their locations make a substantial contribution to their significance. The importance of the visual, spatial and historic associations between the Cockpit Hill site and the Fox Wood site also need to be considered in relation to development to the south of Calverton.



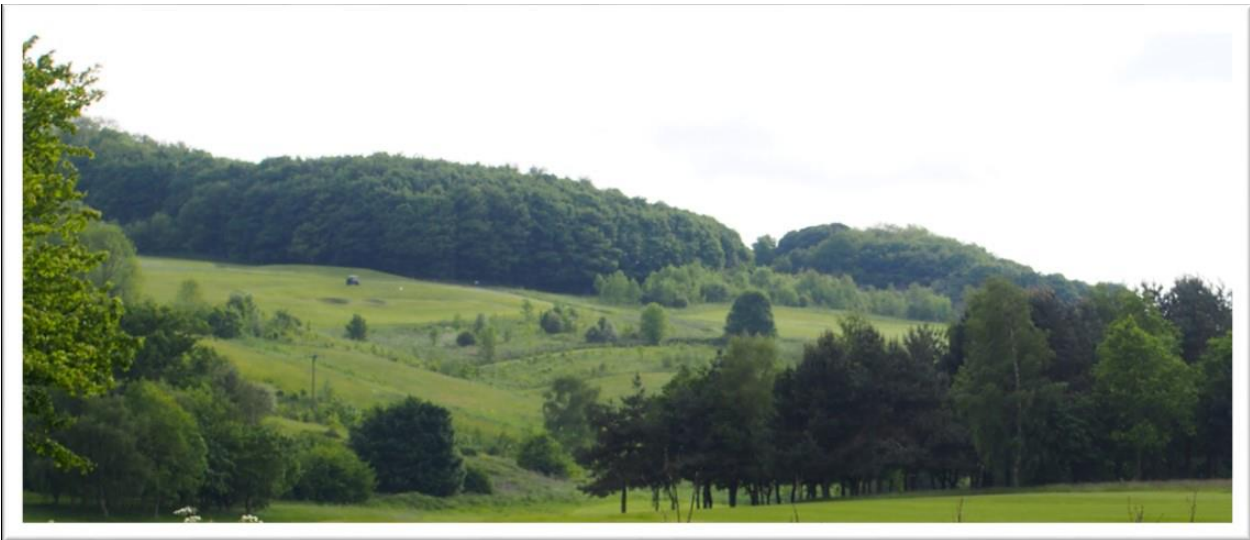
Cockpit Hill, Ramsdale Park SAM (List entry Number: 1006397) © Historic England



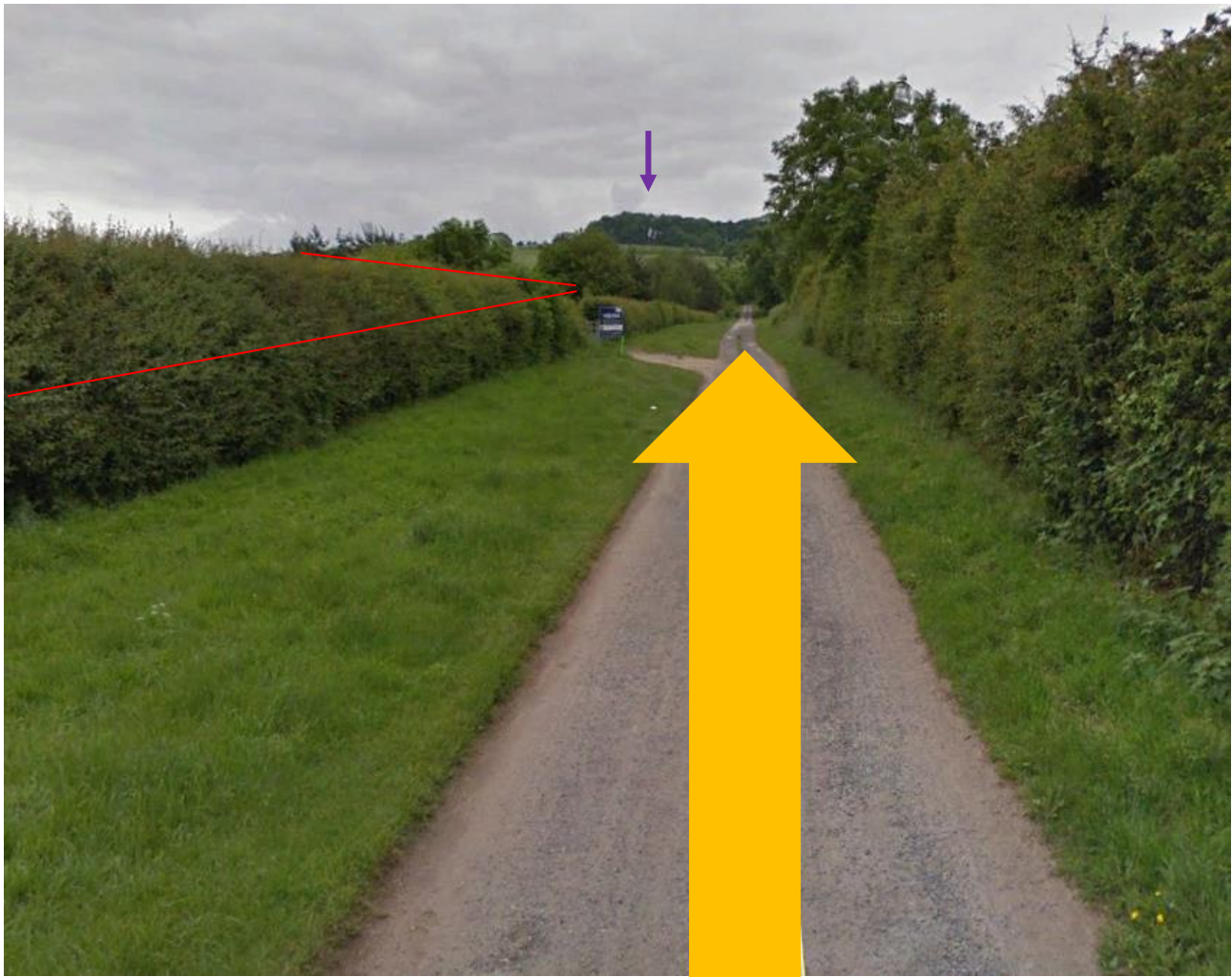
19. The assessment in document EX/43 states: *"Whilst this site is in relatively close proximity to the Scheduled Monument at Cockpit Hill (site no. 7) (Map 2) there is a distinct ridge line to the south-west of Calverton and as a result of this local topography, and because of the relative distance between the site and the Scheduled Monument, there are no direct visual associations between the Main Street site and the Scheduled Monument at Cockpit Hill. Consequently the development of the Main Street site will not encroach into the open rural setting that this Monument currently enjoys. It is therefore considered that development of site H15 will not harm the setting or overall significance of the Scheduled Monument at Cockpit Hill."*
20. Calverton Parish Council do not consider that these conclusions are based on fact, there is a direct visual relationship between site H15 and the SAM as can be seen in the photos below:






Cockpit Hill Scheduled Ancient Monument: View west towards Ramsdale from Spindle Lane, near Fox Wood



Cockpit Hill Scheduled Ancient Monument: View south from village



-  Site H15 Boundary
-  Cockpit Hill SAM
-  Visual Connection along Hollinwood Lane

21. Whilst it is accepted that the distance between the site H15 and the Cockpit Hill SAM is 950m, the character of Hollinwood Lane is visually part of the rural setting and visual 'gateway' approach to Cockpit Hill and its SAM. As such there is a direct visual association between site H15 and the Scheduled Monument at Cockpit Hill. Consequently the development of the Main Street site will encroach into the open rural setting that this SAM currently enjoys. It is therefore considered that development of site H15 will adversely harm the setting and overall significance of the Scheduled Monument at Cockpit Hill. As such the Parish Council considers that the conclusions reached in document EX/43 are fundamentally flawed.

22. the intervisibility along Hollinwood Lane between the historic village street pattern running along Main Street, and the ridgeline monument and the intervening rising landscape, relates to the pattern of historic development with the village sitting in the 'valley' below the ridge. The historical undeveloped countryside character along Hollinwood Lane heading north from the SAM will be changed fundamentally by the development of site H15. Whilst the intervening landscape between

the H15 site and Cockpit Hill SAM is occupied by a golf course this does not affect the visual, functional and historic intervisibility in our view. The golf course has made the intervening landscape more open removing historic field boundaries which has made the connection stronger over time.

23. The document EX/43 does not consider all the reasonable alternative sites which the site assessment in the SA (LPD/REG/15) addressed. To the south of Calverton the document has only assessed two of the seven omission sites (6/780 and 6/45), it has failed to consider sites 6/33; 6/36; 6/649; 6/774; and 6/775. To the north of Calverton the document has only assessed five of the ten omission sites (6/47; 6/665; 6/921; 6/35; and 6/37), it has failed to consider sites 6/588; 6/587; 6/834; 6/772; and 6/661. As such the assessment is incomplete.
24. On the southern side of Calverton the document concludes for sites 6/780 and 6/45 that: *“the extension of built development into this area of land may have a low level of impact on the rural setting of the Scheduled Monument at Cockpit Hill, although this could be mitigated by suitable landscaping on the southern boundary of the development sites.”* These conclusions do not appear to stand up to scrutiny as site 6/780 would extend up the hill to within 360m of Cockpit Hill SAM. Built development here would form a physical barrier removing the visual, historical and cultural connection between the village and the SAM. For the author to suggest that this would only be a low level of impact that could be mitigated by landscaping completely ignores the importance that the two SAMs on the southern ridgeline play in the overall setting of Calverton as it sits in the ‘valley’.
25. The conclusions reached in document EX/43 in paragraph 8.7 with regard to the sites on the safeguarded land reaches the conclusion: *“It is considered that development on this safeguarded land would significantly reduce the present open and rural edge of Calverton and encroach upon the more remote rural setting of the Roman Camps Scheduled Monument at Whinsall Lane, having a moderate to high impact on the Monument’s setting that would be difficult to mitigate against.”* This conclusion ignores the fact that the B6386 Oxton Road and Whinbush Lane/Flatts Lane lies between the SAM and any of the safeguarded land. The Parish Council notes that document EX/43 incorrectly refers to ‘Whinsall Lane’ in paragraph 8.7, presumably it means ‘Whinbush Lane’ however this casts serious doubts on the accuracy of the study and whether a site visit has actually been undertaken as the road sign ‘Whinbush Lane’ is highly visible at the site.
26. The SAM (Two Roman camps 350m north east of Lodge Farm, List entry Number: 1018264) is not elevated, it lies on generally flat land which is physically separated from the safeguarded land by at least 2 substantial hedges, a 35m wide road junction and existing substantial built form at Lodge Farm and Shire Farm. There is no strong visual connection between the SAM north of Oxton Road and land to the south of Oxton Road. Their setting will be largely unchanged by development on the

majority of the safeguarded land, with the exception of the north-east corner nearest to the Oxton Road and Flatts Lane junction. Given that in relation to sites 6/780 and 6/45 the author concludes that new landscaping can mitigate impact it appears inconsistent here to suggest that existing landscaping and man-made features do not provide mitigation.

27. The fields that make up the SAM have also been regularly used on a rota basis by the Calverton Car Boot Sale which takes place every Sunday, we believe under the permitted development regime. This periodic use has urbanised the field entrances and has over time left its imprint in the field as a consequence of roadways and walkways. The document EX/43 has made no reference to this use of the land surface which is considered to be a significant omission in determining the current setting of this SAM.



Northern Entrance Gate into the SAM being used for Car Boot Sales



Southern Exit Gate from the SAM being used for Car Boot Sales



The SAM showing roadway and walkway marks from the Car Boot Sale use

28. The closest part of site 6/47 is some 600m west of the SAM and has the substantial built form of Warren Place, Lodge Farm and Shire Farm and at least 6 hedges between the site and the SAM in a

generally flat topography. The conclusion that development here would have a high impact on the Roman Camps SAM is fundamentally inconsistent with the conclusion that site 6/780 which would extend up the hill to within 360m of Cockpit Hill SAM with no intervening built form or hedges/planting would have a low level impact.

29. In support of our conclusion that the LPA do not consider that the setting of this SAM extends beyond the site itself we refer to application 2016/0573 for the retention of floodlighting to existing ménage at Lodge Farm, Oxton Road, Calverton. That application site lies 170m to the west of the SAM and the LPA in its determination made no mention of the SAM or its setting. In application 2013/1307 for the installation of portacabin (toilet & shower block) at Sherbrook Scout Centre, Flatts Lane, Calverton once again the LPA determination made no mention of the SAM or its setting. That application site was only 130m south of the SAM. Again in application 2005/1109 to erect a farmhouse on land at Oxton Road, Calverton only 30m from the SAM the LPA determination does not include mention of the SAM or its setting. The LPA has clearly in exercising its planning function have consistently not considered the setting of this SAM to extend to the west of Whinbush Lane or the south of Oxton Road. As such it cannot now seek to conclude that the SAM setting extends over 600m purely to seek to resist development of the safeguarded land to justify the allocation of site H15. The conclusions in document EX/43 are incompatible with the determination of dozens of planning applications by the LPA in the 19 years since designation of the SAM within the area now claimed to be the setting.
30. In the centre of the 'North West Quadrant' Calverton Parish Council have obtained two consents to build the new community centre which is now constructed and open. Firstly in 2009/1028 to erect a new multi-purpose Sports and Community Centre, c/w parking and landscaping on land at William Lee Recreation Ground, Park Road, Calverton. Then in application 2013/0067 for new community centre and sports changing facility with associated car parking and landscaping on land at William Lee Memorial Park, Park Road, Calverton. Again in both determinations the LPA gave no consideration to the Roman Camps SAM or its setting.
31. The position of the LPA taken through the LPD Examination Hearing regarding the conclusions of document EX/43 do not stand up to scrutiny now that there has been sufficient time to analyse the report in relation to other relevant planning decisions taken by Gedling BC. As such the lack of opportunity to properly scrutinise the document due to its late submission by the LPA has substantially prejudiced Calverton Parish Council and other parties who have an interest in land north of Calverton.




32. **Given the fundamental inconsistencies in the judgements reached and their subjective nature, the conclusions need to be properly tested and examined. To do this the Parish Council consider that it is imperative for the Inspector to hold a further hearing session on this matter. The LPA should be required to tender Mr Bradwell to a hearing to allow his conclusions to be explored in detail. Given that these conclusions are fundamental to the Sustainability Appraisal and the site assessment process the conclusions are fundamental to reaching a conclusion as to whether the LPD is sound or not.**
33. The LPA tendered this evidence on Friday 3rd February 2017, and then in an amended form on Monday 6th February 2017, the day before the hearing session on the Sustainability Appraisal on Tuesday 7th February. As such there was no opportunity for parties to address this evidence document in the hearing statements which had to be submitted by Tuesday 17th January 2017 for Week 1 and Monday 6th February 2017 for Week 2. In relation to Calverton this means that there was no opportunity to respond to it in the hearing statements relating to the Sustainability Appraisal, Housing, or Calverton on a settlement basis. Given less than a single working day between the document being published in the Examination Library and the hearing session on the Sustainability Appraisal there was no meaningful way for those appearing, including Calverton Parish Council to engage in a debate on document EX/43 at that session.
34. The LPA has subsequently now sought to justify the non-allocation of the safeguarded land on the basis of the conclusions in document EX/43. As such given that this evidence was not available at the time of the original Sustainability Appraisal (LPD/REG/11 and LPD/REG/15) and Site Assessment (LPD/GRO/05 and LPD/GRO/08), it must call into question the entire process as the LPA has changed the goalposts mid-way through the Examination Hearing process.
35. To support our conclusions on the inadequacies of document EX/43 we would draw attention to document EX/38 Calverton NDP Southern Ridge Evidence which we submitted to the Examination Library in November 2016. The Comments by Trigpoint Conservation & Planning Ltd in response to Calverton Preservation and History Society's statement prepared in relation to Matter 15 in document EX/89 was posted in the Examination Library on Tuesday 21st March, again the day before the Matter 15 Hearing session on Wednesday 22nd March 2017. This did not allow sufficient time for Calverton Preservation and History Society, a group run by volunteers, to respond to the points made at that hearing session. Calverton Parish Council has had no opportunity to respond to this document at all as we were not present at Matter 15 and had completed our input in Weeks 1 and 2 of the Examination Hearings.

36. Document EX/43 concludes that Site E (6/462) at New Farm, Arnold concludes that: *“The reduction of the present open break between Arnold and Calverton has the potential to affect the open setting of the Scheduled Monument at Cockpit Hill. However given the relative distance between the northern edge of the New Farm site and Cockpit Hill, it is considered that the degree of impact of this possible development site on the setting of the Cockpit Hill Scheduled Monument would be low, and any harm could be substantially mitigated by a reduced site area that maintains the open fields alongside Lime Lane (B684).”*
37. That site lies 1,100m south of the Cockpit Hill SAM, in the intervening area there is a major road the B684 Lime Lane; the Dorket Head Brickworks; Dorket Head Farm; two covered reservoirs; and Calverton Hill House which is a medium secure hospital. There is also a substantial area of tree planting around the two covered reservoirs and Calverton Hill House. The land rises from Site E (6/462) to the substantial area of tree planting around the two covered reservoirs and Calverton Hill House. There is no intervisibility between the site 6/462 and the SAM itself, as although the SAM is on the hilltop that lies behind the first group of trees. If the author of the assessment considers that an impact will arise over this distance with the intervening natural and man-made features then this further calls into question the conclusion about the impact on site H15 in Calverton.
38. It would appear that the conclusions in document EX/43 have been retrofitted to try and justify those sites chosen for allocation and those excluded from allocation. There is inconsistency in the conclusions reached in the analysis, and the summary of settings set out in document EX/43 Appendix 2 is also incorrect. For example in relation to Fox Wood the Appendix concludes that there is ‘No visual or spatial associations with any of the LPD development sites’, this clearly differs to the views of English Heritage (as they were then) to Planning Application 2012/1503, the Reserved Matters application for the Dark Lane (H14) site which concluded that there was such a visual connection and impact on the setting.



View from B684 Lime Lane (Note Cockpit Hill SAM is in the second area of trees which lies approx. 250m beyond the group of trees that can be seen in the picture)



-  Cockpit Hill SAM
-  Site H15 Southern Boundary
-  Site E 6/462 Northern Boundary

Main Issue – Sustainability Appraisal and Site Selection

EX/62 – Sustainability Appraisal Publication Draft Addendum 3: Review of SA Assessment on Reasonable Alternative Sites and Allocation Sites based on second heritage assessment

39. Calverton Parish Council submitted evidence on the Sustainability Appraisal Examination Hearing Session held on Tuesday 7th February 2017. The LPA has now published three addendums to the publication SA and has not undertaken consultation on any of these addendums. We remain of the view that the failure to consult the required statutory environmental bodies renders the addendums to the SA invalid as they are untested and fail to meet the statutory requirements of consultation and engagement.
40. As detailed in paragraphs 1.8 and 1.9 of the document EX/62 the LPA indicate that this SA Addendum has been produced specifically to respond to the concerns that Calverton Parish Council identified at the Hearing Session held on Tuesday 7th February 2017. Consequently the Parish Council, and indeed all other parties, have had no opportunity to comment on the SA Addendum 3. Document EX/62 was added to the Examination Library on Wednesday 22nd February 2017. As such there was no opportunity for parties to address this evidence document in the hearing statements which had to be submitted by Monday 6th February 2017 for Week 2.
41. In relation to Calverton this means that there was no opportunity to respond to it in the hearing statements relating to Housing, or Calverton on a settlement basis. Given there being only two working days between the document being published in the Examination Library and the Hearing Session on Housing overall (on Monday 27th February 2017) there was no meaningful way for those appearing, including Calverton Parish Council to engage in a debate on document EX/62 at that session. The Hearing Session on Calverton on a settlement basis was a very full session which sat into the early evening anyway on Wednesday 1st March 2017. The limited time available between the publication of EX/62 together with the fact other Hearing Sessions were being held did not allow sufficient time for Calverton Parish Council to engage in a debate on document EX/62 at that session either.
42. The SA Addendum changes the SA objective 3 (heritage and design) scores in the SA assessment for sites in Calverton as follows:
- 6/35 Mansfield Lane (Flatts Hill) – Change SA score from minor negative to major negative
 - 6/47 Park Road/Hollinwood Lane (Inc. H16) – Change SA score from neutral to minor negative
 - 6/665 Warren Place – Change SA score from neutral to major negative
 - 6/921 Shire Farm – Change SA score from minor negative to major negative

43. The SA applies the findings of document EX/43 inconsistently, that document reached the same conclusion on sites 6/47; 6/665; 6/921; and 6/35 and as such the LPA has changed the score in each of these sites to major negative, except site 6/47 which is minor negative. There is no such difference in impact identified in document EX/43 whereas in reality the impact cannot be the same over four sites which extend over a width of 860m. The LPA has therefore chosen without explanation to vary the conclusions in the heritage assessment in the SA Addendum which undermines confidence in document EX/43.
44. As there are no existing boundaries or features between the current area of site H16 and the remainder of sites 6/47 and 6/665 proposed to be safeguarded, there is no clear explanation given in either document EX/43 or the SA Addendum as to why site H16 has no change arising from the assessment but the land just a millimetre to the side does have an impact.
45. As the SA slavishly applies the findings of document EX/43 it makes no adjustments to the SA conclusions for the seven omission sites which EX/43 failed to consider sites (sites 6/33; 6/36; 6/649; 6/774; and 6/775 south of Calverton and sites 6/588; 6/587; 6/834; 6/772; and 6/661 north of Calverton). As such the SA assessment is also incomplete and unsound as it is based on an evidence base document which has been demonstrated to be incorrect in its conclusions.
46. The comments we made on Matter 2 in relation to the Sustainability Appraisal and its fundamental deficiencies remain. Calverton Parish Council still do not consider that the Sustainability Appraisal (SA) accompanying the Publication Gedling Local Planning Document represents a sound basis on which to base the decisions taken in the LPD, particularly in relation to decisions regarding site allocations and the review of the Green Belt. The two subsequent Addendums have accentuated the failings in the SA.
47. **Given the fundamental inconsistencies in the judgements reached in document EX/43 and their subjective nature, the conclusions need to be properly tested and examined. To do this the Parish Council consider that it is imperative for the Inspector to hold a further hearing session on this matter which by association must include consideration of the SA given that these conclusions are fundamental to the Sustainability Appraisal and the site assessment process. The conclusions are fundamental to reaching a conclusion as to whether the LPD is sound or not.**

Main Issue – Site Selection and Deliverability

EX/51 – Gedling Colliery Position Note

EX/56 to EX/59 – Information on housing sites allocated in the LPD

EX65 – Sites below the threshold

EX/66 to EX/69 – Information on housing sites allocated in the LPD

EX/70 – Information on strategic sites allocated in the Aligned Core Strategy

48. On the same day (26th April 2017) as inviting Calverton Parish Council to submit comments on the late evidence, the Inspector announced (EX/108) that she was to hold a further Hearing Session on housing supply on Tuesday 16th May 2017. This follows the previous invitation issued on the 3rd April 2017 (EX/106) for parties to comment by Wednesday 19th April 2017 on a Revised Housing Background Paper Addendum, March 2017, (EX/104) and an amended Policy LPD 63 (Housing Distribution) (EX/105) issued on 31st March 2017.
49. Calverton Parish Council submitted a response to this consultation on Tuesday 11th April 2017, in our latest statement on housing for the Hearing Session scheduled for the 16th May 2017, we have responded to documents EX/98 (Site Selection document - Addendum 2); EX/104 (Revised Housing Background Paper Addendum); and EX/105 (Proposed revised Policy LPD 63).
50. Documents EX/56 to EX/59 were published on Monday 20th February 2017, documents EX/65 to EX/70 were then published on Friday 24th February 2017. Consequently the Parish Council, and indeed all other parties, have had no opportunity to comment on the content of these documents which collectively updated the housing position. The Examination Hearing Session on housing took place on the next working day, Monday 27th February. Once again the LPA had chosen to publish important material the day before a Hearing Session which limited any scope for parties to consider, digest and respond to the new material. There was no opportunity for parties to address this evidence document in the hearing statements which had to be submitted by Monday 6th February 2017 for Week 2.
51. As such Calverton Parish Council considers that it was substantially prejudiced in not being able to effectively respond to this late evidence. To address this prejudice we requested that the Inspector suspend the Examination and once the LPA had finalised the evidence base for new Hearing Sessions to be held on a range of topics including housing and the individual settlements. Matters have partly moved on with the publication of EX/104 (Revised Housing Background Paper Addendum) and the decision of the Inspector to hold a further Hearing Session on housing.
52. EX/104 (Revised Housing Background Paper Addendum) has now effectively superseded the following documents:

- EX/56 to EX/59 – Information on housing sites allocated in the LPD
- EX65 – Sites below the threshold
- EX/66 to EX/69 – Information on housing sites allocated in the LPD
- EX/70 – Information on strategic sites allocated in the Aligned Core Strategy

53. **As such Calverton Parish Council have now been afforded the opportunity to comment on the updates to these documents. Therefore we will have the ability to make the points that we need to make on these issues at the Hearing Session on housing supply to be held on Tuesday 16th May 2017. We do however remain concerned that a meaningful debate on housing cannot fully take place without debating concerns remaining in the overall evidence base and the sustainability appraisal which has influenced the site assessment process. As such Calverton Parish Council remains of the view that the examination should be recommenced with further hearing sessions held on:**

- **Sustainability Appraisal;**
- **Housing;**
- **Heritage;**
- **All Settlements; and**
- **Gypsy and Travellers**

Main Issue – Site Selection and Deliverability

EX/98 – Site Selection Document – Addendum 2

54. The Parish Council will play a full part in the Hearing Session on housing supply to be held on Tuesday 16th May 2017. We will seek to address matters at that Hearing Session in document EX/98 which was only added to the examination library on the 27th March. Consequently there has been no ability for any party to comment on it to date. If the hearing session scheduled for the 16th May 2017 does not address EX/98 – Site Selection Document – Addendum 2 then we consider that it is imperative that the Inspector hold a further Hearing Session on that document.

55. We set out our full position on document EX/98 in the statement we have submitted for the Additional Housing Session. However at the time of writing whether the agenda published for the Hearing Session on housing supply to be held on Tuesday 16th May 2017 does not indicate that it will consider EX/98. Therefore for completeness we repeat our case here.

56. The purpose of this document was understood to be the explanation of how the LPA pulled all of the evidence together to decide which sites to allocate. The void in evidence was highlighted on a number of occasions and became referred to by parties including the Council themselves as ‘the leap

of faith'. Calverton Parish Council is disappointed that this document is not comprehensive and is not the robust analysis and explanation of the site allocation process that we believe that the LPA undertook to produce. Gedling have consistently argued that all of the elements of the various strands of evidence undertaken such as landscape; heritage; and green belt were analysed and then assessed and balanced to reach a conclusion whether or not to allocate a site for residential development.

57. As such we were expecting to see a document which clearly summarised all of the evidence, applied appropriate weighting or balance to then provide a clear audit trail as to precisely why a site was or wasn't allocated. This document fundamentally fails to do this and as such it does not respond to the concerns that were consistently expressed throughout the examination hearings. All parties to the examination still have no clarity on how the site selection methodology was undertaken, as such the site allocations in the Plan are still not founded on a credible evidence base. As such we still contend the Plan is fundamentally unsound.
58. Document EX/98 on page 3 confirms that the site selection process was subjective rather than objective, it states: *"In undertaking the comparative assessment, a balanced judgement has been taken by officers as professional planners. Each site has been considered on its own merits, giving appropriate weight to each element of the evidence base as outlined in the Site Selection Document – Main Report (LPD/GRO/05). As such, it was not possible to undertake this exercise using a scoring system or tick box exercise as the weight given to each element may vary for each site. For example, a site may score more highly in green belt terms than an alternative site but it might be considered that this is outweighed by other benefits (such as regeneration) or the opportunity to provide more robust green belt boundaries. Another site may result in a low level of harm on a conservation area but this is outweighed by the scope for mitigation and the sustainable location in relation to other alternative sites."*
59. Calverton Parish Council is deeply concerned that the site selection process lacks any objective evidence which demonstrates a clear and consistent approach. The current approach lacks public confidence which is vital in our view. We consider that this is particularly necessary for the LPA to demonstrate, given that in Calverton the LPA wishes to allocate a site which is at direct odds to the expressed wishes of local residents. The planning process must enjoy public confidence, so the public can understand matters and that their views and all relevant matters have been properly considered even if the public are unhappy with the outcome.
60. Unfortunately the publication of document EX/98 has thrown more confusion on the site allocation process. As with much of the LPD evidence the document is not very clear or easy to understand

unless you forensically dissect them! There is now clear conflict between what the Site Selection Addendum appears to suggest; and what the Revised Housing Background Paper Addendum actually states. In particular the Site Selection Addendum now appears to suggest that more land in the North-West of Calverton is being allocated. In the table for Calverton on pages 11 to 16, the document states that the following sites should be allocated:

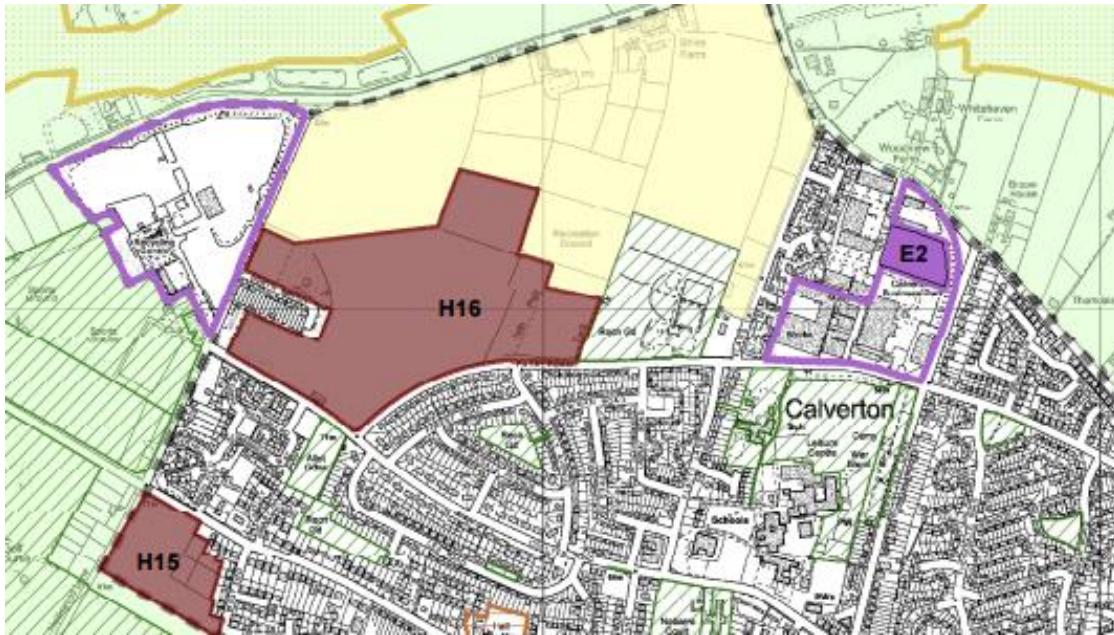
- 6/662; 6/921; 6/665 and 6/47



Extract from Site Selection Document Appendix C – Calverton (May 2016) (LPD/GRO/08)

Note - We have underlined the relevant site numbers for ease of identification

61. However this evidence directly contradicts the actual site H16 which was then allocated. Site H16 includes all of 6/662 but then only includes part of sites 6/665 and 6/47. There is no clear explanation as to why the LPA state that sites 6/665 and 6/47 should be allocated but then only part is so allocated with the remainder being safeguarded land. Even more confusingly the table in EX/98 states that site 6/921 should be allocated but in fact it has not been allocated but is identified as safeguarded land.



Extract from Policies Map (LPD/REG/03)

62. As the LPA have produced this evidence subsequent to the examination hearings, this must cast significant doubt on the concerns they expressed regarding allocation of the safeguarded land in lieu of site H15 at earlier hearing sessions. This latter evidence now suggests that the LPA has changed their mind and now agree in principle that all of sites 6/662; 6/921; 6/665 and 6/47 should be allocated. Consequently this is a fundamental issue, as such site H16 should be extended as suggested by both Calverton Parish Council and Persimmon Homes. This will increase the housing numbers on this site thereby rendering all of the arguments in relation to the allocation of site H15 put forward by others irrelevant. As we identified previously if the North-West of Calverton as the sequentially preferable location for green belt release can accommodate all of the strategic development requirement for the village then there can be no exceptional circumstances present to justify the release of site H15.
63. **Calverton Parish Council consider that it is imperative that the Inspector should hold a further examination hearing session to explore the fundamental inconsistency between this new evidence and the position adopted to date by the LPA.**

Main Issue – Gypsy and Traveller provision and Sustainability Appraisal

EX/101 – Proposed new Policy for Gypsy and Traveller provision

EX102 – Proposed Consultants brief for identifying a Gypsy and Travellers' site within Gedling Borough

EX/99 – Covering letter to Inspector re new proposed policy for Gypsy & Traveller provision

EX/100 – Letter from Chief Executive to Inspector re Gypsy and Traveller provision

64. Calverton Parish Council recognise that the South Nottinghamshire Gypsy and Traveller Accommodation Assessment (January 2016) identifies a need for a total of three additional pitches within Gedling Borough over the period 2014 – 2029. We also recognise that in accordance with ACS Policy 9 the site should not be allocated in the Green Belt except in very special circumstances. A sustainable location which offers good access to local services and community facilities, including a primary school will be required.
65. The failure of the Gedling LPD to address this important specialist housing need and in fact for the LPD to completely ignore the topic is a further example of it being completely unfit for purpose. The proposed policy to be included has arisen following the Examination Hearings. This policy and indeed the entire topic of Gypsies and Travellers has not been subject to Sustainability Appraisal, it was not covered in LPD/REG/20 Sustainability Appraisal Publication Draft Addendum, neither was it addressed in SA Addendum 2 (EX/12) or the Sustainability Appraisal Publication Draft Addendum 3 (EX/62).
66. Following the matter being addressed in Hearing Session 5 on Wednesday 8th February 2017 the LPA on the 14th March 2017 entered into the Examination Library two documents: Letter from GBC to inspector re Gypsy & Traveller provision (9 March 2017) (EX/79), and Proposed Policy and supporting text for Gypsy & Traveller provision (EX/80). This was too late to be considered in any form in the relevant housing sessions which had been largely dealt with in the first week of March. The LPA has then revisited the matter and published a revised policy (EX/101) on the 31st March 2017 along with a consultants brief and covering letters (EX/102; EX/99; and EX/100).
67. The proposed policy now has a spatial dimension which has in the view of Calverton Parish Council materially changed the potential impact of the policy. As such Calverton Parish Council considers that it was substantially prejudiced in not being able to effectively respond to this late change of position. Whilst we represent Calverton, the policy now identifies other settlements within what is effectively an area of search and as such the Parish Councils which represent those settlements also have a legitimate interest. The policy has also not undergone any form of public consultation to date, as a topic the provision of Gypsy and Traveller accommodation is highly sensitive and as such needs to be

undertaken following proper due process with effective community engagement. In our view it is not a matter suitable to be dealt with as a proposed modification and then outside the statutory development plan process as Gedling suggest.

68. **It is not the purpose of the development plan system to avoid dealing with highly sensitive areas of policy development and site allocation choices. To address the prejudice that the proposed LPA approach will bring, we request that the Inspector suspend the Examination and once the LPA had finalised the evidence base for the identification of a site for Gypsy and Travellers then the Examination should recommence following public consultation on the site chosen, with a new Hearing Session to be held.**
69. Calverton Parish Council are concerned that the proposed approach is not intending to consider proposed sites through the LPD process. As such there is no clarity about how the LPA propose to take into account the required Sustainability Appraisal and appropriate public consultation and community engagement. The proposed policy identifies that a suitable site will be identified within the existing built up area to accommodate the requirement for three pitches for Gypsies and Travellers to ensure the identified need is met. This provision will be made by 2019.
70. The policy does not describe what is meant by the existing built up area, rather confusingly in this context the existing built up area refers to Arnold/Carlton; Edge of Hucknall; Bestwood; Calverton; and Ravenshead according to the consultants brief EX/102. However elsewhere in the LPA built up area is used to refer to the overall urban footprint of Nottingham and does not include the key settlements for growth. The policy needs to be careful to utilise consistent terminology which in other policies would be 'Urban Area' and 'Key Settlements for Growth' in relation to the policies for housing allocations.
71. The 'Urban Area' and 'Key Settlements for Growth' have been judged to be different in terms of the settlement hierarchy, as such the SA needs to consider the reasonable alternative policy option approaches. Which includes at least considering a site in the 'Urban Area' and considering a site in either the 'Urban Area' or 'Key Settlements for Growth'.
72. The proposed consultant brief identifies a focus for the consideration of potential sites, these include:
- Publicly owned land;
 - Areas of public open space that are surplus to requirements;
 - Areas in need of regeneration where the provision of a site could provide benefits for example some provision of public open space in proximity to the pitches; and

- Employment sites of a mixed use character close to services and facilities.
73. This approach has the potential to impact on other policy areas within the LPD, for example open space which may be protected in the LPD as either open space or Local Green Space could almost immediately then be considered for a Gypsy and Traveller site instead. The same applies to employment land that may have been allocated to meet the employment needs of the Borough could then be identified for a Gypsy and Traveller site instead. This may result in the need to find and allocate additional replacement employment land. The allocation of a site for a Gypsy and Traveller site has potential policy implications for other topic areas and site allocations in the LPD. For example if in Calverton part of the Hillcrest Park employment site were to be proposed for a Gypsy and Traveller site then this would have potential strategic implications in relation to the balance of housing and employment in the village.
74. It is not considered realistic therefore in the view of the Parish Council to seek to allocate a Gypsy and Traveller site outside of the LPD process. If the Examination is not suspended to allow potential site options to be identified, assessed and consulted on, then the only option in the view of the Parish Council is for the LPA to undertake an immediate review of the LPD upon adoption which would be untenable.

Anthony Northcote *HNCert LA(P), Dip TP, PgDip URP, MA, FGS, ICIQB, MInstLM, MCMI, MRTPI*

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Planning Advisors to Calverton Parish Council and the Calverton Neighbourhood Plan

11th May 2017