

F.A.O: Nigel Bryan
Planning
Gedling Borough Council
Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

7th May 2020

Dear Nigel,

Town and Country Planning Act 1990

Application Reference 2020/0050: Outline application for mixed- use development comprising; 805 homes, land for employment purposes (up to 49,500m² of B1/B8 uses), a local centre comprising A1-A5, B1(a) and D1 uses (up to 2,800m²), a 1.5 form entry primary school and associated infrastructure, open space and landscaping.

Urban Vision Enterprise CIC (UVE CIC) has been appointed by Linby Parish Council (LPC) to submit representations to Gedling Borough Council (the LPA) with regard to aforementioned proposed development of land at Top Wighay Farm, Linby (Reference 2020/0050) which falls within the Parish boundaries.

The principle of development is already established through the site's Local Plan (Part 2) allocation. LPC support the proposal in general terms and would like to identify key issues, opportunities and recommendations to ensure that the current application can be acceptable in planning terms.

Local Plan Policy

There are no known material considerations which indicate that the Local Plan should not be followed. The adopted development in Linby Parish (within which the development boundary falls) consists of:

- Greater Nottingham Aligned Core Strategy (Part 1 Local Plan) (adopted September 2014)
- Gedling Borough Council Local Planning Document (Part 2 Local Plan) (adopted July 2018)
- Linby Neighbourhood Development Plan (LNP) 2018 – 2032 (Made March 2019)

Linby Neighbourhood Plan 2018 – 2032 (March 2019)

LPC would urge the LPA to ensure that Linby Neighbourhood Plan is applied effectively, and the evidence base be used to support and inform development parameters and deliverable outcomes at Top Wighay Farm.

It is key to fulfilment of the LNDP objectives that infrastructure to support the village is provided through the new development, given the constraints in the existing settlement. In particular but not exclusively the current planning application should be informed by LNP policies:

1. DES1: Design;
2. NE2: Landscape and Rural Character;
3. TRA1: Traffic and Transport;
4. EMP2: Employment;
5. DC1: Developer Contributions;
6. NE1: Habitats, Trees and Hedgerows;
7. HSG1 – Housing Mix;
8. CBH2 – Historic Character;
9. NE2 – Landscape and Rural Character;
10. EMP1 – High Speed Connectivity; and
11. COM1 – Community Facilities.

The application provides an opportunity for the community to meet the LNDP objectives by guiding the infrastructure brief for the allocated land and ensuring a holistic and joined up approach to delivery. The development should demonstrate how it could reflect and enhance the character of the parish, respecting the setting and relationship to the neighbouring village. Linby has a very distinct local character with a limited materials pallet. Predominantly the building materials consist of the Linby Yellow Bulwell Stone and Pantile roofs, with wooden window frames.

National Planning Policy Framework (NPPF), February 2019

The National Planning Policy Framework sets the presumption in favour of sustainable development. Three overarching objectives are stated for achieving sustainable development in Paragraph 8:

- “a) an economic objective ...*
- b) social objective ...*
- c) an environmental objective ...”*

LPC would remind the LPA of paragraph 12 in the NPPF that indicates planning decisions should be based on the adopted Development Plan including any made neighbourhood plans:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

Whilst the proposal is an outline application there are a number of NPPF policy elements that must be considered in determining the application. Specifically, these include:

5. Delivering a Sufficient Supply of Homes:

The NPPF makes clear the government objective to significantly boost the supply of homes. This policy sets a clear methodology for how Local Planning Authorities should achieve this and the range and scale of sites that should be included in a Plan.

To put this proposal into perspective, as a strategic allocation this site forms part of that methodology through the supply of land. Paragraph 72 of the NPPF makes clear that:

“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential and the scope for net environmental gains;

b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;

c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;

d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and

e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size.”

In particular items A; B; and C are supported through the policies in the Linby Neighbourhood Development Plan (LNDP). It is critical that any new development on the proposed site includes suitable infrastructure for the new and existing communities of the parish, is well designed and harnesses opportunities to improve environmental gains.

6. Building a strong, competitive economy:

This policy is about ensuring a strong mix of employment based on evidence of need and demand. Supporting economic growth and productivity. It should be recognised that at the time of making the strategic allocation the envisaged employment uses for the area on the western border of the site (marked in red on the Parameter Plan) may need to be responsive to market changes. LPC is aware of a large number of currently vacant storage and warehouse new developments in the locality.

Flexibility should be given to respond positively to changes in demand. The envisaged original employment use may not be the most sustainable for the borough or the site. This is emphasised in paragraph 82 which states that:

“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.”

It is suggested that this is more closely examined, should consent be granted before a reserved matters application.

LPC recognises the commitment in the outline application to provide a diverse Local Centre. The associated documents, including the Retail Impact Assessment, are supported for the range of services, uses and facilities that will be provided.

LPC would like to inform any future applications using evidence of need and demand gathered as part of the preparation of the LNDP to support the mix of uses created.

8. Promoting Healthy and Safe Communities:

Health

The development of the site would lead to the creation of a new Local Centre. This is welcomed and together with the policies of the LNDP will help to create a more sustainable community. The delivery of associated infrastructure within the development is essential to placemaking at the outset.

The adopted Local Plan (Part 2) allocation makes provision for a medical facility with GP services at the Local Centre. Top Wighay Farm Development Brief Supplementary Planning Document (SPD) 2017 outlines the type of healthcare provision expected through development of the site, making the following commentary:

“The Nottingham North and East Clinical Commissioning Group (CCG) is aware of health capacity issues in Hucknall at present, and will be producing a Premises Strategy for the town.

In line with the CCG’s requirements, the most likely options for accommodating the demand arising from development at Top Wighay Farm include:

- *expansion of existing premises;*
- *reorganisation of existing premises; or*

- *providing new premises, either on the site or elsewhere in Hucknall.*

If the premises strategy indicates that new provision is required on the site itself, the CCG require that the facility avoids isolated locations (due to security issues). If the premises are located within the local centre, which would seem an appropriate location, access and the provision of adequate parking are critical. If the CCG considers that need is better met through existing surgeries in Hucknall, then developers will be required, as part of section 106 discussions, to make a financial contribution towards the expansion and/or reorganisation of these facilities. Dialogue between the Borough Council and the Nottingham North and East Clinical Commissioning Group (CCG) is ongoing and will be maintained after the publication of the premises strategy. The staging and timing of payments, as well as the dates by which the contributions must have been spent on the identified infrastructure/services, will be negotiated at the planning application stage.”

Whilst it is the case that local surgeries are at or close to capacity, it is also the distances from the site which are a factor. As such, so as to effectively overcome this key issue, provision must be made on-site rather than through financial contributions to increase provision at existing facilities.

Education

NPPF paragraph 94 states that:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with schools’ promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.”*

The Environmental Statement notes that Holgate Primary School has capacity for 523 pupils. With regards to the new primary school, if sited close to the local centre, it could also provide out of hours community support. This could include spaces within the school available for community use and hire outside of the school day.

9. Promoting Sustainable Transport:

The proposed highways works are insufficient, and the scheme would add to the cumulative impact on the immediate surrounding highways network, which is already under strain. The NPPF makes clear in paragraph 102 that:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) The potential impacts of the development on transport networks can be addressed;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*

d) *The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*

e) *patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.”*

Paragraph 109 states that planning applications can be:

“prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

It is disappointing that the LPA has determined a planning application on the highway’s infrastructure including the design of access points to the development prior to the outline planning application being submitted. LPC makes very clear that this has not been a positive approach to placemaking. Agreeing critical elements such as access points from the existing highway network and retro-fitting to subsequent planning applications is not best practice.

It would appear to have been premature and poses a real threat that additional highways elements will be retrospectively designed at Reserved Matters stage to meet these permitted accesses without creating a well-designed new settlement. It is disappointing that the timing of these applications has not been considered holistically, which has led to the clear exclusion of pedestrian and cycling linkages and other highways infrastructure set out in the LNP which are major components of the highways remit. LPC directs the LPA, through the concepts put forward in LNDP, to the ‘*Critical Junctions*’ and ‘*Road Management Strategy*’ which outline the main issues which need addressing on the local highways network.

The clear concern is that the highways issues will not be suitably addressed, designed or implemented. This has been observed on previous strategic allocations within the borough. Secondly as raised in the dedicated transport response from LPC it is still unclear how the development of Top Wighay is going to mitigate against the existing traffic issues associated with Wighay Road, which have been well documented in the evidence base of the LDNP.

In particular, the residents of the recent neighbouring development to the south at land off Wighay Road have experienced higher than average road traffic collisions upon entering and exiting their estate, since construction was completed. The current application offers the opportunity to form a pedestrian and highways link between the two developments. This would allow vehicles to use the safer and higher capacity roundabout on Annesley Road and, for pedestrians, would form part of a more direct and safer active travel route to Linby, which avoids substantial stretches of main road.

The opportunity should also be taken to provide additional direct linkages off-site to the cycle path on Annesley Road and towards Wighay Road. Presently, the villagers of Linby walk or cycle along National Cycle Route 6 (NCN6) to reach Hucknall Railway Station, which has limited parking. Extending a branch of this route westwards over the level crossing and along Wighay Road into the site would allow new residents to form and benefit from active travel habits and also benefit from this active travel option.

In addition to these comments we also refer to the consultation submission letter prepared by the highways and traffic consultants Bancroft Consulting on behalf of Linby Parish Council, who with their expert knowledge concluded their response with the following summary that we support:

“My review of the detailed technical information presented in support of this application suggests that there are many areas where further information is required before any decision can be made in respect of compliance with the NPPF and specific local policy and design guidance objectives. This includes:

- *a more accurate assessment of walking and cycling distances based on the full extent of the site boundary and not the site access junctions,*
- *clear justification of how the proposed trip generation would impact on current traffic conditions, alongside an updated detailed assessment of highway safety and capacity issues at the proposed site access junctions and along the B6011 corridor through Linby,*
- *firm commitment to a strategy for delivering internal bus services from immediate occupation of any development,*
- *important design and modelling updates to reflect the Road Safety Audit recommendations,*
- *a more comprehensive approach to improving pedestrian and cyclist facilities along local desire lines to ensure trips generated by the site are not just accommodated but actively encouraged.*

In considering the specific issues within Linby I would again mention how the Transport Assessment makes no recommendations for improving conditions along the B6011 corridor. This is despite up to 29 incidents being recorded along the B6011 access route and up to 113 peak hour movements being predicted as part of the GNTM which it acknowledges as being “underplayed”. The application details must provide a clear and current assessment of how traffic conditions might change in the local area and not rely upon the strategic modelling exercise which is now based on outdated flow data. In itself, 113 peak hour movements would represent a material change in conditions and, given that the development is predicted to generate 1403 total peak hour movements overall, I believe that this will significantly increase when considered properly. These increases therefore have the potential to create a significant adverse impact on the amenity of residents within the village, making it potentially unsafe for all users.”

Landscape: The application highlights that the site is within the Greenwood Community Forest and is surrounded to the north, east and west by Green Belt. As such there is potential of visual impact of development on open undulating agricultural land. Any detailed planning application should include a landscape biodiversity strategy to mitigate any impacts and reduce the appearance of the development into the open countryside and create new wildlife corridors.

LPC is keen that the development takes account of its context to ensure essentially, that a sustainable development is delivered on site. The A611 passes directly to the west and a substantial line of buffer planting should be incorporated to mitigate against the road noise. This should account for the rising land to the north west by reinforcing the boundary with Wighay Wood. LPC also recognises that, as set in the Parameter Plan, there are a number of green corridors and open spaces, providing green links within the development. LPC are able to demonstrate through the evidence of the LNDP that it is anticipated pedestrians and cyclists will use these routes to link into the existing non-vehicular routes to Hucknall. Opportunities to maximise these new links should be harnessed through a reserved matters application should the proposal be granted planning permission.

12. Achieving well-designed places

Paragraph 124 states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

LPC and the community of the parish are pro-active in engaging when opportunities are provided in the planning process. Attending events and drop-in sessions prior to the submission of this application and meeting with the agents to help inform the development.

LPC are keen to actively participate together with the community at the earliest available opportunity on any development proposal within the parish. Should this application be granted planning permission it should be noted our commitment to participation on any future application before a submission. This will allow an informed development proposal and reduce the potential for future conflict.

11. Making effective use of land 14. Meeting the Challenge of Climate Change, Flooding and Coastal Change:

The NPPF goes on to identify clear criteria that planning policy and decisions should test development proposals against. In particular it states in paragraph 118 that:

“a) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;”

The centre of Linby village and the area surrounding the level crossing on Wighay Road experience flooding on an ongoing basis. Both these areas lie downstream of the application site and are clearly at the mercy of water run-off from the existing fields of Top Wighay Farm. As submitted, only four indicative SUDS locations are shown on the Parameter Plan. It must be ensured therefore that sufficient SUDS locations are incorporated into the site, in the form of retention ponds, swales and infiltration systems, to mitigate against any future flooding events and to ensure a reduction in the greenfield run-off rate.

The proposed development does set out a range of building heights within the development. However, at this stage there are no details of how these are translated into housing densities. Paragraph 123 makes clear that:

“b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

Higher density development should be focused towards the centre of the development, loosening the urban grain towards the fringes to ensure a softer transition into the open countryside. This could broadly be translated to the massing heights indicated on the Parameter Plan.

15. Conserving and enhancing the natural environment

The retention of existing established mature hedgerows is strongly supported. Together with the creation of new green corridors and open space within the development there is scope and opportunity to enhance the existing wildlife networks. It is recognised in paragraph 174 that it is important to:

"a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

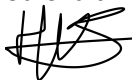
These could be conditioned through this application to ensure opportunity for net gains in biodiversity are achieved in a reserved matters application.

Conclusion

In addition to the significant highways concerns raised summarised in this letter, the application does provide an opportunity to meet the Neighbourhood Plan objectives through mutually beneficial infrastructure provision. In summary, Linby Parish Council expect that the following outcomes to be achieved as a result of the current application to develop the site:

- Address local surface water flooding originating from the application site
- Provide increased capacity to deliver local GP services
- Take opportunities to create and enhance active travel routes
- Consider Green corridors and significant tree planting
- Understand local employment space needs prior to committing to warehousing and storage

Yours faithfully



Hannah Barter
Director