

19 April 2017

Delivered by email

Carmel Edwards
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Ref: NORM3003

Dear Ms Edwards

GEDLING LOCAL PLANNING DOCUMENT (PART 2 LOCAL PLAN) EXAMINATION - REVISED HOUSING BACKGROUND PAPER ADDENDUM & POLICY LPD63

Further to your email of 3 April 2017, I am pleased to provide comments on the Revised Housing Background Paper Addendum (March 2017) [EX/104] and the amended wording of Policy LPD63: Housing Distribution [EX/105]. These representations are made on behalf of Northern Trust Company Ltd ("Northern Trust") (Representor no. 9151009) in relation to Land at Flatts Lane in Calverton, and should be read in conjunction with our submitted Hearing Position Statements.

General Comments

GBC's position in respect of five year housing land supply has been updated. It is explained that this is in light of information provided by participants during the examination hearing sessions, but it would appear that GBC has undertaken a broader update of this important evidence base document. The base date for the assessment has also been revised; providing a five year period of 1 April 2017 to 31 March 2022.

Northern Trust supports the principle of revising the Housing Background Paper Addendum to ensure that new information and circumstances is taken into account. However, the previous version of the document was severely lacking and Northern Trust is concerned that GBC is effectively 'backfilling' evidence to rationalise their position. A similar situation has recently arisen in respect of the Telford & Wrekin Local Plan, where the examining Inspector has commented that: *"The evidence that has been submitted since the hearing session is inadequate for several reasons. First, it does not represent the actual selection exercise, as it was prepared after the event."*¹

Housing Land Supply

GBC claims to have identified a deliverable supply over the five year period of 3,830 dwellings. When considered against the five year requirement in the LPD, and appropriately allowing for a 20% buffer in accordance with Paragraph 47 of the Framework and the undersupply that has accrued since the

¹ Paragraph 12, Examination of the Telford & Wrekin Local Plan (2011-2031): Inspector's Note to Telford & Wrekin Council (30 March 2017)

beginning of the plan period, GBC's identified supply equates to 5.13 years supply and is just 94 dwellings (2.5%) above the requirement over the same period.

The most significant change in the identified supply is in the number of dwellings that GBC now expects to be delivered on sites below the threshold for allocation (increased from 47 dwellings in the December 2016 version to 343 dwellings in the March 2017 document). The vast majority (75%) of those dwellings are on sites within the Urban Area.

GBC has indicated that the list of sites under the threshold has been updated and now only includes those sites where information has been received as part of the SHLAA 2016 consultation or in 2017. However, this statement appears to conflict with the information provided at Appendix E of the RHBPA which includes a number of sites where 'Council assumptions' have been relied upon. Northern Trust considers that some of these assumptions are questionable. For example:

- GBC now expects 35 dwellings to be delivered on greenfield land at Chase Farm in Carlton within the five year period². However, a planning application for that site has not yet been submitted despite pre-application discussions taking place in 2015. GBC has also recognised that the site cannot deliver homes until the Gedling Access Road has been completed. In the circumstances, there doesn't appear to be sufficient evidence available to indicate that the site is deliverable in the short term.
- Delivery of 14 dwellings on a site at Plains Road in Carlton is now included in GBC's trajectory. GBC resolved to approve an outline planning application for the residential development of the site in October 2014 subject to a S106 Agreement (LPA ref. 2014/0665). However, the S106 Agreement has not yet been completed. Given the time that has lapsed, it cannot be assumed that planning permission will be forthcoming and that the scheme will be delivered in the short term.

Northern Trust maintains that GBC has failed to provide sufficient evidence that these sites are deliverable within the five year period. This is particularly important given that GBC is relying on a significant proportion of delivery from sites that do not currently benefit from planning permission.

In the circumstances, Northern Trust is concerned that the identified housing land supply is insufficient to ensure that the five year requirement will be able to be met upon adoption of the LPD. This could mean that 'relevant policies for the supply of housing' are immediately rendered out-of-date (in accordance with Paragraph 49 of the Framework). It is also likely to mean that GBC comes under pressure to release alternative sites for development which may include sites in less sustainable locations.

Supply up to 2028

In terms of housing land supply over the remaining plan period (i.e. up to 2028), the RHBPA indicates a supply of 7,787 dwellings. This represents just 537 dwellings (or 7%) above the adopted housing requirement over the same period, but is reliant on a significant proportion of delivery on sites that do not currently benefit from planning permission. GBC's revised approach to windfall allowance has also inflated GBC's position (see below for further detail).

In the circumstances, Northern Trust is concerned that the identified supply is marginal (at best) and insufficient flexibility has been identified to provide an additional 'buffer' to ensure that identified needs will be met (or, where possible, exceeded) in the eventuality that some sites fail to come forward or their delivery is delayed.

² This is an additional site to the larger Gedling Colliery / Chase Farm site (Ref. H9)

Windfall Allowance

GBC has altered the approach towards including an allowance on 'windfall' sites during the plan period. In particular, a windfall allowance has now been introduced from Year 4 onwards. In addition, it is no longer assumed that all of the windfall dwellings will be delivered in the urban area. These two points are considered in turn below.

Introduction of Windfall Allowance Earlier in the Plan Period

Paragraph 48 of the Framework enables LPAs to include an allowance for housing delivery on small windfall sites, but only if *"there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply"* [our emphasis].

The ACS included a windfall allowance for Gedling of 208 dwellings over the last five years of the plan period (42 dwellings per annum between 2023 and 2028). Such an approach was considered appropriate by the Inspector overseeing the Examination in Public (EiP). GBC previously intended to continue such an approach in the LPD, noting that including an allowance for delivery from windfall sites during the earlier years of the plan period *"was not considered appropriate to avoid double counting as such sites are likely to already be identified through the SHLAA process"*³.

Despite this, GBC is now proposing to include a windfall allowance from Year 4 (i.e. 2021) onwards. The RHBP indicates that GBC's change in approach has *"arisen from the detailed work undertaken on sites below the threshold"* (page 4). GBC has now assumed that dwellings on small sites will only come forward if there is clear evidence that the site is deliverable or developable. As a result, GBC is assuming that *"it is therefore reasonable to assume that some developers and landowners will change their minds or that other sites (that fall within the definition of windfall) will come forward"*⁴. However, Northern Trust is concerned that this revised approach notably increases the risk that double-counting will occur between 'sites below the threshold' and windfall sites; particularly as GBC has also significantly increased the expected delivery from sites below the threshold (see comments above).

Northern Trust maintains that GBC has failed to provide *"compelling evidence"* that windfall sites will continue to provide a reliable source of supply. In addition, by introducing an element of delivery on windfall sites within the five year period, GBC has failed to identify specific deliverable sites to demonstrate that the five year requirement can be met.

The implication of including an increased windfall allowance has skewed GBC's claimed housing land supply position. If the windfall allowance is excluded from the housing land supply GBC's identified supply falls to:

- 3,750 dwellings over the five year period, which represents a 5.02 year supply (an 'over supply' of just 15 dwellings)
- 7,467 dwellings over the remaining plan period, which represents an 'over supply' of just 217 dwellings, notwithstanding the comments above about the robustness of GBC's identified supply.

Location of Windfall Sites

The Submission version of the LPD assumed that all of the windfall sites would come forward within the Urban Area. As set out within our response to Q18 (Matter 5), Northern Trust considers that such an approach would be appropriate given that settlements beyond the Urban Area are heavily constrained by Green Belt.

³ Paragraph 2.8, Housing Background Paper (Gedling Borough Council, May 2016) [LPD/BACK/01]
⁴ Page 4, Revised Housing Background Paper Addendum (Gedling Borough Council, March 2017) [EX/104]

Through the RHBPA, GBC is no longer assuming that all of the windfall sites will come forward within the Urban Area. No justification for this change in approach has been provided by GBC.

Northern Trust maintains that there is likely to be limited scope for 'windfall' sites to come forward for development that haven't already been identified through the SHLAA process or allocated for development in the ACS or LPD. This is considered to be an appropriate assumption given the extent of the Green Belt beyond the Urban Area and the exhaustive site finding exercise that GBC has undertaken.

Housing Supply in Calverton

Policy 2 of the ACS requires 'up to' 1,055 dwellings to be provided in Calverton over the plan period. However, the LPD looks to amend the housing distribution within the Borough. The Submission version of the LPD indicated that 740 dwellings would be delivered in Calverton during the plan period. The amendments that GBC is now proposing to Policy LPD63 suggest that 765 dwellings will be delivered in Calverton by 2028.

As has been set out in detail in our Hearing Position Statements in respect of Matters 3 and 5, Northern Trust remains concerned that the proposed housing distribution in the Borough fails to accord with the ACS and will fail to meet identified needs within individual settlements.

The RHBPA confirms that a total of 159 (net) dwellings have been completed in Calverton since the beginning of the LPD plan period (2011). This indicates that there is a residual need for:

- 'up to' 896 dwellings to be delivered in Calverton before 2028 when considered against the ACS figure
- 581 dwellings when considered against Policy LPD63 contained within the Submission version of the LPD, and
- 606 dwellings when considered against the proposed amended Policy LPD63.

The revised trajectory within the RHBPA identifies a supply of 765 dwellings in Calverton between 2017 and 2028. GBC considers that this level of supply is sufficient to meet the proposed housing requirement in the settlement, as set out in Policy LPD63.

However, Northern Trust is concerned that the identified level of supply has been over-stated by GBC as a notable proportion of the supply is reliant on delivery of small sites that do not currently have planning permission, as well as windfall sites. Furthermore, Northern Trust maintains that the proposed housing distribution contained at Policy LPD63 (as previously proposed and proposed to be amended [EX/105] fails to accord with the aspirations of the ACS and would fail to meet identified housing needs in Calverton over the plan period.

In the circumstances, additional housing sites should be identified in Calverton. Such an approach would accord with the ACS, reflect the sustainability of the settlement, its ability to accommodate housing growth and the level of need and is supported by the emerging neighbourhood plan [EX/36].

GBC has already acknowledged through the LPD process that the Flatts Lane site is suitable for residential development and advocates its release from the Green Belt and allocation as Safeguarded Land to meet development needs beyond the current plan period. In light of the comments above, Northern Trust maintains that Land at Flatts Lane should be allocated for housing development within the current plan period.

Conclusion

Northern Trust's position on the RHBPA and amendments to Policy LPD63 (Housing Distribution) can be summarised as follows:

- GBC's identified housing land supply within the five year period and remaining plan period as a whole is marginal; even if taken at face value. However, GBC relies on a significant proportion of delivery on small sites that do not currently benefit from planning permission and / or sites where no information has been provided by the landowner / prospective developer.
- GBC has failed to provide 'compelling evidence' that windfall sites will continue to become available following adoption of the LPD. In addition, GBC's approach to including a windfall allowance within the five year land supply has not been justified and increases the risk of 'double-counting' of small sites below the threshold. The housing land supply (within both the five year period and up to 2028) has, therefore, been overstated.
- In the circumstances, Northern Trust maintains that the identified level of supply is insufficient to ensure that needs are met over the plan period. In addition, there is a very real risk that GBC will not be able to demonstrate a deliverable five year land supply upon adoption of the LPD. This would immediately render 'relevant policies for the supply of housing' as out-of-date⁵.
- The proposed amendments to housing distribution within the borough (as set out at Policy LPD63 [EX/105]) remain inadequate to overcome Northern Trust's concerns that the LPD does not accord with the spatial strategy of the ACS, as set out in our Hearing Position Statements to Matters 3 and 5.

I trust that the above comments are helpful to the Inspector in her ongoing consideration of the Gedling Local Planning Document (Part 2 Local Plan). Please do not hesitate to contact me if you have any queries or require anything further.

Yours sincerely



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⁵ In accordance with Paragraph 49 of the Framework