

# **Background Paper Two - Submissions on behalf of Gotham Parish Council on the Further Options Document for Part Two of the Rushcliffe Local Plan**

## **1. Context**

1.1 These notes form part of the response of Gotham Parish Council to the Further Option Report on Part two of the Rushcliffe Local Plan, the Green Belt Review and the Community Infrastructure Levy consultation. Where appropriate the response forms submitted are cross referenced to this report. It is important that the three documents are read together.

1.2. An Issues and Options Report was published in January 2016 and that document proposed a tight village envelope around Gotham that left no room for Greenfield development on the edge of the village. The Parish Council supported that approach.

1.3 A Further Option Report is said to be justified on the grounds that housing development has not taken place at the rate set out in the Core Strategy and the prospects for development on some of the major sites such as Clifton South are less positive than they were twelve months ago.

1.4 Rushcliffe BC seems to see this as giving it the task of securing land to allow 7058 dwellings to be built in the period 2019 to 2024, a rate of just over 1400 per annum. The BC says this requires additional land capable of being developed in five years with a capacity of 900 dwellings to be identified.

## **2. General points**

### **2.1 The relationship of the Core Strategy and the Part Two Local Plan.**

Our view is that any solution Rushcliffe BC come up with must be within the spatial framework set out in the Core Strategy and the settlement hierarchy; particularly the restriction of development in other villages such as Gotham to local needs. Any other approach would necessitate the full or partial review of the Core Strategy.

### **2.2 Causes of under performance**

There are some key areas of work that ought to have been carried out before the report was published. Perhaps the most important of these is some study of the causes of the underperformance in house construction and an assessment of whether allocating extra land will of itself bring completions back on track. What is proposed is an average completion rate of 1400 for the period 2019 to 2024 compared with 400 for the period 2011 to 2019. This seems highly unlikely. All of this may seem a bit academic in the light of the case I will set out later in this report that housing in Gotham is to be for local needs only whatever the land supply position; but a failure to identify the real causes of housing underperformance will mean that we arrive at the same "land supply crisis" next year and the year after and at some point developers and landowners may present a freeing up of policy in "third tier" villages like Gotham as an appropriate response. Past appeal decisions in villages such as Aslockton suggest this could become a real danger.

## **2.3 Duty to co operate**

This is simply mentioned. There is no evidence that Rushcliffe has asked neighbouring authorities, particularly Nottingham City, if they can provide more land. It may also be appropriate to jointly commission research into the causes of poor performance. A review of job creation in Greater Nottingham over the last five years might well shed some light on the issue.

## **2.4 Settlement Hierarchy and Thresholds**

If we accept for the moment the need to find land for a further 900 dwellings then there needs to be a sequential search based on the Spatial Policy of the Core Strategy which remains the statutory framework into which any Part 2 Local Plan must fit. The hierarchy is:

## **2.5 The Main Urban Area of West Bridgford**

The Further Options document assumes there are no sites additional to those already identified in the January 2016 document. It is not clear how closely the issue was assessed.

## **2.6 Key Settlements**

These are listed below:

Bingham (no further sites are identified).

Cotgrave (sites are included in the plan with a capacity of more than 900 dwellings but infrastructure thresholds have not been examined. It is arguable that a capacity exercise for this and other key settlements should have been carried out before the further options document was published).

East Leake (already set to take twice the number in the Core Strategy albeit that is a minimum figure. The document takes the view that the limit has been reached).

Keyworth (the document accepts the principle of development over the level in the 2016 document but subject to infrastructure constraints. Sites with a capacity of over 1200 dwellings are identified).

Radcliffe on Trent (the approach is similar to Keyworth but the sites identified have a capacity of 295 dwellings).

Ruddington (the approach is similar to Keyworth but the sites identified have a capacity of 300 dwellings).

2.6.1 Sites are identified in the key settlements for over 2500 dwellings. The Core Strategy says that after West Bridgford the key settlements are the first port of call. If only 30% of the identified sites were included in the Local Plan that would meet the 900 requirement. Until further work is carried out on the key settlements it would be premature as well as inappropriate for the BC to lay down a housing figure for Gotham on land supply rather than local need grounds.

## **2.7 The local need villages**

Bradmore, Bunny, Cropwell Butler, Gotham, Newton, Plumtree, Shelford, Upper Saxondale. It is for those Parish Councils to assess what local needs are but the likelihood is that these settlements, in aggregate, will accommodate some housing and in aggregate it could amount to several hundred. In due course this will add to supply but for the reasons explained below it should be seen as any part of a five year land supply solution.

The presentation of material on settlements at all levels of the hierarchy in the same format is misleading and inappropriate.

### 3 Local Need and timing

3.1 The restriction of housing in settlements such as Gotham is dealt with in the Core Strategy in three places, of which the most important is section 1 of the Spatial Policy:

*1. The sustainable development of Rushcliffe will be achieved through a strategy that supports a policy of urban concentration with regeneration for the whole of Greater Nottingham to 2028. The settlement hierarchy for Rushcliffe to accommodate this sustainable development is defined on the Key Diagram and consists of:*

*a) the main built up area of Nottingham; and*

*b) Key Settlements identified for growth of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington.*

***In other settlements (not shown on the Key Diagram), with the exception of Newton and the redevelopment of the former RAF Newton, development will be for local needs only.***

The Core Strategy does not provide a definition of local needs but the Further Explanation provided by the supporting text as set out below provides the context for such a definition:

*3.3.5 In line with the strategy, outside of those Key Settlements listed in part 1(b) of the policy and with the exception of the former RAF Newton, development will be of a scale appropriate to meet local needs. Former RAF Newton is identified for development in order to regenerate a major brownfield site and to support the existing Newton community.*

*3.3.17 In other settlements, development will meet local needs only. Local needs will be delivered through small scale infill development or on exception sites (see Policy 8). Beyond this, where small scale allocations are appropriate to provide further for local needs, these will be included in the Local Plan Part 2: Land and Planning Policies Development Plan Document, including Neighbourhood Plans.*

3.2 Based on this material our conclusions are

- Neighbourhood Plans have a key role
- The first port of call will be infill sites or rural exception sites
- Any allocations will be small scale.

We have looked at the practice in a number of other areas and it is clear that whilst local needs is broader in scope than affordable housing on rural exception sites, because it

includes market housing and takes a longer term view, nevertheless the two concepts are alike in that the starting point is the need for housing of residents in Gotham both now and over the Plan period.

3.3 Gotham Parish Council has commenced work on a Neighbourhood Plan. We submit that the assessment of local needs and the identification of the number, type, timing and location of housing to meet it is for the Neighbourhood Plan in the first instance. We will ensure that progress is made on the Neighbourhood Plan at a rate that will allow any implications for Green Belt review and site allocations to inform the Preferred Option Stage of the Part Two Local Plan.

#### **4. Green belt**

4.1 The Green Belt Review is at a higher level of detail than has previously been undertaken. It also seems to be very much related to SHLAA sites and for the reasons set out above we do not think that is an appropriate starting point. We have a number of technical reservations; namely:

- The analysis assumes all five purposes are of equal value
- The scoring system is relatively rough and ready
- The purposes of protecting the open countryside and checking unrestricted sprawl should be seen in the context of the settlement concerned. An area of housing that would not be “sprawl” in a large urban area would be perceived as that in a small settlement such as Gotham
- The category 'Preserve setting and special character of historic settlement' seems to have been interpreted very narrowly as the immediate setting of heritage assets. In settlements such as Gotham settlement size, shape and in particular relation to the landscape and the historic value of landscapes are all relevant issues.

4.2 This stage of a Green Belt review is clearly a matter of subjective opinion. In the spirit of localism residents need to have a major input. The Neighbourhood Plan will allow them to do that in an informed way with adequate time for reflection and discussion. We see no need for firm decisions on the value of parts of the Green Belt in Gotham at this stage and we propose that the examination of the Green Belt around Gotham should be one of the tasks undertaken by the Neighbourhood Plan although we recognize that the Neighbourhood Plan cannot of itself amend Green Belt boundaries.

4.3 Notwithstanding our objections to the methodology we set out at Appendix One and summarise below our own assessment of the value of the various Green Belt areas dealt with in the review against Green Belt purposes as well as other material planning considerations such as the value of agricultural land and bio diversity.

## **5. Recommendations**

1. That further work is required on the causes of the underperformance in house construction and an assessment of whether allocating extra land will of itself bring completions back on track.
2. That the spatial policy of the Core Strategy remains in place and in particular that development in Gotham should be for local needs only
3. That work on the Neighbourhood Plan will identify the correct number, type and location for housing to meet local needs in Gotham to meet local needs over the plan period to 2028
4. Local need is likely to be spread over the full plan period and so it would not be appropriate in any event to look to allocations in Gotham to meet a five year land supply shortfall
5. It is noted that consultation on the preferred option will take place in June 2017. By that time sufficient progress will have been made to enable local needs to be identified.
6. As the Neighbourhood Plan is developed further inputs can be made to the Part Two local plan up to November 2017 when the draft plan is published

In the meantime we would suggest that the BC carry out further work on the capacity of the main urban area, on capacity thresholds and ways to remove them in key settlements and on the causes of under performance in the housing market in Rushcliffe.

## Background Paper One - Gotham Parish Council response to RBC Preferred Options

**Do you agree that the Local Plan should allocate greenfield land for housing development at Gotham for around 100 homes in total?**

**No.**

1. Firstly a contradiction in the question: 'around' 100 houses 'in total'. It makes it sound as if there is a firm upper limit when there isn't.
2. This allocation is based on an analysis of the Gotham sites in a working paper that is confusing in some places and incorrect in others:
  - A. Education. *'There should be scope to increase local primary school capacity to support this level of growth, subject to appropriate developer contributions being received. Secondary Schools across the borough are at capacity. Contributions will therefore probably be required.'* This is not accurate enough. Gotham Primary School is at capacity with the library currently in use as an extra classroom. There is not room for expansion at all. East Leake Academy is swamped with the development of East Leake let alone the potential extra from South of Clifton. This statement understates the problem.
  - B. Healthcare. *'Therefore new residents would not be able to rely on accessing health facilities within the village itself.'* Not true. The local surgery had recently been expanded and has extra capacity in both rooms and doctors to cope with this size of expansion. The statement given shows a view consistent with West Bridgford and a lack of local understanding.
  - C. Community Facilities. Minor point but the dedicated butcher in Gotham closed in 2014.
  - D. Sewerage. The Moor Lane stage treatment plant is at capacity and occasionally untreated sewage overflows into the dikes leading to Fairham Brook. Any further development of Gotham must address this important lack of capacity.
  - E. Flooding. The devastating floods in 2016 showed the local issues with excessive rainfall. Any development must address the issue of drainage and not exacerbate the problem.
  - F. Access. Some sites show that the background paper has been edited from an original that analysed sites differently: in particular comments on GOT5a and 5b come from an analysis of the sites together as GOT5. This shows a lack of attention to important detail and casts doubt on the analyses made and the decisions based on them.
3. Why 'green field' only? There are brown field sites to be considered too. Indeed one of the Core Planning principles in the NPPF states: *'encourage the effective use of land by reusing land that has been previously developed (brown field land), provided that it is not of high environmental value'*. There is no attempt shown by RBC in this document to use brown field sites first before taking out green belt land. Across the borough RBC may argue that they handle brown field sites as a different resource but looking from the local community it is important to use our brown field sites first before losing our green belt. RBC do not do this. Our draft Neighbourhood Plan has identified brown field sites within Gotham that have potential for development and these should be analysed first.
4. At a recent informal consultation on the draft NP, the village voted 100% that 80 houses or fewer was right for Gotham: 100 or more is too many.

**Do you support the proposed allocation form housing development of the following site in Gotham: Site GOT5a:**

No. There are reasons why this site is attractive for housing development. However GPC on balance have to oppose it.

1. The overriding concern about this site is the potential for unwanted expansion well beyond the figure of 100 expressed by RBC. It is also above the number identified in our draft NP in which we have assessed a maximum of 80 houses spread over the whole planning period not just the next 5 years. This local need is laid down in the Core Strategy as being mandatory for villages like Gotham. GPC are very concerned that there is potential here for expansion into GOT4 in the near future and GOT5b beyond that leading to more than 300 houses.
2. Following from the comments made above about brown field sites, the access to this site comes from the NCT bus depot site: a brown field site. This should be analysed separately as a site on its own, and then RBC should look at the green field sites it leads to.
3. There are 5 separate land owners involved with GOT5a and there has to be a question therefore over its deliverability particularly with the logistics in moving the NCT bus depot.
4. The site is also not an easy distance from the village facilities of the Memorial Hall complex which includes the library and surgery, and the village shop. There are other potential sites much closer. This is important as much of the housing demand in Gotham is for the elderly. While GOT5a is close to the primary school footpath access would have to be ensured across GOT4 or using the old railway walk owned by Earl Howe.
5. The land to north of GOT5a, GOT4, is mentioned page 39: *In removing site GOT5a from the Green Belt in our view it is logical to also remove land to the north from the Green Belt. This land, which contains elements of medieval ridge and furrow, is, however, judged unsuitable for allocation as a housing site. The land would remain as a paddock.* An ill judged statement as it led directly to the GOT4 landowner attempting to plough up the ridge and furrow land in an act of heritage vandalism. There is no logic in removing the site from the Green Belt: logic states it should stay in as the green belt envelope follows settlement boundaries all around the rest of Gotham. What does follow is that if GOT5a was to be developed you would have a rectangular site at GOT4 surrounded on three sides by housing: a very difficult site to defend if the event of a challenge to build. There is not enough protection here. If RBC really mean GOT4 to be protected then simply leave it in the Green Belt. That is the correct logic to follow. There must also be concern that RBC with their history against legal challenges could not resist an aggressive attempt to develop GOT4 with GOT5a in any case.
6. Gotham Parish Council are not 'nimby' on housing. Our draft NP demands housing but insists on a more comprehensive assessment of potential sites. The two plans are being developed in parallel and the NPPG states: *They ( NPs) can be developed before, after or in parallel with a Local Plan, but the law requires that they must be in general conformity with the strategic policies in the adopted Local Plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.*
7. We urge RBC to meet with the NP Advisory Committee to discuss a mutually acceptable way forward.