

Gedling Borough Council

Calverton Neighbourhood Plan: Response to the Examiner's Supplementary Question.

(09/05/2017)

1. In relation to the disputed Policy NE4 and 'Southern Ridge Area' of the Calverton Neighbourhood Plan (CNP), the examiner has requested whether Gedling Borough Council (GBC) and Calverton Parish Council (CPC) need to provide any further evidence to come to a conclusion on this matter. This letter affirms GBC's position, and highlights the relevant evidence documents that underpin the Borough Council's objection.
2. For clarity, references made to key evidence documents are **highlighted bold**. Appendix A lists out the key evidence documents and provides links to the documents in the Local Planning Document examination library.
3. The final section of this response sets out GBC's requested outcome with regards to Policy NE4 and the 'Southern Ridge Area' designation in the CNP.

Basic Condition

4. GBC considers that Policy NE4 and the 'Southern Ridge Area' of the CNP do **not** meet the following basic conditions, for the reasons explained and justified below:
 - a) "having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);
 - e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);

Brief Summary

5. The emerging Local Planning Document (LPD) allocations H14 and H15 are required to meet the objectively assessed housing need and to contribute to Borough Council's 5 year housing land supply. These proposed allocations are based on up to date evidence supporting the LPD. The evidence base

also confirms there would be no adverse impact on the 'Southern Ridge Area' arising from the allocations H14 and H15.

6. Policy NE4 is unnecessary given that the 'Southern Ridge Area' is adequately protected by Green Belt Policy and landscape policies. There is also inconsistency with both the National Planning Policy Framework (NPPF) and the adopted Replacement Local Plan (2005) (RLP) through the inclusion of part of the built up area of Calverton within the 'Southern Ridge Area'. However, if the Inspector is minded to recommend retention of the 'Southern Ridge Area', the boundary should exclude the built up area of Calverton and the H14 and H15 proposed housing allocation sites.

Key Concern: Housing Growth in Calverton

Aligned Core Strategy

7. Calverton is identified as a 'Key Settlement' to accommodate housing growth in the adopted **Aligned Core Strategy (ACS) (2014)**. Policy 2 of the ACS supports the principle of distributing 'up to 1,055' homes in Calverton, and an indicative plan setting out the broad location of future development is included in Appendix A of the ACS (Strategic Site Schedules) on **page 195**.
8. The emerging LPD sets out the distribution and location of housing development in accordance with the ACS. The details of CPC's outstanding objections to the LPD are not a matter for the examination of the CNP but, in summary, CPC would prefer that new housing in Calverton be directed only to the Park Road (H16) site and that the proposed housing allocation at Main Street be deleted. A third housing allocation (at Dark Lane), which is also affected by Policy NE4, has already been granted planning permission.
9. As set out in the GBC's initial response to the CNP (March, 2017), the Borough Council is of the view that Policy NE4 and the 'Southern Ridge Area' conflict with proposed housing allocation H14 (Dark Lane – 70 homes – has planning permission) and proposed housing allocation H15 (Main Street – 75 homes). The Council notes that it is the examiner's role to test whether the CNP is in conformity with the adopted development plan, even where the emerging plan is at an advanced stage. However, the examiner has stated that 'the reasoning and evidence which underpin the LPD could be of relevance in examining the plan [CNP]' and this approach is reflected in the National Planning Practice Guidance.
10. Given that H14 has already been granted planning permission, it is not discussed in detail within this response. However, the evidence that justifies

the inclusion of H15 in the LPD, in order to meet the strategic need identified in the ACS, is relevant to the Council's objection of including proposed housing allocation sites within the 'Southern Ridge Area'. The examiner may wish to consider the following evidence documents:

Site Selection Document – Main Report (May 2016)

Site Selection Document – Appendix C – Calverton (May 2016)

Site Selection Document – Addendum 2 (March 2017)

11. For the purpose of reading these documents, H15 is referred to using its SHLAA reference: '6/554 – Main Street/ Hollinwood Lane (Land Adj To)'. These site selection documents highlight the process undertaken, and the evidence and reasoning that underpins the selection of proposed housing allocation H15 within the LPD. Whilst it is the purpose of the LPD examination to determine the robustness of this evidence and the soundness of proposed allocations, the justification provided for allocation is also relevant in considering whether the 'Southern Ridge Area' conflicts with the proposed allocation of Site H15.
12. Housing allocations H14 and H15 are proposed to meet the required distribution and indicative location of development in Calverton, which is set out in the adopted ACS. Should the 'Southern Ridge Area' designation be considered acceptable to the examiner, the inclusion of sites H14 and H15 within this designation would be contrary to the site selection evidence.
13. Whilst the ongoing LPD examination itself should not form part of the examiners consideration, the possibility that the proposed Policy NE4 and 'Southern Ridge Area' could potentially undermine the distribution and location intended and set out in the ACS would not be in accordance with the adopted strategic plan.
14. With regards to the basic conditions, the Borough Council considers that the CNP does not meet condition (a) or (e) on the grounds that it:
 - Potentially undermines the spatial strategy adopted in the Aligned Core Strategy.
 - Does not accord with NPPF Paragraph 16, 1st bullet, which states that communities should 'develop plans that support the strategic development needs set out in local plans' (i.e. the Aligned Core Strategy).
 - Does not accord with NPPF Paragraph 184, which states that 'neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic polities' (i.e. the spatial strategy of the Aligned Core Strategy).

Scheduled Ancient Monuments (SAMs)

15. Proposed Policy NE4 does not permit any development that detracts from the visual prominence of the two SAMs to the south of Calverton. In the context of the examination of the emerging LPD, GBC commissioned consultants (Trigpoint) to produce an assessment of the impact of proposed LPD housing allocations upon SAMs in response to a question raised by the Inspector and to support the assessment previously undertaken by officers. The **Assessment of Impact of LPD Development Sites on Scheduled Monuments (January, 2017)** document concludes that proposed housing allocation H15 would not harm the setting or overall significance of any SAMs (**Paragraph 7.21 and 7.24**).
16. Furthermore, the Trigpoint document includes an assessment of 'other potential development sites' – including sites 6/780 and 6/45, both of which are within the proposed 'Southern Ridge Area' (**Paragraph 8.9 and 8.10**). (See 'Site Selection Document – Appendix C – Calverton' for locations of these sites). The assessment concludes that these sites may have a low level of impact on the rural setting of the Cockpit Hill SAM, which could be mitigated by suitable landscaping.
17. Whilst the appropriateness of housing sites is not matter of judgement for the examination of the CNP, the Trigpoint assessment found that the development of the above sites would be likely to have no impact on the rural setting of SAM's to the south of Calverton. These three assessed parcels of land are situated within the western section of the 'Southern Ridge Area' designation. Given that the Trigpoint evidence casts doubt on the significance of these parts of land upon SAMs, if developed, it appears that would not be appropriate to include these within the 'Southern Ridge Area' designation. This evidence justifies that the proposed housing allocation H15 should not be included within the 'Southern Ridge Area', and the sites indicated 6/780 and 6/45.
18. For the purpose of the ongoing examination of the LPD, Trigpoint has responded to criticism of the findings of their assessment with regards to proposed housing site H15. In their **response (EX/89 – LPD Examination Library)**, Trigpoint sets out further justification for their analysis of H15, concluding that the development of the site will have no harm on the setting of the SAM.

Key Concern: Wider 'Southern Ridge Area'

Green Belt

19. The majority of the 'Southern Ridge Area' is situated within the Green Belt as identified on the **Proposals Map of the adopted Replacement Local Plan (2005)**. As such, this area is protected from inappropriate development in accordance with the National Planning Policy Framework. The Borough Council considers that the principle of maintaining the openness of the Green Belt provides an appropriate level of protection of the land to the south of Calverton.
20. The proposed Policy NE4 and the 'Southern Ridge Area' do not permit development that would have an impact upon views within the area, over and above consideration of Green Belt policy. Given that all forms of development could be considered to have an impact upon views, it is considered that the proposed Policy NE4 would conflict with national Green Belt policy.
21. For example, in the case of Ramsdale Golf Course to the south-west of Calverton, current national Green Belt policy (Paragraph 89, 2nd bullet of the National Planning Policy Framework) considers certain outdoor sport and recreation facilities to be appropriate development, where proposals preserve the Green Belt's openness. However, as the golf course would be located in the 'Southern Ridge Area', Policy NE4 would potentially restrict development that is acceptable in terms of national Green Belt policy.
22. Furthermore, GBC has produced a **Green Belt Assessment (July, 2015)** and **Green Belt Assessment Appendices D to N (July, 2015)** which assesses how well parts of the Green Belt are performing against the five purposes of the Green Belt that are set out in Paragraph 80 of the National Planning Policy Framework. Considering the five purposes, the following bullets are pertinent to the justification for proposed Policy NE4 and the 'Southern Ridge Area':
- To check the unrestricted sprawl of large built-up areas
 - To assist in safeguarding the countryside from encroachment
 - To preserve the setting and special character of historic towns
23. The Green Belt Assessment (**Paragraph 5.7**) concludes that Green Belt to the south and south-east of Calverton is the most valuable in terms of protecting the setting of the Conservation Area. Green Belt to the south-west of Calverton is less valuable given its distance from the Conservation Area and significant amount of encroachment. It is unclear how the 'Southern Ridge Area' designation reflects the conclusions of the Green Belt Assessment.

24. With regards to the basic conditions, the council considers that the CNP does not meet condition (a) on the grounds that it:
- Conflicts with the national policy approach for determining planning applications in the Green Belt.

Built Area Included Within Designation

25. The 'Southern Ridge Area' includes all of the built area of Calverton to the south of Main Street. The Borough Council considers this to be an arbitrary boundary that does not relate to actual view points from Main Street. This is exemplified in Appendix C of the CNP 'Evidence Southern Ridge Area' document, which does not include any viewpoints from Main Street. As such, the inclusion of parts of the built area of Calverton has not been objectively justified in CPC's submitted evidence.

26. The Borough Council considers that inclusion of the built up area south of Main Street would impose an unnecessary additional test on developers, householders or business wishing to develop. This runs contrary to the Paragraph 15 of the NPPF, which states that:

"Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay".

27. In this context Policy NE4 is also contrary to ACS Policy A. It is also inconsistent with the positive approach to permitting urban windfall sites set out in **RLP Policy H7**, which states that planning permission for residential development on unidentified sites within the urban area and the defined Village envelopes will be granted subject to amenity considerations. In this context Policy NE4 is imposing an unnecessary and unjustified requirement to prove there is no adverse effect upon views within the 'Southern Ridge Area', which is adequately protected by other policies in the development plan.

28. With regards to the basic conditions, the council considers that the CNP does not meet condition (a) and (e) on the grounds that it:

- Conflicts with Paragraph 15 of the National Planning Policy Framework.
- Conflicts with Policy A of the ACS and H7 of the RLP (both development plan).

Landscape

29. Policy NE4 makes reference to the 'iconic landscape backdrop' of the 'Southern Ridge Area'. Whilst it is recognised that views of the landscape are

valued highly by local residents, it is not considered that objective evidence has been put forward to justify the extent of area designated as the 'Southern Ridge Area'. The objective evidence used by the Borough Council comprises two documents, the **Greater Nottingham Landscape Character Assessment (2009)** and the **Landscape and Visual Analysis of Potential Development Sites (2016)**.

30. When considering the policy zones set out in the Greater Nottinghamshire Landscape Character Assessment (2009), the 'Southern Ridge Area' designation falls within four separate Landscape Policy Zones, which are summarised in the below table:

Policy Zone	Landscape Condition	Landscape Strength	GBC Note
MN014	Good	Moderate	- South of Calverton, supports high value of landscape.
MN015	Good	Strong	- South West of Calverton, supports high value of landscape.
SPZ17	Poor	Low	- West of Calverton, includes H15 site.
SPZ42	Moderate	Moderate	-Adjoins south-east of Calverton built area, less valuable in landscape terms than directly south of Calverton.

31. Considering the Landscape Character Assessment, Policy Zone SPZ17 provides evidence that the value of the landscape directly adjoining the south-west, and parts of the south of Main Street, are not as valuable in terms of landscape when compared to other parts of the 'Southern Ridge Area' designation. The area which includes proposed housing allocation H15 is within the SPZ17 policy zone, which provides further justification for its non-inclusion within the 'Southern Ridge Area'. Furthermore, it is worth noting that the Landscape Character Assessment broadly draws its northern boundary around the built settlement of Calverton, rather than along Main Street.

32. In addition, the Landscape and Visual Analysis of Potential Development Sites assesses the impact that 'reasonable alternative' development sites would have on landscape and visual amenity. Site 6/544 (Main Street/Hollinwood Lane (Land adj to)) ranked low in terms of its landscape and visual sensitivity. Overall, the site ranked joint-third across Gedling Borough in terms of having 'the fewest landscape and visual constraints to housing development'. This evidence provides further justification for the non-inclusion of H15 within the 'Southern Ridge Area' designation.

Concern Regarding the Calverton Neighbourhood Plan 'Southern Ridge Area' Evidence Document

33. National Planning Practice Guidance states that 'proportionate, robust evidence should support the choices made and the approach taken' (Paragraph 040, ID: 41-040-20160211). As set out GBC's initial response to the CNP (March, 2017), the Borough Council considers that the 'Evidence Southern Ridge Area' (November 2016) document does not provide appropriate justification for Policy NE4 or the 'Southern Ridge Area', given that it draws largely upon subjective evidence. This response has set out additional evidence which further supports the Borough Council's position.

Desired Outcome

34. Given the issues outlined above, the Borough Council request that the proposed Policy NE4 and the 'Southern Ridge Area' designation be deleted from the CNP.

35. If the examiner is minded to look favourably upon the Policy NE4 and the 'Southern Ridge Area' designation, the Council would like the following changes:

- Sites H14 and H15 are removed from the 'Southern Ridge Area' designation
- The northern boundary of the 'Southern Ridge Area' designation is drawn around the existing built up area of Calverton.
- Policy NE4 should reflect national Green Belt policy in terms of the exceptions it sets out to inappropriate development.

Appendix A - Links to Key Evidence Documents

The key evidence documents referred to in this response are set out in the table below. These documents can be downloaded from the Local Planning Document Examination Library on the Borough Council's Website:

- <http://www.gedling.gov.uk/lpdexamination/examinationlibrary/>

Key Evidence Document	LPD Examination Library Reference
Greater Nottingham Aligned Core Strategy (ACS) (Sep, 2014)	LPD/REG/01
Gedling Borough Replacement Local Plan (Jul, 2005) (including Proposals Map)	EX/16
Local Planning Document Publication Draft (May, 2016)	LPD/REG/02
Site Selection Document – Main Report (May, 2016)	LPD/GRO/05
Site Selection Document – Appendix C – Calverton (May, 2016)	LPD/GRO/08
Site Selection Document – Addendum 2 (Mar, 2017)	EX/98
Assessment of Impact of LPD Development Sites on Scheduled Monuments (Jan, 2017, Amended Feb, 2017)	EX/43
Trigpoint Response (Mar, 2017)	EX/89
Green Belt Assessment (Jul, 2015)	LPD/GRE/02
Green Belt Assessment Appendices D to N (Jul, 2015)	EX/41
Greater Nottingham Landscape Character Assessment (Jun, 2009)	LPD/NAT/03
Landscape and Visual Analysis of Potential Development Sites (Dec, 2016)	LPD/NAT/01