



---

Independent Examination of the Gedling Local Planning Document

## **Second Additional Hearing Session on Housing (27<sup>th</sup> June 2017)**

### **Comments on Further Revised Housing Background Paper Addendum, March 2017, and Further Revised Policy LPD 64 (Formerly 63) (Housing Distribution)**

#### **Calverton Parish Council**

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

---

### **Introduction**

1. Calverton Parish Council are deeply concerned that Gedling Borough Council indicated at the adjourned hearing session that they had unpublished further evidence on windfall housing. They have not published that additional evidence alluded to. Instead they have undertaken substantial revisions to documents EX/104A Further Revised Housing Background Paper Addendum; and EX/105A Further Revised Policy LPD 64 (Formerly 63). GBC has also published a Statement EX/117 to support these two Further Revised Documents.
2. Calverton Parish Council supports the view expressed previously by Northern Trust that GBC is effectively 'backfilling' evidence to rationalise their position. Northern Trust importantly drew attention to a similar situation having recently arisen in respect of the Telford & Wrekin Local Plan, where the examining Inspector (Michael J Hetherington) 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."* GBC are continuing to amend their evidence base, the latest documents submitted over 53 weeks since the Publication plan was produced and some 33 weeks since Submission.
3. It had been hoped that we would not need to produce additional material for this reconvened session, unfortunately given that GBC has produced 128 pages of additional material it is necessary to produce an additional statement.

## **EX/104A – Further Revised Housing Background Paper Addendum**

### ***Q1. Is the 5 year period (1 April 2017 to 31 March 2022) covered by the assessment in the Revised Addendum appropriate?***

4. Yes, given the passage of time in the LPD Examination and the lack of sound evidence base at the time of submission, it is considered that there is no alternative but to now utilise the 5 year period 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2022 to judge the 5 year land supply.

### ***Q2. Is the revised windfall allowance of 320 dwellings (40dpa from 2020/21) appropriate?***

5. The LPA are seeking to introduce a larger windfall allowance, they state: *“The windfall allowance has been revisited and is now assumed to come forward from Year 4 onwards.”* Calverton Parish Council considers that the LPA is seeking to double count housing numbers through its revised approach. Taking Calverton as an example the type of sites they are seeking to count under the ‘Allowance for Sites below threshold’ is precisely the type of supply that would traditionally be considered to be windfall.
6. Given that the revised five year land supply figure includes both 80 units of ‘Windfall’ and 262 units of other ‘Allowance for Sites below threshold’ it is vital to examine the issue of double counting. As document EX/104A makes clear there is only an oversupply of 68 dwellings in the 5 year supply, if there is any double counting of the 80 units of ‘Windfall’ and 262 units of other ‘Allowance for Sites below threshold’ then the supply becomes marginal or more likely less than 5 years just on this basis.
7. Table 1A identifies that ‘Small Windfall’ relates to sites under 10 dwellings excluding garden land, ‘Sites below threshold’ relates to sites under 50 homes in the urban area and 10 homes in the rural area (key settlements and other villages). Across the plan period the ‘Small Windfall’ element is expected to commence in year 4 at a rate of 40 dwellings per annum. Whereas the ‘Sites below threshold’ element is expected to run from years 1 to 6 (total 270 dwellings) and years 9 to 11 (total 36 dwellings). Given that a specific allowance for ‘Sites below threshold’ has been included through to year 5 at an average level of 50.8 dwellings per annum then we consider that it is inappropriate to also include any windfall allowance in the first 5 year period.
8. As we discuss later, the level of completions detailed in Table 3 over the plan period since 2011 totals 227 units, which equates to an annual average of 38 units. Planning permissions granted detailed in Table 5 since 2011 totals 235, which equates to an annual average of 39 units. This shows that the level of windfall completions has been declining such that the annual figure of 40 units per annum appears to be an overestimate in any event. Taking the GBC evidence an annual windfall figure of no

more than 35 units per annum can be justified. We will discuss later the issues which should probably reduce this figure further and to what years it should apply.

***Q3. Does the revised windfall allowance accord with the Aligned Core Strategy?***

9. No, the ACS specifically worked on the premise of windfall only coming forward from year 2023/24 onwards. GBC have not demonstrated why this should now change. It is clear in the text that this common approach was deemed appropriate for both Broxtowe and Gedling. The emerging LPD underwent Publication version consultation on this basis and was Submitted on this basis. Making such a substantial change at this late stage is purely an attempt to artificially demonstrate a 5 year housing supply. GBC claim in paragraph 16 of their statement EX/117 that the ACS housing trajectory represents the position at a particular point in time, being 2013. However the sources of overall housing supply is a strategic matter set out in the ACS and GBC have provided no compelling evidence as to why the approach towards windfall should be amended. Whilst we accept that matters have moved on from the ACS, if the emerging LPD was to take a different approach it should have set this out at the Publication stage and not over 53 weeks since the Publication plan was produced and some 33 weeks since Submission.

***Q4. What evidence is there to support the new approach to the windfall allowance now put forward by the Council?***

- a. ***Is the revised windfall allowance based on compelling evidence that such sites have consistently become available in the local area?***
  - b. ***Is the revised windfall allowance based on compelling evidence that such sites will continue to provide a reliable source of supply?***
  - c. ***Has the evidence with regards to windfalls changed significantly since the Local Planning Document Publication Draft? If so, how?***
10. The LPA has not provided any base data on past windfall completions in EX/104A which parties can scrutinise, they have merely provided total figures in Table 1A and Table 1B. This is not compelling evidence that such sites will continue to provide a reliable source of supply. They have provided some additional material in their statement EX/117 which we will comment on later.
11. They intend to apply windfall from year 4 on the basis that years 1 to 3 are covered by existing planning permissions. This is not a matter that has changed since the ACS. Windfall was intended to be counted during the last 5 years of the plan period where the ACS housing trajectory identified total completions to be lower than the actual plan target for the last 3 of those 5 years. The housing trajectory in Appendix D of EX/104A still identifies the last 4 years of the plan period to have

projected completions below the housing target. As such the ACS position remains unchanged so the use of a windfall allowance only for the last 5 years would appear to still be appropriate.

12. Historical windfall rates are not considered to represent an appropriate basis for calculation. During the last 10 years according to Table 1A, small windfall completions have accounted for 762 dwellings out of a total 2,933 dwellings. This represents 26% of all completed dwellings across the Borough. Also according to Table 1A, small windfall completions excluding garden land have accounted for 446 dwellings out of a total 2,933 dwellings. This represents 15.2% of all completed dwellings across the Borough.
13. It is important to appreciate that under the 2005 Local Plan only a third of the dwellings allocated in the Local Plan (around 1,035 dwellings) were actually developed with none of the main strategic site allocations making any progress. As such site allocations accounted for only around a third of all housing completions over the last 10 years. This was not a site allocation led planning system in operation.
14. The Gedling LPD proposes a further 5,936 dwellings (excluding windfall) to be built across the remaining 11 years of the plan period, after taking off the 1,506 completions from 2011 to 2017. GBC contend that the emerging LPD will deliver the following:

Sites with Planning Permission	523
Site Allocations	5,107
Sites below threshold	306
<hr/>	
Total	5,936

15. To achieve this, the emerging LPD will need to deliver a site allocation led planning system in practice, at a pace and focus never previously achieved. This will need to have significantly less reliance upon windfall sites than has been historically the case. As such Calverton Parish Council do not consider that historical rates of windfall provision can be used as a sound basis for moving forward. This is also the first plan which allocates sites in Gedling which is based upon the approach of being informed by a SHLAA.
16. Table 1B of EX/104A (Also in EX/112 and Table 7 in EX/117) misrepresents the distribution of windfall completions, it looks at the total windfall completions rather than small windfall sites excluding garden land. Looking at the period 2011 to 2017 as Table 1B does, then the following comparisons can be drawn:

Total completions (2011 – 2017 from Table 1A)	1,576
Total windfall (2011 – 2017 from Table 1B)	769
Total small windfall (2011 – 2017 from Table 1A)	390

17. Windfall completions on small sites excluding garden land accounted for only 29.5% of the total windfall completions considered in Table 1B. For example the Calverton figure of 143 windfall completions actually includes 113 dwellings on the previously safeguarded land on Collyer Road which was developed by Taylor Wimpey. It also included completions on Longue Drive a site being finished off by Langridge Homes. Whilst technically they may be windfall completions, they are effectively the same as planned site allocations and do not represent adequate evidence with regard to future supply. They are also not small windfall sites excluding garden land. As such Table 1B is completely meaningless as it provides no data on the distribution of the type of windfall supply which the NPPF identifies should be assessed.
18. Paragraphs 3.13, 3.13A, 3.13B and 3.13C of EX/104A explains the revised approach now taken. GBC describes this to be: *“In essence, the stricter approach taken to sites below the threshold (in that it is now assumed that sites will not come forward unless we have robust evidence to demonstrate that they will come forward, as opposed to vice versa) means that we are likely to be underestimating future supply from sites under the threshold.”* As such we would expect to see sites below the threshold removed from the housing trajectory. It is the case that in Appendix E that 23 sites have been removed, although only 22 of these sites were actually projected to occur in the plan period. Of these 22 sites, 19 are in the urban area with the remaining 3 sites in Ravenshead. In total this has removed 67 dwellings from the housing supply (62 in the urban area and 5 in Ravenshead). These were projected to deliver as follows: Year 4 – 12 units; Year 5 – 42 units; and Year 6 – 13 units. GBC propose to replace this loss of 67 units in sites below the threshold with a windfall addition of 120 units across years 4 to 6. The level of removed dwelling numbers does not support the proposed replacement windfall allowance.
19. Given that the SHLAA process has included sites from 1 dwelling in size upwards and it has appeared to include any potentially deliverable site it leaves almost no potential for unexpected windfall sites to come forward. The SHLAA continues to include deliverable sites below the threshold for Years 1 to 6, as such Calverton Parish Council considers that windfall should only be counted for years 7 to 11 as the ACS originally intended.
20. The GBC statement EX/117 refers to the approach of the other Nottingham Core HMA Authorities, this is a completely irrelevant comparison as only Nottingham and Broxtowe fall under the remit of the ACS. The Broxtowe Local Plan Part 2 has not yet been published, as such it has not yet been subject to public consultation or independent testing through examination. The s78 appeal decision (APP/J3015/A/13/2198848) referred to in Table 1 of EX/117 is irrelevant as that Inspector was merely

looking at a 5yr housing supply calculation in the absence of any up-to-date Local Plan. That decision was issued in January 2014, the ACS was not adopted until September 2014.

21. The Nottingham Local Plan Part 2 is awaiting Submission, as such it also has not yet been subject to testing through examination. In any event the ACS housing trajectory for Nottingham City (Appendix C page 233) includes an annual windfall figure of 100 dwellings starting in 2016/17 and then continuing across the plan period at an ever increasing rate. As such the Nottingham Local Plan Part 2 is following the ACS approach.
22. The GBC statement EX/117 contains a series of tables 3 to 6 which set out various windfall statistics, rather confusingly either over the period 2007 to 2017 or 2011 to 2017. Table 3 merely re-states Table 1A in document EX/104A. GBC do not include any allowance for demolitions, unlike the ACS does for Nottingham City. Therefore it is imperative to ensure that all figures relate to net additions and not include any replacement dwellings. Tables 3 and 4 detail actual completions per year, whereas Tables 5 and 6 detail planning permissions granted per year.
23. Table 4 in EX/117 indicates the sources of windfall supply, this is discussed in paragraphs 21 to 34 of EX/117. In the footnote to paragraph 24 it appears that GBC indicate that the figures are total figures including replacement dwellings and not net additions. The example given in the footnote is: *“the redevelopment of a single dwelling for four dwellings, where one dwelling will be recorded as being on brownfield land and the remaining three will be recorded as being on greenfield land.”* This implies that a total of 4 units have been counted whereas in fact there are only 3 net additions. As such the figures being presented cannot be trusted. In relation to the proposed categories we have the following comments to make:
  - Residential use – This category appears to be an over-estimate as it appears to include total completions and not net additions. It also appears in the description in paragraph 27 of EX/117 to incorrectly count residential development on existing residential gardens contrary to paragraph 48 of the NPPF
  - Residential garage blocks – This has not been a consistent source of supply, having only had supply in 2 out of 6 years of the current plan period, and as such cannot be relied upon to be a future source of supply
  - Commercial use, including offices (B1a) – This is an urban only form of supply, whilst it will be an ongoing form of supply it is considered to be a diminishing form of supply as many of the permitted development rights have a qualifying base date, In addition the emerging LPD seeks to resist the loss of community facilities which include leisure facilities and social clubs etc. which are included in this category, reducing this source of supply further

- Open space – This has not been a consistent source of supply, having only had supply in 1 out of 6 years of the current plan period, and as such cannot be relied upon to be a future source of supply. In addition the emerging LPD seeks to protect open space, as are emerging Neighbourhood Plans which further makes this an unlikely source of supply
- Agricultural use/stables – Whilst it will be an ongoing form of supply it is considered to be a diminishing form of supply as the agricultural to residential permitted development rights have a qualifying base date
- Employment use, including builders yard – This is likely to continue to be a very modest form of supply although this will be tempered by the emerging LPD which seeks to protect all employment sites and buildings for continued employment use
- Car park – This is not considered to be a realistic form of supply, having not had any supply in the 6 years of the current plan period, as such it cannot be relied upon to be a future source of supply
- Other – This is a sporadic form of supply, it includes school and church buildings which policies seek to protect for their current uses. It also includes undeveloped/vacant land which is precisely the type of land likely to have been identified in the SHLAA

24. We do not consider that the evidence submitted in EX/117 stands up to scrutiny to justify the proposed windfall rate. The LPA have admitted in paragraph 35 of their statement EX/117 that they had not undertaken any evidence work on windfall prior to publication, they have produced this evidence only now to try and retrofit and justify the choices already made. Crucially none of the windfall supply has come forward at a time when 'Sites below the threshold' had been identified in a plan. This is a fundamental material difference which GBC do not address anywhere in their evidence.

25. We note that there is a difference in trend between Table 4 and Table 6 in EX/117 which casts further doubt on the robustness of the figures being presented. Table 4 is 'Small windfall completions (excluding garden land) by land use category', with Table 6 being 'Number of homes (net) granted planning permission (excluding garden land) by land use category'. In paragraph 22 of EX/117 GBC state: "Tables 5 and 6, which shows the number of dwellings that have been granted planning permission on windfall sites that were not previously in the SHLAA." Although these tables are counting completions versus planning permissions granted as they both count windfall on small sites excluding gardens the figures indicate overall trends. We highlight the comparison below:

**CPC TABLE A**

		2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Total	Average
Residential Use	Table 4	23	10	15	16	13	19	96	16
	Table 6	15	9	16	12	9	3	64	11
Residential Garage Blocks	Table 4	1	0	0	0	0	6	7	1
	Table 6	0	0	6	1	4	27	32	4
Commercial Including Offices	Table 4	6	3	27	15	16	19	86	14
	Table 6	7	22	21	15	6	10	81	13
Open Space	Table 4	0	0	0	0	0	7	7	1
	Table 6	0	0	0	0	0	0	0	0
Agricultural use/Stables	Table 4	1	2	2	1	1	0	7	1
	Table 6	4	8	1	1	3	5	22	3
Employment Inc. Builders Yards	Table 4	1	1	0	1	4	0	7	1
	Table 6	0	0	0	0	0	6	6	1
Car Park	Table 4	0	0	0	0	0	0	0	0
	Table 6	0	1	0	0	0	0	1	0
Other	Table 4	2	5	0	9	0	1	17	3
	Table 6	0	3	7	0	11	2	23	4
	Table 4 Total	34	21	44	42	34	52	227	38
	Table 6 Total	26	43	51	29	33	53	235	39

Note the figures highlighted are from the GBC statement but are actually incorrect calculations

26. In relation to the proposed categories we have the following comments to make on the trends demonstrated by Table 6, planning permissions granted:

- Residential use – This category appears to be a dwindling source of supply based on planning permissions granted
- Residential garage blocks – The planning permissions granted reconfirm that this is not a consistent source of supply, there was plainly a programme of targeting garage courts in 2016/17 by Gedling Homes which cannot be relied upon to be a future source of supply
- Commercial use, including offices (B1a) – This category appears to be a dwindling source of supply based on planning permissions granted following initial interest when the permitted development rights came into effect
- Open space – This is not an ongoing form of supply at all according to the planning permission granted
- Agricultural use/stables – The planning permissions granted support the view that whilst it will be an ongoing form of supply it is considered to be a diminishing form of supply as the agricultural to residential permitted development rights have a qualifying base date
- Employment use, including builders yard – This category appears to be an inconsistent and dwindling source of supply based on planning permissions granted



- Car park – This is confirmed as not being a realistic form of supply, having only had a single unit permitted
- Other – This remain a sporadic form of supply

27. As we discussed in paragraph 8, the level of completions detailed in Table 3 over the plan period since 2011 totals 227 units, which equates to an annual average of 38 units. Planning permissions granted detailed in Table 5 since 2011 totals 235, which equates to an annual average of 39 units. We therefore concluded that taking the GBC evidence an annual windfall figure of no more than 35 units per annum can be justified. Taking account of the emerging trends based on the planning permissions granted, it is clear that the one-off programme of garage court redevelopment needs to be discounted. As such planning permission granted for windfall development for the last 3 years since the adoption of the ACS would be: 29; 33; and 26 (53-27 garage courts), this would give an average windfall rate of 29 units per annum. As such we consider a windfall figure of 29 units per annum rather than 40 units per annum should be used in years 7 to 11. This would reduce the overall windfall figure from 320 units to 145 units.

***Q5. How can it be ensured that there will not be an element of double counting if a windfall allowance is included from Year 4 onwards?***

28. This is the first plan which allocates sites in Gedling which is based upon the approach of being informed by a SHLAA and contains a source of supply 'Sites below the threshold'. As this source of supply is identified to be delivered principally in years 1 to 6 we consider that double counting is inevitable. The GBC statement EX/117 through Table 5 suggests that
29. Given that the housing supply in Appendix E of EX/104A includes sites from 1 dwelling in size upwards within the 'Sites below the threshold' category and appears to include any potentially deliverable site it leaves almost no potential for unexpected windfall sites to come forward. As such Calverton Parish Council considers that windfall should only be counted for years 7 to 11 as the ACS originally intended. Alternatively the LPD should remove the entire 343 element for 'Sites below the threshold' to avoid double counting.
30. As an example of plain double counting the new site at Derwent Crescent in Arnold (page 55 of EX/104A) is a garage site to be delivered in year 5 for 9 dwellings. GBC want to count this site as a 'Site below threshold' but also utilise Residential garage sites as a source in their windfall supply. Another example of double counting is site 6/209 Burton Road in Carlton (page 50 of EX/104A) for 8 dwellings in year 4, which is listed as a 'Site below threshold' but also as a former builders yard would be counted in the employment use category as a source in their windfall supply. A third example of double counting would be site 6/241 at Deabill Street in Carlton (page 50 of EX/104A) for 4 dwellings

in year 4, which is listed as a 'Site below threshold' but also as a car park would be counted in the car park category as a source in their windfall supply. A fourth example site 6/689 at Festus Street (2, Rear Of) in Carlton (page 51 of EX/104A) for 2 dwellings in year 6, which is listed as a 'Site below threshold' but also as existing workshops would be counted in the employment use category as a source in their windfall supply. We could go on listing other examples of double counting over years 4 to 6. GBC cannot seek to count and include both 'Site below threshold' and windfall over years 4 to 6.

***Q6. What evidence is there to support the Council's assumption that not all windfall sites will come forward in the urban area?***

31. For a reason which is unclear GBC have chosen to provide evidence on windfall distribution across the Borough on a total windfall basis and not the distribution of small windfall sites excluding garden land. As such Table 1B is in our view completely meaningless as it provides no data on the distribution of the type of windfall supply which the NPPF identifies should be assessed. As an example the Calverton figure of 143 windfall completions actually includes 113 dwellings on the previously safeguarded land on Collyer Road which was developed by Taylor Wimpey. It also included completions on Longue Drive a site being finished off by Langridge Homes. Whilst technically they may be windfall completions, they are effectively the same as planned site allocations and do not represent adequate evidence with regard to the future supply and distribution of small windfall sites excluding garden land.
32. The distribution of 'Sites below threshold' is the only evidence which GBC have produced which alludes to the potential spatial distribution of small sites. This demonstrates that 97.7% of the 'Sites below threshold' are likely to come forward in the Urban Area. This is substantially different to the suggestion GBC make in Table 1B that only 65% of windfall has been in the Urban Area. In the view of Calverton Parish Council, there is no robust evidence to support GBC's assumption that not all windfall sites will come forward in the urban area.

***Q7. Is it robustly demonstrated that the estimated housing land supply for the five year period is deliverable?***

33. Section 4 of the Housing Background Paper (May 2016) (LPD/BACK/01) provides information on how the housing distribution proposed in the Local Planning Document accords with the spatial strategy of the Aligned Core Strategy. As identified by the LPA in its response to the Inspector's Initial Questions (EX/08) the LPD has redistributed some housing proportion from the key settlements to the Urban Area. Calverton Parish Council considers that this principle is sustainable and accords with the urban-centric focus of the ACS and the NPPF in general. We note that whilst the proposed overall

housing figure for Calverton has increased from 740 to 765 dwellings, although we do not support any increase it is acknowledged that 20 out of the 25 dwellings is based on a factual adjustment relating to the number of units with planning permission. However we do not agree that the remaining additional 5 units as an 'Allowance for Sites Below Threshold' is realistic.

34. Calverton Parish Council still consider; particularly having regard to the conclusions now set out in EX/98; that the redistribution of housing from site H15 to site H16 is appropriate. Site H15 should be deleted completely and the numbers added to site H16 at Park Road, of course in fact Site H16 can not only deliver the replacement housing numbers, but potentially an increased overall housing figure.
35. The Parish Council has previously highlighted the need for some flexibility within site H16 regarding the extension of the site north to Oxton Road to facilitate a new access from Oxton Road which is a requirement of the Submission Calverton Neighbourhood Plan. The developers of site H16, Persimmon Homes have supported a proposed access from Oxton Road.
36. The proposed overall revised housing figure of 765 dwellings for Calverton (up from 740) as set out in EX/105A is now made up as follows:
- Completed 2011-2017 – 159 dwellings
  - Non Allocated Sites with Planning Permission – 63 dwellings
  - Site H14 (Dark Lane) – 72 dwellings
  - Site H15 (Main Street) – 75 dwellings
  - Site H16 (Park Road) – 390 dwellings
  - Allowance for Sites Below Threshold – 5 dwellings
37. This gives a 5 year supply figure for Calverton (2017/18 – 2021/22) as set out in Table 4 of EX/104A of 475 dwellings made up as follows:
- Non Allocated Sites with Planning Permission – 63 dwellings
  - Site H14 (Dark Lane) – 72 dwellings
  - Site H15 (Main Street) – 75 dwellings
  - Site H16 (Park Road) – 260 dwellings
  - Allowance for Sites Below Threshold – 5 dwellings
- In effect it is anticipated that all of the sites with planning permission, the sites below threshold and all of sites H14 and H15 will be fully delivered in the 5 year period. The remaining 130 units on site H16 would be delivered in years 6 to 8 with no completions in Calverton at all in years 9 to 11.

38. Whilst the Council are not proposing at this stage to add any additional sites in Calverton the Council is seeking to increase the 5 years housing figure for Calverton through use of an allowance for sites below threshold. In making this assumption of an allowance for 5 dwellings on sites below threshold this includes 2 single plots on the corners of Collyer Road and Seely Avenue which are owned by Gedling but have only been promoted in 2017 (EX/104A page 66). These would appear to be purely promoted to artificially boost the housing figures. As the 2017 SHLAA call for sites only closed on the 31<sup>st</sup> March 2017 we have no details published relating to these sites, therefore we are not even able to see precisely where they are located.
39. In our view it is inappropriate for the LPA to seek to try and include new SHLAA sites from the 2017 call for sites at this late stage. They have published no evidence to underpin the inclusion of any new sites which is a further fundamental failing of the plan preparation process. This tactic can perhaps best be described as Gedling having gone on a trawl of desperation to find almost anything they can to throw into the pot to boost the figures; to try and demonstrate that they are planning for sufficient housing. The Parish Council does not consider that these two plots are realistically viable or deliverable, if they were then Gedling as the landowner would have promoted these much earlier in the process.
40. In addition the plots are indicated to be on corners, as such we do not consider that they would likely to be a form and layout of development that would respect the character and appearance of the streetscene. Therefore we would contend that they would be unlikely to get planning permission.
41. In addition the other element of the allowance for sites below threshold is 3 plots at Spring Farm Kennels (EX/104A page 65) which previously had planning permission but have now lapsed (2 plots in April 2015 and 1 plot in September 2016). I'm not persuaded that these are realistic possibilities to include in any housing figure. Reliance on plots which have previously had planning permission but which have lapsed is a flawed strategy. Given that the permission has lapsed then there is likely to be problems associated with deliverability or viability.
42. As such we do not consider that the 5 years housing supply figure for Calverton should include any of the 'Sites below threshold'.
43. We further note that sites marked as 'New' in document EX/104A in the 'Allowance for Sites Below Threshold' now includes a total of 62 dwellings as follows:
- Urban Area
- Derwent Crescent – 9 units (Private landowner)
  - Chase Farm – 35 units (Owned by Nottingham City Council)
  - Plains Road – 14 units (Developer)

- Queens Avenue – 1 unit (Owned by GBC)

Calverton

- Collyer Road – 1 unit (Owned by GBC)
- Seely Avenue – 1 unit (Owned by GBC)

Other Villages

- Cromwell Crescent Lambley – 1 unit (Owned by GBC)

44. As 'New' sites they are not included in any of the SHLAA evidence base published to date, they were not considered to be sites which were available, deliverable or viable at the time of submission. As the 2017 SHLAA has not been published there is no evidence before the examination to demonstrate that these sites can be considered for inclusion in the housing supply. It is notable that 5 out of these 7 sites are owned by GBC or by Nottingham City Council, both of whom fully understand the SHLAA process and would have been expected to reasonably promote such sites much earlier in the process. Both GBC or by Nottingham City Council have a material interest in the emerging LPD being found sound and their motives in seeking to promote these sites now must in the view of Calverton Parish Council be seriously questioned.
45. It is our contention that these sites should be ignored completely and the 5 year housing supply should be reduced by a further 62 dwellings.
46. The LPA also continue to contend that it is not necessary to introduce a lapse rate in the housing figures, this is only appropriate if the reliance upon those sites with planning permission is realistic. As can be seen from the 3 plots at Spring Farm Kennels which previously had planning permission but have now lapsed; the local housing market has weaknesses which mean that sites stall or are not delivered.
47. This is demonstrated fundamentally by those sites within the ownership or control of Langridge Homes where for example the Longue Drive development has had consent for the remaining 36 plots since 2008 but where 21 plots have still not been completed. Over a 9 year period only 15 plots have been completed which is the equivalent delivery of only 1.67 units per annum. Therefore on the same delivery rate the remaining 21 plots plus the 3 other plots still remaining from an even older (2006) consent would take over 14 years, although we note the position on construction which indicates that most of these plots are effectively built but not deemed complete by Building Control.
48. However within the scope of sites with planning permission for Calverton it includes the following sites totalling 24 units:

- 6/489 at Little Tithe Farm – 3 Dwellings
- 6/390 at Renals Way – 5 Dwellings
- 6/947 at Spring Farm Kennels (A) – 1 Dwelling
- 6/948 at Spring Farm Kennels (B) – 1 Dwelling
- 6/686 at The Cherry Tree – 14 Dwellings

49. Calverton Parish Council does not consider that these sites are realistically going to be delivered within the suggested 5 year period. In addition the planning permission at Little Tithe Farm includes a replacement dwelling which is not a net addition so cannot be considered so should be viewed as two dwellings at the most. Inclusion of a replacement dwelling in the figures casts serious doubt on the robustness of the process, the supply figure can only include net additions and the figures need to be double checked to ensure that no other replacement dwellings have been included. We note that site 6/633 at Ravenshead is also described as a replacement dwelling and not a net addition.

50. Paragraph 3.10A of document EX/104A explains how GBC refers to replacement dwellings, it states: *“the assessment now takes account of the loss of a dwelling where this is replaced by at least one dwelling in order to reflect the net figure for the number of new dwellings. Previous versions of the Housing Background Paper took account of the loss of a dwelling only where they was replaced by a single dwelling.”* However it remains unclear that the calculations only take account of net additions. For example the figures for 6/489 Little Tithe Farm (page 63 of EX/104A) still states 3 dwellings despite only 2 of these being net additions. GBC claim that the loss of the dwelling has been taken into account in the past completions figure but the past completion figures for Calverton in Appendix D do not show any minus figure so we have no way of knowing whether this is the case. This seems a highly perverse way of trying to count housing figures when it would be clear to all parties if figures just included net additions.

51. The table in document EX/104A also appears to suggest that the two prior approval dwellings at 6/489 are not intended to be delivered until the year 2018/19 which is beyond the three year commencement period specified in the GPDO. Consequently we consider these two dwellings should not be counted in the 5 year supply. Site 6/390 at Renals Way relates to the remaining 5 plots from a 1972 planning permission obtained by Langridge Homes. The last planning activity on this site was in 2008 when plot 76 obtained consent for a different house type but has not been implemented. Given the passage of time and the fact that the site is substantially treed we do not consider that the site can realistically be delivered. The site is also well utilised by local people, this can be seen on the paths which are well defined. In addition it is identified as an Open Space in the submission Calverton Neighbourhood Plan. As such the Parish Council do not agree that the site should form part of the 5 year land supply.

52. As other land at Spring Farm Kennels has lapsed without the planning permissions being implemented we do not consider that it is reasonable to include sites 6/947 or 6/948 in the 5 year land supply either. The site 6/686 at The Cherry Tree has been stalled for over 4 years since the latest scheme was approved in November 2012. The pub has been demolished and foundations were started but the developer then stopped. Whilst the LPA indicate that the site has been sold to another developer the Council has made assumptions regarding delivery rather than any firm indication set out by the new developer. Given the fact that there is no sign of any works re-commencing and no information from the developer has been obtained; we do not consider that this site should be included within the 5 year housing supply either.
53. As we identified earlier if there is any double counting of 'Windfall' and 'Allowance for Sites Below Threshold' anywhere in Gedling or any sites outside of Calverton that shouldn't be included, then the supply will become less than 5 years. As our interest is in Calverton we have not analysed in detail the sites in the rest of Gedling. However taking just the elements in Calverton which appear to be incorrectly included in the 5 year supply, we consider that there is a strong case that Gedling cannot demonstrate a 5 year land supply of housing.
54. As we have highlighted previously Calverton Parish Council do not consider that site H15 is deliverable during the plan period having regard to national policy or guidance. Our full case on this was set out in our previous evidence. This site is within the ownership of Langridge Homes, the Inspector has previously explored the issue of deliverability in response to our concerns. We note that following the housing sessions, Langridge have provided document EX/90 which again is not a document on which we have had opportunity to comment.
55. In that document EX/90 it is clear that Savills state that no arrangement to sell site H15 is in place and it has not yet been put to the market. No indication of any purchase option is indicated therefore we still consider that there is no evidence to demonstrate that the site can be delivered within the plan period and certainly not within the 5 year period. The fact that Langridge still propose to pursue their own planning application on the site must further cast doubt on the contention that they intend to sell the site. As such we consider that the document EX/90 conflicts with the statements made by Geoffrey Prince Associates during the examination hearings.
56. Langridge Homes have a poor record of housing delivery, particularly in Calverton, they commenced the Woodview development on Longue Drive in Calverton in 1975 and it is still not completed. The development at Renals Way started in 1972 has also not been completed according to Langridge and GBC, who identify that the site within 2021-2026 but have in fact put it in year 5 (2021-2022). That

would be 44 years since the site was commenced which is a damning indictment of Langridge's poor delivery record.

57. In addition in Calverton, Langridge Homes are developing the site H14 on Dark Lane. This site was allocated in 2005, an application for outline planning permission was first applied for in 2005, with the reserved matters granted in August 2013. Work was not commenced on the site access as the initial stage however until mid-2016 some 12 years since the site was allocated in the last Local Plan.
58. The Dark Lane site H14 is for some 72 units, we consider that this site will represent a significant challenge to Langridge Homes to deliver through the plan period. In the Housing Background Paper Addendum (EX/22) the LPA identified that it expected 54 of these units to be developed in the 5 year period 2016-2021. The Housing Background Paper (LPD/BACK/01) however indicated that the LPA expected 60 of these units to be developed in the 5 year period 2016-2021. In document EX/104A the LPA now contend that all 72 units can be developed during the first five year period which we consider unrealistic.
59. Calverton Parish Council understand from the representations on the LPD (b/174, b/175 & b/176) that Langridge Homes are the promoters and developers of the following sites:
- Willow Farm (Site Allocation H3) – 110 units
  - Land at Lodge Farm Lane (Site Allocation H5) – 150 units
  - Westhouse Farm (Site Allocation H12) – 210 units
  - Dark Lane Calverton (Site Allocation H14) – 72 units
  - Main Street Calverton (Site Allocation H15) – 75 units
60. In the examination hearings, Langridge have suggested that they would sell sites H5 and H15, leaving 392 out of the 617 allocated dwellings under their control. In addition Gedling also contend that Langridge will complete a further 23 dwellings on Longue Drive during the first 5 year period and a further 5 dwellings at Renals Way in year 6.
61. Taking into account the trajectory set out in document EX/104A the Council housing supply relies upon Langridge delivering the following numbers of units per annum:
- Year 1 (2017/18) – 23 dwellings
- Year 2 (2018/19) – 43 dwellings
- Year 3 (2019/20) – 68 dwellings
- Year 4 (2020/21) – 108 dwellings
- Year 5 (2021/22) – 108 dwellings
- Year 6 (2022/23) – 70 dwellings



62. As Langridge identified during the examination hearing sessions as a local builder it can develop around 100 units per annum across all of its portfolio of sites across the region. Gedling are relying upon Langridge in delivering more than this amount in years 4 and 5 just in Gedling Borough. As we have identified previously Langridge do not only operate in Gedling, they also have sites to finish at Church Farm, Ripley and The Willows, Leabrooks.
63. In relation to Church Farm, Ripley – The latest Amber Valley SHLAA was published in 2013, it does not clearly identify phasing proposals but appears to suggest that plots 183 to 305 were outstanding, this being 122 dwellings. Looking at recently determined applications there would appear to be at least 159 dwellings still to be built, although the phasing and delivery rates is unclear. (Evidence: AVA/2016/1317 – granted 24th January 2017; AVA/2016/0328 – granted 30th November 2016; AVA/2016/0075 – granted 30th November 2016; AVA/2016/0930 – granted 27th September 2016; and AVA/2016/0463 – pending decision due by 30th April 2017).
64. In relation to The Willows, Leabrooks – The latest Amber Valley SHLAA does not identify this site. Looking at the latest application granted there appears to be 19 units still to be built, although the phasing and delivery rate is unclear. (Evidence: AVA/2015/0078 – date of grant not recorded)
65. As these two sites are already under construction it can be assumed that Langridge Homes will wish to complete these sites before commencing new sites in Gedling. As such those 178 units, together with the 23 units already approved at Longue Drive in Calverton (total 201 units) will take at least the two full years 2017/2018 and 2018/2019 to deliver at the 100 per annum overall delivery quantum indicated by Mr Prince as being that Langridge can manage. As such we do not consider that sites H12 and H14 can commence in year 2 (2018/19) as Gedling suggests in EX/104A. This would have a knock on impact to the overall delivery, that in our view at least some 43 units suggested for years 1 to 5 will then need to take place later outside of the first 5 year period. We would suggest that a trajectory as follows would be more realistic:

Site	Total No. of Dwellings	Potential Revised Trajectory of Langridge Homes Sites With Delivery Rates Set At Maximum 100 Units Per Annum										
		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Urban Area – Document EX/56												
H3 Willow Farm	110				<del>40</del> 23	<del>40</del> 32	<del>30</del> 40	15				
Bestwood – Document EX/58												
H12 Westhouse Farm	210		25	<del>50</del> 32	50	50	<del>35</del> 50	3				
Calverton – Document EX/59												
6/452 Longue Drive	3	3										
6/490 Longue Drive	19	19										
6/491 Longue Drive	1	1										
6/390 Renals Way	5						5					
H14 Dark Lane	72		18	18	18	18						
Amber Valley												
Church Farm	159	50	50	50	9							
The Willows	19	19										
Sub Total	598	92	93	100	100	100	95	18	0	0	0	0

66. The loss of a further 43 units from the first 5 years supply therefore reduces the total supply further.

Whilst not within Gedling it should also be borne in mind that In addition to the sites above, before the Amber Valley Core Strategy was withdrawn in December 2015, Langridge was promoting two sites to be developed in years 1-5, these were:

- AVBC\_2008\_0058 Chestnut Avenue – 66 dwellings
- AVBC\_2008\_0083 Bradshaw Avenue – 60 dwellings

In addition to these sites, through the Rushcliffe Local Plan Part 2, Langridge are promoting site COT3 (Land rear of and to the west of Main Road) for 125 homes. As Langridge Homes operate beyond Gedling it cannot be reasonably assumed that they will target all of their deliverability capability only in Gedling during the first 5 years of the plan period. Langridge may have other sites in addition that we are not aware of elsewhere in the region.

67. The LPD is also based on assumptions of delivery rates which historically Langridge have been unable to meet. Longue Drive at Calverton (212 units) was granted full planning permission in 1975, to date in 32 years only 188 units have been delivered, this equates to just under 6 units per annum. On site H14 at Dark Lane, allocated in 2005, to date after 12 years no units have been delivered. The site at Renals Way was granted planning permission in 1972 (believed to be for 92 units), but some 35 years later this site is not complete as both Gedling and Langridge identify. At The Willows at Leabrooks in Amber Valley (69 units), the planning application was submitted in 2004, approved in September 2007, to date in 9.5 years only 50 units have been delivered, this equates to just over 5 units per annum.
68. Therefore expecting Langridge to be able to deliver up to 50 units per annum on an individual site does not appear to be justified by the evidence of their historical ability to deliver. This is particularly relevant to the Calverton housing market where Langridge has been unable to build sites out to completion. Whereas the sites built by the national housebuilders allocated in the 2005 Local Plan have been fully built out. This must further call into question the housing trajectory put forward by GBC.
69. Taking account of the historical delivery rates of Langridge Homes it would seem reasonable and justified to assume that Langridge can actually only deliver around 10 units per annum on any individual site. If we apply this assumption to sites H3; H12; and H14 then out of the 284 units in the revised trajectory we have suggested in the table above to be delivered in the first 5 years. Then in fact only 100 of those (at a rate of 10 units per site per annum, keeping the same start dates) will come forward, thereby reducing the 5 year housing supply further.

Site and Total No. of Dwellings	Potential Revised Trajectory of Langridge Homes Sites With Delivery Rates Set At Maximum 10 Units Per Annum Per Site										
	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Urban Area											
H3 Willow Farm 110 (30 now beyond plan period)				<del>40</del> 23 10	<del>40</del> 32 10	<del>30</del> 40 10	<del>15</del> 10	10	10	10	10
Bestwood											
H12 Westhouse Farm 210 (110 now beyond plan period)		<del>25</del> 10	<del>50</del> 32 10	<del>50</del> 10	<del>50</del> 10	<del>35</del> 50 10	<del>3</del> 10	10	10	10	10
Calverton											
H14 Dark Lane 72		<del>18</del> 10	<del>18</del> 10	<del>18</del> 10	<del>18</del> 10	10	10	10	2		
Sub Total 252		20	20	30	30	30	30	30	22	20	20

70. We also identify that serious doubts must be cast on the delivery of sites H5 and H15 as Langridge have not provided any evidence to demonstrate that these are either sold or on option to other developers. Then this reduces the deliverable 5 year land supply figure even further by another 225 units. Previously in preparation for the adjourned housing session, other parties have identified other sites and issues which would of course compound this serious housing supply shortfall even further.
71. Calverton Parish Council do not consider that GBC have demonstrated the sites included within the 5 year land supply to be deliverable or developable as the NPPF requires. Appendix A details the impact we consider on the 5 year land supply.

***Q8. Should a lapse rate be included in the calculations? If so, what would be an appropriate percentage?***

72. The LPA also continue to contend that it is not necessary to introduce a lapse rate in the housing figures, this is only appropriate if the reliance upon those sites with planning permission is realistic. As can be seen from the 3 plots at Spring Farm Kennels which previously had planning permission but have now lapsed; the local housing market has weaknesses which mean that sites stall or are not delivered. Document EX/104A illustrates a total of 85 dwellings having lapsed and having been removed from the calculations (Urban – 70; Ravenshead – 10; Other Villages – 5). This represents 7.4% of the total non-allocated 1,149 dwellings which GBC have put forward. Whilst we do not agree with many of the GBC non-allocated sites, in the interests of fairness we have kept the GBC total for the purposes of calculation.
73. As GBC acknowledge the Local Plans Expert Group Report recommends that any lapse rate should be set based on local evidence on the rate at which permissions are converted into completions. GBC have not provided any such evidence despite knowing that the issue is a significant area of debate. The Local Plans Expert Group Report identifies that in the absence of any local evidence of the lapse of large sites, that a 10% proxy should be applied. The lapsed sites from Document EX/104A appears to suggest a lapse rate of around 7% possibly being appropriate.

***Q9. Is the deletion of sites from the Schedule in Appendix E an indication that a lapse rate should be included?***

74. Yes – see above.

***Q10. Have sufficient sites been allocated in the Plan to meet the target of 7,250 homes set out in the ACS [Appendix A]?***

75. See our response to Q1 under Document EX/105.

**Q11. Are the deliverability assumptions for sites in the planning system appropriate [Appendix B]?**

76. No – See our response to Q7

**Q12. Are the projected completions for deliverable sites included in the 5 year housing land supply period appropriate and achievable and based on sound evidence [Appendix C]?**

77. No – See our response to Q7

**Q13. Does the detailed housing trajectory demonstrate realistically that the housing development, for which the Plan provides, will come forward within the Plan period [Appendix D]?**

78. No – See our response to Q7

**Q14. Are the projected completions for deliverable and developable sites included in the Plan period 2011 to 2028 appropriate and achievable and based on sound evidence [Appendix E]?**

79. No – See our response to Q7

**Q15. The Council's Revised Housing Background Paper says that the list of sites under the threshold in Appendix E has been updated with only those sites where information has been received as part of the SHLAA 2016 consultation or in 2017 now being included in the housing supply. However, there are some sites where Council assumptions have been made (Chase Farm, 6/200, 6/802, Plains Road, 6/818 and 6/229) and some where information has been received as part of the SHLAA 2016 consultation or in 2017 and Council assumptions have also been made (6/218 and 6/137) – why is this the case?**

80. This is a matter for GBC to answer.

**Q16. On what basis were the 2017 responses made from landowners/ developers?**

81. This is a matter for GBC to answer.

## EX/105A – Further Proposed revised Policy LPD 64 (Formerly 63)

**Q1. Does the revised Policy LPD 63 robustly demonstrate that a minimum of 7,250 homes will be provided for during the plan period (2011 to 2028)?**

82. We have cast doubt above on the delivery of sites within the first 5 year period, however some of these elements also impact upon the overall housing numbers in Policy LPD64 (Formerly 63). We consider that 62 of the units identified in the Allowance for Sites below Threshold need to be removed and that at least 24 units on Sites with Planning Permission also need to be removed, plus 5 other units. This together with our contention that sites H3 and H12 need to be viewed with an annual delivery rate of only 10 units per annum per site then as these sites will take beyond the plan period to be completed, this is a further reduction of 30 units on H3 and 110 units on H12 in the overall policy total. In addition we consider that the 320 windfall figure needs to be amended to 29 units per annum for just the last 5 years, resulting in a further 175 dwellings from the total.

83. This reduces the Policy LPD64 total by an overall 406 dwellings. This actually takes the overall supply of 7,762 in the sources identified in EX/104A down to 7,356 dwellings. This would still technically exceed the 7,250 housing requirement by a modest 106 dwellings.

84. The actual impact on the settlements and based on actual figures not rounded estimates, would then become:

~~4,535~~ 4,428 homes in or adjoining the main built up area of Arnold and Carlton;

~~Up to 1,265~~ 1,204 homes around Hucknall;

~~1,555~~ 1,408 homes at the Key Settlements for Growth made up of:

i. Bestwood Village – ~~540~~ 427 homes;

ii. Calverton – ~~765~~ 734 homes; and

iii. Ravenshead – ~~250~~ 247 homes.

~~180~~ 171 homes at the other villages including:

i. Burton Joyce – 80 homes; and

ii. Woodborough - 55 homes.

Windfall allowance - ~~320~~ 145 homes.

85. Calverton Parish Council remain of the view that the wishes of the local community of Calverton should prevail and site H15 should be deleted. This can be easily replaced by an increase in an extension to site H16. If that site were extended to include all of sites 6/665 and 6/47 together with site 6/921; then a site of some 30.71 Ha would allow for the capacity of site H16 to increase from 390 dwellings to around 600 dwellings.

86. This estimated capacity is based on a low density of just under 20 dwellings per hectare to allow for substantial buffers to be introduced on the Oxton Road frontage and for the elements identified in the Calverton Neighbourhood Plan to be included. An increase of 210 units here would more than offset the loss of site H15. Given that we do not consider that site H15 can realistically be delivered during the first 5 years, then the fact that the additional parts of site H16 would be delivered later in the plan period would have no material impact on the 5 year land supply. At the prescribed annual delivery rates for site H16 in EX/104 an extended site H16 would still be expected to be completed in the plan period.
87. Whilst Calverton Parish Council would wish to see more sites allocated in the urban area to meet the lack of demonstrable 5 year land supply, we accept that substitution for site H15 if deleted should result in an extended site H16. The Parish Council as suggested previously would be willing to see a further increase in the extent and capacity of site H16 to allow delivery of key objectives of the Calverton Neighbourhood Plan. For example access from Oxton Road which is a fundamental pre-requisite of the local community in being prepared to accept any development in the north-west quadrant.

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

NEIGHBOURHOOD-PLAN.CO.UK

Planning Advisors to Calverton Parish Council and the Calverton Neighbourhood Plan

15<sup>th</sup> June 2017

## APPENDIX A

### 5 Year Land Supply Figure

EX/104A – 5 Year Housing Requirement - 3,737 dwellings [747.4 per annum]

Element Considered Incorrectly Counted	Total Becomes	Supply Becomes
Gedling Position in EX/104 – Revised Housing Background Paper Addendum	3,805 (GBC)	5.091 Years
Calverton Parish Council		
62 dwellings on sites marked as 'New' in document EX/104 in the 'Allowance for Sites Below Threshold' - the 2017 SHLAA has not been published there is no evidence before the examination to demonstrate that these sites can be considered for inclusion in the housing supply (Includes some also indicated by Northern Trust and Chave Planning)	3,743	5.008 Years
3 plots at Spring Farm Kennels (lapsed)	3,740	5.004 Years
2 Replacement Dwellings	3,738	5.037 Years
24 units which we consider are not actually deliverable - 6/489 at Little Tithe Farm – 3 Dwellings; 6/390 at Renals Way – 5 Dwellings; 6/947 at Spring Farm Kennels (A) – 1 Dwelling; 6/948 at Spring Farm Kennels (B) – 1 Dwelling; 6/686 at The Cherry Tree – 14 Dwellings	3,714	5.001 Years
80 units of windfall (Also indicated by Chave Planning)	3,634	4.862 Years
184 units from the first 5 years supply that we do not consider that Langridge Homes can deliver on the sites they propose to develop given their 100 per annum completion rate and their historical ability to only build at 10 units per individual site per annum	3,450	4.616 Years
225 units from sites H5 and H15 which Langridge have not provided any evidence to demonstrate that these are either sold or on option to other developers	3,225	4.315 Years
Chave Planning		
35 units at H1 Rolleston Drive, too ambitious start date	3,190	4.268 Years
49 units at 6/477 Daybrook Laundry, insufficient evidence that 49 dwellings are deliverable in the initial 5 year period	3,141	4.203 Years
60 units at H16 Park Road, Calverton, unlikely that delivery will commence as suggested in the current monitoring year	3,081	4.122 Years
<b>Cumulative Impact of Calverton Parish Council, Northern Trust and Chave Planning (Loss of 724 units)</b>	<b>3,081 Dwellings</b>	<b>4.122 Years</b>

If a lapse rate of our suggested 7% were to be applied then this would reduce this supply further