

Town and Parish Council Planning Service

Ms Alison Gibson
Service Manager Planning Policy
Gedling Borough Council
Civic Centre
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30th August 2024

Dear Alison Gibson

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Land at Top Wighay Farm, Wighay Road, Linby, Nottinghamshire: Reserved Matters application (including scale, layout, appearance and landscaping) for the erection of 763 dwellings, including details of Public Open Space, Community Hub/ Multi Use Games Area and Allotments, bell mouth entrances and associated infrastructure pursuant to outline permission Ref: 2020/0050

Urban Vision Enterprise CIC has been appointed by Linby Parish Council (LPC) to submit further representations with regard to the above development (Reference 2023/0872). These should be read together with previous representations submitted in respect of the application.

Grounds of Objection

We raise the following concerns in relation to the proposed development:

- The proposed development is contrary to policy EMP2 Employment in the Linby Neighbourhood Plan, by virtue of being piecemeal development without a masterplan for the wider site.
- The proposed development is poorly designed and not specific to the site and context and fails to meet national, local or Neighbourhood Plan policy requirements. It has ignored the guidance in the National Model Design Code.

- The scheme is unsustainable, as it will not offer sufficient options for sustainable and active travel.

Piecemeal Development

Policy EMP2 of the Linby Neighbourhood Plan (LNP) identifies that on the Top Wighay Farm site an overall masterplan for the site should be approved, prior to individual applications being approved.

It is noted that an illustrative masterplan was approved for Outline permission Ref: 2020/0050 (hereinafter called the “Outline permission”), however the current application acknowledges that the status of this plan is indicative and does not entirely conform to it.

Furthermore, it confirms that the consented employment development, primary school, 42 dwellings and a Local Centre, will require independent Reserved Matters applications at a later (unspecified) date.

There is no planning condition on the decision notice, or clause within the associated s106 Agreement, that requires the consented employment or Local Centre development to be delivered at all. There is concern that the rate of housing development will not be matched by the provision of essential employment or service infrastructure. There is also no requirement for the delivery of the primary school.

It is noted that the decision notice for the Outline planning permission incorrectly grants consent for up to 49,500m² of B1/B8 uses, and a Local Centre comprising A1-A5, B1(a) and D1 uses (up to 2,800m²). This is despite the Officer’s Committee report correctly stating that due to a change in legislation the use classes permitted should be ‘land for employment purposes (E(g)i) E(g)ii) and B8); and a local centre (E(a), E(b), E(c), E(f), hot food takeaway/ public house’.

Design

LNP Policy DS1 seeks to promote quality design, and Policy NE2 requires that development incorporates sustainable urban drainage systems designed as part of the landscaping scheme. The need for quality design is supported by Policy 10 of the Greater Nottingham Aligned Core Strategy (Part 1 Local Plan), Policy LPD35 of the Gedling Borough Council Local Planning Document (Part 2 Local Plan), Chapter 12 of the NPPF (augmented by the National Model Design Guide) and the Top Wighay Farm Development Brief SPD.

The LPA has not provided clarity about design expectations for Reserved Matters applications pursuant to the Outline permission, in the form of an approved Design Guide or code which reflects local character and design preferences. This is consistent with the principles set out in the National Design Guide and National Model Design Code. The above SPD confirms at paragraph 7.2 that the development provides an opportunity to reflect the

village scale vernacular architecture and local distinctiveness of Linby and Papplewick. However, without a Design Guide or code the dwellings and layout proposed by this application are generic and uninspiring, inconsistent with the principles set out in the National Design Guide and National Model Design Code. They have little regard for these local characteristics.

Furthermore, Gedling Borough Council have prepared a draft design code framework that addresses a number of design principles. It identifies the land within this application as a suburb and the suburban rural interface. The draft documents make clear that:

“development will be inspired by the character of adjacent rural landscapes and settlements, with contemporary interpretations of their historic forms and features.”

The area is adjacent to the historic village of Linby which has a character analysis in the supporting design framework documents. It notes that one of the issues that sites such as that proposed in this application face is development that:

“is generic in character with standardised streets layouts and house types and detract from their overall character. Where further expansion is proposed on large sites, there is an opportunity for Design Proposals to address this by drawing on the unique and distinctive characters of the Historic Village Cores, and the surrounding landscapes.”

We would strongly encourage the applicant to consider this design guidance and revise the proposed scheme reflecting the local character of Linby, rather than a non-site specific design and layout that fails to positively respond to the character of Linby Parish, a historic rural community.

The confirmation within the submitted Planning Statement that street trees are accommodated on the Primary Streets and links to the Safeguarded Land is welcomed. However, for the avoidance of doubt, the National Planning Policy Framework 2023 requires that planning decisions ensure that all streets are tree lined (paragraph 136). There are no clear, justifiable or compelling reasons why this would be inappropriate for this development, and the LPA should ensure the requirement is met.

It is pointed out that submitted landscape plan P21-2773_EN-001_A-0001 is labelled as illustrative and it is therefore not clear what its purpose is. This is a full planning application and landscaping is not a Reserved Matter. A detailed, quality soft landscaping scheme is needed prior to the determination of this application, and it should not be an afterthought. It is noted that a ‘Plot Landscape Strategy Plan’ has now been submitted to support the application, together with the ‘Landscape Management Plan’ and supporting plans. It should be noted that there is no detail of the Biodiversity Net Gain (BNG) of the proposed development. This is now a mandatory requirement.

The landscape scheme must be an integral part of the layout and design of the development and should be supported by the appropriate BNG documentation.

There is no indication how surface water drainage will be dealt with. This is of particular concern to Linby Parish Council due to recent and on-going surface water flood events at the site and wider strategic allocation. We note that the submission document reference 'Open Space Drawing 2 SuDS and Allotments' would indicate details of the SuDS strategy. However, the plan does not provide any greater detail other than the ponds shown on the indicative masterplan layout. Furthermore, it is noted that permeable surfaces are limited. We would suggest that all hard surfaces are permeable and should be integrated into the SuDS strategy.

The application continues to propose revisions and changes to the surface water management proposals compared to the Outline application, and it is not clear whether a suitable and sufficient sustainable drainage system can be achieved based on the submitted layout or if it will necessitate amendments to the approved masterplan or proposed landscape scheme. The National Planning Policy Framework 2023 requires that development should incorporate sustainable drainage systems (paragraphs 173 c) and 175).

Sustainability

LNP states that new development creates a need to provide new infrastructure, facilities and services to successfully incorporate development into the surrounding area to benefit existing, new and future residents. LPC will support the planning and highway authority in securing development masterplans and planning conditions that maximise connectivity for pedestrians and cyclists within the development and provide connections to existing and new pedestrian and cycle facilities.

For new development to be supported, LNP Policy TRA1 requires it to incorporate sustainable transport provision. This includes provision for the needs of pedestrians and cyclists, convenient links to public transport and local cycle trails and footpaths in terms of layout and connectivity. LNP Policy DES1 states that for development to be supported it must provide for a balanced range of transport options, including convenient and safe pedestrian and cycle links, and links to surrounding public transport services. LNP Policy DC1 outlines that the provision of and enhancement of footpaths and routes to support walking, cycling and other recreational activities, and providing new bus stops and improved services, are infrastructure priorities.

The LNP Policies are supported by Policies 14, 15, 18 and 19 of the Greater Nottingham Aligned Core Strategy (Part 1 Local plan), Policy LPD35 of the Gedling Borough Council local Planning Document (Part 2 Local Plan), the NPPF and the Top Wighay Farm Development Brief SPD. The Development Brief SPD states:

"The design of development at top Wighay Farm should avoid insularity by ensuring sustainable connections to its surroundings. The aim is for a development that is at the same time both a self-sustaining community but also fully integrated into the

wider Hucknall urban area. In design terms, this indicates solutions including frontages to Wighay Road and improving north-south pedestrian and cycle links between the site and Hucknall”;

and

“Cycling and walking will be encouraged through the provision of good quality footpaths and cycle ways that connect to surrounding routes serving Hucknall Town Centre and Newstead. The internal layout of the site should also be planned to provide a comprehensive internal network of footpaths to enable priority for the pedestrian and cyclist, which would assist in encouraging non-motorised travel”.

The Outline planning permission granted approval for “access”. However, other than the provision of the highway improvements to Wighay Road and Annesley Road that required completion prior to the commencement of above ground works (these are covered by conditions 5 and 6 on the decision notice), there is nothing requiring the timed or guaranteed implementation of the wider pedestrian/ cycle connectivity within the whole area of the Outline application as shown on the approved illustrative masterplan.

The Outline planning permission did not approve an access plan for the whole of the application site, meaning there is no over-arching approach to the delivery of sustainable travel and access to and within the site for vehicles, cycles and pedestrians, and the positioning and treatment of access and circulation routes and how these fit into the surrounding network.

This approach is flawed as it did not properly consider “access” for Outline applications as defined in Article 2(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2015. Instead, access and sustainable travel is being dealt with in an ad-hoc and fragmented fashion each time a Reserved Matters applications comes forward, even though “access” has already been granted by the Outline permission.

We had previously raised that it was not clear how bus stops are to be integrated into the development, or whether a path is to be provided to the frontage of the site to Annesley Road. We note the indicative bus stops plan, showing 2 stops within the entire development. This is disappointing given the drive to reduce reliance on private car journeys and encourage the use of public transport. Bus stops should be more frequent throughout the development and located at convenient sites including at key infrastructure such as school. This would also help to make new services more viable as a convenient alternative form of transport. The LPA should make sure that these are delivered as part of this application.

Accessibility is predicated on all users of this development having sustainable travel options readily available. To be genuinely sustainable LPC expect that the availability, frequency, safety, convenience and suitability of non-motorised travel options within the development are sufficient to encourage and enable their use.

Conclusions

The proposal represents piecemeal development, and there is concern that the rate of housing development will not be matched by the provision of essential employment or service infrastructure.

It fails to meet design requirements of the NPPF, National Model Design Code, LNP, Draft Gedling Borough Design Framework or the Top Wighay Farm Development Brief SPD.

There is still no clear indication how surface water drainage will be dealt with. The Parish Council submitted additional representations specifically in relation to surface water flooding and the submitted design proposals together with the findings of their independent report in April 2024. They are still awaiting a response from the applicant. We understand that the Parish Council have also pursued this with Gedling Borough Council, with no response to date.

There is nothing requiring the timed or guaranteed implementation of the wider pedestrian/cycle connectivity within the whole area of the Outline application as shown on the approved illustrative masterplan. There is concern that users of this development will not have sustainable travel options readily available that are sufficient to encourage and enable their use.

We would emphasise the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004, to determine planning applications in accordance with the policies of the statutory development plan, unless material consideration indicate otherwise. The statutory development plan includes the adopted Local Plan and the LNP.

Yours sincerely

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Director