

**NEWWARK AND SHERWOOD SUBMISSION SITE ALLOCATIONS &
DEVELOPMENT MANAGEMENT DPD**

**Examination in Public: Hearing Statement
December 2012**

Matter 5 (19) Southwell Area

**Land north of Southwell Road, Farnsfield (Fa/AS/2)
Representor ID: 141**

Submission by
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Hollins Strategic Land**



Matter 5 (19) Southwell Area / Representor 141 / P O'Shea Hollins Strategic Land

1. Hollins Strategic Land has acquired Site **Fa/AS/2** for residential development on the grounds that it is the most sustainable site to meet an identified housing need in Farnsfield. There is a significant underprovision of high quality market and affordable homes being delivered in Farnsfield. Hollins Strategic Land reaffirms the previous submissions in that Site **Fa/AS/2** is the most sustainable site to deliver new homes at Farnsfield.

Farnsfield Housing Needs

2. The Council's evidence has not referred to the necessity to meet local housing needs nor has it made any assessment of likely demand for housing in Farnsfield. It is clear that Farnsfield is an important functional settlement in the Southwell area and plays a complimentary role to the service centre of Southwell. It is also evident that Farnsfield has capacity to substantially meet its need and plan for future provision.
3. The Core Strategy remains the guiding principle document underpinning the A+DM DPD and it provides the overall policy guidance on housing distribution and requirement. However, more recently, the NPPF specifically requires LPAs to '*significantly boost the supply of housing*' and ensure Local Plans meet the '*full, objectively assessed needs*' for both market and affordable housing in their areas. Whilst the Core Strategy was adopted prior to NPPF publication, its emphasis is on the need to deliver homes and make provision for new housing to meet local housing need (Spatial Policy 2 (3)). It specifically identifies Farnsfield as a 'Principal Village' and directs a minimum of 10% of overall 'Principal Village' growth to meet local housing needs (i.e. 142 dwellings). However, in allocating sites for housing in Farnsfield, the Council has patently planned for the absolute minimum housing provision running contrary to meeting its obligation to meet the full and objective housing needs of Farnsfield (as required by Para 47 NPPF principles of plan making and indeed Core Strategy Spatial Policy 2).
4. The Newark & Sherwood Housing Needs, Market & Affordability Study (2009) was commissioned by the Council in June 2009. The purpose of the study was to '*undertake a comprehensive and robust assessment to obtain high quality information about current and future housing needs at a local authority level and to inform the development of polices and underpin local housing strategies*'. It confirms there is a specific need in Farnsfield for around 168 dwellings to meet market housing demand alone. In addition, there is an additional need for 179 dwellings to meet the needs of both concealed and existing households that require affordable homes. Together, the local needs/demand for Farnsfield is in the region of 357 dwellings. Whilst the scale of need/demand is unlikely to be met in full, it must be recognised that the proposed allocation to provide only 105 dwellings is far short of meeting the full and objectively assessed needs of Farnsfield.

5. There is therefore a bona fide need to plan beyond the minimum provision on order to meet local needs and housing demand for the area (as supported by the available evidence base) and to ensure flexibility and certainty over the Plan period.

Farnsfield Site Allocations

6. The draft DPD proposes two allocations at Farnsfield:
 - a. Policy Fa/Ho/1 - 35 dwellings
 - b. Policy Fa/MU/1 – 70 dwellings and 0.5ha employment provision

Policy Fa/Ho/1

7. Land to the east of Ridgeway and Greenvale is proposed for allocation of 35 dwellings. There is no certainty on delivery and access is said to be subject to ransom strips between the site and the existing public highway. In addition, access is *via* an already constrained residential road network. The Site is not the most suitable/sustainable when considered against reasonable alternatives.

Policy Fa/MU/1

8. Land to the west of Cockett Lane is proposed for allocation of 70 dwellings 0.5ha of employment development. It is submitted that the Council's allocation of Fa/MU/1 is not the most sustainable site when considered against the reasonable alternatives. In identifying Policy Fa/MU/1, the Council inherently fails to acknowledge key planning issues which may impact on delivery of the site. The visual impact has not been assessed and given the elevated position of the site and the subsequent impact it would have on the landscape, particularly at night when street lighting is dominant; the issue of unstable land due to the nearby quarry; the proximity to SINC and potential impact on protected species / habitats which may be adversely impacted upon, particularly from proposed employment generating uses, distance from local services and amenities and the major infrastructure works required to service the site, which will no doubt impact on viability given the sewerage network would require upgrading.
9. In terms of the proposed mixed use allocation, there are issues surrounding the implementation and masterplanning of the site in respect of employment and residential land components. Buffers will no doubt be required between land uses, the scale or quantum not yet known. A buffer is also likely between the SINC and new development, again the scale or quantum is unknown and as such as in both cases the net developable area could be significantly reduced. Access is contrived in that it appears that one access point at the southern end of the site off Cockett Lane is proposed. Whilst theoretically sound, the implementation of such a proposal would likely result in a drawn out process at Planning Application stage, particularly if the LPA require the delivery of employment land linked to the delivery of residential

elements of the scheme. There is no doubt that these matters need addressing in the first instance to avoid uncertainty and additional delays in delivery of housing at Farnsfield.

10. Written evidence previously submitted by Peveril Homes demonstrated in detail that the Council's preferred site for residential together with employment development at Land west of Cockett Lane (Policy Fa/MU/1) is not the most sustainable and therefore not the most appropriate direction of growth of Farnsfield, and that land to the east of the settlement (**Fa/AS/1** and **Fa/AS/2**) would be on balance more sustainable, reflect the evidence base and therefore more appropriate for inclusion in the plan.

Alternative Site Fa/AS/2

11. The Council's evidence base confirms the case for regarding Site **Fa/AS/2** as the pre-eminently sustainable direction of growth of Farnsfield by reference to considerations set out in Spatial Policy 9 'Selecting Appropriate Sites for Allocation': it is adjacent to the existing settlement; it is accessible and well related to existing facilities; it is accessible by public transport; it is the most sustainable in terms of impact on existing infrastructure; would not impact adversely on the special character of the area, including not impacting on important open spaces and views; would address the findings of the Landscape Character Assessment; would not lead to the loss, or adversely impact on, important nature conservation or biodiversity sites; would not lead to the loss of locally important open space and is not located in an area at risk of flooding.
12. The SHLAA (Site Ref: 08-0509) concludes the suitability of **Site Fa/AS/2** as a housing site having no physical constraints to development. It confirms capacity at 68 dwellings. However, in that assessment, there is no reference to the fact that the site has developer interest when it clearly has and as such implies the Site is said to be unavailable when it is available. It is acknowledged that the northern parcel is in separate ownership but is not dependant on delivery. Excluding the northern parcel, the Site has capacity to deliver around 50 dwellings. Attached to this submission is a revised red line plan showing Hollins Strategic Land's interest. The plan shows the potential access point off Southwell Road at a location within the curtilage of Broadlands and within the existing settlement boundary. Pedestrian access can be provided via Nether Court.
13. In light of the identified housing need at Farnsfield and the need to provide flexibility and certainty in the Plan, Site **Fa/AS/2** must be allocated on the grounds that it is the most sustainable site supported by the evidence base.

Sustainability Appraisal

14. In regard to procedure, the Council has followed a Sustainable Appraisal methodology in the preparation of the DPD but is inconclusive on why reasonable alternative sites were rejected. There are no credible

planning reasons provided why the alternative site (**Fa/AS/2**) was not taken forward when the evidence clearly indicated otherwise.

15. Evidently, the formal requirement for Sustainability Appraisal (SA) in accordance with the SEA Directive and the 2004 Regulations places sustainability at the heart of the planning system in general and the DPD planning process, in particular. The purpose of Sustainability Appraisal, mandatory under the Planning and Compulsory Act 2004, is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of DPD and SPD documents. This also being a clear theme of the NPPF. Clearly, however, there is no point in adopting a SA methodology in the DPD which does not bring forward the most sustainable available outcome. Such an approach runs contrary to the presumption in favour of sustainable development (as required by national guidance).
16. Whilst the Council asserts in general terms it has followed a due SA process, this of itself does not establish that the Council has given adequate or due weight to sustainability considerations in the judgement it has applied in assessing alternative sites. The Council has produced no specific evidence that satisfactorily addresses its unsound application of its methodology to the specific case of Policy Fa/MU/1.
17. Furthermore, the failure of the Council to take the opportunities in the planning process to address the unsound nature of Site Fa/MU/1 have been set out in previous written evidence and are not repeated here. It is accordingly submitted that the failures to identify the proper role that the allocation of site **Fa/AS/2** could and should play in the sustainable expansion of Farnsfield render the DPD contrary to the objectives and substance of national policy for sustainable development, and ineffective in regard to implementing the relevant national planning policy guidance and legislation.
18. In short, the Council has glossed over and not responded in detail to the submitted written evidence to the effect that Site **Fa/AS/2** was unreasonably rejected in the DPD site selection process as what appears to be the result of a judgmental error regarding availability and access. The Council has never clearly and unequivocally demonstrated that it sought to address errors and re-evaluate the sustainability of the site accordingly, in response to subsequent objections and representations through the ensuing stages of the DPD planning process.
19. The Council has also not sought to address the case, subsequently made in written evidence, for regarding Site **Fa/AS/2** as the most sustainable direction of growth of the village, despite its own evidence clearly showing the Site **Fa/AS/2** is the most accessible to services and amenities.
20. Further, the Council has not given weight to consultation responses which clearly set out that Fa/MU/1 was the least supported site (Refer to Consultation Responses for Farnsfield).

21. During the course of the DPD process, the Council has been made aware through previous representations which demonstrated access is achievable from Southwell Road. This simply reflects a failure to be proactive and imaginative in terms of design thinking on the part of the Council especially when a site conceptual drawing was submitted to the Council outlining potential access arrangements for Site **Fa/AS/2** can be taken from Southwell Road.

Soundness

22. The DPD is accordingly not sound in the following respects:
- a. The DPD is not positively prepared in that it is not based on a strategy that seeks to meet objectively assessed development (housing) needs and infrastructure requirements, given the housing provision at Farnsfield plans for the absolute minimum with no flexibility despite an identified and objectively assessed need to deliver more homes.
 - b. The DPD is not justified as it does not reflect the most appropriate strategy for Farnsfield when considered against the reasonable alternatives based on proportionate evidence. The Council has relied upon flawed information resulting in a strategy that is not the most appropriate for Farnsfield. As a result of the above, the DPD strategy for Farnsfield will not deliver the most effective long term solution for the sustainable expansion of the settlement required to support its role as a Principal Village, and fails to have regard to the introduction of a flexible approach to securing the expansion of the village in its most sustainable form as a result of the Council excluding Site **Fa/AS/2** from proper consideration for allocation.
 - c. By failing to address the role that Site **Fa/AS/2** can, and it is submitted, should properly play in contributing to the sustainable expansion of the Village of Farnsfield, the plan is not consistent with national policy to enable the delivery of sustainable development and significantly boost the supply of housing.

Proposed Changes

23. The National Planning Policy Framework places a presumption in favour of sustainable development at the heart of the planning system. In regard to sustainable locations for growth, the Core Planning Principles in the NPPF state that planning policies and decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable (para 17 – Principle 11). It is submitted that this core planning principle underpins and reinforces the preeminent role Site **Fa/AS/2** should properly play in the sustainable expansion of Farnsfield, as already set out in written evidence. It is the foremost sustainable direction of growth in relation to the form of the existing village centre and its facilities, and access from Southwell Road provides a robust solution that would avoid traffic conflicts in congested neighbourhood

streets and would allow expansion for the village to the east for the DPD period and the foreseeable planning future.

24. Furthermore, whilst stating that local development plans must aim to achieve the foremost objective of sustainable development (paras 14 and 49), the NPPF requires housing allocations to be based on full objectively assessed housing needs of the area and encourages local planning Authorities to significantly increase the supply of housing (para 47) and to include an additional allowance of at least 5% in their five year housing land supply of 'deliverable sites'. It is therefore clear that the strategic sustainable direction of growth for the settlement is a matter of policy on which a Local Plan should very clearly identify and define, and that in the case of the DPD for Farnsfield, the Council has failed to have sufficient regard to the most sustainable direction of growth of the settlement. It is important that the opportunity is taken by the Inspector to set the sustainable planning context for the growth of Farnsfield and matters are clarified within the DPD.
25. It is therefore submitted that Site **Fa/AS/2** remains and is on balance clearly the most sustainable direction of housing growth for Farnsfield, for the reasons stated in earlier written evidence which are not repeated here. The inspector is accordingly requested to include Site **Fa/AS/2** as an allocation for residential development in the DPD.
26. The inclusion of Site **Fa/AS/2** in the DPD would accord with the available evidence in terms of identifying the most sustainable housing site and would help meet the full and objective housing needs of Farnsfield rendering the plan sound.
27. Previously submitted written evidence requested the Inspector to substitute Site **Fa/AS/2** for the Councils preferred allocation (Fa/MU/1). Whilst preference should in the first instance be given to the allocation of Site **Fa/AS/2** due to its sustainable credentials and its ability to deliver now, there is also the case to consider allocating site **Fa/AS/2** in addition to Fa/MU/1 and Fa/HO/1 in the DPD. A phasing strategy for the mixed use site should be continued. This approach would reflect the available evidence base of meeting local housing need/demand and would address the matter of flexibility and provide certainty over the plan period.
28. **Fa/AS/2** has already been subject of sustainable appraisal, meaning that its allocation in the DPD would not require further public consultation or Sustainability Appraisal. There would accordingly appear to be no procedural restriction on the Inspector allocating site **Fa/AS/2**, with no requirement for further public consultation or delay.

End of Statement.

Word Count: 2,736



El Sub Sta

Broadlands

Braydon House
Langford
Aldershay

NETHER

Drain

SOUTHWELL ROAD

46.3m

