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Rushcliffe Local Plan Part 2 and Draft Green Belt Review Part 2 (b)

Representations on behalf of Mrs Crosbie

INTRODUCTION

These representations, made by Fisher German on behalf of Mrs Crosbie, relate to land to the north of Kegworth Road, Gotham. They incorporate comments on both the Local Plan Part 2: Land and Planning Policies and also the Green Belt Review Part 2(b).

Rushcliffe Borough Council has very challenging housing targets to deliver and, in accordance with the NPPF, the Local Plan Part 2 must ensure that it is capable of delivering the housing needs identified in the Core Strategy. However, local planning policy as a whole must reflect the most recent evidence base, and ensure that there is sufficient flexibility to demonstrate a 5 year supply of deliverable housing land, ensuring competition and choice in the market for land.

The Spatial Strategy set in Policy 3 of the Core Strategy seeks to focus development around the main built up area of Nottingham, and in key settlements identified for growth at Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington. These areas are targeted to deliver a minimum of 13,150 new homes over the period 2011 to 2028, with the majority of growth targeted at the sustainable urban extensions to the south of Clifton, at Melton Road, Edwalton and land east of Gamston/north of Tollerton.

These three sites alone need to deliver around 7,650 homes in the next 12 years, and concern is raised over their ability to deliver housing at the rates needed to meet the Core Strategy's trajectory.

This is highlighted by the recent appeal decision for land at Abbey Lane, Aslockton (reference APP/P3040/A/14/2227522), which was issued on 15 December 2015; only one year after the Core Strategy was adopted. Firstly, notwithstanding the position taken by the Local Plan Inspector in agreeing the 'Liverpool' method for addressing past shortfalls in delivery, the appeal Inspector confirmed, in accordance with national guidance, that the 'Sedgefield' method is the one which should be adopted. This requires any shortfall in housing delivery to be made up in the next 5 years, rather than spread across the remaining plan period. This has the effect of increasing the immediate requirement for housing, and is the approach which must be taken to any future shortfalls in delivery which are identified against the trajectory proposed in the Core Strategy.

Secondly, in respect of the supply of housing, the Council's own evidence demonstrated that the strategic sites allocated in the Core Strategy were anticipated to deliver fewer homes in the next 5 years than had initially been predicted, with the extent of slippage considered to be significant. Having reviewed in detail all sources of supply, the Inspector concluded that a 5 year supply did not exist, and furthermore that the Council's view on the delivery of the 3 strategic sites was likely to be over-optimistic.

Having regard to the above conclusions in respect of the approach set out in the Core Strategy, it is clear that Rushcliffe Borough Council now needs to take a robust approach to ensuring that a flexible and deliverable supply of housing can be brought forward. The release of 3 strategic urban extensions, whilst commendable in the long term, is evidently insufficient to meet housing needs, and further sources of supply must be identified.

In particular, regard should be given to the very recent judgment in the Court of Appeal regarding policies for the supply of housing (*Richborough Estates v Cheshire East* [2016] EWCA Civ 168, dated 17 March 2016), which states in paragraph 33 that:

"Our interpretation of the policy does not confine the concept of "policies for the supply of housing" merely to policies in the development plan that provide positively

for the delivery of new housing in terms of numbers and distribution or the allocation of sites. It recognizes that the concept extends to plan policies whose effect is to influence the supply of housing land by restricting the locations where new housing may be developed – including, for example, policies for the Green Belt, policies for the general protection of the countryside, policies for conserving the landscape of Areas of Outstanding Natural Beauty and National Parks, policies for the conservation of wildlife or cultural heritage, and various policies whose purpose is to protect the local environment in one way or another by preventing or limiting development. It reflects the reality that policies may serve to form the supply of housing land either by creating it or by constraining it – that policies of both kinds make the supply what it is.”

This confirms that Green Belt policy is a policy for the supply of housing, and that it must be considered out of date where there is no 5 year supply.

That being the case, it is imperative that Rushcliffe Borough takes a robust approach to allocating sufficient sites to maintain a 5 year supply, in order to maintain a proactive approach to directing development, including protection of the Green Belt. Given the constraints currently imposed on the Borough, we strongly support the review of the Green Belt being undertaken, which is the only way in which development needs can be met whilst ensuring that enduring, defensible boundaries can be created and maintained.

In supporting the review it is however considered that Green Belt boundaries for settlements such as Gotham should be drawn to provide for suitable allocations to the settlement which will facilitate the delivery of the Council’s housing requirement.

RUSHCLIFFE LOCAL PLAN PART 2: LAND AND PLANNING POLICIES – ISSUES AND OPTIONS

Comments have not been made to all questions posed in the Issues and Options paper, with the representations below focusing on those questions of most relevance to the land at north of Kegworth Road, Gotham.

We note that Gotham is identified in the Core Strategy as one of the Borough’s medium-sized villages which contain a number of local services and facilities to serve their population, and should therefore be inset from the Green Belt. However, Policy 3 of the Core Strategy restricts development in this location to being “for local needs only”.

In light of the above discussion regarding the level of housing supply in Rushcliffe Borough, and the potential implications for the protection of Green Belt where such a supply cannot be demonstrated, it is clear that a broader approach must be adopted to delivering housing in sustainable settlements. Gotham has been confirmed as a sustainable settlement, and consideration must therefore be given to allocating sites for housing.

Question 12: Development in “other villages”

Notwithstanding that the Core Strategy does not set a target for housing in “other villages”, it is clear from the above that housing in these locations must be considered.

In terms of identifying suitable sites, it is considered that the land to the north of Kegworth Road, Gotham represents a logical and deliverable option for housing in Gotham (SHLAA site ref 133). Detailed justification for the site is set out below, where we have assessed the site against the

requirements of the draft Sustainability Appraisal scoring which forms part of the current consultation.

SA Objectives	Response	Scoring
<p>1. Housing To ensure that the housing stock meets the housing needs of Rushcliffe</p>	<p>The site is not currently allocated for development, but is a site which could be brought forward as a residential development through the Local Plan Part 2.</p> <p>It is worth noting that the Council has previously identified the site as suitable for development as evidenced in the proposed allocation in the 2000 Draft Replacement Local Plan.</p> <p>The site is bounded by existing residential development to the east of the site with properties on Home Farm Close. Kegworth Road forms the southern boundary of the site with residential development fronting the site. The old Primary School is located immediately west of the site, with housing beyond. The northern boundary of the site comprises a substantial hedgerow and landscape strip which screens the Public Right of Way which follows the site boundary to the north.</p> <p>Housing provision within the site would be delivered in accordance with the most up to date objectively assessed needs set out in the SHMA. The site will therefore increase the range and affordability of housing for all social groups.</p>	
<p>2. Health To improve health and reduce health inequalities</p>	<p>The site is approximately a 5 to 10 minute walk to the Recreation Ground.</p> <p>The development of the site could facilitate additional onsite open space provision in the form of children's play and/or off site contributions to existing facilities.</p> <p>The development of the site would not result in the loss of existing recreational open space.</p>	
<p>3. Heritage To provide better opportunities for people to value and enjoy Rushcliffe's heritage</p>	<p>The development of the site will not result in the loss of a historic site. The site does not impact a Conservation Area, Scheduled Ancient Monument or Historic Park and Gardens.</p> <p>The Old Primary School to the west of the site is a Grade II Listed Building. A sensitive development scheme will be prepared to reflect the setting of the Listed Building.</p>	

<p>4. Crime To improve community safety, reduce crime and the fear of crime in Rushcliffe</p>	<p>The internal layout of the site would be designed to design out crime with natural surveillance provided over public spaces within the development.</p> <p>Natural surveillance is also currently provided by the existing dwellings on the sites boundary.</p>	
<p>5. Social To promote and support the development and growth of social capital across Rushcliffe</p>	<p>The development of the site will not result in the loss of a community facility.</p> <p>The site is within walking distance of existing community facilities including the Memorial Hall and Recreation Ground and the Local Primary School which is a 2 minute walk from the site. These facilities, being in such close proximity to the site, will assist in the creation of a cohesive and integrated community.</p> <p>It is understood that Gotham Primary School is currently undersubscribed. The proposed development will assist in boosting the school roll and sustaining the school.</p>	
<p>6. Biodiversity and Green Infrastructure To increase biodiversity levels and protect and enhance Green Infrastructure across Rushcliffe</p>	<p>The development of the site will not result in the loss of all or part of a designated site of nature conservation interest. It is noted that the Council's assessment of the site in the SHLAA states that "Local Information suggests that there may be important habitats on the site which would require protection". The landowners are not aware of any such habitats within the site and Magic.gov mapping does not identify any site constraints. An ecological assessment would however be submitted with any planning application for the development of the site.</p> <p>The proposed development would not involve the loss of existing habitat or trees or hedgerow. Trees and Hedgerow surrounding the site will be enhanced and strengthened as part of the development proposals.</p> <p>The development of the site provides the opportunity to deliver biodiversity enhancements through the provision of SUDs and onsite open space.</p>	

<p>7. Landscape To protect and enhance the rich diversity of the natural, cultural and built environmental and archaeological/geological assets, and landscape character of Rushcliffe, including Rushcliffe's heritage and its setting</p>	<p>The overall landscape strategy is to conserve. The site however falls between existing built development on three sides and is well contained by the significant hedgerow screening to the north of the site; the site is therefore very well related to the settlement.</p>	
<p>8. Natural resources and flooding To prudently manage the natural resources of the area including water, air quality, soils and minerals whilst also minimising the risk of flooding</p>	<p>The site will not cause any harm to the water environment or to any AQMA. The site is not at risk of Flooding as defined by the Environment Agency's online maps.</p> <p>The site is currently used for agricultural purposes; Grade 3.</p>	
<p>9. Waste To minimise waste and increase the re-use and recycling of waste materials</p>	<p>Recycling and Waste collection will be provided in accordance with the County's requirements.</p> <p>A Construction Management Plan would be submitted on discharge of the planning permission conditions detailing a waste management plan for the construction period.</p>	
<p>10. Energy To minimise waste and increase the re-use and do develop the area's renewable energy resource, reducing dependency on non-renewable sources</p>	<p>The proposed development will deliver energy technology as required by building regulations at the time of the determination of the planning application.</p> <p>The Construction Management plan will detail how sustainable construction techniques and reuse of materials will be undertaken.</p>	
<p>11. Transport To make efficient use of the existing transport infrastructure, help reduce the need to travel by car, improve accessibility to jobs and services for all and to ensure that all journeys are undertaken by the most sustainable mode available</p>	<p>The site is a 2 minute walk to the bus stops on Leake Road providing very regular services between Nottingham (35 min journey time) and Loughborough (25 mins journey time). Future residents of the site will therefore have an opportunity to use existing transport infrastructure and reduce journeys undertaken by private car.</p> <p>Services and facilities including a shop and post office, pubs, Memorial Hall and Recreation Ground shops, takeaways and a medical centre are all located within a 10 minute walk of the site.</p>	
<p>12. Employment To create high quality employment opportunities</p>	<p>The site would generate additional job creation through the construction phase.</p> <p>The development of the site will not result in the loss of existing employment land.</p>	

<p>13. Innovation To develop a strong culture of enterprise and innovation</p>	<p>The development of a range of types and tenures of dwellings, in a settlement where there is strong demand for housing, will assist in encouraging people working in high knowledge sectors to come and work within the Plan Area, from outside the Plan Area, whilst seeking to retain those that already do so. In particular, Gotham is very well positioned in relation to all the Centres of Excellence within Rushcliffe, and is easily accessible to the opportunities they provide.</p>	
<p>14. Economic structure To provide the physical conditions for a modern economic structure including infrastructure to support the use of new technologies</p>	<p>The site will deliver the infrastructure required to support the development. Contributions, through a S106 agreement, will be made to education, health and other areas as sought by the Local Planning Authority.</p>	

Question 13 – Affordable Housing Allocations

Sites for purely affordable housing should only be allocated where there is clear evidence that they will be delivered for that purpose. In the absence of any such evidence, sites should be allocated for market housing, with affordable to be delivered as a proportion of the site in accordance with normal policy. Any sites for purely affordable housing could continue to be delivered under an exceptions policy, which should also permit such sites in the Green Belt.

Question 18 – Green Belt Boundaries

We support the principle of altering Green Belt boundaries to reflect existing and committed development, following logical boundaries, but emphasise the need for additional allocations to be made across the full range of sustainable settlements, including Gotham. The land north of Kegworth Road, Gotham is an obvious and logical site for incorporation within the settlement and to be set outside the Green Belt boundaries. The site is bounded by existing residential development to the east of the site, by the properties accessed off Home Farm Close. Kegworth Road forms the southern boundary of the site with residential development beyond. The old Primary School is located immediately west of the site, with housing beyond. The existing northern boundary of the site creates a robust settlement edge with a substantial hedgerow screening the site and a Public Right of Way beyond.

Question 20 – Safeguarded Land

Given the challenging circumstances faced by Rushcliffe Borough, as set out in detail above, it is vital that further land is released from the Green Belt to meet the development needs now and in the future (including for the next Plan period). The NPPF is clear that Green Belt reviews should ensure that boundaries can endure beyond the plan period, so the identification of safeguarded land must also be considered at this stage.

The review of the Green Belt must look to release those sites which are considered most suitable, having regard both to the 5 purposes of the Green Belt, and also to the suitability of

each site for residential development. This should be determined having regard to the established principles of sustainable development established in national policy. Once sufficient sites have been identified to meet anticipated needs in the current plan period, taking a realistic approach to the likely level of delivery from the strategic sites in particular, further land should also be identified for safeguarding. The identification of such sites must take the same approach as for housing allocations in the current plan period.

GREEN BELT REVIEW PART 2 (B)

As set out above, we support the need for a review of Green Belt boundaries, and emphasise that this must be in relation to all sustainable settlements across the Borough. Answers are provided below to the consultation's questions which are relevant for Gotham.

Question 1: Proposed Insets for Washed Over Villages - Methodology

The suggested inset boundaries are drawn tightly around the settlements and will, inevitably, require a review of the Green Belt boundaries at some point, either before or at the end of the plan period. The Council has an ambitious housing requirement to deliver over the plan period, relying on the delivery of three large urban extensions. Should the Council fail to deliver the number of homes needed during the plan period, additional land will be required to facilitate the housing delivery.

Sustainable settlements, including those which are inset from the Green Belt, can support the delivery of this growth during the plan period, and are likely to be required during the next plan period to support future growth.

In order to ensure that the Council does not have to alter the Green Belt boundaries again at the end of the plan period, and to provide sufficient flexibility to deliver the housing requirements of this plan period, it is considered that additional land at Kegworth Road, Gotham should be identified for inclusion within the inset boundaries as well as further safeguarded land to be identified for development in the longer term when required. The methodology should be explicit in seeking to achieve these long term objectives.

Question 2: Proposed Insets for Washed Over Villages

We disagree with the proposed inset boundary for Gotham, which should be amended to incorporate the land north of Kegworth Road within the village of Gotham.

Having regard to the proposed methodology, and paragraph 2.2 in particular, the existing enclosure of the site and presence of built development on 3 sides means that the site can be developed without any detriment to the 5 purposes of the Green Belt. As discussed in detail below, it is not necessary for the site to be kept permanently open, and the robust landscape screening already present around the site means that Green Belt boundaries could be created around the site which use existing physical features that are readily recognisable and likely to be permanent. This is reflected in paragraph 2.22 of the Council's assessment, which states in relation to the boundary proposed around the former school building and existing housing to the west of the site that "*The thick hedgerow along the adjacent right of way and fencing provide the boundary for this inset area.*" This provides clear justification for the extension of the boundary along the thick hedgerow, incorporating the land north of Kegworth Road within the village of Gotham.

Question 5: Key Settlement Review

The Assessment Criteria and the Assessment Matrix Scoring system is broadly supported, and should be applied to all settlements which are to be inset from the Green Belt.

Question 6: Key Settlement Review

To assist the Council in their consideration of sites, an assessment has been undertaken of the land north of Kegworth Road, Gotham against the Assessment Matrix Scoring system. This is set out below, and demonstrates that the site is suitable for release from the Green Belt.

Green Belt Purpose	Score	Justification
To check unrestricted sprawl of large built-up areas	1	The site has development adjacent to three of its existing boundaries. The northern boundary of the site is strong with a substantial hedgerow containing the site and rounding off the development edge in this location. The site is flat in nature and has clear field boundaries which are reinforced by existing hedgerow.
To prevent neighbouring towns merging into one another	1	The site is located to the north west of Gotham. Built development in the form of the old school and the residential dwellings to the west of the site, extend the settlement out beyond the boundaries of the site. The development would therefore not reduce distances between settlements and would not lead to any physical or perceptual merging of existing settlements.
To assist in safeguarding the countryside from encroachment	1	The site does not contain any inappropriate development however, surrounding land uses immediately adjacent to the site have already significantly encroached on the countryside. As described previously, the site has clearly defined boundaries on all aspects with development extending beyond the site into the countryside. The site is well contained; its development would not represent encroachment into the countryside.
To preserve the setting and special character of historic towns	3	The site is adjacent to a Grade II Listed Building. A sensitive development scheme is proposed to respond to this.
To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	3	There are no specific urban regeneration projects within Gotham.
Total Score	9	Low Green Belt Value

CONCLUSION

It is requested that the comments detailed above are taken into consideration in progressing the Green Belt Review and Local Plan Part 2. The land north of Kegworth Road, Gotham clearly represents an obvious and enclosed location for a development in a sustainable location, whereby future residents can support the vitality and viability of the existing services the settlement offers. Having regard to the Council's housing land supply position and ensuring the Council is able to accommodate future development needs, additional land, such as land at Kegworth Road, needs to be released from the Green Belt.