



The Planning Inspectorate

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# **Report to Rushcliffe Borough Council**

**by Philip Lewis BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Date: 20 September 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Rushcliffe Local Plan Part 2: Land and Planning Policies**

The Plan was submitted for examination on 9 August 2018

The examination hearings were held between 27 November and 13 December 2018

File Ref: PINS/P3040/429/6

## **Abbreviations used in this report**

AA	Appropriate Assessment
BGS	British Geological Survey
DtC	Duty to Co-operate
ELFS	Employment Land Forecasting Study
GNP	Gotham Neighbourhood Plan
HRA	Habitats Regulations Assessment
HIA	Health Impact Assessment
KNDP	Keyworth Neighbourhood Development Plan
LDS	Local Development Scheme
MM	Main Modification
MoU	Memorandum of Understanding
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
STW	Sewage Treatment Works
SOCG	Statement of Common Ground
SA	Sustainability Appraisal
SUE	Sustainable Urban Extension
SCI	Statement of Community Involvement

## **Non-Technical Summary**

This report concludes that the Rushcliffe Local Plan Part 2: Land and Planning Policies (the Plan) provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Rushcliffe Borough Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

All the MMs relate to matters that were discussed at the hearing sessions and were subject to public consultation over a six-week period. In some cases, I have amended their detailed wording and/or added consequential modifications and I have indicated in the report where this has been necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- To make clear that the remaining saved Local Plan policies will be superseded by Local Plan Part 2 Policies;
- To clarify how dwelling capacity figures for the housing allocations have been calculated and that the final figures for new dwellings provided will be determined at the planning application stage;
- Adjusting and clarifying the site-specific development requirements of the proposed site allocations;
- Adjusting the development mix for the proposed mixed-use development Policy 5.1 land north of Nottingham Road, Radcliffe on Trent, to ensure that the allocated site would make the necessary financial contributions towards health and education capacity improvements;
- To remove the proposed requirement for M4(2) standards for accessible and adaptable dwellings from Policy 12;
- To delete the requirement for self-build and custom build plots on sites of more than 10 dwellings;
- To adjust Policies 28 and 29 in respect of the historic environment to accord with national policy;
- To adjust policy for recreational open space so that contributions would only be sought where necessary; and
- To amend Policy 39 relating to the health impact assessments of development to make it effective.

## Introduction

1. This report contains my assessment of the Rushcliffe Local Plan Part 2: Land and Planning Policies ('the Plan') in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report to the NPPF are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Rushcliffe Local Plan Part 2: Land and Planning Policies, submitted in August 2018 is the basis for my examination. It is the same document as was published for consultation in May 2018.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM01, MM02** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) of them, along with an addendum to the Habitats Regulations Assessment. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Publication Version Policies Map as set out in document reference SUB/02.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs in the document Proposed Local Plan Policies Map Modifications. Changes to the policies map give rise to consequential changes to a number of the Figures contained in the Plan. These have also been published for consultation.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Publication Version Policies Map and the further changes published alongside the MMs.

## **Assessment of Duty to Co-operate**

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. It is clear from the evidence before me that the Council has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other organisations, to ensure that cross boundary issues are properly considered and addressed.
10. There is evidence of close collaboration between the Council, neighbouring local authorities and other relevant bodies and there is a long history of the Council working with neighbouring authorities and statutory consultees. Rushcliffe and its neighbouring authorities in the Greater Nottingham Housing Market Area have agreed housing and employment land targets to meet the objectively assessed needs of the wider market area, which for Rushcliffe are set out in the Council's Local Plan Part 1: Core Strategy (Core Strategy). Outcomes of cooperation include the preparation of the South Nottinghamshire Gypsy and Traveller Accommodation Assessment 2014 – 2029 and the Greater Nottingham Self Build and Custom Housebuilding Register which have been prepared in cooperation with other Councils. No concerns have been raised by prescribed bodies about cross boundary issues under the DtC.
11. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

## **Statement of Community Involvement**

12. The Council's Statement of Community Involvement (SCI) was adopted in September 2016 (LOC/06). A number of representations were received to the effect that the Council had not followed its SCI. In respect of the proposed housing allocations at East Bridgford, it is clear that the Council made changes to its approach to development in the village relatively late on in the plan making process. The Council state that this was in response to further site options becoming available. However, the proposed allocations before me were published for formal consultation prior to submission in accordance with the Regulations and the opportunity to comment was provided in respect of the Publication Plan. The Council has followed the adopted SCI in the

preparation of the Plan and consultation on the Local Plan and the MMs was carried out in compliance with the Council's SCI.

## **Sustainability Appraisal**

13. S19(5) of the Planning and Compulsory Purchase Act, 2004 requires local authorities to carry out a SA of the Local Plan.
14. The SA is an iterative process informing the development of the local plan and should identify, describe and evaluate the likely significant effects of implementing the plan and reasonable alternatives. The Council, in its Sustainability Appraisal Publication Draft Main Report (SUB06) illustrates the stages taken in the SA process.
15. The Council's Housing Options Interim Sustainability Report (SUB05) considered a number of alternatives for the overall strategy of housing distribution, a range of options for different levels of housing development for individual settlements and individual appraisals for possible housing sites. This document was subject to consultation alongside the Council's Preferred Housing Sites (SUB17).
16. The Council's Housing Options Interim Sustainability Report considered reasonable alternatives on an equitable basis. In respect of Cotgrave, the Council's Preferred Housing Sites identified for further consultation were COT01, COT09, COT10 and COT11a (SUB17). In that document, the other sites such as COT12, land south of Plumtree Road, were considered on the same basis. Any differences in the conclusion between the SA undertaken by the Council and representors in respect of individual sites is due to differences in professional judgement, principally, in relation to the accessibility of Cotgrave, which is explained in the SA Publication Draft Main Report (SUB06). The Council undertook SA of a large number of sites and took a proportionate approach to the consideration of each in terms of the depth of assessment undertaken in regard to the assessment criteria.
17. Whilst sites COT 09, COT10 and COT11A, were later combined in the submitted Plan as one allocation under Policy 2.2 and were subject to further SA on that basis, this does not invalidate the exercise undertaken in respect of the Housing Options Interim Sustainability Report where each of the identified sites were considered separately. I am satisfied that COT12 was considered as a reasonable alternative to the above sites and that the allocations were made on the basis of professional judgement, taking into account a wider range of factors than just those within the SA process, such as the Green Belt.
18. Overall, I find that the SA has been undertaken in a proportionate and equitable way, has considered reasonable alternatives and sets out why alternatives have been rejected, has followed the Regulations and is adequate.

## **Assessment of Soundness**

### **Main Issues**

19. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 5

main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

**Issue 1: Would the Plan's approach to the scale and distribution of housing be consistent with the Rushcliffe Local Plan Part 1 Core Strategy?**

*Does the Plan make adequate provision to meet the non-strategic element of the housing land requirement as set out in Policy 3 of the Core Strategy?*

20. The Core Strategy in Policy 3 sets out that a minimum of 13,150 new homes will be provided in the Borough between 2011 and 2028 (the plan period). Approximately 7,650 homes would be provided at the allocated strategic sites, which are the Sustainable Urban Extensions (SUEs), along with around 2,020 dwellings being provided at three other allocated strategic sites. Core Strategy Policy 3 also provides for a minimum of 1,500 new homes to be provided in the identified 'Key Settlements' and development in villages solely to meet local needs. The allocation of sites at the Key Settlements is to be determined through the Local Plan Part 2.
21. The development of housing at the Core Strategy allocated strategic sites is not delivering new homes as quickly as envisaged. Whilst the development at the Former Cotgrave Colliery site is almost complete, delivery of homes at the sites at Melton Road, Edwalton and Land North of Bingham has commenced later than envisaged and no homes have yet been delivered at either of the allocated sites at Land at Former RAF Newton, Land South of Clifton or Land East of Gamston/North of Tollerton. Consequently, the Plan proposes additional housing sites to compensate for the shortfall in delivery of the strategic sites.
22. The Plan seeks to provide significantly more homes through non-strategic sites than the minimum 1,500 set out in the Core Strategy. The Plan as submitted would provide around 3,000 new homes across 23 sites. The overall total would rise further as a result of the recommended MMs to around 3,380 homes, to include several larger sites as allocations which have been granted planning permission.
23. The strategic sites are allocated in the Core Strategy and are not before me in this examination. The Plan makes provision for homes at a level in excess of the minimum figures set out in Core Strategy Policy 3. Given the lack of delivery at a number of the allocated strategic sites, the minimum provision of new homes as set out in the Core Strategy is not otherwise likely to be met. This is a clear change in circumstances since the adoption of the Core Strategy.
24. The provision of housing proposed through the non-strategic allocations is significantly in excess of the minimum figures set out in the Core Strategy. However, a number of the Core Strategy sites are stalling and whilst they are expected to come forward later in the plan period, they are currently appreciably behind the intended schedule. In addition, the allocation of significantly more than the minimum 1500 new homes would help to boost significantly the supply of housing in Rushcliffe and would enable the overall

minimum of 13,150 new homes to be provided in Rushcliffe in the plan period as set out in the Core Strategy. The Local Plan as a whole should therefore meet the objectively assessed needs for housing as set out in the Core Strategy. Furthermore, the Core Strategy sets minimum figures and allows some flexibility in terms of the location of new development allocated through the Plan. The increased supply over the short term should provide a significant boost in terms of the five year supply of housing.

25. There is not the evidence before me however to justify a significant further increase in the number of dwellings to be provided through non-strategic allocations in the Plan over those proposed. Such an approach would not be in accordance with the limited purpose and scope of the Part 2 Plan.

*Does the distribution of non-strategic site allocations accord with the spatial strategy in the Core Strategy?*

26. Policy 3 of the Core Strategy also sets out the Spatial Strategy for the Borough. The settlement hierarchy consists of the main built up area of Nottingham and the Key Settlements of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington. In addition, Policy 3 sets out that development in 'other villages', with the exception of the redevelopment of RAF Newton, will be 'solely to meet local needs'. Paragraph 3.3.17 of the Core Strategy explains that local needs will be delivered through small scale infill development or on exception sites and beyond that, where small scale allocations are appropriate to provide further for local needs, these will be included in the Local Plan Part 2.
27. The Plan proposes that housing allocations are made at the designated Key Settlements except Bingham, along with allocations in the 'other villages' of Cropwell Bishop, East Bridgford, Gotham, Sutton Bonington and Flintham. A mixed-use allocation is also proposed at the former Bunny Brickworks.
28. The Part 2 Plan does not seek to make further housing allocations within or adjoining the main built up area of Nottingham and the Council has not identified any such sites as being suitable for non-strategic housing allocations through the preparation of the Plan.
29. Alternative site options put forward within or adjoining the main built up area of Nottingham have been considered by the Council in the preparation of the Plan. Having regard to the findings of the SA, the Green Belt Review, the Housing Site Selection Report (BAC/09), the Housing Background Paper (BAC/01) and the Council's response to my initial questions (EX/RBC/1), the approach taken by the Council in not seeking to allocate these sites is reasonable and appropriate. In addition, the evidence suggests that such sites would not be likely to come forward within 5 years and would not therefore provide a short-term boost to the supply of housing.
30. The level of housing proposed in respect of the Key Settlements is proportionate to their size, function and position within the settlement hierarchy. The Key Settlements have sufficient infrastructure, services and facilities to support the proposed allocations.



31. Any proposal to extend the Core Strategy strategic allocations to address issues of delivery should properly be undertaken through a review of the Core Strategy. Additionally, the removal of land from those areas was considered and rejected during the preparation and examination of the Core Strategy.

*Proposed Housing allocations to 'other villages'*

32. It is proposed that about 540 new homes would be allocated to 'other villages'. This is a relatively modest figure in relation to the dwelling requirement as a whole and would not jeopardise the policy of urban concentration for the whole of Greater Nottingham given the scale of development proposed.
33. The new homes proposed for the 'other villages' would in part address some local need for housing provision, but are not fully justified solely on the basis of meeting local needs. They would however provide choice in the housing market and flexibility.
34. The Council in its Additional Settlements Background Paper (BAC/07) identifies a number of settlements as being potentially suitable to accommodate a limited level of housing development. In these assessments, account was taken of community services and facilities. Each of the 'other villages' identified to accommodate housing allocations in the Plan, has a reasonable level of facilities which would meet many every day needs of residents, along with some public transport provision. The size of allocation for each settlement is not out of proportion with their respective scales and I note that in respect of Gotham, the emerging Neighbourhood Plan proposes seven housing sites which have in total a similar capacity to the single site proposed in the Plan.
35. Although the allocation of new homes to the 'other villages' will meet some local need, that is not the sole justification and the proposed allocations are broadly consistent with the Core Strategy as a whole. In the assessment of soundness, I have regard to the need to significantly boost the supply of housing land and meet the minimum requirement for new homes set in the Core Strategy due to the issues in delivery of some of the strategic sites. In addition, the 'other villages' have a reasonable range of services and facilities and locating some development in them would represent sustainable development. Furthermore, the other options considered such as further housing adjacent to the main built up area would not address the short term housing delivery issues.
36. This leads me to conclude that the allocation of homes at the scale proposed at the 'other villages' is justified, positively prepared and consistent with national policy. I find the approach to the distribution of housing to be sound.

*Housing Trajectory*

37. The Council's housing trajectory requires updating to be effective in respect of the anticipated delivery from the strategic sites and proposed allocations (**MM54**).

### **Conclusion on Issue 1**

38. The Plan would help to provide sufficient housing land to meet the minimum housing provision for the plan period set out in the Core Strategy, which due to the rate of delivery from the strategic allocations would not be met. I find the Plan's approach to providing new homes through non-strategic allocations in excess of the minimum figures set out in the Core Strategy justified. In addition, whilst the allocation of housing sites to the 'other villages' goes somewhat beyond what can be termed solely for 'local needs', I find this justified and broadly consistent with the Core Strategy as a whole.
39. It is important that the Plan is put into place promptly to enable the supply of housing to be increased significantly. Consequently, I find the overall approach to the provision of housing in the Plan to be justified, effective and consistent with national policy.

### **Issue 2: Whether the Plan should include a policy for its review?**

40. The Plan under examination is a Part 2 Plan with a limited purpose and scope. Should the strategic allocations as set out in the Core Strategy continue not to deliver new homes in the way anticipated, it would be necessary to review the strategic policies of the Core Strategy within which the strategic allocations are made, rather than look to make further non-strategic allocations through a review of the Part 2 Plan. This is because, such further non-strategic allocations may be inconsistent with the strategy set out in the Core Strategy and would not address any fundamental issues relating to the supply and delivery of housing in Rushcliffe in regard to the strategic allocations. Consequently, a policy in the Part 2 Plan requiring its review would not be effective in addressing any future shortcomings in the implementation of the strategic allocations as set out in the Core Strategy.
41. Furthermore, there is a legal requirement that all local plans are reviewed every five years (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012). The Core Strategy was adopted in December 2014 and it is necessary for the Council to review its policies to assess whether they need updating, before the end of 2019. The Council already has a commitment to review the Core Strategy once the Plan is adopted as expressed in its Local Development Scheme (LDS).

### **Conclusion on Issue 2**

42. The Part 2 Plan should not include a policy for its review as such a policy would not be effective.

### **Issue 3 – Whether or not there is a need in principle to release land from the Green Belt to meet development needs?**

43. Around 40% of Rushcliffe Borough is within the Nottingham-Derby Green Belt, including 4 of the 6 designated Key Settlements along with a number of the larger villages. Core Strategy Policy 4: Nottingham-Derby Green Belt, lists the

settlements in the Borough inset from the Green Belt or to be inset through the Core Strategy, and includes that a number of inset boundaries will be reviewed or created through the Local Plan Part 2 in order to accommodate development requirements until 2028.

44. The Inspector in her report on the examination of the Core Strategy concluded that there was convincing evidence that the level of development set out in that Plan (as outlined in Issue 1 above) cannot be delivered without removing significant amounts of land from the Green Belt. She found that the need for sustainable development to provide an uplift in new housing provision and support economic growth by accommodating new employment constitute the exceptional circumstances to alter the Green Belt boundaries in Rushcliffe. Accordingly, in my examination of this Part 2 Plan, my considerations follow on from these conclusions that the boundaries of the Green Belt need to be altered to provide for the new housing provision and to support the employment growth envisaged in the Core Strategy.
45. The Core Strategy makes provision for the development of new homes in or adjoining Keyworth, Radcliffe on Trent and Ruddington, expressed as minimum targets. These are designated Key Settlements and are inset from the Green Belt. The Core Strategy therefore establishes the context for the release of Green Belt land for development through the Part 2 Plan in these settlements. In addition, Core Strategy Policy 4 includes that Cotgrave, Cropwell Bishop and East Bridgford would remain inset from the Green Belt. Other settlements, including Gotham, which is currently washed over would be inset from the Green Belt, with inset boundaries being reviewed or created in order to accommodate development requirements to 2028.
46. Although the Core Strategy was adopted in 2014, in the absence of an adopted Part 2 Plan, there has been little development permitted at the Key Settlements which are situated in the Green Belt, whilst considerable new housing development has been permitted beyond the Green Belt, such as at East Leake.
47. The Council in its Housing Site Selection Report (BAC09) considered options for the provision of new homes within the Main Urban Area, at the designated Key Settlements and other villages. Consistent with paragraph 84 of the NPPF, options for allocating land beyond the Green Belt were considered at Bingham and East Leake and at the 'other villages' outside of the Green Belt.
48. In respect of the Key Settlements, at Bingham, the only available option for further housing allocation would be to expand the existing strategic site allocated through the Core Strategy to the north of the town. Such an allocation would not be likely to come forward until the end of the plan period or beyond, as it would in effect extend the allocated strategic site. At the current time, its allocation would not assist in boosting significantly the supply of housing in the short term or contribute towards the 5 year supply.
49. At East Leake, planning permission has been granted for over 1200 new homes, considerably in excess of the minimum target of 400 set out in the Core Strategy. This is in part due to the allocated strategic sites not delivering as intended, the absence of sites being allocated in the Key Settlements and because the Part 2 Plan is not in place to release Green Belt land as envisaged

in the Core Strategy. Due to the location of East Leake in relation to Nottingham, the identification of further land would put at risk the Core Strategy focus to locate development within or adjacent to the main urban area of Nottingham. In addition, I have had regard to the implications for the character of the village and concerns expressed about the capacity of services and facilities to support additional housing over that already consented. In this regard, the Housing Site Selection Report (BAC09) identifies capacity issues in terms of the provision of education. Consequently, further allocation of housing land at East Leake through this Plan would not promote sustainable patterns of development within the Borough nor be consistent with the spatial strategy of the Core Strategy.

50. Housing allocations are proposed at the 'other villages' of Flintham and Sutton Bonington which are outside of the Green Belt. These are proposed at a level which can be considered sustainable given the services and facilities at the settlements. However, channelling further development to these settlements would not be justified in relation to the spatial strategy. In regard to Aslockton, further development above existing commitments would not achieve sustainable development, given the levels of services and facilities available at the village and would not be justified in regard to the spatial strategy.
51. Consequently, the Council has considered options for accommodating housing development in settlements outside the Green Belt and has made some further allocations where it would achieve sustainable development. The Council has demonstrated that there is insufficient supply of housing sites outside the Green Belt to meet the housing requirement and overall spatial strategy identified in the Core Strategy.

#### *Changes to the Green Belt boundary*

52. The Plan makes provision for new homes significantly above the minimum figures for the Part 2 Plan set out in the Core Strategy. This is necessary to ensure that the overall minimum number of new homes is provided over the plan period and that the Plan boosts significantly the supply of housing, given that a number of the strategic sites set out in the Core Strategy are not delivering new homes as anticipated.
53. Core Strategy Policies 3 and 4 provide the strategic context for the review of Green Belt boundaries, creation of insets and provision for land for development. The levels of development set out in Policy 3 are expressed as minimums and Policy 4 allows for the review of Green Belt boundaries to accommodate development needs.
54. The Council has chosen to amend the Green Belt boundary in order to boost the supply of housing to ensure that the minimum level of new homes set out in the Core Strategy is met in a sustainable way. The Plan, through the review and creation of inset boundaries, makes provision for new homes in settlements in the Green Belt in excess of the minimum figures for Keyworth, Radcliffe on Trent and Ruddington, with allocations also made at the key settlement of Cotgrave and the 'other villages' of Cropwell Bishop, East Bridgford and Gotham. The Green Belt boundaries have been reviewed consistent with the requirements of Policy 4 of the Core Strategy.

55. Given the need to significantly boost the supply of housing and the lack of alternatives beyond the Green Belt to accommodate further development in a way which would achieve sustainable development, it is necessary to release land from the Green Belt to meet the overall minimum provision of new homes and employment land. Whilst the release of Green Belt land is in excess of the minimum levels anticipated in the Core Strategy, the circumstances of providing an uplift in new housing provision and supporting economic growth by accommodating new employment found in the examination of the Core Strategy remain. There is a need in principle to release land from the Green Belt to meet development needs.

### *Green Belt Review*

56. The Rushcliffe Green Belt Review Part 2 (b) (Detailed Review of the Nottingham- Derby Green Belt within Rushcliffe – Rural Towns and Villages) (the GBR) (KS/GRE/03) has been undertaken in respect of the Part 2 Plan. This document completes the detailed Green Belt Review for Rushcliffe in accordance with Part 1 Plan Policy 4 (5). It includes detailed reviews around the Key Settlements of Bingham, Cotgrave, Keyworth, Radcliffe on Trent and Ruddington and at the 'other villages' of Cropwell Bishop, East Bridgford, Gotham and Tollerton. It also defines new inset boundaries and reviews other existing inset boundaries. An addendum to the GBR details the consideration of additional sites (KS/GRE/05).
57. The overall aims of the Green Belt Review are to identify land for removal which would cause least harm to Green Belt purposes and to identify new, permanent and defensible boundaries which are logical and robust. I have had regard to the representation that the Council has not based the GBR on appropriate criteria but the methodology of the GBR is based on national policy for Green Belts as set out in the NPPF. The assessment criteria are framed around the Green Belt purposes as set out in paragraph 80 of the NPPF and the Council has had regard to the permanence of the Green Belt in accordance with paragraph 83. The sites assessed are based on potential sites submitted by landowners within the Strategic Housing Land Availability Assessment (KSHOU11).
58. Some Representors have provided alternative Green Belt Review assessments in support of omission sites. However, the approach taken by the Council is sound and consistent with national policy. Differences in opinion between the Council and representors fall in effect to matters of planning judgement. In any event, the GBR is only one of a number of assessments which has informed the allocation of sites in the Part 2 Plan.

### *Safeguarded land*

59. The NPPF in paragraph 85 states that when defining boundaries, local planning authorities should where necessary identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt in order to meet longer-term development needs stretching well beyond the plan period and make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development. Core Strategy Policy 4 (5) states that

consideration will be given in the Part 2 Plan to the identification of safeguarded land to meet longer term requirements beyond the plan period.

60. The Local Plan Part 2 does not identify any safeguarded land. The future dwelling requirement for the period beyond 2028 will be determined through a review of the Core Strategy and will involve a Local Housing Need Assessment conducted using the standard method in national planning guidance, unless exceptional circumstances justify an alternative approach. The future scale of housing need within the Housing Market Area beyond the plan period is unknown as is the extent and location of any Green Belt land which may need to be released beyond the plan period.
61. The Part 2 Plan is concerned with non-strategic allocations. I have concluded that the Part 1 and 2 Plans together make sufficient provision to ensure that the minimum number of new homes required by the Core Strategy would be met with sufficient headroom for some contingency. However, significant further delay in the implementation of the strategic sites and any need for a reconsideration of Green Belt land release is more properly a matter for the review of the strategic policies of the local plan as set out in the Core Strategy. Therefore, it is justified that the Part 2 Plan does not identify any safeguarded land.

*Policy 21 Green Belt and Green Belt boundaries*

62. The Green Belt boundaries in respect of the proposed allocations are considered under Issues 4 and 5. At the Hearing, there was some discussion regarding the removal from the Green Belt of land at Gotham, situated between Pygall Avenue and the proposed allocation in Policy 9. Further representations were made in respect of the proposed MMs. Paragraph 85 of the NPPF includes that when defining Green Belt boundaries, local planning authorities should not include land which it is unnecessary to keep permanently open and that boundaries should be defined clearly, using physical features that are readily recognisable and likely to be permanent. The Green Belt boundary proposed to this part of Gotham follows a disused railway and so would be readily recognisable. Whilst the land in question is presently in use as paddocks and has some value in respect of the character and appearance of the area and for its historic heritage, in strictly Green Belt terms, it is not necessary to keep it permanently open. Whilst the exclusion of the land from the Green Belt, may give rise to further housing development in the village, the Green Belt boundary for Gotham is nevertheless justified.
63. The village of Shelford has been inset from the Green Belt as per Core Strategy Policy 4. It is justified to retain numbers 1 and 2 Bosworth Farm Cottages, Main Road and their curtilages within the Green Belt in order to safeguard the countryside from encroachment. This part of Shelford has a more open character distinct from that of the village core. The Green Belt boundary has been defined consistent with paragraph 85 of the NPPF, with physical features which are readily recognisable and likely to be permanent.
64. The policy justification in paragraphs 6.5 and 6.6 should be amended to make the Plan effective as the revised amended NPPF 2019 in paragraph 146 explicitly identifies change of use for outdoor sport or recreation, or for cemeteries and burial grounds as developments which are not inappropriate

provided they preserve its openness and do not conflict with the purposes of including land within it (**MM34**). I have made minor changes to the proposed MM so that the text is consistent with the NPPF 2019 and to ensure that it would be effective.

### **Conclusion on Issue 3**

65. The policies of the Core Strategy, the slippage in the delivery of the strategic sites, the need to significantly boost the supply of housing and the lack of sustainable alternatives mean that the release of Green Belt land in the Plan to meet development needs is justified in principle. That is, however, subject to exceptional circumstances being demonstrated for the alteration of Green Belt boundaries to justify the removal of specific sites from the Green Belt for development, a matter dealt with in Issue 4. The proposed Green Belt boundaries have been considered through the GBR. The Council's approach to the GBR is consistent with national policy and the Part 2 Plan is justified in not identifying safeguarded land.

### **Issue 4 – Are the proposed site allocations justified, effective and consistent with national policy and where necessary have exceptional circumstances been demonstrated to justify releasing land from the Green Belt for the uses proposed?**

#### *Site allocation process*

66. The Council undertook a site selection process to identify the site allocations in the Plan. The process is set out in the Housing Site Selection Report (BAC09). The starting point was the Core Strategy spatial strategy which sets the minimum requirements for new development and its distribution. Following consultation on issues and options and further options, the Council identified a number of sites as reasonable alternatives for housing development. These were then assessed against a range of factors, which I find to be relevant and appropriate. The alternative options were identified from sites assessed through the 2017 Strategic Housing Land Availability Assessment (SHLAA) and more recent sites put forward by landowners. The approach to the site selection process and the assumptions made are robust.

#### *Allocated site capacity assumptions*

67. The proposed housing allocations each provide an indication of site capacity which has been used to inform the housing trajectory. So that the Plan is justified and effective, it is necessary to include within the text the basis upon which the capacity figures have been derived and to confirm that the final dwelling figures delivered would be established through the development management process (**MM04**).

#### *A52/A606 improvements*

68. There is a Memorandum of Understanding (MoU) between Rushcliffe Borough Council, Nottinghamshire County Council and Highways England in respect of the provision of an Infrastructure Package for the A52/A606, consisting of improvements to five junctions. The package of improvements aims to

support the growth in Rushcliffe as set out in the Core Strategy. Developer contributions are sought through agreements under the Highways Act (S278) and would be negotiated through the development management process. Development subject to the provisions of the MoU includes any residential development in Rushcliffe that will have an overall traffic impact across A52 junctions in excess of 30 vehicles in any peak hour. It is justified and consistent with the Core Strategy that the proposed allocations within the A52 corridor make contributions as necessary to the package of improvements. These are Policies 2.1; 2.2; 4.1; 4.2; 4.3; 4.4; 5.1; 5.2; 5.3; 5.4; 5.6; 6.1; 6.2 and 6.3 (**MM05, MM06, MM11, MM12, MM13, MM14, MM15, MM16, MM17, MM18, MM19, MM21, MM22 and MM23**).

## **Cotgrave**

69. Cotgrave is a Key Settlement, identified for growth and sustainable development in the Core Strategy, which makes a strategic allocation of around 470 homes to the Former Cotgrave Colliery. At the time of the Hearings, this development was almost complete. Two allocations are proposed in the Plan, Policy 2.1 for around 180 homes and Policy 2.2 for around 190 homes.

### *Policy 2.1 Housing Allocation. Land Rear of Mill Lane/The Old Park, Cotgrave*

70. The proposed allocation lies within an area of archaeological interest. The Archaeological Evaluation Report indicates the high archaeological potential of the western part of the site which includes a number of circular anomalies that are morphologically suggestive of roundhouses of a probable later prehistoric or early Roman date. The site can be developed in a way which would avoid harm to the significance of the archaeology at the site through avoiding the area of archaeological interest if necessary or through mitigation measures. The Statement of Common Ground (SOCG) (EX/RBC/12) between Rushcliffe Borough Council and Historic England, dated 29 November 2018, includes amended wording for the Policy and policy justification to achieve this through a programme of intrusive archaeological evaluation, and demonstration of a sustainable site layout and engineering response to the archaeological remains. The policy wording and justification needs to be amended to properly address the issue of the archaeological potential in accordance with the NPPF and for the Policy to be effective (**MM05**). I am satisfied that the archaeological issue has been taken into account in the viability assessment.
71. In the GBR, the site was scored as being of low Green Belt importance and did not score highly against the five Green Belt purposes. The site is well contained, being adjacent to and well related to the existing built up area to the south and west, with the proposed employment allocation to the east. The boundary of the Green Belt to the north is defined by hedges and trees with woodland beyond and is readily recognisable and is likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.



72. There was some discussion at the hearing session in respect of the access requirements for the proposed allocation and its relationship in this regard to proposed allocation Policy 2.2.
73. The required modifications to the junction of Hollygate Lane and Colston Gate, possibly to include a change in priority, appear feasible within the confines of the extent of the existing highway land. There is evidence of an increase in accidents at the junction of Stragglethorpe Road into Hollygate Lane since the development of the Former Cotgrave Colliery site, with an increase in right turn movements at the junction which is subject to the national speed limit. Whilst the provision of the through road at the Former Cotgrave Colliery site may improve the situation, the Plan is justified in seeking necessary improvements to the junction as the development would increase its use and the risk of accidents. Such improvements appear feasible within the extent of the existing highway. I am satisfied therefore that the proposed allocation is deliverable in terms of off-site highway works and whilst the detailed requirements are not known at this stage, I find the policy effective in this regard.
74. The Policy requires that a single junction is formed on Hollygate Lane to serve the developments at both Policies 2.1 and 2.2. I find that this requirement is justified and that it would ensure that Policies 2.1 and 2.2 could come forward separately without potentially affecting one another. In addition, there are no land ownership reasons why the site should not be considered as being deliverable.

*Policy 2.2 Housing Allocation. Land South of Hollygate lane, Cotgrave*

75. In the GBR, the site was considered in 3 parts relating to SHLAA sites. In each case it was scored as being of low Green Belt importance and did not score highly in respect of the Green Belt purposes. The site is bounded by the existing built up area to the west, south and to a large extent to the north and is relatively well contained by the existing built form of the settlement. The boundary of the Green Belt to the countryside is defined by field boundaries and hedges and is readily recognisable and is likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
76. As per Policy 2.1 above, the proposed allocation is effective and justified in terms of the highway requirements and there are no land ownership reasons why the site should not be considered as being deliverable.

**East Leake**

77. The Plan includes the provision of the allocation of land north of Rempstone Road, East Leake as Policy 3. The Policy reflects an existing planning permission for development in East Leake and its inclusion in the Plan is justified as it provides certainty. In addition, planning permission has been granted for the development of up to 195 dwellings at land at Lantern Lane, East Leake. This is a significant development scheme and it is justified to include this site in the Plan as an allocation to define the extent of the area to

be developed in the absence of a settlement boundary, to define the development requirements, to provide certainty and to be effective (**MM07**, **MM08** and **MM09**).

78. The Plan makes no provision for additional new homes at East Leake over those already committed. Whilst East Leake is defined as a Key Settlement in the Core Strategy, over 1,200 homes have been permitted on 10 greenfield sites. This is far in excess of the minimum of 400 dwellings stated in the Core Strategy and for the reasons previously stated, the Plan is justified in this regard.

### **Keyworth**

79. Keyworth is a designated Key Settlement, identified for growth and sustainable development in the Core Strategy, which makes provision for a minimum of around 450 homes in or adjoining the settlement. The Plan proposes around 600 dwellings at Keyworth. The Housing Site Selection Paper (BAC09) sets out that Keyworth does have the level of services and facilities to accommodate additional growth above the minimum set out in the Core Strategy.

#### *Policy 4.1. Housing Allocation. Land off Nicker Hill, Keyworth*

80. In the GBR, the site was scored as being of low-medium Green Belt importance. Whilst the development of the site could give rise to a greater perception in terms of coalescence with Stanton-on-the-Wolds, a significant gap of undeveloped land would remain to the rear of the existing dwellings on Nicker Hill. In addition, whilst there would be some encroachment into the countryside, the site is well contained. The site adjoins the built up area to two sides and is bounded by the British Geological Survey (BGS) site to the north west and the highway at Nicker Hill to the south west. The boundary of the Green Belt to the countryside is defined by field boundaries which are readily recognisable. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
81. The proposed development requirements include the avoidance or mitigation of significant effects on the living conditions of future residents from the established activities at the BGS site. These requirements should be supplemented to ensure that the established business is not adversely affected as a result of the proposed allocation in accordance with the NPPF (**MM11**).
82. Policy 4.1 development requirement a) refers to a neighbouring local wildlife site. It was explained at the hearing that the wildlife site has been de-designated and consequently the requirement a) should be deleted (**MM11**).
83. The proposed allocation is situated in an accessible location in regards of services and facilities. It does not have a poor relationship with the settlement, nor would it give rise to undue landscape effects. The site is the subject of an outline planning application. There is no substantive evidence that the site is not deliverable.

*Policy 4.2. Housing Allocation. Land between Platt Lane and Station Road, Keyworth*

84. In the GBR, the site was scored as being of low-medium Green Belt importance and did not score highly against any of the Green Belt purposes. Whilst the site would encroach into the countryside, it is bounded on two sides by Platt Lane and Station Road and by a field boundary and hedge to the north west and by the boundary with the sports ground to the north east. The boundary of the Green Belt to the countryside is well defined, readily recognisable and is likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
85. The allocated site is situated adjacent to a cricket pitch. There is evidence which shows that adequate separation between the cricket square and dwellings can be achieved and the Policy wording and policy justification should be amended to ensure that future occupiers of homes at the allocated site would be protected from well struck cricket balls (**MM12**). I have made a minor change to the text of the final sentence of the additional justification paragraph in the MM by adding the word 'be', as it would otherwise be unclear. At the time of the hearings, the site was the subject of a planning application which has since been approved. There is no substantive evidence that the site is not deliverable.

*Policy 4.3. Housing Allocation. Land South of Debdale Road, Keyworth*

86. In the GBR, whilst the site scored highly in respect of the Green Belt purpose to check the unrestricted sprawl of settlements and assisting in safeguarding the countryside from encroachment, the overall score was of low-medium Green Belt importance. The site is bounded to the south by Bunny Lane, and the existing built up area to the east. The boundaries to the north and west are marked by hedges. These boundaries are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
87. The proposed allocation is sited in an accessible location in respect of the services and facilities in Keyworth. The northern part of the site would be retained in the Green Belt and would provide a landscape buffer. The Policy requires a landscape buffer along the western boundary. These provisions would mitigate landscape impact. The site can be provided with access onto Bunny Lane and its development would not give rise to unacceptable effects on the highway network. A planning application for the development of the site is under consideration by the Council.

*Policy 4.4. Housing Allocation. Hillside Farm, Keyworth*

88. In the GBR, the site was scored as being of low Green Belt importance and did not score highly in terms of the Green Belt purposes. The site is bounded to

the north by Bunny Lane and the existing built up area to the east. The boundary to the south is marked by a hedge, whilst the boundary to the west is with Hillside Farm. The site is therefore well contained. These boundaries are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

89. The site is situated to the north east of a sewage treatment works (STW). There is no substantive evidence that the proximity to the STW would give rise to odour nuisance for future occupiers of the proposed allocation.
90. The site adjoins an active farm complex, which includes modern buildings for housing cattle and an area of manure storage. I heard that the farm business was being developed to accommodate activities from an existing site which is to be redeveloped. Furthermore, since the hearing sessions were held the Council has granted planning permission for a further agricultural building close to the allocation site boundary. From what I have read and heard, the farm complex has the potential to give rise to noise, odours, dust and flies to the detriment of future occupiers of the proposed homes, which in turn could lead to limitations being placed upon the existing farm business. However, there is no substantive evidence that the relationship between the land uses could not be addressed through the design and layout of a development at the site through the planning application process, nor that the site should be considered not deliverable or developable as per the NPPF. The development requirements should be amended to address the relationship between the land uses so as to prevent unacceptable conflict (**MM14**).
91. The proposed site is not, unlike the other proposed allocations in Keyworth, included within the made Keyworth Neighbourhood Development Plan (KNDP) as a recommended allocation. The KNDP in Policy HC3 identifies a number of key views into and out of the Conservation Area and to and from the Church of St Mary Magdalene in the centre of the village. The proposed allocation could be developed in a way which would not lead to the loss or inappropriate impact on the identified view or have an unacceptable visual impact.

### **Radcliffe on Trent**

92. Radcliffe on Trent is a Key Settlement, identified for growth and sustainable development in the Core Strategy, with provision for a minimum of around 400 homes in or adjoining the settlement. Six allocations are proposed in the Publication Plan, which in total would provide around 920 homes.
93. Radcliffe on Trent has a good range of services and facilities, a frequent bus service to Nottingham and a railway station. However, the primary school provision was said to be at capacity and additional capacity is required. A single form entry school, if entirely development funded, would require around 1000 homes. Land is safeguarded for a new primary school and a medical centre within the proposed housing allocation on land off Shelford Road (Policy 5.3), the development of which has outline planning permission. Accordingly, I consider that adequate provision is made for education and health services to accommodate additional growth above that set out in the Core Strategy.

94. The made Radcliffe on Trent Neighbourhood Plan in Policy 10 New Residential Development (Locational Strategy) sets out criteria to be used to determine the acceptability of housing allocations in the Part 2 Plan.
95. Whilst I have regard to the concerns of the Parish Council that the Part 2 Plan is considering provision of new homes at a level substantially above the minimum set out in the Core Strategy, I find the overall level of homes proposed justified in terms of the need to provide additional land for housing development and in terms of the suitability of Radcliffe on Trent, as a Key Settlement, to accommodate it. In addition, whilst I have had regard to the concerns expressed concerning traffic and transport, there is no substantive evidence that the overall level of new homes cannot be adequately accommodated.
96. I have concluded in respect of Issue 1 that the provision of allocations over and above the minimum targets set out in the Core Strategy is justified. The overall level of additional housing proposed for Radcliffe on Trent is justified and Radcliffe on Trent has sufficient infrastructure, services and facilities to support the proposed allocations.

*Policy 5.1 Housing Allocation. Land North of Nottingham Road, Radcliffe on Trent*

97. In the GBR, the site was scored as being of low-medium Green Belt importance and did not score highly in respect of any of the Green Belt purposes. Whilst the allocation reduces the gap between Radcliffe on Trent and Holme Pierrepont, it is well defined by the disused railway embankment and would not give rise to coalescence between the two. The allocation would encroach into the countryside, but the extent of the encroachment is limited visually by the embankment. The site is bounded by the embankment to the north west which provides a strong and well defined boundary and by Nottingham Road to the south east. The boundary to the north east reflects existing field boundaries. These boundaries are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
98. The Environment Agency's flood risk map identifies the entire site within Flood Zone 2 except a small area in the south west corner, either side of a stream which feeds into the nearby Polser Brook, which falls within Flood Zone 3. The Greater Nottingham Strategic Flood Risk Assessment (KSCL103) takes into account the effect of the disused railway embankment which bounds the site and identifies that only part of the site has either low or moderate flood hazard risk ratings. The flood risk map however has not changed and I shall work on the basis that the site is in part, liable to flood.
99. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
100. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The NPPF states that development should not

be allocated if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Furthermore, it is clear, that if following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the exception test can be applied if appropriate.

101. In this case, the Local Plan Part 2 is supported by a Strategic Flood Risk Assessment and a Sequential Test (KSCL105) of the proposed housing allocations. The Council has, in its SA, evaluated a range of possible development sites around Radcliffe on Trent and elsewhere in the Borough, including taking account of flood risk potential, in addition to other matters such as effects on the Green Belt. In respect of the proposed allocation, the Council concluded in its Sequential Test that there are no reasonable alternatives which are consistent with the wider sustainability objectives as set out in the Core Strategy and Neighbourhood Plan. I do not find the Council's approach inconsistent with national policy or guidance as set out in the PPG. The findings of the Council expressed in the SA, are reasonable.
102. The Policy sets out the split between the number of homes and amount of employment land. To provide a degree of flexibility in the mix between housing and employment land and in order to ensure that the allocated site would make the necessary financial contributions towards the provision of health and education improvements, the split between housing and employment land should be changed so that the site would provide between 150 and 200 homes and a minimum of 3 hectares of employment land, along with a consequential change to the justification in paragraph 3.47 (**MM15**). I have made a minor change to MM15 to delete the word 'of' in the final sentence of proposed paragraph 3.52 as it is unnecessary and its deletion does not change the justification.
103. Having considered the evidence in regard to the viability of the site, the allocation as modified should be considered deliverable as per footnote 11 to the NPPF as there is a realistic prospect that housing will be delivered on the site within five years and that the development of the site would be likely to be viable. Matters of detailed viability would be for the development management process in the context of Core Strategy Policy 11 and the PPG. The policy justification should also be revised to clarify how the site is intended to be laid out (**MM15**).
104. The Council has undertaken SA of the proposed MMs to the allocation which was published for consultation. The Housing Allocations Sequential Test document (KS/CLI/05) considered the proposed mixed use allocation as a whole and concludes that the proposed more vulnerable development (housing) and less vulnerable development (employment), can both be located outside of the small area of Flood Zone 3 at the site, within Flood Zone 2. Consequently, a change in the split between housing and employment land does not change the findings of the Sequential Test.

*Policy 5.2 Housing Allocation. Land Adjacent Grooms Cottage, Radcliffe on Trent*

105. In the GBR, the site was scored as being of low Green Belt importance and did not score highly against any of the Green Belt purposes. The site is bounded

by the built up area to the west and Shelford Road to the north. Boundaries to the east and south follow established field boundaries which are marked by hedges. The site would not form the Green Belt boundary as it adjoins the allocation at Policy 5.3, which has been granted planning permission. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development. It is necessary to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear and the policy justification to clarify the requirements for drainage measures (**MM16**).

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

106. In the GBR, the site was scored as being of low Green Belt importance and did not score highly against any of the Green Belt purposes. The site is well contained, being bounded by the existing built up area and the land allocated by Policy 5.2 to the west and Shelford Road to the north. Boundaries to the east follow the established field boundary which is marked by hedges. To the south is a railway line. The Green Belt boundary is clearly defined using physical features that are readily recognisable and likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

107. The proposed allocation includes within the development requirements provision for a serviced site(s) for a new one form entry primary school and a medical centre. Outline planning permission has been granted for the development of the allocated site. Although the allocated site is situated on the edge of the settlement, the community facilities would be reasonably accessible. The proposal is justified but it is necessary to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear. Additionally, the policy justification should clarify the requirements for drainage measures (**MM17**).

*Policy 5.4 Housing Allocation. Land North of Grantham Road, Radcliffe on Trent*

108. In the GBR the site scored highly in terms of assisting in safeguarding the countryside but was scored as being of low-medium Green Belt importance overall. The site is bounded by the built up area to the west and along much of its southern boundary with Grantham Road, the railway to the north and an existing track to the east. The Green Belt boundary is clearly defined using physical features that are readily recognisable and likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. Whilst the allocation would extend the form of the settlement along Grantham Road to the east, the site is contained by the railway to the north and is bounded by the existing built up area to the west and south. The site has sufficient depth for it to appear as a contained urban extension rather than as a ribbon of development. It is necessary to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear (**MM18**).

*Policy 5.5 Housing Allocation. 72 Main Road Radcliffe on Trent*

109. In the GBR the site was scored as being of low Green Belt importance and did not score highly against any of the Green Belt purposes. The site is bounded by residential gardens to the east with a sports ground to the north east and a ditch with fencing and hedges to the north. These boundaries are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
110. Whilst the site is situated within Flood Zone 2, I am satisfied that on the application of the Sequential Test, the allocation is appropriate.

*Policy 5.6 Housing allocation. The Paddocks, Nottingham Road, Radcliffe on Trent*

111. The proposed site is situated adjacent to the A52. I heard at the hearing that the site is not within an Air Quality Management Zone and that air quality matters should not affect its deliverability. It is necessary however to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear (**MM19**).

## **Ruddington**

112. Ruddington is a Key Settlement, identified for growth and sustainable development in the Core Strategy, with provision for a minimum of around 250 homes in or adjoining the settlement. The Publication Plan seeks to allocate around 350 homes between three sites.
113. I am satisfied that Ruddington does have the level of services and facilities to accommodate additional growth above that set out in the Core Strategy. I have concluded in respect of Issue 1 that the provision of allocations over and above the minimum targets set out in the Core Strategy is justified. Whilst I have had regard to the appeal decision relating to development of land North of Asher Lane for 175 dwellings, and the concerns expressed regarding traffic and the impact on the village centre, the overall level of additional housing proposed for Ruddington, including that at Asher Lane, is justified and it is not necessary to reduce the level of housing development proposed in the Plan as a result of the granting of planning permission for the Asher Lane site.

*Land North of Asher Lane, Ruddington*

114. Planning permission was granted on appeal for the development of 175 dwellings at the site in May 2018 (APP/P3040/W/17/3185493 – the Asher lane appeal). The significant site should be included in the Plan as an allocation to define the development requirements to be effective and for the Green Belt boundary to be defined on the Policies Map (**MM20** and **MM24**). In the GBR the site was scored as being of low Green Belt importance and did not score highly against the Green Belt purposes. The site is bounded by the edge of Ruddington, allotments, a heritage railway and Asher Lane and is well contained. The Green Belt boundary is clearly defined using physical features that are readily recognisable and likely to be permanent. Given these factors, there are exceptional circumstances for removing the site from the Green Belt.



*Policy 6.1 Housing Allocation. Land West of Wilford Road, Ruddington*

115. The proposed allocation would give rise to a modest reduction in the extent of open land between Ruddington and West Bridgford and Clifton, but would not fundamentally conflict with the five purposes of the Green Belt as set out in paragraph 80 of the NPPF. Furthermore, the Council's GBR concludes that the land is of low-medium Green Belt importance. The boundaries of the site are with the Packman Dyke to the north and A60 road to the east, with the other boundaries largely with the built-up area of the settlement. These boundaries are defined clearly using readily recognisable physical features and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.
116. The Inspector in the Asher Lane appeal commented in his decision on the then preferred site RUD01 of the emerging Local Plan which became Policy 6.1 in the Publication Plan, regarding the comparative merits of the Asher Lane site and RUD01. The purposes and processes of S78 appeals and local plan examinations are different and although I have regard to that Inspectors comments, I am satisfied that the requirements for defining the boundaries of the Green Belt as set out in paragraph 85 of the NPPF are met in the allocation of the site.
117. The Environment Agency's flood risk map identifies areas of the site as falling within Flood Zones 2 and 3, along Packman Dyke and adjacent to Wilford Road. The Plan is supported by a Strategic Flood Risk Assessment and a Sequential Test of the proposed housing allocations. The Council has in its SA evaluated a range of possible development sites around Ruddington and elsewhere in the Borough, but these are constrained by environmental, landscape, heritage issues or their contribution to the Green Belt. The proposed development requirements would ensure that vulnerable development would not be located within Flood Zone 3. Whilst the development would require floodplain mitigation works, on the balance of evidence, I am satisfied that the site could deliver the proposed 130 homes.
118. To ensure the policy is consistent with national policy in regard to flooding, changes are necessary to the development requirements to the effect that it should be demonstrated that the development would be flood resilient and safe for its lifetime (**MM21**). It is also necessary to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear (**MM21**).

*Policy 6.2 Housing Allocation. Land South of Flawforth Lane, Ruddington*

119. In the GBR, the site was scored as being of low-medium Green Belt importance and does not score highly in respect of any of the Green Belt purposes. Whilst the site is situated across the A60 road from the main part of the settlement, it relates well to existing development to the west. The site adjoins the settlement to the west and Flawforth Lane to the north. The boundaries to the east and south follow established boundaries which are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the

allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development. It is necessary however to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear (**MM22**).

*Policy 6.3 Housing Allocation. Land Opposite Mere Way, Ruddington*

120. In the GBR, the site scored highly in respect of checking unrestricted sprawl of settlements and assisting in safeguarding the countryside from encroachment as it extends the area of development to the east of the A60 road into the countryside, but was scored as being of low-medium Green Belt importance overall. The site adjoins A60 road to the west and other boundaries follow established boundaries, marked by hedges, which are readily recognisable and are likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in Core Strategy Policy 3. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development. The boundary of the site as shown on the Policies Map is drawn so as to include a copse of trees to the east of the site. This land is not necessary for the development and its removal from the Green Belt is not justified. Changes to the Policies Map proposed by the Council were published separately for consultation. It is necessary to amend the Policy so that the requirement for contributions to the A52 Trunk Road improvements is clear (**MM23**).

*Policy 7 Housing Allocation. Land east of Church Street, Cropwell Bishop*

121. Cropwell Bishop has a reasonable range of services and facilities to meet the everyday needs of residents and there is capacity at the primary school and health centre.

122. In the GBR, the site was scored as being of low Green Belt importance and the site does not score highly in terms of the Green Belt purposes. The site is well contained being adjacent to the existing built up area to the west and school to the south. The boundary to the Green Belt is with the STW to the north and follows a footpath to the east. The boundary of the Green Belt is readily recognisable and is likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in the Core Strategy. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

123. Whilst the proposed allocation should not be expected to address existing issues resulting from on-street parking in the village, the development requirements include the provision of a new access to the site and neighbouring primary school, which should bring a net benefit in this regard.

124. The proposed allocation is situated adjacent to a STW. The development requirements include provision of a buffer between new homes and the STW. I am satisfied that the allocation is effective in this regard and that the detailed consideration of this matter would take place through the development management process. This may affect the number of homes to be provided, but capacity set out at 'around 70' homes is justified. The actual

number of homes delivered is however a matter for the development management process. I have had regard to concerns expressed regarding surface water runoff, but that would be a detailed matter for the development management process. The Policies Map needs to be corrected in regard to the Policy number. Any changes to the Policies Map proposed by the Council will be published separately.

### **East Bridgford**

125. East Bridgford is, in terms of the Core Strategy, one of the 'other villages'. East Bridgford has a range of services and facilities sufficient to meet many everyday needs of residents, including primary education and a health centre. In that context, I do not find the overall level of development proposed to be out of scale with the village and I am satisfied that the capacity of existing services and facilities is adequate to serve the proposed allocations. Whilst some representors have expressed concerns regarding the preparation of the Plan and how it came to include the two proposed allocations, those matters are not directly relevant to the soundness of the Plan and I must assess the soundness of those allocations as set out in the Plan before me.

#### *Policy 8.1 Housing Allocation. Land Between Butt Lane and Closes Side Lane, East Bridgford*

126. In the GBR, the site scored highly in terms of checking the unrestricted sprawl of settlements as the allocation would extend the built up area into the countryside to the east of the village, but it was scored as being of low-medium Green Belt importance overall. The site is adjacent to the existing built up area to the west and is bounded by roads to the north and south, meaning that it would be well contained. The boundary to the east follows in part field boundaries. The Green Belt boundary would be readily recognisable and is likely to be permanent. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in the Core Strategy. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

127. The development requirements as set out in the Policy address effectively the issue of access to the site. I am satisfied that it could be adequately accessed and a road linking Butt Lane and Closes Side Lane is feasible and that the proposed allocation whilst giving rise to additional vehicle movements, should not give rise to unacceptable effects on highway safety. In terms of deliverability, it has not been demonstrated that land ownership constraints preclude the implementation of the scheme.

#### *Policy 8.2 Housing Allocation. Land South of Butt Lane, East Bridgford*

128. In the GBR, the site scored highly in respect of the Green Belt purpose of preserving the setting and special character of historic towns as it is adjacent to the Conservation Area and in respect of assisting in safeguarding the countryside from encroachment extending into the countryside. However, the site was scored as being of low-medium Green Belt importance overall. The site is adjacent to the existing built up area to the west and is bounded by a road to the north, whilst the boundary to the south is marked by a hedgerow. The boundary to the east would be a new boundary with the Policy

development requirements including that a substantial tree belt should be provided to the east to connect Butt Lane with the Millennium Wood which would provide a clearly defined and permanent boundary. The Council has taken into account the need to promote sustainable patterns of development and the allocation of the site is consistent with the strategy set out in the Core Strategy. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

129. In terms of the development requirements, the proposed allocation can be accessed and that whilst the development of the site would give rise to additional vehicle movements, it should not cause unacceptable effects on highway safety.

## **Gotham**

### *Policy 9 Housing allocation. Land East of Gypsum Way/The Orchards, Gotham*

130. Gotham is in terms of the Core Strategy, one of the 'other villages'. As I have concluded in respect of Issue 1, the allocation of homes to 'other villages' is justified. Gotham has a range of services and facilities sufficient to meet many everyday needs of residents, including primary education, shops and a health centre. In that context, I do not find the overall level of housing land proposed to be out of scale with the village and I am satisfied that the capacity of existing services and facilities is adequate to serve the proposed allocation. Whilst Policy 9 states that the allocation is for around 70 homes, the additional text in **MM04** is clear that the final number of dwellings would be determined through a planning application.

131. In the GBR the site was scored as being of low Green Belt importance and did not score highly in respect of any of the Green Belt purposes. The site is bounded by the existing built up area to the east and Gypsum Way to the west. To the south the boundary follows the established field boundary marked by a hedge. The boundaries would be readily recognisable and are likely to be permanent. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

132. The emerging Gotham Neighbourhood Plan (GNP) puts forward a number of different sites which it is considered should be allocated through the Part 2 Plan. These sites are of a relatively modest scale. Whilst the GNP is advancing a different strategy for the allocation of housing in the village, the Plan is not yet made, could be subject to further change and I am considering the approach set out in the Part 2 Plan.

133. During the hearing session, the means of access to the proposed allocation was discussed. I am satisfied that the provision of access should not affect the deliverability of the site. However, whilst the development requirements address the relationship between the proposed homes and the bus depot, the Policy should be amended to address surface water disposal, any loss of parking for existing residents and to safeguard living conditions for residents as a result of the construction and use of the new access (**MM25**). In terms of criterion d) and the policy justification as set out in the MM, I am satisfied the requirements to address the potential effects of the development on surface water flooding would not place unduly onerous requirements on a future developer and that they would be effective. The provision of

compensation parking spaces within the site is justified in the absence of any evidence that such parking could be achieved in an acceptable form off-site. Additionally, the requirement for net gains to biodiversity in criterion b) is consistent with national policy as set out NPPF paragraph 109.

*Policy 10. Housing Allocation. Land North of Park Lane, Sutton Bonington*

134. Sutton Bonington is, in terms of the Core Strategy, one of the 'other villages'. As I have concluded in respect of Issue 1, the allocation of homes to 'other villages' is justified on the basis of meeting the overall dwelling requirement and local needs. Sutton Bonington has a range of services and facilities sufficient to meet many everyday needs of residents, including primary education, shops and a health centre. In that context, I do not find the overall level of development proposed to be out of scale with the village and I am satisfied that the capacity of existing services and facilities are adequate to serve the proposed allocation. In addition, I do not find that the proposal would have any unacceptable effects on traffic, nor give rise to an increase in the risk of flooding. Whilst there may be no developer interest in the site at the time of the hearing, I am satisfied that it is deliverable in terms of the Framework.

135. The site however has an open character and is visually prominent and the development requirements should be amended to include provision of landscaping works to safeguard the rural character of the village when viewed from the A6006 (**MM26**).

*Policy 23 Redevelopment of Bunny Brickworks*

136. The proposed redevelopment of the former Bunny Brickworks for employment use is a longstanding policy and is currently within the development plan as Saved Policy E7 of The Rushcliffe Borough Local Plan (1996). Whilst the site scored highly in respect of checking the unrestricted sprawl of settlements, given that it is a relatively isolated previously developed site, in the GBR, the site was scored overall as being of low-medium Green Belt importance. The site consists of a former brick works and is bounded in part by roads to the north and east and the existing trading estate to the west. The boundaries of the allocation would be readily recognisable and are likely to be permanent. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

137. Whilst the site is remote from the village of Bunny and has limited accessibility in terms of non-car transport, the Council has taken into account the need to promote sustainable patterns of development and of bringing previously developed land into beneficial use. Therefore, the proposed allocation accords with the policies of the NPPF as a whole. The development requirements set out in the Policy include provisions to safeguard the living conditions of future residents in respect of existing land uses.

*Policy 24 Redevelopment of Former Islamic Institute, Flintham*

138. Whilst the proposal would give rise to a significant increase in the number of homes in Flintham, the proposed allocation reflects the planning permission for the residential development of the site. Given the proximity of the site to the neighbouring sports field, the Policy and policy justification should be amended

to address the issue of cricket ball strike (MM37). I have made a minor change to the MM by adding the word 'be' which was omitted, to make the text clear.

#### **Conclusion on Issue 4**

139. The proposed site allocations are justified, effective and consistent with national policy and where necessary exceptional circumstances have been demonstrated to justify releasing land from the Green Belt for the uses proposed.

#### **Issue 5 – Are the proposed employment allocations effective, justified and consistent with the Core Strategy and national policy and where necessary, have exceptional circumstances been demonstrated to justify the removal of sites from the Green Belt?**

140. Core Strategy Policy 5 sets out the strategy for employment provision and economic development. Whilst the Core Strategy makes provision for strategic employment allocations, it states that the Part 2 Plan will deliver economic development of a lesser scale in sustainable locations. Although the Core Strategy sets out overall minimum employment land and office floorspace targets, no specific targets are set for the Part 2 Plan.
141. The Core Strategy sets out that sites will be identified to provide a minimum of 67,900 square metres of office floorspace (B1a and b) and a minimum of 20 hectares of other employment land (B1c, B2 and B8). Employment land totalling around 66.5 hectares is allocated at the SUE to the South of Clifton, on land to the North of Bingham, at the former Cotgrave Colliery, RAF Newton and the SUE to the East of Gamston/North of Tollerton. Some employment land allocations remain allocated by the Rushcliffe Local Plan 1996.
142. The Employment Land Forecasting Study (ELFS) (KSEMP04) was published in August 2015. It was commissioned by a group of authorities in order to ensure that each respective Part 2 Local Plan, for both the Nottingham Core and Nottingham Outer Housing Market Areas, is supported by more recent evidence on employment land requirements.
143. The Core Strategy and the submitted Plan combined make provision for about 65,800 square metres of Use Class B1(a) and around 60 hectares of land for other employment generating uses within other B Use Classes. The Plan carries forward the allocated sites at Chapel Lane, Bingham (east and west), Hollygate Lane, Cotgrave and land at the Former Bunny Brick Works (as part of a mixed use proposal). New allocations are proposed at Nottingham Road Radcliffe on Trent as part of a mixed use development (around 5 hectares of employment land) and at Platt Lane, Keyworth (around 2.6 hectares).
144. The Council's figures are based on broad assumptions and the existing and proposed allocations are flexible in terms of provision of B1, B2 and B8 uses. The ELFS indicates that the provision of office floorspace should be in the range 75,000 to 84,000 square metres, and non-office floorspace in the range 31 to 41 hectares. These figures are appreciably above those set out in the Core Strategy. However, take up of employment land has been low during the

plan period to date, in part as the strategic allocations have not come forward as envisaged. Provision of employment land at the strategic sites is not directly a matter before me, but it nevertheless forms part of the justification for the allocation of further employment land through this Plan.

145. The proposed allocations for new sites in the Key Settlements would improve accessibility of employment opportunities in those locations. This is consistent with Core Strategy Policy 5 in that the allocations are situated in accessible locations, in accordance with the settlement hierarchy and would ensure a sustainable mix of land uses. The allocations proposed in the Part 2 Plan should meet the minimum targets set out in the Part 1 Plan, accepting that there would be some flexibility in the provision of B class uses within developments. However, in overall terms, there would continue to be significant provision of non-office employment land over the Core Strategy minimum requirements, largely to be delivered within the Core Strategy strategic allocations. There is some uncertainty however, as to future strategic requirements for employment land provision in Rushcliffe, but that is more properly a matter for the review of the Core Strategy.
146. The proposed mixed use allocation at Land at Nottingham Road, Radcliffe on Trent includes employment land, falling within Use Classes B1, B2 or B8. In relation to Radcliffe on Trent, given the level of office floorspace required by the Core Strategy, the constrained nature of the village centre and given that there are no suitable or available sites for B1 office uses, the allocation of land at Nottingham Road to include B1 office use is justified. The policy justification should clarify that applications for office development in respect of the allocations would not be subject to any further sequential test requirements to accord with national policy (**MM30**). In addition, the policy justification should be amended in respect of the Platt Lane, Keyworth site Policy 15 1. d) to clarify that the site access may need to be in part located within the Green Belt and should not conflict with the purposes of including land in the Green Belt and Figure 3 revised so that the employment allocation does not include the dwellings on Platt Lane (**MM10** and **MM30**).
147. It is proposed that the employment land allocations at Nottingham Road, Radcliffe on Trent, Platt Lane Keyworth and the mixed use development at the Former Bunny Brick Works would be removed from the Green Belt. The need to provide additional employment land at Radcliffe on Trent and Keyworth in order to ensure a sustainable mix of uses at those settlements, to regenerate the previously developed land at the former Bunny Brickworks and to strengthen the local economy are consistent with the Core Strategy and provide the exceptional circumstances to remove these sites from the Green Belt. I am satisfied that the particular locational requirements in relation to employment land provision at Keyworth and Radcliffe on Trent and in respect of the Former Bunny Brickworks mean that these requirements cannot be addressed through utilising land beyond the Green Belt.
148. The exceptional circumstances for the removal of land from the Green Belt at Nottingham Road, Radcliffe on Trent has been considered under Policy 5.1 and in regard to the Former Bunny Brickworks in Policy 23. In respect of Platt Lane, the GBR concludes that the site would have a low-medium Green Belt score. The site is well screened by topography, tree belts and the cottages on Platt Lane and has clearly defined hedgerow boundaries. The allocation of the

site does not conflict with the Green Belt purposes set out in paragraph 80 of the NPPF. In conclusion, exceptional circumstances exist to remove this site from the Green Belt for development.

### **Conclusion on Issue 5**

149. The provision of new employment allocations through the Plan would be made in sustainable locations in accordance with the settlement hierarchy and is consistent with Policy 5 of the Core Strategy and is justified. Exceptional circumstances have been demonstrated to justify the removal of the sites from the Green Belt

### **Issue 6 – Are the individual policies clear, justified and consistent with national policy and will they be effective?**

#### *Policy 1 Development Requirements*

150. The encouragement of appropriate renewable energy technologies within new development and the promotion of a high degree of energy efficiency is consistent with Core Strategy Policy 2 and would support the transition to a low carbon future in a changing climate. To accord with national policy as set out in the NPPF, criterion 6 of the Policy should seek, where possible, net gains in biodiversity as stated in paragraph 109 and the Policy should also be amended to include a criterion regarding best and most versatile agricultural land to accord with national policy and to be effective (**MM03**). Under xi in the table on page 9 the word 'not' should be deleted from column two as it is incorrect and not consistent with Policy 37 (**MM01**).

#### *Policy 11 Housing Development on Unallocated Sites Within Settlements*

151. The Policy should be amended so it is consistent with national policy for the historic environment by including that harm should be weighed against the public benefits of a proposal (**MM27**).

#### *Policy 12 Housing standards*

152. Policy 12 is concerned with accessible and adaptable homes and water efficiency standards. There is evidence of likely future need for housing for older people in the Borough with the percentage of elderly people growing at a faster rate than the national average, with a significant increase forecast in the proportion of households with someone aged over 75. In addition, there is evidence of a rise in the number of people that will live with mobility problems in future in the Borough.

153. It is forecast that the overall percentage of people aged 18 to 64 who have a moderate or serious physical disability will not change in the Borough, but due to the overall increase in population, a modest increase in the numbers of people needing adapted homes will occur. It is not clear however from the evidence as to whether the existing housing stock is meeting the present need or could meet any increase in need in the future. Whilst I have had regard to the data concerning the people on the Rushcliffe housing register who need to move on medical or welfare grounds and the reasons given for rehousing



tenants in Rushcliffe due to unsuitable property, the evidence on how needs vary across tenures or whether an increase in need could be met through the adaptation of existing homes is limited. The requirement in part a) of the Policy in respect of developments of 10 dwellings or more providing at least 20% of housing to comply with the requirement M4(2) of the Building Regulations for accessible and adaptable dwellings has not been demonstrated or justified in respect of the modest level of need identified. This requirement should be deleted. In addition, the policy justification should be altered as a consequential change (**MM28**).

154. Having regard to the M4(3)(a) Buildings Regulations requirement for wheelchair adaptable homes, I am satisfied that the need for wheelchair user housing will increase in the plan period and that the requirement for at least 1% of homes in developments of 100 dwellings or more to comply with the requirements M4(3)(a) of the Building Regulations is justified. This requirement has been taken into account in the Rushcliffe Borough Council Whole Plan and Community Infrastructure Viability Assessment (May 2018) and I do not find that it would have an adverse effect upon viability. To make the Policy effective, it should be clarified how it would be applied in certain circumstances, for example, where it would not be practical because of site conditions. (**MM28**).

155. Policy 2 seeks to apply the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day to all new dwellings. The Greater Nottingham Outline Water Cycle Study 2010 (KSCLI01) concludes that the water resource situation in the East Midlands is 'significantly constrained' and there is little opportunity to develop new water resource schemes in the area. Whilst the study was prepared some time ago, there is no alternative evidence before me and the requirement to employ stringent water use standards is reinforced by the Humber River Basin District Management Plan 2016 and the Severn Trent Water Draft Water Resources Management Plan 2018. Whilst the application of the higher Optional Technical Housing Standard for water consumption would have a modest cost implication for developers, I am satisfied that it would not have a significant effect upon viability. The application of the higher Optional Technical Housing Standard for water consumption is justified.

*Policy 13 Self-build and Custom Housing Provision*

156. Policy 13 encourages the provision of self-build and custom homes in accordance with national policy. The Policy as drafted seeks an appropriate percentage of dwellings on sites of more than 10 dwellings to be provided for self-build or custom plots. It is not clear what the Policy is seeking in terms of 'an appropriate percentage' and the Policy would not be effective as drafted. The 10 dwelling threshold has not been justified. Part 2 of the Policy and the policy justification in paragraph 3.140 should be deleted (**MM29**).

*Policy 16 Renewable Energy*

157. To be consistent with national policy in paragraph 153 of the NPPF and to be effective, the Policy should refer to Appendix C of the Plan which sets out the landscape sensitivity study and landscape character units, rather than the

Melton and Rushcliffe Landscape Sensitivity Study 2015 (KSGIN07) which is a separate document and not part of the development plan (**MM31**).

*Policy 18 Surface Water Management*

158. Policy 18 is concerned with surface water management. To ensure that the policy and its justification are effective, where sustainable drainage systems are appropriate, they should comply with the drainage hierarchy (**MM32**).

*Policy 19 Development Affecting Watercourses*

159. In order for the Policy to be effective, criterion e) should be amended so as to secure a minimum 10 metre buffer to promote ecological networks, facilitate management of water courses and provide an adequate buffer from land based activities to reduce the risk of pollution to the water course and clarify that such a buffer should be provided where physically feasible (**MM33**). I have made a minor change to the MM through the deletion of the comma between the words 'buffer' and 'where' for clarity.

*Policy 22 Development within the Countryside*

160. Policy 22 is concerned with development in the countryside beyond the Green Belt. To make the Policy effective and to be compliant with national policy, the Policy should be amended to include sports development. To be effective the Policy should be reworded to refer to habitats, rather than biodiversity and provide clarity in respect of isolated dwellings (**MM35**). The policy justification should be supplemented to make clear that proposals for the accommodation of Gypsies, Travellers and Travelling Showpeople that are located within the countryside should comply with Core Strategy Policy 9 (**MM36**).

*Policy 25 Development within District Centres and Local Centres*

161. The criteria set out for primary and secondary frontages would be effective in maintaining the viability and vitality of the designated centres, justified by the Greater Nottingham Retail Study (KSRET01). It is not justified at this stage to include the new retail provision to serve the new communities at the strategic sites allocated in the Core Strategy. That is a matter for the review of the Core Strategy. To be consistent with national policy, the Policy should refer to significant adverse impacts on vitality or viability of a defined centre (**MM38**).

*Policy 26 Retail and Settlement Centres*

162. I am satisfied that the Policy is justified in the identification of the specified centres of neighbourhood importance and in regard to their geographical extent. To be consistent with national policy, the Policy should refer to 'significant adverse impacts' on vitality, viability or character of a centre (**MM39**).

*Policy 27 Main Town Centres Outside District Centres or Local Centres*

163. The Policy as submitted is not consistent with the sequential test for planning applications for main town centre uses as set out in the NPPF. The Policy should be amended to accord with national policy as set out in paragraph 24 of the NPPF by the deletion of paragraph 2 (**MM40**).

*Policy 28 Conserving and Enhancing Heritage Assets*

164. The Policy as submitted is not consistent with the NPPF in regards to balancing harm against public benefits and should be amended so as to be consistent with the heritage policies of the NPPF (**MM41**).

*Policy 29 Development Affecting Archaeological Sites*

165. The Policy is not consistent with national policy for the historic environment as set out in the NPPF in respect of the weighing of public benefits against harm. The requirements for archaeological evaluation are not clear and would not be effective. The Policy and policy justification requires to be amended (**MM42**).

*Policy 30 Protection of Community Facilities*

166. The Policy seeks to safeguard existing community facilities and to be effective and consistent with the NPPF in respect of delivering social, recreational and cultural facilities in paragraph 70, the policy and policy justification should also refer to cultural facilities (**MM43**).

*Policy 31 Sustainable Tourism and Leisure*

167. As submitted, the Policy is not effective in that it seeks to resist planning applications which would have any adverse impact on tourist and leisure facilities. The Policy should be amended to state that planning applications which have significant adverse effects would be resisted (**MM44**).

*Policy 32 Recreational Open Space*

168. The Policy is not consistent with national policy as set out in paragraph 204 of the NPPF in respect of planning obligations seeking new provision or improvements to the quality of provision from all developments, rather than where it is necessary to make the development acceptable in planning terms. There is insufficient evidence to demonstrate that the thresholds for the provision of new facilities and financial contributions are appropriate and justified. The policy and policy justification should be amended to accord with national policy and to provide clarity as to when contributions would be sought (**MM45**).

*Policy 34 Green Infrastructure and Open Space Assets*

169. To be effective and for clarity, the policy should refer to traditional orchards and the policy justification should be amended to recognise the wider benefits of ecosystem services as set out in paragraph 109 of the NPPF (**MM46** and **MM47**). In addition, for clarity, the policy justification should also refer to the Rushcliffe Playing Pitch Strategy to inform development that may affect sports pitches (**MM47**).

170. The wording of paragraph 12.20 relating to biodiversity and geodiversity is unclear in that it omits the words 'development which adversely affects' and should be amended to make the Plan effective (**MM48**).

*Policy 36 Designated Nature Conservation Sites*

171. The Policy should be amended so as to be consistent with national policy as set out in paragraph 109 of the NPPF in respect of net gains for biodiversity (**MM49**).

*Policy 39 Health Impacts of Development*

172. The document, Spatial Planning for the Health & Wellbeing of Nottinghamshire (KS/HEA/01) sets out the background to the Health Impact Assessment (HIA) approach and the World Health Organisation defines HIA as: 'A combination of procedures, methods and tools by which a policy, programme or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population'.

173. The Policy as worded is however unclear and there is no justification for the thresholds set out. The Policy and justification should be revised to make it effective in seeking mitigation to significant adverse impacts identified and to set out how development proposals should promote, support and enhance health (**MM50**).

*Policy 41 Air Quality*

174. The Policy as drafted is not clear and does not provide a clear indication of how a decision maker should react to a development proposal contrary to paragraph 154 of the NPPF. The Policy should be redrafted to make it effective (**MM51**).

*Policy 42 Safeguarding Minerals*

175. To be consistent with national policy as set out in paragraph 143 of the NPPF, the Policy should include the prior extraction of minerals (**MM52**). The illustrative Minerals Safeguarding Map which has been published for consultation should be included as an illustrative figure.

*Policy 43 Planning Obligations Threshold*

176. The justification to the Policy in paragraph 15.2 is not consistent with the tests set out in paragraph 204 of the NPPF and should be amended to explain how planning obligations would be sought, consistent with the tests (**MM53**).

**Conclusion on Issue 6**

177. In conclusion, subject to the recommended MMs, I consider the individual policies clear, justified and consistent with national policy and that they will be effective.

## Assessment of Legal Compliance

178. My examination of the legal compliance of the Plan is summarised below. I conclude that the legal requirements are all met, other than in respect of Regulation 8 which can be addressed through a MM.
179. Regulation 8 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. The Plan supersedes a number of policies from the Rushcliffe Local Plan 1996 and these should be set out in the Plan (**MM02**).
180. The Rushcliffe Local Plan Part 2: Land and Planning Policies has been prepared in accordance with the Council's Local Development Scheme.
181. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
182. Sustainability Appraisal has been carried out and is adequate.
183. The Habitats Regulations Assessment Screening of Likely Significant Effect (HRA) sets out why an Appropriate Assessment (AA) is not necessary. In July 2018, the Council prepared a HRA Addendum in response to a Judgement issued by the Court of Justice of the European Union<sup>1</sup>. The HRA Addendum confirms that AA is not necessary. Natural England has confirmed that it has no objections to the HRA.
184. The Plan includes policies designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. Such Policies include Policy 16 Renewable Energy, Policy 17 Managing Flood Risk and Policy 18 Surface Water Management and build upon those set out in the Core Strategy.
185. The Local Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
186. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including policy for development of accommodation for Gypsies, Travellers and Travelling Showpeople and for accessible and adaptable housing.

## Overall Conclusion and Recommendation

187. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

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<sup>1</sup> People over Wind, Peter Sweetman v Coillte Teoranta Case C-323/17

188. The Council has requested that I recommend MMs to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the Rushcliffe Local Plan Part 2: Land and Planning Policies satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Philip Lewis*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM01	9	Second column of row xi	In the last paragraph of the second column of xi:  A trees and woodlands policy will <del>not</del> seek to restrict development which would adversely affect ancient or veteran trees. It requires any loss of tree to be replaced where appropriate.
MM02	15	To follow paragraph 1.17	Insert the following:  <u>Superseded Policies</u>  <u>1.18 The adoption of the Local Plan Part 2 means that the following 'saved' policies from the 1996 Rushcliffe Borough Local Plan are superseded and no longer form part of the development plan:</u>  <ul style="list-style-type: none"> <li>• <u>Policy ENV15 – Green Belt;</u></li> <li>• <u>Policy H1 – Housing Allocations;</u></li> <li>• <u>Policy E1 – Employment Land Provision;</u></li> <li>• <u>Policy E7 – Redevelopment of Employment Sites; and</u></li> <li>• <u>Policy E8 – Langar Airfield</u></li> </ul>
MM03	16	Policy 1	Amend Policy 1, criterion 6) as follows:  <u>there is no significant adverse effects on important wildlife interests, and where possible, the application demonstrates net gains in biodiversity;</u>  Insert the following criterion:  <u>12. development should have regard to the best and most versatile agricultural classification of the land, with a preference for the use of lower quality over higher quality agricultural land. Development should also aim to minimise soil disturbance as far as possible.</u>
MM04	20	To follow paragraph 3.11	Insert the following paragraph after paragraph 3.11:

Ref	Page	Policy/ Paragraph	Main Modification
			<p>The number of dwellings it has been estimated will be delivered on the sites allocated for development within this Local Plan Part 2 has been calculated on a site by site basis. As a starting point, for sites up to a hectare in size their capacity has been calculated on the basis of a gross density of 25 dwellings per hectare; for sites between 1 and 3 hectares a 23 dwellings per hectare gross density has been used and for sites in excess of 3 hectares a 20 dwellings per hectare gross density has been used. In the case of certain sites, because of particular specific circumstances, an estimated dwelling capacity figure has been identified which does not necessarily follow this standardised approach. However, in all cases, the final number of dwellings on each of the allocated sites will be established at the planning application stage, following consideration of site specific detailed design matters and any other relevant planning considerations.</p>
MM05	23	Policy 2.1 and paragraph 3.15	<p>Amend Policy 2.1 criterion a):</p> <p><del>a) areas of important archaeological interest should be avoided and retained as open space unless subject to area excavation and recording any planning application will be required to demonstrate a sustainable layout and engineering response to the significance of archaeological remains on site as determined through a programme of intrusive archaeological evaluation. Where areas of the site are found to contain remains of such significance, or for which the costs of adequate mitigation would be prohibitive, this response should allow for their preservation;</del></p> <p>Insert new criterion with associated consequential changes to text:</p> <p>j) development must not prevent access to the site opposite which is allocated within Policy 2.2; <del>and</del></p> <p><u>k) financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u></p> <p>Renumber criterion k) to l).</p> <p>Amend paragraph 3.15:</p> <p><u>Land rear of Mill Lane/The Old Park would form an individual site. When taking into account open space requirements on site, it is anticipated that it has capacity to accommodate around 180 dwellings, assuming the archaeologically sensitive area so far identified through geophysical survey to the western end of the site is left undeveloped to facilitate preservation of archaeology. In this respect development will require further pre-submission evaluation and the site should be approached on the basis that area(s) may need to remain undeveloped of buildings, associated</u></p>



Ref	Page	Policy/ Paragraph	Main Modification
			<del>groundworks, access and drainage infrastructure. On-site open space will be required in part to protect heritage assets of archaeological interest that exist within the site, unless a detailed scheme of excavation and recording is undertaken prior to the submission of a planning application.</del> In addition, overlooking of neighbouring properties, including of bungalows, as a result of the land's sloping topography should be avoided through sensitive site design and layout.
MM06	24	Policy 2.2	Amend criterion f:  f) Green Infrastructure should provide linkages to the Grantham Canal and Hollygate Park and achieve net-gains in biodiversity through tree planting and woodland creation; <del>and</del>  Insert criterion g with consequential renumbering of the final Policy criterion to h):  <u>g) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>
MM07	26	Paragraphs 3.24 and 3.25	Amend as follows:  Housing allocations at East Leake  3.24 The Core Strategy sets a minimum target of 400 new homes that need to be built on new greenfield sites at East Leake up to 2028. Planning permission has recently been granted on <del>nine ten</del> <u>ten</u> greenfield sites around the village that will deliver around <del>1,000</del> <u>1,200</u> new homes in total. All of the homes count towards the minimum 400 home target, which means it has already been exceeded by around <del>600</del> <u>800</u> homes.  3.25 It is considered that it would be unacceptable to identify further land at East Leake for housing development over the plan period. To do so would put at risk the Core Strategy's focus to locate development within or adjacent to the main urban area of Nottingham. There are also concerns over East Leake's capacity to support and assimilate additional housing at this time and the affect that any further development would have on the character of the village. This Local Plan Part 2 allocates <del>one</del> <u>two</u> sites for housing development at East Leake, one on land to the north of Rempstone Road <del>and the second on land north of Lantern Lane</del> (see Figure 2). <del>This Both these sites, which is</del> <u>are</u> outside the existing built extent of the village, <del>and both</del> <u>already has</u> <del>have</del> planning permission for new housing but development has yet to start.
MM08	29	New Policy to follow	Insert new Policy and justification:

Ref	Page	Policy/ Paragraph	Main Modification
		paragraph 3.29	<p><b><u>POLICY 3.2 HOUSING ALLOCATION – LAND OFF LANTERN LANE, EAST LEAKE</u></b></p> <p><u>The area, as shown on the policies map, is identified as an allocation for around 195 homes.</u></p> <p><u>The development will be subject to the following requirements:</u></p> <p><u>a) in order to reduce landscape and visual impacts elevated land to the north and east should comprise a multi-functional green-infrastructure buffer between the development and open countryside;</u></p> <p><u>b) the right of way which crosses the site from Lantern Lane should be preserved, forming a pedestrian corridor to the open countryside;</u></p> <p><u>c) a detailed geotechnical and mining study should be undertaken to ensure an acceptable buffer between gypsum mining operations and the development can be established; and</u></p> <p><u>d) it should be consistent with other relevant policies in the Local Plan.</u></p> <p>Insert the following paragraphs:</p> <p><u>3.XX The allocation is situated on land which rises to the north and east towards a low ridge that encloses this area of the village. Consequently, in order to avoid wider landscape and visual impacts, the built development should be restricted to lower elevations within the site.</u></p> <p><u>3.XX The allocation is located 1km south of the British Gypsum Mine and subterranean extraction of Gypsum has extended under the northern boundary of the allocation. In order to ensure properties are not at risk of subsidence, resulting from the collapse of these workings, a suitable buffer around this area should be established.</u></p> <p><u>3.XX In accordance with Policy 8 of the Core Strategy, 20% of the new homes should be affordable homes (comprising intermediate, affordable rent and social rent housing). This level of affordable housing was established following the consideration of local financial viability issues.</u></p> <p>Consequential changes:</p> <p>Add the following policy within the table at pages 10 to 14 (which sets out the relationship of Local Plan Part 2 policies to Core Strategy policies) and list it in bold text in order to indicate that it is one of the 'strategic policies'.</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Policy 3.2 Housing Allocation – Land off Lantern Lane, East Leake.</u></p> <p>Insert the Policy title into the contents (page v)</p> <p>Amend the title for Policy 3 to Policy 3.1.</p>
MM09	27	Figure 2	Amend Figure 2 to include the housing allocation at Lantern Lane, East Leake (Policy 3.2) and renumber of Policy 3 to Policy 3.1, to be consistent with the revised Policies Map (as per the separate Policies Map consultation undertaken).
MM10	30	Figure 3	Amend Figure 3 relating to the boundary of the employment allocation at Platt Lane Keyworth (Policy 15) to be consistent with the revised Policies Map (as per the separate Policies Map consultation undertaken).
MM11	31	Policy 4.1	<p>Amend the Policy as follows:</p> <p>The area, as shown on the policies map, is identified as an allocation for around 150 homes.</p> <p>The development will be subject to the following requirements:</p> <p><del>a) the neighbouring Local Wildlife Site should not be adversely affected;</del></p> <p><del>b</del>a) Green Infrastructure should improve connections to the right of way network and deliver net-gains in biodiversity;</p> <p><del>e</del>b) improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility;</p> <p><del>e</del>c) significant impacts on the amenity of new residents resulting from the activities of the neighbouring British Geological Survey, <u>that may also result in unreasonable restrictions on this business's activities,</u> should be avoided or adequately mitigated; <del>and</del></p> <p><u>d) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u></p> <p>e) it should be consistent with other relevant policies in the Local Plan."</p>
MM12	32	Policy 4.2 and justification	<p>Amend criterion f):</p> <p>f) Green infrastructure should include a suitable buffer with the neighbouring sports facility in order to protect the amenity of residents and users of the right of way; <del>and</del></p> <p>Insert new criteria:</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>g) mitigation measures should be installed as appropriate on the north-east boundary to protect dwellings from damage from the adjacent sports facility;</u></p> <p><u>h) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u></p> <p>Renumber criterion g to i. Add the following paragraph to the Justification:</p> <p><u>3.XX The site is located adjacent to a cricket pitch and therefore an assessment should be carried out and, if appropriate, mitigation measures should be installed along the boundary between this housing allocation and the sports facility. This would be to protect the new dwellings from possible damage from cricket balls.</u></p>
MM13	33	Policy 4.3	<p>Insert new criterion d) with associated consequential changes:</p> <p>c).....open space; <del>and</del></p> <p><u>d) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u></p> <p><del>e)</del> it should be consistent with other relevant policies in the Local Plan</p>
MM14	33	Policy 4.4	<p>Amend the Policy as follows:</p> <p>The development will be subject to the following requirements:</p> <p>a) the amenity of residents should not be significantly affected by noise, odour or dust resulting from the activities of the neighbouring farm; <del>and</del></p> <p><u>b) the continuation of agricultural operations within the neighbouring farm should not be prejudiced as a result of adverse effects on the amenity of residents;</u></p> <p><u>c) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u></p> <p><del>b</del>d) it should be consistent with other relevant policies in the Local Plan.</p>
MM15	36	Policy 5.1	<p>Amend the Policy as follows:</p> <p>The area, as shown on the policies map, is identified as an allocation for <del>between around</del> <u>150 and around 200</u> homes and <u>a minimum of 3.5</u> hectares of employment.</p> <p>Insert new criterion with associated consequential changes:</p> <p>e).....support development; <del>and</del></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>f) <u>a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  fg) it should be consistent with other relevant policies in the Local Plan.</p> <p>Amend paragraph 3.52 as follows:</p> <p>The allocation is divided by overhead powerlines which cross the site in a north-south direction. It is logical for employment to be located to the western side of the powerlines and housing <u>predominately</u> to the east, with development appropriately set back from the powerlines on each side. The development of employment <del>and its separation from the residential area would provide an on-site green corridor between these uses, better avoid any potential conflict between new housing and the</del> <u>should be focused adjacent to the existing RSPCA Animal Shelter as this will to help avoid potential conflict between it and areas of housing. The development scheme should also</u> <del>and</del> avoid locating more vulnerable residential development within the <u>vicinity of flood zone 3 area.</u></p> <p>Amend paragraph 3.47 to read:</p> <p>In balancing housing requirements across Rushcliffe to 2028, sustainability, Green Belt, settlement capacity, flood risk, the availability of suitable sites for development and other relevant planning considerations, that the following sites (see Figure 4) are identified as housing allocations and have been removed, where applicable, from the Green Belt to deliver around <del>920</del> <u>970</u> new homes:</p>
MM16	38	Policy 5.2	<p>Insert new criterion with associated consequential changes:</p> <p>c)...support development; <del>and</del>  <u>d) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  <del>de)</del>...</p> <p>Insert new paragraph after 3.58:</p> <p><u>The development of this allocation, together with the allocation contained within Policy 5.3, should not prejudice the delivery of either site. In particular, there are no surface water or combined sewers in the vicinity of this site. Given the topography of the area, if surface water issues cannot be adequately managed within this allocation, surface water drainage solutions may have to be in place within the adjacent allocation (Policy 5.3) before the development of this allocation in order to allow appropriate</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>drainage to be provided in accordance with the drainage hierarchy.</u>
MM17	39	Policy 5.3	<p>Insert new criterion with associated consequential changes:</p> <p>e).....neighbouring properties; <u>and</u>  <u>f) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  fg)....</p> <p>Insert new paragraph after 3.62:  <u>The development of this allocation, together with the allocation contained within Policy 5.2, should not prejudice the delivery of either site. In particular, there are no surface water or combined sewers in the vicinity of this site. Given the topography of the area, if the neighbouring allocation cannot adequately manage its own surface water, drainage solutions for this allocation should be capable of allowing for the development of the allocation contained within Policy 5.2, in accordance with the drainage hierarchy.</u></p>
MM18	40	Policy 5.4	<p>Insert new criterion with associated consequential changes:</p> <p>d) occupants should not be adversely affected by noise; <del>and</del>  e) appropriate financial contributions towards education and health capacity improvements to support development; <del>and</del>  <u>f) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  fg)....</p>
MM19	41	Policy 5.6	<p>Insert new criterion with associated consequential changes:</p> <p>c).....support development; <del>and</del>  <u>d) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  <del>e)</del></p>
MM20	43	Figure 5	<p>Amend Figure 5 to be consistent with the revised Policies Map (as per the separate Policies Map consultation undertaken) to include:</p> <ol style="list-style-type: none"> <li>1) the proposed allocated housing site at Land north of Asher Lane, Ruddington (new Policy 6.4); and</li> <li>2) amendments to extent of allocated housing site at Land opposite Mere Way (Policy 6.3).</li> </ol>
MM21	44	Policy 6.1	<p>Amend criterion b) to read:</p> <p><u>b) a site specific flood risk assessment (FRA) should demonstrate that the development will be flood resilient and resistant and safe for its lifetime for its users and also ensure the site is not affected</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>by current or future flooding and it does not increase flood risks elsewhere <u>or overall</u>;</p> <p>Insert new criterion with associated consequential changes:</p> <p>d).....Packman Dyke; <del>and</del>  <u>e) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  e).....</p>
MM22	45	Policy 6.2	<p>Insert new criterion with associated consequential changes:</p> <p>b)....preserved; <del>and</del>  <u>c) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  ed).....</p>
MM23	46	Policy 6.3	<p>Insert new criterion with associated consequential changes:</p> <p>c)....boundary to the village; <del>and</del>  <u>d) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  de).....</p>
MM24	47	New Policy	<p>Insert new Policy and justification:</p> <p><u>POLICY 6.4 HOUSING ALLOCATION – LAND NORTH OF ASHER LANE, RUDDINGTON</u></p> <p><u>The area, as shown on the policies map, is identified as an allocation for around 175 homes.</u></p> <p><u>The development will be subject to the following requirements:</u></p> <p><u>a) Asher Lane must be brought up to adoptable highway standard, including the provision of a footpath along its entire length;</u>  <u>b) appropriate junction improvements including traffic signals to the High Street / Kirk Lane / Charles Street junction and the A60 / Kirk Lane / Flawforth Lane junction;</u>  <u>c) mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street;</u>  <u>d) existing trees and hedges must be retained;</u>  <u>e) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and</u>  <u>f) it should be consistent with other relevant policies in the Local Plan.</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Insert the following paragraphs:</p> <p><u>3.XX The allocation is situated on the southern edge of Ruddington and can only be accessed through the village centre, via the High Street or Church Street and The Green. Consequently, impacts on the local highway network are significant issues and the highway improvement measures outlined within the policy must be delivered alongside the development of the allocation.</u></p> <p><u>3.XX In accordance with Policy 8 of the Core Strategy, 30% of the new homes should be affordable homes (comprising intermediate, affordable rent and social rent housing). This level of affordable housing was established following the consideration of local financial viability issues.</u></p> <p>Consequential changes:</p> <p>Add the following policy within the table at pages 10 to 14 (which sets out the relationship of Local Plan Part 2 policies to Core Strategy policies) and list it in bold text in order to indicate that it is one of the 'strategic policies'.</p> <p><u>Policy 6.4 Housing Allocation – Land north of Asher Lane, Ruddington</u></p> <p>Amend paragraph 3.69 to read:</p> <p>The Core Strategy sets a target of a minimum of 250 new homes that need to be built on greenfield sites at Ruddington up to 2028. It is considered that Ruddington has scope to sustain around <del>350</del> <u>525</u> dwellings in total adjacent to the village, based on the capacity of local services and the availability of suitable sites for development</p> <p>Insert the Policy title into the contents (page v)</p>
MM25	53	Policy 9	<p>Insert new criteria:</p> <p>c).....woodland habitats; <del>and</del></p> <p><u>d) sustainable drainage measures should ensure new and existing residents are not at risk of surface water flooding;</u></p> <p><u>e) the amenity of residents should not be significantly affected during the construction and subsequent use of the highway access;</u></p>



Ref	Page	Policy/ Paragraph	Main Modification
			<p>f) <u>any loss of existing on-street parking on Leake Road should be compensated through the provision of replacement parking spaces within the development. These should be located in an easily accessible location, close to those residents who have lost parking; and</u></p> <p>eg)</p> <p>Insert between paragraphs 3.101 and 3.102:</p> <p><u>A significant area of the site is identified as being at high risk of surface water flooding. Therefore, the development of this allocation should ensure sustainable drainage systems reduce risks of surface water flooding to new and existing residents.</u></p> <p><u>Access to the allocation site should be achieved through the widening of the existing nursery entrance off Leake Road. To compensate for any loss in parking, Policy 9 includes provision of replacement parking spaces. In addition, the Policy includes a requirement that the residential amenity of nearby residents should not be significantly affected as a result of the construction and subsequent use of this new access.</u></p>
MM26	57	Policy 10	<p>Insert new criterion with associated consequential changes:</p> <p>d) sustainable drainage measures must address any identified surface water run-off issues; <del>and</del></p> <p><u>e) development along the southern boundary of the site should respect the rural character of the area and provide a visually attractive boundary when viewed from the A6006; and</u></p> <p>ef) it should be consistent with other relevant policies in the Local Plan</p>
MM27	58	Policy 11	<p>Amend Policy 11 Part 1 d) as follows:</p> <p>d) the proposal would not result in the loss of any existing buildings <del>on sites which are worthy and capable of conversion by virtue of their architectural and historic qualities</del> <u>considered to be heritage assets unless the harm is, in the case of designated heritage assets, outweighed by substantial public benefits or, in the case of non-designated heritage assets, the loss of significance to the asset is justified;</u></p>
MM28	61	Policy 12	<p>Amend Policy 12 Part 1 as follows:</p> <p>1. In order to meet the needs of the Borough's residents and to deliver dwellings which are capable of meeting peoples' changing circumstances over their lifetime <del>the following standards will be met;</del> <u>it is required that</u></p>

Ref	Page	Policy/ Paragraph	Main Modification						
			<p><del>a) For developments of more than 10 dwellings, at least 20% should comply with requirement M4 (2) of the Building Regulations regarding accessible and adaptable dwellings; and</del></p> <p><del>b) For for developments of more than 100 dwellings, at least 1% should comply with requirement M4(3)(a) of the Building Regulations regarding wheelchair adaptable dwellings.</del></p> <p>Amend Policy 12 Part 2 as follows:</p> <p><del>2. These standards</del> <u>The M4(3)a requirement will apply unless viability evidence indicates that it is not possible or site specific factors such as vulnerability to flooding, site topography or other circumstances demonstrate that it is not possible for them to be applied.</u></p> <p>Amend paragraphs 3.136 and 3.137 as follows:</p> <p>3.136 Recognising that a number of elderly person households and those from other sectors of the community are likely to have a need for adaptable or accessible homes over the lifetime of the Plan, as part of providing a mix of housing to meet housing needs, the Council will seek to secure <del>from developments of 10 or more dwellings a minimum of 20% is built to M4 (2) standard and on developments of 100 or more 1% of new housing is also</del> <u>to be</u> built to M4 (3) (adaptable) standard.</p> <p><del>3.137 In order to comply with requirement M4(2), step free access must be provided. Generally this would require a lift where a dwelling is accessed above or below the entrance storey. This would likely have a more significant cost implication on the viability of a proposal. As such, this requirement may be subject to site specific viability assessments with consideration given to the implication of ongoing maintenance costs.</del></p> <p>Amend the first row of the monitoring table on page 65 as follows:</p> <table border="1" data-bbox="625 1648 1497 1910"> <thead> <tr> <th data-bbox="625 1648 911 1697">Targets</th> <th data-bbox="911 1648 1193 1697">Indicators</th> <th data-bbox="1193 1648 1497 1697">Policy delivery</th> </tr> </thead> <tbody> <tr> <td data-bbox="625 1697 911 1910"><del>10% of homes on housing developments over 10 comply with M4 (2) of the Building Regulations</del></td> <td data-bbox="911 1697 1193 1910"><del>Percentage of new homes on sites over 10 meeting requirement M4(2) of the Building Regulations</del></td> <td data-bbox="1193 1697 1497 1910"> <ul style="list-style-type: none"> <li>Development Management decisions</li> </ul> </td> </tr> </tbody> </table>	Targets	Indicators	Policy delivery	<del>10% of homes on housing developments over 10 comply with M4 (2) of the Building Regulations</del>	<del>Percentage of new homes on sites over 10 meeting requirement M4(2) of the Building Regulations</del>	<ul style="list-style-type: none"> <li>Development Management decisions</li> </ul>
Targets	Indicators	Policy delivery							
<del>10% of homes on housing developments over 10 comply with M4 (2) of the Building Regulations</del>	<del>Percentage of new homes on sites over 10 meeting requirement M4(2) of the Building Regulations</del>	<ul style="list-style-type: none"> <li>Development Management decisions</li> </ul>							
MM29	65	Policy 13	Delete Part 2 of Policy 13:						

Ref	Page	Policy/ Paragraph	Main Modification
			<p><del>2. On sites of more than 10 dwellings, the Borough Council will seek an appropriate percentage of the dwellings provided for self-build and custom build plots, subject to viability considerations and site specific circumstances.</del></p> <p>Delete paragraph 3.140</p> <p><del>3.140 On sites of more than 10 dwellings, the Council will seek an appropriate percentage of the dwellings provided for self-build and custom plots. The appropriate percentage will be determined having regard to the demand for self-build and custom build plots within the ward/settlement at the time the application is considered. Information from the local register will be used to demonstrate whether there is a demand for self-build or custom homes and set an appropriate percentage for self-build and custom plots. The demand will change over time and the number of plots to be provided on large sites will depend on negotiations with developers. Site specific circumstances where the provision of self-build or custom build plots may be inappropriate include, for example, the development of apartments.</del></p>
MM30	69	Policy 15	<p>Add the following to the end of paragraph 4.4:</p> <p><u>Access to the site may have to be achieved through land that is in the Green Belt. As an engineering operation, access arrangements are not considered to be inappropriate development within the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt.</u></p> <p>Add the following paragraph after 4.5:</p> <p><u>Sequentially, new B1(a) office development should preferably be directed to town and local centres. It is, however, considered that there is limited opportunity for office development in such locations within Rushcliffe given a general lack of available or suitable sites. Proposals for B1(a) office development on the sites allocated by Policy 15 will not need to be subject to a sequential test. This is because the National Planning Policy Framework sets out that the test is not required for applications in accordance with an up-to-date Local Plan.</u></p>
MM31	74	Policy 16	<p>Amend Policy 16 Part 2b) as follows:</p> <p>b) the development site is in an area identified as being of low or low medium sensitivity to wind turbine development in <del>the Melton and Rushcliffe Landscape Sensitivity Study 2014</del> <u>Appendix C</u>; and</p>
MM32	81	Policy 18	Amend Part 1 of the Policy as follows:

Ref	Page	Policy/ Paragraph	Main Modification
			<p>To increase the levels of water attenuation, storage and water quality, and where appropriate, development must, at an early stage in the design process, identify opportunities to incorporate a range of deliverable Sustainable Drainage Systems, appropriate to the size and type of development. <u>The choice of drainage systems should comply with the drainage hierarchy.</u></p> <p>Amend paragraph 5.28 to read:</p> <p>.... These features may include attenuation ponds, green roofs, permeable driveways and parking, soakaways, water harvesting and storage features including water butts. <u>In accordance with national guidance, the selection of sustainable drainage systems should comply with the drainage hierarchy. The hierarchy identifies ground infiltration as the preferred method of managing surface water issues followed by: collection within a surface water body; directing to a surface water sewer, highway drain, or another drainage system; or, if none of these are possible, to a combined sewer.</u></p>
MM33	83	Policy 19	<p>Amend criterion e) as follows:</p> <p>e) <del>retains</del> <u>provides</u> a <u>minimum</u> 10 metre buffer, <del>where already present,</del> <u>where physically feasible</u> between the top of the watercourse and the development site which is free of built development, and includes a long term landscape and ecological management plan for this buffer; and</p>
MM34	87	Justification to Policy 21	<p>Amend paragraphs 6.5 and 6.6 as follows:</p> <p>6.5 The Government and the Council place considerable importance on promoting healthy communities. <u>Paragraph 145 of The the National Planning Policy Framework (2019) does not indicate that any changes of use of open land are 'not inappropriate' in the Green Belt. However the health and well-being benefits of changes of use of open land to outdoor sport and outdoor recreation will constitute 'very special circumstances' which clearly outweigh the 'by definition' harm to the Green Belt, subject to assessment of their effect on the openness of the Green Belt, and on the purposes of including land in the Green Belt. states that facilities for outdoor sports and recreation are not inappropriate development as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Where a proposal would have such an effect on the Green Belt or its purposes and is consequently deemed inappropriate development, the benefits of the proposal to health and well-being will be given significant weight when assessing whether very special circumstances exist.</u></p> <p>6.6 The Council believes that, in Rushcliffe, <u>the protection of the Green Belt can be combined with supporting changes of use to achieved alongside the encouragement of healthy lifestyles and the provision of appropriate outdoor sport and outdoor recreation</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<del>facilities in order to encourage healthy lifestyles, and this belief is recognised. In assessing. When determining whether a proposal is inappropriate development in the Green Belt, and if so, whether very special circumstances exist, in addition to the benefits to health and wellbeing the impact of such proposals on the openness of the Green Belt, attention will be paid to detailed matters including the scale of the proposal, the openness of the site and its surroundings, its contribution to the Green Belt purposes, and the parking and lighting arrangements."</del>
MM35	88	Policy 22	<p>Amend Part 1 as follows:</p> <p>1. Land beyond the Green Belt and the physical edge of settlements is identified as countryside and will be <del>protected</del> <u>conserved and enhanced</u> for the sake of its intrinsic character and beauty,.....</p> <p>Amend Part 2 h) as follows:</p> <p>h) recreation, wildlife conservation, leisure, <del>and</del> tourism, <u>and sports development</u> which requires and is appropriate in a countryside location; and</p> <p>Amend Part 3 as follows:</p> <p>a) the appearance and character of the landscape, including its historic character and features such as <del>biodiversity</del> <u>habitats</u>, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is <del>safeguarded</del> <u>conserved</u> and enhanced.</p> <p>b) except for <u>replacement dwellings</u>, conversions and changes of use, it does not constitute isolated residential development which is separated from the <del>recognised settlement</del> <u>physical edge of the settlement</u>;</p>
MM36	91	After paragraph 6.18	<p>Insert new paragraph:</p> <p><u>Proposals for the accommodation of Gypsies, Travellers and Travelling Showpeople that are located within the countryside should comply with Local Plan Part 1: Core Strategy Policy 9. This policy prioritises the provision of such accommodation to within existing settlements or as part of Sustainable Urban Extensions. However, where this cannot be achieved, part 3 of Policy 9 would be applied. Part 4 of Policy 9 specifically restricts the construction of permanent built structures in the countryside to small amenity blocks and other small buildings for appropriate associated business uses.</u></p>
MM37	94	Policy 24	Insert new criterion with associated consequential changes:

Ref	Page	Policy/ Paragraph	Main Modification
			<p><del>a</del>c) development fronting Inholmes Road should provide a visually attractive gateway and boundary to the village; <del>and</del>  <u>d) mitigation measures should be installed as appropriate on the south-west boundary to protect dwellings from damage from the adjacent sports facility; and</u>  <del>b</del>e) it....</p> <p>Insert new paragraph following paragraph 7.8:</p> <p><u>The site is located adjacent to a cricket pitch and therefore an assessment should be carried out and, if appropriate, mitigation measures should be installed along the boundary between this housing allocation and the sports facility. This would be to protect the new dwellings from possible damage from cricket balls.</u></p>
MM38	96	Policy 25	<p>Amend the final sentence of Part 1 of Policy 25 as follows:</p> <p>Any development that would <del>harm</del> <u>have a significant adverse impact on</u> the vitality and viability of a defined centre will not be permitted</p>
MM39	99	Policy 26	<p>Amend criterion a) of Part 2 of the Policy as follows:</p> <p>a) individually or cumulatively it would not <del>undermine</del> <u>result in a significant adverse impact on</u> the vitality, viability or character of the centre;</p>
MM40	101	Policy 27	<p>Delete Part 2 of Policy 27 and renumber Part 3 to 2.</p> <p><del>2 Development proposals within out of centre locations, which improve their quality of design and connectivity, will be encouraged only where there is no increase in floorspace and there is no impact on the vitality and viability of other centres.</del></p>
MM41	103	Policy 28	<p>Amend Part 1 of the Policy as follows:</p> <p>1)Proposals that affect heritage assets will be required to demonstrate an understanding of the significance of the assets and their settings, identify the impact of the development upon them and provide a clear justification for the development in order that a decision can be made as to whether the merits of the proposals for the site bring public benefits which decisively outweigh <del>the</del> <u>any</u> harm arising from the proposals.</p> <p>Amend criterion c of Part 2 of the Policy as follows:</p> <p>c) whether the proposals would <del>preserve</del> <u>conserve and</u> or enhance the character and appearance of the heritage asset by virtue of siting, scale, building form, massing, height, materials and quality of detail;</p>

Ref	Page	Policy/ Paragraph	Main Modification
MM42	107	Policy 29	<p>Amend Part 2 of the Policy as follows:</p> <p>2) Where archaeological remains of significance are identified permission will only be <del>permitted</del> <u>granted</u> where:</p> <p>a) The archaeological remains will be preserved in situ through careful design, layout and siting of the proposed development; or</p> <p>b) When in-situ preservation is not justified or feasible, appropriate provision is made by the developer <del>of for</del> excavation, <del>and recording before and/or during development</del> and for the post-excavation analysis, publication, and archive deposition of any findings <u>(to be undertaken by a suitably qualified party)</u>, <u>provided that it can be clearly demonstrated that there are wider public benefits of the development proposal which outweigh harm to heritage assets of archaeological interest in line with NPPF requirements.</u></p> <p>Amend paragraphs 9.16 and 9.17 as follows:</p> <p>9.16 Archaeological remains contain irreplaceable information about our past and the potential for an increase in future knowledge. <u>Whilst archaeological sites and remains are 'heritage assets', and policy 28 continues to apply, their nature requires some additional considerations above and beyond those which apply to other heritage assets. The exact nature, state of preservation and extent of archaeological sites is unknown until investigations associated with potential development are undertaken.</u></p> <p>9.17 There are currently 26 Scheduled Monuments in the Borough, <u>many of which are either archaeological sites or standing structures likely to have associated buried archaeological remains. The extent of the designated area does not imply a known limit to the extent of archaeological features.</u></p>
MM43	109	Policy 30	<p>Amend Paragraph 10.3:</p> <p>The list of defined community facilities is not exclusive. Other types of facility, <u>including cultural facilities</u>, may also provide a community benefit and this policy should be applied to ensure that they are protected. Existing open space including play provision for children and young people and outdoor sport facilities are protected under Policy <del>30</del> <u>32</u>.</p> <p>Amend the final sentence of paragraph 10.5 as follows:</p>

Ref	Page	Policy/ Paragraph	Main Modification
			In some cases, for instance local shops and public houses, the applicant would need to demonstrate that the facility has been actively and viably marketed <u>at a sale or rental value appropriate for its existing use and condition</u> for a significant period of time without success.
MM44	111	Policy 31	Amend Part 6 of the Policy to read:  6 Across the Borough the Council will resist planning applications which will have an <u>significant</u> adverse impact on tourist and leisure facilities, but with particular protection applied to valued attractions such as the internationally significant Trent Bridge Cricket Ground and Nottingham Forest's City Ground sports stadiums, the National Water Sports Centre and the Grantham Canal, Nottingham Transport Heritage Centre and Great Central Railway.
MM45	114	Policy 32	Amend the Policy:  1. <u>Where there are identified local deficiencies in the quantity, accessibility and/or quality of recreational open space, sports pitches and ancillary facilities, new residential development of more than 10 dwellings will be required to contribute towards their provision and/or enhancement, subject to viability considerations.</u> <del>Proposals for residential development will be supported where:-</del>  a) <del>the quantity of sports pitches, ancillary facilities and recreational open space in the local area is improved; and/or</del> b) <del>the quality of sports pitches, ancillary facilities and recreational open space in the local area is improved.</del>  2. The form of <u>new or enhanced</u> recreational open space provision, <u>sports pitches and ancillary facilities</u> will be determined on a site by site basis depending on evidence of local need including, but not limited to, the Playing Pitch Strategy and the Council's open space assessment.  3. <del>For proposals for residential development of over 50 dwellings,</del> <del>provision will be made in one of the following ways:</del>  <ul style="list-style-type: none"> <li>• provision of new recreational open space, <u>sports pitches</u> and <u>ancillary</u> facilities within the development where this is most appropriate;</li> <li>• a financial contribution to provide new recreational open space, <u>sports pitches</u> and <u>ancillary</u> facilities on or off site, subject to the approval of the Borough Council; or</li> <li>• a financial contribution to enhance existing recreational open spaces nearby, subject to the approval of the Borough Council.</li> </ul>



Ref	Page	Policy/ Paragraph	Main Modification
			<p><del>4. Proposals for residential development between 10 and 50 dwellings will be expected to make a financial contribution to improving the quantity or quality of recreational open space and facilities in the surrounding area.</del></p> <p>4. In all cases, through a Section 106 agreement, the Borough Council will secure appropriate management arrangements for any provision, to be delivered by use of a management company or through a parish council with its agreement. Recreational open space includes provision for children and young people (including play areas), outdoor sports facilities (including formal playing pitches), amenity green space (including green infrastructure provision) and allotments.</p> <p>Amend paragraph 11.1 as follows:</p> <p>The Council expects that development will provide or contribute toward increasing the quantity and quality of recreational open space and ancillary facilities where there is a need arising from new development <u>and where there are identified local deficiencies in the quantity, accessibility and/or quality of recreational open space, sports pitches and ancillary facilities.</u></p> <p>Amend paragraph 11.3 as follows:</p> <p>In respect of proposals of over 50 dwellings, the <u>expectation is that provision of recreational open space and facilities will be made on site within the development where this is most appropriate. Where in the Council’s view off-site provision is more suitable, then this will be provided for through developer contributions. There may be cases where a mix of onsite and offsite provision is most appropriate. In the case of proposals for residential development between 11 and 50 dwellings, the expectation is that financial contributions will be required to improve the quantity or quality of recreational open space, sports pitches and ancillary facilities in the surrounding area. This expectation is based on the presumption that on developments of less than 50 dwellings, it may not be appropriate to designate areas of land for recreational open space use on site due to the limited amount of space.</u></p> <p>Delete paragraph 11.8:</p> <p><del>11.8 Proposals for the development between 10 and 50 dwellings will be supported where a financial contribution is made to improving or increasing the number of recreational open spaces in the area. This expectation is based on the presumption that on developments of less than 50 dwellings, it may not be</del></p>

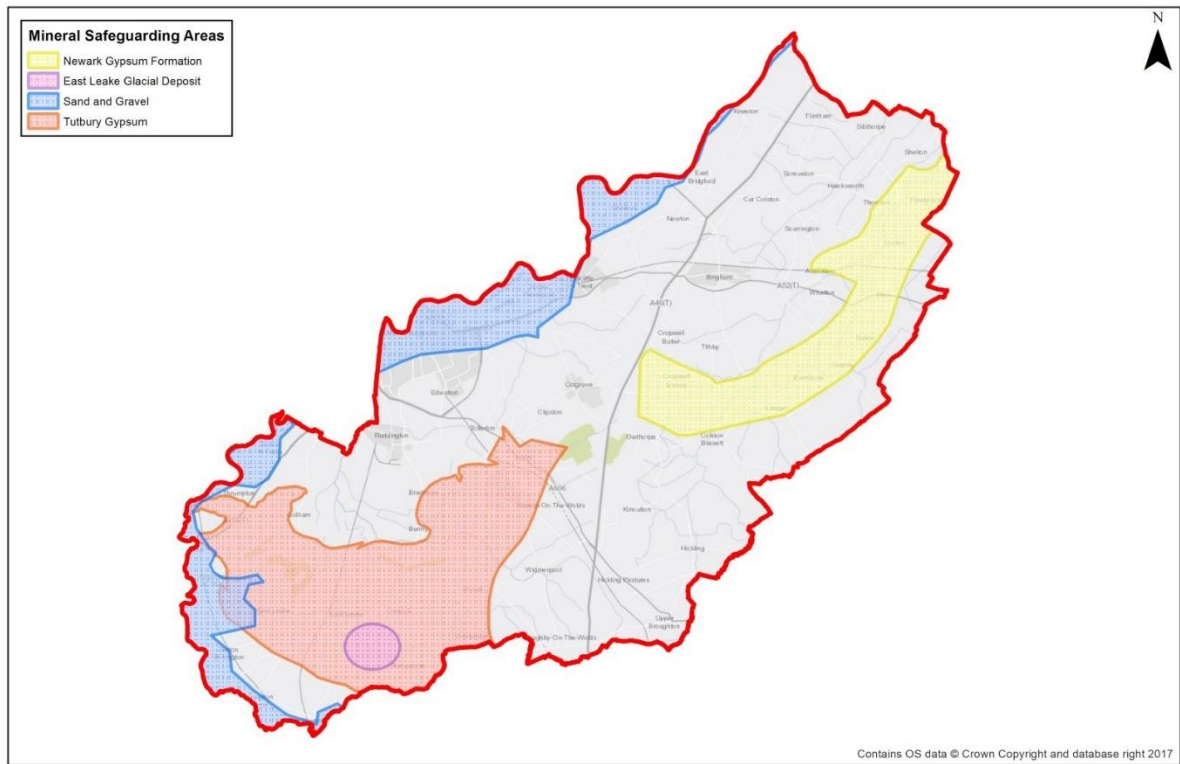
Ref	Page	Policy/ Paragraph	Main Modification
			<del>appropriate to designate areas of land for recreational open space use on-site due to the limited amount of space.</del>
MM46	1207	Paragraph 12.7	Amend paragraph 12.7 as follows:  Green infrastructure is multifunctional, delivering a variety of benefits for local communities, businesses, visitors and tourists and wildlife. <u>Green Infrastructure can also provide important ecosystem services, such as providing areas for floodwater storage, clean water and clean air, climate regulation and food.</u> Whilst Core Strategy Policy 16 identifies a range of functions that the strategic and local corridors provide, these will depend on the location and specific purpose of the corridor or asset. Developments within these corridors or individual assets should therefore ensure their primary functions are not adversely affected.
MM47	120	Policy 34	Amend final bullet point in Part 1:  <ul style="list-style-type: none"> <li>• <u>Woodlands and Traditional Orchards</u></li> </ul> Amend paragraph 12.12:  Where development would result in the loss of a Green Infrastructure asset or affect its function an assessment must be undertaken which clearly shows the open space, buildings or land is surplus to requirements and can no longer contribute (in its present form or as an alternative Green Infrastructure use) to meeting local or wider needs. <u>The Rushcliffe Playing Pitch Strategy and action plan should inform the assessment of developments that may affect sports playing pitches.</u>
MM48	123	Paragraph 12.20	Amend paragraph 12.20 as follows:  Policy 17 states that designated sites will be protected in line with the national hierarchy of sites and that <u>development which adversely affects</u> non-designated sites or wildlife corridors will only be permitted where there is overriding need.
MM49	125	Policy 36	Amend Part 4, criterion c) as follows:  The development would be expected to result in no overall loss of habitat and, <u>where possible, achieve net gains in habitat.</u> <u>As</u> a last resort, any compensation could be expected to include off-setting habitats adjacent to or within the vicinity of any losses proposed
MM50	131	Policy 39	Amend the Policy as follows:

Ref	Page	Policy/ Paragraph	Main Modification
			<p><del>1. A Health Impact Assessment will be required for applications for:</del></p> <p><del>a) residential development of 50 dwellings or more;</del></p> <p><del>b) non residential developments of 5,000 square metres or more; and</del></p> <p><del>c) other developments which are likely to have a significant impact on health and well-being.</del></p> <p><del>2. Where significant adverse impact is identified, measures to substantially mitigate the impact will be required.</del></p> <p><u>1) The potential for achieving positive health outcomes will be taken into account when considering development proposals. Where any significant adverse impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.</u></p> <p><u>2) Where applicable, development proposals should promote, support and enhance health by:</u></p> <p><u>a) providing the right mix of quality homes to meet people's needs and in locations that promote walking and cycling;</u></p> <p><u>b) providing employment developments in locations that are accessible by cycling and walking;</u></p> <p><u>c) supporting the provision and access to healthcare services;</u></p> <p><u>d) retaining and enhancing accessible Green Infrastructure;</u></p> <p><u>e) alleviating risks from unhealthy and polluted environments such as air, noise and water pollution and land contamination;</u></p> <p><u>f) designing homes that reflect the changes that occur over a lifetime, meet the needs of those with disabilities and reduce the fear of crime; and</u></p> <p><u>g) supporting and enhancing community cohesion.</u></p> <p>Insert the following paragraphs into the policy Justification:</p> <p><u>13.XX The links between planning and health and wellbeing are found throughout the National Planning Policy Framework (NPPF) and creating and supporting strong, vibrant and healthy communities is a key element of delivering sustainable development.</u></p> <p><u>13.XX There are many different factors which have an influence on people's health including education, employment opportunities, good housing, open space, an active lifestyle, care and health facilities and safe environments.</u></p> <p>Amend paragraph 13.1 as follows:</p> <p>13.1 The Health Impact of Development' was produced by Nottinghamshire County Council, in consultation with partner authorities and organisations (including Rushcliffe Borough</p>

Ref	Page	Policy/ Paragraph	Main Modification
			Council), and was published in 'Spatial Planning for the Health and Well-being of Nottinghamshire, Nottingham City & Erewash' (2016). Comprising a checklist, <u>the criteria within it are reflected in Policy 39 part 2) and the use of this checklist its use may will</u> help to ensure that the health and well-being of residents is given appropriate weight when applications are prepared and considered. <u>Applicants are encouraged to use this checklist to ensure compliance with this policy.</u>
MM51	135	Policy 41	Amend Part 2 of the Policy as follows:  In areas where air quality is a matter of concern, development proposals <del>will be required to deliver a positive impact on air quality and ensure that</del> <u>are sensitive to poor air quality will be required to demonstrate that users or occupants will not be significantly affected by poor air quality, or that such impacts can be effectively mitigated.</u>
MM52	137	Policy 42	Amend the Policy as follows:  Development will not be permitted which would sterilise mineral resources of economic importance or pose a serious hindrance to future extraction in the vicinity. <u>Where development proposals are located within minerals safeguarding areas, prior extraction of such minerals will be encouraged, subject to whether this is practicable or economically feasible.</u>  Insert Figure 11 Minerals Safeguarding Areas within Rushcliffe diagram as per page 23 of this document.
MM53	138	Policy 43	Amend the first sentence of paragraph 15.2 as follows:  15.2 Where relevant, planning obligations for supporting infrastructure will be sought on development proposals of more than 10 dwellings or on developments of more than 1000 square metres gross floorspace, <u>where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.</u>
MM54	148	Housing Trajectory	Delete the housing trajectory in Appendix B on page 148 of the Plan in its entirety and replace with the updated trajectory (as per page 24 of this document).

# MM52

Insert Figure 11 Minerals Safeguarding Areas within Rushcliffe diagram



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1:160,000

Mineral Safeguarding

# MM54 Housing Trajectory

Delete the housing trajectory as set out on page 148 of the Plan as submitted and replace with the updated housing trajectory below.

	Completions								Future Years														2028/29 (beyond plan period)	2029-2030 (beyond plan period)	2030-2031 (beyond plan period)	2031-2032 (beyond plan period)	2032-2033 (beyond plan period)	Total 2028 2033 (beyond plan period)	Total 2028 2033 (beyond plan period)
	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28												
Completions on non-allocated sites and identified SHELAA capacity	293	209	199	373	375	338	343	326	507	152	62	0	43	32	1	1	0	20	20	10	0	0	3,254	50					
Land at Melton Road, Edwaltham (1,500) (Policy 20)						40	125	250	250	200	200	200	150	150	50									1,616	0				
Land at former Cotgrave Colliery (450) (Policy 21)					112	100	124	77																463	0				
Land at Former RAF Newton Phase 2 (250) (Policy 22)									50	100	150	150	100											550	0				
Land north of Bingham (1,050) (policy 23)								25	125	150	150	150	150	150	150									1,650	0				
Land south of Cillbon (2,000) (Policy 24)									50	200	250	250	250	250	250	250	250	250	250	250	250	250	250	1,750	1250				
East of Gamston/North of Tollerton (2,500-4,000) (Policy 25)									50	200	250	250	250	250	250	250	250	250	250	250	250	250	250	1,500	1250				
Infill and changes of use in broad locations										104	104	104	104	104	104	104	104	78	78	78	78	78	78	728	390				
Land rear of Mill Lane/The Old Park, Cotgrave									50	50	50	30												180					
Land south of Hollygate Lane, Cotgrave									50	50	50	40												190					
Land north of Rempstone Road, East Leake									50	50	50	35												235					
Land north of Lantern Road, East Leake									50	50	50	45												195					
Land off Nicker Hill, Keyworth									50	50	50													150					
Land between Platt Lane and Station Road, Keyworth									50	50	50	40												190					
Land South of Debdale Lane Keyworth									50	50	50	40												190					
Hillside Farm, Keyworth									25	45														70					
Land north of Nottingham Road, Radcliffe on Trent									50	50	50													150					
Land adjacent to Grooms Cottage, Radcliffe on Trent									25	25														50					
Land Off Shefford Road Radcliffe on Trent									50	50	50	50	50	50	50	50								400					
Land north of Grantham Road Radcliffe on Trent									50	50	50	50	40											240					
72 Main Road, Radcliffe on Trent									1	2	2													5					
The Paddocks, Nottingham Road Radcliffe on Trent													50	25										75					
Land west of Wilford Road, Ruddington										50	50	30												130					
Land south of Flewforth Lane, Ruddington									25	25														50					
Land opposite Mere Way, Ruddington									20	50	50	50												170					
Land at Asher Lane Ruddington									50	50	50	25												175					
Land east of Church Street Crowwell Bishop									25	45														70					
Land between Butt Lane and Cloves Side Lane, East Bridgford									25	55														80					
Land south of Butt Lane, East Bridgford									25	20														45					
Land east of Gypsum Way, Gotham									20	50														70					
Land north of Park Lane, Sutton Bonington											30	50												80					
Former Bunny Brickworks													25	50	25									100					
Former Islamic Institute, Fintham									25	50	20													95					
Projected completions	251	209	199	373	487	528	593	678	1,057	1,443	1,853	1,736	1,532	1,191	930	680	604	558	558	588	578	578	14,296	2,940					
Cumulative Completions	293	502	701	1,074	1,561	2,089	2,682	3,360	4,417	5,860	7,713	9,449	10,985	12,882	13,812	14,296	14,804	15,412	16,000	16,608	17,236								
Core Strategy annual average requirement	250	250	470	470	470	470	1,300	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000												
Core Strategy annual average requirement - cumulative	250	500	970	1,440	1,910	2,380	2,850	4,150	5,150	6,150	7,150	8,150	9,150	10,150	11,150	12,150	13,150												
Delivery performance (cumulative completions minus cumulative requirement)	43	2	-269	366	340	-291	168	790	-733	-290	563	1,299	1,831	1,832	1,862	1,542	1,146												