

Gedling Local Planning Document (Part 2 Local Plan): Examination

Hearing Position Statement in relation to
Matter 6: Housing Allocations

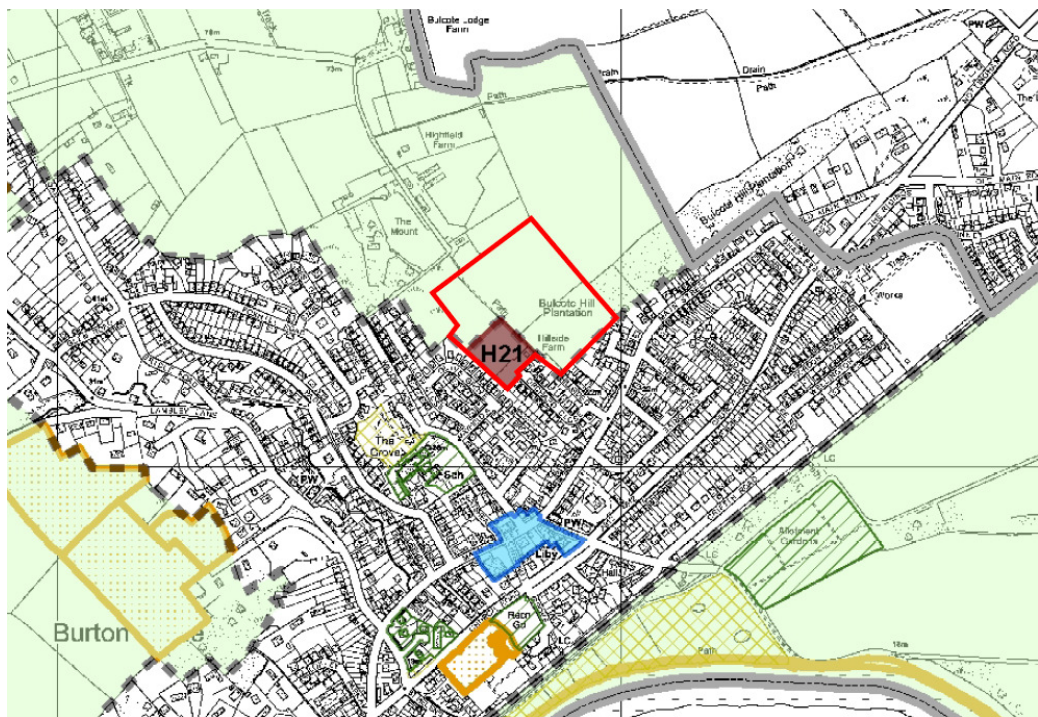
Submitted on behalf of Northern Trust
Company Ltd (Representor Number:
9151009) in respect of Land at Orchard
Close, Burton Joyce

February 2017

Issue 6a: General Questions

- 1.1 **Q3. Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?**
- 1.2 Northern Trust is promoting land to the north and east of Orchard Close in Burton Joyce for release from the Green Belt and allocation for housing. The southernmost part of the site is proposed to be allocated in the LPD for 15 dwellings (site ref. H21). GBC proposes to retain the remainder of the site within the Green Belt (see extract from Proposals Map at **Figure 1.1**).

Figure 1.1: Land at Orchard Close



- 1.3 Northern Trust has entered into a legal agreement with the landowners. Therefore, there is no ownership or other legal constraints to development on the site.
- 1.4 In terms of site conditions and potential constraints, an illustrative masterplan for the wider Orchard Close site has been developed based on a detailed analysis of the constraints and opportunities of the site. The masterplan and initial technical work that has been undertaken to date demonstrates that there are no site conditions or constraints that cannot be overcome through sensitive design and / or infrastructure provision. In particular:
- The site is located within Flood Zone 1 and is therefore deemed to be at 'low' risk of flooding.
 - Surface water runoff can be suitably attenuated to prevent an increase in the risk of flooding downstream and in fact improve the current situation.

- The site is not subject to any national or local ecological designations, nor is it recognised for its biodiversity value, and there are no such designations in the immediate vicinity of the site.
- Existing features such as hedgerows and trees can be incorporated into a masterplan for the site and retained.
- A British Geological survey of the site has confirmed that a fault line does not run through the site and the land owner has no knowledge of any previous land slips on the land.
- As the site is located within close proximity of existing residential development, it is not anticipated that utilities provision to the site would be a constraint to the proposed scheme. Discussions with the relevant undertakers will take place in due course to establish whether any additional infrastructure would be required to serve the site.
- Vehicular and pedestrian access to the site will be taken off the existing Orchard Close route, to the south. Initial highways advice provided by Curtins has indicated that such access is achievable, subject to detailed design.
- Development of the site provides the potential for the overall environmental quality of the land to be improved by introducing new landscaping features and additional planting.

1.5 Northern Trust maintains that there are no known site conditions or constraints that might prevent the proposed allocation site's early delivery for housing or compromise its viability. Indeed, further land in this location is available and suitable for development and Northern Trust contend that this land should also be allocated for residential development. More details about the suitability of the site for residential development are provided within our Hearing Position Statement in respect of Matter 9 (Housing Allocations in Other Villages).

Q4. Are the allocated sites viable and deliverable, having regard to the provision of the necessary infrastructure, affordable housing and other facilities, and taking account of environmental constraints?

1.6 Northern Trust is an experienced UK-wide promoter and developer and considers that the provision of new housing on the Orchard Close site (ref. H21) would be viable; taking into account the provision of necessary infrastructure, financial contributions and affordable housing that is currently anticipated. It is considered likely that there is strong market demand for high-quality new housing in this location, given the lack of new housebuilding in the local area over recent years which has resulted in an element of 'pent up demand'. GBC's evidence base also confirms that the site is considered to be located within a High Value Sub Market¹.

¹ Page 31, Gedling Borough Council Local Plan: Viability Assessment (Nationwide CIL Service, March 2016) [LPD/HOU/08]

Q5. Are the detailed requirements for each of the allocations clear and justified? Have site constraints, development mix and viability considerations been adequately addressed? Are the boundaries and extent of the sites correctly defined?

- 1.7 Northern Trust considers that the detailed requirements of the allocation for site H21 (Orchard Close) as set out in Policy LPD68 (Burton Joyce) are clear and justified.
- 1.8 Paragraph 7.5 of the LPD confirms that development of the site will be required to ensure that surface water runoff from the site is “*carefully managed*”, given the topography. An element of affordable housing and contributions towards education, health and open space are also requested.
- 1.9 The site currently comprises agricultural land and, as a result, surface water runoff is currently unattenuated and, according to some comments made to the LPD, has caused localised problems. Development of the site provides the opportunity to ensure that surface water is attenuated to reduce the risk of flooding elsewhere thereby improving the situation for local people. In that regard, initial drainage advice has been sought from Curtins, who have confirmed that:
- A separate foul and surface water system would be provided. Foul water is expected to be discharged to the existing public sewer network to the south of the site.
 - Surface water will be restricted to greenfield run-off rates through the incorporation of sustainable drainage features utilising on-site attenuation. At this stage, it is envisaged that on-site attenuation could be achieved using a combination of ponds, permeable paving, swales and filter strips. Other forms of attenuation that could be used include oversized pipes, oversized manhole chambers and below ground tanks.
 - Additional methods of sustainability could be provided by use of rainwater harvesting tanks, rainwater butts or green roofs for the new dwellings on the site.
- 1.10 In relation to the other policy requirements, Northern Trust accepts the requirement to provide affordable housing and contributions towards education, health and open space, subject to detailed consideration of these matters at the planning application stage, against the CIL Regulations ‘tests’.
- 1.11 Notwithstanding the above, Northern Trust maintains that further land to the north of Orchard Close should be released from the Green Belt and allocated for housing within the LPD (or, at the very least, safeguarded for development beyond the current plan period). Further justification for this approach is provided within our Hearing Position Statements to Matters 3, 4, 5 and 9.

- 1.12 Whilst GBC considered releasing the further land at Orchard Close that Northern Trust promotes from the Green Belt, additional development was *“not considered appropriate due to the necessary arrangements to access the site”*².
- 1.13 A Vision Document for the wider site at Orchard Close has been prepared and submitted by Northern Trust to accompany representations to the Publication Draft LPD in July 2016. The document outlines the overall vision and presents an illustrative masterplan for the development of the wider Orchard Close site that is being promoted. That wider site includes the H21 allocation, as well as further land to the north and east of Orchard Close. In total, the site extends to 5.3 hectares and could accommodate approximately 65 dwellings.
- 1.14 The Vision Document confirms that:
- The site is in a highly sustainable location within close proximity to existing services and facilities within Burton Joyce.
 - The site relates well to the existing environmental and landscape features on the site, and would help to contribute towards meeting the Council’s housing requirements.
 - A variety of dwellings will be developed which will be of a form, scale and density to respond to local housing needs in Burton Joyce and the wider area.
 - The scheme could enable the delivery of new affordable homes and improved public linkages and access to the surrounding green spaces.
 - There is no ownership or other legal constraints to development.
 - Development of the site for new housing will relate well to the existing built environment and will not cause any significant harm to the Green Belt (see response to Q6 below).
 - Access and drainage concerns previously expressed by GBC are unfounded, and both can be addressed through effective infrastructure and detailed design.
- 1.15 In the circumstances, Northern Trust maintains that the LPD should allocate a larger site at Orchard Close in Burton Joyce.

Q6. For those sites that have been removed from the Green Belt, have exceptional circumstances been demonstrated to enable the alteration of existing Green Belt boundaries? Have all potential sites in the Green Belt been considered for inclusion based on clear criteria?

- 1.16 As set out in our Hearing Position Statement to Matter 4 (Green Belt), the Greater Nottingham Aligned Core Strategy (ACS) clearly establishes the principle of reviewing

² Paragraph 3.5, Site Selection Document: Appendix E – Burton Joyce (Gedling Borough Council, May 2016) [LPD/GRO/10]

the boundaries of the Nottingham Derby Green Belt to inform the Part 2 Local Plans. Such an approach was informed by the evidence prepared by the Councils at that time, which demonstrated that there was insufficient land available within the existing urban area to meet identified development needs. As a result, Policy 3 of the ACS confirms that existing boundaries will need to be reviewed to ensure that the *“other development land requirements”* of the ACS can be met.

1.17 In relation to the Orchard Close site specifically, the LPD proposes to allocate land to accommodate approximately 15 dwellings (site ref. H21). Northern Trust considers that the ‘exceptional circumstances’ required to remove this site from the Green Belt have been demonstrated by GBC. Furthermore, there are ‘exceptional circumstances’ which suggest that further land should be removed from the Green Belt and allocated for housing in this location.

1.18 GBC’s Green Belt Assessment concludes that the area to the west of Burton Joyce is *“critically important”* in preventing Burton Joyce and the Urban Area from merging. By contrast, areas to the east of Burton Joyce have a *“minimal role in preventing coalescence”*³ and there is *“a strong sense of containment to the north-east of the village, partly due to the land rising to the north”*⁴. Overall, GBC concludes that:

*“The compact character of the settlement [of Burton Joyce] and surrounding topography is such that the settlement does not make an important contribution to the openness of the Green Belt”*⁵.

1.19 Only two sites at Burton Joyce were assessed by GBC in the Green Belt Assessment. The entirety of the Orchard Close site that is being promoted by Northern Trust was assessed as ‘Site 1’. In respect of that site, the Green Belt Assessment concludes that:

*“Being on the east side of Burton Joyce and away from any heritage assets, the Site does not contribute to historic character or lead to the reduction of a gap to another settlement. The Site does not contain much development other than that associated with farms. The Site has two boundaries with the settlement and some features to act as defensible boundaries but has limited containment.”*⁶

1.20 The other site assessed in the Green Belt Assessment (at Glebe Farm) was considered to make a greater contribution to the purposes of including land within the Green Belt than the Orchard Close site due to its location within *“the narrow, sensitive gap between Burton Joyce and the Urban Area”*⁷. That site is not proposed for release from the Green Belt in the LPD.

³ Paragraph 5.5, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁴ Paragraph 5.6, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁵ Paragraph 5.6, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁶ Page 12, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁷ Page 12, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

1.21 In light of the above, Northern Trust maintains that GBC has demonstrated the 'exceptional circumstances' required to release the Orchard Close site (H21) from the Green Belt. In particular:

- The level of housing need in the Borough remains broadly in accordance with the housing requirement set out at Policy 2 of the ACS, which should be seen as the minimum number of new dwellings required to meet identified needs over the plan period (see our Hearing Position Statements on Matters 3 and 5 for more detail on this point)¹.
- The spatial strategy of the ACS seeks to locate the majority of new housing development within and adjacent to the main urban area. Beyond the urban area, new development is focused towards the Key Settlements for Growth (Calverton, Bestwood Village and Ravenshead) and, to a lesser extent, the Other Villages. Burton Joyce is the largest of the 'Other Villages' and provides a range of services and facilities including a local centre, primary school and train station⁸.
- GBC has demonstrated that there are insufficient sites available within the urban area to accommodate the level of housing growth required over the plan period⁹.
- The boundaries of the Nottingham Derby Green Belt were first established through the Nottinghamshire Green Belt Local Plan in 1989 and have been subject to limited change over the last three decades. Existing Green Belt boundaries are drawn very tightly around the built-up areas, as identified in the ACS (Paragraph 3.3.1). As a result, there is limited scope for new housing delivery on sites beyond the Green Belt.
- GBC has sought to adopt a sequential approach to guide site selection, which favours land within the main built up area of Nottingham, Key Settlements for Growth and Other Villages before other non-Green Belt (i.e. safeguarded land) and Green Belt land adjacent to existing settlement boundaries.

1.22 However, Northern Trust maintains that the distribution of housing in the 'Other Villages' proposed in the LPD is inconsistent with that anticipated at Policy 2 of the ACS. Further detail on this position is provided within our Hearing Position Statements to Matters 3 and 5. In summary:

- GBC's evidence base indicates a need for between 240 and 360 dwellings in the 'Other Villages' between 2011 and 2028¹⁰. This level of need remains broadly consistent with the anticipated provision of 'up to 260 dwellings' within the Other Villages set out at Policy 2 of the ACS; albeit at the lower end of the range.
- However, despite the LPD evidence base confirming that local needs remain as anticipated in the ACS (as a minimum), GBC only intends to make provision for an additional 140 homes within the 'Other Villages' between 2011 and 2028. This represents a significant shortfall against the identified needs, of between 100 and

⁸ Paragraph 7.2, Local Planning Document: Publication Draft (Part 2 Local Plan) (Gedling Borough Council, May 2016) [LPD/REG/02]

⁹ Housing Background Paper (Gedling Borough Council, May 2016) [LPD/BACK/01]

¹⁰ Section 12, Local Housing Need (Gedling Borough Council, May 2016) [LPD/GRO/04]

220 dwellings over the plan period (between 39% and 58% below identified needs).

- GBC does not provide sufficient evidence to justify such a significant extent of 'under provision' of housing in the 'Other Villages'. Nor does it address the adverse implications that would arise from not meeting local needs and whether sustainable development would be achieved. Instead, GBC simply contends that such an approach is acceptable given the scope to provide additional development within the Urban Area. Whilst urban concentration is a sound overarching principle, the LPD must have regard to the pattern of development which reflects need in order to be sustainable.
- GBC identifies a need for between 70 and 90 dwellings in Burton Joyce over the plan period. However, the LPD seeks to allocate two sites to accommodate just 55 dwellings within Burton Joyce.

1.23 In the circumstances, Northern Trust maintains that additional land at Burton Joyce should be released from the Green Belt and allocated for housing in the LPD.

1.24 Northern Trust maintains that the wider Orchard Close site (comprising the proposed allocation and further land that Northern Trust promotes) makes a minimal contribution to the five purposes of the Green Belt. This is explored in more detail below.

Purpose 1: To check unrestricted sprawl

1.25 A key purpose of the Green Belt is to "...check the unrestricted sprawl of large built-up areas..."¹¹. The intention of this is not to prevent future growth requirements from being met, but to limit the amount of piecemeal development which takes place.

1.26 The wider proposed development site at Orchard Close does not perform a strategic Green Belt function and there are strong boundaries along all edges of the wider site via the existing dense tree belt and mature hedgerows to the north and west. The illustrative masterplan that has been developed for the site also demonstrates that the proposed soft landscaping measures will act as a buffer and ensure that a strong rural edge is maintained to the north and east of the land.

Purpose 2 and 3: To prevent neighbouring towns merging into one another and to safeguard the countryside from encroachment

1.27 The proposed development of the wider plot will not result in any potential merging issues with any of the other nearby settlements, particularly as there is an extensive Green Belt gap between Burton Joyce and Woodborough, approximately 2km to the north of the site.

Purpose 4: To preserve historic towns

1.28 GBC has accepted that development on the site will have no impact upon the significance of any heritage assets, including their setting. The purpose of Green Belts being necessary to preserve the setting and character of historic towns does therefore not apply to this site.

¹¹ Paragraph 80, National Planning Policy Framework (DCLG, March 2012)

Purpose 5: To assist in urban regeneration

- 1.29 One of the key purposes of the Green Belt is to encourage urban regeneration and the re-use of derelict and other urban land. GBC has recognised that opportunities for new development on brownfield land will be maximised where possible, though Green Belt boundaries will need to be amended for strategic and non-strategic sites to ensure that the Objectively Assessed Housing Need for the Borough can be met.
- 1.30 In light of the above, Northern Trust agrees with GBC's position that 'exceptional circumstances' exist to release the land at Orchard Close from the Green Belt. Northern Trust maintains that such exceptional circumstances also apply to a wider parcel of land in this location than is currently proposed for allocation. Such an approach would help to ensure that housing needs arising in Burton Joyce over the plan period are met (in accordance with Policy 2 of the ACS) whilst minimising the impact of new development on the purposes of including land within the Green Belt. In that regard, the site is located on the north-eastern side of the settlement, which is found to be the least sensitive in Green Belt policy terms, and its development would not lead to the reduction of any gap to another settlement.
- 1.31 In response to the second part of Q6, Northern Trust is content that all potential sites in the Green Belt have been considered. However, insufficient sites have been identified to ensure that the minimum housing requirements set out in the ACS and identified local needs are met over the plan period (and beyond); as set out in our Hearing Position Statement in respect of Matters 3 and 5.

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