Dear Sirs

Rushcliffe Local Plan Part 2: Land and Planning Policies – Publication Version

Please find our attached representations in connection with the above.

I would be most grateful if you could confirm safe receipt.

Kind regards

Debra Henson
Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
**Part B** (please use a separate Part B form for **each** representation)

Name/Organisation: IBA PLANNING LTD (ACTING ON BEHALF OF MR AND MRS DAW)

### 3a. To which document does your response relate? (please tick one)

<table>
<thead>
<tr>
<th>Document</th>
<th>✔</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Plan Part 2 Policies Map</td>
<td></td>
</tr>
</tbody>
</table>

**Other supporting document**

**please state which:**

Click here to enter text.

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

<table>
<thead>
<tr>
<th>Page no.</th>
<th>Paragraph no.</th>
<th>Policy ref.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Policy 21: Green Belt</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site ref.</th>
<th>Policies Map</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SHELFORD</td>
</tr>
</tbody>
</table>

### 4. Do you consider the Local Plan Part 2:

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4(1) Legally compliant</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>4(2) Sound</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>4(3) Complies with the Duty to Co-operate</td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

→ If you have selected No to Question 4(2), please continue to Question 5.
→ In all other circumstances, please go to Question 6.

**What makes a Local Plan “sound”?**

**Positively prepared** - the plan should be prepared in a way that meets the need for housing and other development, including infrastructure and business development.

**Justified** – the plan should be based on evidence, and be the most appropriate strategy for the district when considered against other reasonable alternatives.

Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.
**Effective** – the plan should be deliverable; the housing and other development should be capable of being carried out.

**Consistent with national policy** – the plan should enable sustainable development and be consistent with the policies in the National Planning Policy Framework (NPPF).

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5. If you consider the Development Plan is UNSOUND, do you consider this to be because it is NOT: (please tick all that apply)

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

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6. Please give reasons for you answer to Questions 4(1), 4(2), 4(3) and 5, where applicable.
   You may also use this box if you wish to make representations on one of the Local Plan Part 2’s supporting documents (e.g. Sustainability Appraisal, Habitat Regulations Assessment or Equalities Impact Assessment). You can attach additional information but please make sure it is securely attached and clearly referenced.

   PLEASE SEE ATTACHED LETTER

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7. Please set out what change(s) you consider necessary to make the Local Plan Part 2 legally compliant or sound, having regard to your responses to Questions 5 and 6. You will need to say why this change will make the Local Plan Part 2 legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text. Please be as precise as possible.

   (If you are suggesting that the Local Plan Part 2 is legally compliant or sound please write “Not applicable”).

   PLEASE SEE ATTACHED LETTER

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8. If your representation is seeking a change, do you consider it necessary to participate at the hearing sessions of the Public Examination? (please tick one box only)

   - **No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation
   - **Yes**, I wish to appear at the examination
If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the hearing sessions of Public Examination, please outline why you consider this to be necessary:

Click here to enter text.

Please note: the Planning Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

10. Please indicate if you wish to be notified that: (please tick all that apply)

The Local Plan Part 2 has been submitted for independent examination. ✓

The recommendations of the Planning Inspector appointed to carry out the independent examination have been published. ✓

The Local Plan Part 2 has been adopted ✓

Date form completed 28/06/2018

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

localdevelopment@rushcliffe.gov.uk; or

Planning Policy
Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road,
Nottingham
NG2 7YG

(Electronic copies of this form are available to download at www.rushcliffe.gov.uk/planningpolicy).

If you have any questions, please contact the Planning Policy team by telephone on 0115 981 9911, or email at localdevelopment@rushcliffe.gov.uk
Representations must be received by 5pm Thursday 28 June 2018. Representations received after this time will not be considered duly made.

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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/

Your data protection rights are not absolute and in most cases are subject to the Council demonstrating compliance with other statutory legislation, for further information see http://www.rushcliffe.gov.uk/privacy/

Representations will be available to view on the Borough Council’s website, but any signatures, addresses, email addresses or telephone numbers will not be included. However, as copies of representations must be made available for public inspection, comments cannot be treated as confidential and will be available for inspection in full.
Dear Sirs

Rushcliffe Local Plan Part 2: Land and Planning Policies – Publication Version

Shelford

Further to the Council’s recent consultation in connection with the above, please find enclosed formal representations on behalf of our clients, Mr and Mrs Lee Smith (of Yew Tree Cottage, Shelford), longstanding local residents of the village.

Our clients support the Council’s proposals to inset the village of Shelford from the Green Belt, but object to the new Green Belt boundary as defined on the Shelford Inset Map.

National Green Belt policy advises that Local Planning Authorities with Green Belts in their areas should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a Local Plan. At that time, Authorities should consider the Green Belt boundaries having regard to their intended permanence in the long-term, so that they should be capable of enduring beyond the Plan period.

Paragraph 85 of the NPPF confirms that, when defining Green Belt boundaries, Local Planning Authorities should (amongst others):

- not include land which it is unnecessary to keep permanently open;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the Plan period; and
• define boundaries clearly, using physical features that are readily recognizable and likely to be permanent.

Our clients consider the Green Belt boundary as defined on the Policies Map does not accord with the above (and therefore with national Green Belt policy) for the following reasons.

The southern extent of what is proposed to be the built-up area of the village has included land associated with Bosworth Farm, but excludes numbers 1 and 2 Bosworth Farm Cottages (clearly historically associated with Bosworth Farm) – leaving these to remain washed over by the Green Belt.

In doing so, the Green Belt boundary in this location does not use physical features that are readily recognizable and likely to be permanent, instead appearing somewhat convoluted in its attempts to deliberately omit the two dwellings formerly associated with the farm.

Numbers 1 and 2 Bosworth Farm Cottages and their garden curtilages are very well defined and would, it is submitted, provide a far more logical new Green Belt boundary in this location, using the enclosed garden curtilage to number 1 Bosworth Farm Cottages and Main Road as the readily recognizable and permanent physical features referred to in national Green Belt policy.

In addition, there seems little justification for retaining numbers 1 and 2 Bosworth Farm Cottages and their residential curtilages within the Green Belt.

First, the two dwellings have historically been associated with Bosworth Farm and therefore more logically relate to that part of the settlement to be included within the built-up area, rather than the Green Belt beyond.

Second, given the land already accommodates two residential properties and garden curtilages, there seems no legitimate reason why the Council should include it within the Green Belt in order to keep it permanently open.

Indeed, national Green Belt policy advises against including land which it is unnecessary to keep permanently open – this being one such case.

The matter in this regard is even more compelling when one considers the permitted development opportunities within the garden of 1 Bosworth Farm Cottages.

A detached ancillary outbuilding (of some size) can be constructed within the garden of number 1 Bosworth Farm Cottages under Class E of Part 1 of Schedule 2 of the GPDO 2015 (as amended) as permitted development notwithstanding the Green Belt designation.

The above could include a garage, an enclosed swimming pool, garden studio etc – i.e. all forms of ancillary development one might reasonably expect within a garden to a rural property.
Given the above, my clients consider numbers 1 and 2 Bosworth Farm Cottages and their residential curtilage should be **excluded** from the new Green Belt boundary to better accord with national Green Belt policy, as shown below.

Unless the Green Belt boundary is amended as above, my clients will continue to object to the Local Plan Part 2 on the basis that it cannot be regarded as being *sound* – more particularly, that the Plan, in failing to accord with national planning guidance, cannot be regarded as being justified, effective, or positively prepared.

My clients’ objection can be simply rectified by amending the Green Belt boundary in this part of the village, using the well-defined curtilages of numbers 1 and 2 Bosworth Farm Cottages and Main Road as the readily recognizable and permanent physical features referred to in national Green Belt policy as illustrated above.

I trust the above is of assistance and look forward to being consulted on any subsequent consultation stages as the Council progresses towards formal adoption.

Should you require any further information from me in this regard in the meantime however, please do not hesitate to contact me.

Yours sincerely

Nick Baseley  
MA(Hons)TP MRTPI  
Director  

June 2018