

Contact: Christine Sarris
Direct Line: 01623 457375
Email: c.m.sarris@ashfield-dc.gov.uk

Our Ref: LP2/21.4
Your Ref:
Date: 12th January 2017

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

Dear Ms Edwards,

FAO Karen Baker DipTP MA DipMP MRTPI

Re: Examination of the Gedling Local Planning Document Publication Draft (Part 2 Local Plan)

Matter 4: Green Belt

Issue 4c: Safeguarded Land

1.1 The Council does not consider that Policy LPD 16 Safeguarding Land is sound for 2 main reasons:

- a) Policy LPD 16 - The proposal for safeguarded land at Top Wighay has not been adequately justified. As identified in the Gedling Plan Local Plan 2006 "At the end of the Plan period, the safeguarded land will revert to Green Belt, unless it is essential to meet longer term needs." (Paragraph 1.71).
- b) Policy LPD16 Top Wighay Farm Hucknall, supporting Paragraph 6.6.2, and 6.6.6 do not accord with paragraph 85 of the National Planning Policy Framework.

Q4. Should safeguarded land be allocated in the Plan? If so, has sufficient Safeguarded Land been allocated? [and] Q5. What evidence is there to support the quantum of Safeguarded Land allocated in the Plan? [Policy LPD 16]

1.2 The Council considers that Policy LPD 16 is un-sound as paragraph 6.6.2 of the Plan does not accord with the NPPF. The paragraph reads as follows:

Address: Council Offices, Urban Road, Kirkby-in-Ashfield, Nottingham. NG17 8DA
Tel: 01623 450000 **Fax:** 01623 457585
www.ashfield-dc.gov.uk

“Safeguarded Land is considered necessary in Gedling Borough for a number of reasons. Firstly, it provides a degree of permanence to the Green Belt boundaries put in place by the Local Plan and means that future reviews of the Green Belt may not be needed. Secondly, it ensures that the need to define Green Belt boundaries using defensible features on the ground does not result in large sites being developed all at once where this would cause problems for local infrastructure. **Thirdly, it provides flexibility and allows for proposals for residential development to be determined under the presumption in favour of sustainable development if there is no five year land supply as required by paragraph 48 of the NPPF.** The Inspector who examined the Aligned Core Strategy expressed support in her report (at paragraph 117) for the designation of Safeguarded Land in Gedling Borough.”

- 1.3 The Council strongly objects, in particular to the third point of paragraph 6.6.2 as it does not accord with paragraph 85 of the NPPF which states that local authorities should make it clear that “Planning permission for the permanent development of safeguarded land should **only** be granted following a review which proposes development.” Indeed this is stated at paragraph 1.1 of Gedling’s own Safeguarded Land report (LPD/GRE/04).
- 1.4 Moreover this third reason for safeguarded land does not adequately give reason for the special circumstances to release land from the Green Belt through the application process and assumes that if a 5 year land supply cannot be demonstrated, this would be sufficient justification to apply paragraph 14 of the NPPF and allow development within safeguarded land.
- 1.5 This reason is purely speculative and may be a scenario (lack of 5 year supply) that arises in Gedling, there is no certainty, nor evidence presented by the Council to justify pre-empting this scenario and therefore, the Plan is un-sound in attempting to second guess one possible scenario arising in the future. By including this text within the Plan the Council will weaken Green Belt and safeguarded land policy, therefore the approach taken by the Council is not in conformity with national policy. This paragraph should be deleted from the Plan.

Q6. Is the distribution and amount of Safeguarded Land within the Borough appropriate? [Policy LPD 16]

- 1.6 We consider that the distribution of Safeguarded Land should be more aligned to the distribution strategy of the ACS. This approach would see a proportionally higher amount of safeguarded land around Arnold. Retaining a significant proportion of safeguarded land adjacent to Ashfield District may promote an un-sustainable development strategy upon a review of the various adopted Plans.
- 1.7 Furthermore, as drafted it would appear Gedling would welcome speculative development within the Top Wighay Farm safeguarded land area should a 5 year supply of land not be demonstrated. This pattern of development is against the ACS spatial strategy (capped at 1,300 dwellings). In effect this would allow for the quantum of development (and in excess of) which the ACS inspector considered would be detrimental to the infrastructure and sustainability of Hucknall. Such levels and patterns of development should be progressed through development plans.

Q9. Is the allocation of Safeguarded Land at Top Wighay Farm appropriate? [Policy LPD 16]

- 1.8 Gedling Replacement Local Plan (adopted 2005) Policy ENV31 Safeguarded Land, Paragraph 1.71 indicates that, at the end of the Plan period safeguarded land will revert back to Green Belt unless it is essential to meet longer term needs. Gedling's Safeguarded Land Report (March 2016) indicates that it is not required for development needs. Given that policy ENV31 is part of the development plan now, the Council questions whether this been adequately taken into consideration.
- 1.9 Paragraph 84 of the NPPF indicates that when reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. Given the proximity to Hucknall, this safeguarded land could help to meet development needs arising from within Ashfield; specifically the delivery of development to support the sustainable growth of Hucknall. Policy LPD16 should be amended to make clear the links with Hucknall and that the area of land may be able to perform a role in the sustainable development of that settlement, past/after the current plan period
- 1.10 The ACS Inspector's report indicates that changes were needed to reduce the number of homes built adjacent to Hucknall in order to make the Plan sound. Implications are that further development now would be detrimental to Hucknall's services and facilities. In light of the Inspector's concerns, we object to how safeguarded land at Top Wighay could in effect come forward for development within this immediate plan period, not as intended by national policy this and into the next plan period.

1.11 Paragraph 88 of the Inspector's ACS report reads as follows:

“Critically, the Councils' preferred scenario would result in a reduction of new housing development at one of the two nearest sites to Hucknall. Bearing in mind the scope for s106 and Community Infrastructure Levy (CIL) payments to benefit neighbouring areas, and Gedling Council's efforts to put in place a protocol for dealing with cross-boundary impacts, **I consider that, subject to proposed changes Mods 3 & 11 (reduction to 300 dwellings at Papplewick Lane), the ACS would not have a seriously adverse impact on the future wellbeing of Hucknall.** Development adjoining this town with its good range of community facilities and transport services would be consistent with sustainable growth. Mod 30 helpfully acknowledges the proposed Hucknall Town Centre Transport Improvement Scheme.”

Q10. Is it appropriate that some Safeguarded Land is protected from development as it is not suitable and/or available for development as suggested in proposed MM9? [Policy LPD 16]

1.12 Paragraph 6.6.6 in relation to 'land safeguarded for 'other reasons' (other than for development needs)' does not accord with Part 9, paragraph 85 of the NPPF which specifies that land should only be safeguarded for longer term **development needs**. The Safeguarded Land Report (March 2016) does not provide adequate justification in relation to the 'exceptional circumstances' for the safeguarding of the four sites (Mapperley Golf Course, Lodge Farm, Arnold, Glebe Farm, Gedling Colliery and Spring Lane, Lambley) for 'other purposes' i.e. not for development. Furthermore, these sites appear to be included in the Sustainability Appraisal as 'reasonable alternative sites' so it is unclear why they are not developable in this respect. They appear to be in a far more accessible location than the Top Wighay extension. Safeguarding of these sites would promote sustainable development in the next Local Plan. The NPPF indicates that Plans must be positively prepared, consistent with achieving sustainable development, and be consistent with national policy. The approach taken to safeguarded land brings into question the soundness of the Local Plan on all these tests.

Yours faithfully



C.M.Sarris
Corporate Planning and Building Control Manager