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.
REPRESENTATION.

POLICY 2.1.

HOUSING ALLOCATION - LAND REAR OF MILL LANE / THE OLD PARK, COTGRAVE (COT 01).

Cotgrave Colliery was started to be built on the 21st October 1960.

The Aberfan Disaster took place in 1966 killing 116 children and 27 adults, at this point in time, the National Coal Board took very little interest in how spoil tips were constructed.

Cotgrave Colliery has vast amounts of rubbish of varying types buried within it, including a large number of fifty gallon drums containing fluids of different types.

Around the perimeter of Cotgrave Colliery a screen of trees were planted, to provide a screen for the workings.
In this forest area between Mill Lane and the Grantham Canal, the trees have there roots running along the surface, but is due to the ground being waterlogged.

The Grantham Canal was maintained by British Waterway and was a statutory corporation wholly owned by the Government of the United Kingdom. British Waterways has now become a charity called THE CANAL AND RIVER TRUST which was launched on 12th July 2012.

The funding for this charity in the future has now become very dubious, this will leave the maintenance of the Grantham Canal very uncertain for the future.

The National Coal Board closed down on the 5th March 1987 and has been replaced by the Coal Authority Gov. UK.

They were unable to answer the following questions:

1. The type of tree things that were planted on the spoil tips.

2. How close together the trees things were planted.
3. The depth of earth the tree twigs were planted in.
4. The purpose the tree twigs were planted for.
5. Who planted the tree twigs.
6. The reason for the planting of the tree twigs.
If the purpose of the tree twigs planting was to stabilize the spoil tip, this can no longer be so, with the advent of CLIMATE CHANGE.
Climate change is causing FLASH FLOODING, DROUGHT, FOREST FIRES and has also caused the influx of hundreds more TREE DISEASES from EUROPE and also the same effect with TREE PESTS. This will leave trees that were planted for soil stability in the future very VULNERABLE for carrying out this task.

The average tree in the UK drinks 100 GALLONS of water a day.

Some of the trees growing on the cutover spoil tip are dying, possibly due to lack of water at the present time.
for the various above reasons I believe the building
of houses in the vicinity of
Cotgrave Cellars spoil tip
to be unsound.
Please will you
provide me with an acknowledgment of the
representation receipt.
Figure 1: Housing and Employment allocations at Cotgrave
Planning Policy  
Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road
West Bridgford
NG2 7YG

Dear Sir,

I/We find that the draft LAPP published by Rushcliffe Borough Council,

• is non compliant in its duty to cooperate with the emerging Gotham Neighbourhood Plan and with existing and planned national policy

• is unsound as it has not followed existing and proposed national policy on use of smaller sites and housing numbers

• is unsound in that it is not effectively evaluated alternative sites

• is unsound in that it unnecessarily removes land from the green belt.

• is non compliant in that nothing has been mentioned in the Plan of the proposed access to the GOT5a site which we understand is to come off Leake Road. This should be consulted upon before the land is allocated from the green belt.

National policy has indicated that Rushcliffe housing targets are 30% higher than they should be according to the formula set out in the ‘Planning for the right homes in the right places’ which sets the housing targets for Rushcliffe at 600 per year, i.e. 10,200. Also Rushcliffe’s own Core Strategy states that housing allocations in villages like Gotham should be for local needs only.

The LAPP Policies Map for Gotham should be redrawn to ensure that GOT4 remains in the Green Belt, i.e. outside the new inset line. National policy for the Green Belt says that land should only be removed from the Green Belt in exceptional circumstances. The LAPP Policies Map shows GOT4 removed from the Green Belt without any exceptional circumstances.

Rushcliffe should have taken note of the Housing Policy and Green Network policies in the Gotham Neighbourhood Plan and set out their plan to accommodate these.

• The LAPP Policies Map for Gotham should be redrawn to include sites GOT1 and GOT3 within the inset boundary

• The LAPP Policies Map for Gotham should be redrawn to remove GOT5a and GOT4 from the inset boundary

Yours sincerely

your signature your name K. A O’Hara-Dhand
Comment

Consultee: Mr Keith Oliver (1074482)
Event Name: Local Plan Part 2 (Publication Draft)
Comment by: Mr Keith Oliver (1074482)
Comment ID: 76
Response Date: 28/06/18 13:22
Status: Submitted
Submission Type: Web
Version: 0.1

To which document does your response relate? Local Plan Part 2 Publication Version

Page number: 44 to 46
Paragraph number: all
Policy reference: Policy 6.1: Housing Allocation – Land west of Wilford Road, Ruddington
Site reference: Policy 6.1: Housing Allocation – Land west of Wilford Road, Ruddington
Policies Map: Yes

Do you consider the Local Plan Part 2 to be legally compliant? Yes
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).

**Do you consider the Local Plan Part 2 to be sound?**

No

**Do you consider this to be because it is NOT:**

(please tick all that apply)

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

Please give reasons for your answer, 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).

The appeal allowed for 175 houses on Asher lane Appeal Ref: APP/P3040/W/17/3185493 constitutes a major and material change which has NOT been considered in this local plan. This must be taken into account before this plan is published.

The sites which this plan proposes to remove from the Green Belt around Ruddington should now be removed from this plan as they are not required to meet housing demand and are unsuitable as set out by the appeal inspector (copy paragraphs of appeal decision below) for reasons of flooding and remoteness from the village centre and for the following reasons:

The plan policies signal to developers that the Green Belt around Ruddington is "up for grabs" and to continue with this process would result in more speculative and uncontrolled development.

The road traffic resulting from the houses on the allowed appeal site would cause major congestion in Ruddington (as agreed by the council in their original rejection of the application) and further large sites away from the village centre would result in gridlock as most new residents would seek to access village facilities by car.

**Appeal Decision:**

1. The Council’s preferred sites do not demonstrate all of these advantages. Whilst RUD01 is also urban fringe it is, in my judgement, far more prominent than the appeal site especially when viewed approaching the village on the south sloping Wilford Road next to the golf club. Its northern boundary is only a field ditch and this offers no screening to any new development, albeit that landscaping could be provided. Nonetheless, this boundary cannot realistically be termed strong or defensible. The green gap between West Bridgford and Ruddington is relatively narrow and development at RUD01 would narrow it even more. The majority of RUD01 is also in Flood Zone 2. Although the Council has carried out a sequential test22 its decision to prioritise RUD01 above the appeal site is in essence based on the latter’s highway constraints.

   National policy does not favour development on sites in Flood Zones (FZ) 2 and 3 where land in FZ 1 like the appeal site is available.

2. RUD05 and RUD13 lie on the east side of the A60 unlike the village which lies on its west. There is some development on Flawforth Lane and Flawforth Avenue and RUD05 adjoins it. But at RUD13, which would take its access off the Mere Road roundabout, there is no existing development on the east side of the A60. Both sites, and especially RUD13, would be disconnected from the heart of the village, with relatively poor accessibility compared with the appeal site. In my opinion the A60 acts as a considerable physical and visual barrier to development on the eastern side of the village. Neither site would follow the historic morphology of the village and neither would have strong or defensible boundaries, merely field hedges.

**Do you consider that the Local Plan Part 2 complies with the Duty to Co-operate?**

Yes
Please set out what change(s) you consider necessary to make the Local Plan Part 2 legally compliant or sound, having regard to your previous responses. 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.

Remove Green Belt sites RUDD01 and RUDD13 from Plan

If your representation is seeking a change, do you consider it necessary to participate at the hearing sessions of the Public Examination? Please note: if you select NO, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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

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
Comment

Consultee: Owen (989519)
Event Name: Local Plan Part 2 (Publication Draft)
Comment by: Owen (989519)
Comment ID: 47
Response Date: 26/06/18 22:43
Status: Submitted
Submission Type: Web
Version: 0.1

To which document does your response relate? Local Plan Part 2 Publication Version

Page number: 44
Paragraph number: 3.72, 3.73, 3.74, 3.75, 3.80
Policy reference: Policy 6.1: Housing Allocation – Land west of Wilford Road, Ruddington
Site reference: Policy 6.1: Housing Allocation – Land west of Wilford Road, Ruddington

Policies Map

Do you consider the Local Plan Part 2 to be legally compliant? No

Please give reasons for your answer, 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).

As per the Chief Planning Inspector, Nick Fagan's report of 23 May 2018 referring to 175 dwellings on land North of Asher Lane, Ruddington (reference application number 16/03123/OUT) outline planning permission has been granted for 175 dwellings at land North of Asher Lane, Ruddington. This was not
included in the Local Plan Part 2 for Ruddington. Ruddington is therefore potentially getting 175 more homes than the allotted 250 homes allowed for in the 3 locations that have been put forward in the Local Plan Part 2.

To quote Mr Fagan regarding Policy 6.1 "(this site is in urban fringe it is, in my judgement, far more prominent than the appeal site (land of Asher Lane, Ruddington) especially when viewed approaching the village on the south sloping Wilford Road next to the golf club. Its northern boundary is only a field ditch and this offers no screening to any new development, albeit that landscaping could be provided. Nonetheless, this boundary cannot realistically be termed strong or defensible. The green gap between West Bridgford and Ruddington is relatively narrow and development at RUD01 (Policy 6.1) would narrow it even more. The majority of RUD01 (Policy 6.1) is also in Flood Zone 2. Although the Council has carried out a sequential test, its decision to prioritise RUD01 (Policy 6.1) above the appeal site is in essence based on the latter's highway constraints. National policy does not favour development on sites in Flood Zones (FZ) 2 and 3 where land in FZ 1 like the appeal site is available."

This is basically saying that the land in Policy 6.1 is not a favoured development site due to the flood zone risk.

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).

Do you consider the Local Plan Part 2 to be sound?  

Do you consider this to be because it is NOT:  
- Consistent with national policy

Please give reasons for your answer, 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).

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This is basically saying that the land in Policy 6.1 is not a favoured development site due to the flood zone risk.
Please set out what change(s) you consider necessary to make the Local Plan Part 2 legally compliant or sound, having regard to your previous responses. 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.

Ruddington Policy 6.1 has been commented on by Chief Planning Inspector, Nick Fagan, as being unsuitable, particularly with reference to the Flood Zone risk. Ruddington will have too many housing sites allocated to it due to the successful appeal for 175 dwellings at land North of Asher Lane, Ruddington which was reported on 23 May 2018 by Nick Fagan, Chief Planning Inspector. Ruddington Policy 6.1 should not be allowed to be built on as Ruddington will have met its housing quota with Policy 6.2, 6.3 and Land North of Asher Lane, Ruddington.

As per Nick Fagan's comments, there are issues surrounding Policy 6.3 as follows: "But at RUD13 (Policy 6.3), which would take its access off the Mere Road roundabout, there is no existing development on the east side of the A60. Both sites (Policy 6.2 and Policy 6.3), and especially RUD13 (Policy 6.3), would be disconnected from the heart of the village, with relatively poor accessibility compared with the appeal site (Land North of Asher Lane, Ruddington). Although these are problems, they would appear to be sound unfortunately.

If your representation is seeking a change, do you consider it necessary to participate at the hearing sessions of the Public Examination? Please note: if you select NO, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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.

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.