Rushcliffe Local Plan Part 2

Summary of main issues raised in representations to the Rushcliffe Local Plan Part 2 Publication Version

Regulation 22(c)(v-vi) Statement

August 2018
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1. Introduction

1.1 The publication version of the Rushcliffe Local Plan Part 2: Land and Planning Policies was published on 16 May 2018 in order for representations to be made by the public and others. The end of the representation period was 5pm on 28 June 2018.

1.2 This statement sets out how many representations were made on the Local Plan Part 2 Publication Version and provides a summary of the main issues the representations have raised. This statement has been produced in accordance with regulation 22(c)(v-vi) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the Regulations”). In accordance with regulation 22 d) of the Regulations, all of the original duly made representations are submitted to the Secretary of State alongside this statement.

1.3 There is a separate statement which covers the requirements of regulation 22(c)(i-iv) of the Regulations and covers the earlier rounds of consultation undertaking in preparing the Local Plan Part 2. This is the ‘Summary of consultation, main issues raised and responses’ which was published in May 2018.

1.4 These two statements together are intended to meet the requirements of 22(c) of the Regulations in full.

Representation period

1.5 The Council published the Rushcliffe Local Plan Part 2 Publication Version on 16 May 2018 and allowed just over six weeks for representations to be received. The Council made the Local Plan Part 2 Publication Version, its Policies Maps, the Sustainability Appraisal Report and the Summary of consultation, main issues raised and responses report available for inspection at the Rushcliffe Community Contact Centre, libraries within Rushcliffe and on the Council’s website. Alongside this the Council provided representation forms and guidance notes at each location. On the Council’s website all available proposed submission documents and published supporting evidence to the Local Plan Part 2 publication version was also made available for review.

1.6 Representations could be made via the Council’s Consultation Portal, in writing or via email.
1.7 The Council wrote to or emailed all specific consultees providing hard and/or electronic copies of the publication documentation. General consultees who had previously expressed an interest or made comments on the previous Core Strategy stages were also contacted and informed of the representation period.

1.8 In accordance with the regulation 19 of Regulations, the Council wrote to or emailed all ‘specific’ and ‘general’ consultees to make them aware of the Local Plan Part 2’s publication and providing details of where it and relevant supporting documents could be inspected and how representations could be made (see Appendix A and B). These details were also sent to members of the public who had previously expressed an interest in the Local Plan preparation process and/or made comments on the previous Local Plan stages.

**Number of Responses Received**

1.9 There have been 459 individual respondents (representors) to the Local Plan Part 2 Publication Version. It is the opinion of the Borough Council that these responses raised 1,339 specific responses in relation to the plan.

1.10 Two petitions were received. One concerning and objecting to housing proposals for East Bridgford (signed by 273 persons) and one concerning and supporting housing proposals at Keyworth (signed by 16 persons).

1.11 A total of 11 individual representations were received that it is judged are inadmissible due to a lack of clear correspondence details within the letters/submissions received.
2. **Summary of main issues**

**Whole Plan responses**

2.1 There are 15 individual responses made which relate to plan as a whole, rather than a section or specific policy. From these 15 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 1 response indicates that the plan is unsound;
- 4 responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.2 **Gotham Parish Council** argues that under Section 15 of the Planning and Compulsory Purchase Act 2004 the Borough Council is obliged to publish a Local Development Scheme setting out a timetable for the publishing of the various parts of the Local Plan. The words adequate and up to date can be implied. The Borough Council has simply not done this and so is in direct conflict with that legal requirement. The Part Two Local Plan is the only part of the development plan not yet completed and so the failure goes to the heart of the legality of the document currently out for consultation.

2.3 **Charnwood Borough Council** considers that the plan is legally compliant.

2.4 **Severn Trent** advise that reference to the use of SuDS and the drainage hierarchy are incorporated within the development requirements for all site allocation policies.

2.5 Where an allocation requires net-gains in biodiversity or Green infrastructure **Friends of Sharphill Wood** encourage the identification of specific measures to ensure the net-gains in biodiversity. Without specific detail’s the delivery of nature conservation development requirements may not be achieved.

**Soundness**

2.6 **The Coal Authority** identifies that it would expect consideration to be given to ground conditions/land stability as part of the site selection process for the allocations. It therefore assumes that the Council has reviewed the
downloadable information which the Coal Authority provides in respect of Development Risk plans when assessing the sites for allocation. On this basis the Coal Authority has no specific comments to make on the draft document as proposed.

2.7 **Charnwood Borough Council** considers that the plan is sound.

*Duty to cooperate*

2.8 **Gotham Parish Council** argues that the Borough Council is non-compliant in its duty to co-operate with the emerging Gotham Neighbourhood Plan, and compliance with national policy.

2.9 **Charnwood Borough Council** considers that the plan meets the duty to cooperate.

**Section 1 – Introduction**

2.10 There are 3 individual responses made in relation to this section rather than a specific policy. From these 3 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is not legally compliant;
- 1 response indicates that the plan is unsound; and
- 1 response indicates that the plan complies with the duty to cooperate;

*Legal compliance*

2.11 No issues were raised.

*Soundness*

2.12 **IM Land** believe that Local Plan Part 2 should identify additional sites and state this in the Spatial Vision and Objectives section.

*Duty to cooperate*

2.13 No issues were raised.
Section 2 – Sustainable Development

2.14 There was one individual response made in relation to this section rather than a specific policy. This single individual response (where a preference was specifically expressed) indicated that the plan is unsound.

Legal compliance

2.15 No issues were raised

Soundness

2.16 The single respondent highlighted the need for the plan to incorporate good design principles. Barton in Fabis Parish Council raised concern that the existing wording at paragraph 2.4 is too vague and should contain a clear and specific statement on design principles that incorporates the importance of adhering to local vernacular.

Duty to cooperate

2.17 No issues were raised

Policy 1: Development Requirements

2.18 There are 17 individual responses made in relation to this policy or its supporting text. From these 17 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 9 responses indicate that the plan is unsound;
- 4 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.19 No issues were raised.
**Soundness**

2.20 **Aaslockton Parish Council** have requested that the pepper potting of affordable housing should be added to the list of requirements and further clarification and definition of what is meant by both ‘infill’ and ‘local needs’.

2.21 **Nottinghamshire County Council** require more emphasis is given to creating environments that make people feel safe, secure and free from crime.

2.22 **Natural England** have requested that the protection of soils be added to the list of criteria and suggest additional wording to make clear that areas of lower quality agricultural land should be used in preference to BMV land.

2.23 **Taylor Wimpey** request the removal of criteria 11 (renewable energy) arguing this is inconsistent with national policy.

2.24 **Friends of Sharphill Wood** argue that criteria 6 and 7 of the policy are not robust enough and suggest alternative wording. **Nottinghamshire County Council** request additional text for criterion 6 in relation to wildlife protection. **Rushcliffe Nature Conservation Strategy Implementation Group (RNCSIG)** have also requested that criterion 6 is strengthened and wording amended to refer to biodiversity improvements. It is argued this would be more positive and better reflect the requirements of LP1 Policy 17. **Nottinghamshire Wildlife Trust** have similar concerns and also suggest alternate wording for criterion 6.

2.25 **Rushcliffe Green Party** request criterion 4 to be amended to include consideration of development overshadowing photovoltaic or solar thermal panels. They also request the policy includes a requirement for provision for water fountains for new developments to reduce use of single use plastics.

2.26 **Severn Trent Water** request including reference to drainage and water consumption under this policy.

**Duty to cooperate**

2.27 No issues were raised.

**Section 3 – Housing Development**

2.28 There are 243 individual responses made in relation to this section. From these 243 individual responses (where a preference is specifically expressed):
• 25 responses indicate that the plan is legally compliant;
• 9 responses indicate that the plan is not legally compliant;
• 7 responses indicate that the plan is sound;
• 170 responses indicate that the plan is unsound;
• 27 responses indicate that the plan complies with the duty to cooperate; and
• 5 responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.29 **Saxondale Parish Meeting** object as the plan does not take into account the needs of the travelling community, it does not take account of religious or race collectivism and it actively discriminates against the disabled community and racial or religious group identities.

2.30 One respondent argues that the Borough Council is unilaterally increasing the number of new homes and has failed to disclose any evidence that such a review and consultation has been undertaken. Merely stating they have consulted is insufficient.

**Soundness**

**Housing land supply**

2.31 Most respondents from the development sector argue that the plan needs to allocate more sites to both satisfy five year housing supply requirements and to meet the housing target over the plan period. The two main reasons provided in support of this viewpoint are that, first, the Council has overestimated the number of homes that will be provided on the strategic sites allocated by the Core Strategy and, second, that plan needs to include a larger ‘buffer’ of housing land to guard against potential future under-delivery on particular housing sites and lapsed permissions.

2.32 In respect of projected housing delivery rates on the strategic sites, particularly on the south of Clifton and east of Gamston/north of Tollerton sites, it is both suggested that the Council’s predicted start dates for housing delivery are too ambitious and also that average annual delivery rates once development is underway are too ambitious. To support both arguments, a number of respondents point to a report by Nathaniel Lichfield and Partners concerning housing delivery of larger sites.
2.33 Some, though not all, of the respondents from development sector, who argue that current plan proposals will result in housing under delivery, suggest a figure for the number of additional homes required. A range of different figures are advocated – for example, **Cliffe Investments Ltd** suggests that land for around a further 1,400 homes needs to be allocated, while **Oxalis Planning Ltd** suggests that land needs to be allocated for a further 1,934 homes. **Langridge Homes Ltd** suggests an increase in total housing supply of between 1,774 and 3,292 homes.

2.34 In relation of the plan’s housing supply ‘buffer’ it is identified by some respondents that although there is no prescribed allowance it should nevertheless be, markedly higher. **Gladman Developments**, for example, identify that the housing trajectory’s estimated delivery of 14,388 homes to 2028 represents 9% contingency but, instead, a flexibility factor of between 10% and 20% should be included based on contingency Some refer to the Homes Builders Federation (HBF). Others refer to Local Plan’s Expert Group’s recommendation that local plans provide for a mechanism for the release of, developable ‘Reserve Sites’ equivalent to 20% of the housing requirement, as far as is consistent with the policies set out in the NPPF.

2.35 **Home Builders Federation (HBF)** agrees that a flexibility contingency should be applied to the overall housing land supply (HLS) in order that the Plan is responsive to changing circumstances and the adopted housing requirement is treated as a minimum rather than a maximum ceiling on overall HLS. It is acknowledged there can be no numerical formula to determine the appropriate quantum of such a flexibility contingency however where a Local Plan or a particular settlement or locality is highly dependent upon one or relatively few large strategic sites greater numerical flexibility is necessary than in cases where supply is more diversified. The HBF recommends as large a contingency as possible (at least 20%) especially given the Council’s past experience of difficulties with HLS due to the delayed start of strategic sites. The Council’s proposed contingency (+700 dwellings) is below this recommendation.

2.36 **HBF** states the Council’s latest 5 year housing land supply (YHLS) calculation is based upon the HBF’s preference for a 20% buffer applied to both the annualised housing requirement and shortfall together with a Sedgefield approach to shortfalls. However in its 5 YHLS calculation the Council is not applying a lapse rate. Such an approach is only appropriate if the Council’s assumptions on the housing delivery rates of individual sites included in the trajectory together with windfall allowances are realistic and there is sufficient contingency within the overall HLS. Otherwise as set out in the Local Plans Expert Group (LPEG) Report on 5 YHLS calculations (Appendix 13) a 10% lapse rate should be applied.
2.37 A handful of development sector respondents argue that the plan does not go far enough in allocating small sites as promoted by the new draft National Planning Policy Framework. It is argued by some that opportunities exist for widening the range of small site allocations in settlements including Aslockton and Costock. The decision to allocate land at Bunny Brickworks and Flintham contradicts the decision not to allocate similar sized sites within other villages.

2.38 One respondent argues that it is likely that the NPPF will be changed to include the requirement for 20% of sites identified in their plans to be half a hectare or less. The plan does not comply with this.

2.39 **Nottinghamshire Wildlife Trust** objects to the allocation of extra sites, particularly at smaller settlements, to compensate for the delays to the strategic sites. If the strategic sites also come forward there will be an over provision of housing development. It is concerned for the environmental impacts of this potential overprovision and of development in unsustainable locations. Growth at smaller settlements is unsustainable and against the principles of the Core Strategy.

2.40 **Rushcliffe Nature Conservation Strategy Implementation Group (RNCSIG)** is concerned that the original large sites were chosen for housing after much debate and that delays in building on them are distorting the process. It is concerned that these less sustainable village sites will be delivered first, followed by the delayed major sites with the result that more land is taken than is strictly necessary. RNCSIG feels that greenfield site allocations must be kept to an absolute minimum and any collateral damage or loss to local wildlife capital (Local Wildlife Sites, Nature Reserves and Green Corridors) must be avoided. However if such sites are allocated any buffering or mitigation will need to be significant. But such mitigation is always second best, as once valuable sites are damaged or lost mitigation cannot fully replace the lost biodiversity.

2.41 **East Leake Parish Council** objects to the housing proposals on the basis that there is an underestimate of the number of homes most could accommodate, meaning more land will be taken than is required. The plan should therefore specify a minimum density, densities should be monitored and the number of homes on each site should be reassessed. The Parish Council is critical for what it sees as a failure to allocate further sites next to the edge of the main Nottingham urban area and to also allocate additional sites at other key settlements (not East Leake) to ensure that housing growth in those settlements is level with what has taken place at East Leake. They request that further main urban area sites are allocated (including Edwalton Golf Course) and that additional sites are allocated at all key settlements.
except at East Leake. It is also suggested that safeguarded sites are added at the urban edge, key settlements, and selected third tier settlements, removing them from the Green Belt now, so that the delivery in the next plan period can start promptly.

2.42 **Nottinghamshire CPRE's** (Campaign for the Protection of England) view that the Plan is not sound because its site allocations conflict with national and Local Plan policies which protect the Green Belt and valued landscapes and prioritises more damaging options instead of reasonable alternatives, in particular regarding housing land supply and site allocations at East Bridgford. The plan over allocates and therefore the ‘buffer’ is not necessary in case of delays with existing allocations. Any delays can and 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.

2.43 **Saxondale Parish Meeting** object that the Plan cannot be considered as sound as the concept of land allocation is fundamentally flawed. To consistently allocate land because developers have failed to engage (at a time of economic restraint) leads to issues of increasingly blighted land, diminution in arable farming and a reduction in green belt provision, all of which are unsustainable in the longer term.

2.44 **Aslockton Parish Council** stresses its frustration when housing is allocated to villages due to the failure of delivering housing targets on 5 out of the 6 larger sites allocated in the Core Strategy. It argues that this seems to be against the fundamental national principles of reducing the need to travel by car.

2.45 One respondent queried whether alternatives exist for development at Syerston Airfield and Ratcliffe on Soar power station.

2.46 One respondent is critical that the plan does not make provision for genuinely affordable housing to buy or social housing for rent, in an area where it is expensive to live. At present, it unacceptably appears that Council policy is to discourage people on average and below average incomes from living in Rushcliffe.

**Cotgrave**

2.47 **Cotgrave Town Council** argue that the plan stipulates that the development can support the extra housing through further improvements to local facilities, i.e. schools, but does not forecast what is required and there is no details to what should be in place. It is asked that requirements are calculated and placed in the plan.
2.48 The Council also requests that the 10% affordable/social housing requirement for Cotgrave is reconsidered.

2.49 **Nottinghamshire County Council** state the plan should be amended to create provision for a new 1 Form Entry school (210 places) to support the increase in population as a result of the proposed development at Cotgrave. It is also requested that contributions from the development of this allocation will be expected toward helping deliver this.

2.50 **Department for Education (Education and Skills Funding Agency)** state that housing policies at Cotgrave should be increased in clarity to clearly indicate how additional demand for school places will be met. They suggest this is done in a similar way to Policy 3 which indicates where a new school will be provided and highlights the need for a financial contribution.

2.51 In relation to medical provision in Cotgrave, multiple comments state there are problems with getting appointments at the local GP practice and that new homes would exacerbate this.

2.52 **Barratt David Wilson North Midlands** argues that the plan does not fully meet the need for housing in Cotgrave. Intended provision should be seen as a 'minimum' with additional housing being directed towards the settlement reflecting the primary objective of regeneration and, in so doing, capitalising on its size, facilities and services. The Borough Council's approach is not considered "the most appropriate strategy" for Cotgrave and the District as a whole and, as such, is not maximising "sustainable development" in the context of the NPPF.

2.53 Other respondents state that the local primary school is currently oversubscribed as a result of the recent Hollygate Park development, so additional housing could not be supported without having negative impacts.

2.54 Many comments have been submitted stating that Cotgrave’s roads and junctions are at capacity and are unable to cope with the volume of vehicles using them and that new housing development would worsen this. Several of these comments specifically state that cars have to mount pavements and drive along them causing danger to pedestrians.

2.55 With further regards to the highways, comments received state that the local roads are poorly maintained and un-lit when considering the volume of traffic using them. It is stated that any new housing would need to contribute to improving the highways, especially Cotgrave Road toward the A606.
2.56 Several comments raise specific concern about seasonal flooding on roads around Cotgrave making the settlement impossible to access or leave at times. One responded stated that the standing water on the road outside of their house is damaging their property as vehicles pass, stating it has worsened as a result of the colliery development and will continue to worsen if the Cotgrave sites are allocated.

Keyworth

2.57 Aldergate Properties consider that school capacity in Keyworth should not be a limiting factor for residential development. They state that the village can support new housing in this respect and that future expansion of schools can be secured through S106 agreements. They also suggest that Keyworth can accommodate at least 800 new houses rather than the 600 currently drafted.

2.58 Comments have been made suggesting the new housing in Keyworth is unsustainable as the village cannot support 600 new dwellings.

2.59 Concerns have been raised in relation to the increase in traffic that development in Keyworth would create, therefore making the roads congested and unsafe.

2.60 It is stated by several respondents that local services in Keyworth would be put under pressure if new residential development goes ahead. A number of these respondents state that the health centre is already at capacity so an increase in population would make this worse.

2.61 One response says that paragraph 3.33 of the Local Plan Part 2 states the allocated sites are recommended by the Neighbourhood Plan; however, they believe these should not be used as the plan was significantly altered by a small group of councillors at the last minute.

2.62 One respondent says that paragraph 3.31 incorrectly states Keyworth is a “town” when it is a village.

Radcliffe on Trent

2.63 Radcliffe Parish Council states that it understands why the number of homes required to be built in the next ten years has gradually increased from “400” to “820” to “920”, but such large increases have not made it easy to explain and justify the changes to residents. We understand that RBC has been under government pressure to deliver "a minimum of 13, 150 new homes between “2011 and 2028" but the failure of the original plan to deliver has resulted in places like Radcliffe being allocated increasing numbers of
new homes. The Parish Council is strongly in favour of these houses being distributed mainly at the eastern and western ends of the village, in part, to help spread increased traffic on different roads through the village. It recognises that increasing the number of homes in Radcliffe is likely to increase use of the village centre including shops, the library, pubs, restaurants and other facilities. However, the increase of around 25% in the village population will impose considerable pressures on schools, health and leisure facilities and transportation, in particular.

2.64 **Samworth Farms Ltd** support the allocation of 920 homes at Radcliffe on Trent.

2.65 Comments from residents largely relate to the overall level of development proposes for Radcliffe on Trent and concerns regarding traffic and pressure on other infrastructure. In addition some comments suggest that an eastern or a southern by-pass is required in order to mitigate the impacts from increased traffic. Some comments suggested that health and education improvements should be focussed at existing sites.

**Ruddington**

2.66 **Ruddington Parish Council** objects to the amount of housing proposed in Ruddington. Once the planning application recently approved at Asher Lane (175 houses) is included it will be over 100% more growth than the Core Strategy, which proposed 250 houses. They believe that there will be negative impacts due to the increased transport and flood risks, heritage or landscape objectives. It argues that the Asher Lane development should be allocated and for the plan to accept that Ruddington cannot support a 100% increase in housing development over the amount allocated. The Parish Council believes that a traffic assessment of development on sites within and outside of Ruddington and the additional development of 175 houses recently granted planning permission should support the plan. It also argues that the process of consultation has been flawed, as consultation on sites was conducted in two phases rather than at the same time.

2.67 **Ruddington Action Group** also highlights the Asher Lane appeal decision. Stating that, without further amendment to Part 2 of the Plan, 525 homes will be built on the edge of the village. The Ruddington Action Group and a number of individual residents believe that the village cannot sustain this level of development. Concerns are highlighted about the impact that additional housing development would have, including the negative impacts of traffic level on the centre of the village.

2.68 **Bloor Homes** considers Ruddington capable of accommodating 525 homes.
2.69 **William Davies Ltd** considers the housing target for Ruddington should be increased to reflect the sustainability of the settlement as a location for growth.

2.70 **Residents** highlighted: the inadequate local services and facilities (including education and health); congestion within the village centre; flood risks and surface water run-off; loss of Green Belt; and loss of harm to village character (including its historical and cultural centre) as constraints which should preclude the level of housing development proposed.

2.71 **Residents** considered the loss of Green Belt should be given great weight and it has not been justified. As strategic allocations will deliver more than expected, there is no need for further Green Belt release. One respondent stated that the tram should be extended to Ruddington to meet the travel needs of residents.

2.72 Following the decision to allow 175 homes at Asher Lane, residents believe there is no need to allocate all three sites. This should be taken into account when determining which site(s) should be allocated. As should recent developments on Pasture Lane and the appeal decisions at East Leake. There is concern that, in addition to Asher Lane, other sites will be granted planning permission.

**Aslockton**

2.73 A handful of respondents support the fact that the plan does not include a proposed housing allocation at Aslockton. One argues that the village is remote from Nottingham, is not a sustainable location and would not help to resolve Nottingham’s housing situation.

2.74 **Breedon** and **Gladman Developments** consider Aslockton a sustainable location (beyond the Green Belt) for limited growth (approximately 50 units (**Breedon**)).

**Gotham**

2.75 A significant number of Gotham residents argue that national policy indicates that Rushcliffe housing targets are 30% higher than the 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.
2.76 **Newton Nottingham LLP** argues that in respect of locations for new housing sites, from a settlement hierarchy perspective, it is appreciated that the built-up area of Nottingham and the six key settlements represent the first area of search. However, after that the search should focus on Newton and the former RAF Newton (together) as the only other settlement that Policy 3 of the Core Strategy says is appropriate for a level of development that is more than local needs. Therefore, the search needs to consider Newton before all ‘other settlements’. This is not the approach that the Council have taken to date. The Council ought to allocate additional land at the former RAF Newton to help meet the housing needs for at least 160 dwellings. This is not the approach that the Council have taken to date and the possibility of additional residential development at Newton seems to have been entirely omitted. Relying on a blanket non-evidenced assertion that an additional allocation would not deliver additional housing is not effective and is not a sound approach.

2.77 **Mather Jamie** advise that the level of housing provision should be increased and highlight the Housing Site Selection Report which suggests that up to 100 new homes would be appropriate for the village taking into account Borough-wide housing requirements, and given the village’s current size, character and service base. The restriction to 80 homes is based purely on the size of the site selected.

2.78 Residents objected to the allocation of any land whilst allocated sites on the edge of Nottingham remain undeveloped. These should be prioritised rather than easy to develop green field sites.

2.79 **Tollerton Parish Council** raises concern in relation to the deliverability of the Tollerton strategic allocation and therefore asks whether this is sufficient. It is concerned about the impact the development will have on the local and surrounding infrastructure.

2.80 **Nottinghamshire County Council** state that in transport terms much of the traffic arising from the plan’s proposed developments will use the A52(T) to the detriment of the operation of this key trunk route. Highways England (HE) is proposing to improve a number of junctions along on the A52 (T) and the
delivery of this programme of improvement is reliant on financial contributions from developers. In terms of the RLPP2 policies it is recommended that all the individual housing policies acknowledge and require the developers of all sites in East Leake, Keyworth, Cotgrave, Ruddington, and Radcliffe on Trent to contribute financially (on a proportional impact on the A52 junctions) to the proposed A52/ A606 highway infrastructure package (as set out in the Memorandum of Understanding). Wording to the effect that financial contributions are likely to be sought towards improvements to the A52 / A606 should be added to each housing policy in the locations named above.

2.81 **Nottinghamshire County Council’s** rapid health impact assessment concludes that there is no reference made to the needs of the gypsies, travellers and travelling show people or the choice of any additional sites for gypsy and traveller accommodation. The accommodation should take account of the need for access to healthcare, especially primary care (GP) services.

2.82 **Sport England** highlight that it has produced ‘Active Design’ (October 2015), a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government’s desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments.

2.83 **Sport England** support development policies (e.g. Policy 2.1, 2.2 etc.) which require developments to have regard to the principles of active design, which could help to deliver the health and wellbeing objectives.

2.84 **Nottinghamshire Wildlife Trust** welcome that, whenever the allocations are near to Local Wildlife Sties or important Green Corridors, this is generally noted in the policy wording or supporting text. In many cases, buffering of sites (to help ensure wildlife sites are safeguarded) or creation of additional Green Infrastructure (GI) links is discussed, which is again most strongly welcomed. However, it has serious concerns about how well this would eventually be translated ‘on the ground’. It is therefore strongly recommended that policies should specify how much land would be required (e.g. 25% of the site for habitat corridor, which must link to the (for example) Grantham Canal, LWS meadow, the local woodland or adjacent disused railway etc.). The Trust recommends the inclusion of further details on the extent of GI and habitat buffers required throughout all of the policies in relation to allocations.
2.85 **Highways England** states that whilst the individual site allocations may not be a significant issue for the safety and operation of the Strategic Route Network (SRN), there could be some cumulative impacts, especially given their proximity to the SRN. Its view is that Phase 1 of the A52 junction improvements scheme at junctions between Gamston and Bingham will provide short-term mitigation for the smaller sites coming forward as identified in the draft plan. However, it expects that Transport Statements/Transport Assessments will be required to support individual planning applications as and when any of the non-strategic sites come forward and that they will be subject to the Memorandum of Understanding process, as necessary, until such a time that funding for the improvement works has been completed.

2.86 The **Education & Skills Funding Agency** states that further to its comments, during the Regulation 19 consultation, concerning the lack of detail regarding the locations for new schools, it welcomes the additional detail provided within the latest version of the document (Page 8 Local Plan Objectives) which provides some welcome additional information in this regard (a number of specific comments on sites in Cotgrave, East Leake and Radcliffe on Trent are provided which are set out below).

_Duty to cooperate_

2.87 No issues were raised.

**Policy 2.1: Housing Allocation – Land rear of Mill Lane/The Old Park, Cotgrave**

2.88 There are 36 individual responses made in relation to this policy or its supporting text. From these 36 individual responses (where a preference is specifically expressed):

- 6 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
  - 2 responses indicate that the plan is sound;
- 21 responses indicate that the plan is unsound;
- 6 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

_Legal compliance_

2.89 No issues were raised.
### Soundness

2.90 **Historic England** do not support this allocation for housing development as it is not sound in respect of national policy. The general approach used in the Heritage Asset Assessment, which informs the allocation, is unsound and it is believed that it does not meet the requirements of the NPPF.

2.91 **Cotgrave Town Council** support the site but have several requests:
   a. highways improvements before any development;
   b. include details of calculations used to show how local facilities (e.g. schools) can support new housing; and
   c. reconsider the 10% affordable housing requirement.

2.92 **Normanton on the Wolds Parish Council** request that consideration is given to noise attenuation to protect its residents from increased traffic noise on the A606 corridor.

2.93 **Rushcliffe Borough Council (Property Services)** state that this allocation should be amended to read ‘around 200 homes’ as opposed to 170 currently in the draft policy. This is to reflect the capacity indicated by the concept masterplan of the site.

2.94 **Nottinghamshire County Council** request that there is a requirement for appropriate boundary treatment between the allocation and Cotgrave Country Park and that a S106 contribution is made through any proposal toward the upkeep of the park. They state the plan should be amended to create provision for a new 1 Form Entry school (210 places) to support the increase in population as a result in development in Cotgrave. It is also requested that contributions from the development of this allocation will be expected toward helping deliver this.

2.95 **Department for Education (Education and Skills Funding Agency)** state that housing policies at Cotgrave should be increased in clarity to clearly indicate how additional demand for school places will be met. They suggest this is done in a similar way to Policy 3 which indicates where a new school will be provided and highlights the need for a financial contribution.

2.96 **Severn Trent** have no specific concerns provided that the surface water drainage for the site is designed and constructed in line with the principles suggested in Policy 1. They are also supportive of the incorporation of on-site sustainable drainage measures.
2.97 **Nottinghamshire Wildlife Trust** request that wording at paragraph 3.17 is amended from ‘seek to improve’ to ‘will improve’.

2.98 A respondent from the development industry believes this allocation is unsound due to deliverability issues. They say that there are significant land ownership and highways matters which would cause delays to housing delivery. It is also noted that this allocation is not deliverable according to the tests contained in the Draft Revised NPPF. It is suggested that this policy is omitted from the plan and replaced with an allocation at Land to the south of Plumtree Road.

2.99 It is requested by the developer of the adjacent allocation that part \((g)\) of the policy is omitted as development of a single new junction for two sites is not required. It is stated that development of both sites can be achieved without the need for one single junction access for both sites.

2.100 **Rushcliffe Nature Conservation Strategy Implementation Group** request that adequate buffering of the woodland to the north is required as part of any development proposal. This is also suggested by other respondents including Nottinghamshire County Council.

2.101 One comment states that public transport services in Cotgrave are at capacity and unreliable therefore unable to support new housing.

2.102 Concern is raised by several respondents stating that the policy is not consistent with national policy for the prevention of rotational landslide. They highlight that housing on the site would not be safe. It is also added by others that the planting of trees was carried out to stabilise the spoil heap, but these trees are dying therefore reducing stability.

2.103 It is requested by one respondent that part \(c\) of the policy is amended to include all vulnerable road users, including equestrians.

2.104 Concerns about noise, loss of privacy, visual amenity and impact on property value have been raised by a resident who lives adjacent to the site.

**Duty to cooperate**

2.105 No issues were raised.
Policy 2.2: Housing Allocation – Land south of Hollygate Lane, Cotgrave

2.106 There are 37 individual responses made in relation to this policy or its supporting text. From these 37 individual responses (where a preference is specifically expressed):

- 8 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 19 responses indicate that the plan is unsound;
- 7 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.107 No issues were raised.

Soundness

2.108 Taylor Wimpey support the allocation but state that section c) of the policy should be amended to omit reference to one single junction being required for the two allocated sites provided that it is supported by County Council Highways. It is also stated that there is a lack of evidence to show highway improvements are required as part of the allocation as it is believed this is an existing problem and not a direct impact from the site’s development.

2.109 Manor Oak Homes also support the allocation of the site.

2.110 Barratt David Wilson Homes and Wickmere Limited support delivery of housing at Cotgrave but believe the size of this allocation should be increased to support “a minimum of 360 homes”. It is stated this should be done by allocating land previously referred to as COT11b.

2.111 Nottinghamshire County Council state the plan should be amended to create provision for a new 1 Form Entry school (210 places) to support the increase in population as a result in developments in Cotgrave. It is also requested that contributions from the development of this allocation will be expected toward helping deliver this.

2.112 Cotgrave Town Council support the site but have several requests:

a. highways improvements before any development;
b. include details of calculations used to show how local facilities (e.g. schools) can support new housing; and
c. reconsider the 10% affordable housing requirement.

2.113 **Normanton on the Wolds Parish Council** request that consideration is given to noise attenuation to protect its residents from increased traffic noise on the A606 corridor.

2.114 **Severn Trent** request that to increase clarity, the policy should be amended to incorporate sustainable drainage.

2.115 **Nottinghamshire Wildlife Trust** request that wording at paragraph 3.23 is amended from ‘seek to improve’ to ‘will improve’ and that there should be more detail regarding the extent of GI and habitat buffers.

2.116 **Rushcliffe Nature Conservation Strategy Implementation Group** request that adequate buffering of the Grantham Canal LWS is required as part of any development proposal. This view is also shared by other respondents.

2.117 A respondent from the development industry believes this allocation is unsound due to deliverability issues. They say that there are significant land ownership and highways matters which would cause delays to housing delivery. It is also noted that this allocation is not deliverable in accordance with the tests contained in the Draft Revised NPPF. It is suggested that this policy is omitted from the plan and replaced with an allocation at Land to the south of Plumtree Road.

2.118 One responded stated that the standing water on the road outside of their house is damaging their property as vehicles pass, stating it has worsened as a result of the colliery development and will continue to worsen if this allocation is approved.

2.119 It is requested by one respondent that part f) of the policy, relating to linkages to the Grantham Canal and Hollygate Park, includes “all vulnerable road users”.

**Duty to cooperate**

2.120 No issues were raised.
**Cotgrave omission sites**

2.121 There are 9 individual responses made in relation to omitted sites at Cotgrave. From these 9 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 7 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

2.122 **Barwood Homes** believe that the plan is not sound as the number of housing sites allocated is insufficient. Therefore, they state that their site off Hollygate Lane is allocated for around 90 dwellings.

2.123 **All Saints Church** say that as a result of the emerging revised NPPF, Rushcliffe BC should be allocating more sites of 0.5ha or less. They therefore request that their site on Main Road is allocated for residential development.

2.124 **Ruzicka** believes their site (previously referred to as COT5) should be allocated for residential development.

2.125 **Southwell and Nottingham Diocese** state that the site selection methodology is not robust and believe the site previously referred to as COT4 should be allocated for housing in the plan.

2.126 **IM Land** say their site, Land to the South of Plumtree Road (previously referred to as COT12) should be allocated for residential development in the plan.

2.127 **Featherstones** support development at Cotgrave and believe additional sites to those already in the draft plan should be allocated for residential development.

2.128 **Langridge Homes** state that the Local Plan Part 2 should allocate more housing than it currently does. They request that their site, Land to the West of Main Road in Cotgrave (SHLAA ref 364), is allocated. They also state that the site is immediately available for delivery.
Policy 3: Housing Allocation – Land north of Rempstone, Road, East Leake

2.129 There are 23 individual responses made in relation to this policy or its supporting text. From these 23 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- 2 responses indicate that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 10 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.130 No issues were raised.

**Soundness**

2.131 The majority of respondents objected to the further allocation of housing sites in East Leake due to the large number of homes that have been granted permission in the village and the impacts further development would have on infrastructure which is already considered to be at or over capacity in terms of transport infrastructure, education, sewerage disposal, health centre. The need for a new primary school and health centre were emphasised as priorities. Other objections received related to the loss of wildlife and the intrusion into the countryside. Some respondents highlighted the need for the policy wording to give more consideration to preserving and enhancing biodiversity.

2.132 **Nottinghamshire Wildlife Trust** object due to the loss of greenfield site and the distance of the site from the village centre.

2.133 A number of respondents highlighted the need for more housing for the elderly citing recent developments in the village that had comprised predominantly of larger houses.

2.134 **Nottinghamshire County Council** advise that as a gypsum mineral safeguarding and consultation area covers the site, British Gypsum should be contacted regarding the history and the future of gypsum working in the vicinity.
2.135 **East Leake Parish Council** support the allocation of the site on the basis that the principle of development has been established through the granting of permission on appeal.

2.136 **Department for Education (Education and Skills Funding Agency)** support the requirement in the policy for provision of a serviced primary school site and also highlight the funding opportunities for this that may be available through a forward loan fund.

**East Leake Housing omission sites**

2.137 One individual response was made in relation to omitted sites at East Leake. This individual response (where a preference is specifically expressed) indicates that the plan is unsound.

2.138 **Gladman Developments** suggest that alternative sites at Lantern Lane and Stonebridge Drive should be allocated for development. Their representation includes an indicative masterplan for Lantern Lane for 195 dwellings. Since the representation period for the Publication Version ended, the site has been granted permission on appeal.

2.139 Stonebridge Farm is also argued to be a sustainable site with no significant constraints.

**Policy 4.1: Housing Allocation – Land off Nicker Hill, Keyworth**

2.140 There are 34 individual responses made in relation to this policy or its supporting text. From these 34 individual responses (where a preference is specifically expressed):

- 8 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 13 responses indicate that the plan is sound;
- 8 responses indicate that the plan is unsound;
- 8 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.141 No issues were raised.
Soundness

2.142 **CEG** confirm their support for this site which they own. They state that the land is available and deliverable.

2.143 **Severn Trent** advise that for clarity, the policy should incorporate a requirement for sustainable drainage systems. It is also stated that a watercourse runs along the nearby field boundaries so draining the development into this should be promoted if infiltration is not possible. They also highlight that there are surface water sewers in the vicinity of the site so no connection of these to a foul sewer should be made.

2.144 **Nottinghamshire County Council** advise that contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of this site.

2.145 **Normanton on the Wolds Parish Council** request that consideration is given to residents and visitors of its parish as housing development in Keyworth will increase traffic on the A606 corridor. They also state that consideration should be given to water run-off at all development in Keyworth as Normanton on Soar is downstream from Keyworth.

2.146 The **British Geological Survey** have concerns that increased traffic will impact on their staff travel times; increase security risk (they request that the proposals should strengthen the site boundary); and that they would have no ability to expand if development surrounded their site.

2.147 **Nicker Hill Residents** state this policy is unsound. They highlight several issues including: poor access; poor relationship to the built framework of Keyworth; the distance to the village centre; limited nearby public transport; and adverse impacts on the landscape, Local Wildlife Sites and Green Belt.

One response is concerned that this policy does not give sufficient consideration to preserving and enhancing wildlife. Suggestions include that the policy should require buffer zones and bird/bat boxes.

**Duty to cooperate**

2.148 No issues were raised.
Policy 4.2: Housing Allocation – Land between Platt Lane and Station Road, Keyworth

2.149 There are 37 individual responses made in relation to this policy or its supporting text. From these 37 individual responses (where a preference is specifically expressed):

- 8 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 13 responses indicate that the plan is sound;
- 8 responses indicate that the plan is unsound;
- 8 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.150 No issues were raised.

**Soundness**

2.151 **Miller Homes** continue to support the allocation of this site, stating that it is available, suitable and achievable.

2.152 **Severn Trent** advise that the policy incorporates the use of sustainable drainage systems as part of the development. They also identify a watercourse on the southern side of Platt Lane so anticipate there will be no surface water flows into the local sewerage system.

2.153 **Nottinghamshire County Council** advise that contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of this site.

2.154 **Normanton on the Wolds Parish Council** request that consideration is given to residents and visitors of its parish as housing development in Keyworth will increase traffic on the A606 corridor. They also state that consideration should be given to water run-off from all developments in Keyworth as Normanton on Soar is downstream from Keyworth.

2.155 **Sport England** suggest that any development on this site should undertake a ball strike assessment as mitigation may be needed against the nearby cricket square.
2.156 **Nottinghamshire Wildlife Trust** consider that further detail is required in the policy wording to ensure net biodiversity gains are seen on the ground. They suggest including details on the required extent of GI and buffers.

2.157 **British Geological Survey** have concerns that residents of this site may be affected by noise, odours and dust from the facility. They suggest the policy contains wording similar to Policy 4.1 which requires avoidance and mitigation measures.

2.158 **Nicker Hill Residents** believe this site presents a better option for housing development compared to Policy 4.1.

2.159 One response is concerned that this policy does not give sufficient consideration to preserving and enhancing wildlife. Suggestions include that the policy should require buffer zones and bird/bat boxes.

**Duty to cooperate**

2.160 No issues were raised.

**Policy 4.3: Housing Allocation – Land south of Debdale Lane, Keyworth**

2.161 There are 43 individual responses made in relation to this policy or its supporting text. From these 43 individual responses (where a preference is specifically expressed):

- 7 responses indicate that the plan is legally compliant;
- 3 responses indicate that the plan is not legally compliant;
- 12 responses indicate that the plan is sound;
- 13 responses indicate that the plan is unsound;
- 7 responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.162 No issues were raised.

**Soundness**

2.163 **Bloor Homes** support the allocation of this site, however, they request that the policy wording is amended to allocate “around 215 dwellings” rather than
the 190 currently proposed.

2.164 **Aldergate Properties** support the allocation but suggest it is extended to include additional land to the west to provide more housing.

2.165 **Nottinghamshire County Council** advise that contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of this site.

2.166 **Severn Trent** state that sewer capacity improvements may be required to enable the development of this site. They also note that the site may require a northern and southern drainage system due to the topography. It is stated that there should be no connection of surface water into a foul sewer. Finally, concerns are made stating that the policy does not highlight the need to incorporate sustainable drainage system as part of any proposal.

2.167 **Normanton on the Wolds Parish Council** request that consideration is given to residents and visitors of its parish as housing development in Keyworth will increase traffic on the A606 corridor. They also state that consideration should be given to water run-off at all development in Keyworth as Normanton on Soar is downstream from Keyworth.

2.168 **Nottinghamshire Wildlife Trust** do not support this allocation due to the existing historic ridge and furrow. They state they would not like to see these fields used as formal play space but rather wildlife habitat and landscape buffer.

2.169 **Rushcliffe Nature Conservation Strategy Implementation Group** object to this allocation as it includes historical ridge and furrow and important areas of woodland. This is also stated by other respondents.

2.170 **Nicker Hill Residents** support the allocation of this site for residential development due to its good sustainability credentials and minimal harm to landscape, biodiversity and the Green Belt. They do, however, suggest that the site proposes an excessive amount of open space which could be instead utilised to deliver the housing required at Keyworth.

2.171 It is stated by one respondent that this site is unsound as it conflicts with national policy which protects the rural landscape, particularly as the site is on raised ground.

2.172 It is stated that the policy wording does not sufficiently consider the need for adequate buffer zones to be required as part of any proposal.
2.173 It is identified by multiple respondents that the allocation map for Keyworth (Figure 3; page 30) does not show the recent High Court Drive development of nine houses. It is believed that this has resulted in an incorrect assessment for the proposed allocation.

**Duty to cooperate**

2.174 No issues were raised.

**Policy 4.4: Housing Allocation – Hillside Farm, Keyworth**

2.175 There are 126 individual responses made in relation to this policy or its supporting text. From these 126 individual responses (where a preference is specifically expressed):

- 39 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 49 responses indicate that the plan is sound;
- 26 responses indicate that the plan is unsound;
- 38 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.176 No issues were raised.

**Soundness**

2.177 *Barratt David Wilson Homes* state that this allocation is sound and confirm their interests in developing it once allocated.

2.178 *Nottinghamshire County Council* advise that contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of this site.

2.179 *Keyworth Parish Council* object to the allocation of this site for a number of reasons: it was not allocated for housing in the Neighbourhood Plan; it will have a visual impact on the approach to the village; the site experiences issues with run-off water from Bunny Lane; and the site is in close proximity to the sewage works which will affect the site with unpleasant smells.
2.180 **Normanton on the Wolds Parish Council** request that consideration is given to residents and visitors of its parish as housing development in Keyworth will increase traffic on the A606 corridor. They also state that consideration should be given to water run-off from all development in Keyworth as Normanton on Soar is downstream from Keyworth.

2.181 **Severn Trent** raise concerns that the policy does not highlight the need to incorporate sustainable drainage systems into the development proposals. They also note that there is a watercourse to the south of the site so anticipate there will be no surface water flows into the local sewerage system.

2.182 **Nicker Hill Residents** support the allocation of this site for residential development due to its good sustainability credentials and minimal harm to landscape, biodiversity and the Green Belt. They do, however, note that the sewage treatment works is nearby but do not believe this is an insurmountable constraint to development.

2.183 One farmer and his family farm a large amount of land to the west of Keyworth, including land adjacent to this site. They have concerns that the policy criteria states "residents should not be significantly affected by noise, odour or dust resulting from the activities of the neighbouring farm", but question who is responsible for ensuring this happens. Concerns are also raised that they have invested lots of money in upgrading the farm but would not like to be limited as a result of new housing development.

2.184 Multiple residents state that Bunny Lane is not a suitable location for new residential development due to the existing heavy traffic, narrow width and blind hills. Access from Bunny Lane onto the proposed site is also unsuitable for both domestic and emergency vehicles.

2.185 Several respondents have raised concern that this site is not allocated for residential development, nor a reserve site for residential development, in the Keyworth Neighbourhood Plan, so believe it should not be allocated in the Local Plan to respect local democracy.

2.186 It is stated by multiple respondents that a large agricultural building has been erected near to this allocation so residential development within the 150m national policy guidance would not be a suitable neighbour to this on the grounds of risk to health, odour and noise. One resident also states that warm weather brings fly and rat infestations to the area around the farm.

2.187 A comment raised by several residents of Keyworth mention the odours which occasionally come from the sewage treatment works, stating that housing on
this allocation would be affected and more suitable sites are available.

2.188 One comment was made highlighting the issues of flooding at the site due to the problematic drainage which has flooded and eroded nearby properties gardens.

2.189 Several comments have been received in support of this site stating it is the most suitable choice for development due to its close proximity to the village centre.

2.190 Two respondents state that the number of houses required in Keyworth can be satisfied by the other allocated sites, so this one is not needed.

2.191 One response highlights that there may be deliverability issues as a result of an unclear legal boundary between the allocation and the adjacent Roseland Close.

2.192 It is stated that this policy should be removed from the plan and replaced with one of the sites allocated as safeguarded land in the Neighbourhood Plan.

*Duty to cooperate*

2.193 No issues were raised.

**Keyworth omission sites**

2.194 There are 12 individual responses made in relation to omitted sites at Keyworth. From these 12 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 6 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

2.195 **Featherstones** believe that their client’s site, Land at Platt Lane, should be allocated for residential development in the plan as it does not currently allocate enough homes.
2.196 **Hogg** expresses strong support for the allocation for retirement housing at Land at Platt Lane, to the north of the draft employment allocation. They state this could be delivered as part of a comprehensive scheme with the employment site and identify that it would contribute toward the Government’s approach to delivering a range of types and forms of housing.

2.197 **Cliffe Investments** state that Land east of Willowbrook, which they have interests in, should be allocated for residential development. They also state that the number of new houses for Keyworth should be increased to ensure delivery over the duration of the plan period.

2.198 **Bloor Homes** object to the Plan as they believe it is unsound due to the failure to assess the needs of the Borough and provide an appropriate 5-year supply of land for housing. They therefore request that the Land north of Debdale Lane is allocated for housing development.

2.199 **Aldergate Properties** believe the housing number for Keyworth should be increased so their site to the west of Land South of Debdale Lane should also be allocated. They state that their site could be delivered as a comprehensive scheme with the adjacent draft allocation.

2.200 **Nicker Hill Residents** state that other more suitable sites should be allocated in Keyworth rather than Land off Nicker Hill. These include Land North of Debdale Lane and Land at Platt Lane.

**Policy 5.1: Housing Allocation – Land north of Nottingham Road, Radcliffe on Trent**

2.201 There are 27 individual responses made in relation to this policy or its supporting text. From these 27 individual responses (where a preference is specifically expressed):
- 3 responses indicate that the plan is legally compliant;
- 2 responses indicate that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 14 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.
Legal compliance

2.202 There were two negative responses in terms of whether the policy passes the legal compliance test. One individual states that the policy is not legally compliant as it does not properly take into account the Radcliffe-on-Trent Neighbourhood Plan. The Crown Estate consider that in order for the allocation to be legally compliant, and for the Local Plan to be found sound, the Council should re-apply the Sequential Test and Exception Test, in accordance with national policy, and allocate land outside of Flood Zone 2 for residential development.

Soundness

2.203 Mosaic Group support the principle of the preferred allocation of land north of Nottingham Road for housing development. However, the proposed indicative capacity of 150 dwellings appears to be arbitrarily low, supported by a broad rationale of wider employment land delivery which is unfounded.

2.204 Whilst they consider that an element of proportional employment provision as a part of the site may be appropriate the apparent reduction in housing capacity is considered to be unjustified. Furthermore the policy presents no quantifiable need for the substantial release of land for employment allocation through Policy 5.1. The Neighbourhood Plan provides support for smaller scale office and/or workshop uses, whereby 'industrial type development is unlikely to be acceptable in Radcliffe as a result of the environmental and amenity issues it would cause.' In light of this aspiration the employment land requirement in Radcliffe will be significantly less substantial than is proposed, with the desired uses able to operate effectively from a much smaller footprint when compared to wider industrial uses.

2.205 They also state that the site has also been proposed for development as a part of a previous planning application (reference 13/02498/OUT). The application was recommended for approval by the Council’s planning officers, who noted that there were no objections from statutory consultees. They highlight a number of positives that the development of the site will bring and a number of positives that the Borough Council’s Housing Site Selection Report highlights in relation to the site.

2.206 The Crown Estate do not support the allocation of the site. It has raised a number of issues with the site relating to landscape mitigation, flood risk and sequential test, and its relationship to existing and proposed facilities.

2.207 Nottinghamshire County Council state that whilst the allocation falls within areas covered by a sand and gravel Minerals Safeguarding and Consultation
Area, the location, adjacent to residential land use indicate that this allocation would be unlikely to be at risk of sterilising an area of the resource that has the potential to be worked. They also state that there is a composting facility to the north-east off Stragglethorpe Road. They advise that, in accordance with Nottinghamshire and Nottingham Waste Core Strategy Policy WCS10 (safeguarding waste management sites) that the design of housing on this site (their orientation and placement within the allocation) be in a manner that provides as large a buffer as possible to the waste facility.

2.208 **Nottinghamshire Wildlife Trust** support the inclusion and recognition of GI links in delivering net gains in biodiversity and flood risk management, however they are not convinced there is enough space for 150 homes with proposed B1, B2 and B8, alongside GI. They consider this low lying land near to the River Trent, which is in floodplain (flood zone 2) is important farmland habitat which supports biodiversity and is linked to similar (grassland dominated habitats) which are considered important (and have restoration potential in the short term) in the Rushcliffe Biodiversity Opportunity Map (Map 2).

2.209 **National Grid** state that they prefer no development to be directly below high voltage lines as access is required to ensure maintenance. They also state that land beneath and adjacent to such cables can be used positively, for example to provide open space or for nature conservation purposes.

2.210 **Severn Trent** has raised no specific concerns provided that the surface water drainage for the site is designed and constructed in line with the principles suggested for Policy 1. They note that the policy does not highlight the need to incorporate SuDS into the drainage system. They advise that reference to the use of SuDS and the drainage Hierarchy are incorporated for clarity. Finally they state that as the site is intersected by a watercourse they anticipate that no surface water flows would be connected to the local sewerage system.

2.211 **RSPCA Animal Shelter** support the proposed allocation as the employment part of the site provides a buffer between it and any housing. They have stated that the development of housing next to other RSPCA facilities elsewhere in the country has caused problems.

2.212 As with other sites at Radcliffe on Trent **Network Rail** state that they are concerned that the need for transport assessments to support planning applications and the upgrade of railway infrastructure to support the allocations is not specifically acknowledged in the policy wording for all of the proposed allocations around Radcliffe on Trent.
2.213 **Residents** have raised concerns in relation to loss of Green Belt, flood risk, traffic, the proximity to high voltage cables and the provision of employment on the site.

**Duty to cooperate**

2.214 One comment considers that the plan does not satisfy the duty to cooperate as it does not accord with the Neighbourhood Plan

**Policy 5.2: Housing Allocation – Land adjacent Grooms Cottage, Radcliffe on Trent**

2.215 There are 18 individual responses made in relation to this policy or its supporting text. From these 18 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 11 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.216 No issues were raised.

**Soundness**

2.217 **Oglesby** support the proposed allocation of land adjacent to Groom's Cottage for the development of around 50 dwellings. They point to a number of factors within the Borough Council’s evidence which support its allocation. In addition they consider that the site is deliverable within the timescales outlined in the housing trajectory. They do seek a minor wording change to one of the criteria. They recommend a minor amendment where the word 'appropriate' in criterion c is removed as what can be considered to be an 'appropriate' financial contribution is ambiguous and undefined. They consider that the use of contributions are appropriately dealt with under The Community Infrastructure Levy Regulations 2010 Part 11 122.

2.218 **RNSIG** have no objection in principle.
2.219 **Severn Trent** states that development of this site and the adjacent site covered by Policy 5.3 should be considered together when looking at the development of the drainage system, and wording to this effect should be included in the plan. In addition, no connection of surface water to the foul sewers should be permitted.

2.220 As with other sites at Radcliffe on Trent **Network Rail** state that they are concerned that the need for transport assessments to support planning applications and the upgrade of railway infrastructure to support the allocations is not specifically acknowledged in the policy wording for all of the proposed allocations around Radcliffe on Trent.

2.221 Other comments have been received in relation to the site. One neighbouring resident has stated in order for the developers to meet the requirements stipulated in the latest document, in relation to ensuring sensitivity to neighbouring properties, it would require no road/path or access directly next to the drive/gardens to their property. They consider that the best solution would be for the gardens of the new houses to be adjacent to existing gardens. This would help with providing distance between the houses and overcome any privacy concerns. Other comments relate to traffic, noise, dirt and dust.

**Duty to cooperate**

2.222 No issues were raised.

**Policy 5.3: Housing Allocation – Land off Shelford Road, Radcliffe on Trent**

2.223 There are 28 individual responses made in relation to this policy or its supporting text. From these 28 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 2 responses indicate that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 17 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- 2 responses indicate that the plan does not comply with the duty to cooperate.
Legal compliance

2.224 No issues were raised.

Soundness

2.225 William Davis support the proposed allocation. They state that the planning application under consideration entirely reflects the terms of Policy 5.3 as set out in the Local Plan Part 2. William Davis lists the merits of the site in their view, and the benefits that its development will bring as outlined in the planning application.

2.226 As they consider that the planning application is well progressed, they are very confident that a start on site can be made in 2019, with the delivery of the first new homes in 2019/20 as set out in the Housing Trajectory in Appendix B of the Local Plan Part 2. Furthermore they fully expect a much higher rate of delivery once the site is commenced, particularly given the range of house types that will be provided in different market areas within the site, the scale of local market demand and the level of affordable housing provision.

2.227 Severn Trent state that development of this site and the adjacent site covered by Policy 5.2 should be considered together when looking at the development of the drainage system, and wording to this effect should be included in the plan. In addition, no connection of surface water to the foul sewers should be permitted.

2.228 As with other sites at Radcliffe on Trent Network Rail state that they are concerned that the need for transport assessments to support planning applications and the upgrade of railway infrastructure to support the allocations is not specifically acknowledged in the policy wording for all of the proposed allocations around Radcliffe on Trent. In addition, Network Rail note that that there is a proposal for a bridge over the railway line. They consider that if this is to be a serious proposal there is much to be considered not least whether they would want a new bridge across the line. They state that if this is a long term aspiration of the Council space could be safeguarded in the site.

2.229 Radcliffe on Trent Parish Council do not support the safeguarding of a school site. They consider that there is enough room adjacent to the existing infants and junior schools to expand. In addition they do not support the safeguarding of a site for a health centre, and would wish provision to be made within the village centre or on the existing health centre site, in line with the neighbourhood plan policy.
2.230 The Education and Skills Funding Agency (Department for Education) state that in light of allocation the emerging ESFA proposals for forward funding schools as part of large residential developments may be relevant, for example if viability becomes an issue. The ESFA aims to be able to clarify forward funding options for schools in the Autumn of 2018. They would be happy to meet to discuss this opportunity further once the options have been finalised and if/when relevant. Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.

2.231 Nottinghamshire County Council consider the plan to be sound, they do however consider that Policy 5.3 should be reworded to remove reference to 'new school', to be replaced with 'new education provision'

2.232 Nottinghamshire Wildlife Trust are concerned about the scale of development proposed for this site (400 homes) on the basis of indirect impacts on wildlife (lighting, noise, traffic), and cumulative impact on wildlife and infrastructure arising from other developments planned, committed and underway in the area (most notably Newton and Bingham North).

2.233 Other comments have been received from residents in relation to the site. One neighbouring resident has stated in order for the developers to meet the requirements stipulated in the latest document, in relation to ensuring sensitivity to neighbouring properties, it would require no road/path or access directly next to the drive/gardens to their property. They consider that the best solution would be for the gardens of the new houses to be adjacent to existing gardens. This would help with providing distance between the houses and overcome any privacy concerns. Other comments relate to traffic, noise, dirt and dust. Some comments do not support the reserve sites for education and health provision, and would rather see improvements to existing facilities. Other comments consider that a by-pass to the east of the settlement should be built.

Duty to cooperate

2.234 No issues were raised.

Policy 5.4: Housing Allocation – Land north of Grantham Road, Radcliffe on Trent

2.235 There are 13 individual responses made in relation to this policy or its supporting text. From these 13 individual responses (where a preference is specifically expressed):
• 3 responses indicate that the plan is legally compliant;
• 2 responses indicate that the plan is not legally compliant;
• No responses indicate that the plan is sound;
• 14 responses indicate that the plan is unsound;
• 2 responses indicate that the plan complies with the duty to cooperate; and
• 2 responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.236 The Crown Estate considers that the site does not meet this test, as the site selection does not fit in with the conclusions of the April 2018 Sustainability Appraisal.

Soundness

2.237 Samworth Farms supports the proposed allocation. It states that the allocation performs a low green belt function. In addition, they consider that the proposed allocation reflects the Radcliffe on Trent Neighbourhood Plan, which clearly identifies the site as a location for new housing.

2.238 They state that the site can deliver 240 dwellings with extensive landscaping at a net density of 30 dwellings to the hectare. They propose to keep free land in north west corner of the site from development in order to facilitate the delivery of a pedestrian crossing over the railway line in the future. They also generally support the policy wording. They do suggest that criterion a) is amended to allow flexibility in terms of the access.

2.239 Conversely, the Crown Estate consider that the proposed allocation to be unsound. They state that there are issues in terms of its landscape impact and overall sustainability.

2.240 As with other sites at Radcliffe on Trent Network Rail state that they are concerned that the need for transport assessments to support planning applications and the upgrade of railway infrastructure to support the allocations is not specifically acknowledged in the policy wording for all of the proposed allocations around Radcliffe on Trent.

2.241 Highways England note that the existing junction off the A52 to the business park would provide the primary access to the site, subject to required improvements. The volume of additional traffic exiting and entering the A52 from this existing access would need to be appropriately assessed to ensure
that additional movements at this junction do not compromise the traffic movement and flow of the A52.

2.242 **Severn Trent** have no specific concerns in relation to this development provided that the surface water drainage for the site is designed and constructed in line with the principles suggested for Policy 1. They note that policy 5.4 does not highlight the need to incorporate SuDS into the drainage system. They advise that reference to the use of SuDS and the drainage Hierarchy are incorporated for clarity. Finally, they state that the site is indicated to be intersected by a watercourse, Severn Trent would therefore anticipate that no surface water flows would be connected to the local sewerage system.

2.243 Comments from others relate to the loss of Green Belt, traffic, noise and air quality. Some comments suggest that the site would be a good location for a park and ride instead. One comment suggests that there should be a pedestrian crossing at Hudson Way. They also suggest that the western part of the proposed allocation could provide for open space as it is already used for informal recreational purposes. Support has also been expressed for retaining and enhancing trees and hedgerows along the A52.

*Duty to cooperate*

2.244 No issues were raised.

**Policy 5.5: Housing Allocation – 72 Main Road, Radcliffe on Trent**

2.245 There are 12 individual responses made in relation to this policy or its supporting text. From these 12 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 7 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.246 No issues were raised.
Soundness

2.247 Most of the comments relate to overall housing numbers across all of the Radcliffe on Trent sites rather than site specific comments in relation to this particular proposed allocation.

2.248 Severn Trent have no specific concerns in relation to this development provided that the surface water drainage for the site is designed and constructed in line with the principles suggested for Policy 1. The site is indicated to be intersected by a culverted watercourse; Severn Trent would therefore anticipate that no surface water flows would be connected to the local sewerage system.

Duty to cooperate

2.249 No issues were raised.

Policy 5.6: Housing Allocation – The Paddocks, Nottingham Road, Radcliffe on Trent

2.250 There are 19 individual responses made in relation to this policy or its supporting text. From these 19 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 11 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

Legal compliance

2.251 No issues were raised.

Soundness

2.252 Nottinghamshire County Council state that whilst the allocation falls within areas covered by a sand and gravel Minerals Safeguarding and Consultation Area, the location, on the edge of, or within, areas of existing residential land
use indicate that this allocation would be unlikely to be at risk of sterilising an area of the resource that has the potential to be worked. They also state that there is a composting facility to the north-east off Stragglethorpe Road and therefore advise that, in accordance with Nottinghamshire and Nottingham Waste Core Strategy Policy WCS10 (safeguarding waste management sites) that the design of housing on this site (their orientation and placement within the allocation) be in a manner that provides as large a buffer as possible to the waste facility.

2.253 **Severn Trent** have no specific concerns in relation to this development provided that the surface water drainage for the site is designed and constructed in line with the principles suggested for Policy 1. They state that the site is relatively flat, a watercourse is indicated to run through the proposed allocation 5.1 on the opposite site of Nottingham road, It is unclear if there are any surface water flows closer to the development, but there are no surface water or combined sewers within the vicinity of the site. In accordance with the drainage Hierarchy surface water should be directed towards the watercourses. They consider that no connection of surface water to the foul sewer should be permitted. Finally they state that the site is indicated to contain sewers therefore developers should be advised to contact Severn Trent Developer Services regarding the locations and limitations of working around these assets.

2.254 Other comments relate to potential noise disturbance from the A52 and flood risk.

*Duty to cooperate*

2.255 No issues were raised.

**Radcliffe on Trent omission sites**

2.256 There are 6 individual responses made in relation to omitted sites at Radcliffe on Trent. From these 6 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 4 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
• No responses indicate that the plan does not comply with the duty to cooperate.

2.257 **Pedigree Wholesale** consider that their site should be allocated for around 15 dwellings. They consider that the site can be delivered at the latter end of the plan period. The site is not within the Green Belt, and is previously developed land.

2.258 **Freeston** considers that their land should be removed from the Green Belt. They state that other than access, the evidence base assembled by the Borough Council identifies a number of positives in relation to the sites suitability for development. Furthermore they consider that if the land is removed from the Green Belt together with the Wharf Lane Recreation Ground. This would allow for new sports and recreation facilities to be developed there without the constraints of Green Belt policy within the Neighbourhood Plans zone of recreation. Finally, they consider that the housing site selection report indicates that the only barrier to development of the land is vehicular access via The Green. They consider that there are potential options for access that need not necessarily utilise The Green and so RAD11 could potentially come forward in the longer term, through co-operation with adjoining landowners.

2.259 **The Crown Estate** consider that Land North of Shelford Road should be allocated for residential development. They consider that their site is preferable to some of the other proposed allocations around Radcliffe on Trent. In summary they consider that Land North of Shelford Road performs better in overall sustainability terms than both policy 5.1 and 5.4. Furthermore they consider that there is significant additional sustainability benefit in planning policy 5.1 and their site as a single urban extension given the location of existing and proposed new facilities, i.e. station, new school, medical and enhanced bus services.

2.260 Thirdly they consider that the site would have less impact on the Green Belt than policy 5.4 which the Council’s own landscape evidence concluded will result in development in open countryside. They also consider that the development of policy 5.4 will result in sprawl and ribbon development on a prominent site along the A52 Corridor undermining Green Belt purposes, more so than their own site. Fourthly they state that their site is not at risk of flooding and should be sequentially preferred under the NPPF to policy 5.1.

2.261 Lastly, they consider that the site is not subject to any landscape designations. They consider that landscape harm has been overstated and is not sufficient to justify residential development in Flood Zone 2. Any harm can be mitigated at their site given the extensive land ownership, and when
considered in the context of the urbanising effect of Policy 5.1 to the south of Shelford Road.

2.262 As with the Crown Estate Radcliffe on Trent Golf Club, have identified a number of concerns with the some of the proposed allocations at Radcliffe on Trent. They consider that the council’s evidence does not assess the correct dwelling capacity (20 dwellings across the two sites being promoted rather than 40 dwellings across the two sites being promoted. In addition, they consider that their sites are more sustainable than some of the proposed allocations, are not at risk of flooding and are not best and most versatile land.

2.263 In addition they consider that the sites being promoted are not within an area of green belt importance. In addition they state that concerns relating to landscape impact and impact on an adjacent Local Wildlife Site from one area of land being promoted have been overstated.

**Policy 6.1: Housing Allocation – Land west of Wilford Road, Ruddington**

2.264 There are 70 individual responses made in relation to this policy or its supporting text. From these 70 individual responses (where a preference is specifically expressed):

- 9 responses indicate that the plan is legally compliant;
- 6 responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 39 responses indicate that the plan is unsound;
- 9 responses indicate that the plan complies with the duty to cooperate; and
- 6 responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.265 Concerns are raised that the Council has not listened to local residents’ objections.

2.266 Asher Lane appeal decision determined that this allocation is not preferable due to flood risks. Further revision/consultation should take place following this decision.

2.267 All sites should have been considered together, as preferences are skewed to original sites which have undergone more consultation.
Soundness

2.268 Nottingham Wildlife Trust welcome the 10m buffer required within policy 6.1(d), however it should be a ‘minimum of’ 10 metres. This distance must be complied with within this allocation. More detail on Green Infrastructure, achieving net gains in biodiversity, and sustainable drainage measures is required within supporting text.

2.269 Rushcliffe Nature Conservation Strategy Implementation Group objects to the allocation as this site represents a significant intrusion into the wider countryside and would result in the loss of farmland type habitats that will support a range of species.

2.270 Friends of Sharphill Wood encourage the identification of specific measures (such as buffers) to ensure the net-gains in biodiversity which are required within the policy are achieved. The Asher Lane decision should be taken into account when identifying sites to meet the 350 homes required.

2.271 Severn Trent advise that reference to the use of SuDS and the drainage Hierarchy are incorporated for clarity. The site is bounded by a watercourse therefore Severn Trent advises that no surface water flows would be connected to the local sewerage system.

2.272 Bloor Homes support the allocation of this site and the sequential test which rules out reasonable alternative locations. This support is accompanied by evidence regarding: site design and layout; visual and landscape impacts; flood risk mitigation and drainage; access and highways issues.

2.273 Space Foods Ltd object to Policy 6.1. Site is in prominent position, restricted by flood zones 2 and 3 (which should be avoided) and would merge West Bridgford with Ruddington (this is contrary to Green Belt policy).

2.274 Gladman Developments object due to flood risk issues and concerns regarding the sequential test, which highlight other reasonable alternative sites (at East Leake).

2.275 Residents highlight the following issues: loss of Green Belt and weak boundary; loss of countryside and impact on the rural setting of Ruddington; loss of wildlife; flood risk issues; coalescence with Nottingham; unsafe access onto Wilford Road; and congestion through the village (where the existing historic layout is not suitable for current levels of traffic).
2.276 **Residents** also state that the appeal decision regarding Asher Lane highlight that the allocation is not consistent with national policy due to: flood risks; impacts the setting of the village; the merging of Ruddington with Nottingham and its weak boundaries. These issues reduce its suitability (compared against the Asher Lane site). The decision to approve 175 homes means the 350 housing target for Ruddington will be exceeded, if the three allocations are retained. This site should be removed from the plan.

2.277 A number of **residents** state that, in addition to Asher Lane, sites east of the A60 (Policies 6.2 and 6.3) are more than sufficient to meet the 350 housing target for Ruddington (their densities could be reduced). As this decision is a material change it must be considered before submission.

**Duty to cooperate**

2.278 Concerns are raised that the Council has not listened to local residents’ objections.

2.279 Consultation was flawed as sites have been added later and therefore not considered together. Preferences are skewed towards the original sites.

**Policy 6.2: Housing Allocation – Land south of Flawforth Lane, Ruddington**

2.280 There are 31 individual responses made in relation to this policy or its supporting text. From these 31 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 20 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.281 **Linden Homes** considers the allocation of this site legally compliant.
Soundness

2.282 RNCSIG objects to allocation as this site represents a significant intrusion into the wider countryside and its development will result in the loss of farmland habitats that will support a range of species.

2.283 Linden Homes considers the allocation of this site sound. Their representation addresses accessibility concerns which were raised within Asher Lane appeal decision.

2.284 Gladman Developments consider Policy 6.2 unsound as the site extends beyond the A60, a defensible strategic Green Belt boundary.

2.285 Space Foods state that development of the proposed allocation would not follow the historic pattern of development of the village, which has historically occurred to the west of the A60. Whilst there is some development east of the A60, the A60 acts as a considerable physical and visual barrier between the site and the village.

2.286 Seven Trent notes that policy 6.2 does not highlight the need to incorporate SuDS into the drainage system.

2.287 A number of residents have stated that following the approval of the Asher Lane development, only 175 units should be allocated within the Green Belt and that this site should be retained in order to provide 50 of these units.

2.288 However this decision also considered RUD05’s location on the east side of the A60, which disconnects it from the rest of the village. The decision also identified weaker boundaries (than the Asher Lane site).

2.289 Residents believe insufficient weight has been given to the loss of Green Belt. Existing brownfield land should be prioritised. Concerns regarding existing congestion on Flawforth Lane (which links the A60 with A52 (at the Wheatcroft Roundabout) and the capacity and safety of the junction of Flawforth Lane and A60 were highlighted. Access from the site onto Flawforth Lane itself is also a concern.

2.290 Some residents believe the site should not be allocated on the basis it receives the least objections (as it’s further away from the majority of residents). Flooding concerns (ditches already overflowing) were also highlighted.
Duty to cooperate

2.291 **Linden Homes** considers the allocation of this site compliant with the duty to cooperate.

**Policy 6.3: Housing Allocation – Land opposite Mere Way, Ruddington**

2.292 There are 36 individual responses made in relation to this policy or its supporting text. From these 36 individual responses (where a preference is specifically expressed):

- 5 responses indicate that the plan is legally compliant;
- 2 responses indicate that the plan is not legally compliant;
- 6 responses indicate that the plan is sound;
- 18 responses indicate that the plan is unsound;
- 5 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.293 No issues were raised.

Soundness

2.294 **Seven Trent** advise that sewer capacity improvements may be required and that discussions regarding the development of this site occur to ascertain the likely timescales for this development. It is noted that the site may require separate northern and southern drainage systems due to the topography of the site. The northern portion of the site may need to drain through the proposed development identified under Policy 6.2.

2.295 It is advised that a specific reference to the need to design the drainage in conjunction with the adjacent site should be written into the local plan and that the discharge of surface water to the south is investigated as this would represent a more sustainable outfall in accordance with the drainage hierarchy.

2.296 **Nottingham Wildlife Trust** note there is no consideration of possible GI/ net gains in biodiversity. Whist the County Park is nearby, additional recreational and habitat should be provided to link to and to complement the habitats in the
park and to reduce pressures on its infrastructure. A development of 180 homes should have its own open space provision.

2.297 **William Davies Ltd** request that policy 6.3 remains in the plan as it would deliver a sustainable development when considered against other reasonable alternatives.

2.298 **RNCSIG** objects to allocation as this site represents a significant intrusion into the wider countryside and its development will result in the loss of farmland habitats that will support a range of species.

2.299 **Space Foods Ltd** and **residents** have referred to the Asher Lane decision which highlighted: the disconnected location of this site, which does not follow the morphology of the village; the scale of the site and its intrusion into open countryside; and the weak Green Belt hedgerow boundary compared to the existing A60 boundary. Loss of Green Belt has not been justified (exceptional circumstances) and limited infrastructures were also mentioned. Furthermore, the site should not be allocated on the basis it receives the least objections (as it’s further away from the majority of residents)

2.300 Some **residents** believed however that following approval of the Asher Lane site for 175 homes, Policy 6.1 should be removed, Policy 6.2 retained (50 homes) and this site reduced in scale to provide sufficient number of homes to meet the 350 homes target. Development should be restricted to the area adjacent to the roundabout.

2.301 Conversely the complete removal of this site in light of the Asher Lane decision was suggested.

2.302 Supporting comments from **residents** highlighted the lower Green Belt importance compared to other locations north and west of Ruddington, its location close to the village centre which will provide residents with a convenient access by foot or cycle to access facilities and amenities to meet their day-to-day needs.

2.303 The proposal to also remove land between this allocation and the A60 from the Green Belt (but not allocate for housing) is supported by its landowner (**Mordecai**) as the outer (eastern) boundary of the allocations will provide a defensible boundary to the Green Belt.

**Duty to cooperate**

2.304 No issues were raised.
Ruddington omission sites

2.305 There are 16 individual responses made in relation to omitted sites at Ruddington. From these 16 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 11 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

2.306 Burt believes RUD04 could meet self and custom build needs and should be allocated. Its omission is unsound. Representation is supported by a desk based Heritage Statement which concludes there would be minimal impact heritage assets.

2.307 Loughborough Road Consortium state that – in addition to the site’s location, its deliverability, access onto the A60 states, opportunity to provide self-build - RUD03 offers an opportunity to increase the capacity of the neighbouring school, by enlarging the playing field.

2.308 Simpson believes the omission of RUD11 is not justified and unsound. Site offers an opportunity to meet self-custom build needs and Government aspirations within a contained site.

2.309 Residents however have continued to object to the potential allocation of RUD11 as development on this hillside is considered very obtrusive.

2.310 Space Foods Ltd proposes the allocation of land of Asher Lane (granted outline planning approval for 175 homes at appeal).

2.311 Concerns by residents were expressed that further development off Asher Lane is likely to occur following approval of 175 units there (on the allotments and south of railway line).

2.312 Taylor Wimpey believes RUD08 represents an achievable, suitable and deliverable site for residential development to meet the Borough’s housing requirements.
Policy 7: Housing Allocation – Land east of Church Street, Cropwell Bishop

2.313 There are 25 individual responses made in relation to this policy or its supporting text. From these 25 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- 2 responses indicate that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 12 responses indicate that the plan is unsound;
- 4 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.314 It is stated by one respondent that this allocation is not legally compliant as the number of houses proposed is not based on sound evidence. This is because the most recent 2017 Midlands Rural Housing Survey identifies a need for 14 affordable homes and 6 open market, so a proposal for 70 is grossly disproportionate.

Soundness

2.315 Cropwell Bishop Parish Council understand the requirement for new housing and support this policy, however, they have some concerns:

- Cropwell Bishop Primary School is currently at capacity and access/parking will have to be reviewed as part of this development;
- the doctors surgery is also currently running at full capacity so expansion of this needs considering; and
- the existing public transport connecting the village to Nottingham is limited and unreliable.

2.316 Nottinghamshire County Council advise that contact is made with British Gypsum regarding the history and future of gypsum working as the allocation lies within a gypsum Minerals Safeguarding and Consultation Area.

2.317 Severn Trent advise that a FIDOL assessment is carried out to ensure development of this site can be carried out with no undue impact from the neighbouring sewage works. This assessment should also be used to ensure the proposed buffer is large enough to provide significant mitigation.
They also advise that sustainable drainage is to be incorporated within the policy wording, and anticipate no surface water flows would be connected to the sewage system as there is a watercourse along the western and northern boundaries.

**Terra Strategic**, who are promoting the site, support this allocation. It is anticipated that an outline planning application will be submitted in September 2018 ahead of the Local Plan Part 2’s examination.

**Davidsons** states that this site is being promoted by an landowner/agent who will invariably seek to take the site to the open market once outline consent is secured, therefore failing to deliver housing anywhere near the same timescale as they would be able to achieve on alternate sites in Cropwell Bishop. They therefore request that this site and Land to the North of the Memorial Hall are both allocated within the Local Plan Part 2 to ensure immediate delivery.

**Gladman Development** do not support this draft allocation due to its landscape and encroachment impacts. They state it would significantly adversely affect the rural setting of the village.

**Nottinghamshire Wildlife Trust** do not support any housing allocations in towns and villages and request this policy is amended in the event it is allocated. They state that the policy should include more detail on the extent of GI and habitat buffers required as part of any proposal.

**Rushcliffe Nature Conservation Strategy Implementation Group** object to this allocation on the grounds that it represents a significant intrusion into the wider countryside.

A number of respondents state that the school, car parking and road congestion in the village are currently at capacity so any growth and development will make this worse.

It is stated by one respondent that the allocation of this site does not respect the 25 - 400 metre ‘cordon sanitaire’ which the Nottinghamshire and Nottingham Waste Local Plan recognises.

A number of responses comment on the limited and unreliable bus service which serves Cropwell Bishop, stating that the development of this site would offer no ability for residents to use sustainable modes of transport.

One resident living adjacent to the site has concerns that current plans show the removal of a 12 foot conifer hedge between their property and the site.
They state that this should be retained as it will act as a sound buffer against the new road noises that will be created.

2.328 It is requested by one respondent that the allocation reserves an area of land for the future expansion of the school, as the development would effectively prevent this.

2.329 Concerns of flooding have been raised regarding the allocation and surrounding area.

2.330 One respondent identifies that Cropwell Bishop is one of the least accessible third tier settlements in the Sustainability Appraisal making it an unsustainable choice for housing delivery.

2.331 It is stated by one respondent that the proposed access onto the site from Church Street is on a dangerous corner, and is prone to flooding.

*Duty to cooperate*

2.332 No issues were raised.

*Cropwell Bishop omission sites*

2.333 There are 3 individual responses made in relation to omitted sites at Cropwell Bishop. From these 3 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

2.334 *Southwell and Nottingham Diocese* state that the plan fails to take into account the potential for their site North of Fern Road at Cropwell Bishop (referred to as CBI4 within supporting documents). They also suggest that the plan should make provision for safeguarded land in the event additional housing is needed in the future.
2.335 **Davidsons** has control via an Option Agreement over the land to the North of Memorial Hall and believe it is a suitable, immediately deliverable site. They state that the current draft plan fails to identify a deliverable housing allocation for Cropwell Bishop so believe this site should be allocated in the Local Plan Part 2 rather than the current draft allocation of Land East of Church Street.

2.336 **Hurst and Richards** state that their site, Land south of Nottingham Road at Cropwell Bishop (CBI1 within supporting documents), should be allocated within the Plan. They state that the site is very closely related to the existing urban area so the Green Belt score it had been given is flawed.

**Policy 8.1: Housing Allocation – Land between Butt Lane and Closes Side Lane, East Bridgford**

2.337 There are 89 individual responses made in relation to this policy or its supporting text. From these 89 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 10 responses indicate that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 64 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- 8 responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.338 **East Bridgford Parish Council** object to the policy on the basis that the site had not been consulted on prior to inclusion in the Publication draft. They argue that due process has not been followed in regards to plan preparation and the Borough Council has acted contrary to the draft SCI and Regulation 18 by failing to consult with local communities effectively throughout the pre-Submission stage. This view is supported by members of the public. Other comments highlight the lack of transparency in regards to the consultation that has been carried out by the Borough Council, and also by the Community Plan Group. A number of people objecting on these grounds request that the plan be withdrawn and another round of consultation be undertaken for this site.

2.339 A number of respondents shared the view that neither the Parish Council nor Community Plan Group reflected the views of residents and there was
therefore no democratic basis for including the site in the local plan. A number of respondents highlighted that the majority of residents responding to the Community Plan consultation were opposed to Green Belt development.

**Soundness**

2.340 **Nottinghamshire Wildlife Trust** object to the policy due to the loss of a greenfield site.

2.341 **Aldergate Properties** (site promoters of the omission site at Closes Side Lane, East Bridgford) object on the basis of:

- Potential issues over deliverability given the land being in multiple land ownership;
- No evidence or justification for the link road referred to in the policy;
- The required access arrangements having negative implications on the highway network and is contrary to the NPPF and 6Cs Design Guide.
- Detrimental impact on the setting of the approach to the village;
- Other more suitable sites with less adverse impacts are available.

2.342 A number of objections were received concerning the impact of any new development on local infrastructure and a lack of capacity in relation to schools, medical centre and the sewerage system. The limited number of shops in the village, lack of employment opportunities and poor public transport were also highlighted as being factors that should restrict growth. Road congestion and highways safety were also highlighted as being significant issues by a number of respondents. In relation to this latter point, a number of respondents highlighted the need for a traffic survey to be undertaken in the village.

2.343 The cumulative impact of other existing and proposed developments in nearby areas (e.g. Newton and land north of Bingham), was also raised as an issue. Other objections received related to the loss of Green Belt and the negative impact on the Conservation Area.

2.344 One respondent highlighted the lack of justification for a multi-use games area (MUGA) that is being promoted as part of the site by the Community Plan Group.

2.345 A number of respondents argued there was inadequate explanation and evidence for why this site has been chosen over the other sites previously identified at the “Preferred Options” stage. Other more reasonable alternatives
available and RBC has not given adequate reasons for the change in selected sites.

2.346 **Stagfield Group** (the site promoters) support the allocation. They state that they have secured complete land assembly which will assure the availability and comprehensive delivery of the site. An illustrative masterplan is supplied as part of the representation which shows how the site could be developed. They are of the view that a moderately higher potential dwelling capacity than the 80 dwellings referred to could be achieved on the site. The masterplan includes a connecting access road between Butt Lane and Closes Side Lane and incorporation of the existing PROW. The site promoters have engaged with the promoters of the adjacent site (Policy 8.2) with a view to achieve complementary design and access parameters.

2.347 **East Bridgford Community Plan Group** support the allocation, referring to resident support from a 2016 survey for development on the east side of the village if development were unavoidable. They request an additional four criteria to be added to the policy with specific wording included as part of the representation. The additional criteria relate to:

- the requirement for 15% of the site to be allocated for public open space (10% for informal play and 5% for footpath and amenity open space);
- tree screening for the east of the site;
- compliance with the Rushcliffe Design Guide and the East Bridgford Place Making Guide; and
- drainage connections.

**Duty to cooperate**

2.348 **East Bridgford Parish Council** states its belief that the Borough Council have failed in its duty to co-operate with the parish in regards to the lack of public consultation on the site. .

**Policy 8.2: Housing Allocation – Land south of Butt Lane, East Bridgford**

2.349 There are 77 individual responses made in relation to this policy or its supporting text. From these 77 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 6 responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 61 responses indicate that the plan is unsound;
2.350 No issues were raised.

**Soundness**

2.351 **Pickford** (landowner of the site) support the allocation of the site but request that the precise boundary of the site should be amended to relate to existing development and landscape features to provide a more logical site and village boundary. A revised plan is provided as part of the representation. Support is given to criterion (d) but it is argued that further clarity is required. The following wording is suggested: “development which borders the site to the east and which would be retained as Green Belt, should be screened by a substantial tree belt which connects Butt Lane and the neighbouring Millennium Wood”

2.352 **East Bridgford Community Plan Group** support the allocation, referring to resident support from a 2016 survey for development on the east side of the village if development were unavoidable. They request amendments to criterion (b) to include reference to traffic calming measure, criterion (e) to refer to an extension to the PROW to connect to the proposed tree belt, and request three new criteria that refer to requirements for compliance with the Rushcliffe Design Guide and the East Bridgford Place Making Guide, and drainage connections. An alteration to paragraph 3.96 to refer to a new footpath is also requested. Specific wording for each of these is supplied as part of their representation.

2.353 **Aldergate Properties** (site promoters of Closes Side Lane, East Bridgford) object on the basis of:

- the required access arrangements having more negative implications on the highway network and being contrary to NPPF and 6Cs Design Guide;
- the prominence of the site;
- lack of justification for additional medical centre car parking;
- the site being incapable of providing the number of dwellings required by the policy; and
other more suitable sites being available in light of the objections above.

2.354 Gladman Development object to the policy on the basis that there is insufficient evidence to justify its inclusion as the site has not been considered in the SHLAA or Green Belt Review.

2.355 Nottinghamshire Wildlife Trust object to the policy and require further clarity on criteria (d) and (e) as the existing wording is considered too general and open for interpretation. More clarity on what constitutes a ‘substantial’ tree belt is required.

2.356 Nottinghamshire CPRE object to both this site and the adjacent site due to the negative impact on the rural character of the edge of the village. They consider there are more suitable alternative sites available that would lead to a more dispersed pattern of development which would have less negative impact.

2.357 RNCSIG object due to the impact on Springfield Wood and adjacent wildflower meadow. Adequate buffering and mitigation considered critical if development were to go ahead. This view is supported by other members of the public.

2.358 East Bridgford St Peter’s CofE Academy has requested that the developments provide adequate financial contributions for the school.

2.359 A number of residents object to inclusion of the site due to the impact on Millennium Wood and PROW and loss of wildlife. The negative impact on the rural approach to the village was also highlighted and the loss of open space. The negative impact on the Conservation Area, loss of high quality agricultural land, impact on openness and rural character, and over concentration of housing in one area were among the other issues raised.

2.360 One alternative suggestion proposed was for the site to be developed as car park overspill and public open space.

East Bridgford omission sites

2.361 There are 6 individual responses made in relation to omitted sites at East Bridgford. From these 6 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
No responses indicate that the plan is not legally compliant;
No responses indicate that the plan is sound;
1 response indicate that the plan is unsound;
3 responses indicate that the plan complies with the duty to cooperate; and
No responses indicate that the plan does not comply with the duty to cooperate.

2.362 A number of respondents stated their preference for the sites identified at Preferred Options stage. They considered these resulted in a more balanced distribution across the village. Some of these respondents were of the view that the Borough Council had not adequately justified why these sites had been discounted in favour of the site included under Policy 5.1.

2.363 **Aldergate Properties** argue their site (Closes Side Lane) is a more sustainable alternative and preferable to the sites identified in terms of available access, Green Belt, physical relationship to the village and landscape impact. They provide an illustrative masterplan as part of their representation.

2.364 **Taylor Wimpey** argue their site (Land off Kneeton Road) is a more suitable alternative. They provide an illustrative masterplan and a Heritage Appraisal as part of their representation. They also suggest the potential for a land swap with the primary school.

**Policy 9: Housing Allocation – Land east of Gypsum Way/The Orchards, Gotham**

2.365 There are 120 individual responses made in relation to this policy or its supporting text. From these 120 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- 82 responses indicate that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 24 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- 4 responses indicate that the plan does not comply with the duty to cooperate.
Legal compliance

2.366 One landowner stated that the policy is not legally compliant, but have raised no specific issues.

2.367 **Gotham Parish Council** and a number of comments from local residents state that the policy is not legally compliant. They consider that the proposed access road off Leake Road did not form part of the proposal that was consulted upon.

Soundness

2.368 **Davidson Developments** support the proposed allocation. It considers that suitable access can be achieved off Leake Road. Furthermore it states that the site has been assessed as being of low green belt importance, low landscape and visual sensitivity. It states that it has an option agreement on the land and has a good track record for delivery. It states that it will submit a full planning application to the Borough Council close to adoption of the plan. All of the factors in relation to deliverability are in contrast to the other sites in Gotham, who will seek to take the site onto the open market once outline planning permission is secured. It considers that the site can be delivered within the envisaged timescales.

2.369 Conversely, **British Gypsum Ltd** do not support the site. They consider that the 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 their view, appear unusual in form and result in an incongruous extension to the village. Similar comments have been submitted on behalf of **Charterhouse Strategic Development** and **Gladman Developments**. Charterhouse Strategic Development state that if the land remains allocated however, the allocation could be expanded to cover land south of Pygall Avenue as well.

2.370 **Southwell Diocese** consider that land to the east of Leake Road is more preferable for allocation as it is more logical in land use planning terms and the shape of the settlement compared to that proposed for allocation in Policy 9.

2.371 **Gotham Parish Council** consider that in respect of the proposed allocation, there has not been sufficient weight attached to noise nuisance to houses from the continued use of the NCT Bus Depot access difficulties and increased pressure to develop on areas of ridge and furrow adjacent to the fields to the north, which are proposed to form part of the inset for the village.
2.372 **Severn Trent** have indicated that there is the potential for sewer capacity improvements to be required to enable the development of this site to be undertaken. Severn Trent further suggests discussions regarding the timescales for the development of this site are undertaken. In addition, it states that policy 9 does not highlight the need to incorporate SuDS into the drainage system. As with a number of sites, they advise that reference to the use of SuDS and the drainage hierarchy is incorporated for clarity.

2.373 Finally, **Severn Trent** indicate that OS maps show that there is a field drain running through the development site, there is also a watercourse on the opposite side of Leake Road, Severn Trent would wish that no surface water flows would be connected to the local sewerage system.

2.374 **Nottinghamshire County Council** advise that a gypsum Minerals Safeguarding and Consultation Areas covers this site area. Furthermore the County Council would advise that contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of the proposed site.

2.375 **RNSIG** state that RNCSIG it does not support the proposed allocation as it is adjacent to a Local Wildlife Site and in their view represents an intrusion into the wider landscape. It does however state that they would expect significant appropriate mitigation and buffering of the LWS in line with Policy 36 on Designated Nature Conservation Sites. **Nottinghamshire Wildlife Trust** raise similar concerns and state that there is grasslands within the site. They wish to see more detail in relation to the location and amount of Green Infrastructure contained within the plan.

2.376 A number of comments from local residents consider that the plan is unsound as they consider that the Borough Council has not effectively assessed alternative sites, and has not followed national policy on the use of smaller sites. Some other comments support the proposed allocation subject to the creation of rear accesses or parking to the rear of the properties along Leake Road in order to reduce the amount of on-street parking at present. One comment from an adjacent property to the potential access point would wish to see kerb dropping for off-road parking and suitable fencing. One comment suggests access would be better from Gypsum Way.

2.377 Some concerns have been raised about traffic, noise from the adjacent bus depot. One comment states that there is a brook along part of the site but there is no 10m buffer identified within the policy. Another comment from a neighbouring property broadly supports the principle of the policy however they would wish that a requirement for SuDS on site is included in policy 9.
Some responses from a neighbouring property broadly supports the policy, however wishes to see an additional criterion stating 'Sustainable drainage measures must address any identified surface water run-off issues, and management of the drainage dyke passing through the site.' And cites other site specific policies that have similar criteria.

**Duty to cooperate**

2.378 A number of comments state that under the duty to cooperate, the Borough Council should have regard to the housing policies and green network policies in the draft neighbourhood plan.

**Gotham omission sites**

2.379 There are 87 individual responses made in relation to omitted sites at Gotham. From these 87 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 85 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- 1 response indicates that the plan does not comply with the duty to cooperate.

2.380 **Gotham Parish Council** support the allocation of Land to the Rear of British Legion as an allocation and suggest that the Green Belt inset boundary should be drawn around it. A number of local residents also state that Land to the Rear of the British Legion and Land at Nottingham Road be allocated for development as an alternative to the Borough Councils proposals, as proposed in the draft Gotham Neighbourhood Plan.

2.381 **Charterhouse Strategic Land** consider that Land South of Pygall Avenue could provide circa 60 dwellings. They consider that the site is centrally located for facilities and access to public transport, can be accessed by vehicles off Hall Drive. Furthermore they consider that if the land to the South (Policy 9) remained an allocated housing site it could be linked by pedestrian and cycle links. A vehicle link between the two parcels of land is not considered essential and connectivity could as stated above be provided by a pedestrian/cycle link, possibly including access for emergency vehicles.
2.382 They consider that Land South of Pygall Avenue Gotham is suitable, available and achievable to deliver homes within 5 years, and has the potential to deliver the 20 homes in 2020/21 and 50 homes in 2021/22. Furthermore they consider that the development of the site would have limited impact on the Green Belt and landscape.

2.383 **Southwell and Nottingham Diocese** consider that Land East of Leake Road should be allocated. They state that the site is of low Green Belt importance, has no technical constraints and is within easy walking distance of the centre. Furthermore they state that there is significant developer interest in the site and it would deliver a wide range of homes in the early part of the plan period. Finally they consider that if the land is not allocated in this plan then it should at least be safeguarded for the future.

2.384 **British Gypsum** 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 a plan accompanying their representation. For the purposes of the Borough Council’s housing site selection document SG2 is known as Land east of Hill Road and SG4 is known as Land to the Rear of British Legion. They consider that the sites are at present available, deliverable and sustainable. SG1 and SG3 have not been assessed in the Housing Site Selection document. British Gypsum considers that SG3 should have been assessed as part of this document.

2.385 They consider that all their sites should be released from the Green Belt 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, they consider that sites SG2-4 could be identified as safeguarded land. They consider that these sites are available and deliverable opportunities for additional housing land, having no major constraints and being in single ownership.
Policy 10: Housing Allocation – Land north of Park Lane, Sutton Bonington

2.386 There are 65 individual responses made in relation to this policy or its supporting text. From these 65 individual responses (where a preference is specifically expressed):

- 9 responses indicate that the plan is legally compliant;
- 3 responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 40 responses indicate that the plan is unsound;
- 9 responses indicate that the plan complies with the duty to cooperate; and
- 3 responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.387 One resident stated that the site is in the wrong location and a more appropriate site should be found.

Soundness

2.388 Sutton Bonington Parish Council considers the plan not justified or effective. It is not supported by evidence that the services can support 80 homes (particularly the primary school), how the number of homes was determined or that the site is deliverable. Parts 10 a), b) and d) cannot be achieved as the approach to the village will change following development, amenity of residents will be lost and there is no evidence that sustainable drainage measures can manage surface water run-off. The requirement, in supporting paragraph 3.106, to sensitively develop the southern boundary and create a visually attractive edge for the village cannot be achieved as this is not specifically required within the policy.

2.389 Sutton Bonington Residents Committee consider the policy unsound as there is inadequate school capacity; it would urbanise the village and merge the village with Normanton on Soar; more development would follow; it would increase flooding and congestion. The homes proposed at Sutton Bonington should be relocated to the key settlements or the urban extensions.

2.390 Nottinghamshire County Council state that whilst the site is within a sand and gravel Minerals Safeguarding and Consultation Areas, given the location of the proposed housing allocation, adjoining existing residential land use, in an area of land between Sutton Bonington and Normanton on Soar, it is unlikely that this site would sterilise a potential future extraction area.
2.391 **Severn Trent** has no specific concerns in relation to this development provided that the surface water drainage for the site is designed and constructed in line with the principles suggested for Policy 1. The northern boundary of the site is indicated to contain a watercourse. Severn Trent would therefore anticipate that no surface water flows would be connected to the local sewerage system.

2.392 **Croft Developments Ltd** (promoting land at Simkins Farm, Adbolton) and **Davidsons Developments Ltd** (promoting various sites) highlight the landowner’s intention to deliver a bespoke development and that no volume housebuilder is involved. Consequently delivery within 5 years is over optimistic.

2.393 **Residents** are concerned that the development of this site would increase the village by 10% and result in further imbalance of development south of the village (merging with Normanton). It would increase congestion (due in part to inadequate public transport) and reduce highway safety on Park Lane (due to proposed access near a bend) and at the junction with the A6006 (where congestion on the A6006 will increase due to DNRC, logistics development on the M1, and developments Six Hills and East Leake).

2.394 Development of the site would detrimentally affect the rural character of the village (especially the tree lined approach) and increase pressure on existing community services and facilities which are already inadequate (two shops, school and doctors (where parking in the centre of the village is also a problem))

2.395 A number of residents highlighted increases in flood risk and sewage capacity problems (with neighbouring properties already affected by both). The proximity to the neighbouring industrial estate and impacts on public health from activities within it was highlighted. Whilst the absence of local employment opportunities was also mentioned.

2.396 **Residents** raised concerns that eventually more than 80 units will be developed between the village and the A6006 (they highlight that 140 homes was previously proposed).

2.397 There was some support for retaining the previous number of homes (140), with these distributed across more than one site.

2.398 If the site were developed it was suggested that the area of land between the development and the A6006 should be a landscape/green buffer. In order to
avoid overlooking, the development should not be located close to existing properties on Charnwood Fields and Charnwood Avenue.

**Duty to cooperate**

2.399 No issues were raised.

**Sutton Bonington omission sites**

2.400 There are 5 individual responses made in relation to omitted sites at Sutton Bonington. From these 5 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

2.401 **Mather Jamie** request that SUT03 be allocated as a narrow footway for 30 metres is not considered adequate justification for rejecting a site which is located closer to services within the village.

2.402 Some residents opposing the allocation of the Park Lane site supported the allocation of land adjacent to the tennis court (SUT03) or land opposite the University, off Landcroft Lane, as these do not extend the village. Other residents suggested the development of 80 homes should take place at larger key settlements or on the edge of the strategic urban extensions.

2.403 One resident suggested relocating the school and doctors to the proposed site and redevelop them for housing.

**Tollerton omission sites**

2.404 There are 3 individual responses made in relation to omitted sites at Tollerton. From these 3 individual responses (where a preference is specifically expressed):

- 1 response indicated that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
No responses indicate that the plan is sound;
1 response indicated that the plan is unsound;
1 response indicated that the plan complies with the duty to cooperate; and
No responses indicate that the plan does not comply with the duty to cooperate.

2.405 There is one individual respondent to Tollerton omission sites. This response states that the plan is unsound.

2.406 Richborough Estates (promoting a site at Burnside Grove) considers Tollerton a sustainable and accessible settlement which can accommodate 150 dwellings on an appropriate site. Development of this scale will ensure affordable housing contributions and to addressing the five year housing supply shortfall. It identifies a number of reasons in support of the site's allocation for development.

West Bridgford omission sites

2.407 There are 13 individual responses made in relation to West Bridgford omission sites. From these 13 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 5 responses indicate that the plan is unsound;
- 4 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.408 No issues were raised.

Soundness

2.409 Rockspring Barwood Gamston Ltd (off the A52/A6011 junction, Gamston) state that the plan must be flexible and therefore should include land adjacent to the Main Urban Area. Land north of the Tollerton/Gamston strategic allocations should therefore be allocated as it could accommodate 2,000 or more dwellings. As an extension, within clearly defined boundaries it would
have less impact on the Green Belt. It is not dependent on the neighbouring strategic allocation and access can be achieved off the A52.

2.410 **Davidsons Developments Ltd** (promoting land adjacent to the Gamston strategic allocation) states that the land could provide an additional 500 dwellings in a sustainable location. There is no evidence to support the position that additional sites adjacent to the main urban area would not address the shortfall. The site is separately owned and could have a separate access of the A52 that would connect with the employment area in the strategic allocation. Submission is supported by a positive access and movement strategy and landscape appraisal.

2.411 **Crofts Developments Ltd** (promoting Simkins Farm, Adbolton for housing development) state that the main urban area is the most sustainable location and the land at Simkins Farm, adjacent to the Lady Bay is also wholly sustainable location with an abundance of facilities and amenities within walking distance, including bus services.

2.412 **John A Wells Ltd** (promoting land west of the Edwalton strategic allocation) states that the justification for not identifying further land at west of the Edwalton strategic allocation is flawed, as it does not consider the circumstances of the land and the development that is proposed. Retirement housing on this land can be delivered in the early part of the plan period.

2.413 **East Leake Parish Council** is critical for what it sees as a failure to allocate further sites next to the edge of the main Nottingham urban area. It requests that further main urban area sites are allocated, including Edwalton Golf Course.

*Duty to cooperate*

2.414 No issues were raised.

**Other settlements omission sites**

2.415 There are 17 individual responses made in relation to other settlement omission sites. From these 17 individual responses (where a preference is specifically expressed):
- 1 response indicates that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 9 responses indicate that the plan is unsound;
2.416 **Newton Nottingham LLP** who own the former RAF Newton site allocated in the Local Plan Part 1, state that the site can accommodate up to 160 additional dwellings. It is stated that an allocation of these additional dwellings would not need to be built on Green Belt land.

2.417 **John Newton Associates** state that SHLAA site ref 430 in Bunny should be allocated for residential development. The assessment of the site states it could be suitable for development if policy changes, so believe it should be allocated in the Local Plan Part 2 to achieve this.

2.418 **Bridge** proposes that the Local Plan Part 2 allocates their site, Willow Farm, off the A52 near Gamston for around 8 dwellings. They state that the site is available and deliverable and would not need removing from the Green Belt.

2.419 **Collington** request that their land North of Main Street/Leake Road in Costock is allocated in the Local Plan Part 2. They state that their site is in a sustainable settlement and most importantly, it lies outside of the Green Belt.

2.420 **Mourtzi** propose their land at Loughborough Road, Bunny to be allocated for housing. They state it is a vacant site in a sustainable settlement which is immediately available for development. They believe it would be a better alternative to allocating the former Bunny Brickworks as it is much smaller in scale.

2.421 **Gladman Developments** have interests in Land at Abbey Lane at Aslockton and believe it should be allocated for housing as part of the approach to rectify the undersupply of housing.

2.422 **Davidsons Developments Ltd** state that Rushcliffe’s approach to the delivery of housing now uses lower-tier settlements, which they support. However, they do not support that Aslockton is not identified as one of these settlements suitable for growth. They state that Aslockton can support additional housing growth and request that Land north of Abbey Lane (previously referred to as ASL03) is allocated in the plan.

2.423 **Breedon** request that their site at Cliff Hill Lane, Aslockton is allocated within the plan to address the borough’s land supply issues.
2.424 **Wilson** believes their site at 130 Melton Road in Stanton on the Wolds (SHLAA site 363) is suitable for development and should be allocated in the plan.

2.425 Several responses have stated that the Local Plan is supported as it sensibly does not allocate any further housing at Aslockton as it would not be able to support it.

**Policy 11: Housing Development on Unallocated Sites within Settlements**

2.426 There are 4 individual responses made in relation to this policy or its supporting text. From these 4 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 3 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.427 No issues were raised.

**Soundness**

2.428 **Gladman Development** argue the policy is unsound on the basis that there is insufficient flexibility to allow for sustainable development and suggest that the final sentence of paragraph 3.111 needs to be deleted in order for this to be rectified. The **Home Builders Federation** has similar concerns about the policy and suggests that the policy is amended to allow for sustainable development adjacent to settlements.

2.429 **Historic England** require amendments to criterion (d) of the policy as they consider the current wording to be unclear. It is recommended that the wording be reviewed and made clear if the intention is to reuse buildings as part of a development scheme where it is considered there are architectural or heritage related merits that would merit retention, as indicated in the later historic environment related section (paras. 9.13-9.15).
2.430 **Aslockton Parish Council** request the list of criteria is expanded to include adverse impact on the amenity of nearby residents during the construction phases of development.

2.431 **Pedigree Wholesale** support the wording of the policy which makes provision for new housing on unallocated sites within settlements.

**Duty to cooperate**

2.432 No issues were raised.

**Policy 12: Housing Standards**

2.433 There are 14 individual responses made in relation to this policy or its supporting text. From these 14 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 11 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.434 No issues were raised.

**Soundness**

2.435 **Severn Trent** are supportive of the inclusion of the optional water efficiency standard stating that it will help to secure water resources for current and future growth. This approach is also considered to support the underlying principles of NPPF. The **Environment Agency** also support this optional standard highlighting the negligible cost required to achieve it.

2.436 **Severn Trent** advise the incorporation of a section of Policy 12 to promote the use of rain water harvesting. **RNCSIG** and **Rushcliffe Green Party** also support this.
2.437 **RNCSIG** suggest widening the scope of the policy to include biodiversity standards, for example bird and bat boxes and hedgehog gaps within fences. They suggest the policy refers to RIBA’s “Designing for Biodiversity” technical guide. **Friends of Sharphill Wood** also request that a biodiversity standard referring to this guidance is included in the policy. **Nottinghamshire Wildlife Trust** and **Rushcliffe Green Party** echo the comments made by RNCSIG and **Friends of Sharphill Wood**. Incorporation of biodiversity standards within the policy was also suggested by members of the public.

2.438 **Gladman Development** argue the policy is unsound on the basis that there is insufficient flexibility to allow for sustainable development and suggest that the final sentence of paragraph 3.111 should be deleted in order for this to be rectified.

2.439 The **Home Builders Federation (HBF)** argue that the inclusion of wheelchair and accessible standards has not been evidenced and is therefore contrary to national policy. They request the deletion of Policy 12 (1) and (2). This view is also supported by **Davidsons Developments Ltd** and **Taylor Wimpey**.

2.440 The inclusion of a requirement for a proportion of new housing to meet the specific needs of the elderly (e.g. bungalows, retirement complexes, and sheltered accommodation) was requested by one member of the public.

2.441 The **HBF** also request the deletion of Policy (3), arguing the evidence behind the water efficiency is outdated and needs to be refreshed if the higher standard is to be justified. This view is supported by **Taylor Wimpey**.

**Duty to cooperate**

2.442 No issues were raised.

**Policy 13: Self-Build and Custom Housing Provision**

2.443 There are 17 individual responses made in relation to this policy or its supporting text. From these 17 individual responses (where a preference is specifically expressed):

- 4 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 9 responses indicate that the plan is unsound;
- 4 responses indicate that the plan complies with the duty to cooperate; and
• No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.444 No issues were raised.

**Soundness**

2.445 A site landowner (Sam Burt) objects to the policy on the basis that it is not considered to provide enough clarity or certainty. They suggest in order for the policy to be sound, specific sites need to be identified and the policy also needs to more clearly stipulate the percentage requirement on schemes based on identified need. They suggest the discounted site RUD04 should be promoted for custom/self-build in Ruddington under this policy and a heritage assessment is included as part of their representation to support promotion of the site.

2.446 Gladman Developments, Linden Homes, William Davis, Taylor Wimpey, Davidsons Developments Ltd, the Stagfield Group, Oglesby and the HBF consider that Policy 13 (2) is unsound as it is not based on evidence of need (e.g. SHMA, custom/self-build register) and is therefore unjustified and inconsistent with national policy. They also share concern of the practicalities in incorporating plots on schemes. A number of these respondents highlight the need to viability test these proposals.

2.447 Gladman Developments also make specific comments about the design implications of incorporating self-build plots and how they would be adequately assimilated into the overall scheme design.

2.448 Gladman Developments, Davidsons Developments Ltd and Linden Homes consider that any percentage threshold should only be required on larger strategic sites. Conversely, William Davis raise concern that the percentage requirement on larger sites will slow overall delivery.

2.449 Taylor Wimpey state that the percentage threshold is overly prescriptive and should instead be determined on a case by case basis. Oglesby argue that there is no national policy requirement for Local Plans to include a specific policy on custom and self-build and the wording of the Planning Practice Guidance only requires “encouragement” of it through negotiations with developers and landowners.

2.450 The majority of developers responding to this policy request deletion of 3 (2).
2.451 **Stagfield Group** argue that the percentage approach creates a level of uncertainty (due to both fluctuating demand and in the application process through design and viability of schemes) which will slow the delivery of new homes. An alternative approach of allocating sites, potentially Council owned, is considered more appropriate.

2.452 The **HBF** support Policy 3 (1).

*Duty to cooperate*

2.453 No issues were raised.

**Policy 14: Specialist Residential Accommodation**

2.454 There are 2 individual responses made in relation to this policy or its supporting text. From these 2 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 1 response indicates that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.455 No issues were raised.

*Soundness*

2.456 **Gladman Developments** support policies which encourage the development of specialist accommodation for older people including both extra care and sheltered accommodation. However, they object to 14 (C) as it is unclear how the impact of a proposal on existing healthcare facilities can be evidenced. This provides an unclear policy which is difficult to implement and should be avoided.

2.457 **Waitrose** support the policy as the requirement for residential institutions to be located close to amenities would generate footfall to support the core use of district and local centres.
**Duty to cooperate**

2.458 No issues were raised.

**Section 4 – Employment Development**

2.459 There is one individual response made in relation to section rather than a specific policy. This individual response (where a preference is specifically expressed) indicates that the plan is unsound;

**Legal compliance**

2.460 No issues were raised.

**Soundness**

2.461 No issues were raised.

**Duty to cooperate**

2.462 No issues were raised.

**Policy 15: Employment Development**

2.463 There are 21 individual responses made in relation to this policy or its supporting text. From these 21 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 11 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- 2 responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.464 No issues were raised.
**Soundness**

2.465 **Nottinghamshire County Council** advise that a gypsum Minerals Safeguarding and Consultation Area covers the area of the draft employment allocation sites so contact should be made with British Gypsum regarding the history and future of gypsum workings.

2.466 **Network Rail** specifically comment on the Bingham employment allocations, highlighting their concern that they are close to two railway level crossings. It is stated that the policy wording is amended to make it clear that proposals for development will generally be resisted where they would prejudice safe use of level crossings and if this is the case, the provision of an alternative bridge crossing would be required at the developer’s expense.

2.467 **Severn Trent** advise that all employment allocations should be required to incorporate sustainable drainage. They also state that any brownfield development should seek to reduce surface water discharge to a rate as close as possible to that of greenfield land. It is also advised that this policy should be amended to promote the use of rain water harvesting at all employment developments.

2.468 **Gotham Parish Council** support this policy with regard to the omission of any employment site allocations at Gotham.

2.469 **Normanton on the Wolds Parish Council** request that consideration is given to the increased levels of traffic created by employment development at Keyworth and the impact on the watercourse as Normanton is downstream from Keyworth.

2.470 **Nottinghamshire Wildlife Trust** state that this policy is missing requirements for biodiversity and GI. They have major objections about the Hollygate Lane, Cotgrave employment allocation due to its close proximity to the Grantham Canal LWS and the impacts it would have on the wildlife corridor. It is also suggested that GI requirements are included in the allocation policy as per with the housing allocation policy, e.g. Platt Lane (Keyworth) and Nottingham Road (Radcliffe) housing allocations both require GI but the employment allocations at these locations do not.

2.471 **British Gypsum** state their disappointment that the Local Plan Part 2 does not allocate any employment sites at Gotham. They have several sites available for residential and/or employment development around the settlement which are believed to be available, deliverable and sustainable.
2.472 **Uniper UK** (previously E.ON) request that Ratcliffe on Soar Power Station has its boundaries defined in this policy to show the extent of the centre of excellence to clarify where the allocation of land to meet the needs of high technology industries would be. Their representation included an attached plan of the suggested allocation boundary.

2.473 **Hogg** generally supports this allocation, particularly land at Platt Lane, Keyworth. However, it is requested that the allocation is amended to clarify that the existing dwellings fronting Platt Lane are not included and that a high quality landscaped access should be created.

2.474 **Tobit** have concerns regarding this policy, particularly the allocation at Platt Lane, Keyworth. They state employment use of the site is completely inappropriate and the resulting increase in vehicle movements is unacceptable in the context of the residential properties located directly adjacent the allocation. They also state that the LPA have not positively engaged with the owners of the cottages fronting the site, failing to establish if they either support or object to the proposed allocation of their property for employment land.

2.475 **Mosaic Group** state that this policy is not positively prepared or justified as the supporting evidence for the allocation of employment development at Radcliffe on Trent (part of mixed-use scheme) is not robust. It is requested that the area of allocated land for employment is greatly reduced to provide more land for housing and that reference to it should be deleted from this policy.

2.476 The **British Geological Survey** have concerns of the Platt Lane employment allocation being developed for the following reasons: increased traffic will impact their staff travel times; increased security risk so they request that the proposals should strengthen the site boundary; and that they would have no ability to expand if development surrounded their site.

2.477 It is stated by one respondent that the plan is not positively prepared as it does not take into account the increase in traffic at Cotgrave as a result of the employment allocation. Bingham Road and several junctions around Cotgrave are already un-fit for purpose so increased traffic would worsen this.

**Duty to cooperate**

2.478 No issues were raised.
Section 5 – Climate Change, Flood Risk and Water Management

2.479 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.480 No issues were raised.

Soundness

2.481 No issues were raised.

Duty to cooperate

2.482 No issues were raised.

Policy 16: Renewable Energy

2.483 There are 6 individual responses made in relation to this policy or its supporting text. From these 6 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 3 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.484 No issues were raised.

Soundness

2.485 Rushcliffe Green Party suggest the following amendments to the wording of this policy:

a. “Proposals for renewable energy and energy storage schemes will be granted planning permission […]”
b. Deletion of part 2 of the policy as it is contrary to supporting text paragraph 5.2.
c. Addition of the following to section 5.1: “energy storage schemes associated with renewable energy including battery energy storage; hydrogen energy storage; and vehicle to grid systems”.

2.486 **Nottinghamshire Wildlife Trust** request that the policy wording is amended to include a reference to potential biodiversity gain, for example grasslands within future proposals for solar farms.

2.487 **RNCSIG** support the policy, but state that there should be consideration given to potential issues such as bird strikes if any proposal is located near a significant bird roosting area. They also suggest the addition of opportunities to create habitats as part of renewable schemes.

**Duty to cooperate**

2.488 No issues were raised.

**Policy 17: Managing Flood Risk**

2.489 There are 5 individual responses made in relation to this policy or its supporting text. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.490 No issues were raised.

**Soundness**

2.491 **Environment Agency** are in full support of the policy and the supporting text which justifies it.
Nottinghamshire Wildlife Trust show strong support for this policy, however suggest some amendments. They request that a reference to biodiversity gain is added to the main policy wording including the mention of Ciria Suds Manual which highlights the biodiversity sustainable drainage can maintain.

Rushcliffe Green Party suggest a number of amendments:
  a. Part (1) (a)(i): inclusion of “basements” to the list of householder developments;
  b. Part (2): “Proposals will be expected to include mitigation measures which protect the site, encourage biodiversity and manage any residual flood risk[…].”

RNCSIG request that the mention of seeking biodiversity gains as part of any flood risk management scheme should be included in the policy wording rather than just the supporting justification text.

Duty to cooperate

No issues were raised.

Policy 18: Surface Water Management

There are 3 individual responses made in relation to this policy or its supporting text. From these 3 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 2 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

No issues were raised.

Soundness

Severn Trent support the policy and its use of sustainable drainage. They also recommend the inclusion of the Drainage Hierarchy to direct surface
water flows to natural outfall routes before utilising sewers. It is stated that this is supported by Planning Practice Guidance paragraph 80.

2.499 **Nottinghamshire Wildlife Trust** strongly support this policy, particularly its reference to biodiversity at criterion (e).

2.500 **Gladman Developments** suggest that criterion (d) of this policy is deleted as it relates to detailed design and not surface water management.

**Duty to cooperate**

2.501 No issues were raised.

**Policy 19: Development affecting Watercourses**

2.502 There are 8 individual responses made in relation to this policy or its supporting text. From these 8 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 5 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.503 No issues were raised.

**Soundness**

2.504 **Nottinghamshire Wildlife Trust** support this policy, particularly the references to biodiversity. They suggest amending part (c) of the policy to state a “minimum of 10m” for the buffer zone rather than just “10m” as this could lead to the loss of wider buffers. They also object to paragraph 5.33 of the supporting text which exempts previously developed land within 10m of a watercourse to create a buffer zone.

2.505 It is requested by others, including the **RNCSIG**, that the policy wording regarding the buffer is amended to state a “minimum 10m buffer zone” rather
than just 10m.

2.506 **Rushcliffe Green Party** suggest adding “underground watercourses” to criterion (b) of the policy. They also suggest amending criterion (e) to “retains a **minimum** 10 metre buffer [...]”.

2.507 It is suggested that an additional criterion of this policy is added: “g) accommodates and enhances biodiversity by making connections to existing Green Infrastructure assets and conserves or enlarges habitats and species that depend directly on water”.

**Duty to cooperate**

2.508 No issues were raised.

**Policy 20: Managing Water Quality**

2.509 There are 3 individual responses made in relation to this policy or its supporting text. From these 3 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- No responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.510 No issues were raised.

**Soundness**

2.511 **Nottinghamshire Wildlife Trust** show strong support for this policy, particularly the principles of securing EU Water Framework Directive aims, objectives and targets as part of the Local Plan.

**Duty to cooperate**

2.512 No issues were raised.
Section 6 – Green Belt and the Countryside

2.513 There is one individual response made in relation to this policy or its supporting text. This individual response (where a preference is specifically expressed) indicates that the plan is unsound.

Legal compliance

2.514 No issues were raised.

Soundness

2.515 Several responses have been received objecting to the plan as it allocates sites within the Green Belt. It is stated that exceptional circumstances do not exist so the Green Belt should be left undeveloped.

Duty to cooperate

2.516 No issues were raised.

Policy 21: Green Belt

2.517 There are 127 individual responses made in relation to this policy or its supporting text. From these 127 individual responses (where a preference is specifically expressed):

- 10 responses indicate that the plan is legally compliant;
- 4 responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 97 responses indicate that the plan is unsound;
- 10 responses indicate that the plan complies with the duty to cooperate; and
- 4 responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.518 No issues were raised.
**Soundness**

2.519 **Langridge Homes** believe Rushcliffe Borough Council have failed to demonstrate that the proposed Green Belt boundary will endure beyond the plan period as it has not allocated enough land for new houses. They state that this does not follow NPPF guidance.

2.520 **FFR Developments** request that the Green Belt boundary at Station Hotel, Sutton Bonington should be amended as the area is now built up so it is not necessary to be kept permanently open.

2.521 **Barratt David Wilson** believe that provision should be made for safeguarding land by releasing additional sites from the Green Belt. They request that one of these safeguarded sites should be COT11b (as previously referred to) as it would provide a logical extension of the allocated site Land South of Hollygate Lane.

2.522 **Taylor Wimpey** state that they support the release of Green Belt land for housing development and request that their sites at Kneeton Road in East Bridgford and West of Pasture Lane in Ruddington are inset from the Green Belt.

2.523 **Aldergate Properties** state that their land off Closes Side Lane, East Bridgford has been incorrectly assessed resulting in a higher Green Belt score than it should have been given. They state it is actually lower than that of the allocated site Policy 8.1 so should be removed from the Green Belt.

Aldergate Properties also object to the proposed Green Belt boundary at Keyworth and request that it is extended from Policy 4.3 to inset their site.

2.524 **Crown Estate** disagree with the proposed Green Belt amendments as they believe their site Land to the North of Shelford Road has been incorrectly assessed in the Green Belt Assessment. They have provided an update score of their site which they believe is more appropriate and state Policy 5.4 (Land north of Grantham Road) should not be released from the Green Belt as it would constitute ribbon development and sprawl into the countryside.

2.525 **British Gypsum** request that several of their sites at Gotham are released from the Green Belt to provide greater flexibility in providing homes in the borough.

2.526 **Southwell and Nottingham Diocese** recommend that the Green Belt boundary is amended to reduce its tightness around settlements, therefore
allowing for additional safeguarded sites in the event they are required for housing in the future.

2.527 **Persimmon Homes** also believe the Green Belt boundaries should not be so tightly drawn around settlements as this does not allow flexibility within the plan. They state that loosening Green Belt boundaries would allow the widest possible range of housing products to be delivered.

2.528 **Barton in Fabis Parish Council** request that the wording of paragraph 6.5 is amended to state “may constitute very special circumstances” rather than “will constitute very special circumstances”.

2.529 **Sport England** are in full support of this policy, particularly paragraphs 6.5 and 6.6 relating to the health and well-being benefits of Green Belt land.

2.530 A pro-forma letter was submitted by several respondents stating that the plan is unsound as it unnecessarily removes land from the Green Belt. They raise particular concern to the Green Belt around Gotham stating that it should be redrawn to:

  a. include sites previously referred to as GOT 1 and GOT3 within the inset boundary; and
  b. remove sites previously referred to as GOT4 and GOT5a from the inset boundary.

Several other letters from residents have been received stating similar requests.

2.531 Several respondents consider that the proposed Green Belt boundary at Shelford does not accord with the NPPF. They request that Bosworth Farm Cottages and their gardens are also inset as they are permanent physical features in accordance with national Green Belt policy.

2.532 One respondent disagrees with the Green Belt boundary at Stanton on the Wolds, stating that the proposed amendments should inset the entire village. It is identified that Stanton on the Wolds is at least the size of many other settlements being inset and has more facilities.

2.533 It is stated by several respondents that the release of Green Belt land for development does not satisfy the ‘exceptional circumstances’ required by national policy.

2.534 Multiple responses state that Green Belt sites should not be allocated until all suitable brownfield sites have been developed.
Duty to cooperate

2.535 No issues were raised.

Policy 22: Development within the Countryside

2.536 There are 17 individual responses made in relation to this policy or its supporting text. From these 17 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- 3 responses indicate that the plan is sound;
- 8 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.537 No issues were raised.

Soundness

2.538 IM Land state that this policy conflicts with national policy which ‘recognises’ rather than ‘protects’ the character and beauty of the countryside. They state this policy is therefore out of date, unjustified and conflicting so should therefore be removed from the plan.

2.539 Gladman Developments do not support this policy as they believe it is excessively restrictive and attempts to establish a blanket ban rather than seeking a planning balance.

2.540 Aslockton Parish Council generally support this policy but state their confusion as a result of Bingham being included in the list of small rural villages outside of the Green Belt.

2.541 Charnwood Borough Council support this policy as it seems robust enough to restrict inappropriate development in the countryside.
2.542 Sport England request that criterion (h) of this policy includes reference to sport developments.

2.543 Nottinghamshire Wildlife Trust and RNCSIG would like to see this policy amended. They state that “expansion of all businesses in rural areas” should have a caveat attached which will only allow this where no adverse effects on the local environment are created. This view is shared by a number of other respondents.

2.544 National Federation of Gypsy Liaison Groups state that this policy is unacceptable as it does not allow for traveller pitches within the countryside, therefore non-compliant with national policy.

Duty to cooperate

2.545 No issues were raised.

Section 7 – Regeneration

2.546 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.547 No issues were raised.

Soundness

2.548 No issues were raised.

Duty to cooperate

2.549 No issues were raised.

Policy 23: Redevelopment of Bunny Brickworks

2.550 There are 17 individual responses made in relation to this policy of its supporting text. From these 17 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
1 response indicates that the plan is sound;
11 responses indicate that the plan is unsound;
2 responses indicate that the plan complies with the duty to cooperate; and
1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.551 No issues were raised.

**Soundness**

2.552 Featherstones state that it would be inconsistent to deliver homes on this site as there are better villages with more supporting facilities which have been discounted as they are not deemed sustainable. They continue to state that the fact this is a previously developed site does not justify its allocation.

2.553 Crofts Developments show concern over the allocation of this site on the grounds of contaminated land issues, inability to deliver the 100 homes it is allocated for and that there is currently no developer interest.

2.554 Davidsons object to the allocation of this site, stating that it is not viable and therefore not deliverable. They have concerns over the site’s inability to deliver 100 homes, possible contamination issues, that the site is detached from the main urban area of the village and therefore located at a distance from key services and facilities.

2.555 Bunny Appliance Warehouse, who own Bunny Trading Estate adjacent to the draft allocation, believe their land should be included within the boundary of this mixed-use policy. It is stated that their site is entirely brownfield and they will need to undergo moderate upgrading and expansion in order to remain competitive. It is also stated that the Plan does not comply with national policy which says local planning authorities should plan proactively to meet the development needs of businesses.

2.556 Mourtzi object to the allocation of this site, stating that development at Bunny should be at a much smaller scale so other sites in the village would be more suitable.

2.557 Gladman Developments consider this allocation to be unjustified as it is not suitable for housing development. They state that it is not considered as one of the Borough's ‘other villages’, it does not appear to be assessed in the
Green Belt Review and it is not adjacent to the village of Bunny.

2.558 **Nottingham County Council** welcome the detail given regarding adverse impacts on housing from the existing recycling operations, however still have concerns that complaints still may be made by future residents on environmental health grounds which could restrict or prevent the operation of the site. They highlight that Policy WCS10 of the adopted Waste Core Strategy safeguards authorised waste management facilities.

2.559 **Bunny Parish Council** object to this policy as Bunny was not considered a suitable settlement for significant additional housing. The site itself is not suitable due to its isolated location and its proximity to a landfill and recycling site. They state that there is no evidence to show that Bunny could support a 36% increase in population.

2.560 **Nottinghamshire Wildlife Trust** object to criterion (c) of this policy as they believe it is important to define if and how the loss of habitats could be resolved before the development process commences.

2.561 **RNCSIG** have concerns that the development of this site will create additional pressure on the nearby Bunny Wood Nature Reserve, which is an example of ancient woodland. They also request that the dust problems from incinerator ash are fully resolved.

2.562 Concerns have been raised by several respondents relating to the impact of this development on the local primary school if it receives no additional investment.

*Duty to cooperate*

2.563 No issues were raised.

**Policy 24: Redevelopment of former Islamic Institute, Flintham**

2.564 There are 5 individual responses made in relation to this policy or its supporting text. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- 1 response indicates that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
Legal compliance

2.565 No issues were raised.

Soundness

2.566 Featherstones state that it would be inconsistent to conclude that development of this site is sustainable, whilst development in villages with a better range of services and facilities on sites better related to those villages and those services and facilities, is not considered sustainable.

2.567 Davidsons say that it is difficult to understand how the Council has allocated land at Flintham when more suitable settlements, such as Aslockton, have been omitted from the plan.

2.568 Sport England state that there is a neighbouring cricket facility so it is suggested that any development within 80m of the cricket square should be subject to ball strike risk assessment to understand the need for mitigation.

2.569 One response shows concern that the map for this allocation is missing several parts of data so should be added to reflect the current status of the area. It is stated that these features are missing: Coneygrey Spinney, Flintham Conservation Area, employment allocations, development of RAF Syerston, historical importance of Flintham Hall and the Green Belt.

Duty to cooperate

2.570 No issues were raised.

Section 8 – Retail and Settlement Centres

2.571 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.572 No issues were raised.


**Soundness**

2.573 No issues were raised.

**Duty to cooperate**

2.574 No issues were raised.

**Policy 25: Development within District Centres and Local Centres**

2.575 There are 6 individual responses made in relation to this policy or its supporting text. From these 6 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 3 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.576 No issues were raised.

**Soundness**

2.577 **Newton Nottingham LLP** object to the policy on the basis that is does not recognise the role of main town centre uses within strategic allocations and only refers to ‘District Centres and Local Centres, as defined within the policies map’. It is argued that there is a policy vacuum in respect of such areas, which means in effect they are given ‘out of centre’ status, which is inconsistent with Core Strategy Policy 6. It is suggested that the part 1 of the policy amended so it also applies to the new communities being created at the Core Strategy’s strategic allocations.

2.578 **Waitrose Ltd** supports the policy.

2.579 **Sharphill Action Group** objects to the policy on the basis that it does not address future needs in light of planned housing development at Edwalton
and Gamston. It is argued that the plan should favour A1 retail uses in a 70-30% proportion in order to retain the town centre’s vitality and to make up for slippage that has occurred in recent years where a lax planning approach has apparently ignored the non-statutory policy applying to Central Avenue’s primary frontage. It is also questioned whether hot takeaway food outlets should be allowed in primary frontages.

2.580 **Nottinghamshire County Council** in its rapid health impact assessment identify that firmer links to the healthy food environment outlined in the Joint Health and Wellbeing Strategy 2018-2022 need to be considered.

**Duty to cooperate**

2.581 No issues were raised.

**Policy 26: Development within Centres of Neighbourhood Importance**

2.582 There are 5 individual responses made in relation to this policy or its supporting text. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 5 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.583 No issues were raised.

**Soundness**

2.584 **Sharphill Action Group** objects to the absence of the Sharphill (Melton Road, Edwalton strategic allocation) site in the list of centres of neighbourhood importance as this status was intended in the Local Plan Part 1 (Core Strategy) and the development brief. It is argued that as the prospect of the site supporting a major supermarket has now diminished, it is particularly important to ensure that future residents of this strategic development have access to a centrally-located neighbourhood centre for
their local shopping needs rather than perhaps an expanded out-of-town garden centre.

2.585 Asda Stores Limited object, stating that the Policies Map relating to the Centre of Neighbourhood Significance at Loughborough Road does not accurately reflect the nature and full extent of the Centre. It is argued that the designation should take in the Asda store to the west, on the basis that it is an intrinsic part of the centre.

2.586 Cropwell Bishop Parish Council and another respondent state that the plan fails to identify a Cropwell Bishop ‘Centre of Neighbourhood Importance’ which, it is argued, is justified based on the extent of services locally and is also needed in order to ensure relevant policies are applied equally and fairly to Cropwell Bishop.

2.587 Nottinghamshire County Council in its rapid health impact assessment identify that firmer links to the healthy food environment outlined in the Joint Health and Wellbeing Strategy 2018-2022 need to be considered.

**Duty to cooperate**

2.588 No issues were raised.

**Policy 27: Main Town Centre Uses Outside District Centres or Local Centres.**

2.589 There are 4 individual responses made in relation to this policy or its supporting text. From these 4 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 1 response indicates that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.590 No issues were raised.
Soundness

2.591 **Newton Nottingham LLP** object to part 2 of the policy, arguing that it is inconsistent with the NPPF and parts 1 and 2 of the policy. It is suggested that the policy is reworded to read: ‘Development proposals within out-of-centre locations, which improve their quality of design and connectivity, will be encouraged only where the sequential test is met and there is no likelihood of a significant adverse impact on the vitality and viability of other centres.’.

2.592 **Waitrose Ltd** supports the policy.

Duty to cooperate

2.593 No issues were raised.

Section 9 – Historic Environment

2.594 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.595 No issues were raised.

Soundness

2.596 No issues were raised.

Duty to cooperate

2.597 No issues were raised.

Policy 28: Conserving and Enhancing Heritage Assets

2.598 There are 4 individual responses made in relation to this policy or its supporting text. From these 4 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
4 responses indicate that the plan is unsound;
1 response indicates that the plan complies with the duty to cooperate; and
No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.599 No issues were raised.

**Soundness**

2.600 **Historic England** state that it is not clear why archaeology has been separated in its own policy when it is also a heritage asset. Furthermore they state that is not clear why some heritage assets are mentioned in some parts of the supporting text and not others.

2.601 In addition, they state that criteria c) goes beyond NPPF requirements which requires ‘conserve or enhance’ They recommend that the text be revised to ‘conserve or enhance’ in line with NPPF terminology.

2.602 **Friends of Sharphill Wood** consider that Local Wildlife sites should be considered to be heritage assets. **RNCSIG, Nottinghamshire Wildlife Trust** and others support the policy in relation to registered and non-registered historic parks and gardens. The Wildlife Trust consider that the main policy wording would benefit in referring to their wildlife value.

2.603 **Gladman** state the policy does not reflect the NPPF. They state if the harm to a heritage asset is deemed to be substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial, then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. The policies in the Local Plan should therefore make a distinction between the two tests included in the Framework for designated heritage assets to ensure they are sound.

2.604 In addition they state that paragraph 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset.

**Duty to cooperate**

2.605 No issues were raised.
Policy 29: Development affecting Archaeological Sites

2.606 There is one individual responses made in relation to this policy or its supporting text. This individual response (where a preference is specifically expressed) indicates that the plan is unsound;

Legal compliance

2.607 No issues were raised.

Soundness

2.608 Historic England consider that the policy is not sound as it does not address the consideration of harm in respect of public benefit.

Duty to cooperate

2.609 No issues were raised.

Section 10 – Community Facilities, Tourism and Leisure

2.610 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.611 No issues were raised.

Soundness

2.612 No issues were raised.

Duty to cooperate

2.613 No issues were raised.
Policy 30: Protection of Community Facilities

2.614 There are 7 individual responses made in relation to this policy or its supporting text. From these 7 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 4 responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.615 No issues were raised.

Soundness

2.616 Friends of Sharphill Wood objects that policy does not mention the many Local Wildlife Sites that exist, some under threat e.g. Sharphill Wood. It is suggested that paragraph 10.2 should be added to address this.

2.617 The Theatres Trust considers the plan to be sound, but recommend a minor modification to directly refer to cultural uses within paragraph 10.3 and to be consistent with the NPPF and paragraph 10.6. It recommends that paragraph 10.5 is amended to the following: "the applicant would need to demonstrate that the facility has been actively and viably marketed at a sale or rental value appropriate for its existing use and condition for a significant period of time without success." This would make the policy and assessment criteria more robust.

2.618 Sport England supports the policy but ask whether reference should be made in this section to the leisure facilities strategy and the need to improve or redevelop Bingham Leisure centre, particularly if alternative sites are proposed or contributions are required from developments. It is questioned whether the end of paragraph 10.3 is correct in referring to Policy 30.

2.619 Nottinghamshire County Council in its rapid health impact assessment identifies that the policy needs to be explicit about the shared community use and co-location of services.
**Duty to cooperate**

2.620 No issues were raised.

**Policy 31: Sustainable Tourism and Leisure**

2.621 There are 10 individual responses made in relation to this policy or its supporting text. From these 10 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 5 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.622 No issues were raised.

**Soundness**

2.623 Friends of Sharphill Wood object that policy does not mention the potential for facilities based on conservation or the attraction for people like bird watchers. It mentions landscapes which suggest developed landscapes not but not wild or natural ones.

2.624 The Rushcliffe Nature Conservation Strategy Implementation Group and another respondent makes the point that the policy should not just regard the Landscape Character as something of value to tourism, but must also recognize the value of biodiversity in promoting a "good" tourist environment.

2.625 The Nottinghamshire Wildlife Trust and another respondent object that the policy does not mention the importance of biodiversity. The Trust reference that Rushcliffe contains a large wetland nature reserve at Skylarks, a bluebell woodland at Bunny and many other important nature reserves and which do attract visitors to the local area. The Trust proposes the following amendment: acknowledge the role of (sustainable use / visits to) wildlife sites in relation to sustainable tourism and leisure.
2.626 The policy is supported by Sport England.

Duty to cooperate

2.627 No issues were raised.

Section 11 – Open Space and Recreational Facilities

2.628 There are 3 individual responses made in relation to this section rather than a specific policy. From these 3 individual responses (where a preference is specifically expressed):

- 1 response indicates that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- No responses indicate that the plan is unsound;
- 1 response indicates that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.629 No issues were raised.

Soundness

2.630 Sport England are in support of this section of the plan as they strongly believe the principle of the protection of enhancement of existing facilities and the development of new facilities where there is appropriate evidence.

Duty to cooperate

2.631 No issues were raised.

Policy 32: Recreational Open Space

2.632 There are 14 individual responses made in relation to this policy or its supporting text. From these 14 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
• 3 responses indicate that the plan is sound;
• 5 responses indicate that the plan is unsound;
• 3 responses indicate that the plan complies with the duty to cooperate; and
• No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.633 No issues were raised.

Soundness

2.634 Sport England generally support this policy, however, show a few concerns. They state that they do not support the move to management and maintenance away from councils/parish and sports clubs to management companies as they believe this may cause issues in the long term future. They state that they are currently undertaking research on this matter. It is suggested that the policy wording is changed to:

“In all cases, through a Section 106 agreement, the Borough Council will require appropriate management. This may be delivered by use of a management company, or through a parish council with its agreement, or via another suitable legal mechanism.”

2.635 Taylor Wimpey state that whilst it is useful for the Council to provide guidance on open space typology and size required, there will be circumstances where developments will not be sufficient in size to provide meaningful quantities. They support the off-site provision of open space for circumstances where a site is constrained and state that this should be based on the aspirations of the local community and the level of existing provision.

2.636 Linden Homes argue that the policy wording should be amended as it is unduly onerous and does not currently have regard for the tests for planning obligations contained in the CIL Regulations 2010 which require that obligations should be necessary to make the development acceptable in planning terms. It is suggested that the policy is comprehensively amended and proposed wording is provided.

2.637 Nottinghamshire Wildlife Trust are supportive of this policy, particularly the reference to GI within the definition of open space.
2.638 **West Bridgford Hockey Club** do not believe the plan goes far enough to support existing sports facility operators and state that the approach to assuming financial contributions alone will promote healthy communities is too simplistic. It is stated that Policy 32 should be amended (or an additional policy added) to support the expansion, enhancement or relocation of existing sports facilities when there is a demonstrable need to do so.

2.639 **Friends of Sharphill Wood** say the policy is good but have concern that in practice, there is little provision for children and young people at the Sharphill Wood Edwalton development so would like to ensure that the policy will be seen in future practice.

**Duty to cooperate**

2.640 No issues were raised.

**Policy 33: Local Green Space**

2.641 There are 10 individual responses made in relation to this policy or its supporting text. From these 10 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 2 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.642 No issues were raised.

**Soundness**

2.643 **Gladman Development** state that Local Green Spaces should be consistent with NPPF guidance and ensure they do not place an unnecessary constraint on the delivery of housing.

2.644 **Nottinghamshire Wildlife Trust** and **Rushcliffe Nature Conservation Strategy Implementation Group** both support the inclusion of this policy in
the Local Plan Part 2.

2.645 **Friends of Sharphill Wood** support the policy and request that the following is added as part of it: “Whilst there are not obvious immediate benefits to humans, conservation of habitat and preservation of species is vital to the future of biodiversity and conservation of what wild spaces remain.”

*Duty to cooperate*

2.646 No issues were raised.

**Section 12 – Green Infrastructure and the Natural Environment**

2.647 There are 5 individual responses made in relation to this section rather than a specific policy. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 5 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.648 **Natural England** concurs with the Habitats Regulations Assessment’s conclusions that the plan is unlikely to significantly affect an internationally protected nature conservation site alone or in combination.

*Soundness*

2.649 **Nottinghamshire Wildlife Trust** advise that paragraph 12.2 should be reworded to ensure that harm to Green Infrastructure is only considered under very special circumstances.

2.650 **The Green Party** and **Nottinghamshire Wildlife Trust** advise that paragraph 12.3 state that major transport corridors such as the working railways and trunk roads also provide opportunities to provide green infrastructure.
2.651 The Green Party and Nottinghamshire Wildlife Trust request that the first sentence in paragraph 12.4 to be reworded to read: “The primary purpose is to enhance biodiversity and wildlife migration and also to provide opportunities for walking, cycling and horse riding (whether for leisure purposes or travel).” This is proposed by a resident who is concerned that human requirements outweigh biodiversity needs.

2.652 Nottinghamshire Wildlife Trust advises that reference is made in the supporting text to the benefits of GI to ecosystem services, including soil and air.

2.653 The Green Party and Nottinghamshire Wildlife Trust suggest that paragraph 12.7 is reworded to read: “Green infrastructure should increase biodiversity and benefit wildlife. It is multifunctional, delivering a variety of benefits for local communities, businesses, visitors and tourists.”

Duty to cooperate

2.654 No issues were raised.

Policy 34: Green Infrastructure and Open Space Assets

2.655 There are 13 individual responses made in relation to this policy or its supporting text. From these 13 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicate that the plan is sound;
- 6 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.656 No issues were raised.

Soundness

2.657 Charnwood Borough Council notes that policy 34 sets out more detailed guidance for a number of sites and corridors but does not specifically
reference the River Soar Corridor even though this is named as a key wildlife corridor in the Appendix.

2.658 The River Soar Corridor extends into Charnwood and Charnwood’s Core Strategy Policy CS12 supports proposals that relate to the River Soar and Grand Union Corridor. Therefore while we support the aims and objectives of Rushcliffe Local Plan Policy 34 we consider that the importance of the River Soar Corridor should be specifically referenced in the policy because of its significance as a green corridor and its landscape and ecological significance.

2.659 **Natural England** welcomes this policy as it will provide protection for green infrastructure assets and provide valuable opportunities to increase access to open spaces.

2.660 **Sport England** support the protection this policy provides to open spaces, we consider however that there should also be reference in this section to the Playing Pitch Strategy with regard to evidence for protection. The PPS provides the evidence of the need for retention is this policy in line with para 74 (NPPF2012).

2.661 **The Green Party** suggest that hedgerows are added to the list of Green Infrastructure assets listed within policy 34. Part 3 should state that “Wildlife is intrinsically part of green infrastructure and there should be minimum disruption caused”

2.662 **Nottinghamshire Wildlife Trust** suggest request that ‘traditional orchards’ is added to the list. They also advise that an explanation of part 2 is required to explain how the primary function could be harmed. The trust is concerned that part 3 does not recognise that the loss of habitats cannot be easily replaced. They also suggest that Part 4 is reworded and should read ‘opportunities should be sought to protect or enhance accessibility’.

2.663 Similar confusion regarding part 2 and part 4, and concern regarding part 3 were expressed by the **RNCSIG** and within another submission.

2.664 The **Friends of Sharphill Wood** advise that the final paragraph of part 3 should be reworded as it is confusing.

**Duty to cooperate**

2.665 No issues were raised.
Policy 35: Green Infrastructure Network and Urban Fringe

2.666 There are 12 individual responses made in relation to this policy or its supporting text. From these 12 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 6 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.667 No issues were raised.

*Soundness*

2.668 Natural England welcomes this policy as it will provide opportunities to extend and enhance the green infrastructure network in urban fringe areas and to increase recreational opportunities and access to the open countryside.

2.669 The Green Party suggest that “where possible and appropriate” is removed from Policy 35 part 2.

2.670 Whilst Nottinghamshire Wildlife Trust supports this policy and text, they request that the Great Central Railway is identified in Appendix D, as it is an important grassland habitat.

2.671 The RNCSIG supports this policy.

2.672 The Friends of Sharphill Wood highlight the importance of Sharphill Wood within the Urban Fringe area and the threats from nearby development.

2.673 Sharphill Action Group support policy 35, particularly in relation to pathways for wildlife which access Sharphill Wood and its environs. Extensive previous work on infrastructure should not be neglected.

*Duty to cooperate*

2.674 No issues were raised.
Policy 36: Designated Nature Conservation Sites

2.675 There are 9 individual responses made in relation to this policy or its supporting text. From these 9 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 4 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.676 No issues were raised.

Soundness

2.677 Natural England welcomes this policy as, together with Core Policy 17, it sets out a strong framework for the protection and enhancement of nationally and locally designated sites.

2.678 Nottinghamshire Wildlife Trust believes development which would affect a designated site should only be permitted in exceptional circumstances and that permission may be refused if significant harm resulting from a proposal cannot be avoided) (NPPF Paragraph 118). As required by the Core Strategy, part 4c should deliver net gains not just ensure no net loss. Similar concerns regarding part 4c were also expressed within RNCSIG’s and Friends of Sharphill Wood’s representations and another submission.

2.679 Monitoring should not be restricted to SSSI condition. A better measure would be loss/damage to and/or management condition of local wildlife sites, or loss/gain in biodiversity. Similar concerns regarding the monitoring of this policy were also expressed within RNCSIG’s representation and another submission.

Duty to cooperate

2.680 No issues were raised.
Policy 37: Trees and Woodlands

2.681 There are 11 individual responses made in relation to this policy or its supporting text. From these 11 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 6 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.682 No issues were raised.

Soundness

2.683 **Natural England** welcomes policy 37 which offers protection and enhancement for trees and woodlands within the Borough. We are pleased to note that in point 3 of the policy wording that net gain is referenced in terms of planting trees in developments where this represents the most appropriate net gain for biodiversity.

2.684 **The Green Party** advise that Policy 37 Part 1 state that “if removal of the tree(s) is justified it must be replaced”

2.685 Whist the **Nottinghamshire Wildlife Trust** supports the policy they advise that traditional orchards should be included (in part 2) (this was also supported by the **RNCSIG** and within another submission), harm should only be permitted in exceptional circumstances and clear guidance should be provided on how the benefits of the development would be assessed to see if they outweigh the value of ancient woodland. Supporting text should refer to Government Standing Advice on ancient woodland and veteran trees.

2.686 **Barton in Fabis Parish Council** consider the policy unsound as it does not make reference to the positive potential to screen developments, particularly in the Green Belt, by the planting of trees. Tree planting should be required ahead of construction.
Duty to cooperate

2.687 No issues were raised.

Policy 38: Non-Designated Biodiversity Assets and the Wider Ecological Network

2.688 There are 10 individual responses made in relation to this policy or its supporting text. From these 10 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 4 responses indicate that the plan is sound;
- 2 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.689 No issues were raised.

Soundness

2.690 Natural England welcomes this policy and the positive approach that it takes towards the protection and enhancement of biodiversity throughout the Borough. We consider that the additional explanation contained in the accompanying text regarding the importance of enhancing the wider ecological and green infrastructure network at the earliest stages of development is very useful. We are also pleased to note the reference to the Rushcliffe Biodiversity Opportunities Report.

2.691 The Green Party advise that Policy 37 Part 1 state that “if removal of the tree(s) is justified it must be replaced”

2.692 The Nottinghamshire Wildlife Trust strongly supports policy 38. However it could be strengthened to ensure developments do not avoid delivering its objectives. It should read: “Preserving, restoring and re-creating priority habitats and protection and recovery of priority species will be a key principle inherent in new developments in the Borough, with the goal to achieve net
gains in biodiversity and the creation of better environments for people to live and work in.”

2.693 Support for this policy was also expressed by RNCSIG and within another submission.

2.694 Friends of Sharphill Wood have raised concerns regarding monitoring.

Duty to cooperate

2.695 No issues were raised.

Section 13 – Health

2.696 There are no individual responses made in relation to this section rather than a specific policy.

Legal compliance

2.697 No issues were raised.

Soundness

2.698 No issues were raised.

Duty to cooperate

2.699 No issues were raised.

Policy 39: Health Impacts of Development

2.700 There are 13 individual responses made in relation to this policy or its supporting text. From these 13 individual responses (where a preference is specifically expressed):

- 3 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 7 responses indicate that the plan is unsound;
- 3 responses indicate that the plan complies with the duty to cooperate; and
• No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.701 No issues were raised.

Soundness

2.702 Oglesby (Savills) and the HBF object to the policy on the basis that the Borough Council has not provided evidence to justify a Health Impact Assessment being required and also that the 50 dwellings threshold figure is considered arbitrary. It is considered inconsistent with NPPF paragraph 158 and request deletion of the requirement. Davidsons have similar concerns and also highlight that national policy does not require authorities to produce a HIA.

2.703 Taylor Wimpey also request the deletion of the policy arguing it creates uncertainty in the planning process as the Council has not clearly stated what is to be considered acceptable in terms of a Health Impact Assessment. They do not consider that the Council has provided sufficient evidence that individual schemes are likely to have a significant impact upon the health and wellbeing of the local population.

2.704 Sport England request the policy refers to the active design principles as set out in a guidance document they have produced with Public Health England. This set out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity.

2.705 Nottinghamshire County Council request that the plan makes reference to tackling health inequalities.

Duty to cooperate

2.706 No issues were raised.

Section 14 – Environmental Protection

2.707 There are no individual responses made in relation to section rather than a specific policy.
Legal compliance

2.708 No issues were raised.

Soundness

2.709 No issues were raised.

Duty to cooperate

2.710 No issues were raised.

Policy 40: Pollution and Land Contamination

2.711 There are 5 individual responses made in relation to this policy or its supporting text. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 4 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.712 No issues were raised.

Soundness

2.713 Nottinghamshire Wildlife Trust, Rushcliffe Nature Conservation Strategy Implementation Group and other respondents request the inclusion of noise pollution under 1 (b) as this can also impact and disturb wildlife.

Duty to cooperate

2.714 No issues were raised.
Policy 41: Air Quality

2.715 There are 5 individual responses made in relation to this policy or its supporting text. From these 5 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 2 responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.716 No issues were raised.

Soundness

2.717 Gladman object on the basis that a policy that seeks to avoid adverse impacts on air quality is inconsistent with NPPF para 124 and 109.

2.718 One respondent argued the allocation of housing sites in Radcliffe that are in proximity of the A52, an area identified as being of concern in relation to air pollution, is contrary to this policy.

2.719 Nottinghamshire County Council request the scope of the policy is widened and 41 (1) and 41 (2) be applied to all developments in the Borough which are likely to increase traffic volumes travelling through 'areas where air quality is a matter of concern'; including the cumulative increases in traffic volumes resulting from developments in the Borough.

2.720 Rushcliffe Nature Conservation Strategy Implementation Group and others support the policy.

Duty to cooperate

2.721 No issues were raised.
Policy 42: Safeguarding Minerals

2.722 There is one individual response made in relation to this policy or its supporting text. This individual response (where a preference is specifically expressed) indicates that the plan is unsound;

Legal compliance

2.723 No issues were raised.

Soundness

2.724 Gladman object to the policy on the basis that it is inconsistent with NPPF paragraph 143 to include a blanket ban on development that could sterilise minerals. Studies need to be undertaken to assess whether it is practicable and feasible to extract the mineral before a decision can be made on any application.

Duty to cooperate

2.725 No issues were raised.

Section 15 – Infrastructure and Developer Contributions

2.726 There are 4 individual responses made in relation to section rather than a specific policy. From these 4 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 3 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.727 No issues were raised.
Soundness

2.728 Department for Education (Education and Skills Funding Agency) state that it would be helpful if the plan, alongside the provision highlighted in the IDP, safeguarded specific areas of land for the provision of new schools. It is also stated that they support the Council’s approach to ensure developer contributions address the impacts of growth and they welcome the inclusion of Primary School Provision in the Draft Regulation 123 List.

2.729 Radcliffe on Trent Parish Council make several comments on the Local Plan Part 2 regarding infrastructure requirements:

   a. object to the proposed new school on housing allocation Policy 5.3, stating that the preferred approach is to expand the existing schools;
   b. object to proposals for a new health centre on the edge of the village as the preferred approach is to have this in the central Regeneration Area as outlined in the Neighbourhood Plan;
   c. S106/CIL funds should be directed toward a new indoor sports facility on Parish Council-owned land off Wharf Lane;
   d. a southern bypass around the village proposed by Highways England two decades ago is an obvious answer to the traffic issues but this has not been mentioned;
   e. the Villager bus service is currently funded by S106 monies but it is hoped additional passenger use from new housing will support this;
   f. the rail service is a key transport method but it has been completely ignored by the Local Plan. It is stated that the plan is amended to consider improving this service seeing as improvements to highways look to be limited.

2.730 One respondent raises concern that previous infrastructure contributions have not fulfilled their original requirements, so state it must be further assessed to ensure the impact of housing allocations in villages will not be adverse. They state an example of the Tollerton hospital which should have had a sufficient pavement but only resulted in a 30m strip with no pedestrian/cycle connectivity.

2.731 It is stated in one response that a detailed IDP that visualises the impact of the local plan should be created before the Local Plan is adopted.

2.732 One respondent states that Policy 18 (Infrastructure) of the Core Strategy did not include villages such as Cropwell Bishop, so believe this needs reviewing and updating as part of the Local Plan Part 2 to ensure required infrastructure is delivered at an appropriate stage.
Duty to cooperate

2.733 No issues were raised.

Policy 43: Planning Obligations Threshold

2.734 There are 12 individual responses made in relation to this policy or its supporting text. From these 12 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- 5 responses indicate that the plan is sound;
- 3 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.735 No issues were raised.

Soundness

2.736 Taylor Wimpey do not object to the principle of this policy, however, they state that planning obligations must be fully assessed against the tests in the NPPF and compliant with CIL which state obligations are only required if they are necessary to make the development acceptable in planning terms.

2.737 Elton Parish Meeting support this policy but believe that infrastructure improvements should take place prior to any more houses being built.

2.738 Historic England do not support this policy as it makes no provision for contributions toward the historic environment. They also state that there is no mention of viability reports in the policy should they be required.

2.739 Nottinghamshire Wildlife Trust support this policy in relation to biodiversity mitigation and compensation and state that this needs to be requested in the first instance and followed up by monitoring to ensure funding it spent and plans implemented.
2.740 **Nottinghamshire Campaign for Better Transport** have several concerns regarding the Local Plan Part 2, especially relating to the deliverability of the required infrastructure to support the draft allocations. They highlight that the Greater Nottingham IDP and Highways England show concern as several highways improvement schemes have not been secured. Concern is also raised due to the potential for improvements to rail being completely ignored in the Plan. Overall, NBT are disappointed at how vague Policy 43 of the Local Plan Part 2 is.

2.741 **Rushcliffe Nature Conservation Strategy Implementation Group** and one other respondent are in support of this policy, especially the inclusion of biodiversity mitigation and compensation, but wish for RBC to ensure they are committed in enforcing such obligations.

*Duty to cooperate*

2.742 No issues were raised.

**Appendix A: Glossary**

2.743 There are 2 individual responses made in relation to this glossary. From these 2 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 2 responses indicate that the plan is unsound;
- No responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.744 No issues were raised.

*Soundness*

2.745 **Aslockton Parish Council** state that having clearer definitions will hopefully prevent developers and objectors fighting corners because of ‘woolly’ definitions which are left open to interpretation.
2.746 One other respondent states that the glossary should be amended to be fully comprehensive and to include definitions of all planning terms used with the policy documents. It is stated that some planning terms need including to ensure consistency of meaning.

*Duty to cooperate*

2.747 No issues were raised.

**Appendix B: Housing Trajectory**

2.748 There are 9 individual responses made in relation to this glossary. From these 9 individual responses (where a preference is specifically expressed):
- 2 responses indicate that the plan is legally compliant;
- No responses indicate that the plan is not legally compliant;
- No responses indicate that the plan is sound;
- 5 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

*Legal compliance*

2.749 No issues were raised.

*Soundness*

2.750 **East Leake Parish Council** criticise the approach in respect of the housing trajectory, arguing that the Borough Council is staggeringly inept at producing a housing trajectory that predicts the housing deliveries. This view is supported by questioning a number of assumptions in the trajectory. It is requested that the housing trajectory is corrected so that realistic estimates are provided for start dates to build on the various sites allocated.

2.751 The **Homes Builders Federation** states that, in the updated housing trajectory, it is critical that the Council’s assumptions about deliverability of sites are correct and realistic. At this time the 50 dwellings per annum appears as a generic delivery rate assumption. Historically the Council has experienced difficulties with housing land supply due to the delayed start of strategic sites therefore it is essential that the Council’s assumptions on lead-in times and delivery rates are supported by parties responsible for delivery of
housing and sense checked by the Council using historical empirical data and local knowledge.

2.752 **Cliffe Investments Ltd** argues that this is only a partial trajectory and does not include information on the annual housing requirement for the plan period as set out in the Core Strategy Part 1 and does not show cumulative delivery against the requirement over the plan period. A complete trajectory should be included that can also show the expected five year land supply throughout the plan period.

2.753 **Oxalis Planning Ltd** argues that a reasonable and realistic assumption is that both the Clifton and east of Gamston/north of Tollerton strategic allocations, once up and running, will deliver ‘on average’ 200 dwellings per year over the plan period.

**Duty to cooperate**

2.754 No issues were raised.

**Appendix C: Landscape Sensitivity Study: Wind Energy Development**

2.755 There are no individual responses made in relation to this glossary.

**Legal compliance**

2.756 No issues were raised.

**Soundness**

2.757 No issues were raised.

**Duty to cooperate**

2.758 No issues were raised.

**Appendix D: Green Infrastructure**

2.759 There is one individual responses made in relation to this glossary. This single response (where a preference is specifically expressed) indicates that the plan is unsound.
Legal compliance

2.760 No issues were raised.

Soundness

2.761 The Nottinghamshire Wildlife Trust request that the Great Central Railway is identified in Appendix D, as it is an important grassland habitat for BAP priority butterfly species.

Duty to cooperate

2.762 No issues were raised.

Appendix E: Biodiversity Opportunity Areas

2.763 There are no individual responses made in relation to this glossary.

Legal compliance

2.764 No issues were raised.

Soundness

2.765 No issues were raised.

Duty to cooperate

2.766 No issues were raised.

Other issues

2.767 There are 10 individual responses made in relation to other issues, such as a particular supporting document (matters relating to the Sustainability Appraisal are covered separately below). From these 10 individual responses (where a preference is specifically expressed):

- No responses indicate that the plan is legally compliant;
- 3 responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 5 responses indicate that the plan is unsound;
• No responses indicate that the plan complies with the duty to cooperate; and
• 1 response indicates that the plan does not comply with the duty to cooperate.

**Legal compliance**

2.768 One respondent objects that in the ‘Summary of consultation, main issues raised and responses Regulation 22 (c)(i-iv) Statement’ the Council has failed to take account of representations made in respect of Radcliffe on Trent and the land off Shelford Road, Radcliffe on Trent (policy 5.3) specifically, or else it has acknowledged the point made and not come up with a logical response.

**Soundness**

2.769 **Pedigree Wholesale Ltd** is critical that the Summary of Consultations documents should clearly state that SHLAA site 860 at Pedigree Wholesale Ltd, The Crescent, Radcliffe on Trent is a site to which representations were made under the heading of "Any Other Sites in Radcliffe” (not in Preferred Sites document) and it should then be made clear within the other supporting documentation the reasons why this site has not been allocated.

2.770 **Nottinghamshire Campaign for Better Transport** criticise the plan’s equalities impact assessment and its claim in the site assessments (Appendix A) that the sites in Policies 5.2 and 5.3 (Radcliffe on Trent) are accessible to key services in the village by either walking or the existing bus service. This is not convincing as the bus service does not run in the evenings or on Sundays and is in any case financially precarious for the operator, and the sites are on a hill making walking difficult for many.

2.771 One resident states that as a ‘lay person’ the consultation process seems to be intended to discourage comment and objection and does not see how comments made will be addressed in the final decision making.

2.772 One response questions why the draft plan does not make provision for the requirement of electric car charging points at all new houses.

2.773 One response states that the plan should not assess Aslockton and Whatton as one single settlement as they are two different parishes. Therefore Aslockton should not be classified as a ‘third tier’ village.

**Duty to cooperate**

2.774 No issues were raised.
Sustainability Appraisal

2.775 There are 14 individual responses made in relation to the Sustainability Appraisal. From these 14 individual responses (where a preference is specifically expressed):

- 2 responses indicate that the plan is legally compliant;
- 3 responses indicate that the plan is not legally compliant;
- 1 response indicates that the plan is sound;
- 6 responses indicate that the plan is unsound;
- 2 responses indicate that the plan complies with the duty to cooperate; and
- No responses indicate that the plan does not comply with the duty to cooperate.

Legal compliance

2.776 The Crown Estate raise objection to the status given to a local interest building on site RAD12 (Land north of Shelford Road) through the appraisals and argue its importance has been over emphasised. They also argue that the appraisals have over emphasised the isolation of the site as the character of the area would change with the development of proposed allocation at Land off Shelford Road (Policy 5.3). They also argue that the appraisal for RAD1 should be changed and scored more negatively for flooding and they supply a technical arguing that the site should be treated as Flood Zone 2. They include a revised appraisal as part their representation.

2.777 Aldergate Properties argue that the Sustainability Appraisal findings in East Bridgford do not justify the selection of the draft allocations and that the omission site at Closes Side Lane performs better against the sustainability criteria. They also highlight that there are inaccuracies with the scoring in regard to the Natural Resources objective. They also state that it is unclear from the appraisals why EBR 11 and 12 have a more positive outcome against the social capital objective compared to the other sites. They also consider the findings of the Sustainability Appraisal support a higher overall growth level for Keyworth than what is being planned for through the Publication draft.

2.778 Gladman Development object to the option of additional growth at East Leake being discounted as a ‘reasonable alternative’ arguing that this has not been adequately justified. They also raise concerns at inconsistencies with the scoring system in relation to previous appraisals on the health objective. Other
inconsistencies are highlighted in regards to the housing objective and sites GOT5b and GOT6, RUD09 and RUD10 in terms of the natural environment objective, and flooding. They also raise the issue of the SA not containing an assessment of the relative sustainability of sites on a Borough wide basis.

**Soundness**

2.779 **Aslockton Parish Council** argue that Aslockton should not be classed as a third tier village as it does not have the range of services and facilities compared to other third tier settlements, and it has a smaller population. They have requested that this categorisation is reviewed.

2.780 They highlight the recent closure of the shop as being of particular significance to the assessment of the village in the Sustainability Appraisal as the appraisals were undertaken when the village did still have a shop so the appraisals reflect this with a more positive appraisal for the social objective.

2.781 They also consider that the scoring for sites in Whatton and Aslockton is inconsistent for the transport objective.

2.782 **Historic England** request that the baseline data is updated to reflect the most up to date information e.g. Heritage at Risk register. They suggest that the assessment for the site allocation at Policy 2.1 is altered to ‘unknown’ due to the current uncertainties over whether the archaeological interest is of national significance or not. They also suggest that the significant positive outcomes for policy 28 and 29 is unjustified given the decision to separate archaeology from other heritage assets.

**Duty to cooperate**

2.783 There were no comments raised
Appendix A

Statement of Representation Procedure and availability of documents
THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012 – REGULATION 19

RUSHCLIFFE LOCAL PLAN PART 2: LAND AND PLANNING POLICIES

STATEMENT OF REPRESENTATION PROCEDURE AND AVAILABILITY OF DOCUMENTS

**Title of document**

**Subject matter and area covered**
Rushcliffe Borough Council has prepared the Local Plan Part 2: Land and Planning Policies (Publication Version) for submission to the Secretary of State for Housing, Communities and Local Government in order for an independent examination of the plan by a Planning Inspector to take place.

The Local Plan Part 2 includes proposed development allocations and a number of detailed policies for managing new development, complementing and delivering the strategic policies set out in the Rushcliffe Local Plan Part 1: Core Strategy. Together, both documents will form the Borough Council’s development plan for the whole of Rushcliffe Borough.

**Period of publication**
Representations are invited on the Local Plan Part 2: Land and Planning Policies (Publication Version) in the period between Wednesday 16 May 2018 and **5pm on Thursday 28 June 2018**.

**How to view the documents**
The Local Plan Part 2: Land and Planning Policies (Publication Version), all other proposed submission documents (including documents which have supported preparation of the Local Plan) and guidance on how to make representations are available to view on the Borough Council’s website at [www.rushcliffe.gov.uk/planningpolicy](http://www.rushcliffe.gov.uk/planningpolicy)

In addition, hard copies of the draft Local Plan Part 2, a number of the proposed
Submission documents and guidance on how to make representations are available to view at the following locations:

- **Rushcliffe Community Contact Centre**, Rectory Road, West Bridgford, NG2 6BU (Monday to Friday – 8:30 am to 5pm); and
- **Local public libraries within Rushcliffe** (during normal opening hours)

The documents which are available to view at these locations include:
- Local Plan Part 2: Land and Planning Policies Publication Version;
- Local Plan Part 2: Publication Version Policies Maps;
- Sustainability Appraisal Report; and
- Summary of consultation, main issues raised and responses.

**Making representations**
Representations on the Local Plan Part 2 and any of the other proposed submission documents must be received by **5pm on Thursday 28 June 2018**. Please note that late representations cannot be accepted as duly made.

Representations can be made online using the Council’s consultation website at [http://rushcliffe-consult.limehouse.co.uk/portal](http://rushcliffe-consult.limehouse.co.uk/portal)

Alternatively, representations can be made on forms which are available to download at [www.rushcliffe.gov.uk/planningpolicy](http://www.rushcliffe.gov.uk/planningpolicy). Hard copies of the form are also available at the following locations:
- **Planning Policy, Rushcliffe Community Contact Centre**, Rectory Road, West Bridgford, Nottingham, NG2 6BN (Monday to Friday – 8:30 am to 5pm); and
- **Local Libraries** in Rushcliffe Borough (during normal opening hours).

Those representations not submitted via the Council’s consultation website should be sent to:
- Rushcliffe Borough Council, Rushcliffe Arena, Rugby Road, Nottingham, NG2 7YG
- Or by email to: localdevelopment@rushcliffe.gov.uk

All representations should include a name and postal address.

**Request to be notified**
Representations at this stage may be accompanied by a request to be notified that:
- 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; and
the Local Plan Part 2 has been adopted.

For further details, please contact the Council’s Planning Policy team on 0115 981 9911 or email localdevelopment@rushcliffe.gov.uk

Please note: representations made at this stage in the process cannot remain anonymous, but details will only be used in relation to the statutory function of Local Plan preparation. All representations will be sent to the Planning Inspectorate and made available to view online as part of the Local Plan Part 2 examination process. Please see separate Guidance Notes for Making Representations for further details in respect of data protection.
Appendix B

Guidance Notes for Making Representations
Rushcliffe Local Plan Part 2: 
Land and Planning Policies 
Publication Version 

Guidance Notes for Making Representations 

May 2018 

This guidance note has been produced to assist anyone who wishes to make representations on the Rushcliffe Local Plan Part 2: Land and Planning Policies Publication Version, its Policies Map and other supporting documents. 

These documents have been published in order for representations to be made prior to their submission for public examination. The representations will be considered alongside the published Local Plan Part 2 when submitted for independent examination. It will be examined by a Planning Inspector. 

The Planning and Compulsory Purchase Act 2004 states that the purpose of the independent examination by a Planning Inspector is to consider whether the Local Plan complies with the legal requirements, the duty to co-operate and is sound. 

1) If you are seeking to make representations on the way in which Rushcliffe Borough Council has prepared the Local Plan Part 2, it is likely your comments or objections will relate to a matter of legal compliance. 

2) If it is the content on the Local Plan Part 2, its policies and proposals, which you wish to comment or object to, it is likely it will relate to whether the Local Plan Part 2 is justified, effective or consistent with national policy – i.e. sound. 

Further explanation of legal compliance and soundness is provided below. This is based on guidance issued by the Planning Inspectorate. 

The period for representations to be made is between Wednesday 16 May 2018
and 5pm on Thursday 28 June 2018.

**What can I make comments on?**

You can make representations on any part of the Local Plan Part 2 (Publication Version), its Policies Map and other supporting documents, which include: the Sustainability Appraisal; the Habitat Regulations Assessment and the Equality Impact Assessment. Representations may also refer to the justification and evidence in the supporting technical papers. The purpose of the representation period is for you to say whether you think the plan is ‘legally compliant’ and ‘sound’.

**Do I have to use the response form?**

Yes please. There is also online version of the form allows representations to be entered directly, which is available at [http://rushcliffe-consult.objective.co.uk/portal](http://rushcliffe-consult.objective.co.uk/portal).

Alternatively, representations can be made on forms which are available to download at [www.rushcliffe.gov.uk/planningpolicy](http://www.rushcliffe.gov.uk/planningpolicy). Hard copies of the form are also available at the following locations:

- **Planning Policy, Rushcliffe Community Contact Centre**, Rectory Road, West Bridgford, Nottingham, NG2 6BN (Monday to Friday – 8:30am to 5pm); and
- **Local Libraries** in Rushcliffe Borough (during normal opening hours).

It is helpful to use the form to ensure that all relevant matters are included as part of your representation and it is clear what your views are and, where relevant, how you would like the draft Local Plan Part 2 to be changed. You can attach additional evidence to support your case, but please ensure that it is clearly referenced.

Representations are only valid if your name and address are supplied, and agents should please state the full name of the person(s) or organisation they are representing.

**What should be included in my representation?**

Your representation should include your name and postal address as it is not possible for representations to be considered anonymously. It should also note that
representations are not confidential and that they will be published on the Rushcliffe Borough Council website, and copies will be made available for public inspection. See further details on data protection below.

It will be helpful if your representation covers succinctly all the information, evidence and supporting information necessary to support/justify the representation and any suggested changes to the Local Plan Part 2, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Planning Inspector who will examine whether or not the Local Plan Part 2 is legally compliant and sound.

What does legal compliance and duty to co-operate mean?

The Inspector will first check that the Local Plan meets the legal requirements under section 20(5)(a) and the duty to co-operate under section 20(5)(c) of the Planning and Compulsory Purchase Act before moving on to test for soundness.

You should consider the following before making a representation on legal compliance:

- The Local Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any plans which the Council proposes to bring forward for independent examination. If the Local Plan is not in the current LDS it should not have been published for representations. The LDS should be on the Council’s website and available at its main offices.

- The process of community involvement for the Local Plan should be in general accordance with the Council’s Statement of Community Involvement (SCI). The SCI sets out the Council’s strategy for involving the community in the preparation and revision of LDDs (including Local Plans) and the consideration of planning applications.

- The Local Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the Council must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The Council must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.
• The Council is required to provide a Sustainability Appraisal Report when it publishes a Local Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. The Council is required also required to publish a Habitats Regulations Assessment and Equality Impact Assessment when it publishes a Local Plan.

You should consider the following before making a representation on compliance with the duty to co-operate:

• The duty to co-operate came into force on 15 November 2011 and any Local Plan submitted for examination on or after this date will be examined for compliance. The Council will be expected to provide evidence of how it has complied with any requirements arising from the duty.

• The Planning and Compulsory Purchase Act establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the Local Plan for examination. Therefore the Planning Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Planning Inspector has no choice but to recommend non-adoption of the Local Plan.

What does soundness mean?

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Planning Inspector has to be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy:

**Positively prepared:** This means that the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified:** The plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.

**Effective:** The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
**Consistent with national policy:** The plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

If you think the content of the plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the plan on which you are seeking to make representations or in any other plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

**Seeking a change to the Local Plan**

If you wish to make a representation seeking a change to the Local Plan you should make clear in what way the Local Plan is inadequate having regard to legal compliance, the duty to cooperate and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the Local Plan should be changed.

**Can I submit representations on behalf of a group or neighbourhood?**

Yes, you can. Where there are groups who share a common view on how they wish to see the Local Plan Part 2 modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition, etc. The representations should still be submitted on this standard form with the information attached.

**Can I attend the Public Examination?**

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the public examination. You should note that Planning Inspectors do not give any more weight to issues
presented in person than written evidence. The Planning Inspector will use his/her own discretion in regard to who participates at the particular hearing sessions of the public examination. All examination hearings will be open to the public.

**Making and returning representations**

Representations on the Local Plan Part 2 and any of the other proposed submission documents must be received by **5pm on Thursday 28 June 2018**. Please note that late representations cannot be accepted as duly made.

Representations can be made online using the Council’s consultation website at [http://rushcliffe-consult.limehouse.co.uk/portal](http://rushcliffe-consult.limehouse.co.uk/portal)

Alternatively, representations can be made on forms which are available to download at [www.rushcliffe.gov.uk/planningpolicy](http://www.rushcliffe.gov.uk/planningpolicy). Hard copies of the form are also available at the following locations:

- **Planning Policy, Rushcliffe Community Contact Centre**, Rectory Road, West Bridgford, Nottingham, NG2 6BN (Monday to Friday – 8:30 am to 5pm); and
- **Local Libraries** in Rushcliffe Borough (during normal opening hours).

Those representations not submitted via the Council’s consultation website should be sent to:

- Planning Policy, Rushcliffe Borough Council, Rushcliffe Arena, Rugby Road, Nottingham, NG2 7YG
- Or by email to: localdevelopment@rushcliffe.gov.uk

All representations should include a name and postal address.

**Request to be notified**

Representations at this stage may be accompanied by a request to be notified that:

- 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; and
- the Local Plan Part 2 has been adopted.

**Further details**
For further details, please contact the Council’s Planning Policy team on 0115 981 9911 or email localdevelopment@rushcliffe.gov.uk

### 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.
- 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/)
- 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/](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.