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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<td>Miss</td>
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<tr>
<td>First Name</td>
<td>Amy</td>
</tr>
<tr>
<td>Last Name</td>
<td>Stone</td>
</tr>
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<td>Organisation (where relevant)</td>
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<tr>
<td>Job title (where relevant)</td>
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Part B (please use a separate Part B form for each representation)

Name/Organisation: CEG c/o Nexus Planning

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)

- Page no. 18 - 20
- Paragraph no. 3.1-3.11
- 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”?

**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.

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

Please see Section 2 of the attached response.

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”).

Please see Section 2 of the attached response.

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
- 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:

As the landowner of allocated site 'Land off Nicker Hill Keyworth' (Policy 4.1), it is essential that we are able to attend and speak at the Examination.

**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:** 28/06/2018

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

localdevelopment@rushcliffe.gov.uk; or

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Rushcliffe Arena
Rugby Road,
Nottingham
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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/](http://www.rushcliffe.gov.uk/retention_schedule/)

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

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### Part A

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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)

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<td>31</td>
<td></td>
<td>Policy 4.1: Housing Allocation – Land off Nicker Hill, Keyworth</td>
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Site ref.  Policy 4.1: Housing Allocation – Land off Nicker Hill, Keyworth  Policies Map  Click here to enter text.

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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).

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Land off Nicker Hill, Keyworth

Representations to the Local Plan Part 2: Proposed Submission Local Plan

on behalf of CEG
June 2018
Contact

Job reference no: 33294
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1.0 Introduction

1.1 The following representations has been prepared by Nexus Planning Ltd on behalf of our client, CEG (the client), in response to Rushcliffe Borough Council’s (RBC) Regulation 19 consultation on the Proposed Submission Local Plan Part 2 (Publication Draft).

1.2 The client is promoting Land off Nicker Hill, as identified in the Keyworth Neighbourhood Plan which was officially made on the 30th May 2018.

1.3 These representations principally relate to the following policies/ paragraphs within the emerging plan;

- Chapter 3 - Housing Land Supply; and

- Policy 4.1 – Housing Allocation – Land off Nicker Hill, Keyworth.
2.0 Chapter 3 – Housing Land Supply

Background

2.1 The spatial strategy within the Rushcliffe Core Strategy (adopted in December 2014), sets out a minimum requirement of 13,150 homes for the borough between 2011 and 2028 (774 per annum). Delivery of this housing was planned in the Core Strategy through six strategic housing allocations and through development at the four main key settlements of East Leake, Keyworth, Radcliffe on Trent and Ruddington (non-strategic sites to be allocated through the Local Plan Part 2).

2.2 However, as identified in RBC’s previous consultation documentation, delays to the large site allocations within the Core Strategy has created a shortfall of housing within the borough. This has been acknowledged by RBC who sought to provide an additional 900 homes in its ‘Further Options’ document (March 2017) to meet this shortfall. A further 550 homes (in addition to the 900) were proposed in the ‘Preferred Housing Sites Document’ to further address this shortfall.

2.3 Land off Nicker Hill is a ‘preferred housing site’ within the Keyworth Neighbourhood Plan (KNP) that was formally ‘Made’ on the 30th May 2018. The KNP is unable to specifically allocate sites for housing, as this would mean releasing land from the Green Belt designation – something that only the Local Planning Authority can do through a Local Plan process. It is therefore proposed that the KNP Preferred Sites will be formally allocated as part of RBC’s Local Plan Part 2. CEG is fully supportive of this and is in agreement that the KNP process provides a strong policy justification for the site allocation in the Local Plan Part 2.

2.4 It is important to clarify that revisions to the revised draft NPPF (due to be adopted summer 2018) mean that going forward Neighbourhood Plans will be allowed to amend Green Belt boundaries (Paragraph 135).
Current Housing Land Supply

2.5 RBC acknowledge that it is currently unable to demonstrate a 5 year land supply. Its most up to date review of housing land supply (as of 31st March 2017) outlines that, based on the target over the plan period (13,150), RBC has a total land supply of 3.1 years.

2.6 As previously mentioned, this undersupply of housing is in part due to the lack of delivery on almost all the borough’s strategic sites and also in part due to the delays to the Local Plan Part 2. The potential for continued delay in the delivery of these strategic sites is considered in more detail below.

Housing Delivery

2.7 Almost all of the strategic sites, as set out in the Core Strategy, have experienced significant delays and complications proving RBC’s previous delivery assumptions (also as set out in the Core Strategy) to be unrealistic.

2.8 CEG has reviewed the most up to date Housing Trajectory (outlined in the Local Plan Monitoring Report – April 2017) for RBC which shows the anticipated delivery of the strategic sites throughout and beyond the plan period. Commentary on each site is briefly set out below.

Melton Road, Edwalton (Core Strategy Policy 20 for around 1,500 dwellings)

2.9 Although the Edwalton Strategic Site (1,500 homes) was granted at appeal in 2009 (prior to the adoption of the Core Strategy), the site suffered extensive delays due to significant viability issues. Various planning applications have come forward and, although applications for further developments are still anticipated, development has now started on site.

Former Cotgrave Colliery (Core Strategy Policy 23 for around 470 homes)

2.10 Similarly, the development of the Former Cotgrave Colliery Strategic Site for 460 dwellings (planning permission gained in 2011) is underway with completion anticipated in 2019/2020.
North of Bingham (Core Strategy Policy 21 for around 1,000 dwellings)

2.11 The Reserved Matters application for Land North of Bingham (assumed dwellings 1,050) was approved in February 2018. In line with RBC’s Housing Trajectory, development is anticipated to commence on site towards the end of 2018.

Former RAF Newton Site (Core Strategy Policy 22 for around 550 dwellings)

2.12 Outline planning permission was granted for the Former RAF Newton Site (Phase 2) for up to 500 dwellings in January 2014. Although preliminary discussions have taken place in relation to a Reserved Matters application, delivery issues concerning a footbridge required over the A46 has led to delays. Development is anticipated to start in 2019.

South of Clifton (Core Strategy Policy 24 for around 3,000 dwellings)

2.13 Outline planning permission for Land South of Clifton (3,000 dwellings) was granted in January 2018 following lengthy delays due to a number of technical issues raised during consideration of the planning application. At the time of writing, a Reserved Matters application has yet to be submitted for the site. Therefore, taking previous delays into consideration, it is possible that development will be delayed beyond the anticipated 2019/2020 start date (as outlined in RBC’s Housing Trajectory).

East of Gamston/ North of Tollerton (Core Strategy Policy 25 for around 2,500 homes up to 2028 and a further 1,500 post 2028)

2.14 Considerable delays also appear to continue with the East of Gamston/ North of Tollerton Strategic Site. Although pre-application discussions are underway, it is not anticipated that a planning application will be submitted in the near future. Currently RBC’s Housing Trajectory anticipates that development will start on site in 2020/2021. This is unrealistic.

Anticipated Delivery Rates

2.15 In a relatively recent study¹ (November 2016), Nathaniel Litchfield and Partners (NLP) (now Lichfields) reviewed the average planning approval period (the period from validation date of the first planning

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¹ Nathaniel Litchfield and Partners. (November 2016). ‘Start to Finish – How Quickly do Large-Scale Housing Sites Deliver?’
application to approval of a detailed application - not including discharge of conditions) as well as the average planning to delivery period of first dwelling for large scale housing sites. The study (which assessed over 70 sites) concluded that typically, a site of over 500 dwellings would take 5+ years from validation of a planning application to delivery. This lengthy timeframe is reflected in a number of RBC's site allocations including the Edwalton Strategic Site for which the original Outline application was validated in April 2008. Development on the site started in 2016/2017, some 8 years later. Similarly, an Outline planning application for the Former Cotgrave Colliery Site was validated in April 2010 with construction starting on site in 2015/2016 (5/6 years later).

2.16 Taking this into consideration, it can be assumed that development of South of Clifton (Outline planning application was validated in July 2014) will commence in 2019/2020 (as currently scheduled within RBC's Housing Trajectory). However, as an Outline planning application for East of Gamston is yet to be submitted and, taking the delays experienced by all the other strategic sites into consideration, it is very unlikely that construction will commence by 2020/2021 as currently scheduled within RBC's Housing Trajectory). CEG consider that a more realistic start date is 2023/2024 at the earliest.

2.17 CEG also consider the yearly build out rates, as outlined in the Council's 2017 Housing Trajectory, to be fairly ambitious. The Housing Trajectory anticipates that build out rates for both Land South of Clifton and East of Gamston/ North of Tollerton to peak at 250 houses per year between 2021 – beyond the plan period. Whilst CEG acknowledge that information submitted in respect of South of Clifton has indicated this to be possible, it would require continuous building and selling at high rates on site which is unlikely to be consistently maintained over this lengthy period (8 years and beyond). Whilst it can be very difficult to judge at the outset how the local housing market will respond to high build out rates, local absorption rates are an important consideration that often lead to reduced housing delivery (particularly when building over a short space of time).

2.18 NLP’s research into delivery (as referenced above) also assessed the annual build out rate of 70 large sites and found that schemes of over 2,000 units will on average deliver circa 161 units per annum. In line with these findings, CEG consider that it would be more reasonable to assume a lower average build out rate that is more realistic in terms of market delivery. An average delivery of 200 homes per annum would, whilst still ambitious, be much more realistic and provide scope for some years where delivery may be lower. Further, CEG is not aware of any evidence that demonstrates that the East of
Representations to the Local Plan Part 2 – Publication Draft

Gamston Strategic Site (currently at pre-application stage) can deliver 250 units per annum.

2.19 If the average yearly delivery were to reduce, and a realistic start date for the development of East of Gamston considered, then amendments to the Housing Trajectory would mean the Council will have a shortfall of 1,100 dwelling throughout the plan period.

2.20 We consider that this shortfall of housing is best met through the allocation and delivery of additional smaller but sustainable sites (with a shorter lead in time and quicker build out rate) at Key Settlements throughout the Borough, one of which is Keyworth.

2.21 As outlined in CEG’s representations to the Local Plan Part 2, Preferred Sites Plan in November 2017, CEG reiterate the availability and opportunity of allocating additional land to the south east of the Land off Nicker Hill (Location Plan outlined in Appendix A) to meet any potential housing shortfall due to delays in the strategic sites during the plan period. CEG consider that, in technical terms, the wider site could deliver 150 additional dwellings to that already allocated together with land safeguarded for a primary school to accommodate potentially wider education needs in the village – an alleged constraining factor identified by RBC in its justification for limiting additional growth to Keyworth.

2.22 Such an extension to the allocation can be accommodated within clearly defined boundaries within a general area that has been identified in the technical evidence base as having limited impact upon the purposes of the Green Belt.
Safeguarding Land

2.23 Notwithstanding the above, the Green Belt constraints within the Borough provide no contingency or flexibility to bring forward additional sites outside of a Local Plan and Green Belt review should larger strategic sites stall. This could perpetuate the historic position in Rushcliffe where the borough has failed to consistently deliver a minimum five-year supply of housing. Whilst CEG consider that additional sites in sustainable locations should be allocated; a sensible alternative would be to identify ‘safeguarded land’ that could be brought forward should the housing trajectory not deliver as planned.

2.24 Paragraph 85 of the NPPF (and paragraph 138 of the revised draft NPPF) outlines that when defining Green Belt boundaries, Local Planning Authorities should ‘where necessary, identify in their plans areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period’. Safeguarded land within the context of these representations may meet longer-term needs OR meet current needs should additional housing land be needed due to delivery shortfalls.

2.25 CEG consider that should RBC choose to safeguard land as an alternative to the preferred strategy of identifying additional or extended allocations, this should in the first instance, be focussed on ‘Key Settlements’ surrounded by Green Belt which are most likely to accommodate future housing growth. One such site that could accommodate a proportion of these additional homes is land to the south east of Nicker Hill (Appendix A).

2.26 CEG consider that land abutting ‘Land off Nicker Hill’ to the south east (Appendix A) is suitable for safeguarding should an extension to the emerging formal allocation not be accepted by RBC at this time.
3.0 Policy 4.1 – Land off Nicker Hill

3.1 CEG fully endorse the proposed allocation at Land off Nicker Hill (Policy 4.1) for around 150 new homes. It can confirm that the Land off Nicker Hill Site is available and deliverable and can comfortably accommodate this level of development. However, for the reasons set out in Section 2 above, the site allocation should be extended / or further land ‘safeguarded’ to accommodate likely additional development pressure including a potential primary school.

3.2 As the scheme emerges, CEG will continue to work closely with the Parish Council and the residents of Keyworth to support the masterplan concept and subsequently the delivery of a high quality, locally responsive development.

3.3 Comprehensive site specific technical assessments and studies including transport, ecology, flood risk, landscape and the historic environment have been carried out for Land off Nicker Hill which demonstrates the site to be deliverable and developable. This work has included initial engagement with various Statutory Consultees including the Highway Authority.

3.4 A planning application for 153 dwellings and associated green space is currently being prepared for the site and is due to be submitted in September 2018. First completions are anticipated onsite in 2020/21 with a three- year build out rate. Should additional land be allocated as proposed in these representations, a further 50 dwellings could be completed within the five years from Part 2 Local Plan adoption (assumed spring 2019) with the remaining 100 dwellings completed within the Local Plan period 2028.

3.5 The wider site is well contained and represents a sustainable location. Thorough tests of the Green Belt have been carried out by both the Parish Council and Local Authority concluding that development to the east of Keyworth (where Land off Nicker Hill is located) will have the least impact on the purposes of the Green Belt. We consider that this further justifies the appropriateness of releasing the wider site (as outlined in Appendix A) for development.
4.0 Summary

4.1 CEG can confirm that the Land off Nicker Hill Site (KEY 4) is available for development; is a suitable location for housing; and can substantially contribute towards RBC’s housing need.

4.2 RBC is currently unable to demonstrate a 5 year land supply. Following detailed review of RBC’s Housing Trajectory, CEG consider that anticipated delivery rates are unachievable. Continued delays to the delivery of both the South of Clifton and East of Gamston Strategic Sites (allocated in RBC’s Core Strategy) are likely to lead to a shortfall of housing during the plan period.

4.3 CEG consider that this housing shortfall is best met through allocations of smaller sustainable sites at Key Settlements (such as Keyworth) throughout the Borough. Land to the south east of Nicker Hill is available and deliverable and could deliver up to 150 additional dwellings together with a primary school safeguarded site during the plan period.

4.4 Green Belt restrictions mean there is currently little flexibility in RBC’s housing strategy. In the alternative to additional allocations or extended allocations, safeguarding additional land for development borough wide, such as land to the south east of Nicker Hill, will provide RBC with a fall-back position and alternative strategy should any of the strategic sites and Local Plan Part 2 sites fail to come forward. Considering the current housing shortfall due to delays in the strategic sites coming forward, it is crucial RBC allocate or safeguard enough land through the Local Plan Part 2 to ensure housing supply is not jeopardised during the plan period.
Appendix A: