Good afternoon,

Please find attached our formal representations to the Part 2 Local Plan consultation on behalf of Mr S Bridge.

I would be grateful if you could confirm safe receipt.

Kind regards,

Claire Hutt BA(Hons) MA MRTPI
Senior Town Planner

www.panddg.co.uk

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This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please fill in a separate part B for each issue/representation you wish to make.

Please read the Representation Guidance Notes (available separately) and the Data Protection Notice (see below) before completing the form.

**Part A** (Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

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<th>1. Personal Details</th>
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Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
**Part B** (please use a separate Part B form for each representation)

**Name/Organisation:** Planning and Design Group on behalf of S Bridge

### 3a. To which document does your response relate? (please tick one)

- [ ] Local Plan Part 2 Publication Version
- [ ] Local Plan Part 2 Policies Map
- [ ] Other supporting document please state which: [Click here to enter text.]

### 3b. To which part of the document does this representation relate? (complete all that apply)

<table>
<thead>
<tr>
<th>Page no.</th>
<th>18</th>
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<tbody>
<tr>
<td>Housing Chapter</td>
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| Paragraph no. | [Click here to enter text.]
| Site ref. | Choose an item. |
| Policies Map | [Click here to enter text.]

### 4. Do you consider the Local Plan Part 2:

- [ ] 4(1) Legally compliant Yes ☒ No ☑
- [ ] 4(2) Sound Yes ☒ No ☑
- [ ] 4(3) Complies with the Duty to Co-operate Yes ☒ No ☑

→ If you have selected No to Question 4(2), please continue to Question 5.
→ In all other circumstances, please go to Question 6.

**What makes a Local Plan “sound”?**

**Positively prepared** - the plan should be prepared in a way that meets the need for housing and other development, including infrastructure and business development.
**Justified** – the plan should be based on evidence, and be the most appropriate strategy for the district when considered against other reasonable alternatives.

**Effective** – the plan should be deliverable; the housing and other development should be capable of being carried out.

**Consistent with national policy** – the plan should enable sustainable development and be consistent with the policies in the National Planning Policy Framework (NPPF).

**5. If you consider the Development Plan is UNSOUND, do you consider this to be because it is NOT:** (please tick all that apply)

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**6. Please give reasons for you answer to Questions 4(1), 4(2), 4(3) and 5, where applicable.**

You may also use this box if you wish to make representations on one of the Local Plan Part 2’s supporting documents (e.g. Sustainability Appraisal, Habitat Regulations Assessment or Equalities Impact Assessment). You can attach additional information but please make sure it is securely attached and clearly referenced.

We object to the approach to housing delivery and allocations.

Continuing reforms to the planning system ensure that it supports the delivery of housing, including homes on previously developed land. The NPPF makes clear planning should encourage the effective re-use of land and support sustainable housing to deliver a sufficient amount of housing to meet local needs.

The NPPF Consultation Draft Text (2018) expressly identifies that the Government is changing the NPPF to allow 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would; not have a greater impact on the openness of the Green Belt than the existind development; or contribute to local affordable housing need, not causing substantial harm to the openness of the Green Belt'. The Council are seeking to allocate a significant number of sites to deliver at least 2,700 dwellings which includes an identified shortfall from the strategic allocations in the Local Plan Part 1, and it is incumbent on the Council to seriously consider all opportunities to re-use degraded land and help deliver a robust housing strategy and supply.

The Rushcliffe Monitoring Report (2016/17) highlights a very weak 3.1 years’ supply of housing land, driven by the lack of delivery on allocated strategic sites. This is a fragile position from which to enter the Local Plan examination process and the need to diversify the supply of sites and homes forms the basis of the emerging Local Plan Part 2. The document clearly states:

‘One of the key issues that the Local Plan Part 2 needs to do is to identify enough land as suitable for housing development in order to help meet Rushcliffe’s housing target of a minimum of 13,150 new homes between 2011 and 2028. This is additional to the land that has already been allocated for housing development by the 2014 Local Plan Part 1: Core Strategy.’ (Paragraph 3.1)

The Local Plan: Part 2 also recognises the need to enhance shorter term housing supply in the interests of addressing the five-year housing land supply.

‘The Council has had to take this (current lack of five-year housing land supply) into account and ensure
that the sites allocated by this Local Plan can, as a whole, deliver enough housing quickly enough to satisfy short-term as well as longer term housing requirements.’ (Paragraph 3.2)

Without all sites delivering at their full residential capacity and potential in the Local Plan Part 2 there is a very real risk to the five-year housing land supply and the subsequent ability of the Council to meet the full identified housing need. Where this occurs the Local Plan Part 2 will need to be questioned on the grounds of effectiveness and, therefore, the overall soundness of the document. Particularly where strategic sites, which are still relied heavily upon in the identified housing trajectory, continue to stall on delivery. Indeed, around 52% of the housing trajectory still constitutes strategic sites, with a very high, backloaded build-out rate of around 250 dwellings per annum relied upon in some years at land south of Clifton and east of Gamston/north of Tollerton. We anticipate, through review of the housing trajectory, that the Council will only be able claim a marginal supply of around a 5-5.5 years of housing land. This is still a high risk position with the five-year housing land supply at the time of adoption remaining perilous and vulnerable to further delivery lapses which could undermine the longevity and robustness of the Plan.

In a best-case scenario, where the soundness of the emerging Local Plan Part 2 is questioned, this would likely trigger an immediate review of the suite of Local Plan documents in order to boost the supply of housing land.

Willowbrook Farm is located on the A52, near the Gamston roundabout. The site of 1.2 Ha, comprises of a house and a number of sheds, agro-industrial buildings, and silos. These buildings excluding the water tanks have an area of 2,651 sq m. Hard paving accounts for a further 2395 sq m. The site is not isolated being within walking distance of Gamston centre. A bus stop served by the Trent Barton Rushcliffe Main Line Nottingham to Bingham service (every 10 minutes Monday – Saturday) is located within 600m of the site is accessible by walking or cycling. The site is very well connected to the local road network with Nottingham, Gamston, Radcliffe-on-Trent and Bingham all easily accessed off the A52.

Whilst the site is identified as within flood zone 2 and 3 on the Environment Agency flood maps, a review of the SFRA shows the site is not at risk of flooding except for a very small area in the north west corner which is shown as a 1 in 1000 annual chance flood outline. The site does not comprise of any listed or locally listed buildings, nor would the development effect any setting of a heritage asset. The site is not within a Conservation Area. In terms of impacts upon the local road network the agricultural use of the site was intensive with numerous slow moving vehicles accessing the site. It is considered the existing access would provide a safe and adequate access into the site and the proposed number of vehicles generated by the development is not considered to have a detrimental impact on the road network. A highway solution has been agreed with Highways England for limited development which could be 7 – 8 houses which all helps to satisfy the growing demand for housing.

For over 40 years the site operated as an intensive pig farm, housing around 3000 pigs with attendant vehicle movements involving the removal of slurry, import of food and relocation of animals. In addition the site operated as a licensed HGV operating centre for up to 16 HGVs (articulated tankers) involved in the distribution and supply of foodstuffs. In recent years much of the operation has relocated and the site is surplus to the business operation. These traffic movements included turning right out of the site across the busy A52 dual carriageway, often stopping in the central reservation area with trailers overhanging the central refuge.

The site is now in serious decline, both in appearance and economically. The site’s prominent location on the ‘gateway’ to Rushcliffe / Nottingham means its continuing deterioration detracts from the attractiveness of the area. The buildings are old and in disrepair and without the investment to maintain the buildings they will continue to diminish the sites visual and environmental value. Whilst we acknowledge the site is not Previously Developed, by the NPPFs rather narrow definition, any common sense view would accept that the site is brownfield in nature and character. The site is currently located within the Nottingham and Derby Green Belt. If this was a ‘brownfield’ site there is no question that the redevelopment of the site would be acceptable and very welcomed, it is just by virtue of the type of product being produced that classes the site...
as agricultural, but this does not change the industrial nature of the site.

Paragraph 109 of the Framework makes it absolutely clear that 'The planning system should contribute to and enhance the natural and local environment by:… remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.' Dealing with poor quality sites like Willowbrook Farm is a fundamental aim of the planning system. It needs to be at the heart of good planning, not a by-product. In failing to do anything about the site within the plan, the Council is failing to plan in accordance with the NPPF and is simply burying its head in the sand to a problem that will not go away. The application of this Paragraph 109 should be applied in equal measure to Green Belt policy, as one policy bears no greater weight than the other. In failing to use the plan to seek the remediation of clearly despoiled land, the plan fundamentally fails to plan positively and is unsound as a result.

Given the nature of the site any contribution that it might make to the openness of the Green Belt has already been removed with the majority of the site comprising of sheds and outbuildings. There is an increasing need to find an effective and viable long term use for the site as acknowledged by RBC. While the development of the site would be notionally inappropriate given its ‘agricultural’ history, it is certainly not a greenfield site, and it would be entirely possible to develop the site in a way that reduces built form within the site in its spread and extent. As such, it offers an opportunity to enhance the openness of the Green Belt. Notably, paragraph 81 of the NPPF encourages local planning authorities to ‘plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities…..to improve damaged and derelict land’. To this extent, Green Belt policy should be an enabling policy, and it is not sufficient to allow a site such as this to succumb to its own fate.

Within the appeal at Brampton Villa, Penny Hill Lane, Rotherham (2017) (APP/P4415/W/17/3174191) the Inspector concluded that in relation to bullet point 6, Paragraph 89 of NPPF it makes no mention of the size of building relative to that being replaced and makes no mention of volumetric comparison. However, the determining factor is whether the proposal has a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. As such, the Inspector considered as long as the development appeared subservient to that which was being replaced, would not encroach on the countryside or add to urban sprawl, then the development was appropriate. Furthermore, if the site is well-maintained and in use then this contributed to a beneficial use. The redevelopment of the site as proposed would result in a reduction of floorspace and hardstanding compared to the current site, therefore reducing the impact upon the openness of the Green Belt. The significant visual, environmental and effective re-use would also result in a beneficial use of the site. In so doing there is no need to remove the site from the Green Belt.

The benefits from allowing a limited residential scheme include:
1. Helping to meet the Councils Housing target.
2. Removing what could become one of the most unsafe highway crossings in the Borough
3. Providing a unique low density residential scheme which could help to persuade some occupiers to downsize.
4. Creating an attractive environment thus avoiding a prominent site becoming more derelict.
5. Reducing the floorspace on site by over 50%
6. Reducing the hard paving on site by circa 45%
7. A high quality low density individual design not achieved by the mass house builders.
8. Creating a scheme that sits comfortably in the environment
9. Creating a positive contribution to the openness of the area.

We trust the above gives sufficient grounds to look at this site with a degree of flexibility to enable a solution to be delivered for all. The Part 2 Local Plan offers the only realistic opportunity to recognise the ‘special circumstances’ that relate to this site, with its allocation as a modest housing site being the opportunity to ‘improve damaged and derelict land’ specifically encouraged by the NPPF. We would be happy to discuss the precise wording of an allocation policy with officers in order to ensure that development has a positive impact on this degraded site and the wider Green Belt.

Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
7. Please set out what change(s) you consider necessary to make the Local Plan Part 2 legally compliant or sound, having regard to your responses to Questions 5 and 6. You will need to say why this change will make the Local Plan Part 2 legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(If you are suggesting that the Local Plan Part 2 is legally compliant or sound please write “Not applicable”).

We propose the allocation of Willowbrook Farm as a housing allocation for up to 8 dwellings. The allocation would help towards a more robust housing strategy and contingency, supporting the Plans effectiveness. It is essential that the Plan identifies deliverable sites - which has been a significant issue due to a heavy reliance on strategic sites. The site represents a visual and environmental problem which requires a solution. A pragmatic and sensible approach is required to harness the opportunity to significantly enhance the site and peoples experience as they travel through this 'gateway', whilst reducing the overall impact upon the openness of the Green Belt. In order to achieve a plan which is planned positively, effective and is legally sound we consider the allocation of this site would assist in achieving such a goal by building on some housing contingency, it is available and deliverable, would accord with the national framework and provides a sustainable solution to a unsavoury problem. There would be no need to remove the site from the Green Belt. Allocation would enable use to withdraw our objection to the plan.

8. If your representation is seeking a change, do you consider it necessary to participate at the hearing sessions of the Public Examination? (please tick one box only)

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the hearing sessions of Public Examination, please outline why you consider this to be necessary:

Housing delivery is a key issue within the Local Plan, as such it is essential we are able to provide input into this matter, particularly if additional housing sites are required through the process. Further we are specifically seeking changes to the plan.
Please note: the Planning Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

10. Please indicate if you wish to be notified that: (please tick all that apply)

- The Local Plan Part 2 has been submitted for independent examination.  
- The recommendations of the Planning Inspector appointed to carry out the independent examination have been published.  
- The Local Plan Part 2 has been adopted

Please return the completed form by no later than 5pm on Thursday 28 June 2018 to:

localdevelopment@rushcliffe.gov.uk; or

Planning Policy
Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road,
Nottingham
NG2 7YG

(Electronic copies of this form are available to download at www.rushcliffe.gov.uk/planningpolicy).

If you have any questions, please contact the Planning Policy team by telephone on 0115 981 9911, or email at localdevelopment@rushcliffe.gov.uk

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Data Protection Notice

The personal information you provide will only be used by Rushcliffe Borough Council, the Data Controller, in accordance with General Data Protection Regulation 2016/Data Protection Act 2018 to undertake a statutory function (also known as a 'public task')

Your personal information will be shared with the Planning Inspectorate in connection with the above purpose.

Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
Your personal data will be kept in accordance with the Council’s retention policy and schedule. Details of which can be found on the Council’s website at http://www.rushcliffe.gov.uk/retention_schedule/

Your data protection rights are not absolute and in most cases are subject to the Council demonstrating compliance with other statutory legislation, for further information see http://www.rushcliffe.gov.uk/privacy/

Representations will be available to view on the Borough Council’s website, but any signatures, addresses, email addresses or telephone numbers will not be included. However, as copies of representations must be made available for public inspection, comments cannot be treated as confidential and will be available for inspection in full.

Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
Location Plan