

## Site Assessment Panel Minutes - Tuesday 6<sup>th</sup> January 2009

### Attendance:

Bob Rivers	House Builders Federation & Bovis Homes,
Anabel Rooksby	Peveril Homes,
Gaynor Jones-Jenkins	Nottinghamshire Wildlife Trust,
Melys Griffiths	Savills,
Peter Harley	Derwent Living,
Naomi Wing	Environment Agency,
James Lidgett	Environment Agency,
Lisa Bell	Ashfield District Council,
Chris Maidment	Ashfield District Council,
Dave Lawson	Broxtowe Borough Council,
Adam Reddish	Erewash Borough Council,
Tom Dillarstone	Gedling Borough Council,
Dave Berry	Nottingham City Council,
Kate Proctor	Nottingham City Council,
Phillip Marshall	Rushcliffe Borough Council,
Richard Cooper (Chair)	Nottinghamshire County Council,
Nina Hillyer	Nottinghamshire County Council,
Andrew Johnston	Erewash Borough Council.

NB. The minutes have been anonymised in accordance with the terms of reference of the Panel.

### 1. Introductions

The Chair introduced what the intentions of the Panel were, in that it seeks an independent view, attendees are invited to represent their area of interest, members are requested to declare any interests in sites or areas. The Panel is advisory and will produce notes on the key outcomes of each session which will be sent to each Panel member in Draft form for agreement.

### 2. The Nottingham Core HMA and Hucknall

\*\* – introduced the SHLAA, stressing that it identifies sites which could be developed in the future and not sites that will be developed, in addition the SHLAA aids Local Authorities in identify a 5 year housing land supply. The Partnership of the Councils was formed in order to produce the SHLAA. The SHLAA will be monitored and updated annually. This current SHLAA will be adopted by March 2009.

### 3. The State of the Market

\*\* – opened the discussion and asked where the Panel think the housing market is heading and if they think there is any development potential remaining. Thoughts on the housing numbers predicted in the SHLAA were also welcomed.

\*\* – \*\*\*\*\* are still building for the rental market, targeted at shared ownership, with 80% market level rents, aimed at those who cannot get a

mortgage at this present time. They are not intending to build/buy houses for sale or shared ownership until at least 2010.

\*\* – most house builders are curtailing their building programmes until late 2009 early 2010. Market housing is still shifting to Housing Associations, there is a general presumption that this stick is however starting to dry up.

\*\* – the try before you buy market is strong as generally people still aspire to own property.

\*\* – people are still having problems getting mortgages.

\*\* – believes that landowners are being unrealistic in their aspirations of what their land is worth.

\*\* – land values not just linked to house sale prices, but also the price of hard and soft infrastructure (including S106 provisions). Residential planning permission is not as lucrative as it once was.

The Chair asked whether the Panel considered there to be any particular areas of the market that had been adversely affected, or if any areas had shifted upwards recently.

\*\* – The apartment is now saturated and the 3 storey dwellings market is drying up.

\*\* – momentum of affordable housing has picked up and some niche and smaller developments are continuing to sell.

\*\* – the top end of the market is still moving, and smaller developers appear to be fairing better than large volume house builders. This could be due to PPS3/planning requirements on larger sites.

\*\* – \*\*\*\*\* \*\*\*\*\* are currently renting out stock rather than pay rates on empty properties, with the view that tenants will buy once the market picks up. In addition they are looking at site re-designs.

\*\* – expects the market to bottom late 2009.

Discussion above will be anonymised if necessary and reduced in length

Following discussion the Chair said that the opinions expressed would be taken into the districts' overall consideration of how to express delivery numbers.

#### **4. City Centre Capacity**

\*\* – introduced this subject, indicating that one comment received indicated there should be across the board discounting in the City Centre in addition to current estimates based on site-specific information gathered for the Study.

\*\* – Generally evidence points to the fact that the City Centre market is saturated and the market is suffering, he therefore agrees that discounting should occur as part of the SHLAA.

\*\* – agreed with \*\*.

\*\* – RSLs are not buying apartments.

\*\* – Will provide group with suggested discounting rates that \*\*\* head office are aware of from other studies.

It was asked, but there was no view expressed about what scale of discounting or reduction from previous building rates should apply.

***ACTION – the HBF would be asked to investigate where other studies have applied discounting. Districts to investigate other studies where City Centre supply is significant (e.g. Sheffield).***

## **5. Small Sites**

\*\* – a comment received noted that there was no threshold for such sites in the SHLAA, the Panel's view was sought about whether smaller sites are considered to be less deliverable, or should be discounted in some way?

**Panel** - As landowners have been contacted as part of the SHLAA, it was considered that this is the best indication of whether sites will come forward. Generally smaller sites have been selling well over the past year as there is less pressure on such sites from S106.

## **6. Green Belt**

\*\* – circulated to Panel information relating to the 'Treatment of Major Policy Constraints' and asked if people agreed with the approach that sites should be assessed separately if deliverable but subject to whether a major policy were to change. This would apply to other sites with policy constraints such as allocated employment sites and MLAs.

**Panel** – generally in agreement with the approach; that for sites where a policy (such as Green Belt or protected employment sites for example) is the only major constraint for development, then the reasoned judgment should be altered to 'may be suitable if policy changes'. This category would be used until their status changes, e.g. relevant development plan documents identify them as allocations or a study determines their undeliverability/ unsuitability.

## **7. Existing Evidence Base**

\*\* – circulated information regarding the 'Treatment of Evidence from other Studies' – comments are requested for the next meeting on the 14<sup>th</sup> January 2009.

## **8. Flood Risk**

The Chair stated that for the purposes of the SHLAA EA did not need to apply the sequential testing to the sites, however the work the EA produced has been valuable. He raised the question of whether SFRA maps or FR maps are used, authorities view was that SFRA information is considered to be more up to date and therefore would be used in preference to flood maps where available.

\*\* – Responded that in theory the sequential test should be applied through the Strategic Flood Risk Assessment (SFRA), however, the SFRA Partnership took the view that the evidence base should be prepared and the flood risk established by the SFRA prior to considering specific sites. Therefore, she raised the question about how sequential testing fitted into the SHLAA process and said that other Councils have applied it at this stage. The EA wanted to apply sequential testing at this evidence stage and felt that the SHLAA presented this opportunity. The EA want to learn how best to engage in the process and how to get the best results.

***ACTION – A meeting to be arranged between districts and the EA to explore whether or how sequential testing can be applied in the SHLAA.***

\*\* – individual site representations had been received in relation to mitigation and that this would be carried out. In general districts are not accepting the deliverability of sites without proof or evidence of adequate mitigation; mitigation needs to be proven through the planning process.

\*\* – Agreed; potentially all sites can be mitigated, it is not the function of the SHLAA to assess this (ref. Paragraph 3.42 of the PPS 25 Practice Guide).

## **9. Transport Assessments**

\*\* – some comments regarding highways point out that many sites are 'undeliverable' - is this a fair comment? At what point does a site become undeliverable?

**Panel** – generally agreed that if enough money was ploughed into a scheme it could be delivered. It was agreed that where significant issues arise sound justification needs to be provided to back-up statements relating to why sites are considered undeliverable. Otherwise they should be considered undeliverable.

## **10.AOB**

\*\* – asked that a review of specific sites be carried out as some sites conflict with EA comments.

***ACTION – \*\* will identify sites of concern and report back to next meeting.***

\*\* – raised concerns over re-consultation if some sites are examined again.

\*\* – expressed the view that as this was the purpose of having a draft stage it should be no problem revising assessments as long as this was justified.

### **11. Date of next meeting**

14<sup>th</sup> January 2009, County Hall, Committee Room A (please note this is not the same room and is located within the Riverside Block).

## **Site Assessment Panel Minutes - Wednesday 14<sup>th</sup> January 2009**

### **Attendance:**

Bob Rivers	Home Builders Federation & Bovis Homes
Annabel Rooksby	Peveril Homes
Gaynor Jones-Jenkins	Notts Wildlife Trust
Melys Griffiths	Savills
Peter Harley	Derwent Living
Naomi Wing	Environment Agency
James Lidgett	Environment Agency
Lisa Bell	Ashfield District Council
Chris Maidment	Ashfield District Council
Kate Proctor	Nottingham City Council
Dave Lawson	Broxtowe Borough Council
Adam Reddish	Erewash Borough Council
Andrew Johnston	Erewash Borough Council
Tom Dillarstone	Gedling Borough Council
Phillip Marshall	Rushcliffe Borough Council
Liz Beardsley	Rushcliffe Borough Council
Richard Cooper (Chair)	Nottinghamshire County Council
Nina Hillyer	Nottinghamshire County Council

NB. The minutes have been anonymised in accordance with the terms of reference of the Panel.

### **1. Introductions**

The Chair said that it was the intention of this meeting is to discuss individual site specific issues. Some extra sites have been added which will be dealt with along with the other sites.

### **2. Minutes of Last Panel Meeting**

\*\* – clarified flood risk section – will send changes to group.

\*\* – to provide additional wording for the minutes to LB relating to sites that where the main barrier to delivery relate to policy constraints and the rewording of the delivery period from 'beyond 15 years' to 'may be suitable if policy changes'.

\*\* – changes to text re city centre capacity section; add “suggested” discounting rates from HBF head office, “if possible”. Also, under ACTION, districts to investigate “how this issue has been addressed in” other studies where city centre supply is significant.

Chair – consistency may be an issue so this may be discussed.

\*\* – Raised a conflict of interest in terms of site refs 14, 37 and 458.

### **3. Site Specific Discussion**

#### **Erewash**

Sites 36, 66, 14 and 77 were discussed at the meeting. Site 46 was deleted – issues relating to its draft reasoned judgement and placement within housing tranche were resolved at the first panel meeting. The principle concern related to the robustness of the common Core HMA-wide evidence base and how it should be applied. The Panel were satisfied with the approach taken in how the evidence base generally had been utilised in producing the SHLAA.

Erewash Borough, with the EA’s agreement, grouped together sites 36, 66, 77 given that similar issues related to each one.

\*\* – Stated that these sites would encounter policy objections on flood risk grounds if residential development took place. All sites here are located within the 1 in 100 year flood risk plain and formed part of the functional flood plain, which has the highest level of protection from development and is only appropriate for water-compatible uses. NW reaffirmed that in light of the SFRA assessments, there would be a policy presumption against housing on these sites. Erewash assessment work through SHLAA recognises the high flood risk but also concludes sites have potential for residential development, in sites 66 and 77’s case, due to the sites being classed as ‘white land’, which is in short supply around Long Eaton.

\*\*\* – Queried the presentation data/material in the SFRA relating to Site 66 & 77. In EBC’s view, the functional floodplain only incorporates identified areas which are within a 1 in 20 flood risk area.

\*\* – Stated that the source of flooding to these site is from Golden Brook not River Trent hence not necessarily showing up when EBC reviewed the Greater Nottingham SFRA maps.

\*\*\* – Stated that EBC are satisfied to take a steer from EA regarding the deliverability/suitability of the two sites. Will look at all available SFRA data and other planning/sustainability policies and come to a conclusion.

\*\* – Mentioned that SHLAA should not necessarily be used as a vehicle to make ‘trade-offs’ between different planning objectives. Need to concentrate on factual information.

\*\* – determined Rushcliffe sites in functional flood plain as non-deliverable.

Panel in agreement that both sites should be classed as non-deliverable until changes occur on the ground (flood alleviation measures for example) – Erewash to look at this again, but acknowledged that only factors/information known to Council at the time of assessment could help determine a final judgement

Panel agreed that site 36 at Sawley is still undeliverable after Panel discussion – EA agreed right that the correct conclusion had been reached in current SHLAA.

### **Site 14**

\*\* - Highlighted issue of how sequential test is applied. Not in functional flood plain but in 100 year flood plain instead and immediately downstream of a flood storage reservoir. There are several issues in terms of flooding and future flood risk.

\*\* – this site still with \*\*\*\*\* , \*\*\*\*\* pulled out – development of site for housing is no longer imminent.

***ACTION - Erewash (\*\*\*) to review timescales of site 14 in light of discussion and discuss with agents to come to a more realistic delivery timescale.***

\*\* – is a “health warning” appropriate in SHLAA?

\*\* – SHLAA feeds into 5 and 15 year land supply. If we take a realistic approach, won't have an immediate land supply. Figures are there but not being built (??).

Panel satisfied with group's approach to market issues and accounting for it in the best way we can.

## **Rushcliffe**

### **Site 69**

- Green belt site
- Policy designation annex C, PPG2 – restricted to B class uses
- Sustainability & location issues – 40% of site has never been developed
- SINC on site
- Highway network issues
- Beyond 15 years tranche in SHLAA

\*\* – asked for confirmation that policy E7 is saved.

\*\* – yes, E7 one of 6 saved policies in place until Core Strategy is in place.

\*\* – should we be treating this site any different than other sites with policy constraints? Consistency issue. GB, SINC etc.

\*\* – asked why included in the first place, not adjacent to the PUA.

\*\* – Authorities have agreed to assess all sites brought forward in the call for sites process

\*\* – Would be inconsistent to say it's not deliverable in SHLAA process.

**Panel** - agreed that Rushcliffe have put forward a sound argument in assessment.

\*\*\* – development should not be allowed in SINC. Sensitive from an environmental point of view and borders country park. Would like to see site undevelopable.

Chair – Maybe unsustainable but correct assessment should be 'suitable pending policy change' (not just GB policy, also employment). Panel agreed.

### **Site 188**

\*\* – Hierarchy of maps is causing problems, the site lies out the SFRA catchment area. Site flooded in 1947 and 2000. The source of flooding is likely to be surface water drainage coming from Radcliffe on Trent, though exact source is unclear. If is surface water drainage there is not the same policy presumption against housing as with other sections of the functional flood plain.

### **Panel Decision**

Environment Agency and Rushcliffe BC to agree how the site will be dealt with.

### **Site 352**

\*\* – potential conflict of interest.

### **Panel Decision**

Overall there is an issue in relation to how Transport Assessments (TA) are dealt with, therefore once TA consistency is established a fuller conclusion can be drawn.

### **Site 1 (Additional site)**

Highways/transport is the main issue with the site.

\*\* – sites over 80 dwellings require a TA.

### **Panel Decision**

Could be suitable if policy changes.

## **Gedling**

### **Site 49**

Highways/transport if the main issue with the site.

### **Panel Decision**

Could be suitable if policy changes.

### **Sites 454 (a) 458 (d) and 462 (e)**

\*\* – Conflict of interest as client owns site 458 (d).

\*\*\* – are working with the landowner, site is still very productive agriculturally.

### **Panel Decision**

No overall conclusions to be drawn.

### **Sites 33, 36, 37 and 47**

### **Panel Decision**

Could be suitable if policy changes.

## **4. AOB**

The Chair indicated that the panel had agreed that a consistent approach to independent studies that have (or have not) been accounted for in reaching a SHLAA conclusion was needed and the wording presented to the last meeting (reproduced below) could be the basis for that.

"The (name) study was undertaken by consultants (name) in order provide independent conclusions about the (subject of study). The Borough Council is satisfied that this approach demonstrates an acceptable level of independent advice and consistency across all authorities involved in the SHLAA study. With this in mind, all Nottingham Core HMA Councils are keen to ensure that the approach taken to independent studies is consistent. Therefore, we are of the opinion that the assessment of sites for (subject of study ) which have been appraised as part of that study should not be re-classified for the purposes of this SHLAA unless a formal planning decision (e.g. a council's interim planning guidance or appeal decision) has altered the situation."

\*\*\* – difficult to have an ecological input at this stage.

\*\* – explained next steps for the SHLAA.

\*\* – found the exercise very useful.