

Newark and Sherwood District Council  
Planning Policy Business Unit  
Kelham Hall  
Kelham  
Newark  
Nottinghamshire  
NG23 5QX

NB/ThomasLDFReps/22

18 February 2013

Dear Sirs

**Newark and Sherwood Submission Allocations and Development Management  
Development Plan Document (DPD)**

**Final Modifications January 2013**

I refer to the above consultation document and have the following comments to make.

First, the reference to 'Final Modifications' indicates a pre-emption in advance of receipt of the Inspector's Report.

It is not clear whether the proposed modifications have been made by the Council at the request of the Inspector (having carefully considered all representations, both those in writing and those made orally during the Examination in Public) or are simply items picked up during the EiP and made unilaterally by the Council.

In the event of the former, it would appear that the Inspector has not added, altered or deleted any allocation over and above those decided upon by the Council in advance of the EiP, despite the attendance of many representors (many of whom were professionally represented) during that public examination.

The sessions I attended dealt with the Council's approach to development in Blidworth and Lowdham. My representations (and those of others) highlighted a serious under-provision in these two settlements and a clear conflict with the adopted Core Strategy.

During the debate, reference was regularly made to the fact that the purpose of the Site Allocations EiP was not to revisit or re-write the Core Strategy.

However, if the Council is ultimately allowed to under-provide in Blidworth and Lowdham in clear conflict with the Core Strategy (on the basis that the Final Modifications simply acknowledges this and contains reference to a future review of the

housing numbers set out in the Core Strategy for Green Belt villages in 2015/16), it rather makes a mockery of the status of the adopted Core Strategy and renders the consultation process on the Site Allocations DPD (and more particularly the attendance at the Examination in Public) a complete waste of time and money.

In addition, not only do the Final Modifications fail to acknowledge the views of the majority of the room that the Council's approach ought to identify sites to accommodate as many dwellings as possible in Lowdham (in the light of the paltry contribution of 10 dwellings within the context of a residual housing requirement of 61), there is still no recognition of the contribution the site previously identified as Lo/MU/1 could make in reducing this deficit.

As was made clear in my written representations (and evident in the FRA submitted with those representations), the housing element of the mixed-use development was proposed to be limited to that part of the site falling within Flood Zone 1.

At the EiP, the Council's representative sought to justify the decision not to carry this site forward on the basis that there were concerns over the area of the site falling within Flood Zone 1; not that *none* of the site fell within this zone (where development is appropriate).

The consequence of this must surely be a reduction in number of dwellings to be accommodated on the site, rather than no development whatsoever – particularly in the light of the wholly unnecessary under-provision.

The justification within the new paragraph 1.28 (FM4) simply states that, *'In Blidworth and Lowdham it has not been possible to accommodate the numbers of dwellings identified in the Core Strategy due to Green Belt, flooding and access constraints'*.

The above is not a true representation of the situation.

The Core Strategy facilitates the review of the Green Belt boundary around Blidworth and Lowdham specifically to meet the residual housing requirement for each settlement set by the adopted Core Strategy.

The aforementioned Lo/MU/1 was considered by the Council to be an acceptable Green Belt site (therefore the Green Belt constraint cannot be applicable) and neither the indicative flood plain on the Environment Agency's website, the Council's Stage 2 Level 2 SFRA or the landowners' own FRA (commissioned by Opus International Ltd) show that part of the site proposed for housing to be in anything other than Flood Zone 1. Accordingly, flooding constraints similarly cannot apply in this instance.

As regards access constraints, at no time has the ability to provide access to site to serve the proposed development been brought into question.

The direct consequence of failing to include this site is that the Council will significantly under-provide in Lowdham (with associated affordable housing shortfalls) and that there will be a residual requirement for new allotment provision - which was of course something else that would have been delivered as part of the original mixed-use scheme.

In the light of the above, I can see no legitimate reason why either the Inspector, or the Council, do not see it fit to reinstate this mixed-use site as an allocation in the Site Allocations DPD.

During the debate in the EiP, both the Council and representors seemed content to deal with some technical unknowns (e.g. access/junction constraints) as a post-allocation policy requirement and note the Final Modifications do not seek to vary this.

Indeed, the Final Modifications do not seek to amend any of the proposed allocations other by way of minor amendments to the wording of the policy requirements.

Both the Council and the Inspector will recall the significant doubt, on the part of the landowner (the Parish Council) over the deliverability of site BI/Ho/4.

The Parish Council reluctantly conceded that they might be prepared to dispose of the site for housing, but only on the strict proviso that alternative provision was made and that there was strong local support.

With regard to the first proviso, the Parish Council confirmed that they were not aware of any alternative site and had not even thought about looking into this yet.

With regard to the second proviso, the Inspector will recall that members of the Allotment Society confirmed that they were in receipt of a petition against the loss of the existing allotment site and that this had been signed by 850 local persons.

Faced with the above, I am quite frankly amazed that site BI/Ho/4 continues to be regarded as a deliverable site that the Council can rely upon and that the Site Allocations DPD is regarded as sound in this regard.

Legitimate concerns have been raised over the deliverability of site BI/Ho/4 in its entirety and site BI/Ho/3 in terms of its ability to provide 100 dwellings in the light of the uncertainties over the access constraints – particularly in that it is known that the existing junction is below standard and not able to be improved owing to third party land/building constraints.

The proposed new paragraph 1.29 (FPM5) instils further disappointment in confirming that, *“As it is not the intention to undertake a further review of the Green Belt, it may be necessary to revise the housing figures downwards if development is not forthcoming”*.

The Council’s approach seriously under-provides in Blidworth and Lowdham, but evidently, owing to the existence of the Green Belt, this can be legitimised by general provision elsewhere.

Where those existing doubts over the delivery of site BI/Ho/3 in part and BI/Ho/4 in its entirety result in development not coming forward in the form envisaged, the Council’s solution is to simply re-write the adopted Core Strategy. At the EiP, the Inspector was at pains to explain to local objectors that this was not the purpose of the Site Allocations DPD.

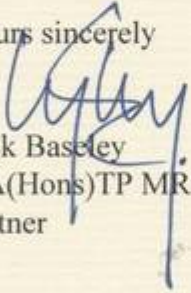
It is the case that the Council has not done a formal Green Belt Review. Proposed new paragraph 1.29 (FPM5) confirms that it is not the intention to undertake a further Green Belt Review. It is therefore the case that Green Belt boundaries set as part of this process will remain beyond the new plan period and will therefore serve as a significant constraint to the development of both Blidworth and Lowdham for decades to come.

This Site Allocations DPD process represented a golden opportunity to forward plan responsibly and strategically to meet the future housing needs of Blidworth and Lowdham. The adopted Core Strategy specifically facilitates this acknowledging that the level of new housing to be met in both Blidworth and Lowdham was set in the knowledge that both had limited opportunities to accommodate development within the built-up area and both were constrained by the existing Green Belt boundaries.

I cannot imagine the Core Strategy Inspector set the levels he did for both settlements with the expectation that the Council would fail substantially to allocate sufficient land and instead seek to downgrade these in a future Core Strategy review as an easier solution.

I am sorry that the above comments cannot be offered in a more positive light and trust that the Inspector will continue to have proper and full regard to the written and oral representations made over and above the rather lacklustre minor amendments comprising these Final Modifications which go no way to address the shortfalls of the Site Allocations DPD identified by myself and others throughout the consultation process.

Yours sincerely

  
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Partner

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