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By email only to: localplan@nottinghamcity.gov.uk

Dear Sir/Madam,

Re: Proposed Main Modifications

This letter provides the response of Gladman Developments (hereafter referred to as “Gladman”) to the above consultation. Gladman has been involved throughout the preparation process of the Land and Planning Policies Development Plan Document (LAPP) having submitted detailed representations to previous stages of consultation.

Gladman has previously highlighted concerns regarding the use of policies contained in the LAPP and the need for flexibility to be provided by such policies. It does not appear that these issues have been addressed via modifications to the Plan and as such a number of outstanding objections remain. These representations are focused on the following draft main modifications:

MM23

The above modification relates to the proposed requirement of at least 10% of new dwellings to be developed as ‘accessible and adaptable’ dwellings. In principle, Gladman support the additional flexibility provided by the modification ‘where viable and technically feasible.’ However, this modification alone is not sufficient to meet the tests of soundness. The Inspector’s letter to the Council dated 15th January 2019 states:

“The need for policy HO4 is not sufficiently clearly evidenced in the light of the Written Ministerial Statement of March 2015 and the relevant Planning Practice Guidance. It should therefore be deleted unless further clear evidence can be produced sufficient to fully justify the policy.”

Whilst Gladman recognise the importance of delivering housing to assist in meeting the needs for older people and those with mobility issues, it does not appear that any further evidence has been added to the examination library to demonstrate a clearly evidenced need to ensure compliance with the Written Ministerial Statement

and the Planning Practice Guidance. As such, this policy is not supported by proportionate and robust evidence and should therefore be deleted in its entirety.

The Framework is clear that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing only if this would address an identified need for such policies where these standards can be justified. This evidence has not been prepared to justify the requirement of the optional building regulations within the Plan.

Gladman refer to the PPG which provides guidance on the use of the optional technical standards. Before any such policy requirement is pursued, the Council should have ensured through its evidence base that it is inline with the guidance and that justification and specific detail of the policy takes account of the various factors which the PPG refers to:

“Based on their housing needs assessment and other available datasets it will be for the local planning authority to set out how they intend to approach the need for requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- **The likely future need for older and disabled people (including wheelchair user dwellings);**
- **Size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes, or care homes);**
- **The accessibility and adaptability of existing stock;**
- **How needs vary across different tenures; and**
- **The overall impact of viability.”¹**

Gladman further note that these technical standards have deliberately been set as optional standards, which if to be included as a policy in the Local Plan, would need to be justified by robust evidence of need. When considering this policy, the Council need to be aware of the impact that these requirements can have on scheme viability and the knock-on effects this could have on the delivery of much needed housing when considered in combination with other policy requirements being promoted by the LAPP. If the Council wishes to proceed then the policy wording should be altered so that it provides 'support' for the provision of M4(2) and M4(3) whilst not setting a policy requirement which may threaten development viability.

MM27

The above modification states from six months after the adoption of this plan, all residential development should meet the Nationally Described Space Standards as set out in table 4. Similar to the concerns raised in response to MM23, Gladman do not consider the need for applying the Nationally Described Space Standards (NDSS) has been demonstrated by the Council's evidence as required by national guidance. The Council's justification for the inclusion of NDSS is set out in Housing Space Standards Audit 2018. The methodology encompassed 13 different typologies and 67 typology/layout variations from a total sample of 12 developers in total over the last five years. It highlights that of the properties sampled 42% meet the NDSS. It is Gladman's view that the collection of this evidence does not itself identify a need for NDSS standards as required by the PPG². In order to demonstrate the need for NDSS it is expected that market indicators should be used which would assess the quality of life/reduced sales and where standards are not being met. This evidence has not been provided. There is no evidence provided in the background paper to demonstrate that the size of homes being considered are

¹ PPG ID: 56-007-20150327

² PPG ID 56-020-20150327

inappropriate by those purchasing them and that these homes are struggling to be sold in comparison to homes that do meet these standards.

Gladman do not consider sufficient evidence in relation to NDSS has been provided in order to justify its implementation. As such, the use of NDSS is considered unsound and reference to these standards should be deleted from the LAPP.

Conclusions

I hope you have found this response to be constructive. Should you require any further information please do not hesitate to contact me.

Yours faithfully,

John Fleming
Gladman Developments Ltd