

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 3 – Housing

8. Is the amount of land allocated for housing sufficient to meets needs? If not, how will the Plan ensure that an appropriate housing land supply will be maintained in the medium and longer terms?

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

8.2 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').

8.3 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.

- 8.4 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.
- 8.5 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.
- 8.6 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.
- 8.7 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**.
- 8.8 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.
- 8.9 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.
- 8.10 Indeed, paragraph 4.30 of the Core Strategy explains that the SHLAA revealed that potential housing land supply was limited within those existing settlement boundaries constrained by the Green Belt and therefore

consideration would need to be given to *changing* boundaries (i.e. releasing land adjoining settlement boundaries from the Green Belt to accommodate additional development) to meet the wider aims of the Spatial Strategy.

8.11 The Council's 're-distribute elsewhere' approach to compensate for the significant under-provision within Lowdham is also not consistent with the wider aims of the Spatial Strategy.

8.12 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.

8.13 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 or ensure local affordable housing provision is delivered **where the need arises**.

8.14 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".

Will they provide for an appropriate housing mix, including affordable housing, provision for gypsies and travellers, in the right locations?

8.15 No. Paragraphs 5.2 to 5.9 of the Core Strategy explain why Core Policy 1 – 'Affordable Housing Provision' is necessary.

- 8.16 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].
- 8.17 However, as the Plan fails by some margin (almost 80%!) to meet the housing requirements set for Lowdham, this will also necessarily 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.
- 8.18 For example, 30% of the residual 61 dwellings equates to **local affordable housing provision in Lowdham of some 13 dwellings**. As the Plan only identifies sufficient land to accommodate 13 dwellings, then the number of affordable dwellings to be built in Lowdham over the plan period would, in accordance with Core Policy 5 of the adopted Core Strategy **reduce to only 4 dwellings**.
- 8.19 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 and ultimately prevent delivery.
- 8.20 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 Lowdham. Moreover, Core Policy 1 confirms that off-site provision will not normally be encouraged. Even if it was, the Green Belt constraint surrounding Lowdham 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 Oxton – all of which are of course far less sustainable than Lowdham.

- 8.21 Even if Spatial Policy 4B were worded to allow a ‘Rural Affordable Housing Exception Site’ adjacent to the main built-up area of Lowdham (which it is not), inevitably such a site would be in the Green Belt in any event.
- 8.22 The CRD notes the comments of the Parish Council which highlight that, notwithstanding the 30% affordable housing provision advocated by Core Policy 1, a 2007 housing needs study for Lowdham identified a need for up to 24 units of affordable housing (which was adjusted to 16 units on further investigation). The Parish Council notes that, since 2007, the population has continued to develop and the current need (especially for the elderly and first-time buyers) has probably increased to nearer 20 units.
- 8.23 In the above connection, paragraph 4.7 of the plan explains that, due to the limited capacity for new housing provision within Lowdham, consideration needs to be given to providing mainly 2-bedroom houses and bungalows to meet the local needs of the community. The Plan proposes to do this through **Policy Lo/HN/1**.
- 8.24 However, if the Plan made provision for sufficient land to meet the residual housing requirement for Lowdham¹ (as it should do), there would not be the need for such a dictatorial local housing needs policy as now proposed. My clients continue to object to the inclusion of Policy Lo/HN/1 on the basis that it should not be required and that it could, in fact, serve to further

¹ The residual housing need of 61 new dwellings clearly comprises a mix of market housing beyond that identified in the local housing needs survey.

prohibit the delivery of those sites ultimately proposed in Lowdham for housing.

8.25 To remedy the above, **additional sites should be allocated in the Plan to meet the housing requirements for Lowdham up to 2026.**

8.26 This is particularly important in Lowdham 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).

8.27 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 location².

8.28 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

² 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."

developed without being at risk of flooding, causing flooding elsewhere or placing additional pressure on the existing sewer and drainage infrastructure.

- 8.29 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 SFRA³ which confirms that 40% of the site does indeed fall within flood zone 1 where the principle of housing development is permitted in accordance with the advice set out in NPPF and its technical companion.
- 8.30 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].
- 8.31 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.
- 8.32 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.

³ Refer to Site 34 at Appendix G to the Council's Level 2 SFRA.

9. Are the allocated sites viable and deliverable for the first 5 years, having regard to the provision of the necessary infrastructure, affordable housing, environmental constraints and development management policies? Is the Plan sufficiently flexible to enable delivery given the current market conditions?

9.1 No. Lo/Ho/3 is not scheduled to be delivered until at least 2023/2024 as is confirmed in the Council's amended Housing Trajectory table.

9.2 In addition, the same Housing Trajectory table confirms that both sites Lo/Ho/1 and Lo/Ho/2 are not due to be delivered until at least 2016/2017 and both are projected to deliver at a rate of only 1 dwelling each year for the following 5 years. On this basis, it is clear that none of the 3 sites proposed for allocation in Lowdham are considered to be deliverable within the first 5 years.

9.3 It is considered that Policy Lo/HN/1 could also further affect the viability (and therefore deliverability) of those 3 sites in so far as dictating that they should be developed specifically to meet the local housing needs identified in the 2007 Housing Needs Survey for Lowdham. It is further considered most unlikely that a housing association would be sufficiently interested to become involved on such a small scale – i.e. across 3 sites from a viability and operational standpoint.

9.4 Given that the Green Belt completely surrounds the settlement, there will be no flexibility to deliver an alternative site to make up the numbers unless appropriate provision is made within *this* Plan.

9.5 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, or indeed ultimately at all.

10. Are alternative proposals that have been put forward in representations appropriate and deliverable? Have they been subject to sustainability appraisal compatible with that for the Plan?

10.1 The former Lo/MU/1 has been consistently promoted throughout the entire consultation process. The Council's previous identification of this site as a mixed use allocation was supported by the landowners who confirmed they were willing and able to deliver the site as required within the early part of the plan period.

10.2 As the site has previously been identified as a mixed use allocation in the earlier consultation stages, it has clearly been subject to sustainability appraisal compatible with that for the Plan.

10.3 The landowners' own Flood Risk Assessment, the Environment Agency's online flood maps and the Council's Level 2 SFRA all confirm that 40% of the site (i.e. that part proposed for housing) is located within flood zone 1 – and therefore not at risk of flooding⁴.

10.4 In the above context, the site comprises an extremely logical extension to the built-up area and long-term defensible boundary to the Green Belt (once reviewed), is outside of the area susceptible to flooding and free of any development constraints and can therefore be considered to be **appropriate and deliverable within the first 5 years of the plan period.**

Nick Baseley

[2356 words]

⁴ At the time of writing, Lowdham and surrounding villages had in parts experienced severe flooding. Photographs attached to form **Appendix IBA1** show part of Lowdham in flood, whereas Site Lo/MU/1 is completely unaffected – further corroborating the conclusions of the SFRA and the landowners' site-specific FRA [Post Submission Document ADD22].

Appendix 1



Lowdham Cricket Field
Photograph taken 25 November 2012



Land off Southwell Road [Site reference Lo/MU/1]
Photograph taken on 25 November 2012