

# **Gedling Borough Council**

## **Response to Matter 6**

### **Housing Allocations**

#### *Issue 6a: General Questions*

**Q1. Was the site selection process robust? Was an appropriate selection of potential sites assessed? Were appropriate criteria taken into account in deciding which sites to select and was the assessment against these criteria robust?**

- 6.1 Yes the site selection process was robust. The Site Selection Document Main Report (2016) (**LPD/GRO/05**) explains that in order that decisions are made in a transparent and objective way, a process of assembling relevant information and then considering this information in a consistent manner has been undertaken. A two stage process has been used to determine firstly whether a site could be allocated and secondly recommendations made as to whether the site should be allocated in preference to other reasonable alternatives so that the housing requirement for the particular part of the Borough in which the site is located is met. Section 2 of the document explains the approach to identifying the reasonable alternative sites for assessment, Section 3 explains the approach to assessing the reasonable alternative site, Section 4 explains the decision making and Section 5 looks at the recommendations of site allocations for housing in the Local Planning Document.
- 6.2 The Site Selection Document was prepared in tandem with the Housing Background Paper (**LPD/BACK/01**) and Local Housing Need Report (**LPD/GRO/04**). The site selection process has helped identify the scale of development that can be accommodated in and adjacent to the main built up areas of Nottingham. This figure has then informed the scale of development needed at the Key Settlements for Growth of Bestwood Village, Calverton and Ravenshead and also at the Other Villages. The Housing Background Paper confirms that more development than expected can be accommodated in and adjacent to Arnold and Carlton and, therefore, it has been possible to reduce the amount to be accommodated at other locations. The assessments made in the Site Selection Document have helped inform where this reduction could be made and the sites that are recommended for allocation.
- 6.3 Yes an appropriate selection of potential sites was assessed. Section 2 of the Site Selection Document Main Report (2016) (**LPD/GRO/05**) explains how the initial pool of 114 potential sites known as 'reasonable alternatives' was created. These were sites which, in the view of Planning Officers, warranted consideration in order to ensure that sufficient regard was had to alternative options. This was done to ensure that the Local Plan process is robust and

accords with the requirement that consideration is given to reasonable alternatives through the Sustainability Appraisal. Following consultation on the Publication Draft Local Planning Document (**LPD/REG/02**), an addendum to the Site Selection Document was prepared (**LPD/GRO/14**) which considered sites put forward for development through the consultation exercise and considered which of these had already been assessed as part of the initial pool of reasonable alternative sites and which required further consideration so that they were subject to the same level of assessment as other reasonable alternative sites. As a result of this exercise, a further 3 sites were assessed.

- 6.4 Yes the appropriate criteria were taken into account in deciding which sites to select. Section 3 of the site selection document sets out each of the criteria used, the reason it has been used and the source of the information used to assess the site against each criterion.
- 6.5 Yes the assessment against these criteria was robust. The appendices to the Site Selection Document (**LPD/GRO/6-13**) set out the decisions that have been made to arrive at the final list of sites recommended for allocation. This includes decisions about individual sites and combinations of sites. A key part of these appendices are the A3 Site Schedules that have been compiled to inform the site selection process.

**Q2. Are there any significant factors that indicate that any sites should not have been allocated?**

- 6.6 No. Section 3 of the Site Selection Document Main Report (2016) (**LPD/GRO/05**) explains that a two stage process has been used to determine firstly whether the site could be allocated and secondly recommendations made as to whether the site should be allocated in preference to other reasonable alternatives so that the housing requirement for the particular part of the Borough in which the site is located is met. Section 4 of the Site Selection Document explains that the first decision is taken with reference to the site in isolation. This determines whether the site could be allocated, which includes considering whether:-

- the site has practical and achievable means of access to the public highway;
- if the site is within the Green Belt, there are defensible features which could be used to define the boundary of the Green Belt;
- the site is being promoted for development;
- there are other policy designations (such as open space or employment) and evidence suggesting the designation should continue;
- a significant portion of the site is at risk of flooding;
- development of the site would cause significant harm to a number of the factors identified (such as heritage, landscape, flooding).

- 6.7 Sites which did not accord with the above factors were not considered further for allocation. As such, the sites allocated for housing within the Local

Planning Document were all recommended for consideration for allocation following stage 1 of the site selection process.

**Q3. Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?**

- 6.8 See the response to Q4 below in terms of the viability assessment that has been undertaken for the 24 housing allocations identified in the Local Planning Document. Paragraph 6.1 of the document confirms the policy impacts and key assumptions that were accounted for in the viability testing, which includes key site conditions and constraints.
- 6.9 The Housing Implementation Strategy (**LPD/HOU/01**) sets out the Council's approach to managing the delivery of the housing provision contained within the LPD. This document considers the risk to the delivery of the LPD housing provision and describes what action would be taken if monitoring indicates the Borough is not meeting its housing targets once the LPD is adopted. Section 5 of the document identifies the types of risk that could prevent or delay housing or employment sites coming forward. This is followed by a risk assessment for each housing site allocation in Appendix 1 which also indicates what actions may be taken to reduce risk. The delivery of housing and employment land take up will be monitored on an annual basis and the Borough Council will take a proactive approach to housing and employment delivery through coordinating site delivery and in providing pre-application advice. As such, actions will be kept under review and this document is therefore a "living" document which will evolve as required in order to address any delivery issues.
- 6.10 Issues relating to specific sites have been discussed in detail with developers through two rounds of meetings with landowners and developers following consultation on the Local Planning Document Publication Draft.

**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?**

- 6.11 The purpose of the Gedling Borough Council Local Plan Viability Assessment (**LPD/HOU/08**) is to appraise the viability of the Gedling Borough Local Planning Document in terms of the impact of its policies on the economic viability of the development expected to be delivered during the Plan period to 2028. The study considers policies that might affect the cost and value of development in addition to the impact of the adopted Community Infrastructure Levy Charges. Paragraph 6.1 of the document confirms that the viability testing undertaken accounted for the following policy impacts and key assumptions:-
- Greenfield or Brownfield Development;
  - Delivery Timescale;
  - Affordable Housing Delivery of 10-30%;
  - Key Planning Policy Cost Impacts;
  - Community Infrastructure Levy;

- Residual Planning Obligation Allowances; and
  - Site Specific Abnormal Costs and Mitigation Factors.
- 6.12 Where the development of sites would be restricted through environmental constraints, this was addressed through the capacity assumed for that particular site and/or through 'site specific abnormal costs and mitigation factors'.
- 6.13 Viability assessments were undertaken for both residential and commercial development scenarios and for both greenfield and brownfield development. The results identify the margin of viability for each site, taking account of all development values and costs, plan policy impact costs, community infrastructure levy charges and having made allowance for a competitive return to the landowner and developer. In essence a positive margin confirms whole plan viability.
- 6.14 The testing showed that the Gedling Borough Local Planning Document Policies are broadly viable for all forms of housing development and demonstrate that Affordable Housing delivery at the Council's policy targets of 10-30% delivery proposed by the Plan are broadly viable allowing a degree of flexibility when based on typical site development.
- 6.15 The study illustrates that all greenfield sites in the initial 0-5 year delivery period (i.e. the 5 year land supply) are viable based on the adopted assumptions. A small number of brownfield sites demonstrate marginal viability but are still considered to be broadly viable and deliverable. Viability improves in both the medium term (6-10 years) and longer term (11-15 years) with all sites demonstrating positive viability.
- 6.16 In terms of deliverability, Appendix E of the Housing Background Paper Addendum (**EX/22**) provides the list of housing allocations and includes the source of information on delivery.

**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?**

- 6.17 Yes all of the detailed requirements for each of the allocations are clear and justified. The supporting text to each of the policies which allocate land for housing, ie LPD 64-70, comments on each site and sets out the key requirements for each of the allocations as drawn from the Infrastructure Delivery Plan (**IDP/GRO/15**). Paragraph 1.3 of the LPD emphasises that no policies will be applied in isolation and account will be taken of all relevant policies.
- 6.18 Yes, site constraints, development mix and viability considerations been adequately addressed. The Site Selection Document (**LPD/GRO/05**) considers each site in turn, identifies any site constraints and considers how

these should be addressed. In addition, the supporting text to each of the policies which allocate land for housing, ie LPD 64-70, comments on each site and sets out the key requirements for each of the allocations as drawn from the Infrastructure Delivery Plan (**IDP/GRO/15**).

- 6.19 Development mix is covered by ACS policy 8 and LPD policy 37. ACS Policy 8 Housing Size, Mix and Choice confirms that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. LPD Policy 37 considers the provision of an appropriate mix of housing subject to housing need and demographic context within the local area.
- 6.20 Viability considerations have been adequately addressed – see response to Q3 and Q4 above.
- 6.21 Yes the boundaries and extent of sites have been correctly defined. The site selection process (see the response to Q1 above) assessed a total of 117 reasonable alternative sites. Section 4 of the Site Selection Document (**LPD/GRO/05**) explains that the boundaries put forward by developers/landowners were used as a starting point only. For example, where a number of sites are adjacent to each other, they have been considered together. Where this has been done, sites may have been allocated as one site. Where it is considered appropriate to recommend allocation of a site, the whole of the site identified in the SHLAA has not automatically been recommended; rather consideration has been given to the need to retain open areas to act as buffers, for example for landscape reasons or to protect a heritage asset. Consideration has also been given to the need to use defensible boundaries to define the Green Belt; where this would result in more land than required being released consideration has been given to designating the land as safeguarded land. The Report of Responses (**LPD/REG/04**) also explains why extensions to sites put forward by developers/landowners have not been accepted.

**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?**

- 6.22 Once established, the NPPF (paragraph 83) identifies that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. The Inspector's Report into the ACS (**LPD/POL/07**) confirmed at paragraph 111 "I agree with the Councils that the exceptional circumstances required for alterations to Green Belt boundaries exist". It was shown that the Objectively Assessed Housing Need could not be met without the removal of land from the Green Belt and that a lower amount of housing was not sustainable when considering environmental, social and economic factors.
- 6.23 The Inspector's report on the ACS (**LPD/POL/07**) at paragraph 118 states that the ACS should give direction to Part 2 Local Plans to emphasise that non-

Green Belt sites have first preference and that sites to be released from the Green Belt must have good sustainability credentials. Furthermore, a sequential approach to site release as outlined in ACS Policy 3 The Green Belt is consistent with national policy and ensured that it was clear as to which areas of the Green Belt considered for removal at the Part 2 Local Plan stage would be preferred and which would not. The Local Planning Document has been prepared to be consistent with the ACS in this matter.

- 6.24 The Green Belt Assessment July 2015 (**LPD/GRE/02**) reiterates that the Objectively Assessed Housing Need for the Borough could not be met without the removal of land from the Green Belt and explains the approach taken to assessing the Green Belt. Paragraph 1.4 of the Green Belt Assessment explains that the consideration of land within the Borough for development will take account of the scale of development needs, the ability to deliver sustainable development, the availability of non-Green Belt sites and the nature and extent of the harm to the Green Belt from releasing sites. While the harm to the Green Belt is an important part of making decisions about whether to develop a particular site or not, other factors such as flooding, the historic environment and landscape also need to be factored in and a balanced decision taken.
- 6.25 Paragraph 4.3 of the Site Selection Document (main report) states that the second stage of the site selection process involves the determination of whether a site should be allocated (once it has been confirmed that a site could be allocated), which is a comparative exercise between the sites being considered. Account was taken of different ways to achieve the scale of housing identified for the settlement in the Housing Background Paper. In making decisions regard has been had to:-
- the harm development of the site would cause (including in terms of Green Belt, landscape and heritage) with preference given to sites which, on balance, would cause less or no harm;
  - whether there are 'exceptional circumstances' in terms of the need for the release of Green Belt land to meet the identified 'left to find' figure for a settlement;
  - whether the site would substantially exceed the 'left to find' figure and there are no options to reduce the site to a size that better relates to the 'left to find figure'; and
  - whether the site would require additional, unsuitable land to be allocated (for instance to allow access to be achieved).
- 6.26 The LPD (**LPD/REG/02**) at paragraph 3.3 confirms the urban area sites identified in Policy LPD 64 have been allocated following a site selection process and indicates that it is considered that there were exceptional circumstances required to amend the boundary of the Green Belt. Paragraphs 4.3, 5.3, 6.3, 7.3 and 9.4 refer similarly to Bestwood Village, Calverton, Ravenshead, Burton Joyce and Woodborough respectively.
- 6.27 In relation to changes to Green Belt boundaries aside from allocating land for development, an assessment as to whether any changes should be made to the Green Belt status of settlements and the need for consequential changes

to the Green Belt boundary was undertaken. The Green Belt Assessment July 2015 (LPD/GRE/02) provided a consideration of the status of the rural settlements and the significance of paragraph 86 of the NPPF which sets out that only where the open character of the settlement makes an important contribution to the Green Belt should the settlement be included within the Green Belt. A review of the three categories of settlements of inset, infill and wash over was undertaken with consideration of the character of each settlement and the contribution to the openness of the character makes to the Green Belt.

- 6.28 Given the above, it is considered that exceptional circumstances have been demonstrated to enable the alteration of existing Green Belt boundaries.
- 6.29 Yes, all potential sites in the Green Belt have been considered as reasonable alternatives through the site selection process based on clear criteria as outlined in paragraph 6.3 above.

**Q7. Has full consideration been given to the Human Rights Act when allocating sites in the Plan?**

- 6.30 When allocating sites in the Plan full consideration has been given to the Human Rights Act (specifically under Article 1 and 8 of Protocol 1) and the Council note that these rights are qualified and are set against the general interests of the public and the protection of the rights and freedoms of others. The Council has considered that any interference with individual's convention rights is justified in the interests of the community to provide additional housing. The need to balance the interests of society against the interests of individuals or groups was taken into consideration by the Aligned Core Strategy Inspector who identified the objectively assessed housing need for the Borough to be 7,250 new homes and that the most sustainable location for these new homes was in or adjacent to the urban area.
- 6.31 The Sustainability Appraisal has taken into account social, environmental and economic impacts which have been fed into site selection. In this context the Borough Council considers it has balanced the need for development of the site against a range of factors including those arising from local impact on communities affected by the development. The impact on residential amenity is not considered to be unacceptable and there are appropriate safeguards through individual policies to control the impact.
- 6.32 It is appropriate that the planning system is used to ensure a reasonable level of amenity for both existing and new residents. The Borough Council has policies in place, notably Policies LPD32: Amenity and LPD35: Safe, Accessible and Inclusive Development, which will address the impact of development on local amenity and seek to ensure potential impacts are controlled and are acceptable.
- 6.33 It is viewed that residents have been treated with fairness, dignity and respect as substantiated by the way the Council has committed to exceeding the

minimum requirements set out in the Regulations regarding the approach to consultation.

### **Conclusion**

- 6.34 The Aligned Core Strategy Inspector confirmed that the exceptional circumstances required for alterations to the Green Belt boundaries exist.
- 6.35 The Borough Council considers that a robust site selection process and appropriate selection of potential sites based on location, size, planning status and Strategic Housing Land Availability Assessment has been undertaken, supported by evidence from a wide range of sources.
- 6.36 It is viewed that the detailed requirements for each of the allocations is clear and justified and constraints, development mix and viability have been adequately addressed.
- 6.37 It is confirmed that full and appropriate consideration has been given to the Human Rights Act.

### **Further Proposed Changes**

- 6.38 No further proposed changes are being put forward at this stage.