

Representations on the Submission Draft Core Strategy for Rushcliffe by Ken Mafham Associates, Town Planning Consultants on behalf of Barton in Fabis, Gotham and Thrumpton Parish Councils.

1. Introduction

1.1 It has been agreed that we may submit further representations by June 6th. We set out below our comments on most of the topics we are seeking to address and we have indicated items to follow. These are primarily to do with

- the availability of alternative sites to the area South of Clifton,
- the need for phasing of greenfield and brownfield sites across local authority boundaries,
- the visual impact of the SUE South of Clifton
- the Sustainability Appraisal.

The reason for the delay in making representations on these issues is in part due to the lack of an adequate response to requests made under the Freedom of Information Act.

1.2 These submissions form the response from three bodies of Barton in Fabis, Gotham and Thrumpton Parish Councils. They relate to five different policies, two policies that are lacking and to matters of legal compliance that affect the whole Core Strategy. The matters are interrelated and so we have produced one consolidated set of representations. If a version of the representations disaggregated by individual policies is required we would be happy to provide this.

1.3 We have set out our representations under the following broad headings:

- Matters of process particularly the publication of the draft Core Strategy before the NPPF was available.
- The Housing requirement
- The land supply position including alternative sites
- Contingency measures particularly the need for robust policies on phased release of greenfield and brownfield sites across Greater Nottingham
- Site specific matters
- Strategic Transport

- The Sustainability Appraisal

2. Matters of process

2.1 The Core Strategy was published ahead of the date on which the National Planning Policy Framework (the NPPF) was due. All of the other Districts in Greater Nottingham decided to delay until the NPPF was available. The Core Strategy must at some point take account of the NPPF otherwise it will be regarded as unsound in terms of the third test set out on page 3 Para 5 of the Core Strategy . Inter alia the Core Strategy is non-compliant with national policy on co-operation across local authority boundaries, the empowerment of local communities, priority for brownfield sites, flexibility and the lack of an Economic Strategy. We make the case below that the revisions required are so substantial that another consultation exercise will be required before submission of the Core Strategy. It is arguable that the process followed by Rushcliffe BC has involved a waste of public funds. We have been told the reason for haste is that the District would otherwise be left helpless to defend against planning proposals for unsustainable developments. We submit this logic is deeply flawed for the following reasons:

- Key " saved" policies from the Local Plan are available including the greenbelt designation of large parts of the Borough
- The policies of the NPPF would be a material consideration for any application
- The earlier drafts of an aligned Core Strategy would carry some weight as an emerging development plan.
- If an applicant went to appeal against a refusal there would be an inevitable delay before an inquiry during which time a Core Strategy that took full account of the NPPF could be taken to committee in June and be submitted in evidence at an appeal inquiry

2.2 We are of the view that specific policies in the draft Core Strategy are unsound for the reasons detailed below. In addition we submit the Strategy as a whole is not legally compliant in that it does not comply with Para 178 of the NPPF which sets out a duty to “*cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156*”. The right way to discharge this obligation is for the Districts of Greater Nottingham to work together to draw up policies for the coordinated phased release of major housing sites. The Core Strategy does not do this nor does it comply with the requirement to give priority to brownfield sites. This is not a question of the District Council reaching a balanced view on strands of the NPPF which conflict with each other. The duty is clear and unequivocal and has not been complied with.

2.3 As a clear matter of fact the Core Strategy is at odds with the timetable published in the Local Development Scheme. Some slight variation might be acceptable, but in this case the published Local Development Scheme, the means by which the public is kept informed of what is going on, is totally misleading and therefore the Core Strategy is not legally compliant on this score. There is a legal duty to publish a Local Development Scheme. It is not for a local planning authority to decide that it doesn't matter very much what it actually says.

2.4 The draft Core Strategy is not legally compliant since it ignores a basic principle set out in the NPPF. Para 17 of the NPPF states that plans *"be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area."*

2.5 In Rushcliffe Borough Council's Statement of Community Involvement 3.5, it states: *"Consultation will be transparent, open and accessible to all sections of the community, enabling the community to engage with the planning system at the earliest opportunity, in a way that is accessible to all, not just those familiar with the planning system."* The NPPF states (155): *"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential"*, and (178): *"Public bodies have a duty to cooperate on planning issues that cross administrative boundaries."*

2.6 The level of consultation offered by Rushcliffe to the residents of Gotham, Barton-in-Fabis and Thrumpton fails to meet these criteria in the following ways:

- Focus groups and public workshops, the chosen method of Rushcliffe to consult with the public in their 'Fresh Approach' took place May - July 2011. They were held specific to areas including Ruddington, East Leake, Keyworth and Radcliffe on Trent. No such events were held at that time for Barton in Fabis, Gotham or Thrumpton.
- Consultations were eventually held in the 3 villages between 1st and 3rd February 2012, 3 months after the details of the housing allocations were made public, and 6 weeks after the formal adoption of the draft Core Strategy at the full Rushcliffe Council meeting of 15th December 2011.
- Key details of the South of Clifton SUE were not consulted on at all including the inclusion of a gypsy and traveller site. This was only learnt about by two local councillors attending a Town and Parish Forum on 22nd March 2012, the day before the Core Strategy was published.

2.7 There was no consultation at all with the residents of Clifton, including the residents of Lark Hill, despite the fact that they are physically the closest residences to the development and some houses border the area and would have views ruined. Rushcliffe's SCI does not restrict its consultations to its own residents.

2.8 There is no commitment to an early review and key sites such as South of Clifton are scheduled to be committed before the normal five yearly review and so the /strategy fails the

flexibility test of soundness. This failing is especially important when the housing requirement is admitted by the local planning authority in Para 3.1.2.7 to be very challenging.

2.9 The three principles, joint working, priority to brownfield sites in Rushcliffe and elsewhere in Greater Nottingham and the need for flexibility suggest two commitments that must be built into any Core Strategy

- ❖ A commitment to an early review, meaning before the statutory five years
- ❖ No irrevocable decisions on Greenfield sites such as South of Clifton until such a review has taken place.

3. The Housing Requirement

3.1 Rushcliffe has decreased the housing requirement by around 20% compared with earlier drafts of the Core strategy. We welcome that change, but it is not in itself a justification for the amount of housing which is to be provided for under the relevant policies in the Core Strategy. Policy 2 is unsound because of the inadequacy of the evidence base and the lack of a clear justification.

3.2 Government had abandoned a top down approach to housing requirements in Local Plans and so the housing requirement should be an outcome of locally determined decisions on the future role of Rushcliffe as:

- A commuter settlement
- A retirement centre.
- A centre for employment.
- Housing is also relevant to the removal of derelict and unsightly areas through development led regeneration

3.3 Rushcliffe as a commuter settlement

Whilst West Bridgford appears on a map to be very close to Nottingham City Centre consideration of travel times reveals a very different picture because of the limited number of bridges over the River Trent. We develop this issue further below. There are a number of other areas within the Greater Nottingham housing market area that in terms of accessibility are as well placed as Rushcliffe and where housing for commuters could have very significant regeneration benefits. These areas include Hucknall, Ilkeston, Stapleford and Sandiacre. Decisions about the commuting role of Rushcliffe cannot be made in isolation.

3.4 Rushcliffe as a retirement centre

Rushcliffe already fulfills this role as is pointed out in the Core Strategy “2.2.4 *Rushcliffe’s age profile is broadly similar to the national age profile, although the Borough does have a higher percentage of people over the age of 50. The number of people of pensionable age is also increasing at a faster rate than the national trend and there are certain settlements that have very high concentrations of people of pensionable age.*” Any decision to further develop this function cannot be made without a thorough examination of the impact on Social Services and Health Care provision.

3.5 Rushcliffe as a Centre for Employment

Para 21 of the NPPF says that Local Plans should “*set out a clear economic vision and **strategy** for their area which positively and proactively encourages sustainable economic growth;*” The emphasis is ours. Whilst the Core Strategy has some aspirations regarding the local economy it has nothing approaching an Economic Strategy. In fact the evidence base for such an economic strategy is simply lacking. The Roger Tym and Partners Employment Land Study was not an economic assessment. What it did was take as a given the housing aspirations of the Districts of Greater Nottingham and say this would mean a certain number of jobs and then said which the most promising sectors would be . They did not say this was likely to be achieved.

3.6 Regeneration

The proposed early development of greenfield sites at Clifton and elsewhere mitigates against the early regeneration of sites such as RAF Newton and Cotgrave

3.7 The 2010 version of the aligned Core Strategy set out the implications of the housing requirement for additional office jobs required in the period 2009 to 2026. The figures are reproduced below:

Ashfield	1,000
Broxtowe	1,500
Erewash	2,000
Gedling	1,450
Nottingham	13,600
Rushcliffe	4,000
Greater Nottingham	23,550

3.8 We are now one fifth of the way through that period. The lack of any assessment of trends in job numbers in recent years is a serious deficiency in the evidence base. Other authorities such as Milton Keynes have carried out such an exercise and have amended the proposed housing requirement on the basis of the evidence provided. We doubt very much if 800 additional office jobs have been created. In fact we suspect that staff reductions in

Nottinghamshire County Council, which is the biggest employer in the Borough, makes it more likely that 800 office jobs have been lost. We estimate total losses number several thousand, but we should not have to 'guess'. Data on job creation in the Borough is an essential part of the evidence base and should be freely available as part of the current consultation exercise. Para 154 of the NPPF states "*Local Plans should be aspirational but realistic.*"

3.9 The technical justification for the housing requirement consists solely of the following section:

Housing Provision

3.1.2.6 *The housing provision for Rushcliffe is a minimum of 9,400 new homes between 2009 and 2026. Some of this housing provision has already secured planning permission. This level of housing provision is based on what is considered to be deliverable on sustainable sites over the plan period, sufficient to assist the considerable regeneration challenges present, and is phased on the basis of likely delivery, taking into account infrastructure delivery and a recovering housing market. It also allows for job growth and a significant and viable contribution towards affordable housing needs, and results in a mix of sites offering early housing delivery and sites which will require a longer lead in time.*

3.1.2.7 *In terms of deliverability, the housing provision figure is considered to be very challenging, and the housing trajectory at Appendix D shows that a significant uplift in completions will be required if the total housing provision is to be achieved. However, the number is considered to be the appropriate level of housing provision to plan for, given the factors set out above, and given an early return to good market conditions, should be achievable.*

3.10 It is difficult from the explanation in the Core Strategy to see how the requirement figure has been arrived at. At first sight, one might think that the environmental capacity of the District has been the main factor but the fact that figure is a minimum rather undermines that interpretation. There is no environmental capacity study in the evidence base. We would also submit that the inclusion of greenfield sites such as Clifton and Edwalton; which cannot be described in reality as sustainable, suggest other factors are at play. We deal in Section 7 with the lack of any sustainability credentials so far as the area South of Clifton is concerned.

3.11 It has to be said that the use of a minimum figure rather than a range and the inclusion of Clifton and Edwalton within the definition of sustainable makes this Core Strategy a charter for developers to run rampant over large parts of Rushcliffe. It is a development plan that is simply not fit for purpose.

3.12 We should not have to guess at the deciding factors determining the housing requirement. They should be clearly set out. In failing to do this the Core Strategy fails the first of the three

tests of soundness set out in paragraph 5 of page three of the document. We comment in detail about the evidence base below but the evidence base is wide and varied in terms of conclusion and date. The Core Strategy needs to set those parts of the evidence base on which it principally relies for its justification.

3.13 Looking to the evidence base, we find that two Strategic Housing Market Assessments have been carried out. The second one, in 2009, was concerned solely with affordable housing and so the substantive evidence is the HMA carried out in 2006- 07. It is a relevant question what effect on the housing requirement a virtual breakdown in the delivery mechanism for affordable housing will have. So far as the 2006 Assessment is concerned the employment data refers to the period to 2004, the house prices data to 2006 and the household projections have a 2001 base. The intervening recession means this assessment has little current relevance. The consensus among professionals is that the housing market in the UK has not only changed drastically but there is little prospect of recovery even in the medium term. The evidence base on this topic is out of date and fails to satisfy Para 158 of the NPPF *"Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area."*

3.14 The evidence base does include 2008 based population projections. ONS make it quite clear these are not predictions. They simply show what will happen if past trends continue. They can inform policy making but they cannot be a substitute for it. The projection work carried does not 'impose' any level of growth on any local authority. This is made clear at the outset - *"Projections do not provide an answer to 'how many houses should be built', but part of the picture to inform plan-makers what the implications of different futures, or taking certain decisions, are likely to be."* *"The scenarios in the NNDD projections have been selected to illustrate possible futures, not necessarily ones that will or should come about."*

3.15. In our view the most relevant part of the evidence base is the forecasts of population and household for Nottinghamshire and Derbyshire authorities - Greater Nottingham prepared by Edge Analytics in 2011. We are prepared to accept the assumptions used on fertility rates, mortality rates, and household formation. The key variables are migration and the translation of household numbers into dwelling numbers.

3. 16 The statement in Para 1.1 is very relevant *"Since 2007/8 and the onset of the economic recession, new dwelling completions have fallen considerably. Housing development plans are now outdated given the prevailing economic conditions and the judgment from the new Government that previous Regional Spatial Strategy (RSS) dwelling targets are largely redundant."* This is saying that the Regional Plan figures are irrelevant not just because Government has abolished the Regional Plans, but they would have become obsolete anyway because of the recession. So it is not sufficient to say that the housing requirement in the Core Strategy is acceptable simply because it is lower than the Regional Strategy figure. Planning policy needs to be a little bit more sophisticated than that.

3.17 We focus on the household forecasts rather than population because the former are more directly relevant to dwelling requirement. What the Core Strategy is proposing is 9000 new dwellings between 2011 and 2026. This is 600 per annum. This is higher than any of the scenarios examined in the paper prepared by Edge Analytic except the SNPP scenarios.

3.18 Edge analytics average net new dwellings per annum 2008 to 2031 (the effect of the different time periods on per annum factors is not significant). The table below is a general summary of Table Rushcliffe 37Uj on page 24 of the Edge Analytics Study

Dwelling Led	Employment led	Migration led	Natural Change	No net migration	SNPP
327	431	455	259	191	576

The natural change and no net migration scenarios are not realistic as the paper explains. The dwelling led, employment led and migration range from 327 to 455 and would produce a total requirement 2011 to 2026 ranging from 4905 to 6825. The dwelling led and migration led scenarios are to be preferred because they are based on a reasonably long time period 2001 to 2010 which includes both pre and post- recession figures. The lower figure would not require South of Clifton at all and the upper would not require South of Clifton if there was a marginal increase of a few hundred at RAF Newton or Cotgrave or sites within other Districts of Greater Nottingham. We wish to refer to the Core Strategies of the other Districts of Greater Nottingham and will be making further submissions on this point before the extended deadline.

3.19 Whilst we can work out that the Core Strategy is based on the Edge Analytics SNPP scenario, it needs to make this explicit in the justification and then go on to explain why that scenario was selected rather than one of the other three realistic scenarios, all of which reflect past trends over a more extended period.

3.20 The SNPP option produces figures higher than any of the other three. More fundamentally the SNPP uses migration assumptions for a very short period 2003/4 to 2006/7. It is a basic principle of projections such as this that you do not produce long term forecasts on the basis of a short term trend especially when a major event, the recession, has occurred since the end of the short term forecasts. No justification is given for not including four extra years ending in 2010/11 in the period for which trends are assessed. In the trend period used, GDP growth was around +2 %. In the period 2007 to 2011 it was negative going down to -5% at one point. Forecasts for the next two years cluster around 1% at the moment.

3.21 At Para 3.1.2.19 of the draft Core Strategy we find the statement that *"In the case of the Sustainable Urban Extension to the South of Clifton, the Council would not look to find alternative land in Rushcliffe should it not be delivered as planned. South of Clifton is identified*

for development principally in order to contribute towards Nottingham City's inability to serve all its own housing needs within its own boundaries". The three scenarios which we are suggesting are to be preferred are based on past trends and so build in the extent to which Rushcliffe accommodated growth that could not be provided for in Nottingham City in the past. What is being suggested in the section of the Core Strategy that attempts to justify the SUE South of Clifton is that Rushcliffe needs to accommodate growth from Nottingham City to a greater extent than it has done over the last ten years. There is no evidence why this should be the case and we doubt if Nottingham, in comparison with the other Districts, has less capacity than it had in the period 2001 to 2009. However, even if it did then the right thing to do is to look at the environmental capacity of all the other districts and share the overspill on that basis.

3.22 Affordable Housing

Our concern here is primarily the relationship between affordable housing need, performance and relationship with the total housing requirement. There are three key variables :-

- a. The assessed net need for affordable housing
- b. The % of new dwellings which the LPA will seek to be affordable, this can best be regarded as a contribution to the assessed need, but because of viability considerations is unlikely to wholly meet that need
- c. Recent performance

3.23 The SHMA update produced by Bee Line Housing Information Ltd in 2009 identified a net need for Rushcliffe of 362 per annum (the figure is near the bottom of page 26). Para 1.1.1 of the assessment sets out the components that make up this need:

- *New emerging households that cannot afford market housing, with the ability to afford estimated by comparing entry level house prices or private sector rents to incomes*
- *Backlog need based on local authority housing registers*
- *A factor for owner occupiers falling into need*
- *An element for need from migrations*

The figure is supported in Para 1.6 of the Viability Assessment carried out in 2009 by Three Dragons. We are not able to calculate what percentage of the housing requirement will be affordable, but we submit that is not appropriate to simply use the percentage that applied when the housing requirement was 750 and apply it to a figure of 600. Logic dictates that the percentage will be higher because a significant proportion of affordable housing net need is not growth dependent.

3.24 The numbers of affordable dwellings that could be sought from developers without making developments non-viable was dealt with in a Viability Study by consultants Three

Dragons in December 2009. The Study confirms in Para 6.22 that for West Bridgford a target of around 40% of the housing provision will need to be affordable, either Social Rent or Intermediate housing, and that this figure is viable. The figure for Ruddington is 30% and we assume that this is the basis for the 30% requirement set out for the SUE South of Clifton.

3.25 The approach in the Core Strategy is a little less sophisticated than the Viability Study calculations. 30% affordable housing is to be sought on all the major sites regardless of their location or whether they are greenfield or brownfield. This approach will discourage the development of brownfield sites and encourage the development of greenfield sites and is therefore non legally compliant because it is in breach of the requirement in the NPPF to give priority to brownfield sites. It is unsound because although evidence is available in the form of the Viability Study, the Core Strategy ignores it.

3.26 Finally we turn to the third key figure, recent performance. The actual performance is quoted below from the Annual Monitoring Report

2006/7	54 dwellings
2007/8	30 dwellings
2008/9	73 dwellings

Total for three years 157

3.27 Total completions over the same period were 1140, so the achieved affordable is 14%. There is a massive gap between performance of 14% when economic conditions were good and the target of 30-40% in a period when economic conditions are at best uncertain. One interpretation is that at least in the short term 20-30% of the housing requirement will remain unmet whatever the position on land resources. If the Council insist on 30-40% affordable total, completions will fall well below the 600 or so dwellings pa implied by Policy 2. If the Council don't ask for that sort of level of provision then most of the affordable need will be simply an unmet need, without any direct land use implications, rather than a demand.

3.28 The Core Strategy needs to include contingency plans should the affordable housing not happen. Whilst some may transmute into demand for market housing, this will be a small proportion. The majority will remain as an unmet need, as it has remained for the last ten or twenty years.

3.29 This is also an area where the duty on LPAs to cooperate across boundaries applies. The danger is that as market housing falls behind trajectory in the different Districts, there will be a downward bidding war to reduce the burden on developers. There are links with the managed release of sites issue. Brownfield will have extra costs such as remediation and decontamination that cannot be reduced. Any downward spiral of demands for planning gain

will leave such brownfield sites undeveloped.

4. The land supply position including alternative sites

4.1 We will be making further detailed submissions on this matter before the extended deadline of June 6th. We will approach this issue at two levels. Firstly, we will make comments on alternative sites to Clifton within Rushcliffe; including a possible increase in the capacity of sites already included in the Core Strategy as well as sites identified in the SHLAA but not included. We will then carry out a similar exercise in very broad terms for sites within other parts of Greater Nottingham. These are relevant because they are within the same Housing Market Area.

4.2 Turning to the capacity of those sites which are included we make no comment on the site at Edwalton. In our view the appeal decision which led to the inclusion of this unsustainable site in the Core Strategy is regrettable. All of the sites discussed below are more sustainable

4.3 RAF Newton

This is a brownfield site which will assist in the physical regeneration of an eyesore. The justification in the proposals map section for the boundary of the RAF Newton site is simply that the boundary coincides with the red line around an outline application. This is no justification at all. Point 2 of the greenbelt boundary justification again makes no sense really and seems vaguely aware that it doesn't.

4.4 Cotgrave

This is a brownfield site, the early development of which will assist in the physical regeneration of an eyesore.

4.5 Land North of Bingham

Para 3.4.4.1 of the Core Strategy states that "*Bingham is identified in 'Sustainable Locations for Growth Study' (Tribal 2008) as being the most suitable location for a high level of growth within the Borough*"

4.6 The three sites should be closely examined to see if the housing capacity can be increased. We will be making further representations on this issue by June 6th. In the meantime we suggest a number of points that should be looked at for each of the three sites:

- The extent of the allocation. It is wrong in identifying strategic locations in the Core Strategy to rely on planning applications for boundaries of allocations because the boundaries of such applications are often determined by land ownerships which can easily change.

- Any increases in housing density which may be possible
- The extent of the employment allocation. We question the inclusion of B2 and B8 uses which take up large amounts of space and provide little employment. B8 uses in particular are best located on the national highways network in places such as Sutton in Ashfield at M1 J28, in Eastwood accessible to M1 J12 and at Grantham close to the A1. Bingham does not compete with these locations and in any event the A 52 passes through settlements and any increase in HGV traffic should not be encouraged. With a limitation to B1 the area for employment could be reduced and the area for housing increased.
- Whether open space could be provided outside the development envelope rather than within, without any loss of planning benefits

4.7 Looking at alternative sites elsewhere in Greater Nottingham the most obvious alternative to South of Clifton is Nottingham Waterside, which is similarly positioned in relation to the main University campuses and Nottingham City Centre, but which is brownfield rather than greenfield. Public transport from these areas is excellent. Large sections of this area are in the ownership of public agencies such as the City Council, the Homes and Community Agencies and Housing Associations. These sites were acquired some years ago and have a relatively high historic cost. In some cases development costs are high. These can be handled provided that the development period is not overextended. Any significant delay due to unreasonable competition from greenfield sites such as Clifton will extend development period over 15 to 20 years with the result that the development becomes unviable, unless land values are so extensively discounted that the public agencies make a massive loss with a heavy cost to the public purse. The agencies involved and their private sector partners acted in good faith on the assumption that local planning authorities would deliver on the sections of the Regional Plan, still part of the statutory framework, that required brownfield sites to be given priority.

4.8 The scope for increasing the capacity of the following sites elsewhere in Greater Nottingham, all of which are inherently more sustainable than the Clifton site, will be included in the further representations to be made by June 6th:

Waterside Regeneration Zone, in Nottingham City* (up to 3,000 homes)

Gedling Colliery/Chase Farm, in Gedling* (1,120 homes)

Remainder of Boots Site, in Nottingham City, (600 homes)

Severn Trent and Boots site, in Broxtowe (550 homes)

Stanton Tip, Hempshill Vale, in Nottingham City* (500 homes)

Rolls Royce, in Ashfield (800 homes)

Sustainable Urban Extension at Stanton*, in Erewash (more than 2,000 homes)

Other sites Greater Nottingham non included SHLAA sites > 500 dwellings

4.9 The lack of an up to date Urban Capacity exercise is another serious deficiency in the evidence base for the draft Core Strategy . A study should be undertaken to determine the scope for small scale infill.

5. Contingency measures: particularly the need for robust policies on phased release of greenfield and brownfield sites across Greater Nottingham

5.1 The Core Strategy itself recognizes that the achievement of the housing requirement will be "very challenging". We suggest that the Core Strategy should contain a commitment to an early review. This was included in the Leicester City Council Core Strategy, at the suggestion of the Inspector.

Early Review

The City Council's Core Strategy is part of the first generation of Core Strategies across the PUA and will set the context for the Core Strategies of adjoining authorities. Usually Core Strategies are expected to be reviewed at five yearly intervals. A review is an opportunity to assess progress in the delivery of growth towards the Core Strategy vision. However, uncertainty about the future economic climate makes it difficult to make longer term assurances about housing delivery, job creation and the availability of public and private finance to deliver this growth and the necessary supporting infrastructure. It is therefore proposed that there will be an early review of the Leicester City Core Strategy and that through the new governance structures, methods of ensuring coordinated or joint Core Strategies across the sub region, particularly the PUA, will be developed. Over the initial implementation period careful monitoring of achievement of the Core Strategy and what is happening across the sub region will be undertaken, particularly in relation to housing, employment, transport

Early review means in less than five years. Until that time no commitment should be given to any SUE at Clifton.

5.2 One of the twelve key planning principles set out in the NPPF is to "*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*"

5.3 We have already referred to the duty set out in the NPPF for joint working between LPAs across boundaries. Most LPAs have met these requirements by adopting policies for the phased release of greenfield and brownfield sites in a coordinated way.

6. Transport

6.1 We assume that the local off site highways improvements for the various major housing developments, including Clifton, are correctly specified by the Highways Authority and incorporated in S 106 agreements. In addition to these matters of detail, there is a need in the Core Strategy to consider the strategic transport implications of the level of growth proposed. For the last twenty years the capacity of the three existing crossing points, Clifton, Trent Bridge and Lady Bay has been considered so overloaded that a Fourth Trent Crossing has been a long standing proposal. It would be wrong to make any decision on the housing requirement for Rushcliffe without a thorough examination of the strategic highways implications of different levels of growth. Having identified the thresholds for an additional crossing of the Trent, the environmental implications of any additional crossing should be fully considered.

6.3 Policy 13 is unsound. Section 2 of this policy does not appear to be in line with national planning policy or with the fundamental aims and objectives of forward planning. The policy states that priority will be given to selecting sites that are “already accessible by walking cycling and public transport”. National policy is clear that consideration should be given to selecting sites based upon reducing the need to travel and how accessible, by sustainable transport modes, those sites can be. Specifically the NPPF Para 17 identifies as a ‘Core Planning Principle’ that significant development should be focussed in locations which are or can be made sustainable.

6.4 The current negative section 2 of the policy by Rushcliffe should be changed to a positive policy that will select sites based upon the potential of sites to be accessible by sustainable transport modes and also to reduce the need to travel. Policy 14 section 2 of the Core Strategy can then be used to ensure that the potential sustainability of these sites is achieved.

6.5 It is noted that Para 3.2.7.14 of the Core Strategy mentions that detailed transport modelling has been undertaken on the strategic site allocations to enable packages of sustainable transport measures to be identified. We were provided with some information relating to this transport modelling (Nottingham Core Strategy Modelling report of September 2011 by MVA consultancy) and submitted comments identifying shortfalls with the transport modelling process and methodology, as well as asking for additional information to assist understanding of the results of the modelling and the impact of the ‘South of Clifton’ proposals. No response to these comments and request has been received from RBC. This has hindered our ability to be able to know what transport modelling has actually been undertaken for the Core Strategy and also the results obtained from that analysis. It is therefore considered that the approach by RBC in relation to this does not comply with the requirements of Para 155 of the NPPF with regard that *“early and meaningful engagement and collaboration with neighbourhoods, local organisations is essential”* for a Local Plan. As a result of this lack of

engagement by RBC our comments with regard to transport matters are based upon what information we have been able to obtain and may not reflect later analysis by RBC about which we have not been informed.

6.6 We have objections to the site South of Clifton on transport grounds. No information is provided as to how the proposals for this site will be in line with NPPF Para 37. This states that: *“Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.”*

Our understanding of the Clifton urban area is that:

- There is already a heavy imbalance between housing and employment in the local area resulting in people needing to travel outside of this local area for employment. The proposed development is predominantly housing and therefore will exacerbate this issue.
- A proportion of children in Clifton have to travel to the Harry Carlton school in East Leake and therefore there will not be local education facilities available for children living in the proposed development

The proposed development will exacerbate these existing issues for the Clifton area and cannot therefore be considered to be in line with the NPPF aims for a balance of land uses in a local area.

6.7 Significant mention is made of the A453 widening scheme within the policy as providing accessibility to this site. This publicly funded scheme is to provide much needed improvement to this part of the Strategic Trunk Road Network and relieve existing communities of ‘rat-running’ traffic seeking to avoid the severe congestion, not to enable access to this development site as is implied in this policy.

6.8 It is noted that Para 12 of this policy mentions a requirement for measures to minimise traffic impacts through Gotham and Ruddington villages. Objection is made to Policy 23 on the grounds that the traffic impact on the adjacent areas is unacceptable and has not been appropriately assessed by RBC. Analysis of the Nottingham Core Strategy Modelling report of September 2011 by MVA consultancy has shown that the assessment of the transport impacts of the options for development are flawed as they have been based upon existing transport provision. Therefore consideration of alternative sites has been based upon the following assumptions:

- That existing bus services will not be provided with additional bus priority in the future and therefore the modal share for bus use shrinks due to the effect of this congestion

upon journey times (6.2.3). This does not seem realistic and is contrary to policy documents such as the LTP or predictions for bus use within Nottingham.

- That rail and NET modal shares increase significantly due to passengers diverting from bus use due to the above reasons. Therefore NET modal shares are probably unrealistically optimistic.
- No additional bus or other public transport services to the proposed developments. As a consequence the assessment for South of Clifton is based upon NET2 and existing local bus services, whereas other locations are considered (e.g. Tollerton Airfield) based upon their existing extremely limited public transport services.

These are not appropriate assumptions for a realistic assessment and are not in line with NPPF Para 17 or even Policy 14 section 2 of this Core Strategy.

6.9 The assessment of the South of Clifton site undertaken in the Nottingham Core Strategy Modelling report of September 2011 by MVA consultancy is also fundamentally flawed due to the analysis of the effects of the South of Clifton site. For the Do Minimum (DM) scenario the modelling does not include provision for the A453 widening scheme. This may be acceptable as the scheme only had full funding confirmation during 2011 and the modelling may therefore have been undertaken before the funding confirmation was announced. However, the assessment of the South of Clifton site (called DS2 scenario) was based upon traffic conditions with the A453 widening in place. Therefore the analysis and consideration of the impact of the South of Clifton site is wrong and severely underestimates the likely scale of impact. To quantify the scale of this error, information for the A453 widening scheme shows that it will attract thousands of trips onto the A453 compared to the 'without widening improvement' scheme. Attached are selected pages from the Traffic Forecasting Report (Rev 5) of December 2008 to illustrate this. The A453 widening scheme is forecast to relieve communities such as Gotham of current through traffic that is seeking to avoid the A453 congestion (for example an 8% reduction in daily traffic along Kegworth Road, Gotham). It should be noted that the benefits of this scheme in terms of relieving local communities of through traffic will be greatest during peak periods. Therefore the effect during these peak periods will be significantly greater than even the percentage changes in daily traffic flows illustrated in Table 23 from the Traffic Forecasting Report. The scale of this effect during the AM and PM peak periods is suggested in Tables 19 and 21 from the Traffic Forecasting Report which indicate an increase in hourly flows along the A453 of between 1308 and 2327 vehicles. The A453 widening scheme therefore significantly relieves adjacent communities of through traffic and to assess the impact of the Policy 23 proposals by using flows without the A453

7. Site specific matters relating to the Clifton SUE

7.1 We will be making more detailed representations on the impact of the proposals at Clifton before June 6th. The Core Strategy justifies the housing requirement on the basis that it is the figure that can be delivered on sustainable sites. Yet over 40% of the provision is on sites at Edwalton and Clifton neither of which can be in any way described as sustainable. Our particular concern is with the South of Clifton site.

7.2 The Core Strategy relies heavily on the Appraisal of Sustainable Urban Extensions carried out by Tribal Studio consultants in 2008. The Study was remarkable for the instructions given to the consultants not to consult with any MP, individual District Councillors, Parish Council or community group. These conditions created a furore at the time.

7.3 The Tribal Study identified two negative factors against development at Clifton and three positive factors in favour of development of a SUE. We agree with the two negative factors which are identified; landscape quality and agricultural value. We would add a third, the area is designated Greenbelt and full weight has to be given to paras 79 to 92 of the NPPF and in particular to Para 87 *"As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*.

7.4 We do not see any adequate justification in the Core Strategy and let alone any description of the "very special circumstances" which are felt to apply. It would be impossible to establish such a case unless it was in terms of a certain housing requirement for Greater Nottingham bringing very significant benefits and the development of Clifton being necessary having regard to the lack of more sustainable alternatives in Greater Nottingham. A stand-alone Core Strategy for Rushcliffe not only does not make this case but it cannot because it cannot take a sufficiently wide view.

7.5 Turning to the positive points identified by Tribal we would accept the NET extension will improve public transport, but only residents within a narrow band will use the tram and the overall scale of development proposed in Rushcliffe will seriously aggravate congestion on the existing crossings of the River Trent. Tram routes and park and ride schemes in the corridor North from Nottingham may have helped reduce congestion marginally but it is not noticeable. Queues on the A60 and the A610 extend beyond the boundary of the urban area at certain parts of the morning peak.

7.6 We are puzzled by the assertion that the development of an SUE at Clifton will help the regeneration of the existing settlement of Clifton. These benefits and the mechanisms by which they will be secured should be further explained.

7.7 The third point made by Tribal is that the area South of Clifton will be a prime business

location. An employment area of up to 20 hectares (50 acres) is proposed to include B1 business, B2 manufacturing and B8 warehouses. Large high bay warehouses of the type seen at J 28 on the M1, Northampton and along the A1M at Doncaster in the open countryside South of Clifton would be totally incompatible with the statement on figure 5 that employment uses will be sensitively designed to take account of topographical issues. The same is true of B2 manufacturing, though to a lesser extent.

7.8 Whilst it might be possible to design a B1 office scheme that took some account of the need to conserve the landscape other major policy considerations come into play. Offices are a Town Centre use and the NPPF is quite clear on the policies that are to be applied *“24. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.”* The correct location for office uses in Rushcliffe is West Bridgford Town Centre and in Greater Nottingham it is Nottingham City Centre. There is significant capacity in both. No sequential test has been carried out and so the proposals for B1 uses at Clifton are contrary to the NPPF.

7.9 It may be argued that an employment component is required at Clifton to make a mixed use urban extension. We are arguing against the residential development and so the employment proposal in that sense becomes irrelevant, but in any event there is no evidence whatsoever that the employment uses in a mixed use urban extension draw a significant amount of their labour from the nearby housing. The labour market simply does not work like that. The argument that SUEs will in some way reduce journeys to work simply does not hold water.

7.10 The updated report on employment land produced in 2009 estimates that the total additional land requirement for the whole of the Nottingham City Region is only 23 hectares for the 13 years 2003 to 2016. Regarding office jobs, the report also states *“Nottingham City is the natural place to accommodate additional office floorspace in both market and policy terms. However if sufficient capacity is not identified locations out of the City may be required in line with the sequential approach we previously outlined”*. This market view is further support for the need for a sequential test as set out in the NPPF.

7.11 The Spatial objective ii makes the Clifton SUE dependent on the completion of the A453 improvement, but the housing trajectory shows substantial development at Clifton by 2017. In any event, as we argue above, should Clifton be included at all there should be no final commitment until a first review of the Core Strategy. We see no necessity for a start on housing at Clifton in 2015 as suggested in the housing trajectory in Appendix D of the draft Core Strategy.

7.12 Greenbelt, Landscape and Agriculture

We object to Policy 3 Greenbelt on the grounds that no very special circumstances are set out in the justification for the revision of the existing Greenbelt boundary at South of Clifton and that the proposed Greenbelt boundaries are not defensible. The land South of Clifton is of high

landscape and agricultural value. We will be making further representations on these three issues to demonstrate the significant planning harm that will be caused by the proposed SUE by the extended deadline of June 6th.

At the Public Enquiry into Rushcliffe's Local Plan in 1996 the Inspector recognised the particular circumstances of this site and reported *"It is my view that development here would be highly visible from some distance to the south and particularly from a significant length of the A453. It seems to me that once the existing edge of the built up area at Clifton is breached, there are no logical boundaries"*.

The NPPF (Para 112) states that *"Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land"* and *"should seek to use areas of poorer quality land in preference to that of higher quality"*. NPPF Annex 2 states that *"best agricultural land"* includes land in *"grades 1,2,3a of the agricultural Land Classification"*. The majority of land South of Clifton is designated as grade 2. The assessment of the quality of agricultural land does not form part of the Sustainability Appraisal Framework of the Core Strategy (Sustainability Appraisal page 2) nor any part of the assessment criteria for available sites.

8. The Sustainability Appraisal

8.1 We will be making more detailed representations on this point before the extended deadline of June 6th. The Sustainability Appraisal uses 14 criteria only four of which are environmental. The Medium Growth option which according to Rushcliffe necessitates the Clifton proposal at 2500 homes scores negatively on two. These are key criteria - Environment / Biodiversity and Landscape. We will argue these should be given more weight than factors such as crime and health where the planning benefits and costs are not proven and which are relatively insignificant compared to the issue as a whole. Education is missing from the criteria when it is clearly highly relevant and is a normal matter dealt with by a section 106 or a Community Infrastructure Levy

8.2 The reference in Para 2 to promoting sustainable development resembles article 1 of the European Directive, but seems to have been given a Rushcliffe spin. Article 1 of the EU Directive itself omits the ref to inhibition and refers to the need *"to provide for a high level of protection of the environment"*

8.3 So far as we are concerned the crunch section of all the hundreds of pages we have to deal with the key section is as follows:

"6.13 The low growth option proposes housing growth below that of the Regional Strategy. This only has a minor positive impact on Housing SA objective as less housing will be provided. All other SA objectives either have a negative, neutral or unknown score. Constraining housing supply would have a negative impact on health as this would exacerbate overcrowding. As this

level of housing provision would not meet the needs of the local population (using the 2008 based household projection”.

8.4 The reference to overcrowding is a nonsense. In fact Rushcliffe at present has very high levels of under occupation, a point we will make as a potential source of housing supply as people trade down and large houses are converted to smaller dwellings .

8.5 The point about not meeting the needs of the local population makes no real sense unless it is more precisely expressed. Every year large numbers of people move out of Rushcliffe and large numbers move in. There is no local population. If we turn to the evidence base on population projections (attached), there is a very useful graph and table at page 20. This shows that on a natural increase only option and on a no net migration option and on a "dwelling led" option the increase in households to 2026 is less than 6000. At that level Clifton becomes unnecessary.

9 Conclusions

Taking the three tests of soundness in turn we submit that the draft Core Strategy fails all three tests. To be sound the Strategy has to be:

Justified – founded on a robust and credible evidence base and is the most appropriate Strategy when considered against reasonable alternatives

The Strategy is not founded upon an adequate evidence base. The main omissions are

- ✚ An up to date comprehensive SHMA.
- ✚ Any assessment of the economic prospects for the area
- ✚ No comprehensive environmental capacity study
- ✚ No urban capacity study
- ✚ No strategic highways modelling of alternatives
- ✚ An inadequate sustainability appraisal

Effective – deliverable, flexible and able to be monitored

- ✚ The housing requirement is not realistic in terms of deliverability
- ✚ There is no commitment to early review
- ✚ The housing trajectory proposes an early commitment to a greenfield site at South of Clifton
- ✚ There is no contingency planning should affordable housing not be delivered at the rate foreseen

Consistent with national policy

The draft Core Strategy

- ✚ Predates the National Planning Policy Framework
- ✚ Ignores the duty set out in the NPPF to cooperate across LA boundaries, give priority to brownfield sites and give due weight to the views of the local community
- ✚ Fails to establish the “very special circumstances” for greenbelt release as required by NPPF

We find the Core Strategy as a whole unsound and non-legally compliant. The policies to which we particularly object on the grounds that they are neither legally compliant nor soundly based are:

- ❖ Policy 2 The Spatial Strategy including the Housing Trajectory set out in Appendix D
- ❖ Policy 3 The Nottingham-Derby Green Belt
- ❖ Policy 4 Employment Provision and Economic Development
- ❖ Policy 13 Managing Travel Demand
- ❖ Policy 23 Strategic Allocation South of Clifton
- ❖ We object to the lack of a policy on the phased release of greenfield and brownfield sites across Greater Nottingham
- ❖ We object to the lack of a commitment to early review with particular reference to housing completions particularly affordable housing

