

## **Newark and Sherwood Allocations and Development Management DPD**

### **Written representations on behalf of Messrs R and G Mason, Mr D Taylor and Mrs W Terry by Ian Baseley Associates**

#### **Matter 2 – General Issues**

#### **3. Is the Plan consistent with the Core Strategy and is it capable of meeting its objectives?**

3.1 No. Chapter 4 Spatial Policies of the Core Strategy sets out the Spatial Strategy for the District.

3.2 Spatial Policy 2 sets out the spatial distribution of growth. It sets the level [as percentages] to be met when allocating sites for housing development in the Allocations & Development Management DPD ('The Plan').

3.3 It confirms that 10% of housing growth will be met within the Principal Villages and that 5% of the Principal Village growth will be met in Lowdham as part of the Council's '*Sustainable Communities*' strategy. Paragraph 4.22 of the Core Strategy confirms that individual percentages are based on meeting the aims of the principles assigned to each settlement and an assessment of the capacity of each settlement to support growth, including its function, scope for future growth and infrastructure constraints and potential for future improvements.

- 3.4 The Plan translates these 'set' percentages into a number of new dwellings (and amount of new employment land) required to be provided in each settlement up to 2026.
- 3.5 For Lowdham, this equates to a residual requirement of **61 additional houses** and a share of up to 0.89 hectares of new employment land identified for the Nottingham Fringe Area as a whole.
- 3.6 However, the Plan only identifies sufficient land to accommodate 13 new dwellings in Lowdham, leaving a **shortfall of some 48 houses – representing the provision of only 21% of the residual housing requirement for the village**. It explains that, owing to Green Belt constraints, the shortfall will be re-distributed elsewhere. However, this is clearly not what was intended in the Core Strategy.
- 3.7 Accordingly, the Plan is not consistent with the Core Strategy in that it **fails to allocate sufficient land to meet the identified housing needs of Lowdham**.
- 3.8 In the above connection, the Plan as submitted is not consistent with the Spatial Strategy, the Spatial Portrait for the District, the Vision and Strategic Objectives, or Spatial Policy 2.
- 3.9 In failing to make adequate provision for the housing requirements for Lowdham, the Plan is also not consistent with Spatial Policy 4A which specifically facilitates a review of the boundary of the Green Belt surrounding Lowdham in order to meet the housing requirements set by Spatial Policy 2.
- 3.10 Indeed, paragraph 4.30 of the Core Strategy explains that the SHLAA revealed that potential housing land supply was limited within existing settlement boundaries and therefore consideration will need to be given to

changing boundaries (i.e. releasing land adjoining settlement boundaries from the Green Belt) to meet the wider aims of the Spatial Strategy.

- 3.11 The Council's 're-distribute elsewhere' approach to compensate for the serious under-provision within Lowdham is also not consistent with the wider aims of the Spatial Strategy.
- 3.12 If the percentages set out in Spatial Policy 2 were only meant to be *broad-brush*, then they would have been stated as "approximately", "up to" or as a range (as is the case for employment land provision). They are not. The intention of the Core Strategy is to direct specific numbers of dwellings to specific settlements to address their specific needs, roles and functions.
- 3.13 To over-provide on sites in Newark is not an acceptable alternative as this comprises a completely different strategic and/or local housing market area and will do nothing to assist the '*Sustainable Communities*' strategy for Lowdham identified as a key part of the Spatial Strategy.
- 3.14 The acknowledgement in paragraph 4.30 of the Core Strategy regarding the limited scope of sites within existing settlement boundaries also casts sufficient doubt over the Council's suggestion in their 'Responses to the Inspector's Initial Questions' that "redevelopment of existing sites within the villages may still continue to contribute".
- 3.15 To make the Plan 'sound', so as to be consistent with the Core Strategy, **additional sites should be allocated to meet the housing requirements for Lowdham.**
- 3.16 This is particularly important where settlements (such as Lowdham) are presently tightly constrained by the Green Belt, as failure to allocate sufficient land within the Plan (hand-in-hand with the Green Belt Review) will necessarily limit the Council's ability to be flexible and/or to allocate

additional land in the future given the intended permanence of the [once reviewed] Green Belt boundaries from point of adoption of the Plan and the advice in the NPPF that: - Green Belt boundaries should be defined “in order to meet longer-term development needs stretching well beyond the plan period”; and that Councils should “satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period” (paragraph 85).

3.17 In the above connection, previous representations submitted on behalf of Messrs R and G Mason, Mr D Taylor and Mrs W Terry highly commended **land south of Southwell Road, Lowdham (site reference Lo/MU/1)** as a logical extension of the existing built-up area and long-term defensible boundary for the Green Belt in this location<sup>1</sup>.

3.18 Indeed, this site was previously identified as one of the Council’s preferred allocations as a mixed use site comprising housing and allotments. The Consultation Responses Document (CRD) explains that the only reason the site was not carried forward to the ‘Publication’ stage of the Plan was on the basis that the Council were not convinced that the site could be developed without being at risk of flooding, causing flooding elsewhere or placing additional pressure on the existing sewer and drainage infrastructure.

3.19 Previous representations confirmed that that part of the site proposed for housing was located within flood zone 1. This is confirmed on the Environment Agency’s indicative flood plain map (which, it is understood, is updated approximately every 3 months to ensure accuracy) and in the Council’s SFRA <sup>2</sup> which confirms that 40% of the site does indeed fall within

---

<sup>1</sup> The CRD records that, “Two respondents felt that the envelope should not be extended around Lo/Ho/1 but the extension around Lo/MU/1 appears logical provided development of this site does not increase flood risk.”

<sup>2</sup> Refer to Site 34 at Appendix G to the Council’s Level 2 SFRA.

flood zone 1 where the principle of housing development is permitted in accordance with the advice set out in NPPF and its technical companion.

3.20 The planning merits of this site are detailed in our representations submitted in respect of the earlier consultation stages. Those representations referred to the land owner commissioning their own site-specific **Flood Risk Assessment** and this was completed and sent to the Council under separate cover [see Post Submission Document ADD22].

3.21 It is therefore the case that there is no reason why that part of the site previously identified by the Council for housing cannot be delivered and developed for such having regard to local flood issues. This site would clearly assist in reducing the Plan's current shortfall of future housing land supply for Lowdham by a meaningful margin.

3.22 The site is free of any other constraints and is considered to be capable of being delivered confidently within the first five years of the plan period.

**4. Is the Plan based on a sound process of sustainability appraisal including testing of reasonable alternative sites, and does it represent the most appropriate strategy in the circumstances?**

4.1 No. It is considered that the Council have failed to adequately test those sites put forward as additional allocations in Lowdham to meet the housing requirements set by the Core Strategy.

4.2 The Council's approach set out in the Plan results in a significant shortfall in housing land (both as a number and percentage of provision for the settlement).

4.3 Spatial Policy 4A specifically requires a Green Belt review around Blidworth in order to *meet* housing requirements. The Council's conclusion that,

owing to Green Belt constraints, it was not possible to identify any other sites is neither accepted, nor considered acceptable as a concept.

- 4.4 In adopting an approach which results in a serious shortfall of housing supply provision in Lowdham, with no realistic contingency in place either on adoption or towards the end of the Plan period (owing to the present Green Belt designation), **the Plan is not considered to be 'sound' in that it does not represent the most appropriate strategy in the circumstances.**
- 4.5 Reasonable alternatives are not considered to have been adequately tested and initial background documents (e.g. Newark and Sherwood Green Belt Study) do not appear to have been revisited/re-appraised to take into account of sites unearthed through the consultation process, or those previously identified, but discounted, and which needed to be subsequently re-considered).
- 4.6 In the same connection, the Council has failed to have proper regard to the advice in their own SFRA with regard to site reference Lo/MU/1 and have not chosen to re-allocate the site as a mixed use allocation capable of accommodating 15 dwellings and securing the delivery of local allotment provision, notwithstanding the clear conclusions of the site specific FRA formally submitted to the Council to supplement our earlier representations.
- 4.7 All the evidence concludes that the site can be developed for the mixed use originally sought by the Council and there is therefore no reason why the Council should not have sought to re-instate the site within the Plan as one of the allocations for Lowdham, given the severity of the shortfall in available land to meet the housing requirements for this settlement and the limited future opportunities to accommodate growth owing to residual Green Belt and flood risk constraints.

4.8 The failure to identify site Lo/MU/1 in the Plan not only exacerbates the already woeful situation regarding shortfall of housing numbers in the village, but also leaves the village (and the Plan) lacking in terms of securing the necessary provision for new allotments – the only outstanding open space requirement for the village. The allocation of site Lo/MU/1 would necessarily secure the delivery and development of such provision within that part of the site falling within flood zones 2 and 3 where such a use is considered acceptable in accordance with the NPPF and its technical companion.

4.9 In addition, despite earlier representations confirming that an area of site X5(Lo) was also located within flood zone 1 and as such would, being located adjacent to the existing Peugeot Car Garage and occupying a primary road frontage, comprise suitable and available land to provide new employment land provision for the village, the Council has never seemingly explored this opportunity any further directly with the landowners – instead favouring the option to make no additional employment land provision within the Plan whatsoever.

4.10 In **summary**, the Plan seriously under-allocates in terms of housing, employment and allotment provision and is therefore **not considered to be ‘sound’ or in accordance with the adopted Core Strategy.**

**6. Is there sufficient flexibility to cope with changes to individual sites which might render them undeliverable for the purposes envisaged by the Plan?**

6.1 No. Even if all of the sites identified for Lowdham are delivered in the way the Plan envisages, there will still be a **significant shortfall** in meeting the residual housing and employment requirements for Lowdham established by way of the adopted Core Strategy.

- 6.2 Given that the Green Belt completely surrounds the settlement, there will be no flexibility to deliver an additional site to make up the numbers during the remainder of the plan period, or even perhaps beyond.
- 6.3 To ensure there is sufficient flexibility within the Plan, **additional sites should be allocated to meet the housing requirements for Lowdham to reduce the present shortfall.** [Please refer to my earlier paragraphs 3.17 to 3.22 which are equally relevant to this question.]
- 6.4 Notwithstanding the above, reference is made within the CRD to the cost of the Lowdham Flood Alleviation Scheme (LFAS) being beyond the resources currently available until at least 2016 which is of course still within the relatively early part of the plan period.
- 6.5 The Plan contains no flexibility or contingency for Lowdham in recognition of the fact that the LFAS will be implemented during the plan period which would inevitably render individual sites (previously considered unsuitable based on perceived flood risk) suitable, yet ultimately undeliverable owing to [what would then be] an automatic conflict with future Green Belt policy. The comments in paragraph 3.16 above are similarly relevant in response to this question.

**Nick Baseley**

**[2,059 words]**