

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

Hearing Position Statement in relation to
Matter 9: Housing Allocations in Other
Villages

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

February 2017

Issue 9a: Burton Joyce

Q1. Has sufficient land been allocated for housing in Burton Joyce to meet local needs? [Policy LPD 68]

- 1.1 Northern Trust maintains that insufficient land has been allocated for housing in Burton Joyce.
- 1.2 As set out in detail within our Hearing Position Statements to Matters 3 and 5, the distribution of housing in the 'Other Villages' proposed in the Local Planning Document (LPD) is inconsistent with that anticipated at Policy 2 of the Greater Nottingham Aligned Core Strategies (ACS). In summary:

- Gedling Borough Council's (GBC) evidence base indicates a need for between 240 and 360 dwellings in the 'Other Villages' between 2011 and 2028¹. 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.
- 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 220 dwellings over the plan period (between 39% and 58% below identified needs).
- GBC has not provided 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, in its written submissions, 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.

In the Examination hearing session for Matter 5, however, the reasons given by GBC officers for the reduced 'allocation' was the availability of suitable sites within the 'Other Villages'. Indeed, it was acknowledged that if evidence demonstrated the availability of suitable land, this may influence the Council's position on the amount of housing to be directed to the 'Other Villages'. This is highly relevant; as we demonstrate in our representation and reference again below that there is no barrier to development of an extended site at Orchard Close, Burton Joyce.

- Burton Joyce is the largest settlement within the 'Other Villages' category and the most populous village in the Rural South sub-market; home to approximately 3% of the total population of the Gedling Borough². It also provides a range of facilities including a local centre, primary school and train station with services to

¹ Section 12, Local Housing Need (Gedling Borough Council, May 2016) [LPD/GRO/04]
² Local Housing Need (Gedling Borough Council, May 2016) [LPD/GRO/04]

Nottingham and Lincoln³. As a result, the settlement should provide a substantial proportion of the new homes identified as needed within the Other Villages.

- GBC identifies a need for between 70 and 90 dwellings in Burton Joyce over the plan period⁴. However, the LPD seeks to allocate two sites to accommodate just 55 dwellings within Burton Joyce.

³ Paragraph 7.2, Local Planning Document Publication Draft (Gedling Borough Council, May 2016) [LPD/REG/02]

⁴ Local Housing Need (Gedling Borough Council, May 2016) [LPD/GRO/04]

Issue 9c: Orchard Close (H21) [Policy LPD 68]

Q6. Is the proposed allocation justified and appropriate in terms of the likely impacts of development?

1.3 Northern Trust maintains that the proposed allocation of the Orchard Close site is justified and appropriate. In particular:

- The site is well located within the village and within close proximity to a number of key services and facilities.
- The site makes a minimal contribution to the five purposes of including land within the Green Belt (see response to Q8 below).
- Housing development on the site would form a natural extension to Burton Joyce due to the dense urban edge to the south and west and the landscaped boundaries to the north and east.
- There are no known technical or environmental constraints that would prevent development of the site from coming forward.

Q7. Is the proposed allocation deliverable? In particular, is it:

(a) confirmed by the landowner involved as being available for the use proposed?

1.4 The site is within the control of a willing landowner, and Northern Trust has entered into a legal agreement to promote the site for development. As a result, there are no known ownership or other legal constraints to development.

(b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

1.5 County Highways has previously advised that “*Access to Orchard Close would be acceptable for the level of development. Only up to 150 dwellings (including existing ones) should be served by a single access*”⁵. Orchard Close currently serves 32 properties. There is, therefore, theoretical capacity to provide an additional 118 dwellings served by this road.

1.6 The proposed allocation (H21) relates to a capacity of 15 dwellings on the site, whilst the extended site promoted by Northern Trust proposes a further 50 dwellings, in addition to those already proposed to be allocated (i.e. a total of 65 dwellings). In either situation, the total number of dwellings to be accessed from Orchard Close will not exceed 97; well below the capacity of the road provided by County Highways.

⁵ Site 6/31 Hillside Farm, Appendix E – Burton Joyce, Site Selection Document (Gedling Borough Council, May 2016) [LPD/GRO/10]

1.7 Initial advice on transport and accessibility has been provided by Curtins and confirms that the provision of a safe and appropriate access to the site from Orchard Close is achievable.

(c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

1.8 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 deliverable and 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 and GBC's evidence base indicates that the site is located within a 'High Value Sub Market'⁶.

1.9 Whilst relating to a broader site at Orchard Close, the Development Statement that has been prepared by Northern Trust demonstrates that:

- The site is in a sustainable location within close proximity of the services and facilities on offer in Burton Joyce, including schools, healthcare, community and sports facilities.
- The site is well integrated into the existing highway network and accessible by a number of sustainable modes of transport. There are also good pedestrian and cycle linkages to outlying areas.
- As the site is located immediately adjacent to existing residential development, it is not anticipated that the availability of utilities or infrastructure will be a constraint on delivery.
- The design and siting of new housing on the site can be delivered in a manner which is sensitive to the site's topography, whilst also retaining important landscape and ecological features (e.g. hedgerows and trees).
- There are no restrictive environmental designations or constraints which would present an obstacle to the development of the site for housing.

Q8. Should this site be extended to enable the construction of around 65 homes on an enlarged site?

1.10 Northern Trust maintains that the proposed allocation should be extended to include additional land to the north of east of site H21. The initial masterplanning exercise that has been undertaken on behalf of Northern Trust indicates that approximately 65 dwellings could be delivered across this wider site.

1.11 The rationale for allocating further land in this location is provided in our representations to the Publication draft LPD in July 2016 and the accompanying Development Statement. In summary:

⁶ Page 31, Gedling Borough Council Local Plan: Viability Assessment (Nationwide CIL Service, March 2016) [LPD/HOU/08]

- There is a need to allocate further land in Burton Joyce in order to deliver the level of homes in the village envisaged in the ACS, and the level required to meet identified needs. More detail on this point is provided in our Hearing Position Statements in respect of Matters 3 and 5.
- Land to the west of Burton Joyce is “critically important in performing one of the five purposes of the Green Belt” as it prevents Burton Joyce and the urban area from merging⁷.
- As the Orchard Close site is located on the east side of Burton Joyce, it does not contribute to historic character or lead to the reduction of a gap to another settlement. It has two boundaries with the settlement and some features to act as defensible boundaries but has limited containment⁸.
- The site is in a sustainable location within close proximity of the services and facilities within Burton Joyce and is accessible via a range of sustainable transport modes.
- The site is adjacent to the settlement but does not make an important contribution to the purposes of the Green Belt⁹.
- Access to Orchard Close would be acceptable, and County Highways have indicated that the necessary gradients required are possible¹⁰.
- The development of the site would have “no impact” upon the significance of heritage assets, including their setting¹¹.

1.12 In addition, Northern Trust maintains that the wider Orchard Close site 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

1.13 A key purpose of the Green Belt is to “...check the unrestricted sprawl of large built-up areas...” (The Framework, paragraph 80). 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.

1.14 The wider proposed development plot 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 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.

⁷ Paragraph 5.5, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁸ Page 12, Green Belt Assessment (Gedling Borough Council, July 2015) [LPD/GRE/02]

⁹ Site 6/923, Appendix E – Burton Joyce, Site Selection Document (Gedling Borough Council, May 2016) [LPD/GRO/10]

¹⁰ Site 6/923, Appendix E – Burton Joyce, Site Selection Document (Gedling Borough Council, May 2016) [LPD/GRO/10]

¹¹ Site 6/923, Appendix E – Burton Joyce, Site Selection Document (Gedling Borough Council, May 2016) [LPD/GRO/10]

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

- 1.15 GBC's Green Belt Assessment (July 2015) confirmed that, due to the village's compact character and the surrounding topography, the majority of the site "does not make an important contribution to the openness of the Green Belt."
- 1.16 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

- 1.17 GBC has accepted that the 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.

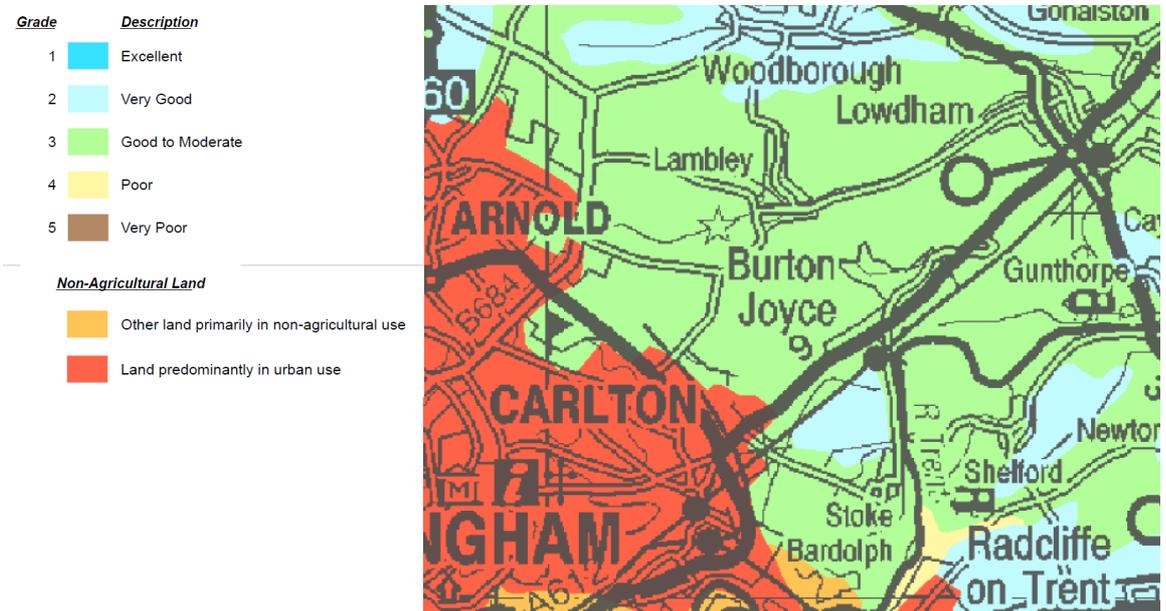
Purpose 5: To assist in urban regeneration

- 1.18 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.

Q9. Has full consideration been given to the impact of the development of housing on this site on agricultural land?

- 1.19 The Agricultural Land Classification map for the East Midlands prepared by Natural England indicates that agricultural land to the north east of Nottingham – including around Burton Joyce – is generally of 'good to moderate' quality (i.e. Grade 3), with areas of 'very good' (Grade 2) quality agricultural around Woodborough and to the north of Stoke Bardolph.
- 1.20 The site has been within the ownership of the current landowners' family for a number of decades. They have confirmed that, due to topography, the site is used for grazing of cattle and / or sheep. However, the site is unsuitable for grazing of cattle all year round, as there is not enough grass available between the end of October and April each year. The site's topography and the size of land parcels that make up the site also make it inaccessible by a combined harvester which severely restricts the potential for arable farming.
- 1.21 In the circumstances, Northern Trust maintains that the development of the Orchard Close site (either as proposed to be allocated or as extended) is unlikely to involve the loss of 'best and most versatile agricultural land' (i.e. Grade 1 – 3a land).

Figure 1.1: Extract from East Midlands Region – Agricultural Land Classification Map



(Source: Natural England)

Q10. What are the exceptional circumstances which justify the removal of this site from the Green Belt?

- 1.22 As set out in our Hearing Position Statement to Matter 4 (Green Belt), the ACS clearly establishes the principle of reviewing 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.
- 1.23 In relation to the Orchard Close site specifically, 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).
 - 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 station¹².

- 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 demonstrated that there are insufficient sites available within existing settlements to accommodate the level of housing growth required over the plan period¹³.
- 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.

Q11. Has sufficient regard been had to flood risk?

- 1.24 A number of local residents have previously raised concerns about the potential for the development of the Orchard Close site (either as proposed to be allocated or a wider site) to give rise to an increase in the risk of flooding. Anecdotal evidence indicates that there have been previous instances of surface water flooding down Orchard Close and Hillside Drive in extreme weather events.
- 1.25 The site currently comprises agricultural land. As a result, surface water runoff from the site is currently unattenuated.
- 1.26 Development of the site provides the opportunity to ensure that surface water is attenuated to reduce the risk of flooding elsewhere. In particular, initial drainage advice from Curtins has indicated that 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.
- 1.27 In the circumstances, Northern Trust maintains that the development of the Orchard Close site could help to reduce the risk of flooding by ensuring that surface water run-off from the site is attenuated.

Q12. Has full consideration been given to unstable land?

- 1.28 In response to a request from a number of residents on Orchard Close, the British Geological Survey (BGS) investigated the matter in July 2014. BGS confirmed that a

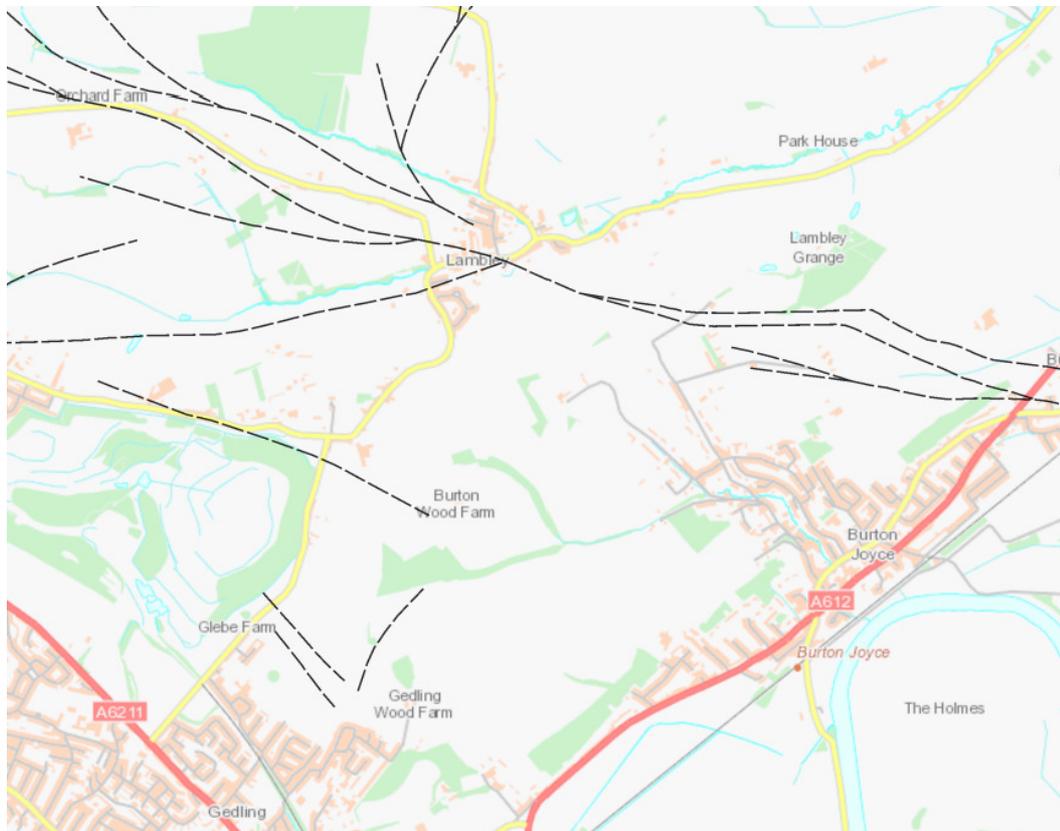
¹² Paragraph 7.2, Local Planning Document: Publication Draft (Part 2 Local Plan) (Gedling Borough Council, May 2016) [LPD/REG/02]

¹³ Housing Background Paper (Gedling Borough Council, May 2016) [LPD/BACK/01]

geologist had reviewed the relevant maps of the area, including the original fieldslips surveys in the late 1980s and that:

- There is no fault line beneath the land immediately to the north of Orchard Close.
- Whilst there are several fault lines in the area (see map extract at Figure 1.1); the closest is located approximately 450 metres to the north of the Orchard Close site. All “*very minor structures and there is no information on the maps to suggest that they were derived from underground mine data*”.
- Geological faults in this area are of ancient origin, are today mainly inactive, and are thought to present no threat to property in terms of natural tectonic activity.

Figure 1.2: Extract from GeoIndex Report by BGS (July 2014)



(Geological fault lines shown with black dashed lines)

- 1.29 Furthermore, the landowner has no knowledge of previous land slips on the land. As a result, Northern Trust is confident that land stability is not significant constraint to the development of the Orchard Close site (either as proposed to be allocated or as extended).

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