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# **Report to Broxtowe Borough, Gedling Borough and Nottingham City Councils**

**by Jill Kingaby BSc(Econ) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 24<sup>th</sup> July 2014**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

## **REPORT ON THE EXAMINATION OF THE GREATER NOTTINGHAM – BROXTOWE BOROUGH, GEDLING BOROUGH AND NOTTINGHAM CITY – ALIGNED CORE STRATEGIES**

### **PART 1 OF THE LOCAL PLAN**

Document submitted for examination on 7 June 2013

Examination hearings held between 15 and 17 October, 5 and 7, 12 and 13 November 2013, and 11<sup>th</sup> and 13<sup>th</sup> February 2014.

File Ref: PINS/Q3060/429/5

## **Abbreviations Used in this Report**

|        |                                                 |
|--------|-------------------------------------------------|
| AA     | Appropriate Assessment                          |
| ACS    | Aligned Core Strategies                         |
| CS     | Core Strategy                                   |
| CIL    | Community Infrastructure Levy                   |
| DCLG   | Department for Communities and Local Government |
| HMA    | Housing Market Area                             |
| HRA    | Habitats Regulations Assessment                 |
| HS2    | High Speed Two (high speed rail line)           |
| LDS    | Local Development Scheme                        |
| Mod    | Main Modification                               |
| NCRELS | Nottingham City Region Employment Land Study    |
| NET    | Nottingham Express Transit (tram)               |
| NPPF   | National Planning Policy Framework              |
| PPG    | National Planning Practice Guidance             |
| RS     | Regional Strategy                               |
| SA     | Sustainability Appraisal                        |
| SCI    | Statement of Community Involvement              |
| SCS    | Sustainable Community Strategy                  |

## **Non-Technical Summary**

This report concludes that the Greater Nottingham – Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategies (ACS) provides an appropriate basis for the planning of the Area over the next 14 years and is sound, providing a number of modifications are made to the Plan. The Councils have specifically requested that I recommend any modifications necessary to enable the Plan to be adopted.

All of the modifications shown in the Appendix to this report were proposed by the Councils, and I have recommended the inclusion of all but one of the modifications after considering the representations from other parties on them.

The principal modifications can be summarised as follows:

- Insert a new Policy A to confirm the presumption in favour of sustainable development.
- Modify Policy 1: Climate Change to clarify what is expected from developers to move towards a low carbon future, and to provide reassurance that the viability and feasibility of so doing will be taken into consideration when development is proposed.
- Modify Policy 2 and its supporting text so that the housing delivery figures reflect the most up-to-date housing trajectory to meet the objectively assessed housing need for the Area and are not presented as phased stages which will constrain the provision of new housing, and so that the calculation of 5 year land supply is explained in accordance with the NPPF.
- As proposed by the Councils, modify Policy 2 to state that development in the vicinity of the proposed HS2 station at Toton should accommodate at least 500 homes, Teal Close, Netherfield should provide 830 homes and the Gedling Colliery/Chase Farm site at least 600 homes. The numbers of new homes planned in or adjoining named key settlements should be modified so that the strategy of urban concentration in or adjoining the main built up area of Nottingham and regeneration is given due emphasis. The proposed modification to reduce the number of new homes at Bestwood should not be made.
- Modify Policy 2 and its supporting text to indicate that measures will be taken to review the ACS if new Government household projections show that they no longer reflect the objective assessment of housing need. Add a new Section 20 to strengthen monitoring arrangements.
- Modify Policy 3: The Green Belt to ensure that a sequential approach is followed when Green Belt boundaries are reviewed in the Part 2 Local Plans and sites for development selected, giving maximum protection to Green Belt land.
- Modify Policy 7 to assert that a proactive approach will be taken to encourage the regeneration of previously developed land including the use of Compulsory Purchase powers for land assembly.



## Introduction

1. This report contains my assessment of the Greater Nottingham- Broxtowe Borough, Gedling Borough and Nottingham City - Aligned Core Strategies (ACS or Local Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF), paragraph 182, makes clear that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authorities have submitted what they consider to be a sound plan. The basis for my examination is the Publication Version June 2012 of the ACS [CD/REG/01]. A Schedule of Proposed Changes and Modifications June 2013 [CD/REG/02] was also submitted. The Proposed Changes and Modifications June 2013 are repeated in the Tracked Change version of the ACS [CD/REG/03]<sup>1</sup>.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant, and they are identified in bold in the report **(Mod)**. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that go to soundness have all been put forward by the Councils. They have been subject to public consultation and, where necessary, Sustainability Appraisal (SA), and I have taken the consultation responses into account in writing this report.

## Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires me to consider whether the Councils have complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. The Aligned Core Strategies (ACS) was the product of joint working by the three local planning authorities.
6. A local partnership was formed to guide the Growth Point initiative for Greater Nottingham following the recognition of Derby, Leicester, Nottingham, Leicestershire, Derbyshire and Nottinghamshire as the 6Cs Growth Point in 2005<sup>2</sup>. A new governance structure was established to guide growth proposals, with senior political representatives on the Greater Nottingham Joint Planning Advisory Board meeting approximately every two months. At officer level, an Executive Steering Group chaired by Nottinghamshire County

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<sup>1</sup> Except for Appendices A and B

<sup>2</sup> The Statement of Compliance with the Duty to Co-operate, June 2013 [CD/REG/04]

Council also met on a regular basis and the Greater Nottingham Planning Officers Group met weekly.

7. The Statement of Compliance records joint working and co-operation between the Council, other Councils and key stakeholders within and adjoining Greater Nottingham over the preparation of Core Strategies since 2008. Although Core Strategies for Erewash and Rushcliffe, which are neighbouring planning authorities within Greater Nottingham, have been submitted separately from the ACS, there is a shared evidence base and a common Infrastructure Delivery Plan was prepared. Earlier disagreement with Rushcliffe Borough Council has been overcome, it is stated, by that Council carrying out additional work to increase its planned housing provision and extend its plan period.
8. Ashfield District Council had been part of the Joint Planning Advisory Board and officer working groups. It accepted that there had been a process for active and ongoing engagement between the neighbouring authorities during the preparation of the ACS, but contended that the outcome had been unsatisfactory. Ashfield District is part of the Nottingham (Outer) housing market area rather than the Nottingham Core housing market area, but the Hucknall part of the District is functionally part of Greater Nottingham. The ACS proposes strategic site allocations in Gedling Borough close to the boundary of Hucknall. Ashfield considered that the impacts of the proposed developments on Ashfield's infrastructure and services had not been properly assessed before the ACS was published, and necessary mitigation measures had not been put forward.
9. Gedling Borough pointed out that arrangements to co-ordinate strategic planning had been in place for at least 5 years, and regular meetings held to discuss impacts relating to transport, education, health facilities, employment, site viability, the Habitats Regulations Assessment (HRA), section 106 and the Community Infrastructure Levy (CIL). Gedling had prepared a draft protocol setting out a process for the delivery of infrastructure with arrangements for making offsite contributions to meet the costs for mitigation measures in the neighbouring District [BD/TRA/10]. However, Ashfield District Council was not reassured that the impact of development in Gedling on its infrastructure and services would be fully addressed.
10. Gedling Borough Council undertook additional work after the hearings in November to assess the likely impact of its policies on Hucknall, and put forward changes to its growth strategy to reduce the amount of development proposed in the vicinity of Hucknall (**Mod3**). The proposed changes are discussed below (see paragraph 82). Although the outcome of the process of engagement has still not led to full agreement with Ashfield, there have been no objections from infrastructure providers, notably the highway authority, NHS or education authority. Gedling and the other Councils have given due consideration to the likely impact of development in Gedling on Hucknall.
11. Newark and Sherwood District Council queried whether Gedling Borough had co-operated sufficiently over the proposals for housing growth at Ravenshead, close to its border. However, no specific, significant issues regarding cross-boundary impacts were cited, and the evidence for the ACS, notably the Infrastructure Delivery Plan, did not identify any. Gedling Borough's assertion

that it is now working closely with Newark and Sherwood District Council [CD/REG/04] was not challenged at the examination.

12. The Councils have worked closely with Nottinghamshire County Council in developing the transport evidence base, and in establishing requirements relating to education and waste management. There has also been active engagement with Derbyshire County Council. CD/REG/04 confirms that there has been ongoing collaboration with all the relevant prescribed bodies in the Town and Country Planning Regulations 2012. This includes the Local Enterprise Partnership, D2N2. Issues raised at the Publication stage of the ACS by the Environment Agency, English Heritage, Primary Care Trusts and successors, and Highways Agency were all considered by the ACS Councils and resolved by way of modifications to the ACS, notably **Modes 2, 20, 26 & 29-31**.
13. Overall, I am satisfied that the Councils have worked closely with neighbouring planning authorities, the County Council and the other relevant agencies in a constructive, active and ongoing fashion in the preparation of this Local Plan. The legal requirements of the duty to co-operate have been met.

## Assessment of Soundness

### Preamble

14. The individual Local Development Schemes (LDSs) for the three Councils were updated in May and June 2013 [BD/BBC/04, BD/GBC/04, and BD/NCC/06]. Although the earlier absence of an up-to-date set of LDSs was said to have inconvenienced planning consultants advising local people as to the right time to make representations, the Councils pointed out that changes to the national planning system during the previous 2 years had required a number of adjustments to their plan-making programme. The annual monitoring reports available for each of the local authorities provided information on progress with plan preparation. The ACS broadly complies with the current LDSs in timing and content and the legal requirement is met.
15. There was considerable dissatisfaction expressed by interested persons, especially residents, Parish Councils and local amenity groups over the public consultation process. Residents living in and around Hucknall in Ashfield District complained that they had not been consulted, and there had been limited political involvement, with Gedling Councillors not attending a key public meeting. More widely, people complained that information from the Councils had been mixed with "junk mail" and so had been discarded by households. The forms for consultation were criticised for not being written in plain English, and the Limehouse database system was said to be too complex. The evidence base on housing was said to be too large with insufficient information as to what had been superseded. Drop-in events were perceived by some as a "fait accompli" announcing what would happen rather than inviting alternative opinion. Library drop-in sessions had not been well publicised and the wrong local newspaper had been chosen for advertising.
16. Gedling Borough Council conceded that its publication material and consultation leaflets were directed at Gedling Borough rather than Ashfield District residents. Notwithstanding this, it pointed out that a substantial

number of responses were received (some 14,000 altogether), with many commenting on the land at Top Wighay Farm and land North of Papplewick Lane. A sizeable number came from addresses in Hucknall or elsewhere in Ashfield District. Broxtowe Borough Council advised that it had gone beyond minimum requirements for consultation and had employed a reputable firm to deliver leaflets to increase awareness. It had worked proactively with parish councils, mainly but not entirely at officer level.

17. The Councils have carried out consultation with the public and all stakeholders at key points of plan preparation for the ACS, beginning with the Issues and Options Paper in 2009. Further consultation took place as follows: Options for Consultation in 2010, a Housing Provision Position Paper and Climate Change Policy in 2011 (which for Broxtowe and Gedling included locally distinct housing issues), the Publication Core Strategy in 2012, and HS2 Consultation in 2013. All these exercises were carried out using a variety of methodologies in line with relevant Statements of Community Involvement and the Town and Country Planning Regulations 2012.<sup>3</sup>
18. The complexity of the Limehouse system was acknowledged though it is widely used by English planning authorities, and the Broxtowe website was praised by some for its accessibility. The forms for public consultation are similar to those used by other local planning authorities. Unsolicited advertising or marketing material arrives regularly with important and personal post, in my experience. The expansion of "junk mail" and need to separate it from wanted items cannot, in my view, be blamed on this public consultation exercise. The evidence in support of the Councils' housing policy is complex and technical as a matter of fact, and it has to be amended when national planning policy changes and new demographic data become available.
19. My attention was drawn to the Aarhus Convention on access to information, public participation in decision making and access to justice in environmental matters. The Councils' examination library and website include all the relevant documents and correspondence. I have seen no evidence that the process of public consultation has departed from the core principles surrounding transparency. In spite of all the criticism, the Councils received more than 19,000 representations on the Publication ACS, from more than 3,000 people and parties. Compared with other Core Strategies and Local Plans, this indicates a very healthy level of response and interest.
20. Criticism that residents of Toton were excluded from taking part in the examination process was not supported by the evidence. Nevertheless, representatives were invited to a special hearing session to articulate their objections to the submitted plan, to ensure that no important evidence pertaining to the proposed strategic location for growth was overlooked.
21. The NPPF states that planning should be a collective enterprise that includes rather than excludes people and communities. Neighbourhood planning has been introduced to enable this. However, the presumption in favour of sustainable development has implications for how communities engage in

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<sup>3</sup> Statements of Community Involvement – BD/BBC/06, BD/GBC/06, BD/NCC/07 and Regulation 22 Statements CD/REG/17, CD/REG/24, CD/REG/29; CD/REG/19 & CD/REG/26

neighbourhood planning. Critically, it means that neighbourhood plans should support the strategic development needs set out in Local Plans. Therefore, neighbourhood plans which resist sustainable growth in suitable locations or depart from the Local Plan are not supported by national policy. It is for local communities and not the City or Borough Councils to initiate neighbourhood plans. The Councils advised that, in the ACS area, three neighbourhoods have expressed an interest in promoting neighbourhood plans, indicating that this new element of national policy is being embraced locally. Paragraph 1.3.8 of the ACS clarifies the appropriate approach.

22. Sustainability appraisal (SA) was criticised for amounting to post-hoc justification for policy and proposals rather than being an integral part of the plan-preparation process. The Councils advised that SA was based on Government guidance in the Plan Making Manual and Practical Guide to Strategic Environmental Assessment 2005, related to the requirements of the Planning and Compulsory Purchase Act 2004 and the Strategic Environmental Assessment (SEA) Directive<sup>4</sup>. The SA documents confirm that SA has been an ongoing process, begun in 2009 with other Greater Nottingham local authorities. Scoping Reports were published alongside the Issues and Options ACS and were consulted on. The most recent work was undertaken when changes were proposed to the ACS in 2013, including those made to add Toton as a strategic location for growth, and when the distribution of growth in Gedling was re-visited in November 2013.
23. The assessment criteria, it was suggested, had insufficient regard for environmental factors or the loss of greenfield land. Alternatives to the policies and proposals in the ACS had not been objectively appraised. However, English Heritage, Natural England and the Environment Agency raised no concerns about SA for the ACS. The SA framework, set out in the Sustainability Appraisal Publication Version 2012 [CD/REG/06], included 14 objectives which cover physical, social and environmental factors. The SA for the Milton Keynes Core Strategy may have covered environmental factors more comprehensively than the Greater Nottingham ACS, but in view of the differences between the two areas, I see no reason why the SAs should be the same. Although more detailed assessment of landscape value and loss of high quality agricultural land might have featured, there are no nationally designated landscapes in this area. More detailed and localised impacts can be fully assessed when specific sites are proposed in the Part 2 Local Plans.
24. A suitable methodology was used to predict and identify significant effects, to consider scope for the mitigation of adverse effects and maximisation of beneficial effects, and to assist the development and refinement of options. Options were appraised and it is clear that some sites and key settlements were rejected as unsuitable for growth following SA. The merits of using external consultants or in-house policy officers to achieve an informed but objective appraisal are debateable. The Councils advised that an inhouse but separate team from those drafting the ACS had followed a robust process of appraisal. Independent advice from Levett-Therivel had been given on the process and legal compliance of SA. SA requires judgment, for example to

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<sup>4</sup> Sustainability Appraisal - CD/REG/06, 07, 08, 09, 10

decide whether impacts would be negligible, minor or moderate, and to compare sites which each have a mix of positive and negative impacts. Hence, different people may reach different conclusions on the ranking of some proposals. However, overall I am satisfied that the SA has been conducted adequately.

25. Regarding the requirements of the Habitats Regulations, discussions with Natural England have taken place to ensure that the ACS would be consistent with the prospective designation of Sherwood Forest Special Protection Area. Screening began in 2010, with further assessments of proposed development at Top Wighay Farm, around Bestwood Village, Calverton and Ravenshead in 2011 and 2012, and at Toton. A further assessment was undertaken in 2013 which proposed a mitigation package related to development at Calverton and was agreed with Natural England. The requirements for appropriate assessment of the Habitats Regulations have been met.
26. Local Plans must be consistent with national planning policy, and the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development. The Councils proposed the insertion of a new model policy to demonstrate this presumption in **Mod1**. I support this main modification to secure consistency with the NPPF.

## **Main Issues**

27. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified six main issues upon which the soundness of the Plan depends.

### **Issue 1 – Whether the level, distribution, timing and mix of housing provision proposed by the ACS are justified, consistent with national planning policy and deliverable.**

#### ***Overall Housing Provision***

28. Policy 2 of the ACS states that a minimum of 30,550 new homes will be provided in the plan area between 2011 and 2028. The NPPF aims to boost significantly the supply of housing, and expects local planning authorities to address the housing needs of their housing market area (HMA). There is little dispute that the relevant HMA in this case is Greater Nottingham, as defined in evidence for the now revoked East Midlands Regional Plan<sup>5</sup>. This is broadly consistent with Nottingham's travel to work area identified from the 2001 Census. Although it was argued that the area may have grown as commuting distances may have lengthened in recent years, there are good sustainable development reasons to meet housing needs within the existing HMA. It would be inappropriate and inconsistent with the NPPF to focus separately and solely on the perceived needs of individual Boroughs, suburbs or settlements within Greater Nottingham, as some representors asserted.

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<sup>5</sup> Greater Nottingham includes Erewash, Rushcliffe and the Hucknall part of Ashfield as well as Gedling, Broxtowe and Nottingham City

29. Local Plans should meet the full, objectively assessed needs for market and affordable housing in their HMA, as far as is consistent with other policies set out in the NPPF. This requires an initial assessment of 'need' based on likely demographic change over the plan period, starting with the latest household projections from the Department for Communities and Local Government (DCLG). The achievement of economic potential and how the population will change over time also need to be considered. This initial assessment must be independent of the study of supply, policy or constraints.<sup>6</sup> Past building rates may reflect achievable delivery, covering both high and low points in the housing market, but they do not give an objective assessment of future need.
30. The Home Builders Federation applied the "How Many Homes?/ What Homes Where?" toolkit launched by Lord Taylor which provides independent household and population projections for all local authorities in England. Their assessment indicates household growth of some 49,000 between 2011 and 2028 for the ACS authorities, and provision of some 51,000 rather than 30,550 new homes, with an allowance for existing constrained demand, second homes and vacancies in new supply. Other representors calculated need based on the latest national household projections (the interim 2011-based projections). These estimates gave an overall requirement for some 41,000 new homes from 2011-31, or about 35,000 for 2011-2028.<sup>7</sup>
31. The Councils' approach to the assessment of housing need is summarised in section 2 of its Housing Background Addendum Paper May 2013.<sup>8</sup> The East Midlands Regional Plan or Regional Strategy (RS) adopted in 2009 was the starting-point with housing figures for Greater Nottingham and the individual authorities for 2006-26. When revocation of the RS seemed likely, Edge Analytics were commissioned to examine the implications of the Department for Communities and Local Government (DCLG) 2008-based household projections.
32. That the RS was the starting-point for calculating housing requirements is unsurprising, as it was not revoked until April 2013; indeed, the NPPF was not in place until March 2012 shortly before publication of the ACS in June 2012. The RS figures for Greater Nottingham were under-pinned by assessments of demographic and economic evidence as well as other considerations of capacity. DCLG's 2008-based household projections indicated that a very significant uplift in housing requirements for the Greater Nottingham HMA would be needed, from 52,050 to 71,700 households for the period 2009-26. It is clear that the Councils were reluctant to plan for such an elevated figure because they had doubts about capacity relating to land availability, infrastructure and the housing market's ability to respond. There are other demographic and economic reasons, however, why the 2008-based projections may not best reflect the overall need for Greater Nottingham.
33. The National Planning Practice Guidance (PPG) was finalised in March 2014 so

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<sup>6</sup> BD/HOU/43 – Ten key principles for owning your housing number- finding your objectively assessed housing needs – Local Government Association, Peter Brett Associates and Planning Advisory Service

<sup>7</sup> Statement on behalf of St Modwen – Matter 2 hearing session, No 585229

<sup>8</sup> CD/BACK/01 – Housing Background Paper Addendum May 2013

was only available as emerging guidance for most of the duration of the Examination. The Parliamentary Under Secretary of State (Planning), Nick Boles MP, has made clear that it represents a useful tool to aid the practical application of the NPPF, but is not new national policy. The Assessment of housing and economic development in the PPG is a material consideration in the examination of the ACS housing policy. It is clear that household projections published by DCLG should provide the starting point for estimates of overall housing need. The new Guidance cautions, however, that the projections are trend based and make no attempt to predict the impact on demographic behaviour of other factors such as future Government policies or changing economic circumstances. Hence, the 2008-based projections may need adjustment to reflect local factors affecting demography and household formation rates.

34. The Councils instigated further analysis of the relationship of housing provision to economic/job aspirations, the effect of projecting local rather than national household headship rates, and the implications of migration locally. The DCLG produced interim 2011- based household projections in 2013. Early data from the 2011 Census started to be released in 2012. These have all been examined by the Councils to consider whether the housing requirements promoted in the ACS are compatible with demographic trends and economic prospects, and are up-to-date<sup>9</sup>.
35. The Councils' Housing Background Paper Addendum suggested that the net in-migration figures in the ONS 2008-based population and DCLG household projections were not realistic as they were based on trends of high growth in university students and international migration 2003-8. Nottingham has substantial student and immigrant populations, but it seems reasonable to assume changed growth trends in future in view of shifts in Government policy on student fees and controls on immigration from overseas. In addition, the early Census data support the Councils' view that household headship rates in Broxtowe and Nottingham City have grown more slowly than assumed in the 2008-based household projections.
36. The Holmans Report addressed the question of household formation rates<sup>10</sup>, and attributed lower household formation rates at national level 2001-11 partly to higher inward migration than previously experienced (new in-migrants typically had lower household formation rates than the population as a whole), and partly to the economic recession and housing market pressures (the high cost of housing led to people living longer with parents or sharing accommodation). Some representations on the ACS opposed the re-scaling of headship rates given the extent of economic and housing market volatility in the past decade. Whilst improvements in the economy and housing markets should result in a return to higher household formation rates in the future, however, Holmans observed that the impact of inward migrants' formation rates will be a more permanent feature. Holmans referred to a slow recovery in the housing market from the effects of the financial crisis, which is

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<sup>9</sup> CD/BACK/02 & 03 – Housing Background Paper and Household Projections Background Paper, June 2012

<sup>10</sup> New estimates of housing demand and need in England, 2011 to 2031, Alan Holmans, Town and Country Planning Association – [BD/HOU/46 and BD/HOU/52]

supported by specific evidence for Greater Nottingham.<sup>11</sup>

37. The Councils also considered that the 2008-based household projections were unrealistically high for Greater Nottingham because they would not align with the area's economic prospects and aspirations. A review of economic prospects and likely scale of employment growth was undertaken by the Councils in 2012.<sup>12</sup> This indicated that about half the expected 37,000 additional jobs could be taken up by improvements in economic activity in the existing population, including more people working beyond 65 years of age. Doubt has been cast as to whether it is realistic to plan for some 37,000 new jobs in Greater Nottingham or 27,900 in the ACS area; these are seen by some as being too high. The job numbers are derived from estimates of the likely workforce available from a projected population figure rather than jobs needed to deliver likely economic growth. I accept that the reasoning is circular. Figures from the ONS for persons in full-time and part-time jobs in the Nottingham Core 2004-2012 indicate that the achievement of 27,900 new jobs could be ambitious. This provides some support for taking a precautionary approach towards the 2008-based household projections. Employment is discussed more fully in issue 3.
38. It was suggested that the past slow growth in jobs was likely to continue in the future and, combined with other factors, mean that housing need would be significantly less than envisaged in the ACS. Affordable housing was one of the other factors cited in reasons to reduce the overall housing figure. It was argued that 63% of new homes would not be provided for the affordable housing market, so that the overall figure represented an unrealistic uplift in delivery, particularly in Gedling and Broxtowe Boroughs<sup>13</sup>. The Councils, it was claimed, should follow the approach agreed by the Inspector of the Milton Keynes Core Strategy ie. reduce the housing figure substantially (by 20% for the ACS) and commit to an early review of the Plan.
39. The South East England (Regional) Plan set very ambitious, indicative growth targets for jobs and homes for the Milton Keynes Growth Area. The target for new housing was in excess of what had been achieved in the past over the long term, and implied a significant level of in-migration. Notably, it exceeded the housing levels required to meet the DCLG's 2008-based household projections for the area and the interim 2011-21 projections. Being a 1960s New Town in South East England, Milton Keynes is very different in character and context from Greater Nottingham. Although Nottingham is a designated Core City and was given Growth Point status, the housing targets in the ACS are below those implied by the DCLG's 2008-based household projections. The case for following the line of the Milton Keynes' Inspector, or recommending a 20% reduction in the housing target for the ACS area, is not justified, in my view.
40. By contrast, the Home Builders Federation pointed to the Government's

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<sup>11</sup> Greater Nottingham, Housing Market & Economic Prospects, GL Hearn Ltd 2012 [CD/KEY/02]

<sup>12</sup> Greater Nottingham Employment Background Paper June 2012 [CD/BACK/04]

<sup>13</sup> The Strategic Housing Market Assessment (SHMA) 2009 indicated that some 63% of all new homes would need to be affordable to meet affordable housing requirements.

commitment to housebuilding, to the Secretary of State's ministerial statement "Housing and Growth" September 2012, and financial initiatives including FirstBuy, NewBuy and Get Britain Building fund. The NPPF expects planning authorities to take a positive approach to address the challenges of housing provision. Sustainable development has a social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations. One of the 12 principles of planning is to proactively drive and support sustainable economic development to deliver the homes, businesses etc. that the country needs. I consider that the significant boost in housing supply, to which paragraph 47 of the NPPF refers, is absolutely necessary to reverse the long term, upward trend in real house prices associated with under-supply and the growing numbers of people, notably young adults and families, who find suitable housing unaffordable.

41. Even though a boost in Greater Nottingham's housing provision as envisaged may not on its own reduce house prices significantly, it should make a positive contribution to balancing the mismatch between supply and demand/need. It should encourage more activity in housing markets, enabling more people to move up the housing ladder and enter near the bottom. New affordable housing is achieved only in part as a percentage of overall housing provision. Regeneration of old Council estates and new development by Registered Providers can also be expected to enhance the supply of affordable homes particularly in Nottingham. A failure to encourage overall house-building would only restrict further the availability of affordable, as well as new market, housing.
42. Results from the 2011 Census, and the DCLG interim 2011-based household projections in early 2013, have been reviewed by the Councils. These do not conflict with the Councils' view that the 2008-based household projections would be inappropriate for the plan area. The preliminary Census data support the view that headship rates in Broxtowe and Nottingham City, if not Gedling, have grown more slowly than foreseen in the DCLG 2008-based projections. The interim household projections support the approach to headship rates taken in the ACS.
43. I have considered the argument that it is not possible to conclude on the adequacy of housing land requirements for the ACS ahead of a decision being made on the adequacy of housing policy for the emerging Rushcliffe Core Strategy. Whilst acknowledging that Rushcliffe has an important part to play in meeting the housing requirements of the Greater Nottingham HMA, I see no requirement for all the constituent planning authorities to submit and/or adopt their Local Plans at the same time. Erewash Borough Council also has a part to play in meeting the housing needs of the HMA, and its Core Strategy has been progressed ahead of the other Councils. Rushcliffe Borough Council no longer objects to the ACS housing figures and confirmed in September 2013 that it is working with the other Authorities to ensure that objectively assessed needs are met collectively across the HMA.
44. Although the starting-point for the assessment of housing requirements was the now revoked RS, I am satisfied that the Councils have responded to the thrust of changes in national planning policy as well as could be expected, and

have not simply and uncritically carried forward the outdated RS figures. They have considered the most recent DCLG household projections, but these do not necessarily equate to the full objectively assessed need for this HMA. Newly emerging data on demography and economic circumstances suggest that the 2008-based projections are too high. The PPG points out that "Establishing future need for housing is not an exact science. No single approach will provide a definitive answer." The Councils have examined the appropriate evidence and considered the implications for alternative scenarios in the Household Projections Background Paper, CD/BACK/03.

45. I have taken account of the Court of Appeal judgment for "Hunston"<sup>14</sup>. I have noted the Councils' observation that, whilst the judgment pronounced on the interpretation of the first two bullet points in paragraph 47 of the NPPF, the planning decision did not directly consider the question of the soundness or otherwise of a development plan. The issue in dispute was whether, in advance of the area-wide balancing of the many facets of sustainable development which are needed to secure a sound local plan, a S78 Inspector could or should take account of policy constraints when deciding what was the relevant figure for "full, objectively assessed needs".
46. Nevertheless, the Hunston judgment importantly sought "a definitive answer to the proper interpretation of paragraph 47" of the Framework. The judgment is clear that the full objectively assessed needs for housing in the area have to be the starting-point when assessing the adequacy of housing supply. The use of need figures derived from earlier plans such as the East of England Regional Plan is not appropriate and not in accordance with the NPPF. The approach to housing need assessment which the judgment supports is not therefore different to that supported by the PPG, which as explained above, I have fully considered in examining the ACS.
47. Policy 2 of the ACS states that "a minimum" of 30,550 new homes will be provided, which wording should encourage and not impede the provision of additional housing. In looking to meet the needs, the Councils have assumed that fewer houses will be developed on windfall sites than in the past, once an up-to-date Local Plan underpinned by regularly reviewed SHLAAs is in place. However, if windfalls continue to come forward at the same rate as in the past, this should not be perceived as a negative factor as the aim is to boost the supply of new housing. Proposed change, **Mod3**, reinforces the essential point that the Councils will adopt a proactive and positive approach to the delivery of new housing.
48. Proposed new paragraph 3.2.6a, **Mod6**, includes a commitment to review the ACS if future household projections, based on the 2011 Census data and expected in 2014, show that the Councils' assumptions underpinning its planned housing provision are no longer appropriate. **Mod17** sets out the process and timing for initiating such a review. The NPPF expects Local Plans to meet their full needs for housing, "as far as is consistent with the policies set out in the Framework". Subsequent sections of my report address policy for the distribution of housing across the Authorities, policy for protecting the

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<sup>14</sup> Court of Appeal judgment: City and District Council of St Albans v The Queen (on the application of) Hunston Properties Limited, SoS for CLG and anr, December 2013

Green Belt, for environmental and infrastructure planning, among other things. These confirm that delivery of the minimum housing number should be feasible. I agree with the Councils that there should be no insurmountable constraints to meeting the full objectively assessed need for housing.

49. I conclude that the overall level of housing provision proposed by the ACS is justified and consistent with national planning policy. The proposed changes are necessary to reflect the Councils' commitment to keep the Local Plan under review and ensure that the planned level of housing remains sound.

### ***Distribution of new homes***

50. Policy 2 promotes a strategy of urban concentration with regeneration which, if rigorously pursued, should result in most new development occurring in the main built up area of Nottingham with minimal take-up of Greenfield and Green Belt sites. Whether sufficient attention has been given to alternative strategies for the location of growth was queried.
51. There has arguably been a shift away from earlier policy for large sustainable urban extensions with new homes and jobs linked to transport hubs. The Appraisal of Sustainable Urban Extensions by Tribal Urban Studio referred to sustainable residential neighbourhoods for 4-5,000 homes, with employment land, open space and other community facilities.<sup>15</sup> This order of growth should enable the provision of infrastructure and community facilities and give a degree of self-containment to new communities. It is clear that the ACS is not promoting developments of this scale, except possibly at the Waterside Regeneration Zone in Nottingham. Whilst the description of Field Farm, Top Wighay Farm and Land north of Papplewick Lane as 'sustainable urban extensions' could be regarded as imprecise, this use of language in itself does not make the Plan unsound.
52. The subsequent report by Tribal in 2010 examined the potential for more dispersed, smaller developments as taken forward in the ACS<sup>16</sup>. The Tribal studies guided the identification of sites and locations for growth, and the Accessible Settlements Study measured access to facilities for all the settlements in Greater Nottingham<sup>17</sup>. Site and settlement options for the three authorities were subject to sustainability appraisal, which led to the selection of some sites or settlements for growth and the rejection of others.
53. Most new development, according to Policy 2, should occur in locations which have good accessibility to Nottingham city centre and other centres for jobs and community facilities, ideally by public transport. Although the amount of new development proposed adjacent to Hucknall and some of the key settlements, and the status of some named key settlements have been queried, the principle of using the settlement hierarchy in Policy 2 to identify the best locations/sites is reasonable. The distribution of new housing between the three local planning authorities is set out in Policy 2. Even

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<sup>15</sup> CD/KEY/08 – Appraisal of Sustainable Urban Extensions – Tribal Urban Studio, Roger Tym & Partners and Campbell Reith, June 2008

<sup>16</sup> CD/KEY/07 – Greater Nottingham Sustainable Locations for Growth – Tribal et al, 2010

<sup>17</sup> CD/HOU/08 - Greater Nottingham Accessible Settlements Study Feb 2010

though it reflects that in the old Regional Plan, that was under-pinned by evidence. Moreover, the settlement hierarchy has not changed substantially in recent years.

54. Urban concentration first, and the strategic importance of the Green Belt in separating Derby and Nottingham, mean that Nottingham City has the highest target for housing, Broxtowe the lowest, and Gedling is in the middle. Some of the greatest pressures during the plan period are expected to be to the west of Nottingham along the M1 corridor due to strategic infrastructure projects including the continued expansion of East Midlands Airport, HS2, A453 upgrading, growth of Nottingham University and new Nottingham Express Transit (NET) tram lines. These considerations would support high levels of development to the west of Nottingham. On the other hand, some argue in favour of promoting more development in the north and east in Gedling where the Green Belt is seen as less sensitive, employment opportunities have reduced and major infrastructure improvements are needed. To achieve a more balanced pattern of development, it is said that strategically located employment parks and housing on the edge of the built up area near Arnold and Carlton are needed.
55. Policy 2 does not in fact conflict with these views, stating that most development will be located in or adjoining the main built up area of Nottingham. Overall, I consider the approach to the proposed distribution of growth between the three Authorities to be justified and consistent with sustainable development. However, for the reasons given below, changes are required to the selection of locations and sites which will best fulfil the aim of achieving urban concentration and regeneration.

### ***Nottingham City***

56. Policy 2 envisages that just over half the new housing 2011-28 will be delivered in Nottingham City. The promotion of regeneration in the City is key to achieving the ACS objectives though some argued that the Authority is not doing enough. It was suggested that the City should assume a higher rate of windfall development, in line with levels achieved in the past, especially as the recession is resulting in the availability of more brownfield sites, for example from former industrial, petrol filling and public house uses. The Nottingham City Housing Land Availability report 2013 acknowledges that the Council has made conservative estimates for windfalls but this is arguably good practice, consistent with positive planning.
57. Also, doubt was raised over the ability of Nottingham City to provide a large number of homes through regeneration. Policy 7 of the ACS confirms that a number of large regeneration projects are proposed around the edge of the city centre and elsewhere. The GL Hearn report [CD/KEY/02] examined the deliverability of the housing trajectory for Nottingham City and noted that the market for flatted development, student accommodation and the ongoing programme of demolition were important factors. Uncertainty about the likely pace and extent of recovery in the flatted market led the authors to conclude that the housing trajectory may be "quite ambitious" but compared with other cities in the Midlands and North of England, the planned growth rate was "not unfeasible". Measures to broaden the range of markets addressed through new-build should help to reduce delivery risks.

58. It was claimed that, at national policy level, there is less emphasis on achieving high density development, and this could support the release of more land for housing. However, the Councils commented that they had not observed reductions occurring in densities in new developments, and still regarded 30 dwellings per hectare as a default position.
59. Nottingham City Council states that it is proactive in promoting the regeneration of urban sites. Its team liaises with developers and land owners, uses its own land interests where possible and is flexible in negotiations of s106 planning obligations. At Waterside, the City is not holding out for a comprehensive development scheme, but is accepting a more incremental approach. The other Councils added that they have been proactive in updating their SHLAAs. Broxtowe waives some pre-application charges and all Councils have taken on board the message of the NPPF not to protect employment sites with no reasonable prospect of future employment use. Masterplanning for the delivery of development including some 1,150 new homes on the Boots/Severn Trent site is underway with the co-operation of Broxtowe and Nottingham Councils. I support **Mod7** to reflect this.
60. The core planning principles listed in the NPPF include encouraging the reuse of land that has been previously developed (brownfield land), provided that it is not of high environmental value. I accept the importance for the ACS of promoting brownfield land wherever possible to reduce the need for other sites, especially as so much of the area beyond the edge of Nottingham's built-up area is Green Belt. My attention was drawn to Stockport Metropolitan Borough Council's Core Strategy which refers to previously developed land targets and gives priority to the use of such land. I note that that Core Strategy was examined in 2010 and pre-dates the NPPF. Although the NPPF enables Authorities to set a locally appropriate target for the use of brownfield land, this is not mandatory. The NPPF does not specify a hierarchical approach giving priority to brownfield sites. Given the reality that some brownfield land will take time and extra finance to clear and make suitable for development, a priority system could cause unnecessary delay to meeting the pressing housing needs.

### **Broxtowe Borough**

61. Policy 2 of the ACS seeks to provide just under 60% of homes in or adjoining the main built-up area of Nottingham. Land beyond the built-up area is mostly Green Belt land, with no "safeguarded land" as in Gedling Borough.
62. Broxtowe Borough Council has identified **Field Farm** in Policy 2 as a sustainable urban extension for 450 homes, being a strategic allocation and expected to deliver housing in the first 5 years of the ACS. An outline application, with all matters reserved except access, was submitted in December 2011. The Council resolved to grant permission, but the application was called-in for determination by the Secretary of State in July 2013. The matters on which the Secretary of State particularly wishes to be informed are its conformity with the NPPF on delivering a wide choice of high quality housing and on protecting Green Belt land. The applicant and the Council have produced a statement of common ground (SOCG), stating in section 17.5.1 that there are no areas of disagreement between them.

63. Although it is claimed that the Councils' definition of Field Farm as a strategic allocation pre-empts the full two-stage process for Green Belt review, is inconsistent with the approach to planning for other sites and disadvantages objectors, there have been ample opportunities for interested persons to comment on the site in the past and in the context of the ACS.<sup>18</sup>
64. The Councils' proposal for early release of the Field Farm site from the Green Belt would help to address a difficulty for Broxtowe Council in identifying sufficient deliverable housing sites for the first five years of the plan. Development of the site would add to the built development around Stapleford Hill. Field Farm, between the railway line and A6007 road, however, has defensible boundaries and is visually contained because of the surrounding topography. The site's development would not result in the coalescence of Trowell and Stapleford nor would it cause Nottingham and Derby to merge. Even if sites within the main built up area of Nottingham such as the Boots campus could be brought forward for earlier development than envisaged in the ACS, I agree with the Councils that Field Farm would still be needed to meet Broxtowe Borough's full requirement for housing.
65. Despite local concerns about the accessibility of the site to community facilities, the low frequency of public transport services and the impact on roads in Stapleford and more widely, the highway authority had no objection subject to appropriate planning conditions and obligations being imposed. I note that the SOCG envisages the developer making contributions to off-site public transport, cycling and walking measures and to education which should help to mitigate any adverse impacts on neighbouring communities. Regarding accessibility to jobs, Field Farm is close to the edge of the main built-up area, and closer to workplaces in Beeston and Nottingham City than much of the Borough of Broxtowe.
66. Development would lead to the loss of some good quality agricultural land, but not so much as to trigger objection from the Department for the Environment, Food and Rural Affairs. The plan in Appendix B of the ACS indicates how some farmland could be retained, and green infrastructure and sustainable urban drainage provided. 25% affordable housing has been offered, although some of the housing would be located off-site. No "show stoppers" to the development of this site have been identified.
67. Understandably, there is a considerable amount of local opposition to the prospect of development here in the Green Belt. However, the work which has been done to identify the site and will continue to take it forward has been undertaken by the Council as a democratically elected local planning authority. It considers that it has made its decisions in the best interests of the Borough and its people, particularly those who now or in the future will need a home of their own. Having regard to the housing requirements and limited availability of alternative, sustainable sites, the Councils' decision to allocate this site in the ACS meets the exceptional circumstances' requirement as set out in the

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<sup>18</sup> Following a public inquiry into the Broxtowe Local Plan in 2004, the Inspector concluded that development of the site would not lead to the coalescence of settlements. His recommendation, however, that the land be taken out of the Green Belt and identified as safeguarded land was not taken up by the Council.

NPPF for the alteration of Green Belt boundaries. Field Farm's inclusion as a strategic allocation in the ACS is justified.

68. **A strategic location for growth in the vicinity of the proposed HS2 station at Toton** is included in Policy 2 of the submitted plan. This change from the publication plan was advertised and consulted on between February and April 2013, and subjected to sustainability appraisal, following the announcement by the Secretary of State for Transport in January 2013 that Toton Sidings was the preferred location for a HS2 rail station to serve the East Midlands. The Councils' intention is to amend the Green Belt boundary to allow for the long term construction of the HS2 station (circa 2032) and a mixed use development, with a NET extension and improved road transport access.
69. Development of land at Toton, as at Field Farm, would not undermine the fundamental Green Belt objective of separating Derby from Nottingham as the railway sidings, with or without the HS2 station, provide a strong barrier to the west. The merging of Toton and Stapleford would be mitigated by the presence of the A52 and by careful design of new development including the siting of green space. The land is greatly valued by local residents as an area of informal open space, but it is not of such high landscape quality or special wildlife habitat character that it has been designated for protection.
70. The proposed HS2 station is not proposed to be built until the early 2030s, and there remain doubts as to its precise location. Final decisions on HS2 and the position of any station are not a matter for Broxtowe Borough and the other Councils, but will be made by Central Government. However, the Toton location has good sustainability credentials for new development, whether or not HS2 goes ahead, being in the south of the Borough and adjoining the main built up area of Nottingham. It is within walking distance of the new tram terminus with park and ride facilities. Although the road network is very busy and local people question its ability to accommodate additional traffic, the responsible transport authorities have considered the impact of new development and are satisfied that the network could cope, with appropriate improvements. I share the Councils' view that the potential for land at Toton to help meet the requirements for housing and mixed use development in Broxtowe Borough constitutes the exceptional circumstances needed to remove the land from the Green Belt. Its potential to maximise the economic benefits from the proposed HS2 station reinforces the Councils' case for changing the Green Belt boundary at Toton.
71. The submitted ACS referred to an "appropriate mix of development" at Toton but did not indicate how much housing, employment or other uses would be sought. This was unsound, being vague and inconsistent with positive planning. An outline planning application was submitted in October 2012 for mixed use development including some 650 dwellings and a business park/offices on land west of Toton Lane / Stapleford Lane. Amended drawings indicated that neither road access to the HS2 station nor an extension to the NET line across the site would be prejudiced. The Councils' proposed main modification to the ACS would be consistent with that proposal, providing for a minimum of 500 homes. I support the modification to achieve an effective plan reflecting positive plan preparation (**Mods3&8**). There is no need to

specify a maximum quantity of homes, as more exact housing numbers consistent with good design and optimum mixed use can be determined through the Local Plan Part 2 and development management processes.

72. Designating Toton as a strategic allocation now, rather than a location for growth with Green Belt boundary changes and more detailed planning deferred to the Part 2 Local Plan stage, could enhance the supply of deliverable housing sites in the early years of the Plan, when Broxtowe envisages slower delivery than later in the plan period. I have considered whether this site which has defensible boundaries, or a wider area of land, should be included as a strategic allocation in the Plan to expedite delivery.
73. The recent Volterra report supports an early start to residential development to stimulate other investment and economic benefits associated with a HS2 station <sup>19</sup>. I have read the criticisms of this document, including those relating to factual errors in Table 5. The report is a high level commentary on potential benefits from HS2 which has been described as a "once in a lifetime opportunity". Given (i) the project's uniqueness, (ii) the Volterra report's admission that "Existing appraisal models are not appropriate to capture the benefits of HS2" and (iii) the fact that a station at Toton is unlikely to become operational before 2032, any forecasts of jobs and employment land requirements have to be treated with caution. Development at Toton should however be based on a positive plan to maximise and in no way prejudice the significant economic potential expected from an HS2 hub.
74. Early information from HS2 Limited was that the East Midlands station could support 1,500 new jobs and 150 new homes.<sup>20</sup> The 1,500 jobs cannot however be regarded as precise and the CD/BACK/15 document acknowledges that "More detailed work is required on the appropriate type and amount of development in the vicinity of the station". **Mod8** would add paragraph 3.3.3b to the ACS to refer to 18,000sqm of new employment development, which would not be out of line with current estimates of new job creation. Nor should it prevent future growth associated with a new station. HS2 Limited has not objected to this proposed modification which I consider sound.
75. The ACS must also ensure that the proposed new strategic gateway to the East Midlands (HS2 hub) will have good connectivity to established economic centres such as Nottingham City Centre, the Boots Enterprise Zone and Derby. Notwithstanding the submitted planning application, the emergence of more details about HS2 may necessitate additional work on transport planning. As emphasised at the hearings, new development at Toton must be of the highest quality, respecting the local environment and the amenity of existing residents, as well as maximising the opportunities for economic growth.
76. Even though mixed use development of the site as proposed on land west of Toton Lane / Stapleford Lane would be sustainable and bring benefits independently of the HS2 project, a holistic approach seems sensible to

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<sup>19</sup> Maximising the Economic Benefits of the East Midlands HS2 Station at Toton - Nov 2013, Volterra Partners [BD/TRA/13]

<sup>20</sup> Land in the vicinity of the Proposed HS2 station at Toton as a Strategic Location for Growth, June 2013 – June 2013 [CD/BACK/15]

maximise the potential benefits to the wider area as these become better understood. Mitigation measures for contamination, drainage and noise may need to be considered for any development near the Sidings. Having regard for all these factors, including the town/village green application [CD/EX/54], I support the Councils' precautionary approach to site allocation here. The details of Green Belt boundary changes and the mix, design and layout of new development should be determined at the Local Plan Part 2 stage.

77. **Awsworth, Brinsley, Eastwood and Kimberley.** Policy 2 of the ACS proposes new housing in or adjoining these key settlements. There is very significant local opposition to naming Brinsley in the policy. It is a small settlement and the proposal for up to 200 dwellings is calculated as amounting to a 20% increase in its size. Its status as a key settlement is questioned, and it is considered to be unsuitable for growth because of its relative remoteness from Nottingham's main workplaces and the limitations of its highway network (used by horses and farm animals) and public transport services. Insufficient regard, it is argued, has been had for the sensitivity of the local landscape which is part of the DH Lawrence heritage, especially in considering possible development sites off Church Lane and Cordy Lane.
78. This rural settlement in the north-west corner of Broxtowe inset from the Green Belt, is not best placed to accommodate new housing to serve the needs of Greater Nottingham. However, even if Save Brinsley's Heritage and Environment survey of local facilities' findings is preferred to the Accessible Settlements Study [BD/HOU/08], its identification by the Councils as a key settlement is justified. There is a reasonable range of services offered to the local community. I accept that the connection with DH Lawrence is a feature of local distinctiveness, but Policy 11 refers specifically to the conservation and enhancement of that literary heritage. That policy would be applied when any development proposals in or adjoining Brinsley were considered.
79. There is concern that the villages of Watnall, Nuthall, Greasley and Kimberley will merge with Nottingham and lose their individual identities if Policy 2 is implemented. The Part 2 Local Plans which will identify specific sites should ensure that this outcome is not permitted. Concerning capacity in the transport system, the responsible authorities (the Highways Agency and Nottinghamshire County Council) have not objected to the proposals for new development in this area. The proposed main modifications to the ACS, however, would reduce the housing numbers for Brinsley and Eastwood and amend the diagrams in Appendix B. These should help allay fears that these small settlements would be overwhelmed by excessively high levels of development and/or become joined up. I support the reduced numbers in **Modes 5, 12 & 13** as these semi-rural settlements are the most distant in Broxtowe from the main built up area of Nottingham.
80. Concerning the potential loss of Green Belt land, it is argued that insufficient consideration has been given to the relative value of specific Green Belt sites before producing the ACS. There is strong support for protection of the landscape around Brinsley, Moorgreen and Greasley partly because of links with DH Lawrence. Since the Plan is identifying only broad locations for growth, is giving only approximate, "up to" figures for new housing in the settlements, and is committed to a full review of Green Belt boundary changes

in Part 2 Local Plans, I consider the approach favoured by the Councils to be acceptable in this case.

81. **Conclusion - Broxtowe.** I have considered the argument that more rigorous assessment of previously developed land and the capacity of the inner urban edge of the Green Belt should have been carried out before sites which would only result in long-distance commuting were selected by the Councils. The substantial sites at Severn Trent & Boots, at Field Farm and Toton are compatible with a strategy of urban concentration and choosing sites which about the existing main built up area. The Plan has taken account of the potential for redevelopment of sites such as Kimberley Brewery and Chetwynd Barracks, although the latter depends upon a decision to release land by the Ministry of Defence and there is no evidence that this is imminent.

### ***Gedling Borough***

82. The proposed distribution of new dwellings in Gedling in Policy 2 of the submitted ACS, with fewer than 40% in or adjoining the main built up area of Nottingham, and more than half either in or adjoining Hucknall, named key settlements or other villages, would be inconsistent with the ambition for urban concentration with regeneration. In my opinion, this is unsound. The Councils carried out additional work during the examination, and assessed a number of different scenarios for Gedling based on boosting growth on the edge of the main built up area of Nottingham and reducing the expectations for growth around Hucknall and the key settlements. Each of the scenarios was subjected to sustainability appraisal.
83. **Teal Close.** The Councils' preferred scenario includes a sustainable urban extension here with some 830 dwellings, of which 430 were not envisaged in the submitted ACS. Development of this site would not result in the loss of Green Belt land, and the site is the subject of a recent planning application indicating that early delivery is feasible. I support **Mod9** to include a new strategic allocation at Teal Close.
84. **Gedling Colliery/Chase Farm** was allocated for 1120 dwellings in the former Gedling Replacement Local Plan. The submitted ACS Plan referred to the site but stated that it was not expected to deliver any development before 2028 because it relied on construction of the Gedling Access Road. Although there remains some uncertainty over funding for the road, as a number of sources are relied upon, further work has shown that some 300 new homes could be provided without the road being built.
85. Following agreement with Nottinghamshire County Highways Authority and the Homes and Communities Agency, the Councils have put forward a new programme which would achieve some 600 dwellings and employment land provision towards the end of the plan period. This would increase the amount of new development adjacent to Nottingham's built up area outside the Green Belt and contribute to regeneration. Its achievement requires positive planning to secure the necessary funding, and delivery through the Local Plan Part 2 process. I consider that the proposed changes to the Plan to promote at least 600 dwellings at Gedling Colliery/Chase Farm by 2028 should be made to secure best use of sites in or adjoining the main built up area (**Mod10**).

86. **Hucknall** was identified as a sub-regional centre in the former Regional Plan. It is a sizeable settlement with a population of some 32,000 according to the 2011 Census. It has good transport links including the NET to Central Nottingham. The Ashfield Local Plan publication document proposed 2,460 new dwellings for Hucknall to 2024, and the ACS proposals for Top Wighay Farm, Land north of Papplewick Lane and at Bestwood Village would mean an additional 2,100 dwellings nearby in Gedling Borough by 2028. The question arises whether Hucknall could service such an uplift in population, and whether new development in Gedling would provide sufficient support and funding for the required new infrastructure in Hucknall to Ashfield District. Ashfield District highlighted infrastructure for education, transport and health as major areas of concern.
87. The Infrastructure Delivery Plan, May 2013 [CD/KEY/01] which underpins the ACS acknowledges the close functional relationship with Hucknall and need to consider cross-boundary and cumulative impacts. It refers to discussions with Ashfield District Council. Gedling updated its assessment of the requirements for infrastructure at the key sites and provided more detail [Appendix A to CD/EX/35] in December 2013. Gedling discussed its alternative scenarios for growth with the County highways and education authorities who do not assert that the impacts on Hucknall would be unreasonable or could not be addressed. Gedling assumed that all strategic locations for growth would need to contribute to provision of general practitioner (health) facilities.
88. Critically, the Councils' preferred scenario would result in a reduction of new housing development at one of the two nearest sites to Hucknall. Bearing in mind the scope for s106 and Community Infrastructure Levy (CIL) payments to benefit neighbouring areas, and Gedling Council's efforts to put in place a protocol for dealing with cross-boundary impacts<sup>21</sup>, I consider that, subject to proposed changes **Modes 3&11**, the ACS would not have a seriously adverse impact on the future wellbeing of Hucknall. Development adjoining this town with its good range of community facilities and transport services would be consistent with sustainable growth. **Mod 30** helpfully acknowledges the proposed Hucknall Town Centre Transport Improvement Scheme.
89. Other concerns regarding Top Wighay Farm and the Land north of Papplewick Lane relate to the impact of growth, including additional traffic, on the historic and attractive Green Belt villages of Papplewick and Linby, on the landscape, good quality agricultural land and ecology. A small part of the Land north of Papplewick Lane lies within flood zone 2 but, as long as there is ongoing dialogue with the Environment Agency and careful masterplanning, sustainable development should be delivered here. Green infrastructure beside the River Leen would be protected and enhanced through the application of s106 payments. Both sites are safeguarded land in the earlier Gedling Replacement Local Plan and therefore potentially suitable for longer term development needs. Thus, there would be no further reduction in Green Belt land from promoting these sites through the ACS. The proposed modifications would give a lower figure for new housing around Hucknall than the submitted

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<sup>21</sup> Draft protocol for addressing cross-boundary impacts of new development - BD/TRA/10, BD/TRA/11; correspondence from Ashfield DC – CD/EX/56 & 59; Amended SOCG CD/EX/61

plan which should reduce if not wholly remove some of the above concerns.

90. On deliverability, the Councils argued that with fewer than 1,000 dwellings at Top Wighay Farm, there would be insufficient return to make any additional contribution to Ashfield above the identified infrastructure requirements. Although an extension of NET services to Top Wighay Farm is no longer seen as essential to delivery at Top Wighay Farm, a Park & Ride site with improved bus services to Hucknall is likely to be required, as confirmed in CD/EX/35 Appendix A, and a range of other transport measures are sought from developers. With 1,000 dwellings there would be a good balance between housing and employment provision. Nottinghamshire County Council as landowner of Top Wighay Farm advised that specialist developers have been found to design and build the first phase of development there. Despite allegations that a smaller development than "up to 600 dwellings" for Land north of Papplewick Lane would be unviable, a planning application for 300 dwellings has been submitted. The Councils advised that there is potential for sharing the transport infrastructure costs required for the Top Wighay and Land north of Papplewick Lane sites.
91. **Bestwood Village.** Mod14 proposes to lower the number of new dwellings proposed from up to 500 to up to 260. Although Ashfield DC referred to development at Bestwood having an impact on Hucknall's infrastructure and services, it acknowledged that this would be a lesser impact than the sites proposed at Top Wighay Farm and Land north of Papplewick Lane. Bestwood is estimated to be less than half a mile from Nottingham's main built up area and in need of regeneration. Given the uncertainty surrounding Gedling's largest sites which were identified in its earlier Local Plan but not progressed, the above locational factors and the need for a range of small and large sites to ensure speedy delivery of new homes, I consider that Mod14 as drafted should not be made. Policy 2.3c In Gedling i) Bestwood Village should read "up to 500 homes" as in the ACS Publication Version.<sup>22</sup>
92. In order to maximise regeneration benefits and minimise the loss of Green Belt land, the use of Bestwood Business Park for housing should not be ruled out at this stage. Clearly, if there is a real prospect of its continued use for employment purposes, then this should be pursued. However, the precise location of sites for housing at Bestwood should be considered in detail at the Local Plan Part 2 stage. The indicative map for the village in Appendix A of the ACS referenced in Mod14 already provides flexibility for achieving "up to 500 homes".
93. **Calverton and Ravenshead**, appropriately identified in my view as key settlements, are physically very separate from the heart of Nottingham so not easily accessible to the city centre or most significant employment areas. Both are inset Green Belt villages. In expanding these settlements, regard must be had for the prospective Sherwood Forest Special Protection Area, the desire to maintain Main Road Ravenshead as a defensible northern boundary,

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<sup>22</sup> If Mod14 as drafted is not made, the total housing numbers to be provided in Gedling Borough would no longer sum to 7,250. However, the overall housing numbers are set as minimum targets and the numbers for key settlements provide further flexibility being defined as "up to" figures.

and to protect the landscape setting of Calverton. These matters should be addressed in the designation of sites in Local Plan Part 2. I support the proposed modifications, **Modes 15&16**, to reduce the figures in Policy 2 to up to 1,055 homes at Calverton and up to 330 at Ravenshead as sound.

94. **Conclusions – Gedling.** Overall, the proposed modifications envisage significant additional development adjoining the main built-up area at Teal Close and Gedling Colliery/Chase Farm sites, and would reduce the number of new dwellings adjoining or near to Hucknall and in the key settlements. This would result in a shift in the split between main built up area of Nottingham/ other parts of Gedling from 39%/61% to about 55%/45%. The revised distribution would be more consistent with the aim for urban concentration with regeneration in Policy 2. I have seen no evidence that this level of change to the submitted ACS would compromise or distort its spatial strategy, but it would make the Plan sound.
95. **General** The numbers for new homes proposed at various sites, locations and key settlements in Policy 2 were criticised for being insufficiently flexible and in some cases too restrictive, given the requirement to boost housing supply. Since points 3a), b) and c) all begin with the word “approximately”, I consider it unnecessary to qualify every number by repeating that word. As the ACS recognises, new housing provision in or adjoining the key settlements would require the loss of Green Belt land. It seems appropriate to signal that limits will be imposed on the amounts of new housing development there. Hence, the words “up to” do not require modification. **Mod4** shows the consequent changes to the distribution of new housing for the three planning authorities if the above changes are made. Some 24,995 new homes are planned in or adjoining the existing main built up area compared with the earlier figure of 23,640. I support this uplift as it is consistent with the pursuit of sustainable development.

### ***Timing of housing delivery***

96. The Councils have identified how a minimum of 30,550 will be provided in the Districts over the years 2013-18, 2018-23 and 2023-28 in the table in Policy 2 and in the housing trajectories. The Councils have confirmed that there is no intention to restrain or phase housing delivery. Although the table shows a slow start to delivery, especially in Nottingham City with some 4,400 new homes in 2013-18 rising to 5,950 in 2018-2023, the Councils argued that these figures reflect a feasible but ambitious plan for housing provision, and are consistent with evidence in the Greater Nottingham Housing Market & Economic Prospects study by G L Hearn Limited [CD/KEY/02].
97. The second bullet in paragraph 47 of the NPPF explains how Councils should identify and maintain a five year housing land supply against their housing requirements. In general it would be ideal for housing completions over the full plan period to be the same in each year of a plan, in order to meet the emerging requirements or needs in full. Higher numbers might be necessary to make good any shortfalls in supply in the recent past (ideally in the early years using the Sedgefield approach). The five year housing land supply should also allow for an appropriate buffer of 5% or 20%. Many recent appeal decisions where local authorities do not have an up-to-date Local Plan have confirmed the methodology for demonstrating a five year housing land supply.

A recent appeal decision, APP/J3015/A/13/2198848 [CD/EX/40] at Nuthall, indicated the Inspector's view that a deliverable supply of 1,783 dwellings in Broxtowe "stands well short of the five year requirement".

98. The NPPF seeks a significant boost in the supply of housing, and this is not required to occur only in the first five years of a Plan. The first bullet of paragraph 47 expects Local Plans to meet their full, objectively assessed needs "as far as is consistent with the policies set out in this Framework." Although the Court of Appeal judgment (Hunston) quotes protection of the Green Belt and land in an Area of Outstanding Natural Beauty or National Park as examples of such policies, I see no justification to look only at land use designation policies. The NPPF includes a range of other policy matters requiring Local Plans to be aspirational but realistic, to take account of relevant market and economic signals (paragraph 158), and be effective and deliverable.
99. In this case, I am satisfied that the prospective build rates for each 5 year tranche do not represent an attempt to suppress house building in the early years or rely on past poor economic conditions to justify low housing targets. The proposed build rates are supported by convincing evidence on the operation of local housing markets in the GL Hearn report [CD/KEY/02], which found the proposed levels of housing delivery in the ACS for each of the three Authorities to be ambitious but feasible. In the first five years, housing delivery would be less than the annual averages for the 17 year period. As the Councils argued, however, significantly increasing the supply of sites in the early years would not necessarily speed delivery, would require the release of additional Green Belt land contrary to national policy, and could delay progress on some of the more challenging regeneration sites.
100. My attention was drawn to other planning authorities with recently adopted Local Plans which do not envisage smooth housing trajectories. I have had regard for these and the Examining Inspectors' reports, although my conclusions for this ACS are based on the local evidence and local circumstances. The Hunston judgment and other appeal decisions for particular sites where a Local Plan was outdated should not, in my opinion, prevent the three Authorities from defining locally distinctive housing trajectories and 5 year housing provision figures, in accordance with sustainable development.
101. I support the proposed modifications to Policy 2 and Appendix C, Trajectories, **Mod3,6&35**, to clarify the Councils' approach and to confirm that they will do their utmost through positive planning to secure the highest possible build rates. Whether the Authorities should provide a 5% or 20% buffer to their five year housing land supplies based on past performance is likely to change over time and need not be fixed by the ACS. I agree that, as the NPPF was published with full knowledge of the economic recession and downturn in housing markets from 2008 onwards, this alone cannot justify a minimal housing land supply with a 5% buffer. Although some dispute the deliverability of some sites named in the SHLAAs, others contend that the SHLAAs have excluded some sources of supply and under-estimated sites' capacity. The Councils point out that their information is based on good practice methodology for SHLAAs which includes liaison with landowners and

other stakeholders<sup>23</sup>. I am satisfied that the current SHLAAs provide sufficient evidence to indicate that the housing figures in Policy 2 for the first five years and subsequently are justified and should be effective.

### ***Housing mix***

102. Policy 8 of the ACS addresses housing size, mix and character, referring to the aim of the NPPF to create sustainable, inclusive and mixed communities. It is argued that, among other things, the ACS should set out the quantities and timing of measures to meet the requirements of Nottingham's large student population and elderly population. The Councils confirm that their assessment of housing requirements has included student housing, in line with the Ministerial Statement of 5 December 2011<sup>24</sup>. New purpose-built student flats are expected to reduce pressure on the general housing stock. If student numbers do not increase, it seems reasonable that any surplus accommodation could be made available for general use.
103. The co-existence of traditional families and student households can sometimes be problematic. In order to avoid high concentrations of students in residential areas and detrimental impact on the living conditions of other households, Nottingham City has in place an Article 4 Direction requiring planning permission to be sought for change from use class C3 (residential) to C4 (house in multiple occupation). There is currently uncertainty around the likely future growth of universities and further education, but I would expect the Councils to take a pro-active approach liaising with the institutions and neighbouring local authorities to monitor student numbers and understand their plans for growth, encouraging them to make best use of campuses/available land. However, a detailed way forward would be best addressed through the forthcoming Part 2 Local Plan documents. I consider that the proposed modifications to Policy 8 and paragraphs 3.8.8/3.8.9 in **Mod23**, expressing support for purpose-built student accommodation and referencing the Article 4 Direction are necessary to achieve consistency with national policy and positive planning.
104. Policy 8 recognises that consideration should be given to meeting the needs and demands of the elderly across the ACS area. Specific proposals for retirement communities offering specially designed living accommodation in an attractive setting with specialist care and recreational facilities could be promoted on the sites and locations identified in Policy 2 through the Part 2 Local Plans for individual authorities. However, a separate policy to promote care homes and accommodation for elderly people is not needed in the ACS.
105. On affordable housing, targets for each local authority are given in Policy 8. These were designed to address the very high level of need for affordable housing estimated in the Strategic Housing Market Assessment 2007 and confirmed in updated information in 2012. The targets for housing provision stem from affordable housing viability studies carried out in 2009, since when

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<sup>23</sup> Strategic Housing Land Availability Assessments for the 3 Authorities – BD/HOU/16, BD/HOU/47 & BD/HOU/48; CD/BACK/01; and CD/EX/15 Statement prepared jointly by Broxtowe BC and Oxalis Planning.

<sup>24</sup> CD/BACK/01 – Housing Background Paper Addendum para 7.8 refers to ONS statistics

there have been major changes in housing market and financial conditions. However, a review of the assessment was commissioned in 2013.<sup>25</sup>

106. The Viability Update Study, which was published after submission of the ACS, notes changes in national policy towards affordable housing, including paragraphs 173 and 174 of the NPPF. These require careful attention to be given to viability and costs, looking at the cumulative impact from affordable housing and all other requirements, with schemes providing competitive returns to willing land owner/developers to enable development to be delivered. The Viability Update Study takes account of changes in house prices and development costs between 2009 and 2012, allows for a higher profit margin in line with industry guidelines given the current economic circumstances, and reviews density, mix and likely s106/CIL contributions.
107. The study findings confirm the description in paragraph 3.8.13 of the ACS as an area of many different sub-markets where viability varies widely. It finds the affordable housing policy position of Gedling appropriate, cautions that the 30% target in Broxtowe could be difficult to achieve at the lower end of the market, and recommends a flexible approach in Nottingham City where residual values are very varied. It recommends that all authorities look again at the site size thresholds which trigger affordable housing contributions. I accept that the diverse character of the area provides justification for deferring the detail on affordable housing to the Part 2 Local Plans, including the thresholds, although ideally, the ACS would have been more specific.
108. However, on balance, I consider that Policy 8 with **Mod23** in place is justified and provides a sufficient steer for developers as to what will be sought by way of affordable housing. Having regard for deliverability, the Councils drew my attention to the GL Hearn Report [CD/KEY/02] which records the achievements of affordable housing delivery through the economic downturn, the continuing activity of the Homes and Communities Agency in Greater Nottingham, and the council house building programme in Nottingham City. I consider that the modified Policy 8 is sound in respect of affordable housing.
109. Concerning provision for gypsy and traveller accommodation, the Councils have proposed modifications to Policy 9 (**Mod24**) to achieve greater consistency with the emerging Erewash Core Strategy. I support these changes which introduce flexibility into the criteria and give greater consistency with DCLG's Planning Policy for Traveller Sites. Paragraph 3.9.2 refers to pitch requirements for 2007-11 which is now in the past. However, joint working is underway in Nottinghamshire to update the gypsy and traveller accommodation assessment using results when available from the 2011 Census. With the modifications, Policy 9 is sound.

**Issue 2 – Whether the Spatial Strategy and Policy 3: The Green Belt are consistent with the NPPF, and whether the approach to making alterations to the Green Belt is justified.**

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<sup>25</sup> BD/HOU/12 Greater Nottingham Housing Market Assessment 2007 – B Line and 3 Dragons; BD/HOU/18, 24, 27, 33– Broxtowe BC, Gedling BC, Nottingham CC - Nottingham Core Affordable Housing Viability Assessments, 2009 – Three Dragons; BD/HOU/50 – Nottingham Core Viability Update Study – Andrew Golland Associates, Sept 2013

110. Although some representors alleged that the main built up area had a greater capacity to absorb new development than the ACS sought, the evidence from SHLAAs indicates otherwise (see paragraph 101 above). The future of the flatted market in Nottingham City could be a critical factor, and the GL Hearn study [CD/KEY/02] pointed to current uncertainty over its rate of recovery. This could mean that the ACS housing trajectory for the City is quite ambitious. In order to meet the housing requirement of 30,550 new homes and achieve sustainable growth with supporting infrastructure, jobs and services, I accept the Councils' judgment that future development will have to extend beyond Nottingham's main built up area.
111. The NPPF continues the well-established planning policy of protecting Green Belt land<sup>26</sup>. The Green Belt boundaries are drawn tightly around Nottingham, and to promote development beyond the Green Belt's outer edge would extend travel to work and for other purposes in an unsustainable fashion. Areas of safeguarded land exist in Gedling Borough, but these are unlikely to meet all the plan area's development requirements outside the main built up area. I agree with the Councils that the exceptional circumstances required for alterations to Green Belt boundaries exist.
112. The possible need to alter Green Belt boundaries has been apparent for some time<sup>27</sup>, and a Nottingham-Derby Green Belt Review was undertaken in 2006 for regional planning purposes [BD/ENV/06]. This concluded that the area immediately between Nottingham and Derby and the areas immediately north were generally the most important areas of Green Belt. The Appraisal of Sustainable Urban Extensions (2008) and Sustainable Locations for Growth Report (2010) assessed possible directions and locations for growth and looked at the implications for Green Belt policy, among other things. The results underpin the ACS strategy for which sustainability appraisal has also been undertaken. Appendix B of the Green Belt Review Background Paper [CD/BACK/10] helpfully shows the links between the studies and the identification of settlements for growth in the ACS.
113. The evidence base was criticised as being too dated, related to a different search for more substantial extensions, and not subject to adequate public consultation. However, I accept that the Green Belt and settlement pattern are largely unchanged since 2005/6. The studies are quite broadbrush, but include information from a variety of sources including SHLAAs. Ashfield District Council, I am advised, assessed all possible sites against the five purposes of including land in the Green Belt enabling the least valuable sites to be identified. Even if the assessment for the ACS area was more strategic, I consider that sufficient investigation of the characteristics of potential sites for development of differing sizes was carried out. Public consultation on options for the ACS was carried out and it is not necessary for Councils to consult on all items of evidence. To do so could confuse or fatigue consultees,

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<sup>26</sup> This is to prevent urban sprawl by keeping land permanently open. Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the intended permanence of boundaries and ability to endure in the long term, beyond the plan period.

<sup>27</sup> GPA Limited for Langridge Homes Ltd further written representations suggest that a fundamental review has been mooted in the Nottingham HMA for more than 20 years

and cause unnecessary delay in plan preparation.

114. The ACS envisages a two-stage approach to altering Green Belt boundaries, with the precise boundaries for individual sites to be released from the Green Belt being established in the Part 2 Local Plans. The NPPF does not directly support this approach, probably because it expects a single Local Plan for each authority in contrast to the previous preference for a Core Strategy followed by more detailed development plan documents. Newark and Sherwood and South Staffordshire with adopted Plans were cited as authorities which had used the two-stage approach taken by the Greater Nottingham Councils.
115. Field Farm is shown as a strategic allocation in the ACS, to be removed from the Green Belt and commence development within the first five years. Although it is claimed that this pre-empts the full two-stage process, is inconsistent and disadvantages objectors, there have been ample opportunities for interested persons to comment over several years. I have already noted that the site was considered at the Inquiry into the earlier Broxtowe Local Plan.
116. I have considered the arguments that a more rigorous assessment could have been carried out of the capacity of the inner urban edge of the Green Belt, before sites which would only result in long-distance commuting were selected. However, the sites at Field Farm and Toton are compatible with a strategy of urban concentration and choosing sites which abut the existing main built up area. The Gedling Colliery/Chase Farm and Teal Close sites are also to be preferred on these grounds. In addition, Gedling Borough Council safeguarded land in its earlier Local Plan north of Hucknall at some distance from Nottingham which, in line with the NPPF paragraph 85, it is appropriate to re-consider now to help meet development needs.
117. Regarding the risk of coalescence of Kimberley, Watnall and Nuthall, I consider it appropriate that the Part 2 Local Plan should assess the impact of any new development at this more detailed level, having full regard for the aim and purposes of the Green Belt. On safeguarding, it would be appropriate for the Councils to identify such land in their Part 2 Local Plans to achieve a degree of flexibility in meeting future development needs and postpone the need for further Green Belt reviews.
118. I strongly support the view that, with a two-stage review process, the ACS should give more direction to Part 2 Local Plans to emphasise that non-Green Belt sites have first preference, and that sites to be released from the Green Belt must have good sustainability credentials. A sequential approach to site release should secure an effective policy consistent with national policy, and this would be achieved by main modification **Mod18**. The wording is sufficiently clear as to which areas of the Green Belt considered for removal at the Part 2 Local Plan stage would be preferred and which would not. With this modification in place, Policy 3 is sound.

**Issue 3 – Whether the ACS is consistent with building a strong, competitive economy, has justified its economic policies, and plans appropriately for the vitality of its town centres.**

119. The ACS plans for an increase of approximately 37,000 new jobs in Greater

Nottingham, of which some 27,900 would be in the plan area. The new jobs should not only support increased numbers of workers, but also facilitate the shift from manufacturing to more 'knowledge based' jobs. The Councils' evidence base includes Nottingham City Region Employment Land Study (NCRELS) 2007 [CD/KEY/05], undertaken to assess the existing employment land provision and future land requirements to 2026. It began with a discussion of the workplace economy, before considering the resident population and workforce, and travel to work. The Employment Background Paper 2012 [CD/BACK/04] reviewed and rolled forward aspects of NCRELS.

120. There are weaknesses in the evidence base in that the original NCRELS pre-dated the recession and economic upheaval. The 2012 update did not scrutinise the workplace economy, ie. the recent performance of the various industrial sectors and their likely future performance. It stated in paragraph 35 that it was unable to compare the actual change in jobs between 2003 and 2011, or compare figures with the NCRELS forecasts. The job forecasts are based essentially on projections of the labour force which would be available given the future population size (paragraph 43). I note that the NCRELS was also criticised for inaccuracies in its assessment of some specific sites.
121. Recent figures from the ONS [CD/EX/11] show growth in people in full-time employment 2004-2006 from 250,800 to 268,300, followed by a sharp decline 2006-2009 to 248,000 and a lesser decline thereafter to 245,800 in 2012, for the Nottingham Core area (excluding Hucknall). The figures suggest a shift towards more part-time working and reflect conditions of economic recession. It is clear that the figures have to be treated with caution, as the 95% confidence level indicates. I have considered whether Nottingham should plan for negligible or very modest growth in its economy and workforce, based on a continuation of these figures. In favour of this line of argument, people of traditional retirement age are being encouraged to stay in work longer, and there is a significant pool locally of unemployed and part-time workers.
122. However, the NCRELS noted that whilst Nottingham City Region had a higher percentage of jobs in manufacturing than nationally, the City of Nottingham had a higher percentage of jobs in 'knowledge-based' sectors, notably in finance and business services, than the national average.<sup>28</sup> It foresaw continuing contraction in manufacturing jobs matched by growth in office-based ones. The Science Cities initiative was introduced by Government in 2004, and Nottingham was designated a Science City in 2005, with the universities and hospital seen as the drivers of growth.
123. Although change in Central Government in 2010 led to the abolition of the East Midlands Development Agency, there is scant evidence that the ambition to grow, modernise and diversify the local economy has been abandoned. Nottingham has Core City status as a city of national importance and key driver of growth for the wider area. The Local Enterprise Partnership (D2N2) and the Strategy for Growth, Nottinghamshire Growth Plan and Nottingham Growth Plan indicate that business interests are intent on delivering economic

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<sup>28</sup> CD/KEY/05 –paragraph 3.14 defines 5 categories making up the knowledge-based sector: high-tech manufacturing; financial and business services; communications; computing and R&D; media.

growth and have researched how this might best be achieved<sup>29</sup>. The D2N2 Partnership with representatives from business, local government and higher education, aims to create 55,000 additional jobs in the Derbyshire-Nottinghamshire sub-region by 2023. The designated Enterprise Zone around the Boots site aims to create around 10,000 jobs.<sup>30</sup> There is support for the proposed HS2 station as a driver of economic growth.

124. Accurate projections of economic growth are notoriously difficult to achieve, and I have seen no more credible, alternative estimates for jobs and employment land requirements to those in the ACS. I have considered whether a full review of the NCRELS should be insisted upon. However, this would cause a significant delay to plan-making and it is questionable whether, given the recent financial upheaval and economic recession and the uncertainty surrounding economic projections, a significantly different set of forecasts would be produced and agreed upon. The figures in the ACS seem broadly compatible with the aspirations of the Local Enterprise Partnership.
125. Policy 4 – 1b) refers to “a minimum of 309,800 sqm of new office and research development”, which is supported by some because of the need to plan positively, and opposed by others on the grounds that it is over-ambitious. Nottingham City Council reportedly achieved about 15,000 sqm pa over the decade to 2010, compared with planned provision of about 14,800 sqm pa. Policy 4 – 1d) provides a breakdown of 37 hectares between the three Authorities. These figures are perceived by some as too ambitious, but planning to meet future land requirements should allow for some churn and a choice of sites for various types of business user. The thrust of the policy is not, in my view, unsound, although I support the proposed modification to round the figures in 4-1b) as they can only be estimates (**Mod19**).
126. The use of the term ‘significant’ in relation to new employment and economic development in Policies 2 and 4 was criticised as imprecise, in particular because it could imply that land at Toton was expected to provide as much employment land or create equivalent job numbers to the Boots site. The Volterra report<sup>31</sup> refers to plans for between 200 and 1,500 office jobs at Toton once the development becomes operational and some 200 full-time jobs in construction during the construction phase. This represents a wide range, and underlies the fact that exact numbers cannot be set at this stage to reflect the impact of HS2. The term ‘significant’ is clearly used to avoid undue precision and give necessary flexibility. Modifications proposed to provide more details as to what is expected at Toton clarify the meaning of Policies 2 and 4 (**Mod8**). The proposed modifications include changes to policies and the supporting text to ensure that the scope for economic development associated with HS2 is not compromised by other elements of the proposed mixed use development. This is essential if the full potential for investment and business growth from the proposed station hub is to be realised.

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<sup>29</sup> D2N2 Local Enterprise Partnership Strategy for Growth 2013-23; Nottinghamshire Growth Plan and Nottingham Growth Plan [BD/EMP/04, BD/EMP/06 and BD/EMP/07]

<sup>30</sup> Greater Nottingham Employment Background Paper 2012, [CD/BACK/04] and Nottingham Growth Plan 2012, Nottingham City Council [BD/EMP/04]

<sup>31</sup> Nottingham City Council & Partners – Maximising the economic benefits of the East Midlands HS2 station at Toton, Volterra Partners, November 2013 [BD/TRA/13]

127. On the distribution of employment sites, there is concern that insufficient priority has been given to the re-use of brownfield land. However, Policy 4 indicates that a high proportion of new office development is planned for Nottingham City which is substantially built up, and Policy 7: Regeneration lists a number of previously developed sites in the plan area where mixed use, including significant employment developments, will be sought. Regarding prospects for delivery, the Councils reported an increase in developer activity in late 2013 signalling improving market confidence. The Infrastructure Delivery Plan [CD/KEY/01] includes assessments of the deliverability of relevant sites. The Councils work with public and private sector partners to accelerate delivery. They have proposed a modification to paragraph 3.7.6 of the ACS to reinforce the commitment to a pro-active approach to secure regeneration, including the use of Compulsory Purchase powers. I support this modification, **Mod22**, to achieve an effective plan.
128. Also concerning the distribution of new employment sites, proximity to the M1 motorway in the west is important to many businesses, notably those in the warehousing and logistics' sectors. Locating new jobs close to resident populations is clearly consistent with promoting sustainable development. I appreciate the desirability of promoting small and medium-sized employment sites around the periphery of the conurbation rather than focusing solely on a few, high quality office parks. Policy 4 of the ACS aims to provide a range of suitable sites across the plan area to serve all employment sectors. It should facilitate the provision of small and medium-sized sites in accessible locations which are attractive to the market. These should be identified through the Part 2 Local Plans.
129. In Gedling Borough, not all employment land identified in the former Local Plan has been taken up, and the need for new provision at Top Wighay Farm is questioned. It is argued that available land at Teal Close being adjacent to the main built-up area of Nottingham would be more suitable for this purpose. Alternatively (or as well), Leapool Island is promoted as a strategically well-located site for a new or extended employment park. It was also suggested that the Top Wighay Farm site would compete for business take-up with the Rolls-Royce site, which neighbouring Ashfield District is promoting as a major employment site. However, whilst the latter is expected to meet strategic, sub-regional needs, the Top Wighay Farm site would satisfy more local requirements ie. a different market. It should be attractive to business as it would have good accessibility to the motorway and to a potential workforce on the adjoining planned housing site.
130. Concerning the NPPF's paragraph 22, it is claimed that some sites in Gedling Borough protected by the old Local Plan may be surplus to requirements. An example referred to is Bestwood Business Park, part of which has been taken up for housing development. The remaining land in employment use is said to be increasingly difficult to maintain and keep attractive to tenants. A statement by specialist market assessors supports the view that it should not be retained for employment purposes. The future use of this site and, if it is lost for employment use, the availability of alternative appropriate land, should be looked at in more detail in the Part 2 Local Plan stage.
131. There is discernible inconsistency in paragraphs 3.2.21 and 3.2.25 of the ACS

as to the approach which will be taken to protecting employment sites. The proposed modification to 3.2.21 in **Mod8** to refer to meeting the needs of modern business should confirm a similar approach in Broxtowe and Gedling Boroughs, and achieve consistency with the NPPF.

132. Policy 4.1b) refers to action which would be taken to maintain a five year supply of office floorspace. The Councils will need to monitor and manage the supply of employment land, and I support the clarification to the monitoring arrangements box to refer to Part 2 Local Plans. Raising skill levels and reducing unemployment especially in deprived areas is an underlying aim of the ACS, and proposed modifications to the monitoring arrangements for Policy 4 would enable progress on this to be measured (**Mod19**).
133. The ACS acknowledges that Nottingham's Universities are important to the area's economic development, notably to expanding its knowledge-based and high technology sectors. In addition, the Universities' provision of education, student services and accommodation perform an important role, employing thousands of staff. These key functions have their own development requirements which need to be addressed through planning. Proposed modifications to paragraph 3. 4. 21 are necessary for an effective plan, to stress the importance of the Universities, recognising their primary educational role and the importance of retaining graduates in the local economy (**Mod19**).
134. Policies 5 and 6 of the ACS promote Nottingham City Centre as the principal shopping, leisure and cultural destination, with support from a hierarchy of town, district and local centres. The policies are consistent with paragraph 23 of the NPPF and under-pinned by recently gathered evidence on retail capacity to 2021<sup>32</sup>. Development and redevelopment works at the Victoria Centre and Broadmarsh are supported, which should strengthen the city centre's vitality and viability. Proposed modifications to Policy 5 would reference the Update study and commit to ongoing monitoring of retail capacity (**Mod20**).
135. The hierarchy of centres in Policy 6 is explained in the text and glossary. A number of centres including Stapleford are acknowledged to be in need of enhancement and there is concern that the ACS provides insufficient detail as to how these centres would be improved. Strict application of the sequential approach should generally assist the vitality and viability of existing centres. **Mod21** is necessary to set out the sequential approach clearly. I have had regard for the use of language. However, describing adverse impacts as 'severe' rather than 'significant' seems unlikely to harm developer interests or the policy's effectiveness. The proposals for new housing development at Field Farm and Toton are expected to increase the potential spending power in Stapleford centre and provide opportunities for enhancement of the facilities. These should be pursued rigorously through any planning decisions and the Part 2 Local Plan.
136. Regarding scope for new local centres, for example to serve the proposed housing development at Bestwood village, Policy 6 makes an allowance for Centres of Neighbourhood Importance which could be identified where appropriate in the Part 2 Local Plans. Policies 5 and 6 are sound and should

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<sup>32</sup> CD/KEY/09 – Greater Nottingham Retail Study 2008: Partial Update 2013 – DTZ for NCC

provide a reasonable framework for those Plans and decision-making.

**Issue 4 – Whether the ACS will protect and enhance the natural, built and historic environments appropriately, and assist adaptation / mitigation to climate change.**

137. Policy 1 of the ACS addresses climate change, covering the important issues of sustainable design, reducing carbon dioxide emissions, decentralised energy generation and flood risk/sustainable drainage. The Councils have taken account of likely Government changes signalled in the Housing Standards Review Consultation document [BD/HOU/45] and have not specified local standards in the ACS. The exception to this is planned water use of no more than 105 litres per day, which is based on evidence from the Greater Nottingham and Ashfield Outline Water Cycle Study [BD/CC/02]. I agree with the Councils that 105 litres is broadly consistent with the Housing Standards Review figures, but takes into account that Greater Nottingham is an area of moderate water stress. Viability studies show that the requirement is likely to have a limited impact on developers' overall costs.
138. The Councils advised that it would be difficult to quantify the contribution to reducing greenhouse gas emissions and renewable energy regeneration from this policy or the ACS in full. I accept this, but consider that Policy 1 should provide a steer to developers and other stakeholders as to what is expected from new development, to help meet demanding national targets for tackling climate change and reduce carbon dioxide emissions. The Councils proposed modifications similar to those put forward for the climate change policy in neighbouring Erewash Borough Council, to clarify what will be sought. I support **Mod2** primarily to achieve effectiveness and compliance with paragraph 95 of the NPPF. In addition, the modification makes clear that flooding may come from a variety of sources not just rivers. It makes reference to Policies 2 and 14 and the need for development to be sustainably located in order to reduce the need to travel. Managing travel demand is an important tool to mitigate the effects of carbon emissions, and to reduce the harm from noise and air pollution.
139. The NPPF requires good design as a key aspect of sustainable development which is indivisible from good planning and should contribute to making places better. I support **Mod25** to align Policy 10 with the NPPF and ensure that ground conditions are properly assessed before new development is promoted. I also support **Mod27** to Policy 12 to make clear that new or improved community facilities to support new residential development should be supported by evidence of need, so that appropriate facilities are provided.
140. Policy 11: The Historic Environment and Appendix A of the ACS, which includes strategic site schedules and plans, are the subject of a number of changes in response to representations from English Heritage [CD/REG/02]. I attach significant weight to the changes, because they resulted in the body withdrawing its earlier objections to the ACS, and because they indicate that this body has looked closely at the implications of the Plan for safeguarding heritage assets and their settings. Ideally, heritage should have been included more explicitly in the earlier version of the ACS and the sustainability appraisal. However, it is clear from the text of the latter [CD/REG/06] that it has been properly considered. I support the references to heritage in **Modes7-**

**16&26.**

141. The historic environment associated with DH Lawrence at Brinsley as well as Eastwood is adequately addressed in my view, and will be considered in detail at the Part 2 Local Plan stage [BD/BBC/11]. Similarly, the impact of the proposed development north of Papplewick Lane on the remains of the textile industry in the Leen Valley, and any scope for promoting cultural tourism, is a matter for the Part 2 Local Plan stage. Appendix A commits to "further dialogue with English Heritage" for this site and many of the others.
142. Policies 16 and 17 concern green infrastructure, parks and open space and biodiversity. As they apply across the three local authorities with their diverse built and natural environments, it is unsurprising that these policies are broadly based. The plan area does not contain landscapes designated for their national importance, but Policy 16 provides for protection, conservation or enhancement in line with the Greater Nottingham Landscape Character Assessment [BD/ENV/05]. This found a wealth of distinctive landscapes and identified 79 draft policy zones across the area (which was more extensive than the ACS area). The 6Cs Growth Point Green Infrastructure Strategy volume 6 [BD/ENV/04] provided evidence for green infrastructure corridors in and around Nottingham and Hucknall. Natural England observed that the ACS committed to "an ambitious network of green infrastructure and access to the countryside". Notwithstanding criticism from others that the policy is insufficiently detailed and should refer to specific river valleys or landscape features, I am satisfied that it provides a sound strategic framework.
143. Policy 17 will protect designated biological or geological sites of importance for nature conservation in line with their position in the hierarchy (international, national or local). The prospective Sherwood Special Protection Area and examples of Sites of Special Scientific Interest are referenced in the supporting text. The Councils confirm that their information on local wildlife sites is derived from the Nottinghamshire Biological and Geological Records Centre. If parties considered that the local designation of a wildlife site was no longer valid, it would be for them to demonstrate the case to the Records Centre or to the local authority if submitting a planning application for development.
144. Policy 16 sub-section 3 encourages a range of uses in new green infrastructure corridors. Clearly there could be conflicts, for example between flood attenuation measures or energy production and wildlife in river corridors. However, it would be inappropriate for the ACS to take an overall view as to how potential problems should be resolved. They would best be determined on a site specific basis. There is concern that development of many of the sites and locations in the ACS will lead to harm to wildlife, habitats and designated sites. It is proposed that more specific references to green assets, for example Erewash Valley, should be included in the Plan. However, I consider that the Council's approach in the ACS is consistent with section 11 of the NPPF and provides the appropriate strategic framework to inform the Part 2 Local Plans and the Councils when deciding planning applications.
145. Map 3.3 of the ACS shows strategic green infrastructure including corridors, although it needs revision to make it readable. I support the modification to this diagram which should improve its effectiveness in protecting and

improving green infrastructure (**Mod31**). **Mods31&32** clarify monitoring arrangements for Policies 16 and 17, also enhancing their effectiveness.

**Issue 5 – Whether the transport policies are sustainable, and whether they provide adequate support for the development proposed over the plan period.**

146. Policy 14: Managing Travel Demand states that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations. This is consistent with Policy 2 of the ACS which is based on urban concentration and regeneration, seeking most development in or adjoining the main built-up area. Proposed changes already referenced, eg. **Mod3** to paragraph 3.2.9, to reduce the scale of development planned in the north of Gedling and Broxtowe Boroughs and increase provision on sites closer to the main built-up area are supportive of Policy 14 and securing a sustainable transport system.
147. The Highways Agency with responsibility for the strategic network including motorways confirmed that the Councils, with Nottingham City and Nottinghamshire County Council as highway authorities, had engaged with it over the production of transport evidence and traffic modelling. The Agency suggested amendments to the Publication Version of the ACS. In addition to major improvements to the A453 which are currently underway, the Highways Agency considers that the strategic road network could be adequately safeguarded by measures at key junctions. In particular, A52 junction improvements would be needed as referenced in **Mods29&30** to Policies 14 & 15 and Appendix A. Localised measures may be needed elsewhere at junctions to serve development sites, but the Highways Agency, highways authorities and Councils are agreed that these can be addressed through Part 2 Local Plans and development management.
148. Transport modelling was carried out to assess the cumulative impact of the development proposed in the ACS and emerging Core Strategies for Erewash and Rushcliffe Councils on the strategic highway network using the Greater Nottingham multi-modal transport model. The Infrastructure Delivery Plan [CD/KEY/01] (IDP) describes the modelling exercise and concludes that the highway network is forecast to be more congested in 2028 than 2008. However, it considers it reasonable to expect some travellers to change their behaviour, with a shift to more sustainable modes which should reduce traffic impacts. Subject to Smarter Choices and Public Transport measures, major strategic highway works would not be required, although localised improvements on key routes would be necessary. Site specific transport assessments would identify these. **Mod33** confirms the approach and should be made for effectiveness.
149. There is scepticism as to whether the amount of development proposed in the ACS can be accommodated without a serious worsening in traffic conditions amounting to a "showstopper". However, the view of some parties that the City has existing good provision of roads and public transport compared with other English towns and cities was not seriously challenged. The IDP shows schemes important for the delivery of the ACS and these are consistent with the priorities in Policy 15. The IDP indicates funding requirements and likely sources for these strategic transport schemes, and identifies mitigation

measures which would include bus service improvements. Additional work carried out by Gedling Borough with the highway authority confirmed that there is a reasonable prospect for advancement of the Gedling Access Road scheme to enable new development at Gedling Colliery/Chase Farm.

150. The proposed HS2 station at Toton is unlikely to be operational before the end of the plan period, but it is consistent with positive and pro-active planning for the ACS to anticipate its provision. I have read the case for new heavy rail development to serve parts of south-west Nottinghamshire and Nottingham City, as a means to reduce road congestion. However, such plans should have the formal support of relevant transport authorities before being included in a Local Plan.
151. Given the current economic climate and expectations that public funding for infrastructure is likely to be constrained, I consider that the ACS's transport policies with the above-mentioned modifications are realistic but justified. The Plan's approach is consistent with section 4 of the NPPF.

**Issue 6 – Whether the spatial strategy is deliverable; whether the plan's policies and proposals are viable; and whether there are suitable arrangements for monitoring and managing implementation.**

152. Policies 18 and 19 of the ACS expect new development to be supported by the required infrastructure at the appropriate stage, with developer contributions to meet the reasonable cost of new infrastructure. The IDP [CD/KEY/01] was published in May 2013, but is a living document prepared in parallel with the ACS. It reflects full engagement with stakeholders and provides a good evidential base for the ACS. A summary of critical infrastructure requirements is given in Appendix B, and this shows greater certainty and information on funding for infrastructure required in the first five years of the Plan.
153. Appendix B of the ACS identifies critical requirements for transport, flood risk, contamination and green infrastructure. The IDP, however, covers a broader range of likely requirements including school places and education funding. Paragraphs 173 and 174 of the NPPF require careful attention to be given to viability and costs in plan making, taking account of the cumulative impact of all local and national policy requirements, standards etc. Viability assessments for the proposed sustainable urban extensions used the Three Dragons Model developed specifically for the Greater Nottingham housing market area. Account was also taken of the Government's Viability Testing for Local Plans, 2012.
154. The Councils advised that results for Gedling Borough (Top Wighay Farm and North of Papplewick Lane) are consistent with work being undertaken for the introduction of a community infrastructure levy [BD/TRA/12]. Concerning Field Farm, modelling indicated that affordable housing provision of 30%, as sought by Policy 8 of the ACS for Broxtowe Borough, would not give a residual value above the existing use value. This is perhaps unsurprising as the Stapleford housing market is described as weak and unlikely to sustain levels of affordable housing above 10%. Policy 8 allows for flexibility when securing appropriate levels of affordable housing, and this is consistent with the NPPF's call for careful attention to be given to viability and deliverability.

155. The Councils asserted that they well understood the delivery challenges of the Boots Campus and Severn Trent land and other sites on brownfield land named in Policy 7: Regeneration. Stakeholders including the D2N2 Local Enterprise Partnership and Homes & Communities Agency, as well as private interests, are working in partnership with local authorities to bring forward remediation and development. Works are expected to start on the Severn Trent/Boots land in 2014, the Boots part being designated an Enterprise Zone.
156. Policy 19 refers to the potential role of CIL in funding infrastructure in the future. I support **Mod34** which makes it consistent with national policy, and the consequent change to paragraph 3.19.1 to explain how developer contributions will be sought in accordance with CIL Regulations and the NPPF.
157. Monitoring of the Local Plan should enable it to remain effective over the long term, so that the Councils can manage its implementation, making adjustments and proposing plan reviews in good time where necessary. **Mod17** extends section D of the Plan to explain the monitoring process and action if policies are not working. Additional text and a table indicate triggers and actions for key elements of the Plan including housing, employment and critical infrastructure. The ACS will be complemented by Part 2 Local Plan documents in each local authority which will include site specific and development management policies. The Part 2 documents will be the means to take forward many of the strategic policies in the ACS. Modifications are needed for the effectiveness of the Plan to ensure that the Part 2 Local Plans are referenced accurately and precisely in the ACS. I accordingly support **Mod28** to secure this outcome and achieve a deliverable Plan.

## Assessment of Legal Compliance

158. My examination of the compliance of the Plan with the legal requirements is referenced in paragraphs 14-26 above, and compliance with all of them is summarised in the table below. I conclude that the Plan meets them all.

| LEGAL REQUIREMENTS                                                |                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local Development Scheme (LDS)                                    | The ACS is identified within the approved LDSs of May and June 2013 which set out expected adoption dates of Winter 2013/2014. The ACS's contents are compliant with the LDS, and the timing is broadly compliant if slightly delayed by the extension to the examination. |
| Statement of Community Involvement (SCI) and relevant regulations | The SCIs were adopted in October 2006, June 2007 & June 2009 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes.                                                    |
| Sustainability Appraisal (SA)                                     | SA has been carried out and is adequate.                                                                                                                                                                                                                                   |
| Appropriate Assessment (AA)                                       | The Habitats Regulations AA Screening Report, June 2012, with addenda January & February 2013 [CD/REG/10-13] set out why the ACS would not be likely to have a significant effect on any European                                                                          |

|                                             |                                                                                                                                                                                                              |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | site either alone or in combination with other plans or projects, except at Calverton where mitigation measures would be required. Policy 16 & paragraph 3.16.2 of the ACS support a precautionary approach. |
| National Policy                             | The ACS complies with national policy except where indicated and modifications are recommended.                                                                                                              |
| Sustainable Community Strategy (SCS)        | Satisfactory regard has been paid to the SCS.                                                                                                                                                                |
| Public Sector Equality Duty                 | The Local Plan complies with the Duty [CD/REG/14]                                                                                                                                                            |
| 2004 Act (as amended) and 2012 Regulations. | The ACS complies with the Act and the Regulations.                                                                                                                                                           |

## Overall Conclusion and Recommendation

**159. The Plan has a number of deficiencies in relation to soundness which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

**160. The Councils have requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Greater Nottingham – Broxtowe Borough, Gedling Borough and Nottingham City Councils' Aligned Core Strategies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

*Jill Kingaby*

Inspector

**This report is accompanied by the Appendix containing the Main Modifications.**