

Gotham Parish Council Response to the Examiner's Questions April 2019

Policy GS 1 Questions to Parish Council

1. *Would the Parish Council please respond to the re-wording of Policy GS1a) and Policy GS1b) proposed by the Borough Council?*

1a. The suggested rewording of GS1aQ1 line 3 is not acceptable in that it weakens the policy. The justification for the suggested rewording is confused and appears to misunderstand the decision making process in planning. The requirement is to have regard to the development plan as a whole and to undertake a balancing exercise in coming to a decision. It would be wrong for a "protective" policy to be weakened before that balancing process is undertaken. It is normal for an LPA to have to balance the weight given to particular policies. In our response to questions 3 and 4 we refer to a Supreme Court Judgement. That judgement quotes the relevant legislation.

Part 2 of the 2004 Act deals with "local development". Each local planning authority in England is required to "keep under review the matters which may be expected to affect the development of their area or the planning of its development" (2004 Act section 13), and to prepare a "local development scheme", which (inter alia) specifies the local development documents which are to be "development plan documents" (section 15). The authority's local development documents "must (**taken as a whole**) set out the authority's policies." The emphasis is ours.

Housing and greenbelt policies can be in conflict but there has been no suggestion by Government that greenbelt policies should be weakened because housing is inappropriate development. It is rather the case that the strength of the policies is retained but are given less weight and a "tilted balance" applied. The GS1 is entirely in accord with this basic principle.

1b. The rewording of GS 1b is acceptable.

2. *Policy GS1c). The advice is that landowners should be contacted at an early stage about proposals to designate any part of their land as Local Green Space¹. The owners of several proposed Local Green Spaces say that this has not been done. What consultations were carried out with landowners?*

All the details about consultations are documented in the Consultation Statement. In general, all households in the village were leafleted several times about the various consultations as well as entries in Gotham News which is delivered to every household.

Specifically on landowner consultation, before the Schedule 14 consultation RBC supplied a spreadsheet with the contact details for the owners of all of the plots of land in the SHLAA that had been included in their Further Options and Preferred Options consultations. The NP team emailed all landowners at the start of the consultation period.

¹ Planning Practice Guidance. Paragraph: 019 Reference ID: 37-019-20140306.

These contacts were managed alongside the emails to the statutory bodies to ensure that all correspondents were contacted. Checks were made for obsolete email addresses etc. and all emails were sent with a flag to check if they had been received.

3. *Where in national policy is there support for the idea expressed in Policy GS1c) that the Local Green Space designation gives additional weight to Green Belt policies? and*

4. *All of the proposed Local Green Spaces are in Green Belt and, for the most part, would remain so if the Green Belt inset boundary proposed in the emerging Rushcliffe Local Plan Part 2 were adopted. What additional local benefit would be gained by designation of such sites as Local Green Space²?*

The response below is relevant to both these questions. Dual greenbelt and local greenspace is clearly countenanced in NPPG Paragraph: 010 Reference ID: 37-010-20140306 Revision date: 06 03 2014

"What if land is already protected by Green Belt or as Metropolitan Open Land (in London)?

If land is already protected by Green Belt policy, or in London, policy on Metropolitan Open Land, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.

One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community."

At the time the Neighbourhood Plan was drafted "exceptions" to greenbelt policy were a real possibility given the record of PINS in allowing greenbelt releases where a developer could establish a shortfall in the provision of housing land; see the CPRE report [The State of the Greenbelt 2018](#). They remain a possibility if the Local Plan Inspector identifies a need for housing sites additional to those in the draft Local Plan or if RBC at some point prior to a review of the Part 2 Local Plan find they have a shortage of housing land.

The whole topic has been the subject of a number of important legal cases. The most important of these in terms of date and the authority of the court is the Supreme Court Judgement *Easter Term [2017] UKSC 37 On appeals from: [2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC 410 (Admin) Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.

The case concerned para 49 of the NPPF "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*" The following section is relevant to the question of additional protection:

²Planning Practice Guidance. Paragraph: 010 Reference ID: 37-010-20140306.

The judgement draws attention to footnote 9 *“For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.”*

This is in relation to the presumption in favour of sustainable development which is specifically mentioned in para 49. Local Green Space is grouped in the footnote with other "additional protection" policies such as AONB and Heritage Coast.

Para 14 of the Judgement specifically mentions local greenspace *“14. These are said to be examples. Thus the list is not exhaustive. Further, although the footnote refers in terms only to policies in the Framework itself, it is clear in my view that the list is to be read as including the related development plan policies. Paragraph 14 cannot, and is clearly not intended to, detract from the priority given by statute to the development plan, as emphasised in the preceding paragraphs. Indeed, some of the references only make sense on that basis. For example, the reference to “Local Green Space” needs to be read with paragraph 76 dealing with that subject, which envisages local communities being able “through local and neighbourhood plans” to identify for “special protection green areas of particular importance to them”, and so “rule out new development other than in very special circumstances ...”*

We note the term special protection is different to exceptional circumstances and clearly suggests that when, as in the present case, the LPA feel that because of a housing land shortage greenbelt policies can be seen as out of date and then go on to balance greenbelt release costs against benefits of additional housing sites then they need to go on to look at the additional environmental "costs" of overriding any of the other policies in footnote 9 including local greenspace designation.

5. A number of the proposed Local Green Spaces include surviving mediaeval ridge and furrow. Would the Parish Council please respond to the suggestion that none of these are particularly fine examples of their type and that they cannot be protected from being degraded by ploughing or being removed?

It is difficult to understand clearly what a "fine" example would be. The examples mentioned in the Neighbourhood Plan are well known in the village and public consultation has emphasised the importance these assets have for the local community. They are protected as part of a green network.

We are unclear what is meant by the word "removed". Normal ploughing would not cause permanent damage. Deep ploughing would. We note that section 12 of the NPPF relates to the historic environment and not just designated heritage assets and so para 130 applies in principle 130. *Where there is evidence of deliberate neglect or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.*

Para 100 bullet point b of the NPPF is of direct relevance *'demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;'*

6. *What is the area of each of the Local Green Spaces in hectares? Would the Parish Council respond to the suggestion that cumulatively they amount to an extensive tract of land?*

We attach in Appendix 1 figures provided to us by RBC.

Bullet point 3 of para 77 of the 2012 NPPF use the singular so very clearly relates to the individual green spaces rather than an aggregates total *"where the green area concerned is local in character and is not an extensive tract of land."*

7. *The proposed Local Green Space known as 'West' includes the site proposed to be allocated for housing in the emerging Local Plan. These two proposals are clearly in conflict. How do the Parish Council and the Borough Council propose to minimise this conflict as they are advised to do in the Planning Practice Guidance³?*

The area known in the proposed Local Green Space as 'West' is designated as an important part of the Rushcliffe biodiversity focal area known as 'Gotham and West Leake Hills and Bunny ridgeline' as outlined in the Rushcliffe BOM report.

From north of Gotham this starts on the Gotham Hills, includes the Gotham Nature Reserve and LWS before taking in the Railway Walk to the north of Kegworth Road and the Home Farm paddock, then along the western edge of Gotham, the former railway line, now maintained as the Logan Trail before turning west up to the West Leake Hills.

A number of potential housing sites form part of this area. Two of these housing sites GOT02 and GOT04 also contain the best examples of mediaeval ridge and furrow in the village. Due to the importance of these areas for biodiversity and heritage assets they were included in the GNP.

As stated elsewhere, the GNP approach to the identification of potential housing sites followed the LPP1 policy of development in the village being for local needs only. The Borough Council has taken a different approach contrary to this policy and has identified a large housing allocation which is part of the 'West' area of the GNP Local Green Space (GOT5a).

In doing so, they have also indicated the intent to remove the land to the north (GOT04) of this from the Green Belt although the reasoning behind this that 'it seems logical to remove the land to the north which is unsuitable for housing and should remain paddock' is clearly not an exceptional circumstance as the NPPF dictates.

So far as the area allocated for housing (GOT5a) in Policy 9 of the LPP2 is concerned it is agreed that, whilst the Inspector has yet to report, a reasonable interpretation of the letter from the Inspector dated February 6th is that the housing allocation will be approved.

We further accept that a Neighbourhood Plan that designated as local green space a site allocated for housing in the Local Plan would not meet the Basic Conditions.

The Parish Council would be happy to make a modification to the Plan at this stage or would be happy to accept a decision from the Examiner that the plan will only meet the Basic Conditions if it is changed. Given the Inspector has yet to report, we

³Planning Practice Guidance. Paragraph: 009 Reference ID: 41-009-20160211.

would propose that the wording is changed to reflect this. Something along the lines that the land known as GOT5a should remain a locally designated green space until such time as the allocation of GOT5a for housing is confirmed and the LPP2 is adopted. This would ensure that should GOT5a not be allocated in the final plan or the plan not be adopted then the site would remain part of the Local Green Network. We have seen a draft response from the RBC and we note that they have objected to the proposed local green space of land north of the proposed housing site, known as GOT04.

Including GOT04 in the Local Green Network is entirely justified on the following grounds:

- The site is not allocated for housing in the Local Plan, in fact in all documents to date it is stated that it is not suitable for housing and should remain paddock.
- The letter from the Inspector of February 6th neither confirms nor contradicts the removal of the site from the greenbelt. It is therefore entirely correct for the Neighbourhood Plan to seek to protect that land as an amenity and historic landscape through local green space designation.

The letter of February 6th does not refer to a lack of a five year land supply as a reason to find the Local Plan as unsound. There is therefore no need for GOT04 to be developed for housing and we have to assume that is the view of the Borough Council. It would be entirely wrong for the Borough Council to omit the site from the Local Plan and shortly afterwards to allow housing on the site because that would be to deny objectors the rights they have in the Local Plan process.

The Borough Council would need to produce a detailed statement about the exceptional circumstances for removing the land from the Green Belt – NPPF paras 136 - 138.

The NPPF policy on Local Green Space is as follows:

100. The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

Unless the Examiner finds the designation of land north of the housing site does not meet these criteria then the designation should be retained. If there is doubt about local significance then a hearing would be the right place to explore that issue.

The same arguments apply to the other designated greenspaces that the Borough Council objects to. The Borough Council approach is inconsistent. In the case of the land north of the Policy 9 allocation the site may not be in the greenbelt and is objected to. In the other areas the objection is the dual green belt and greenspace designation. We deal with that at length under the Question on GS1 above.

Housing Questions to Parish Council

9. The Parish Council states in its response of the 8th March 2019 that Policy H1 of the Neighbourhood Plan 'recommends' sites for housing (including sites GOT01,

GOT03 and GOT12) to the Borough Council for it to consider for allocation. This means that the Neighbourhood Plan does not actually make any housing allocations to meet the identified need for 60 or 70 houses⁴ but defers this decision to the Borough Council. Is this correct?

Yes. At the time the Neighbourhood Plan was prepared there was no power for a plan to allocate greenbelt sites for housing. GPC would be concerned at the watering down of its housing policy by making it an appendix as it would make it too easy for RBC to override its recommendations.

10. However, there is no indication that the Borough Council does propose to take GOT01, GOT03 or GOT12 out of Green Belt and allocate them for housing. In its representations on the Neighbourhood Plan the Borough Council recommends the deletion of these sites. In its emerging Rushcliffe Local Plan Part 2 (the emerging plan) the Borough Council proposes to inset (remove from Green Belt) the settlement of Gotham⁵ and the inset boundaries it proposes⁶ do not include sites GOT01, GOT03 or GOT12. These sites would remain in Green Belt and would remain unallocated⁷. The Borough Council proposes to allocate a different site in Gotham for some 70 houses⁸ (land East of Gypsum Way) and take this site out of Green Belt. Is this correct?

It is correct but see the response to the question on GS1 for a suggested way forward. We note that at the LPP2 Inspection the developer for GOT5a indicated that their planning application would be for the increased number of 85 houses.

Our informal consultation period in October 2017 ran concurrently with the presentations by RBC Officers in advance of their 'Preferred Options' consultation. Our parishioners were therefore all aware of RBC's preference for GOT5a when they expressed strong support for GOT01 et al.

12. In the Parish Council's response of 8th March 2019 it accepts that the '...most likely outcome...' of the examination of the emerging plan will be the '....confirmation of GOT 5a...' (which is another name for the site east of Gypsum Way). The situation appears to be, therefore, that the Neighbourhood Plan recommends the Borough Council remove a number of sites from the Green Belt and allocate them for housing when there is little evidence to indicate that this will happen. On the other hand, it makes no mention of a site on the edge of Gotham which, it appears, is likely to be taken out of the Green Belt and allocated for housing in the emerging plan. Is that correct?

⁴ Paragraph 6.21 of the Plan.

⁵ Paragraph 6.2 of the emerging plan.

⁶ Gotham inset of the Policies Map of the emerging plan.

⁷ I acknowledge that there are sites referred to in Policy H1 of the Neighbourhood Plan which are within the proposed inset boundary and another site (Site GOT10) is a Rural Exception Scheme and would remain in Green Belt.

⁸ Policy 9 of the emerging plan and the Gotham inset of its Policies Map.

GOT5a is dealt with under question 7 above.

13. Would the Parish Council please respond to the suggestion that there are fundamental flaws in the Housing Site Assessment in that there is no clear or robust justification for the thresholds set in scoring sites; there is no objective technical evidence supporting the assessment; and there is no clear rationale as to why the sites to be recommended for allocation are suitable available and achievable?

The Housing Site Assessment in the Background Paper 7 sets out additional criteria to the assessments used in the RBC Green Belt appraisals. Some were based on the overall objectives of the housing policy, that developments should be small scale and to meet local needs.

Others were based on feedback from villagers of what the impacts of any development important would be for them, e.g. how many existing dwellings would be impacted in terms of views, impact on traffic and congestion etc.

The feedback from later consultations was that the criteria, the thresholds and the scoring were very helpful in enabling comparisons of the sites in question. The proposed sites were 'chosen' on the basis that they were the ones the 'community' wanted to see developed for housing – and were therefore included in the Plan on the basis that they were available and deliverable within the time frame of the Plan, i.e. the next 10 to 15 years.

The justification of the housing site assessment thresholds is as clear and robust as those used in the RBC sustainability appraisal, in fact they could be said to be more robust. For example in the RBC appraisal there is an inbuilt bias towards larger sites with the scoring and thresholds for the contribution to the housing need. RBC score sites that can contribute more than 100 homes as ++ while smaller sites are scored +. It is obvious that 2 smaller sites can contribute as many new dwellings as 1 larger site, so as noted there is an inherent bias towards site delivering more than 100 new homes.

Equally, Rushcliffe do not set out any rationale as to why sites to be recommended for allocation are available and achievable in their LPP2. The sites in the NP are as available and achievable as the site currently allocated in the LPP2 for Gotham.

We would make the point that RBC have used a poorer and weaker system to evaluate the SHALAA sites in Gotham. The Housing Site assessment process also looked at the RBC Green Belt assessments and made suggestions with respect to the original marking of the sites in Gotham - most of these revisions were accepted by RBC.

14. Is the NCT Bus Depot site developable in the meaning of that term as defined in footnote 12 to paragraph 47 of the Framework?

Yes. It has not been included in the LPP2 as it is not deliverable in their timescale but it is valid in the context of the NP.

15. Is the Former British Legion site, which has remained empty for some years, developable?

The site was the subject of a planning application that was refused planning permission at an RBC Planning Meeting of 11th April. It is clear from this that a housing scheme of some sort could be developed there. As the responsible RBC Officer has written: *'I remain of the view that the principle of residential development on the site is acceptable and, therefore, the site is 'developable', subject to a scheme proposing an acceptable layout etc.'*

16. Is the site known as GOT09 developable, given that the planning permission on it has expired?

Yes. The fact that this site has not been developed for some time is not to do with its deliverability but to do with the owner having other priorities. We believe that it would be developed within the timescale of this NP.

17. Should reference be made in the Policy H 1 to the fact that the site known as GOT10 is proposed for rural exception development?

The RES is described in section 6.17 of the NP. It could be mentioned in Policy H1 but GPC have reflected RBC's attitude to such developments where they are considered as 'windfalls' within LPP2 and do not contribute to the overall housing targeted for Gotham. This is nonsense as regards our parishioners who see all houses as part of the total picture for Gotham.

Policy H 2. Question to Parish Council

18. Policy H 2 refers to Design Briefs. Would a Design Brief be justified on sites of more than 10 houses on which a Design and Access Statement would be required? Would a Design Brief be justified on smaller sites?

We deal with this question under VC1 below.

Policy H 3. Question to Gotham Parish Council

19. Would the Parish Council please respond to the suggestion by the Borough Council that the updated 2012 Strategic Housing Market Assessment indicates that there is a greater need for 2- and 3-bedroom properties than for small bungalows and one-bedroom flats?

We indeed have a need for 2- and 3-bedroom houses. We have identified that some residents occupying such properties in Gotham would love to move out into bungalows and one bedroom flats if they were available thus freeing those houses up. What is clear from whatever assessment is that 4 bedroom houses have the least need and these tend to be the most popular with developers - hence our concern with design briefs.

20. The Borough Council considers that the statement in Policy H3 that '...priority for allocation of affordable housing in Gotham should, where possible, be given to Gotham residents.' is incompatible with its allocations policy - other than on rural exception sites. Regardless of local connections, all eligible applicants on the housing register could bid for affordable housing in Gotham. Would the Parish Council please respond to this point?

We agree with RBC's point and hence the value of the RES. We reflect the concern from our residents that they do not feel served by the allocations from the housing register particularly where these have occurred from ill designed housing schemes that have left unsold houses on the rental market.

21. Paragraphs 3.2, 3.3 and 6.1 to 6.5 of the Neighbourhood Plan deal with the interpretation of the phrase '...for local needs only....' as used in Policy 3(1) and paragraph 3.3.17 of the Rushcliffe Local Plan Part 1. This is a matter on which the Parish Council and Borough Council appear to disagree. However, the question of where housing will be allocated in Gotham and how much housing will be allocated are matters for the emerging Local Plan. Any disagreement on these points should be, and presumably have been – aired through the examination of that emerging plan. Do paragraphs 3.2, 3.3 and 6.1 to 6.5 have any place in the Neighbourhood Plan?

We believe so. The timescale of this NP is longer than that of the LPP2 which addresses the shortfall in RBC's 5 year housing supply and will only contribute to our housing need for 2 years.

Policy E 1. Question to Gotham Parish Council

22. Is the reference to Design Briefs in Policy E 1 necessary or justified?

23. Is the approach to the expansion and intensification of the British Gypsum site taken in Policy E 1 in general conformity with that taken in Policy 5.5 of the Rushcliffe Core Local Plan Part 1, which identifies this site as a Centre of Excellence and encourages its expansion?

At first sight the reference to the British Gypsum site which is linked to the larger St Gobain site at East Leake may seem outside our remit. However the close historic links with Gotham remain both in the land ownership within our parish (including GOT01 & GOT07) and its importance as a local employer. We make no other statement about the future plans of St Gobain but that a relationship exists that could be proactive.

Policy T 1. Questions to Gotham Parish Council

24. The first paragraph of Policy T 1 states that traffic speed will be limited by traffic calming measures at certain specified points. However, Traffic Regulation Orders are the province of the Highway Authority. While a Neighbourhood Plan can support the prospect of a Traffic Regulation Order, can it require one?

No it cannot and does not seek to. We would accept a rewording of this section if it is unclear. We would wish to reflect that traffic remains the single most important environmental issue for our residents.

25. Policies in a Neighbourhood Plan can only apply within its designated area⁹. The second paragraph of Policy T 1 seeks to control the way that development

⁹ Section 38A(2) of the Planning and Compulsory Purchase Act 2004.

proposals outside its designated area are dealt with. Would the Parish Council please comment on this point?

Traffic studies have shown that the levels of traffic through our village are significantly affected by developments outside our parish, notably the rapid uncontrolled expansion of East Leake and the proposed Sustainable Urban Extension at Clifton South. Poor traffic modelling from developers of the latter has repeatedly misrepresented the situation for Gotham and we would see the maximum input we could to effect the traffic levels from such developments.

26. Paragraph 3 of Policy T 1 refers to the possibility of Traffic Regulation Orders and other means being used to deal with congestion and parking. The question asked above about Traffic Regulation Orders also applies to this paragraph. In addition, it is unclear what is meant by the term 'other means'. Would the Parish Council please clarify?

We consider here such means as leafleting residents, education of those dropping off children through the school and newsletters.

Policy VC 1. Questions to Gotham Parish Council

27. The first paragraph of Policy VC 1 refers to strict design policies that will apply within the Village Centre Regeneration Area, but does not specify what these are. Is this aspect of the policy sufficiently clear¹⁰?

28. Is there a need to refer to a development brief, given that a scheme on the Royal British Legion Site is likely to require a Design and Access Statement?

29. What is meant by the term '...suitable interim treatment...' when discussing the Royal British Legion site? Does the Parish Council have reason to believe that the development of this site will be delayed?

30. Where will the Parish Council seek funding from to pay for further tree planting and so on?

The Parish Council would expect a high standard of design in the whole of the area covered by VC1.

A development brief is the means by which a District or Parish Council can set down the design principles that a scheme should meet. A Design and Access Statement is prepared by an applicant to demonstrate they have complied with a development brief as well as policies in the development plan.

The Royal British Legion site is currently an eyesore. A number of schemes have come forward but have not proceeded. The latest scheme is of a poor standard and was refused planning permission on April 11th. One means of securing additional tree planting would be by the LPA insisting on the submission of an adequate landscaping scheme and then applying a condition to any permission that the scheme is carried out. There would therefore be no need for expenditure. Interim treatment would include a means of preventing access to the site that were decently

¹⁰ Paragraph 41 Reference ID: 41-041-20140306 states that a policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

designed and maintained rather than as if somebody had dumped demolition rubble by the side of the road.

If it were necessary the Parish Council has funds of its own and in the past has paid for tree planting in the public domain in the area covered by VC1.

The test here is the 2012 NPPF Core Strategy and Local Plan of Rushcliffe Borough Council.

The foreword to the NPPF includes the following:

"Our standards of design can be so much higher. We are a nation renowned worldwide for creative excellence, yet, at home, confidence in development itself has been eroded by the too frequent experience of mediocrity."

"This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them.

Dismantling the unaccountable regional apparatus and introducing neighbourhood planning addresses this."

"7. Requiring good design

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- set planning policies through neighbourhood plans to determine decisions on planning applications;*

184. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

185. Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.

The NPPF is fairly prescriptive about the content of Local Plans. It is much less so regarding what Neighbourhood Plans can and cannot do. Our understanding of the

Examination process is that it is a means of testing whether or not the Neighbourhood Plan meets the Basic Conditions. It is clearly in conformity with the NPPF. So far as the Core Strategy and Local Plan are concerned design is not a strategic issue and we draw attention to para 185 of the 2012 NPPF. If the examiner prefers the inclusion of a development brief in the Neighbourhood Plan then we are happy to include that in the modification we canvass in our response to Question 7 above.

Various schemes appear from time to time that offer trees for planting. GPC would seek to use these as and when they arise.

Policy FL 1. Question to Gotham Parish Council

31. Policy FL 1 relates to the allocation of housing sites. Is this relevant as decisions on the allocation of housing sites will not be taken in the Neighbourhood Plan?

The reference to allocation is incorrect and we accept the wording from RBC.

Policy FL 2. Question to Gotham Parish Council

32. Would the Parish Council please comment on the re-wording of this policy proposed by the Borough Council?

We accept the wording of RBC.

Appendix 1 Map and sizes Local Green Space. Gotham proposed local green space



Name	Area (Ha)
Gotham Hill SSSI	8.55
Memorial Hall and Sports Fields	5.16
Allotments	1.59
Cemetery	0.43
Church Yard	0.25
Home Farm / Logan Trail	3.29
Gotham West / Logan Trail	10.39
Hill Road	1.84
Moor Lane Verges	0.18
Moor Lane Verges 2	0.01
Moor Lane Verges 3	0.11
Leake Road Verges	0.40
Hill Road / Logan Trail	0.44
Total	32.64