
Gedling Local Plan Part 2 Public Examination

Additional Hearing Session on 27th June 2017

Representations submitted on behalf of Langridge Homes Ltd

These representations focus on whether Gedling Borough Council (GBC) can demonstrate a five year HLS or not, and whether sufficient sites have been allocated to meet the target of 7,250 homes during the plan period (2011-2028) as set down in the ACS. They particularly focus therefore on the Inspector's questions 1, 7, 10, 11, 12, 13, 14.

- 1 We agree that the five year period covered by the assessment is appropriate (ie it should run from 01 April 2017 until 31 March 2022).
- 2 We also agree that GBC's calculation of its 5 year HLS based on the Sedgefield method and increased by 20% due to its record of persistent under delivery of housing is appropriate, and that using this method of calculation the 5 year HLS requirement is for 3,737 homes, equivalent to 747 new homes per annum. We note that that the annual average requirement is more than 4 times the number of new homes delivered during 2016/17.
- 3 We do not however agree that GBC has a 5 year HLS of 5,809 dwellings, equivalent to a HLS of 5.09 years.
- 4 We have no further comments to make as to whether GBC should include a windfall allowance in its housing supply calculations.
- 5 Notwithstanding whether a windfall allowance of 40 new homes per annum should be included in the Council's five year HLS period from 2020/21 onwards, we do not consider that GBC can demonstrate a robust supply of housing sites to meet its five year HLS requirement. We consider that the assumptions underpinning the delivery of many of the sites are unrealistic and not achievable. We have particular concern about the optimistic timescales for delivery from sites, particularly strategic and large sites which do not as yet benefit from either outline or full planning permissions and/or reserve matters approvals (RMA). These concerns are set out below by site. GBC seems to have a total lack of appreciation of the time taken:
 - For developers to negotiate land sales agreements for allocated sites with landowners;
 - For applicants to prepare, submit and negotiate planning permissions including signed S106 Agreements before a Decision Notice can be issued;
 - For provision to be made for the 6 week JR period to elapse before an approved planning permission can become 'live';
 - For preparing, submitting and securing Reserve Matters Approvals (RMAs) and for conditions to be addressed and discharged (some of these such as surface water and drainage approvals can take several months); and

- For implementing site enabling works which will vary from a few weeks to several months depending on the level of complexity.

Teal Close

- 6 This is a strategic site included in the ACS for 830 new homes (part of the site was included in the Replacement Local Plan (adopted July 2005) for 400 new homes). The housing trajectory shows that this site will start to deliver new homes in 2018/19 (25 new homes), and during the five year HLS period will have delivered 260 new homes by 2021/22. Whilst this site has the benefit of outline planning permission, we do not consider that the estimated completions during the five year HLS period is achievable for the following reasons:
- It is understood that the land owner, Severn Trent, has not yet concluded a deal with a developer/house-builder for the sale of the land. Whilst negotiations may be on-going, and we have been advised at an earlier Public Examination Hearing Session that negotiations are reaching a conclusion, we understand that no developer/house-builder has yet formally purchased the land. Given that the ACS was adopted in Sept 2014, nearly 3 years ago, Severn Trent has had a considerable period of time to conclude a deal and to bring this site forward for development. Indeed, the ACS trajectory shows that this site would start to deliver new homes from 2015/16 onwards at a rate of 104 per annum;
 - Even if a deal was concluded soon, then the developer would still need to prepare, submit and secure RMA and to discharge pre commencement conditions – this is likely to take at least 12 months from the date of the land sale;
 - Significant enabling works will be required before any houses can be built. These include land remediation works, flood risk alleviation measures and the implementation of a surface water drainage strategy, together with the provision of other upfront infrastructure works including phase 1 residential distributor roads and services infrastructure;
 - Notwithstanding the time-consuming processes to be gone through and works to be undertaken, we also note that market conditions are weak in this part of Gedling and that due to the site's proximity to the Stoke Bardolph Sewage Treatment Works potential house-buyers may be deterred from buying; mortgage and insurance brokers may also be less inclined to take on the risks too. These concerns are no doubt impacting on the potential value of the site and land value expectations of Severn Trent;
 - The fact that a significant part of the site was included in the Replacement Local Plan (adopted July 2005) for 400 new homes and was not brought forward for development during the Replacement Local Plan period, only serves in our opinion to highlight the market and technical difficulties of bringing this site forward for development.

-
- 7 For these reasons we do not have any confidence that this site will come forward quickly, and we consider that the earliest that new any home completions can be expected will be in 2019/20. Therefore, a more realistic estimate of new homes from this site during the five year HLS period will be 165 homes (ie a reduction of 95 homes). Our estimated delivery over the five year HLS period would be 0, 0, 25, 50, 90.

Gedling Colliery/Chase Farm (H9)

- 8 We note that the construction of new homes on this site has commenced, and therefore we are prepared to accept the rate of house completions from this site as shown in the Housing Trajectory. However, we are concerned about delays to the start of construction of the GAR. Further reassurances are needed from NCC that the current timetable for the delivery of the GAR is being adhered to. My client, Langridge Homes Ltd, which own land along the route is still waiting to be approached regarding the purchase of his land to enable the construction of the GAR, which is due to be completed by late 2019/20 (within 2.5 years).
- 9 Any delays will have implications for delivery from this site beyond the 300 agreed to prior to the opening of the GAR, and also at other sites dependent on the opening of the GAR including Willow Farm (H3), which is in my client's ownership.
- 10 Despite these concerns we are not proposing any changes to the rates of delivery from these sites as shown in Gedling's 5 year HLS and in its Housing Trajectory.

Sites on the edge of Hucknall

- 11 These comprise two strategic sites included in the ACS: Land North of Papplewick Lane and Top Wighay Farm, and also H10 - Hayden Lane. These are shown as delivering 237, 252 and 120 new homes respectively over the 5 Year HLS period. Land North of Papplewick Lane and Hayden Lane are shown as delivering new homes from 2018/19, and Top Wighay Farm is shown as delivering new homes from 2019/20. Again we consider that the delivery timescales from these sites are unrealistic and therefore unachievable for the following reasons:
- In the case of Top Wighay Farm, this was included as an allocation site for 595 dwellings in the Replacement Local Plan (adopted May 2005), but the main landowner Nottinghamshire County Council, has failed to bring this site forward for development despite reassurances at the ACS Public Examination that this would happen soon. Indeed, the ACS Housing Trajectory shows that delivery from these sites would commence in 2015/16. As yet no development partner has been appointed. We have no confidence that the County Council have the resources and desire to negotiate a land sales deal with a development partner in the immediate future. Even if one was concluded during 2017/18 it would take at least two years for a planning application to be prepared, submitted and determined and for a S106 Agreement to be signed, the 6 week JR period to pass, pre-commencement conditions to be discharged and for a package of site enabling works for the phase 1 development to be implemented before any houses can be constructed. Thus, in our opinion the earliest dates that completions from Top Wighay Farm can be expected to come forward will be during 2020/21 at the

earliest. On these assumptions then the likely completions from this site during the 5 year HLS period will be 152 (2, 0, 0 50, 100), which represents a reduction of 100 units from GBC's 5 year HLS estimate of 252 completions.

- Land North of Papplewick Lane and Hayden Lane should represent easier sites to develop, but again the delivery timescales in the Council's 5 year HLS are not robust and realistic. In our opinion, the earliest that development can commence on these sites will be in Year 3 of the 5 year HLS (ie in 2019/20), assuming that planning applications including S106 Agreements and/or RMAs for these sites can be determined during 2017/18 (and assuming that no JC will be launched during the 6 week JR period), leaving 2018/19 for land sale negotiations, and discharge of pre commencement conditions etc. This would enable development including site infrastructure works to commence during 2019/20. A faster timetable would just not be possible. Thus, the earliest completions from Land North of Papplewick Lane and Hayden Lane can be expected is in 2019/20. This will reduce the number of completions from Land North of Papplewick lane from 237 to 180 , a reduction of 57 units, and at Hayden Lane from 120 to 90.

- 12 Thus, overall these sites on the edge of Hucknall can be expected to deliver 422 new homes at most during the five year HLS period, a reduction of 187 homes.

H16 – Park Road, Calverton

- 13 This site is allocated for 390 dwellings. The Trajectory shows the first completions from this site coming forward in 2017/18 (20 dwellings) ie during this current year. We consider that this is impossible to achieve, for the following reasons:
- The site is in the Green Belt and cannot come forward for development until the Local Plan Part 2 is adopted;
 - The site is in several ownerships and we understand that negotiations are on-going between a national house-builder and the landowners, but that these negotiations can only be finalised once a satisfactory planning permission is in place:
 - As yet no planning application has been prepared and submitted and indeed one is unlikely to be made until the Local Plan is adopted. Thus the earliest that a planning application can be submitted will be during Q3 2017/18, and the earliest determination date will be Q4 2017/18. Further time will then be required to finalise the S106 Agreement and to secure the signatures of all the landowners, for land transfer agreements to be concluded, and for the JR period to pass without a challenge. Thereafter pre commencement conditions will need to be discharged, and for site enabling works for the phase 1 development to be undertaken before construction of new homes can commence.
- 14 Thus, it would seem reasonable to assume that completions from this site are only likely to start to come forward in Year 3 of the 5 year HLS period at the earliest (ie during 2019/20). This will reduce the yield from this site during the 5 year HLS period from 260 to 140 (assumed rate of development 0, 0, 0, 70, 70).
-

Other Sites

- 15 We also have concerns about the rather optimistic timescales for completions from allocated sites in Ravenshead and in the Other Villages. However these are relatively small sites and even after making realistic adjustments to delivery to take into account time for preparing, submitting and negotiating planning permissions with s106 agreements, negotiating land transfer agreements with developers and the discharge of conditions etc, the overall impact on the 5 year HLS will be negligible.
- 16 We also note that other interested parties have made submissions about the deliverability of other allocated sites such as at site ref H8 Killesick Lane (215 dwellings) due to the potential of minerals in an area identified as a Minerals Safeguarding Area (MSA)

Conclusions

- 17 Thus, in conclusion we consider that by taking a realistic and robust approach to delivery timescales Gedling Borough Council has over estimated its 5 year HLS by at least 402 dwellings. This would reduce Gedling's estimated five year HLS from 3,809 to 3,407, which equates to a HLS of 4.5 years.
- 18 Thus, in our opinion the housing allocations in the Part 2 Local Plan DPD are insufficient to enable Gedling Borough Council to demonstrate a five year HLS.
- 19 On the other hand we recognise that if the Inspector were to find the Plan unsound for this reason, and she requested that the Council considers making additional allocations to make up the shortfall, then this would impose further delays in the plan making process and on the rate of housing delivery. Until the plan is adopted then allocated sites which are currently in the Green Belt could not come forward for development, and these would only serve to exacerbate further the Council's five year HLS and delay the construction of much needed new homes for local people even further.
- 20 Whilst the Borough Council in our opinion clearly cannot demonstrate a five year HLS we do consider that it has made sufficient new allocations to meet its housing provision target of 7,250 for the period 2011-2028. The total allocations of 7,759 are in our opinion an overestimate due to lapse rates, some sites not achieving their target number of dwellings and other risk factors. However, we note that the Borough Council will be able to bring forward its Safeguarded Land, particularly at Westhouse Farm, Bestwood. However other safeguarded land at Top Wighay Farm and at Calverton may not be able to come forward for development in the latter period of the plan period due to the delays in developing the allocated sites during the remainder of the plan period.
- 21 We therefore believe that the best way of delivering shortfalls in housing delivery, particularly during the 5 year HLS period, will be for the Inspector to adopt the Plan as it stands, but strongly recommend an early Review of the Local Plan and for this Review to be completed within 5 years of adoption of this Local Plan document.

-
- 22 To minimise risks to delivery in the future, the new Local Plan should also include Reserve Sites (as well as Safeguarded Land) as recommended by the Local Plan Expert Group (refer EX/118).

Geoffrey Prince MRTPI

June 2017