

Newark and Sherwood Allocations and Development Management DPD

Hearing Statement on behalf of Mr R Thomas by Ian Baseley Associates

Matter 5 – Site Specific Issues

Mansfield Fringe Area

27. Do the policies include adequate and appropriate safeguards with regard to the potential effects of development on the Green Belt, biodiversity, historic environment and flooding?

27.1 It is considered that the Council's approach set out in the Plan has been **overly restrictive** with regard to the potential effect of development on the Green Belt. This has caused substantial under-provision in locations where it is most needed and re-distribution elsewhere within the District (primarily Newark) in conflict with the Core Strategy and the wider aims of the Council's Spatial Strategy.

27.2 Previous representations raised objection to the Council's approach to development in Blidworth on the basis that the Plan failed to identify and deliver sufficient sites to meet the level of new development established in the adopted Core Strategy.

27.3 In establishing Blidworth as a Principal Village and in allocating the requirement to direct some additional 299 dwellings to it over the forthcoming plan period by way of the adopted Core Strategy, the Council and Inspector presiding over the Examination in Public were fully aware of the existing constraints to development by way of the present Green Belt boundary.

- 27.4 The significant level of new development for the village was set in the adopted Core Strategy despite the fact that the settlement clearly had limited opportunity to accommodate development within the built-up area and was already tightly constrained by the Green Belt. Indeed, Spatial Policy 4A specifically facilitates the review of existing Green Belt boundaries to ensure that sufficient land can be accommodated to meet the levels identified and established in the adopted Core Strategy.
- 27.5 Notwithstanding the above, the Council's approach has been to fall some way short of identifying sufficient land to meet the established accommodation requirements of the settlement, principally on the basis of the current Green Belt designation. Whilst one site, BI/Ho/1 is proposed to be removed from the Green Belt in order that it can be delivered as a housing allocation, this is the only site within the Green Belt identified for development.
- 27.6 The Council's approach relies on 3 other sites to be delivered to meet the identified needs of the settlement over the forthcoming plan period. The combined contribution of the Council's proposed allocations, if all can be delivered within the timescales envisaged – indeed if they can be delivered at all, leaves a significant shortfall of new housing proposed (89 dwellings) for Blidworth when compared to the level established in the adopted Core Strategy.
- 27.7 Previous representations have raised objection to this approach and highlighted potential difficulties with the delivery of two of the Council's preferred sites in particular, - those being BI/Ho/3 and BI/Ho/4.
- 27.8 With regard to Site BI/Ho/3, there are identified deficiencies in the width, alignment and capacity of the New Lane/Mansfield Road junction. The Schedule of Proposed Modifications contain the requirement of the preparation of a Transport Assessment "as part of any planning application" to determine the impact of the development on

the highway network which should specifically include the impact on New Lane and New Lane/Mansfield Road junction and the provision of appropriate mitigation measures.

- 27.9 Owing to the above, the suggested capacity of this site is proposed to be restricted to 100 dwellings. However, given the importance of those sites (which the Council are clearly relying on to deliver new housing in Blidworth, it is essential that the Plan ought to provide reasonable certainty that such numbers could be achieved and delivered as intended.
- 27.10 The requirement for a Transport Assessment as part of any subsequent application (i.e. post allocation) seems a little too late in the process, since it leaves the Council with no contingency whatsoever should it ultimately transpire that 100 dwellings cannot be accommodated on the site, or that the site cannot be delivered at all because of the potentially significant highway constraints identified at the allocation stage.
- 27.11 I repeat, the Council's approach already results in a material shortfall for the settlement – this would be further exacerbated by the failure of Site BI/Ho/3 to be delivered in the way envisaged.
- 27.12 Given that the Green Belt completely surrounds the settlement, there will be no flexibility to deliver an alternative site to make up the numbers.
- 27.13 In addition to the above, there are a number of sites that have been proposed by landowners elsewhere in the Green Belt for development.
- 27.14 However, the Council has dismissed these on the basis of the original findings of their Green Belt Review. They have therefore seemed reluctant to respond directly or positively to issues raised during the consultation stages.

- 27.15 With regard to the potential effects of development on the **historic environment**, the Council and participants of the consultation process have acknowledged the existence of the Conservation Area Designation which affects the western part of the settlement. Indeed, I am aware that a site identified in the initial stage of the consultation exercise (then BI/Ho/4) was not carried forward owing to, amongst other things, its location within (and therefore its inferred impact on) the Conservation Area.
- 27.16 Reference was also drawn to the fact that the southern part of BI/Ho/3 was located in the Conservation Area. Whilst this part of the original BI/Ho/3 has not been carried forward from the Preferred Options stage, the explanation given was due to the fact the landowner did not wish for the site to be developed – rather than owing to historic environment reasons.
- 27.17 Clearly Site BI/Ho/3 still abuts the Conservation Area and is therefore bound to have an effect on the setting of this part of the Conservation Area. I am not aware the Council, or those promoting the site, have provided any form of assessment regarding potential impact on this designated heritage asset. This factor may also serve to limit the level of development achievable on this site.
- 27.18 In addition to the above, Site BI/Ho/4 comprises land owned by the Parish Council presently used locally as allotments.
- 27.19 Delivery of this site can only be assured once an alternative site (inevitably in the Green Belt!) can has been identified, secured and delivered.
- 27.20 The above requirements cast substantial doubt on the ability of this site to be delivered in the way the Council envisages. The Council’s amended Housing Trajectory table confirms this site is not likely to be delivered until 2024/2025 at the earliest.

- 27.21 It is further understood that there may be a longstanding covenant on the land which might also serve to prohibit or delay this site coming forward for development.
- 27.22 Owing to all of the above, the Plan is not considered to be sound and deliverable as its approach to the delivery of sufficient land for development in Blidworth falls substantially and materially short of that established for the settlement by way of the adopted Core Strategy.
- 27.23 Even if all the sites identified can be delivered as envisaged by the Plan, there is still a requirement for additional sites to be identified for development at this stage to make up the aforementioned shortfall.
- 27.24 Notwithstanding the above, additional sites should be identified to provide a level of contingency should any of the constraints identified above ultimately prevent the delivery of either or both sites BI/Ho/3 and BI/Ho/4 in the way the Plan presently envisages.
- 27.25 Previous representations on behalf of Mr Richard Thomas has identified one such site (**Land south of Dale Lane – adjacent to BI/Ho/1**) which, in combination with the public house to the north of Dale Lane, provides a logical extension of the eastern boundary of the settlement and capable of providing a long-term defensible Green Belt boundary over the forthcoming plan period and beyond. Both these sites are located at completely the opposite end of the village to the Conservation Area and therefore will not have any effect on the historic environment.
- 27.26 Whilst the Council points to the past contribution of windfall sites as its contingency plan, this cannot be afforded any weight given the limited opportunity for development within the built-up area (the lack of suitable sites in the built-up area identified as part of the SHLAA and ultimately as part of the Site Allocations process

is a good indication of this) and the long-term constraint provided by way the existing Green Belt boundary if not adequately reviewed at *this* stage.

27.27 The Council's approach which is to amalgamate the shortfall for the settlement to that across the District as a whole is considered to conveniently 'sweep' the problem of under-delivery in Blidworth 'under the carpet'. Blidworth needs to directly recover the benefits arising out of development (affordable housing, improvements to green infrastructure, sustaining existing local services and facilities, providing opportunities for local tradesmen etc) and this will not be possible if the Council is allowed to redistribute the shortfall of housing to an alternative location just because it is easier to do so.

27.28 Blidworth has been identified as a settlement in need of regeneration initiatives and as having an unenviably high level of long-term employment. Redirecting much needed new housing to Newark will do nothing to alleviate this.

28. Are the housing sites deliverable given the requirements of the Core Strategy Policies relating to affordable housing and the Development Management policies set out in the Plan? Is the amount and type of retail/employment development justified and deliverable?

28.1 No. Earlier representations have highlighted potential complications regarding the delivery of two sites in Blidworth which the Council rely on – BI/Ho/3 and BI/Ho/4. Please refer to paragraphs 27.8 – 27.10 and 27.17 – 27.21 (inclusive) above to avoid unnecessary repetition.

28.2 The above also clearly has implications regarding the delivery of affordable housing in the Village to meet identified local needs during the first 5 years of the plan period, if indeed ultimately at all.

28.3 Paragraphs 5.2 to 5.9 of the Core Strategy explain why Core Policy 1 – 'Affordable Housing Provision' is necessary.

- 28.4 Core Policy 1 confirms that the Council will seek to secure 30% of new housing development on qualifying sites as affordable housing and that off-site provision will not normally be encouraged. It is considered that the policy as worded provides sufficient flexibility (having particular regard to viability) to ensure the delivery of those allocated sites with the appropriate level of affordable housing provision as required.
- 28.5 However, as the Plan fails to meet the housing requirements set for Blidworth, this will, by definition, directly impact on the number of affordable houses which will be built in the village and therefore similarly fail in meeting its affordable housing provision requirements.
- 28.6 For example, 30% of the residual 299 dwellings equates to **local affordable housing provision in Blidworth of some 90 dwellings**. As the Plan only identifies sufficient land to accommodate 210 dwellings, then the number of affordable dwellings to be built in Blidworth over the plan period would **reduce to only 63 dwellings** – i.e. 27 affordable houses less than is required.
- 28.7 If either BI/Ho/3 and/or BI/Ho/4 fail to be delivered in the form envisaged in the Plan (which it is submitted for the reasons advanced above is a distinct possibility), then clearly the level of affordable housing provision, particularly during the early stages of the Plan (when the need is arguably at its greatest), will plummet further.
- 28.8 Indeed, the preamble to Core Policy 1 confirms that the true affordable housing figure is far greater than this (79% of the RSS figure) but to require higher than 30% would seriously affect viability ultimately prevent delivery.
- 28.9 This situation cannot be remedied by the Plan's 're-distribute elsewhere' approach as the suggested 'over-provision' in Newark will not give rise to additional affordable housing provision to meet the local affordable housing needs of Blidworth. Moreover, Core Policy 1 confirms that off-site provision will not normally be encouraged. Even if it was, the Green Belt constraint surrounding Blidworth would prevent such affordable housing being delivered [following an off-site contribution derived from a development site elsewhere] as a 'Rural Affordable Housing

Exception Site' since Spatial Policy 4B would prohibit this by restricting such opportunities to "in or adjacent to" the villages of Bulcote, Caythorpe, Epperstone, Gonalston, Gunthorpe, Hoveringham and Oxtun – all of which are of course far less sustainable than Blidworth.

28.10 Even if Spatial Policy 4B were worded to allow a 'Rural Affordable Housing Exception Site' adjacent to the main built-up area of Blidworth (which it is not), inevitably such a site would be in the Green Belt and no doubt as far away from the Conservation Area as possible so as to preserve its special character or setting in accordance with the requirements of criterion 5 of Spatial Policy 9.

28.11 As Spatial Policy 4B explicitly recognises that meeting an identified local housing need is capable of comprising the exceptional circumstances necessary to justify such development in the Green Belt, it seems somewhat perverse to adopt an approach which specifically seeks not to allocate a site in the Green Belt which is capable of delivering the level of affordable housing required for Blidworth, but to instead seek allocate elsewhere and rely on a windfall rural exception site in the same part of the Green Belt at a later stage - particularly when the same site could be allocated as part of this process *and* deliver the residual market housing requirement for Blidworth all in complete accordance with the wider aims of the Spatial Strategy.

28.12 To remedy all of the above, **additional sites should be allocated in the Plan to meet the housing requirements for Blidworth up to 2026.**

28.13 This is particularly important in Blidworth where its existing settlement boundary is 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).

29. Have the policies for Blidworth and Rainworth been prepared positively in terms of the duty to co-operate with neighbouring planning authorities and is this on-going? How do the policies relate to plan and strategies of neighbouring local authorities?

29.1 Yes. The Council’s response to the Inspector’s initial question in the above connection is noted and accepted.

Nick Baseley

[2,469 words]