

Rushcliffe Local Plan Part 2: Land and Planning Policies Examination

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Dear Mr Mapletoft

Rushcliffe Local Plan Part 2: Land and Planning Policies Examination

As I indicated at the conclusion of the examination hearings on 13 December 2018, I am writing to set out my thoughts on the Rushcliffe Local Plan Part 2: Land and Planning Policies (the Plan) at this stage and the way forward for the examination. My comments are based on all that I have read, heard and seen to date. However, I emphasise that the examination is not yet concluded and consultation on main modifications is still to take place. Therefore, these comments are without prejudice to my final conclusions on the Plan.

Overall, I consider that, subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound. I will set out my reasoning for this in my final report. The main modifications include changes proposed by the Council in the Schedule of Proposed Modifications to Local Plan Part 2 (EX/RBC/3) where I consider they should be treated as main modifications, together with the further modifications to individual policies and their supporting text as discussed at the hearings. I have invited the Council to prepare a consolidated set of these proposed main modifications for my consideration prior to public consultation on them.

In addition, after further consideration of the matters and issues discussed at the hearings, I have concluded that main modifications are necessary in respect of the following key issues in the Plan.

Policy 4.1 Housing Allocation. Land off Nicker Hill, Keyworth

The proposed allocation is situated adjacent to the British Geological Survey (BGS) site. The 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. This should be amended to ensure that the established business is not adversely affected as a result of the proposed allocation so as to be consistent with national policy.

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

Given the conclusions of the high level viability testing of the site, the Policy and/or explanatory text should provide a degree of flexibility in the mix of development between housing and employment land. This is to ensure that the allocated site would make the necessary financial contributions towards the provision of health and education capacity improvements.

Policy 12 Housing standards

Whilst I have had regard to the likely future need for housing for older people in the Borough, the significant increase in the proportion of households with someone aged over 75 and in regards to the number of people that will live with mobility problems in future in the Borough, the evidence suggests that only a modest increase will occur in the numbers of people needing adapted homes. Furthermore, it is not clear from the evidence as to whether the existing housing stock is meeting the present need in terms of accessible housing. Although I have also have 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 requirement in part a) of the Policy in respect Requirement M4(2) (accessible and adaptable dwellings) is not justified and this requirement should be deleted.

Policy 13 Self-build and Custom Housing Provision

The Policy, in addition to encouraging self-build and custom housing seeks in Part 2, an 'appropriate percentage' of dwellings to be provided on sites of more than 10 dwellings to be provided for self-build or custom plots. Part 2 of the Policy is not clear and would not be effective. In addition, the 10 dwelling threshold is not justified. Part 2 of the Policy should be deleted.

Policy 39 Health Impacts of Development

The Policy as worded is unclear and the thresholds set out are not justified. Consideration should be given to simplifying the Policy make it clear that it is seeking to prevent development from having a significant adverse effect upon health, rather than the focus on Health Impact Assessments.

Policies Map

The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However there is a need to make a number of changes to it as discussed and these should be published alongside any Main Modifications in due course.

Local Development Scheme

As discussed, the Local Development Scheme requires updating to reflect the progress of the Plan to adoption.

Conclusion and Way Forward

This letter does not cover all of the matters and issues discussed at the hearings. However, other matters will be addressed in the proposed main modifications where these were agreed at the hearings. My report will set out my final conclusions on all of the main issues taking account of the responses to the consultation on the proposed main modifications.

I should be grateful if you would prepare the precise wording for the above further main modifications for me to consider as part of the consolidated set of main modifications you are preparing. The main modifications would then need to be the subject of Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), insofar as this is necessary, followed by public consultation. I will need to agree the final version of the proposed main modifications before they are published for consultation. I will also need to see the draft SA and HRA before they are published alongside the proposed main modifications.

If, however, the Council does not agree with this course of action or any individual aspects of it, I would be grateful if you would advise me of the Council's position and alternatives as a matter of urgency.

I would also be grateful if the Council would arrange for this letter to be added to the examination website as soon as possible. However, I need to be clear that I am not inviting or proposing to accept comments on this letter from any other examination participants.

Yours sincerely

Philip Lewis

INSPECTOR