

## **Examination of the Gedling Local Planning Document Publication Draft (Part 2 Local Plan)**

### **Inspector's Initial Questions for the Council**

#### **Introduction**

1. This note flags up some initial questions and requirements for further information that would benefit from early clarification. In answering these questions could the Council consider whether it might be necessary to advance any potential *Main Modifications* to the Plan?

#### **Proposed Changes**

2. I note that the Council has suggested proposed changes to the Plan in response to some representations. Have these been consulted upon? If not, is the Council asking that these be considered as *Main Modifications* to the Plan?
3. The Schedule of Changes to Local Planning Document Publication Draft (October 2016) (LPD/REG/05) sets out the proposed changes in detail. The final column sets out the reason for the particular change. Could the Council please include a more comprehensive reason for each change?

#### **Scope of the Local Plan Part 2**

4. Does the scope of the Local Plan Part 2 reflect that set out in the Local Development Scheme?

#### **Duty to Co-operate**

5. The Report of Consultation on the Local Planning Document (LPD/REG/07) includes a Duty to Co-operate Statement in Appendix 2 and a Summary of Consultation Stages in Appendix 3. In order to assess whether or not the Duty to Co-operate has been met, more details are required from the Council, including a comprehensive statement setting out in detail the arrangements for cross boundary working with each of its neighbouring local authorities. How is the planning work of the various planning authorities co-ordinated? Are there any standing arrangements/protocols/memorandums of understanding which are in place? What has been the nature and timing of co-operation, on which issues and how has it influenced the Plan? For ease of reference, it would be useful if the Council could provide me with a revised Duty to Co-operate Statement incorporating these details.
6. Policy LPD 64 allocates a site for 120 homes at Hayden Lane (H10). When was this site first included in the Plan? Has the Duty to Co-operate been met in relation to the allocation of this site? If so, how has this been achieved? Please could the Council ensure that this matter is comprehensively covered in the revised Duty to Co-operate Statement?

## **Affordable Housing**

7. Policy LPD 36 refers to the provision of 10%, 20% or 30% of the dwellings provided for affordable housing depending on location, *as set out in the Affordable Housing Supplementary Planning Document.*
8. Regard should be had to Regulations 5 and 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012 which prescribe, in effect, that the following is a Local Plan, rather than any form of supplementary planning document:

*'(a) any document prepared by a local planning authority ... which contains statements regarding one or more of the following –*

- (i) the development and use of land which the local planning authority wish to encourage during any specified period;*
- (ii) the allocation of sites for a particular type of development or use;*
- (iii) any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land mentioned in paragraph (i); and,*
- (iv) development management and site allocation policies, which are intended to guide the determination of applications for planning permission;*

*(b) where a document mentioned in sub-paragraph (a) contains policies applying to sites or areas by reference to an Ordnance Survey map, any map which accompanies that document ...'*

9. Paragraph 153 of the National Planning Policy Framework says that supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery. Paragraph 154 says that Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where.
10. Policy LPD 36 defers important policy matters to the Affordable Housing SPD, by setting thresholds to geographical locations, which should be before the Examination for testing.
11. How does the Council intend to identify in the Plan those locations where the provision of 10%, 20% or 30% of the dwellings provided for affordable housing would apply?
12. Do these percentages apply to allocated sites and to unallocated sites which may come forward during the Plan period?

## **Transport**

13. Policy LPD 57 refers to residential development proposals meeting the requirement for parking provision *set out in the Parking Provision for Residential Development Supplementary Planning Document* and non-

residential development proposals meeting the requirement for parking provision *set out in the 6C's Design Guide*.

14. The Council should again have regard to Regulations 5 and 6 the 2012 Regulations and Paragraphs 153 and 154 of the National Planning Policy Framework.
15. Policy LPD 57 defers important policy matters to the Parking Provision for Residential Development SPD and the 6C's Design Guide, namely the parking provision for residential and non-residential developments, which should be before the Examination for testing.
16. How does the Council intend to address this matter?

### **Gypsies, Travellers and Travelling Showpeople**

17. Policy 9 of the Aligned Core Strategy (ACS) says that sufficient sites for Gypsy and Traveller, and Travelling Showpeople accommodation will be identified in line with a robust evidence base and that the allocation of sites will be made in Part 2 Local Plans in accordance with the evidence base. It also sets out the criteria to be used to identify suitable Gypsy and Traveller, and Travelling Showpeople sites and associated facilities, as well as being used in the case of speculative proposals.
18. The South Nottinghamshire Gypsy and Traveller Accommodation Assessment (January 2016) identifies a baseline need for a total of 3 additional pitches in Gedling Borough between 2014 and 2029. This need is not met in the Plan. Where there is an unmet need, sites must be allocated to meet that need. However, where a Council is not meeting its own needs in full, it must ask adjoining authorities to meet the remaining need.
19. How does the Council intend to ensure that the 3 additional pitches required within the Borough will be provided? What will the timescale be for this as the Council is required to have a 5 year supply of deliverable traveller sites? Your attention is drawn to paragraph 10 of Planning Policy for Traveller Sites (PPTS). Please explain whether you consider the submitted Plan accords with PPTS and, if not, how you intend to remedy this.

### **Housing Distribution**

20. Policy LPD 63 identifies 4,330 homes in or adjoining the main built up area of Arnold and Carlton. The Housing Background Paper identifies a total supply for the Urban Area as 4,097 dwellings, made up of completions (884), extant planning permissions, including the Teal Close Strategic Site, (1,148), deliverable sites below the threshold for allocation (265) and allocations H1 – H9 (1,800). Would the difference of 233 dwellings be made up from windfalls?
21. I note the proposed change put forward by the Council to include an additional paragraph 2.4 which explains that the figures set out in Policy LPD 63 include dwellings which have already been built, granted planning permission and which could be built on sites which do not need a change in

planning policy. Does this provide sufficient clarity in terms of the number of dwellings already built etc and the number of dwellings which the Plan must therefore seek to allocate to meet its target of 7,250 dwellings?

22. The distribution of housing differs in the Plan to that set out in the ACS. Why is this and does the distribution proposed in the Plan accord with the Spatial Strategy of the ACS? Where is the evidence base to support this divergence? Furthermore, has Policy LPD 63 been subject to a Sustainability Appraisal? If so, where can this information be found? If not, how does the Council intend to remedy this?
23. Is the distribution of homes between the Key Settlements in the Plan appropriate? How has this distribution evolved, given that it differs to that in the ACS? Is it clear how and why the Council has reduced the housing requirement in the Key Settlements? Has this approach been subject to a Sustainability Appraisal?
24. If the provision of up to 260 homes in other villages referred to in the ACS (Policy 2) is solely to meet local needs, what evidence of local needs does the Council have to support its requirement of 140 homes in the other villages? Indeed, I note that the target for Burton Joyce is less than the identified housing need and the requirement in Woodborough is at the lower end of the housing need.

### **Housing Supply during the Plan period**

25. The provision of 7,250 homes is the minimum that should be provided in the Plan period as set out in the ACS. Does the Council consider that sufficient sites have been allocated to meet this target? Where is the evidence for this?
26. Although a planning application for the Gedling Colliery/Chase Farm site (H9) has been submitted to the Council, why does the Council consider that it would not now be necessary to plan for the total of 7,550 homes set out in the ACS (Policy 2) compared to the housing target of 7,250? Would this provide sufficient flexibility if any problems were to arise with sites coming forward, particularly given that 7,250 is a minimum requirement? Why is there no buffer? If the Council considers that there is no need for a buffer, why is this?
27. Does the Council expect all the dwellings identified in the extant planning permissions to be built? If so, what evidence is there to support this?
28. What evidence is there to support individual sites with planning permission being excluded/included within the Council's supply calculations?
29. Does the Council anticipate that all the dwellings identified on the 'deliverable sites below the threshold for allocation' will be built? If so, what evidence is there to support this?
30. Has a lapse rate been included in the Council's calculations?
31. If there is uncertainty that the housing site at Newstead (H22) will come forward during the Plan period, although the Council has not included it as a site which would contribute towards meeting the housing target, why has it been included in the Plan at all?

## **5 Year Housing Land Supply**

32. The Council has assessed the housing completions over an 11 year period (2004/05 – 2014/15). However, since the start of the Plan period net residential completions have only met the ACS target in one of the last 4 years, resulting in a shortfall of 246 homes. The estimated completions for 2015/16 also indicate a shortfall against the ACS target, which would result in a shortfall of 457 homes in the first 5 years of the Plan. In these circumstances, does the Council still consider that a 5% buffer would be appropriate when calculating its 5 year housing land supply? If a 20% buffer is applied, does the Council have a 5 year supply of deliverable housing land?
33. In terms of the Council's calculation of the 5 year supply of deliverable housing land, the Housing Background Paper (LPD/BACK/01) indicates that the Council can demonstrate a supply of 5.33 years. The housing requirement set out in the ACS for the 5 year period (2016 to 2021) is 2,320 homes and the shortfall is 457 homes, which gives a 5 year housing requirement of 2,777 homes. Once the 5% buffer is added, this gives a total 5 year requirement of 2,916 homes. The Council has identified a housing supply for this 5 year period of 2,961 homes. This would give a housing land supply of 5.08 years. Why does the Council carry out the calculation using a 5 year requirement of 2,777 homes (555 homes pa) and then refer to having a supply of 5.33 years (against the requirement for a supply of 5.25 years)?
34. What evidence is there to support the projected completions on the sites expected to deliver homes within the 5 year period 2016 – 2021, in particular on allocated sites which do not currently have planning permission?
35. What evidence is there to support build out rates for each site, in particular larger sites?

## **Employment Land Supply**

36. Policy 2 of the ACS allocates employment land at Top Wighay Farm (8.5ha) and Teal Close (7ha) in these Strategic Allocations. The ACS also identifies Gedling Colliery/Chase Farm as a strategic location where at least 2ha of employment land should be provided. The Plan allocates 5ha of employment land at Gedling Colliery (E1) and 1ha of employment land at Hillcrest Park (E2).
37. Policy 4 b) of the ACS requires the provision of a minimum of 23,000sqm of new office and research development floorspace (2011 to 2028); Policy 4 d) requires the provision of a minimum of 10ha for new and relocating industrial and warehouse uses (B1(c), B2 and B8) in Part 2 Local Plans; and Policy 4 e) promotes significant new economic development as part of Sustainable Urban Extensions at Top Wighay Farm, Teal Close and Gedling Colliery/Chase Farm.
38. Is the requirement in Policy 4 b) and d) of the ACS in **addition** to the employment land allocated on the Strategic Sites at Top Wighay Farm and Teal Close and the strategic location at Gedling Colliery/Chase Farm in Policy 2 (4) of the ACS and referred to separately in Policy 4 e)? If so, would the

provision of employment land in the Plan accord with the requirement set out in Policy 4 (b) and (d) of the ACS?

### **Sustainability Appraisal**

39. Has the Sustainability Appraisal been robustly prepared with a comparative and equal assessment undertaken of each reasonable alternative? Does it represent the only site selection methodology or has the Council used any other process?
40. How has the Sustainability Appraisal process given appropriate consideration to minerals and coal mining issues?

### **Conclusion**

41. If you require clarification on any of the matters raised, I would be happy to respond. I will shortly begin to formulate the matters and issues to be discussed at the Hearings and no doubt formulate a comprehensive set of questions for you to respond to. A copy of this note and the Council's response should be placed on the Examination website.
42. An early response to the above queries would be appreciated. I am keen that the above matters are resolved, in so far as they can be, promptly in order to ensure that the Examination is not unduly delayed. I therefore request a response by close of play on **Friday 9 December 2016**. If the Council considers that it is unlikely to meet this target, then please let me know as soon as possible.

Karen Baker  
Inspector  
22 November 2016