

Report to Cabinet

Subject: Willow Farm Development Brief

Date: 13 February 2020

Author: Service Manager Planning Policy

Wards Affected

Gedling, Trent Valley

Purpose

To approve the Willow Farm Development Brief as a Supplementary Planning Document

Key Decision

Yes, as the Brief guides development which effects communities living or working in an area comprising two or more wards of the Borough.

Recommendation(s)

THAT Cabinet:

- 1. Adopts the Willow Farm Development Brief as a Supplementary Planning Document, attached as Appendix 2.**
- 2. Authorises the Service Manager for Planning Policy to make any necessary minor amendments to correct any typographical or grammatical errors prior to the document's publication**

1 Background

- 1.1 The Willow Farm site is allocated under LPD Policy 65 (Housing Allocations – Urban Area and edge of Hucknall) contained within the Local Planning Document 2018 which comprises part 2 of the Council's Local

Plan. The site is allocated for 110 homes (site H3 Willow Farm). This report relates to the adoption of a supplementary planning document which will set out a development brief for the Willow Farm site and add more policy detail to the H3 Willow Farm allocation.

- 1.2 Although not part of the development plan, supplementary planning documents are a material consideration in planning decisions and carry significant weight provided they have been prepared within the statutory procedures and subject to public consultation.
- 1.3 Preparation of the draft development brief has involved the developer, Nottinghamshire County Council as well as a local residents association, the Willow Farm Action Group.
- 1.4 Legislation requires that the draft design brief is subject to consultation with statutory consultees and the local community; and following approval by the Portfolio Holder for Growth and Regeneration the consultation period was between 19th August and 30th September 2019.
- 1.5 With the assistance of the Willow Farm Action Group, approximately 400 local homes received an individual letter or “flyer” notifying the household of the consultation process. The consultation was advertised on Gedling Borough Council’s website and through the “Keep Me Posted” system, the draft development brief documentation was also made available on the website and at local libraries and contacts alerted on the Planning Policy Consultation database.
- 1.6 The comments received have been considered and summarised and together with a response by Gedling Borough Council are set out in **Appendix 1**. In certain cases, the comments have led to changes to the draft development brief which is attached as **Appendix 2**. Other more minor changes have also been included to edit the document into this final Cabinet version of the Willow Farm Development Brief, to correct grammar or aid clarity. Significant changes are identified in **Appendix 2** with additions in **bold text** and underlined and deletions are shown by strike through text (~~strike through~~). The amended draft Willow Farm Development Brief is therefore attached for Cabinet to agree to its adoption and publication as a Supplementary Planning Document.

2 Proposal

- 2.1 It is proposed that Cabinet agrees to the adoption of the amended Willow Farm Development Brief attached as **Appendix 2** as a Supplementary

Planning Document.

The Development Brief

- 2.2 The Development Brief is summarised below and includes three main aims:
- To promote high standards of layout and design;
 - To inform developers and other interested parties of the constraints and opportunities presented by Willow Farm; and
 - To identify the planning policy and guidance framework for the development of Willow Farm.
- 2.3 The document is structured as follows:
- Chapter 2: Site Location and Description describes the location and the characteristics of the site;
 - Chapter 3: Planning Policy Context sets out the relevant planning policies and obligations that applicants will need to accord with, alongside the requirements of the Development Brief;
 - Chapter 4: Site Opportunities and Constraints identifies the key relevant considerations for applicants, in terms of the local and natural and built environment;
 - Chapter 5: Development Principles builds on the conclusions of previous chapters to set out development principles for the site and key land uses envisaged in accordance with the H3 allocation to provide approximately 110 homes. It confirms the requirement for a suitable access from the existing highway network and the need to minimise impact on existing homes and residents. It also discusses delivery and phasing;
 - Chapter 6: Design Principles sets out the detailed design considerations that applicants should incorporate into any development plans; and
 - Chapter 7: Delivery and phasing discusses how development could be delivered and phased.
- 2.4 A Transport Assessment is required to be submitted with any future planning application along with an ecological assessment; and a landscaping scheme. Developer contributions towards the services and

facilities needed to support the development including for education, health and open space is also specified.

Key points raised during the Consultation

- 2.5 58 consultees including statutory bodies, local residents and the Willow Farm Action Group responded making approximately 250 separate comments. The objections and comments raised by consultees are summarised in the Willow Farm Development Brief Report of Responses (**Appendix 1**). There were some positive comments relating to certain aspects of the brief and also about the standard of consultation. However, the concerns raised can be listed under the following broad headings:
- Objections to the principle of development and loss of Green Belt;
 - Access and highway impacts and road safety;
 - Flood risk;
 - Supporting infrastructure especially school places;
 - Local amenity, design, layout, mass, scale and housing type;
 - Biodiversity and natural features such as the retention of hedgerows, trees and the protection of ridgelines;
 - Unstable land; and
 - Consultation including the involvement of the community.
- 2.6 The principle of developing the site was questioned by some consultees. The draft development brief made it clear that the principle of development has already been established through the adoption of the Local Planning Document. In relation to the necessity of the housing development, the housing target of 7,250 homes was tested at the examination into the Aligned Core Strategies Part 1 Local Plan. At this examination the Inspector heard arguments for more or less housing but agreed with the Greater Nottingham Councils that the housing target was objectively assessed and justified to meet local need. The Inspector accepted that not all housing development needs could be met within the existing urban area thereby necessitating the removal of sites on the edge of the urban area and at Key Settlements from the Green Belt. The Inspector who held the examination into the Local Planning Document Part 2 Local Plan agreed and endorsed the allocation of the Willow Farm site.
- 2.7 Some consultees considered the principle of development was flawed and referred to the statement in paragraph 3.18 of the Local Planning Document setting out a rationale for an early review of the Local Plan and argued that Gedling Borough had failed to carry this out. The matter has already been considered and at its meeting on 10th January 2019 Cabinet members were appraised as to the progress of the delivery of the Gedling Access Road and referred to paragraph 3.18 of Policy LPD 64. It was

determined that the delay in progress of the GAR was not so significant so as to require an immediate review of the Local Plan, but in any event, the same report noted the commencement of the review of the Aligned Core Strategy, to be followed by a review of the Local Planning Document (see response on paragraph 9, **Appendix 1**).

- 2.8 The vast bulk of comments from local residents and Willow Farm Action Group concerned access, traffic impacts on the local road network and highways safety; and the need to take account of the 6C's Highways Guide (summarised in **Appendix 1**).
- 2.9 In response to concerns about the impact of traffic from the development, the County Highways Authority and the independent planning inspector who examined the Local Planning Document were satisfied that the site could be satisfactorily accessed. A Transport Assessment will be required as part of the planning application process to look at the highway network and highway safety implications of the development. The draft development brief refers to the advice contained in the 6C's Highways Design Guidance (now the Nottinghamshire Highways Design Guide).
- 2.10 A number of respondents argued for a direct access to the Gedling Access Road. This option has been explored with the County Highways Authority who concluded that a temporary track would not be acceptable and the topography is such that a temporary access would have to be built to the normal standards for a permanent access road and would require a new dedicated junction with the GAR. This would constitute a 'substantial engineering operation' in planning terms which is not covered by permitted development rights such that a planning application would need to be submitted. Given the Green Belt location and the fact that it is considered the Willow Farm site can be satisfactorily accessed from Green's Farm Lane and Grange View Road then it is not considered that the "very special circumstances" needed to justify a departure from Green Belt policy could reasonably be advanced (the full response is set out on paragraphs 25 - 28 of **Appendix 1**).
- 2.11 Consultees commented that the brief included conflicting information about the exact circumstances in which the development of Willow Farm H3 may commence in relation to the progress of the Gedling Access Road. This is accepted and changes are required to provide clarification on this point and to ensure consistency throughout the document. The GAR project is making good progress with the main building works due to commence on the 6th January 2020 and to be open in 2021. It is reasonable therefore, that properties may be constructed concurrently with the GAR's construction.
- 2.12 In relation to the provision of school places the County Council as Local

Education Authority confirmed that measures would be put in place to provide additional school places through Section 106 planning agreements.

2.13 Changes to the development brief that are now proposed as a result of the consultation include:

- A new section outlining the need and broad scope for a Construction and Environmental Management Plan (CEMP) (see paragraph 5.17, **Appendix 2**);
- Change relevant text to state that a start on site is dependent on the commencement of the GAR with main works commencing 6th January 2020 (**Appendix 2**, paragraph 2.4). Clarify the position set out in paragraph 3.10 by way of a footnote explaining the changing circumstances due to the good progress being made in implementing the GAR and start of main works in January 2020;
- A reference to the character of existing residential development on Green's Farm Lane (see paragraph 4.17, **Appendix 2**);
- Reference to the Lambley Recreation Ground as part of the key local facilities section (see paragraph 4.19 of **Appendix 2**);
- A reference to the need for Sustainable Urban Drainage Systems to be adopted and maintained by a suitable management body in response to comments made by Severn Trent (see paragraph 4.4 of **Appendix 2**).
- Changes to update references to the 6C's Design Guidance to Nottinghamshire Highways Design Guidance.

Conclusions

2.14 The comments made during the consultation have been considered. It is concluded that none of the responses justify any significant changes to the draft development brief. Some changes are proposed as set out in the paragraph above and these are included within the final Development Brief attached as **Appendix 2**. Once adopted as a Supplementary Planning Document the Willow Farm Development Brief will be a material consideration and can be given significant weight in decision making. The development brief aims to achieve a high quality of development; to integrate the development with the existing community and its landscape setting and to minimise the impact of the development on existing residents. The adopted Willow Farm Development Brief will guide and help shape any forthcoming planning applications and the local community will have a further opportunity to comment on the detailed planning application.

3 Alternative Options

- 3.1 The alternative option would be not to adopt the Willow Farm Development Brief as a Supplementary Planning Document. This Supplementary Planning Document is intended to provide additional policy guidance supplementing national policy set out in the NPPF and to explain how adopted Local Plan policies would be applied to the development of the site. In this context it provides more certainty for the developer and the local community.
- 3.2 A variation of the alternative option is not to adopt the Development Brief as a Supplementary Planning Document but use the document as informal planning guidance. However, such informal guidance would carry less weight in decision making.
- 3.3 An alternative option would be not to adopt the Development Brief as proposed but to make amendments to the proposed version. The brief has however been through extensive consultation and the proposed version for adoption takes into account consultation responses and has been amended where appropriate to ensure all material planning considerations are taken into account.

4 Financial Implications

- 4.1 None, the preparation of the development brief has been met from existing budgets.

5 Appendices

- 5.1 **Appendix 1:** Willow Farm Draft Development Brief Report of Responses
- 5.2 **Appendix 2:** Willow Farm Development Brief Supplementary Planning Document (January 2020 Cabinet Version)

6 Background Papers

6.1 None

7 Reasons for Recommendations

7.1 To approve the Willow Farm Development Brief as a Supplementary Planning Document