It is our view that the Plan as published is not sound because

A) its policies on site allocations conflict with national and with other Rushcliffe Local Plan policies on protecting the Green Belt and valued landscapes

B) it prioritizes more damaging options instead of reasonable alternatives, in particular regarding housing land supply and site allocations at East Bridgford.

A) Policy Conflict

It is our judgement that many of the site allocation policies in Local Plan Part 2 conflict with national and Rushcliffe Local Plan Part 1 (Core Strategy) policies on protecting the Green Belt and valued landscapes.

The National Planning Policy Framework is clear on the importance of protecting Green Belts as below

“9. Protecting Green Belt land

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

80. Green Belt serves five purposes:
● to check the unrestricted sprawl of large built-up areas;
● to prevent neighbouring towns merging into one another;
● to assist in safeguarding the countryside from encroachment;
● to preserve the setting and special character of historic towns; and
● to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”
Local Plan Part 1 (Core Strategy) includes the following particularly relevant sections in policies intended to secure the protection and integrity of the Green Belt

“POLICY 4: NOTTINGHAM-DERBY GREEN BELT

1. The principle of the Nottingham Derby Green Belt within Rushcliffe will be retained and it will only be altered where it is demonstrated that exceptional circumstances exist.

... 

7. When reviewing Green Belt boundaries, consideration will be given to whether there are any non-Green Belt sites that are equally, or more, sustainably located to cater for development needs within the Borough before making alterations to the Green Belt. Regard will be had to:

a) the statutory purposes of the Green Belt, in particular the need to maintain the openness and prevent coalescence between settlements;”

Many of the Local Plan Part 2 proposed site allocations require changes to Green Belt boundaries which conflict with the statutory purposes of the Green Belt because they encroach into the countryside or lead to near coalescence between settlements. The Green Belt policies are also not consistently applied in Local Plan Part 2 in that some candidate sites are not allocated because doing so would conflict with the purposes of the Green Belt whereas others with the same effect (at East Bridgford and Radcliffe on Trent) are allocated.

The National Planning Policy Framework is clear on the importance of protecting “valued landscapes” as below

“11. Conserving and enhancing the natural environment

109. The planning system should contribute to and enhance the natural and local environment by:

● protecting and enhancing valued landscapes”.

Local Plan Part 1 (Core Strategy) includes the following particularly relevant sections in the policy intended to secure landscape protection

“POLICY 16: GREEN INFRASTRUCTURE, LANDSCAPE, PARKS AND OPEN SPACE

... 

e) Landscape Character is protected, conserved or enhanced where appropriate in line with the recommendations of the Greater Nottingham Landscape Character Assessment. Criteria for the assessment of proposals and any areas of locally valued landscape requiring additional protection will be included the Local Plan Part 2 (Land and Planning Policies).”
It is disappointing that Local Plan Part 2 does not include the criteria Local Plan Part 1 said would be included. This weakens landscape protection especially in conjunction with some of the Local Plan part 2 site allocations.

B) Housing land supply and site allocations

Local Plan Part 2 overallocates housing land by 739 dwellings over the plan period arguing at 3.4 that a ‘buffer’ is necessary in case of delays with existing allocations. We are not persuaded by this because any delays can (and in our view should) be dealt with by first making every effort to establish and remedy the cause of the delay and, if that fails, by finding additional sites using NPPF policies. Housing delivery is monitored annually in any case so that Rushcliffe will have an up to date assessments of delivery progress. It seems more sensible to us to rely on evidence from the monitoring process in order to decide whether action is needed instead of the course of action proposed by Rushcliffe in Local Plan Part 2 i.e. to second guess delivery progress and allocate additional, unsuitable sites (with poor public transport, damaging to the Green Belt and/or landscape etc). Once allocated in an adopted Local Plan, these sites are policy and given how attractive especially smallish sites in Rushcliffe villages are to housing developers, it is very likely that these unsuitable sites will be developed when there may well not have been any need to do so.

It is also worth noting that at planning application stage a (numerically, using the standard method for calculating it) housing land supply for less than 5 years does not necessarily override other important planning considerations. Two cases may serve to illustrate this point. The Planner reported on 19/04/17 that an inspector had blocked plans for 85 homes in Buckinghamshire after deciding that the scheme would harm the green gap between two nearby settlements, causing them to merge and lose their individual character; and in 2017 then Secretary of State Sajid Javid overturned an inspector’s decision to allow 265 homes in Essex because the scheme would cause permanent and significant harm or the Green Belt (Appeal Ref APP/M1520/A/14/2216062). So even in areas of very high housing demand – higher than in Rushcliffe – housing land targets do not automatically override other planning considerations.

The site selection methodology has not been followed consistently for Local Plan Part 2. For example, candidate sites at Ruddington are rejected due to the danger of coalescence

“6.58 Due to the proximity of Ruddington to the main urban area of Nottingham and the importance of the Green Belt designation which prevents the merging of these areas, sites to the north and west (RUD02, RUD08 and RUD15) of Ruddington are considered to be of paramount importance in maintaining separation. They are therefore considered to be fundamentally constrained.”

(Rushcliffe Local Plan Part 2: Land and Planning Policies Housing Site Selection Report April 2018)

Parallel arguments would hold for the East Bridgford sites at Policies 8.1 and 8.2 (coalescence with Car Colston, encroachment into open countryside) and the Radcliffe on Trent sites at Policies 5.3 and 5.4 (encroachment into open countryside) and yet these sites are allocated. In addition, it is unclear why the
sites in East Bridgford have been allocated given that there are alternative, more dispersed sites in the village, which would not have the same damaging impact and as far as we are aware would also have far greater acceptance from local residents. In fact, Local Plan Part 2 effectively concedes that the two sites at 8.1 and 8.2 are unsuitable in specifying that the development must “not detract from the character of Butt Lane as a rural approach to the village” and that “development which borders the open countryside to the east should be screened by a substantial tree belt” (Local Plan Part 2 pp.51 and 52). It is our view that it will not be possible to protect the rural character of the edge of the village if these sites are developed.