Dear Sir/Madam,

Re: Rushcliffe Local Plan Part 2 Consultation – Publication Version

I refer to the above consultation and set out below representations on behalf of our client British Gypsum Limited in response to the Land and Planning Policies (LAPP) Publication Version consultation document. This letter amplifies and supports the attached response form concerning housing development within the Borough and builds upon earlier representations submitted in response to consultation on the emerging document.

To reiterate earlier representations the Council recognises that Gotham offers various facilities and services that includes a shop, post office, primary school, a village hall, library, healthcare, pubs and recreational facilities, all of which include a bus depot such that it is a sustainable location for growth. We have previously submitted that when such services and employment provision are considered alongside Gotham’s good transport links, it is therefore appropriate to accept that reasonably substantial growth in the context of meeting local housing and employment need would be acceptable in this sustainable settlement in accordance with Local Plan Part 1: Core Strategy Policies 3 and 5.

In this regard we remain highly disappointed that the Publication Version document proposes a tight Green Belt boundary and only a single housing allocation, referred as GOT5a in the Housing Site Selection Report (April 2018), with a proposed capacity of around 100 homes. It is again noted that this site is susceptible to a high risk of surface water flooding, bounds a Local Wildlife Site and would need to account for the Grade II listed barn. Development solely in this location would, in our view, appear unusual in form and result in an incongruous extension to the village.

As has previously been submitted during the earlier rounds of consultation, our client currently operates the British Gypsum Works at Gotham and has a number of land interests throughout the village due to various operational requirements. These sites are identified as SG1, SG2, SG3 and SG4 on the attached plan outlined in red and present available, deliverable and sustainable.
opportunities to increase the supply of housing and employment land within the Borough. Sites SG2 and SG4 are considered by the Council as potential housing sites, referred to in the latest Housing Site Selection Report (April 2018) document at Figure 4.11 as GOT1 and GOT7 respectively, although it was submitted previously that additional opportunities may exist at SG3 in order to address the housing shortfall and meet the Borough’s OAHN. Unfortunately, however, the latest consultation document fails to consider SG3 once again.

As outlined previously, the existing premises south of Gypsum Way (SG1) are currently used for storage and distribution in relation to our client’s operational needs and this is likely to continue for the foreseeable future. SG2 (GOT7) and SG3 are not currently used for operational purposes although SG3 was used relatively recently for open storage which is its lawful use. It is envisaged that SG2, whilst not currently in use, may have operational potential in the future in relation to the business, but there may also be scope to utilise the land north of the pylons for housing (subject to impact in terms of constraining operational functions of land to the south). SG4 (GOT1) remains surplus to operational requirements and it has previously been an aspiration of Gotham Parish Council to acquire some of this land for a small affordable housing scheme with amenity space. Indeed, Gotham Parish Council’s latest Neighbourhood Plan Consultation document dated February 2018 seeks to allocate this land for housing (identified as GOT 1). An affordable housing provider has previously demonstrated an interest in such development and set out that a Housing Needs Survey conducted for Gotham identified a need for twelve affordable properties within the village. Consultation responses to the draft Gotham Neighbourhood Plan also support development of this site.

It is acknowledged that Gotham and these sites are currently washed over by the Green Belt designation as identified in the Non-Statutory Replacement Local Plan (NSRLP). The British Gypsum Works to the south of the village (SG1) are also identified in the Plan for employment purposes through Policy EMP5 which permits redevelopment (for employment purposes) subject to impact on the openness of the Green Belt in addition to amenity and access considerations. Saved Local Plan (1996) policy E7 ‘Redevelopment of Employment Sites’ is similar in this regard.

Policy 4 of the Local Plan Part 1: Core Strategy committed to reviewing the Green Belt of a number of settlements, including Gotham, as part of the LAPP process ‘...to accommodate development requirements until 2028’. The earlier 2016 draft Green Belt Review (Part 2b) reviewed various settlements and in relation to Gotham, the new inset boundary proposed had been tightly drawn with sites SG1-4 remaining in the Green Belt. Such tightly drawn boundaries, as well as new permitted Policy EMP5 subject to impact on the amenity of the Green Belt, including affordable housing in rural areas. The PPG sets out that ‘...all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided’ (Paragraph: 001 Reference ID: 50-001-20140306).

Further, the NPPF’s core principles at paragraph 17 is to ‘...take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it’, re-emphasised at paragraph 55 by way of to
‘...promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities’. We therefore object to the proposed Green Belt boundary, being minded that the additional assessments recently undertaken in earlier consultation documents result in low scoring Green Belt functionality and importance for all our client’s sites. It is considered that sites SG1 and SG2, whilst not considered as part of earlier rounds of consultation, would score equally as low.

On this basis, to reinforce and maintain earlier submissions, sites SG1-4 should be released from the Green Belt as set out on the attached plan (suggested amended Green Belt boundary outlined in blue) and included within the settlement to provide support for not only employment related development opportunities in existing plant, along with supporting the sustainability and vitality of the village in terms of employment and new housing, but also for the longer term business aspirations of this important and longstanding enterprise as set out in paragraph 28 of the NPPF. It is suggested that SG1 should be allocated for employment purposes, sites SG2 and SG3 allocated for employment and/or mixed use purposes (given their housing potential), with SG4 allocated for housing in line with the Parish Council’s earlier aspirations for affordable housing. Alternatively in absence of specific allocations, sites SG2-4 could simply be presented as whiteland.

These sites are available and deliverable opportunities for additional housing land, having no major constraints and being in single ownership. The site at SG1 essentially acts as a bookend to the southern extent of the settlement and it would not be inappropriate for development to extend up to Gypsum Way. Our client’s sites are connected to the village via the road network and lit footpaths and would accordingly form sustainable and logical extensions with public transports links available nearby. The ecological value of site SG4 is disputed with any development, as acknowledged in the Council’s Housing Site Selection Interim Report (September 2017), providing opportunity to facilitate improvements. Any subsequent application would be supported by an appropriate study.

Amending the Green Belt boundary to incorporate these sites in this manner for development would not impact on its openness given that they are within the existing urban framework and flanked by development such that it is not necessary to keep the land per manently open as prescribed at paragraph 85 of the NPPF. Gotham is also self-sufficient and relatively remote from other villages such that the suggested amendments would not dilute the Green Belt’s role in preventing coalescence with other settlements, or its role preventing encroachment into the wider countryside beyond the established urban framework. Although Gotham contains a number of listed buildings, it is not a historic town with special character or setting requiring protection by the Green Belt. On this basis, a amendment of the Green Belt boundary would comply with the provisions of the NPPF.

In conclusion Gotham is considered to be a sustainable, larger village able to accommodate associated services and facilities such that it would be suitable for residential development that would valuable towards the Council’s housing supply in a rural location. It also hosts a longstanding important business which supports village vitality although the existing and proposed Green Belt boundaries will continue to constrain it’s operational requirements unless amended accordingly. The suggested amendments would not impact on the various roles of the Green Belt or character of the settlement such that development would accord with NPPF.
requirements insofar that rural communities and enterprises should be supported and their vitality enhanced or maintained through sustainable development.

Gotham, as a sustainable settlement, has the capacity to accommodate a reasonably substantial level of growth in the context of meeting local housing and employment needs. As has been submitted during earlier rounds of consultation, further sites are indeed required beyond those identified to ensure that the overall housing requirement set out in the Core Strategy can be achieved and the draft plan found sound.

I would be grateful if you could confirm receipt of these representations. Please do not hesitate to contact me should you require any further information or wish to discuss.

Yours faithfully,

Darren Abbott
Senior Planning Executive
Please respond by e-mail where possible

Enc. Response Form
Sites SG1-4 Location Plan with suggested Green Belt boundary
Rushcliffe Local Plan Part 2: Land and Planning Policies Publication Version

Representation Form

Please return by 5pm on Thursday 28 June 2018 to: Rushcliffe Borough Council
Rushcliffe Arena, Rugby Road
Nottingham
NG2 7YG

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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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: Freeths LLP on behalf of British Gypsum Ltd

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: Housing Site Selection Report (April 2018)

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

- Page no. 18-60 (Housing), 69-73 (Employment) and 87-92 (Green Belt)
- Paragraph no. Click here to enter text.
- Policy ref. Choose an item.
- Site ref. 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”?
5. If you consider the Development Plan is UNSOUND, do you consider this to be because it is NOT: (please tick all that apply)

- Positively Prepared
- Justified
- Effective
- Consistent with national policy

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.
   See supporting letter dated 27 June 2018.

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”).
   See supporting letter dated 27 June 2018 concerning the requirement for more housing sites to satisfy the Borough’s housing requirement, employment land and amendments to the Green Belt boundary at Gotham.

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)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

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:

Our client has serious concerns about the proposed strategy for a) housing delivery and the ability of the Development Plan (as a whole) to satisfy the Borough's housing requirement, and b) employment land and proposed Green Belt boundary at Gotham.

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 [✓]

Date form completed 27/06/2018

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

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

(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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| 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.

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.