



Gladman Developments Ltd

Newark & Sherwood Amended Core Strategy Examination

Matter 1

Q2. Has the Duty to Co-operate been fulfilled?

1. The Duty to Cooperate (DtC) is a legal requirement established through Section 33(a) of the Planning and Compulsory Purchase Act 2004, as amended by section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities to address cross boundary strategic issues throughout the process of Plan preparation.
2. The Planning Practice Guidance (PPG) provides guidance upon compliance with the DtC which makes clear that local planning authorities should explore all available options of delivering the planning strategy within their own area, and should approach other authorities with whom it would be sensible to seek to work to deliver the planning strategy¹. This should be achieved through co-operation between local planning authorities, county councils and other public bodies to produce effective policies relating to strategic cross boundary matters².
3. Whilst there is no definitive list of actions that constitutes effective cooperation under the duty, cooperation should produce effective policies relating to cross boundary matters. Local planning authorities and public bodies may enter into agreements on joint approaches, which may involve joint evidence and strategies to define the scope of the Local Plan.
4. The Council must be able to demonstrate that it has worked constructively with neighbouring authorities to address any strategic cross boundary needs, such as unmet housing need, and that this work has produced effective outcomes. It is clear that the Council has connections to a number of surrounding authorities within the Housing Market Area (HMA) and is affected by the influence of a dynamic market area. It is important to note that the DtC is a process of ongoing engagement and collaboration and that it is intended to produce effective policies on cross boundary strategic matters³. Therefore, the Council will need to continue to engage and work with its neighbouring authorities to satisfactorily address cross boundary strategic issues

¹ PPG Reference ID: 9-003-20140306

² PPG Reference ID: 9-010-20140306

³ PPG Reference ID: 9-011-20140306

should it become apparent that the Council or one of the partner authorities of the HMA are unable to meet housing needs in full.

Q3. Are the Spatial Vision and Strategic Objectives sound?

5. It is acknowledged that the Vision of the Plan does touch upon all three elements of sustainable development, however we believe that further emphasis should be placed on delivering housing to meet full identified housing needs, to ensure the social dimension of sustainable development is achieved by the end of the plan period.
6. Furthermore, the vision promotes the Plan's ambitions for economic growth. Accordingly, it is important that the Council do not lose sight of this and ensures that housing and economic needs are aligned to meet identified housing needs. Accordingly, Gladman believe the vision itself should make a commitment to meeting the full OAN for the district and any unmet needs arising from the HMA during the plan period. This addition is necessary to help ensure that the Plan adopts a positive approach to growth across the wider authority area as required by the Framework.
7. Whilst supporting many of the objectives of the Plan in principle, Gladman are concerned with objective 4 which seeks to 'protect and enhance the built and natural environment, heritage, biodiversity and landscape, giving additional protection to those areas and buildings of recognised importance.' In this regard, Gladman are concerned of the use of 'protect' in the objective's wording and consider that this should be amended to 'Development should seek to recognise and where possible enhance...'. This amendment is considered necessary to ensure flexibility is provided and ensures that objective 4 does not preclude the delivery of sustainable development opportunities.
8. In addition, it is also considered necessary to modify the wording objective 6 to ensure that the full OAN of the District is delivered 'in full' over the plan period. Should this not be achieved the Plan should provide a clear mechanism as to how the district's full OAN will be redistributed across the wider. Furthermore, it is also important that an effective mechanism is established to accommodate unmet housing needs of authorities in the wider HMA should the need arise.

Q4. Is the OAN reasonable, having regard to its derivation and out-turn?

9. Since the 2015 SHMA, the Office of National Statistics (ONS) have published the 2014-based Sub National Population Projections (SNPP) and the DCLG have published the accompanying 2014-based Household Projections. Both data sets provide a new starting point for assessing

housing need according to the Planning Practice Guidance⁴. In addition, 2015 Mid-Year Population Estimates (MYPE) have been published by the ONS.

10. Whilst the PPG indicates that new projections do not necessarily render previous assessment of housing need out of date every time new projections are published, it is important that these projections are considered in the preparation of evidence base studies. It is noted that GL Hearn have provided an addendum to the Nottingham Outer Demographic Update Paper (May 2017) to consider the implications of the 2014-based data will have on housing need. However, it is important to note that the update paper does not provide a full OAN update as GL Hearn have not reviewed economic growth, market signals or affordable housing need.
11. In terms of assessing economic growth the Council's jobs led modelling comprised of the Experian baseline job growth scenario and the Experian & Nathaniel Lichfield Partners Land Forecasting Study scenario resulting in 389 dwellings per annum. Based on this evidence, the Council concluded that no further adjustment would be required to the OAN. However, it is noted that paragraph 2.3 of the Amended Core Strategy states that:

"Newark & Sherwood has a population of approximately 118,600 (Office for National Statistics, 2015) and since 1991 has seen significant growth (15.37%) a trend which is likely to continue with above national trend projected growth." (emphasis added)

12. Without reviewing the SHMA in its entirety to include an analysis of market signals and economic growth there is a concern that the Council's economic growth and housing strategies are misaligned and that this may lead to an underestimation of objectively assessed housing needs.

Q5. Bearing in mind any conclusions on 4 above, do Spatial Policies 1 and 2 represent a sensible approach?

13. The Amended Core Strategy seeks to distribute growth towards the Newark Urban Area, with 10-30% growth being promoted in the Service Centre Growth areas and the Principal Villages.
14. Although Gladman support the acknowledgment that the majority of new growth will be directed towards the Newark Urban Area and the most sustainable settlements identified in the settlement hierarchy, Gladman consider that the percentages applied to the urban area and lower order settlements should not be considered as a figure to be achieved and the spatial strategy should be considered in the context of a 'minimum' housing target. The Local Plan must avoid the creation of a sustainability trap whereby it relies on the identified allocations to meet housing needs and that development beyond the figures suggested in the Local Plan

⁴ PPG Paragraph: 015 Reference ID: 2a-015-20140306

would then be considered unsuitable in principle. Accordingly, the Plan must contain mechanisms by which a settlement that is assumed to function as a key role in assisting the local planning authority in meeting housing needs is able to continue to grow sustainably and move up the settlement hierarchy ladder when opportunities become available for development to maintain the vitality and viability of settlements across the hierarchy.

Q7. Does Spatial Policy 3 work effectively in the context of 4 above?

15. It is noted that the extent of the Nottingham – Derby Green Belt will remain unchanged following the earlier small-scale review undertaken in 2012. It is important to note that this evidence is now some six years old. The Framework is clear for the need to ensure that local planning authorities respond to local circumstances and plan housing development to reflect local needs to ensure that development will maintain or enhance the vitality of rural communities.
16. In this regard, it is important to ensure that the evidence underpinning Spatial Policy 3 is up-to-date and where areas no longer meet the five purposes of Green Belt then these should be released to ensure the ongoing vitality of rural settlements. Noting the fact that the Plan has now been submitted for examination it is important that the Local Plan contains a clear review mechanism should the delivery targets of sites not located within the Green Belt fail to come forward and through this measure it will be important to detail what course of action the Council will undertake including a review of the Green Belt and how this event will be triggered. Gladman submit that further detail over this corrective action is necessary if it becomes apparent that the Council is not meeting its full OAN over the plan period.

Q9. Is Spatial Policy 5 effective in strategic delivery terms?

17. As stated above, Gladman support growth the approach of focusing growth towards the higher tier settlements, as these provide the most sustainable locations within the District capable of accommodating new housing growth. These settlements will have a key role to play in delivering the housing needs of the District, therefore Gladman support the dispersed approach proposed in Spatial Policies 1 and 2. However, this should not be at the expense of lower order settlements being able to grow.
18. Notwithstanding this, Gladman remain concerned in relation to the fact that the Council seeks to deliver significant housing numbers through the delivery of four Sustainable Urban Extensions (SUEs). Whilst it is recognised that SUEs can help to deliver significant housing to meet the needs of the district, it is of fundamental importance that the Local Plan is realistic with regards to the delivery assumptions and lead in times applied in relation to these sites and that an over reliance is not placed on their delivery.

19. Whilst recognising the benefits that can be achieved from development of this scale, their delivery can often be hindered by infrastructure requirements, pre-commencement conditions, unrealistic lead in times and build out rates etc. Gladman therefore submit that in allocating sites the Council need to be mindful that to maximise housing supply, the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to an increased housing supply is the number of sales outlets. Whilst Gladman recognise that some SUE's may have multiple outlets at one given time, in general increasing the number of sales outlets available means increasing the number of sites. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. In summary, a wider variety of sites in the widest possible range of locations ensures all types of house builders have access to suitable land which in turn increases housing delivery.
20. Should the SUEs fail to come forward and to provide flexibility and suitable contingency to meet development needs, Gladman submit that there is a need to allocate additional sites to ensure that it is able to meet the minimum level of housing that is required. Furthermore, should these sites fail to deliver the anticipated housing numbers, Gladman believe that it is necessary to include a suitable policy mechanism like the approach taken in the Scarborough Local Plan Examination where it was identified that the Plan as submitted was not sound with regards to housing land supply. However, through the inclusion of additional housing allocations, and the modification to the policy to ensure that new sustainable opportunities would be allowed outside settlement limits if at any time in the plan period the Council is unable to demonstrate a 5-year housing land supply. Indeed, a similar approach was taken in the recent Inspector's Report to the South Derbyshire Local Plan Part 2 (September 2017) which recommended main modifications relating to similar issues. It stated at paragraph 21:
- "Nevertheless, to ensure the effectiveness of the Plan to adapt to rapid change which might lead to a shortfall in housing land supply, main modifications are necessary to Policy BNE5 (MM36) and its explanatory text (MM37). These modifications include and justify a new criterion (iii) in the policy to allow for development outside of settlement boundaries where it would be unavoidable, such as the Council being unable to demonstrate a 5-year land supply. Such an amendment would add an appropriate degree of additional flexibility to the Plan to adapt to changing circumstances and meet the district's development needs, in a way which would be consistent with sustainable development, without compromising the overall spatial strategy of the Plan."
21. Whilst it is accepted that the Local Plan does not seek to establish settlement boundaries, it does seek to contain the growth of villages within the main built up area of villages or through infill development. It is imperative that the Local Plan therefore provides for suitable

contingency that would allow sustainable sites to come forward at any time the Council is unable to demonstrate a 5-year housing land supply.

Q11. Is Spatial Policy 9 adequate in terms of coverage?

22. The above policy sets out the basis of how sites are to be allocated for housing, employment and community facilities. The supporting text states that "From time to time the Council will need to allocate additional sites to meet development needs within the District. Spatial Policy 9 sets out the guiding principles which will be used to make such allocations."
23. Gladman do not believe that Spatial Policy 9 is adequate in terms of coverage as it does not provide clarity over how the Council will make additional allocations and whether this will be through the permission of development proposals not identified in the Plan or whether this will be through a review of the Amended Core Strategy. Further clarity is therefore required on how the Council will initiate this process and what steps will be taken through the allocation of additional housing land.

Q12. Will Core Policy 1 function properly and deliver affordable housing?

24. In principle, Gladman support Core Policy 1 which seeks to secure 30% of new housing development as affordable housing. Gladman support the fact that the provision of affordable housing will be considered in the context of viability and the provision of affordable housing to be provided off-site allowing the local authority to deliver affordable housing units in areas which have the most significant need.
25. Notwithstanding the above, Gladman is concerned that Core Policy 1 will not deliver affordable housing needs in full as there appears to be a difference between affordable housing need and supply. Accordingly, it is inevitable that affordable housing need will not be delivered in full and therefore greater consideration is required to increasing the housing target to ensure the delivery of affordable housing in accordance with the PPG should be considered.

Q13. Is Core Policy 3 sufficiently flexible?

26. Gladman is concerned that the above policy requires housing density to be no lower than an average of 30 dwellings per hectare. It would be more appropriate if the policy sets out an approach to ensure new development opportunities are designed to a density which is appropriate to a local area and takes into account any site specific features. Such an approach would allow for flexibility and would enable sites to be considered on a site by site basis.