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Our reference:
Your reference:
Date: Monday, 5 March 2018



**Rushcliffe Community
Contact Centre**
Rectory Road
West Bridgford
Nottingham
NG2 6BU

To all Members of the Cabinet

Dear Councillor

A Meeting of the Cabinet will be held on Tuesday, 13 March 2018 at 7.00 pm in the Council Chamber Area B - Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glen O'Connell'.

Glen O'Connell
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Meeting held on 13 February 2018 (Pages 1 - 10)
4. Revenue and Capital Budget Monitoring 2017/18 - Quarter 3 Update (Pages 11 - 24)

The Report of the Executive Manager – Finance and Corporate Services is attached

5. Progress Report and Review of the Planning Peer Challenge Recommendations (Pages 25 - 60)

The Report of the Executive Manager – Communities is attached

6. Affordable Housing Review (Pages 61 - 74)

The Report of the Executive Manager – Neighbourhoods is attached.

7. Draft Character Appraisal and Proposed Conservation Area for Kneeton (Pages 75 - 110)

The Report of the Executive Manager – Communities is attached.

In person
Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

By telephone
Monday to Friday
8.30am - 5pm

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8. Keyworth Neighbourhood Plan (Pages 111 - 200)

The Report of the Executive Manager – Communities is attached.

Membership

Chairman: Councillor S J Robinson

Vice-Chairman: Councillor D Mason

Councillors: A Edyvean, G Moore and R Upton

Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

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MINUTES OF THE MEETING OF THE CABINET TUESDAY 13 FEBRUARY 2018

Held At 7.00pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford

PRESENT:

Councillors S J Robinson (Chairman), A J Edyvean, D J Mason, G S Moore,
and R G Upton

ALSO IN ATTENDANCE:

Councillors H Chewings, A MacInnes, R M Jones

OFFICERS PRESENT:

A Graham	Chief Executive
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Executive Manager - Operations and Transformation
G O'Connell	Monitoring Officer
L Webb	Constitutional Services Officer

APOLOGIES FOR ABSENCE:

There were no apologies for absence

40. Declarations of Interest

There were no declarations of interest.

41. Minutes

The minutes of the meeting held on Tuesday 9 January 2018 were approved as a correct record and signed by the Chairman.

42. Budget and Financial Strategy 2018/19

The Portfolio Holder for Finance presented the report of Executive Manager – Finance and Corporate Services on the 2018/19 budget and the five-year medium term financial strategy 2018/19 to 2022/23, which included the revenue budget, the proposed capital programme, and the Transformation Strategy.

It was proposed that Council Tax for 2018/19 for a Band D property be increased to £132.84 (an increase of £4.95 or 3.87%) from 2017/18. The Portfolio Holder assured Cabinet that despite this increase Rushcliffe would still have the lowest Council Tax in the County. It was also proposed that special expenses for West Bridgford, Keyworth and Ruddington be reduced, as set out in the recommendations of the report. The Portfolio Holder advised that an empty property premium of 150% of a property's Council Tax charge would also be introduced in order to get empty properties back into use

The Portfolio Holder advised that Government changes to small business rate relief had made budgeting for this area particularly difficult due to the uncertainty that it created, especially with the risk involved over budgeting for back dated claims. This area would continue to create risk and uncertainty over a period until the business rate model normalised in the future. It was also noted that Council's Revenue Support Grant would be reduced completely by 2019/20 and that this year it had reduced from £500,000 to £100,000.

The Portfolio Holder noted the work of the Member Commercialisation Working Group and of the Budget Consultation Workshops whose recommendations had been considered in the production of the Budget and the Medium Term Financial Strategy. It was noted that additional revenue funding had been made available of £50,000, over the next three years, to begin the tree protection and promotion project and £500,000 had been made available for the implementation of the skate park improvement fund. It was noted that the balances of the Council's various reserves had risen over the previous five years from 3.6 million to 5.1 million. The Portfolio Holder advised that it was critical that the Council had and maintained the resources to protect itself in case of unforeseen events. It was noted that risks identified in the delivery of the financial strategy included changes in Government policy and further reductions in the Revenue Support Grant and the New Homes Bonus.

The Portfolio Holder also noted that the Council's capital programme also demonstrated the Council's commitment to deliver more efficient services. It was estimated that over a five-year period that capital resources would also increase slightly due to the income generated from the capital receipts in from the Sharphill development. It was noted there would be an amendment to the Council's Capital programme due to the successful bid of £9.9 million to fund a new main road through the recently approved Fairham Pastures development on the land South of Clifton which would create 3,000 new homes and an increased level of affordable housing.

The Portfolio Holder thanked both the Councillors and the Officers for their work in the development of the Budget and Medium Term Financial Strategy, which would deliver the Council's corporate objectives and benefit the residents of the Borough.

Councillor Mason, in seconding the recommendations and welcoming the budget, noted that it was a good balanced budget, with the Borough's Council Tax being the lowest in Nottinghamshire providing excellent value for money for residents. Councillor Mason noted that although the Council faced risks and uncertainties she was confident that the Council was in a good financial position to face future challenges. Councillor Mason thanked the Portfolio Holder for Finance, the Executive Manager – Finance and Corporate Services and the Corporate Governance Group for their work in producing the financial strategy for 2018/19.

Councillor Upton was pleased to note that the Council was on track to be financially self-sufficient by 2020 when the Revenue Support Grant would no longer be received by the Council and welcomed the actions to tackle the problem of long-term empty homes with the introduction of a 150% Council Tax charge for these properties.

Councillor Robinson thanked the Executive Manager – Finance and Corporate Services and his team for producing the financial strategy and balanced budget despite challenging circumstances, and noted that that tree protection and promotion project and the skate park improvement fund would both provide positive benefits for the communities of Rushcliffe.

RESOLVED that Cabinet recommend that Council:

- a) adopts the budget setting report and associated financial strategies 2018/19 to 2022/23, including the Transformation Strategy and Efficiency Statement to deliver efficiencies over the five-year period.
- b) adopts the Capital programme, as set out in Appendix 4 of the annex to the officer's report.
- c) adopts the Capital and Investment Strategy, as set out in Appendix 5 of the officer's report.
- d) sets Rushcliffe Borough Council's element of the 2018/19 Council Tax for a Band D property at £132.84
- e) sets the Special Expenses for West Bridgford, Ruddington and Keyworth, as detailed at Appendix 1 of the Annex to the officer's report, resulting in the following Band D Council tax levels for the Special Expense areas:
 - i) West Bridgford £48.51
 - ii) Keyworth £1.46
 - iii) Ruddington £3.40

Reasons for decisions

To Comply with the Local Government Finance Act 1992 and ensuring the budget enables corporate objectives to be achieved.

The Council is required to set a balanced budget which had adequate funds and reserves to address its risks.

43. Review of the Constitution

The Portfolio Holder for Finance presented the report of the Monitoring Officer to provide information on the outcome of the review of, and to make recommendations for proposed revisions to the Council's Constitution

It was noted that Cabinet and Council had approved a full review of the Council's Constitution that had led to the formation of a Task and Finish Group, which had worked with the following terms of reference:

- to review the accessibility, utility and usability of the current Constitution and improve it;

- to review the structure of the Constitution, to improve its content, layout and flow as a practical working document;
- to identify and prioritise specific areas of content and procedures for detailed review, noting that, in time, all sections will be reviewed.

The Portfolio Holder advised that the Task and Finish Group had considered all parts of the current Constitution with the objective with the view to making changes, which would change the Constitution from being a large static document to one, which would bring relevant material to the immediate attention of Councillors, Officers and members of the public.

The Portfolio Holder noted that the main changes being proposed to the Constitution included the deletion of the Articles, with relevant information from them being transferred to other parts of the Constitution, and the use of electronic links to make the constitution more accessible on electronic devices. It was also noted that workshops, which had been open to all Councillors, had been held where the proposed changes to the Constitution been shared and discussed. The Monitoring Officer had submitted an addendum report, which provided information on the feedback on the proposed changes made at the workshops. It was noted that the feedback received from the workshops had shown broad support for the proposed model for Public Questions at Council and Cabinet, for Opposition Groups to ask questions at Cabinet and for a definition of the leader of the opposition to be included in a revised Constitution.

The Portfolio Holder advised that once the changes were recommended to Council and approved it would be important to keep the Constitution under review so that it would remain up to date and accessible. The Portfolio Holder thanked the Monitoring Officer and the members of the Task and Finish Group for undertaking the review of the Council's Constitution.

In seconding the recommendations Councillor Mason endorsed the work of the Task and Finish Group and advised that as a result the review of the Constitution would now easier to follow and use. Councillor Edyvean was pleased that the review of the Constitution had been delivered in timely manner and thanked the Monitoring Officer for his work in supporting the review.

Councillor Robinson advised the revised Constitution would enable the Council to be more transparent and accessible, especially with the implementation of questions from the public at Cabinet and Council meetings and that it was important that the procedures for public speaking at meetings be reviewed after a year of implementation so the procedures could be assessed and evaluated.

It was RESOLVED that:

- a) the proposed revisions to the Constitution, in respect of executive matters, be approved.

- b) that the proposed revisions to the Constitution, in respect of non-executive matters be supported and recommended to Full Council for approval.
- c) the model scheme for public questions at Cabinet, as set out at Appendix A of the addendum report, be adopted for use by the Cabinet, for an initial twelve-month trial period.
- d) the model scheme for public questions at Council, as set out at Appendix A of the addendum report, be supported and recommended to Full Council for approval for an initial twelve month trial period.
- e) the model scheme for Opposition Groups' questions at Cabinet, as set out at Appendix B of the officer's report, be adopted for use by the Cabinet, for an initial twelve-month trial period.
- f) a definition of the leader of the main opposition group, as detailed in the addendum report, be inserted into the proposed revisions of the Constitution, and that the other references to that role in the proposed revisions be adopted with the exception of the rights to ask questions contained within the proposed revised standing orders for Overview and Scrutiny and for Cabinet.

Reason for decisions

The Borough Council has a duty to keep its Constitution up to date. The proposed revisions will also make it easier for members of the public, councillors and officers to access, and use, materials which are essential to effective and efficient democratic decision-making.

44. New Corporate Structure and Governance Arrangements for Streetwise Companies

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership presented the report of the Chief Executive to provide a progress report on the delivery of the new governance arrangements for Streetwise Environmental Limited and other proposed Council-owned companies (including the holding company and the trading company/ies), which had been approved by Cabinet in January 2017 (Minute No.37 2016/17). The report also provided information on proposed changes to the Streetwise Board to maintain the momentum of the growth of the company, and made recommendations, which had been endorsed by the Streetwise Strategic Board, regarding changes to the governance arrangements to reflect and strengthen the expected degree of Councillor-engagement in the oversight of the companies.

The Leader noted that the proposed structure and boards for these companies as set out in Appendix A of the Chief Executive's report would split Streetwise into two separate companies, 'Streetwise Environmental Ltd' and 'RBC Enterprises Ltd' to remove Streetwise from the limitations imposed by the regulations for Teckal companies. The Leader also advised the recruitment of another non-executive director to Streetwise Environmental Ltd Board would bring further expertise into the company.

In seconding the recommendations, Councillor Edyvean noted his support for the proposals and of the benefits of the Council being able to create a sister company for Streetwise in order for Streetwise to grow commercially.

It was RESOLVED that:

- a) the revised structure and governance arrangements for the proposed group of companies set out in Appendix A and B to the report, be approved.
- b) the external advice from Anthony Collins and Grant Thornton be continued and retained to support the delivery of the documentation supporting these arrangements.
- c) the proposed changes and recruitment process to reconfigure the Streetwise Environmental Ltd Board as set out in Appendix C to the report, be approved.
- d) the Chief Executive, in consultation with the Leader, be delegated authority to approve any changes to these agreements and their final form, within the principles of the approved governance arrangements.

Reason for decisions

To enable the introduction of a new Corporate Structure and Governance Arrangements to enable the Streetwise Companies to grow and develop in the future, whilst retaining effective Councillor engagement.

45. Arena Car Parking Options

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations setting out potential options for enhancing and increasing the car parking facilities at Rushcliffe Arena. It was noted that after a year of operation, it had become apparent that there were certain pressure points on the existing car parking provision at the Arena, which could be alleviated by the provision of additional spaces and the reconfiguration of some of the existing space. It was noted that the car park frequently became busy at peak times of gym usage as well as when the Council Chamber and other rooms had been booked by external users.

The Portfolio Holder advised that it was proposed to make improvements to the car parking facilities over two phases. Phase 1 would include work to extend the surfaces of the rear car park to create an additional 80 parking spaces. Phase 1 work would also include the installation of an electric barrier to the rear car park to enable parking spaces to be reserved for conferences, events and Council meetings. Phase 2 of the car parking improvement scheme would improve the side and front areas of the car park preventing the improper use of disabled parking spaces by creating car parking spaces for vans and coach drop offs and would also include the installation of electronic vehicle charging points adjacent to the bike shelter.

The Portfolio Holder noted that Councillors had expressed concerns about the lighting at the entrance to the Arena and had requested improvements to lighting be included in any car park improvements in order to enhance

pedestrian safety. It was noted that Phase 1 of the car parking improvement scheme would cost £310,000 and that Phase 2 would cost £150,000, with works to be carried out between May and September 2018.

In seconding the recommendations, Councillor Upton welcomed the positive steps being taken to alleviate the pressure on the Arena car park and noted how encouraging it was that the number of external bookings for the Council's meeting facilities had increased.

It was RESOLVED that the improvements to the Arena car park (phase 1 and 2), as set out in Appendix A to the report, be approved.

Reason for decision

To alleviate pressure points on the car parking provision at the Arena by the provision of additional spaces and the reconfiguration of some of the existing spaces.

46. Exclusion of the Public

It was RESOLVED that under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 –on the grounds that they contained information relating to consultations or negotiations in connection with any labour relations matter arising between the authority and employees of the authority and information regarding financial or business affairs.

47. Relocation of Rushcliffe Borough Council Depot

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations seeking approval for the relocation of the Council's Abbey Road depot in West Bridgford. It was noted that Council's Corporate Strategy 2016-2020 identified the relocation of the Abbey Road depot as a strategic task in order to develop the property portfolio, to enhance the Council's financial position and to deliver improved community outcomes.

The Portfolio Holder advised that the purchase of land off Chapel Lane, Bingham in July 2017, as part of the Council's investment strategy had provided a viable new alternative to the site previously identified for the relocation of the depot. The report including details of the reasons why the site at Chapel Lane Bingham was the most suitable for the relocation of the depot. The report also contained alternative options for the relocation of the depot as well as reasons for their rejection.

The Portfolio Holder advised that any negative impacts that may be caused due to the relocation of the depot had been considered and mitigating actions built into the plans for the relocation. It was also noted that traffic for the depot

would be able to access the A46 without travelling through Bingham Town Centre.

In seconding the recommendations Councillor Mason noted that the Chapel Lane site would be a more suitable location for the depot as it was not in a residential area, like the current depot and that the site would be under Council ownership.

It was RESOLVED that:

- a) the proposed relocation of the Council garden waste service and Streetwise Environmental to Chapel Lane, Bingham be approved.
- b) the proposed lease of land and industrial unit at Chapel Lane, Bingham, to Streetwise Environmental on commercial terms, subject to agreement by the Streetwise Environmental Board, be approved.
- c) authority to finalise the terms of the lease be delegated to the Executive Manager – Operations and Transformation (Corporate Property Officer), in consultation with the Section 151 Officer and Portfolio Holder for Finance.
- d) officers continue investigation and negotiation with Nottingham City Council and Nottinghamshire County Council to enable the potential future relocation of Rushcliffe Borough Council grey/blue waste operational functions.

Reason for decisions

To 'develop the Council's property portfolio to enhance the Council's financial position and deliver community outcomes' is one of the strategic tasks within the Corporate Strategy 2016-2020.

48. Cotgrave Town Centre Land Transactions

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations seeking approval for the Council to acquire long leaseholds of units which were not currently in Council ownership in the Town Centre through land transactions in order to enable the Council to be able to gain control of the final row of shops to enable their redevelopment and improvement.

The officer's report provided information on the required actions needed in order to secure the leaseholds of units 1-3 in the town centre via land transactions in-line with valuations by independent RICS qualified surveyors. The report also contained alternative options for the units as well as reasons for their rejection.

In seconding the recommendations Councillor Moore was noted the Council's commitment to the ongoing regeneration project of Cotgrave Town Centre.

It was RESOLVED that:

- a) the proposal to secure the leaseholds of town centre units 1-3, via land transactions and in-line with valuations by an independent RICS qualified surveyor be approved.
- b) authority be delegated to the Chief Executive and Section 151 Officer, in consultation with the Portfolio Holder for Economy and Business, to negotiate the completion of the negotiations to secure units 1-3.
- c) the allocation in the Council's Capital Programme for the Cotgrave Regeneration scheme be used to fund the acquisition costs with the understanding that the allocation may need to be reviewed once the procurement exercise for the town centre is carried out in Spring 2018.

Reasons for decisions

To support the long-term regeneration of Cotgrave and to facilitate the delivery of economic growth in the area and contribute to ensuring a sustainable, prosperous and thriving local economy.

The meeting closed at 7.38pm.

CHAIRMAN

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 <p>Rushcliffe Borough Council</p>	<p>Cabinet</p> <p>13 March 2018</p> <p>Revenue and Capital Budget Monitoring 2017/18 – Quarter 3 Update</p>	<h1>4</h1>
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Report of the Executive Manager – Finance and Corporate Services

Cabinet Portfolio Holder for Finance Councillor G S Moore

1. Summary

- 1.1. This report presents the budget position for revenue and capital as at 31 December 2017, the details of which were considered by the Corporate Governance Group (CGG) on 8 February 2018. Given the current financial climate it is imperative that the Council maintains due diligence with regards to its finances and ensures necessary action is taken to maintain a robust financial position.
- 1.2. At its meeting on 19 February 2018, the Strategic Growth Board supported a request to Cabinet to allocate £50,000 of the current projected underspend to the Strategic Growth Board budget, which is covered in the recommendations.
- 1.3. The Ministry of Housing, Communities and Local Government has recently confirmed that it has changed the methodology for calculating the compensation for Small Business Rate Relief, as a result of the changes in the discretionary rates scheme announced in the Government's Spring Budget, March 2017. As a result, the Council will therefore receive approximately £257,000 extra Section 31 grant than previously budgeted.
- 1.4. Taking these proposed changes into account the projected revenue outturn amounts to £577,000, of which £454,000 relates to additional government funding during the year notably regarding business rates relief changes as a result of the Spring Budget in 2017.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) note the projected revenue and capital budget positions for the year of £577,000 revenue efficiencies, and £10,587,000 from capital scheme re-phasing and potential savings; and
- b) approve £50,000 to be appropriated from the current year projected underspend position to replenish the Strategic Growth Board budget.

3. Reasons for Recommendation

- 3.1. To demonstrate good governance in terms of scrutinising the Council's on-going financial position and compliance with Council Financial Regulations.

4. Supporting Evidence

Revenue Monitoring

- 4.1 The revenue monitoring statement by service area is attached at **Appendix A** with detailed variance analysis as at 31 December 2017 attached at **Appendix B**. This shows projected efficiency savings of £193,000 and additional funding of £454,000. This could still change throughout the remainder of the year as managers continue to drive cost savings, and raise income, against existing budgets and there will be likely requests for carry forwards.
- 4.2 **Appendix A** includes a Minimum Revenue Provision (MRP) of £1 million. This is a provision that the Council is required to make each year to cover the internal borrowing costs for the Arena which will be funded by New Homes Bonus.
- 4.3 As documented at **Appendix B** the financial position to date reflects a number of positive variances including employee cost savings, savings from contracts, additional green waste income, investment income and recovery in housing benefit overpayments. The Council has also received an additional S31 grant for Flexible Homelessness Support which will support additional staffing resources included in the 2018/19 budget.
- 4.4 There are several negative variances, including an increase in the cost of insurance, variations in the cost of contracts, and an increase in the cost of NNDR (Business Rates) at East Leake Leisure Centre and the Arena following the 2017 national rates revaluation exercise.
- 4.5 Following the close of a consultation exercise in January 2018, the Ministry of Housing, Communities and Local Government indicated that the methodology for calculating the compensation for Small Business Rate Relief will be changing. It has now been confirmed that the revised methodology has been approved and will result in higher levels of S31 grant 'on-account' compensation. The Council will therefore receive approximately £257,000 extra grant than previously budgeted (this figure could change marginally depending on the final amount of reliefs given). The timing of the receipt of this information meant that the projected year-end efficiency position considered by the Corporate Governance Group, at its meeting on 8 February 2018, did not include this alteration.
- 4.6 At October Cabinet, the use of a maximum of £20,000 of the revenue efficiencies towards a business case feasibility assessment concerning Bingham Leisure Centre was approved.
- 4.7 At its meeting on 19 February 2018, the Strategic Growth Board supported a request to Cabinet to allocate £50,000 of the current projected underspend to the Strategic Growth Board budget. The Strategic Growth Board was established in late 2014 and it was originally allocated a budget of £100,000. In 2016, a further £50,000 was added and currently there is £44,622 remaining in the budget, with commitments amounting to £19,000.

- 4.8 Taking into account these changes, this will increase the projected revenue efficiencies for the year to £577,000, of which £454,000 relates to higher than anticipated government funding, as detailed in **Appendix B**.

Capital Monitoring

- 4.9 The updated Capital Programme monitoring statement as at 31 December 2017 is attached at **Appendix C** which provides further details and the progress of the schemes and both re-phasing and potential savings of £10,587,000. A summary of the projected outturn and funding position is shown in the table below:-

CAPITAL PROGRAMME MONITORING - DECEMBER 2017			
EXPENDITURE SUMMARY	Current Budget £000	Projected Actual £000	Projected Variance £000
Transformation	17,127	8,251	(8,876)
Neighbourhoods	2,208	1,267	(941)
Communities	399	229	(170)
Finance & Corporate Services	8,381	7,781	(600)
Contingency	170	170	-
	28,285	17,698	(10,587)
FINANCING ANALYSIS			
Capital Receipts	(15,277)	(13,222)	2,055
Government Grants	(5,167)	(1,947)	3,220
Other Grants/Contributions	(1,969)	(1,340)	629
Use of Reserves	(3,189)	(289)	2,900
Internal Borrowing	(2,683)	(900)	1,783
	(28,285)	(17,698)	10,587
NET EXPENDITURE	-	-	-

- 4.10 The original Capital Programme of £15.1 million has been supplemented by a net brought forward and in-year adjustments of £13.2 million giving a revised total of £28.3 million. This is an ambitious capital programme which will see completion of two major redevelopment schemes: Cotgrave Multi-service Centre and Cotgrave Employment Land. The variance of £10.5 million is largely down to five schemes:

- £2.7m re-phasing of Cotgrave Regeneration and the Multi Service Centre.
- £5m in relation to development of Land North of Bingham which is no longer going ahead this year and has been recommended to be removed from the 2017/18 programme with a view to reallocating the LEP element (£2.5 million) of the provision in the 2018/19 programme.
- At its meeting on 17 July 2017, Cabinet approved the Capital carry forwards, which included provision of £100,000 for the refurbishment of the Rushcliffe Community Contact Centre.
- £750,000 in relation to RAF Newton site which is no longer going ahead this year and has been recommended to be removed from the 2017/18 programme. It is intended to reallocate this provision and include in the 2018/19 programme.
- £770,000 slippage on Support for Registered Housing Providers. One scheme has been identified and it is estimated that the start on site grant will be released by the year end.
- £600,000 slippage on the release of the loan to Nottinghamshire County Cricket Club.

Summary

4.11 The report projects overall efficiency savings for both revenue and capital (along with budget re-phasing). It should be noted opportunities and challenges can arise during the year which may impact on the projected year-end position. There remain external financial pressures from developing issues such as the impact of the localisation of business rates, welfare reform, and continued financial pressures on individuals, businesses and partners; with heightened risks as a result of Brexit. Against such a background, it is imperative that the Council continues to keep a tight control over its expenditure, identifies any impact from income streams and maintains progress against its Transformation Strategy.

5 Risk and Uncertainties

5.1 Failure to comply with Financial Regulations in terms of reporting on both revenue and capital budgets could result in criticism from stakeholders, including both members and the Council's external auditors.

5.2 Areas such as income can be volatile according to external pressures such as the general economic climate. For example, planning income is variable according to the number and size of planning applications received and property assets are subject to risks such as void periods and property valuation volatility.

5.3 Changes to government funding in areas such as business rates relief will impact upon the final revenue outturn position.

6 Implications

6.1 Finance

Financial implications are covered in the body of the report.

6.2 Legal

None.

6.3 Corporate Priorities

Changes to the budget enable the Council to achieve its corporate priorities.

6.4 Other Implications

None.

For more information contact:	Peter Linfield Executive Manager – Finance and Corporate Services 0115 914 8439 plinfield@rushcliffe.gov.uk
Background papers Available for Inspection:	Council 2 March 2017 – 2017-18 Budget and Financial Strategy Cabinet 13 September 2017 – Revenue and Capital Budget Monitoring Update, Quarter 1 2017-18 Cabinet 5 December 2017 – Revenue and Capital Budget Monitoring Update, Quarter 2, 2017-18
List of appendices (if any):	Appendix A – Revenue Outturn Position 2017/18 – Quarter3 Appendix B – Revenue Variance Explanations Appendix C – Capital Programme 2017/18 – Quarter 3 Position

Revenue Outturn Position 2017/18 – Quarter 3

	Quarter 3			
	Original Budget £'000	Revised Budget £'000	Projected Outturn £'000	Variance £'000
	Excluding recharges			
Communities	1,219	1,194	1,168	-26
Finance & Corporate Services	3,403	3,351	3,242	-109
Neighbourhoods	3,936	4,010	4,012	2
Transformation	2,885	2,995	2,935	-60
Sub Total	11,443	11,550	11,357	-193
Capital Accounting Reversals	-1,587	-1,587	-1,587	0
Minimum Revenue Provision	1,000	1,000	1,000	0
Net Service Expenditure	10,856	10,963	10,770	-193
Revenue Contribution To Capital	158	158	158	0
Transfer to/(from) Reserves	-27	-134	256	0
Total Net Service Expenditure	10,987	10,987	11,184	-193
Grant Income (including New Homes Bonus)	-2,334	-2,334	-2,467	-133
Business Rates (including SBRR)	-2,561	-2,561	-2,882	-321
Council Tax	-6,074	-6,074	-6,074	0
Collection Fund Surplus	-18	-18	-18	0
Total Funding	-10,987	-10,987	-11,441	-454
Total Variance	0	0	-257	-647

Revenue Variance Explanations (over £15k)

ADVERSE VARIANCES in excess of £15,000	Projected Outturn Variance £'000
Finance & Corporate Services	
Insurances - Increases in the Motor Insurance Premium and Insurance Premium Tax	20
Council Tax - Legal & Professional	20
Electoral Registration - External Printing	20
Transformation	
Economic Development - Feasibility Costs	20
Office Accommodation – Actual valuation of the Arena NNDR (Business Rates) by Valuation Office	70
Neighbourhoods	
Leisure Centres - East Leake NNDR (Business Rates) revaluation and increase in contract price	21
Leisure Centres - Repairs	19
Total Adverse Variances	190

FAVOURABLE VARIANCES in excess of £15,000	Projected
	Outturn Variance £'000
Communities	
Community Parks & Open Spaces - Renegotiated catering contracts at Rushcliffe Country Park	-15
Development Control - Staff Vacancies	-18
Building Control - Income	-20
Finance & Corporate Services	
Council Tax - Staff vacancies	-18
Housing Benefit - overpayments recovered	-150
Performance & Reputation - Staff Vacancies	-23
Contingency	-50
Interest Receipts	-47
Transformation	
IT rechargeables - savings from contracts	-50
Economic Development - Strategic Board Fund and Shop Fronts	-60
BSU - Staff vacancies	-19
Customer Services - Staff vacancies	-15
Neighbourhoods	
Waste Collection and Recycling - Green waste income above target	-88
HIMO income release of prepaid licences	-17
Total Favourable Variances	-590
Sum of Minor Variances	207
TOTAL VARIANCE	-193

FUNDING VARIANCES	Projected Outturn Variance £'000
Original Funding:	
Business Rates – largely additional Small business Rates Relief compensation	-321
Grant Income (including New Homes Bonus)	-8
Additional S31 Grants:	
Flexible Homelessness Support Grant	-74
New Burdens - DHP Administration Grant	-11
New burdens funding	-12
IER funding	-19
New Burdens - Benefit Cap	-5
Other	-4
TOTAL VARIANCE	-454

Capital Programme 2017/18 – Quarter 3 Position

CAPITAL PROGRAMME MONITORING - DECEMBER 2017							Explanation
	Original Budget	Current Budget	Budget YTD	Actual YTD	Projected Actual	Variance	
TRANSFORMATION		£000	£000	£000	£000	£'000	
Cotgrave Regeneration & MSC	2,920	4,616	3,462	425	1,927	(2,689)	Contracts completed and works started on site. £2.189m to be slipped into 2018-19, £0.5m to be slipped into 2019-20.
Cotgrave Employment Land	0	1,477	1,108	1,268	1,477	0	Units complete and nearly wholly let.
Land North of Bingham	2,800	5,387	0	0	0	(5,387)	Leisure and Wellbeing land acquired and due for disposal. Cabinet 9 January 2018 recommended the removal of the £2.5m LEP funding allocated to the Land North of Bingham (match funded with £2.5m New Homes Bonus) from the 2017/18 programme as it is no longer required for the original scheme. The LEP element of the scheme to be provisionally reallocated and included in the 2018/19 Capital Programme.
Bingham Land off Chapel Lane	0	1,800	1,580	1,593	1,800	0	Land acquisition complete. Remediation costs still to be incurred.
Highways England Footbridge A46	1,700	0	0	0	0	0	Cabinet 10.10.17 approved slippage of the provision to 2018/19.
Bridgford Hall	0	205	107	112	205	0	Final contract costs and retention to be processed.
RAF Newton	750	750	0	0	0	(750)	Cabinet 9 January 2018 recommended the removal of the LEP funding from the 2017/18 Capital Programme as it is no longer required for the original scheme. This sum is to be provisionally reallocated and included in the 2018/19 Capital Programme.
The Point	25	25	0	6	25	0	Works scheduled for the end of the year.

Arena Car Park Enhancements	500	500	0	3	500	0	Tender exercise commenced, scheme might slip.
Colliers Way Industrial Units	0	20	0	0	20	0	Interdependent with Barratt's housing development.
Bardon Investment Property	0	1,917	1,917	1,903	1,917	0	Asset Investment Committee approved acquisition.
RCCC Enhancements	0	100	0	0	100	0	Works to be commissioned.
Information Systems Strategy	165	330	159	126	280	(50)	
	8,860	17,127	8,333	5,437	8,251	(8,876)	
NEIGHBOURHOODS							
Wheeled Bins	70	90	45	61	90	0	Budget to be fully spent by year end
Vehicle Replacement	20	240	190	187	188	(52)	Planned replacements complete in July, balance available
Support for Registered Housing Providers	250	909	0	10	140	(769)	One scheme identified at £275,100 split 50/50 2017/18 and 2018/19. Some staff costs will also be capitalised.
Beaumont Lodge - Heating	40	0	0	0	0	0	Cabinet 10.10.17 approved slippage of the provision to 2018/19.
Assistive Technology	0	12	10	10	12	0	
Discretionary Top Ups	0	106	80	42	106	0	
Disabled Facilities Grants	375	412	309	441	467	55	£55k additional funding has been offered and a request for a further £120k has been made.
Arena Redevelopment	500	183	0	0	58	(125)	Final costs to be processed 1% overall saving projected
Car Park Machines	0	50	48	42	50	0	Machines installed, final payment to be made to commit to full spend of 50k.
Car Park Improvements - Lighting	50	50	0	0	0	(50)	Works to be scoped with West Park Lighting likely to be 2018/19.
BLC Artificial Turf Pitch		10	0	0	10	0	Works complete and in defects period.
BLC Improvements	130	130	0	3	130	0	The schedule of works is being drawn up.
EGC Upgrade Facilities	0	16	0	0	16	0	Improvements largely complete, electrics work still to do.
	1,435	2,208	682	796	1,267	(941)	
COMMUNITIES							

Capital Grant Funding	48	100	30	41	80	(20)	There are 6 applications in the pipeline totalling £39,270. £20,000 still available for allocation.
Play Areas - Special Expense	50	100	0	0	0	(100)	External funding being sourced. This provision will need to slip to 2018/19.
West Park Fencing and Drainage	0	34	21	21	34	0	Fencing element complete, drainage work to be commissioned.
West Park Lighting	25	25	0	0	0	(25)	Works to be scoped with general Car Park lighting scheme likely to be 2018/19.
RCP - Car Park	90	90	0	0	90	0	This scheme has been delayed until Feb but will still be this financial year.
Gamston Community Centre - Heating	30	0	0	0	0	0	Cabinet 10.10.17 approved slippage of the provision to 2018/19.
Warm Homes on Prescription	0	50	0	0	25	(25)	Better Care Funding secured. 1 grant approved, 3 pending.
	243	399	51	63	229	(170)	
FINANCE & CORPORATE SERVICES							
RCCC Loan	1,400	1,798	1,349	760	1,198	(600)	The loan is being released in tranches. Balance will need to be carried forward.
Asset Investment Strategy	3,000	6,583	0	0	6,583		Individual schemes dealt with via investment appraisal.
	4,400	8,381	1,349	760	7,781	(600)	
CONTINGENCY							
Contingency	190	170	0	0	170	0	£100,000 allocated for the upgrade of facilities at RCCC (see Transformation projects).
	190	170	0	0	170	0	
TOTAL	15,128	28,285	10,414	7,055	17,698	(10,587)	

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 <p>Rushcliffe Borough Council</p>	<p>Cabinet</p> <p>13 March 2018</p> <p>Progress Report and Review of the Planning Peer Challenge Recommendations</p>	<h1>5</h1>
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Report of the Executive Manager – Communities

Cabinet Portfolio Holder for Housing and Planning Councillor R Upton

1. Summary

- 1.1. This report provides an update on progress made in delivering the actions arising from the Planning Peer Challenge, with particular reference to the introduction of controlled public speaking at Planning Committee and any changes which have been introduced. The Planning Peer Challenge review was conducted between 15 – 17 February 2017 and looked at the Council's planning services and the challenges faced delivering the significant growth agenda. Following publication of the final report, an action plan was agreed in response to the key issues identified in the report.
- 1.2. For ease of reference, a copy of the final Planning Peer Challenge report is attached as **Appendix 1**. The recommendations from the report cover the key elements which are set out below:
 - **Planning Committee** – to improve public engagement and provide a refocus of the committee on strategic decision-making
 - **Resources** – Review development management and planning policy resources
 - **Support quicker implementation of growth** - use programme management to take an overview of the strategic sites and have flexibility to switch resources. Explore further opportunities for support from the Local Enterprise Partnership and Joint Planning Advisory Board (JPAB)
 - **Strategic Growth Board** – Examine opportunities for the current strategic growth board to develop or support creation of a 'strategic projects delivery board'
- 1.3. The action plan contained in **Appendix 2** identifies the actions to address these recommendations and provides an update on the delivery of each action.

2. Recommendation

It is RECOMMENDED that:

- a) Progress in delivering the actions identified in the Action Plan is noted.

- b) The changes made to public speaking protocol are formally adopted (attached as **Appendix 3**).
- c) Minor changes to the public speaking protocol be delegated to the Executive Manager – Communities in consultation with the Portfolio Holder for Planning and Housing and Chairman of the Planning Committee.

3. Reasons for Recommendation

The delivery of the action plan will ensure the Council's planning services are aligned to delivering the significant growth agenda. Furthermore, public engagement with the planning service has been enhanced through improved committee procedures, including but not limited to controlled public speaking.

4. Supporting Information

- 4.1. Following receipt of the final report from the Planning Peer Challenge, an action plan was formulated to deliver the recommendations in the report. The Action plan is attached to this report as an Appendix and provides the current situation with regard to each of the actions. The majority of these actions are now completed.
- 4.2. A number of changes have been made to the Planning Committee and procedures, including changes to the layout of the furniture in the Council Chamber to improve visibility, audibility and engagement with any members of the public in attendance at the meeting, the start time of the committee has been changed, starting at 6.30pm as opposed to the previous time of 7pm, and the number of Councillors serving on the committee has been reduced to 11 and the composition has changed as a result of the reduced membership. In addition, the ex-officio members have been removed from the committee and members of the Cabinet no longer sit on the Committee.
- 4.3. One of the most significant changes to the Planning Committee has been the introduction of controlled public speaking. This was first introduced at the meeting in July 2017 and since that date the process has been monitored, including any feedback received from Councillors and third parties. Since its introduction, a number of changes have been introduced in consultation with the Chairman of the Committee and the Portfolio Holder for Planning and Housing, as follows:
 - Digital clock has been introduced to assist speakers keeping track of time.
 - The time allocated to speakers has been equalised, i.e. applicant, objector and Ward Councillor all have five minutes each.
 - Speakers are called forward to sit at the designated table one at a time (when public speaking was first introduced, all speakers sat at table together, feedback was received to the effect that this could be intimidating to the people speaking).

- 4.4. An updated version of the public speaking protocol, incorporating the changes which have been made, is attached as **Appendix 3**. The changes to the protocol relate to the equalisation of the allocated time for speaking, with all parties having a maximum of five minutes.
- 4.5. As part of this review of the changes, Councillors were invited to submit comments on the changes that have been introduced and the following is a summary of the feedback received:
- a. Changes have been mainly positive, working well – the change of name and absence of ex-officio members.
 - b. Start time works but may be a struggle for those who work full time.
 - c. The reduced membership is more debatable. Maybe membership should mostly proportionately reflect the population distribution and an even geographic spread. Interested members of the public may see that some local knowledge is relevant.
 - d. Should Parish Council have right to speak although this may present an imbalance for West Bridgford – Local Area Forum could perhaps be treated same as Parish Council.
 - e. Some people have commented that they have received information about the meeting too late.
 - f. Do not agree that Planning Committee should primarily deal with strategic matters – is this not the role of the Local Development Framework group?
 - g. The introduction of public speaking has gone well.
 - h. All speakers well briefed prior to the meeting on what to expect and the countdown clock makes everything visibly fair.
 - i. Wise to avoid any cross examination or questioning of them by officers and Committee members.
 - j. Most speakers have not needed their full time slot and nobody has had to be cut off.
 - k. Changes to protocol have been readily accepted by Committee members as fair and sensible – equalising the speaking time, with a special procedure for handling big applications – these changes should now be given official status.
 - l. Presentations have been very helpful in clarifying issues.
 - m. Down side is that deliberations on applications are taking longer.

- n. Where an application site is in one Ward but may affect an adjacent Ward, there should be provision for an adjacent Ward Councillor to speak at Committee.
 - o. The clock may be daunting to somebody who is not used to public speaking and may inhibit proper delivery of a presentation – is this a legal formality?
 - p. Question whether Councillors should be a maximum time for councillors to speak in the debate, say 15 minutes? Despite efforts of Chairman to control the length of time councillors speak, on occasions some Councillors have spoken for 20 to 25 minutes.
- 4.6. The feedback to date from members of the public and Councillors confirms that the introduction of public speaking has been a positive change and has not in itself made a significant difference to the length of the meetings. There are a number of the comments above which require some response/clarification.
- 4.7. The use of the countdown clock is not a legal requirement; however, when undertaking research prior to the introduction of public speaking, it was apparent that the use of a clock or some form of light system to alert speakers to the available time was not uncommon with other authorities that operate public speaking. There have been no other concerns raised about the use of the clock.
- 4.8. The issue of the facility for Parish/Town Councils to speak at committee has been raised previously. All interested parties who have commented on a planning application receive notification when the application is due to be considered by the Planning Committee and are given the opportunity to register to speak. The Parish/Town Council, if objecting to an application, can register to speak as the objector. The exception to this, as set out in the protocol, would be where different measures are adopted for large/complex applications, as was the case when the committee considered the application for land south of Clifton and a specific slot was allocated for Parish Council(s) to speak.
- 4.9. The issue of multiple Councillors speaking on an application, particularly in a multi Councillor Ward, has been discussed previously. To date, when a Councillor has spoken from a multi Councillor Ward, they have, on occasions, made it clear that they were also speaking on behalf of the other Councillors from the Ward. This approach is also considered to be appropriate when a site may have an impact on an adjacent ward, by reason of scale and/or proximity to the ward boundary. Alternatively, in this instance, the Ward Councillor and adjacent Ward Councillor could share 5 minutes, perhaps at the discretion of the Chairman.
- 4.10. There is a suggestion that the new arrangements have resulted in deliberations on applications taking longer. A suggestion has also been made that the members of the Committee could be limited on the length of

time they speak during the debate. Ultimately it is the role of the Chairman to manage the meeting and, whilst not stifling debate, to avoid repetition and discussion of matters which are not material to the consideration of the application. There is also the opportunity for members of the Committee to raise questions/points of clarification with officers in advance of the meeting to avoid a protracted debate with points of clarification/questions being raised at the meeting.

- 4.11. It was not intended that the Committee should only deal with strategic matters, although there should be more of a focus of strategic issues. The Peer Review attended a Planning Committee during their visit and the final report contains the observation that, *“It was clear to us that at least two members of the committee were clearly representing their ward interests only...”* The role of the Planning Committee is to consider applications on a Borough wide basis, and to take decisions in line with planning policy and material considerations, operating strategically and it should not be parochial.
- 4.12. At the present time, it is not proposed to make further changes to the Planning Committee, and in particular to public speaking, although this does not preclude changes being considered and introduced at a later date. In the interest of expediency, it is considered that minor changes to the public speaking protocol should be delegated to the Executive Manager – Communities in consultation with the Portfolio Holder for Planning and Housing and Chairman of the Planning Committee.

5. Risk and Uncertainties

None.

6. Implications

6.1. Finance

There are no direct financial implications associated with this report. Future resource decisions will be considered as part of future budget reporting and consideration of the Council’s broader Medium Term Financial Strategy.

6.2. Legal

There are no legal implications arising directly from this report.

6.3. Corporate Priorities

The delivery of high performing planning and growth services supports all three of the Council’s corporate priorities of ‘delivering economic growth to ensure a sustainable, prosperous and thriving local economy’, ‘maintaining and enhancing our residents quality of life’ and ‘transforming the Council to enable the delivery of efficient high quality services.

For more information contact:	David Mitchell Executive Manager – Communities 0115 914 8267 dmitchell@rushcliffe.gov.uk
Background papers Available for Inspection:	None
List of appendices (if any):	Appendix 1 – Planning Peer Challenge final report dated 14 March 2017 Appendix 2 – Action Plan Appendix 3 – Public Speaking Protocol



Planning Improvement Peer Challenge

Rushcliffe Borough Council

On site February 15th – 17th 2017

Final Report March 14th 2017



Rushcliffe
Borough Council

1.0 Executive Summary

1.1 The Council's planning service performs well on many indicators and is valued by its customers and users. Developers and agents particularly appreciated the accessibility of planning officers and stated that the service was good to deal with. Speed of deciding planning decisions is good.

1.2 Delegated officer decision making at 94 per cent is high and is in line with the best performing councils. The planning service enables a wide range of development on the ground including new public buildings and conservation of listed buildings for new uses. Quality of all planning decision making measured by appeals upheld, is generally good although performance on this measure declined in the last year.

1.3 Opportunities exist to improve public engagement at the development management committee. We list a number of key recommendations in section 2 including the introduction of public speaking. To signal a refocus of the committee on strategic decision-making we suggest renaming the development control committee to the planning Committee. Getting the committee members involved in earlier discussions on major schemes also offers potential to improve the local acceptability of development, increase efficiency and shape future development.

1.4 Growth is clearly important to the future of the Borough and prioritised in the corporate plan. Through the duty to cooperate, significantly higher housing growth than previously experienced in Rushcliffe is required to meet the needs of the wider Nottinghamshire and Derbyshire housing market area. The local plan (core strategy): part 1 allocates six strategic housing sites for the majority of the 13,150 houses needed. All these have significant infrastructure requirements, in particular highway improvements.

1.5 The Council continues to be proactive in unlocking the major housing sites using planning powers, partnership working, community leadership and economic growth funding bids. It is achieving particular success in attracting Growth Fund money to fund upfront infrastructure and working with Nottinghamshire County Council and Highways England on planning strategic highway works. It has achieved success at Edwalton, especially in using its development management powers in a creative way.

1.6 Present house building numbers match identified need. But the delivery trajectory for housing numbers falls considerably from 2018. This is a major concern for the Council, especially as the annual housing target shows a sharp increase at the same time. The Council only has a 3.4 year housing land supply against a 5 year requirement. Due to this, house builders are already making predatory applications in non-sustainable areas of Rushcliffe. At a recent appeal for houses in a non-allocated area, a Planning Inspector has recognised the efforts of the Council to stimulate housing. This forms the basis of a good 'defensive' strategy to support the aims of the adopted core strategy.

1.7 The Council's efforts to speed up housing development are wide ranging and good building blocks are in place. But we offer some recommendations to ensure that it is

maximising its internal and partnership efforts. These include increasing partnership resources through joint working, especially with the Local Economic Partnership (LEP). The Council must also ensure unrelenting focus on using its internal resources, including its planning staff and strategic growth board, to drive growth.

2.0 Recommendations

2.1 Planning Committee

Ensure the Committee focuses its capacity on decision-making in the strategic interests of the Borough as a whole by ensuring the committee primarily focuses on those applications which are of major importance or of significance to the area, by:

- introducing a filter into the decision making process to ensure that the committee deal with the most appropriate applications:
- ensuring that ward councillors provide sound planning reasons, supported by planning policy, when asking for decisions to be taken by committee (could be in the form of a template): and
- ensuring that all councillors who serve on the committee understand their role and when acting as a ward member ensure that they remove themselves from the committee and do not take part in the decision making process.

Review the protocols and guidance for the existing development control committee including;:

- calling it the Planning Committee to emphasise its strategic role;
- ensuring it primarily deals with strategic planning decisions;
- introducing controlled public speaking and better management of time at the planning committee meetings (for councillors, public speakers and ward members);
- removing ex officio roles;
- reducing its size;
- changing the timing/length of meetings;
- revising seating arrangements for better visibility, accountability and audibility;
- considering introducing webcasting once public speaking has bedded down; and

- considering member briefings in advance of committee to address issues that can prolong committee meetings and adversely affect the reputation of the Council.

Ensure that members of the planning committee receive bespoke training including:

- devising a programme of training (agreed by members) at the start of the year;
- detailed induction and minimum 2 year refreshers; and
- focus on understanding policy, material considerations and the National Planning Policy Framework (NPPF).

2.2 Resources

Review development management and planning policy resources to ensure these are directed to delivering strategic growth through a greater focus on adoption of Part 2 of the Local Plan and the “major major” planning applications including reviewing whether;

- existing development management resources are aligned with the current needs of the Council in terms of a focus on growth and major applications (including a review of processes, systems, reporting and performance management);
- existing planning policy resources are aligned with the need to deliver on a robust local plan part 2; and
- the service understands the demand, volumes and types of work flowing into the department and that resources available are set up optimally to process and make good quality, timely decisions. In other words do the small applications currently take up a disproportionate amount of the time available and are planning policy staff spending too much time on other matters?

2.3 Support quicker implementation of growth:

- use programme management to take an overview of the strategic sites and have flexibility to switch resources between different teams and different sites to facilitate the delivery of a pipeline of development;
- use a 'development team' approach to focus on the key barriers to delivery (include outside agencies where necessary) on key sites such as Gamston and South Clifton – and ensure close strategic working with Nottingham City and Nottinghamshire County Councils;
- explore the offer from the Local Enterprise Partnership to become more involved in the delivery of housing growth in the Borough. Work with the Chair of Joint Planning Advisory Board (JPAB) to refocus its work on the delivery of the local

plan – especially its allocated housing sites, as these are necessary to deliver the “sub-regional” housing need and not just Rushcliffe’s;

- concentrate planning policy resources on the preparation and adoption on the local plan part 2 so that smaller, easier to develop sites, can be released to ease the five year housing land supply problems in the medium term. There is a growing risk to the plan led approach if this is not adopted within a short period of time; and
- build a “defensive strategy” based on the delivery that has already taken place in the Borough to use at “predatory appeals”. However this approach will only work if the local plan part 2 is adopted quickly.

2.4 Strategic Growth Board

Examine opportunities for the current strategic growth board to develop or support creation of a ‘strategic projects delivery board’ that can bring together all key public sector players – principally the City and County Councils; Homes and Communities Agency (HCA) and Highways England to maximise key partner energy and finance.

3.0 Background and scope of the peer

3.1 This report is a summary of the findings of a planning improvement peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet individual councils’ need. Indeed they are designed to complement and add value to a council’s own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

3.2 The peer challenge involves an assessment against a framework for a local authority planning function which explores:

- **Vision and leadership** - how the authority demonstrates high quality leadership to integrate spatial planning within corporate working to support delivery of corporate objectives;
- **Community engagement** – how the authority understands its community leadership role and community aspirations. Then how the authority uses spatial planning to deliver community aspirations;
- **Management** - the effective use of skills and resources to achieve value for money, accounting for workload demands, ensuring capacity and managing the associated risks to deliver the authority’s spatial vision;

- **Partnership engagement** – how the authority has planned its work with partners to balance priorities and resources to deliver agreed priorities; and
- **Achieving outcomes** - how the authority and other partners are delivering sustainable development outcomes for their area.

3.3 In addition as part of the peer challenge, Rushcliffe asked us to look at the following key areas:

- decision making in Development Control, including the balance of delegations and pragmatism and scrutiny within the decision making process;
- public and member engagement within the process of decision making. Current processes evaluated and advice given on the opportunity to increase public engagement and transparency, including public speaking, recording and filming. (This in the context of the council moving into a new office building);
- development control support for the Growth agenda – in particular an assessment of current council capacity, capability and resourcing in relation to working with developers, land owners and other local authorities to deliver current permissions within major sites; and
- methods available to leverage quicker development to meet the five year housing land supply obligations.

3.4 We agreed with the Council that our on-site feedback and report would be grouped around the three key themes of:

- development control decision making;
- development control support for the growth agenda; and
- supporting quicker implementation of housing growth.

3.5 Peers were:

- Mark Sturgess - Chief Operating Officer, West Lindsey District Council
- Cllr Andrew Proctor - Leader of the Council, Broadland District Council
- Karen Syrett - Place Strategy Manager, Colchester Borough Council
- Robert Hathaway - Peer Challenge Manager, LGA Associate

3.6 PAS and the LGA where possible will support councils with implementing the recommendations as part of the Council's improvement programme. It is recommended that the council discuss ongoing PAS support, including the cost of it, with Stephen Barker, Principal Consultant at stephen.barker@local.gov.uk. The LGA is currently discussing

support with the Council in relation to officer/member training. A range of other support from the LGA – some of this might be at no cost, some subsidised and some fully charged is available <http://www.local.gov.uk>. For more information contact Mark Edgell Mark.Edgell@local.gov.uk.

3.7 As part of the peer challenge impact assessment and its evaluation, PAS or the LGA may get in touch in 6-12 months to find out how the Council is implementing the recommendations and what beneficial impact there has been.

3.8 The team appreciated the welcome and hospitality provided by Rushcliffe Borough Council and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contribution.

4.0 Development Management Decision Making

Performance

4.1 The Council benefits from a stable, cohesive and well managed planning team. We met a majority of the approximately 20 staff involved in development management, planning policy, enforcement and specialist support and found an extremely well-motivated and committed group of professionals. It was clear from our interviews that there was a strong team approach to facilitating a wide range of new buildings, open space and infrastructure in the Borough. Through this there is also a good positive working relationship between councillors and officers.

4.2 Planning staff told us that the Council's recent move to a purpose built building at Rushcliffe Arena was already allowing even greater integration with supporting services including economic development and strategic housing. This very modern new working environment providing co-location of officers with good accessibility to managers, offers strong potential for even greater joint working to meet the Council's Growth agenda.

4.3 The Council receives approximately 1,200 planning applications per year and up to 400 related submissions for discharge of planning conditions and requests for non-material amendments. It also deals with up to 1,000 preliminary enquiries each year. Based on a range of measures often used to assess the quality of development decision-making – Rushcliffe performs well. We found a good focus on performance management with appropriate scrutiny and support provided by an experienced service manager. Executive management team provide further management support through a service-wide 'performance clinic' held every six to eight weeks.

4.4 In terms of speed of decision-making the Council has successfully focused its resources and performance monitoring on major applications. In 2016 performance rose significantly with the majority of quarter periods showing that the Council has dealt with over 80 per cent of 'major' applications within 8 or 13 weeks or an agreed extended period. This provides a rolling two year average of 65 per cent which is good performance. In

relation to 'minor' and 'other' applications, the service recorded a two year rolling average performance at 80 per cent against the 8 week target. This further demonstrates a good focus on speed as part of a quality decision making process.

4.5 When measured by appeal decisions, the Council is broadly in line with national averages. This is despite a rise in lost appeals over recent years partly as a result of committee overturns. In 2014/5 the Council won 87 per cent of appeals made against its planning decisions, dropping to 70 per cent in 2015/6 and standing at 62 per cent for the first three quarters of 2016/7. Overturns of officer recommendations by development control committee for the past three years have hovered around 15 per cent (for example in 2016, 14 out of 99 decisions). Overall these are relatively low numbers. We are also aware that the Council has a good system of reporting the results of appeals back to the development control committee to assist learning.

Customer access

4.6 We spoke to a range of planning agents, architects and other customers who had recently submitted planning applications to the Council or who had regular ongoing engagement with the planning service. We found general widespread support from customers who cited good accessibility to officers, and a strong commitment to finding solutions, as strengths of the service. The Council has enhanced its duty officer presence at its community contact centre in West Bridgford town centre to make it easier for the public and planning customers to make contact face to face. Architects and planning agents also commented on the Council's willingness to accept contemporary design solutions. We saw for ourselves examples of where such an approach had worked well in the area for example the new Medical Centre and adjoining Cadet Centre at West Bridgford.

4.7 The Council makes very good use of its partnership with its town and parish councils to engage with them over planning issues. We attended a town and parish council forum where the feedback on the performance of Rushcliffe's planning service was generally good. Again the accessibility of officers was highlighted for praise along with their willingness to meet to discuss issues and concerns, including on site.

4.8 Parish and town councils expressed concern about the lack of feedback on their comments on planning applications. This is not dissimilar to the situation in most other parts of England with planning services not having the capacity to complete the 'feedback loop'. But it is the case that all officer delegated and committee reports include and assess the town and parish comments and all officer and committee reports are accessible on the Council's website. It could help to use the annual town and parish council forum to discuss say one main development management issue a year to help provide a better shared understanding of opportunities and constraints on key issues. From our experience on other peer challenges at rural councils, invariably accessibility, affordable housing and design in a rural context are always hotly debated issues!

4.8 In terms of public engagement a minority of ward and parish councillors we spoke to were concerned that the service did not always make sure that all adjoining neighbours were consulted over planning applications. While we did not have time to undertake an audit of planning applications the Council assured us that on all applications it goes beyond the statutory minimum requirements and all neighbours are consulted. We were also not given any firm examples nor were there any adverse Ombudsman findings on such matters.

Delegation and Committee decision making

4.9 The Council's scheme of delegation is clear and results in the committee deciding less than 6 per cent of the planning applications (typically 70-100 applications) in any one year. Committee decisions cover a wide range from the area's largest residential, commercial and industrial schemes through to householder applications and discharges of conditions. In line with the scheme of delegation within the Council's Constitution, ward councillors can request that any matter comes before the committee if the officer proposes a contrary recommendation. Ward councillors do not need to indicate what planning reasons or material considerations they feel support the need for the application to be decided by committee.

4.10 The committee meets every four weeks in a modern room at Rushcliffe Arena and comprises 15 members and 2 ex officio members (leader and deputy leader). While the main Council offices are not located in the town centre they are on a bus route and co-located with one of its leisure centres and car parking is conveniently located. We attended a committee meeting and found that accessibility at the venue was excellent which supports public decision making being accessible to all.

4.11 The development control committee starts its meetings at 7pm and we were told regularly goes on past 10pm. The meeting we attended contained seven applications with no 'major major' applications but three major applications. This meeting lasted until 10.50pm. We feel that such a late finish does not support active public engagement or full consideration of applications which are later in the agenda.

4.12 We found the officers' committee reports for members to be clear and concise. Officer presentations at the committee set out clear evidence supporting the report recommendations and customer and public engagement was helped by three easily viewable large screens that showed site location, plans and photos. Audibility was something of a problem but we were assured that this was a teething issue as it was only the second time that the committee had met at its new venue. However, the seating arrangements meant that the members of the development control committee had their backs to the area in which the public and customers sat and there were no name plates to know who is who. This lack of visibility negatively impacts on the ability of customers and the public to feel engaged in the meeting. We also considered that having ward members who are not members of the committee mixed in with committee members did not allow the public to easily understand who was taking the decisions.

4.13 The Council asked for our views on whether the committee should introduce public speaking. We strongly advocate the introduction of controlled public speaking to enhance public engagement and ownership of the planning decision making process. This would bring the Council in line with the majority of planning decision making committees in England. We discussed public speaking with members of the planning committee and other councillors and found a majority in favour of it. We recognise that the Council would need to strictly control protocols around public speaking. We recommend that the Council introduces public speaking as part of a wider package of improvements that we itemise later in the report designed to support stronger engagement and efficiency.

4.14 Listening to the committee we were concerned that there was a blurring of some roles and responsibilities of members. It was clear to us that at least two members of the committee were clearly representing their ward interests only and appeared to be pre-determined to vote in a certain way before hearing the views of the committee. We were told that what we saw and heard was not a 'one off'. This suggests a misunderstanding among at least some members of the committee in relation to their role. The role and responsibility of members of the committee is to take decisions on behalf of the whole of the Borough in line with planning policy and material considerations. It is not to act as local ward councillors when taking decisions on applications in their wards.

4.15 Members of the committee told us that they would value consistent refresher training during the election cycles. We also think that members would benefit from a stronger understanding of the opportunities and constraints offered by national and local policy in relation to technical areas such as highway considerations and rural exception sites. This could take the form of informal briefings in the already allocated time slots for training before committee starts.

4.16 In overall terms we consider that the committee needs to become more strategic in its outlook. We suggest that the committee refocuses its energy and expertise on primarily those strategic planning decisions that are the most important for ensuring the long-term prosperity and success for all of its communities. In this way we want to encourage the Council to see a refreshed and renamed 'planning committee' as the primary strategic planning decision making body for Rushcliffe. Our recommendations are therefore designed to help committee focus as far as possible on strategic planning decisions, improve efficiency and increase public engagement and clarity.

4.17 In more detail and in order to support the committee in refocusing its energy and capacity we suggest that the Council considers:

- changing the name of the committee to signal a move away from 'development control' to a more forward looking and enabling 'planning committee';
- reviewing the protocols in relation to how planning applications are referred to committee and introduce appropriate 'hurdles' to ensure that committee's time is focused on the most important applications for the Borough;

- reducing the number of members on committee to concentrate decision making on fewer better trained members thereby increasing expertise and reducing potential ward member conflict. We suggest removing the ex officio members and decreasing membership to 9 to 11 members;
- rearranging the layout so that members of the committee are clearly visible to the public and planning customers along with suitably sized name plates and allocate a separate speaking area for ward councillors and public speakers;
- reviewing committee protocols to ensure that members of the committee wishing to speak as ward councillors, stand down from committee and not vote and speak from a separate location and are time limited to no more than 5 minutes (the same time limit and allocation to apply to ward councillors not on committee);
- reviewing committee protocols to allow public speaking limiting speakers to no more than 5 minutes for or against the proposal;
- reviewing the start time of the committee to make it as easy as possible for members of the public and planning customers to engage with decision making and to aim to achieve a more consistent end time (we would suggest 10pm as a maximum) to support officer and member capacity and well-being;
- developing a training plan for committee members that allows for high quality induction and refresher events including effective decision making based on planning policy and material considerations; and
- introducing member briefings on major or controversial applications to address issues at an early stage and avoid protracted discussion at committee meetings.

4.18 Any new protocol would need to ensure that under exceptional circumstances the chair of committee in association with relevant officers could vary the process.

5.0 Development Management Support for the Growth Agenda

Vision and Aims

5.1 The Council's political priority for growth of the area is clearly articulated in its corporate strategy and supporting objectives and plans. We found high levels of support for the adopted local plan part 1: core strategy. This clearly provides important direction for the development management service. We have more to say in section 6 in relation to planning policy.

5.2 Clear service aims and targets direct the work of the development management service and we found a clear 'golden thread' linking corporate priorities to delivery. Councillors and corporate leadership team exhibited a strong commitment and responsibility towards the planning service recognising its central role in delivering growth

and sustainable and resilient communities. Since 2010 the Council has protected its planning service from significant cuts. This is not the case in other councils where cuts of up to 50 per cent are not uncommon. The Council therefore demonstrates a strong understanding of the central role and importance of planning to enable development. Enabling development and growth is vital to provide local sources of revenue in the form of council tax, business rates and new homes bonus given the demise of Government grant post 2020.

Added Value and Performance

5.3 The service has enabled and added value to a number of developments that have supported the growth of the Borough. While the Council is rightly concerned about progress on some of its major strategic allocations (see section 6) it was clear from our site visits that housebuilding is underway and that the Council is being proactive. For example, the development management service has been pivotal in enabling housing development and large supporting highway improvements at the Edwalton strategic housing allocation of around 1,500 dwellings. Here significant viability issues threatened the very development of the site. Working with the landowner's planning agent, the service developed an implementation and delivery framework document. This document acted as the 'glue' that allowed the site to come forward as a series of multiple full applications for 929 houses. Work has commenced on site and includes early substantial highway infrastructure.

5.4 The service has been successful in securing significant funding through section 106 agreements. Since November 2014 the Council has received £5.3 million for community benefits including educational and leisure facilities, bus transport, highways and cycling/footpaths improvements. These community benefits have made the impact of development acceptable in planning terms and are vital in spreading the benefits of growth more widely among Rushcliffe's communities. Less successful has been the growth in new affordable housing units that amounts to some 180 over the last three years and lies below the Council's target. It will be important for the Council to ensure it achieves the correct balance between enabling development and facilitating the delivery of affordable housing. The Council advised us that it is at the early stages of considering setting up an arm's length housing company. This offers potential to increase the number of affordable housing units in the Borough.

5.5 The service adopts a holistic approach to growth in support of the corporate strategy and local plan. This includes a clear commitment to not only enabling housing growth but also employment land, protection and improvement of public space and improved supporting infrastructure. We saw a clear emphasis on integration with planning policy and economic development officers and external partners to deliver high quality places. At Cotgrave the service has worked with the landowner and Homes and Communities Agency to deliver 470 dwellings on the former colliery site and employment units on adjacent land. The planning applications have led to additional funding, through

community benefits, to support regeneration of the town centre including a multi public service centre and the refurbishment of the older shopping precinct.

5.6 We saw and heard of numerous examples of other developments that were enabled by the development management service. These included public buildings, sheltered housing and the sensitive reuse of listed buildings including a new £300 million replacement rehabilitation facility for service personnel at Stanford Hall. Developers, agents and customers told us that the Council adopted a positive and pragmatic approach to development. For example they said that in relation the Council was willing to listen to credible viability evidence in the interests of getting development off the ground on the stalled sites.

5.7 We also found a strong recognition of the enabling role of the service and not an overzealous focus on regulation and control. In 2015/16 the Council approved 1,035 of the 1,134 planning applications submitted (91 per cent). Saying 'yes' to development proposals clearly supports building and growth in appropriate locations. It also avoids having to refuse an application and then having to deal with it as a 'free go' if resubmitted within a year. This effectively 'costs' the service in unrecoverable staff time.

5.8 However, the Council's approval rates for major development falls below the level of the best councils and is an area that the service could investigate further. In 2015/16 the Council approved 42 out of 52 major applications (81 per cent). Some councils are able to achieve approval rates of 95-97 per cent for major applications. It is important that the service reviews why it is saying 'no' and examines any trends or weaknesses. Areas that the service could look at include how the development industry responds to pre-application advice, the use of Planning Performance Agreements, earlier involvement of committee members at scheme inception or committee members' understanding of the NPPF (this links back to the training point made in 4.15).

Earlier Engagement with Councillors

5.9 Committee members and ward councillors told us that they saw benefits in being involved much earlier in major planning applications. Members told us in many instances they thought they were involved too late in the planning process leaving them feeling they were in reactive mode. We recommend as part of a re-examination of the new committee's focus that it uses pre-application meetings, such as strategic planning groups, to act as a forum where ward councillors and the chair and vice chair of committee can meet with officers (and possibly developers/local agents at an early stage in the development of major projects.) Such forums offer clear potential to encourage positive partnerships on the scheme itself as well as a place to discuss issues in a more informal and non-decision making setting. This could on occasion involve the public as well to support more active early public engagement.

5.10 Earlier engagement with proposed schemes would enable the chair of the committee to more effectively work with officers in developing a clear forward plan for major applications to be discussed in advance of going to committee for a formal decision. Early

opportunities for committee member engagement would aid officers in identifying issues that may need more information at committee. Portsmouth operates such a scheme and charges the developer/applicant £1,600 as part of a pre application advice service.

Resources

5.11 We were surprised to learn that the service deals with around 1,000 requests for planning advice, including pre-application advice and householder enquiries, every year. Compared with many other similar councils this seems a very large number. For example at Colchester Borough Council the planning service has 1,800 applications and deals with between 250-300 requests for pre- application advice. Colchester also only has a part time duty officer so one might expect its figure to be higher. While the Council introduced charging for pre application advice on larger applications in 2010, it only introduced charging for householder advice in September and at a cost of £50. While this has reduced the number of pre application requests the Council needs to keep this figure under review to ensure that it is set at an appropriate level, both in terms of managing demand plus cost recovery.

5.12 We recognise the importance of giving good quality pre-application advice. This also provides a good source of income to the Council to support its planning service. However, we recommend that the service reviews its pre-application advice service to both manage demand and free up more officer time to focus on dealing with strategic planning applications. And also any necessary development management work that supports their implementation.

5.13 Without prejudging the outcome of any review we could envisage a possible option whereby the Council increased charges, especially in relation to high worth developments such as executive housing and commercial schemes. When discussing the Council's pre application service with developers and agents they told us that their clients would be prepared to pay higher costs for a premier service. The Council may therefore want to consider a sliding scale of charges based on the scale of development. If, as we suspect, a high number of pre-application requests are for house holder advice, it will be important that these do not deflect significantly from dealing with major applications. As with all such decisions, the service needs to make sure it prioritises its corporate and service aims.

6.0 Supporting Quicker Implementation of Growth

Context

6.1 We found good political support and ownership of the strategic planning policies for Rushcliffe which cover 2011-2028. This support is not to be underestimated given that the adopted local plan part 1 (2014) allocates 13,150 houses (a 28 per cent increase and growth in the previous plan period) and 4,400 jobs to the Borough given its proximity to the main urban area of Nottingham. This high number of houses is planned to serve the needs of the wider housing market area and to locate houses close to where most new jobs are

to be created. Of the required housing, 58 per cent (7,650 units) is to be built in 3 sustainable urban extensions at South Clifton, Edwalton and between Gamston and Tollerton. The remaining 42 per cent (5,500 units) are allocated beyond the built-up area at 5 key settlements including Bingham, Cotgrave and East Leake.

Housing Land Supply

6.2 At March 31 2016 the Council's housing land supply was 3.4 years of deliverable sites between 2016-21. This shortfall is principally due to all but one of the 6 strategic sites being behind the planned trajectory of delivery of 4,640 homes by 2021. The Council's best estimates are that the 6 sites will deliver 2,500 by 2021 although it recognises that even this may be an over estimate. This demands a most challenging 4 fold annual increase in the trajectory of housing delivery. And this on difficult strategic sites requiring very expensive advance infrastructure, complex legal agreements and negotiations between land owners and house builders. The Council also backloaded its housing trajectory and by 2018 will need to deliver 1,300 units per year, compared to the existing target of under 500. The challenge should not be underestimated.

Proactivity and Delivery

6.3 The Council and its partners have already invested considerable effort in progressing the large strategic sites with good success. A Planning Inspector recently commented when refusing an appeal for houses at Ashlockton that ... 'Considerable effort is being expended by the Council to make progress' on the 6 strategic sites. The Planning Inspectorate recognise that private sector house building has been 'boosted significantly' with the most recent annual completions being some 60 per cent above the preceding 6 year period. Annual house building is up to 450 units. Indeed housing delivery is ahead of schedule when measured against the first 5 years of the core strategy with 1,561 dwellings built against an anticipated 1,268.

6.4 We commend the Council for achieving this success in a difficult environment. We discussed at section 5.3 the example at Edwalton but there are others. At Cotgrave the whole housing scheme is to be completed in advance of expectations and place making is supported by £3m for town centre regeneration from the Growth Fund.

6.5 At Bingham the Council is showing good community leadership in seeking to drive the Crown Estate into action to bring forward the housing site. Here the Council is being proactive in working with the landowner to identify a developer, modify phasing and alleviate flood risk. In an attempt to get things moving on site the Council has even secured a contribution of £2.5m from the LEP's Growth Fund.

6.6 At RAF Newton the Council is working proactively with a house builder and landowner on viability, phasing and infrastructure. It is currently bidding for £2.3m from Highway England's Growth and Housing Fund' to assist in delivering a footbridge over the A46 trunk Road. Without this, work cannot commence on housing.

6.7 One of the main infrastructure improvements required before the development of housing sites is the A52/A6060 strategic highway. The Council, Nottinghamshire County Council and Highways England have developed a Memorandum of Understanding that assesses junction improvements required in relation to housing numbers on each strategic site. This provides greater clarity to the development industry and guidance to the planning service in its development management role.

6.8 To support wider growth the Council has established an economic growth team. One of its roles is to identify and bid for available grant funding to assist in the delivery of the development schemes. This has focused on supporting the funding of up front infrastructure or to kick start development schemes that have stalled.

6.9 The Economic Growth Team works closely with the planning policy and development management teams to assist in the submission of funding bids. The Council has a good focus on ensuring that growth is not just limited to housing but includes economic growth as well. For example, it has invested £2.5m into Cotgrave, taking its total regeneration investment to over £3.5m in the town.

6.10 It is also increasing employment sites in the locality with the construction of business units on brownfield land that will be available for rent in 2017. In pursuing its economic growth agenda, the Council secured £6.25m in Growth Deal funding to develop employment sites along the A46 corridor, in Bingham, Cotgrave and Newton. By putting the initial infrastructure in place, the Council is supporting growth in the area and this makes sites more attractive to house builders as well.

6.11 It is clear to us that the Council is making use of its community leadership, development management and economic growth roles in proactive work with landowners and developers to overcome site constraints. Our later recommendations seek to ensure that the Council is maximising its focus and resources in this area.

Local Plan Part 2

6.12 It is important for the Council to focus and commit sufficient resources to adopting its Local Plan Part 2 as quickly as possible. This Plan will set out the non-strategic development allocations for the Borough. This will play an important role in increasing the housing land supply and promoting building on smaller housing sites. The Council recognises that progress on the Local Plan Part 2 has been slower than it had planned for. It had initially targeted adoption for 2016, which it revised to 2017 and it is now unlikely to achieve this before summer 2018.

6.13 A lack of good progress has slowed the potential release of housing sites at Keyworth, Radcliffe on Trent and Ruddington that are all in the Green Belt. The provision of a greater stock of smaller to medium size housing allocations should boost the short to medium term housing delivery. This would help to partially offset the trajectory shortfall arising from the delays in delivering the large strategic allocations. The quicker the adoption of local plan part 2, the quicker the approval and delivery on smaller housing

sites. Also the quicker the adoption of the Plan, the stronger the 'defensive' position of the Council becomes to resist predatory housing applications on non-sustainable sites.

6.14 To speed up progress on planning policy will demand sufficient capacity and focus. While existing planning service resources could well be sufficient in a 'steady state' the context for planning service delivery in Rushcliffe is complex and challenging. This is particularly the case for the relatively small planning policy team of 5 staff who presently deal with matters such as Community Infrastructure Levy, property gazetteer, assisting strategic housing and street naming. This effectively takes the planning policy resource to 3.7 full time equivalents.

6.15 Without prejudging any solution the Council could consider short term additional capacity from neighbouring councils through the JPAB or the private sector. In discussions with the current Chair of JPAB this appeared to be a feasible option. There is also the opportunity to second people from other teams into the Planning Policy team for a short period.

Development Management

6.16 In development management, the Council may want to ensure that it utilises staff with the appropriate skills to increase the capacity of joint delivery teams to promote stalled strategic sites. We also feel that the Council needs to ensure that its managers and staff are consistently focused on those tasks and planning applications that add most value to the corporate priority of growth. We say this as we were surprised, for example, that principal planning officers are 'validating' new applications as matter of routine. This does not appear to us to be the best use of their expertise.

6.17 It will also be important for the service to ensure that sufficient senior resources are focused on deciding 'major major' applications and supporting their implementation. The Planning Advisory Service's productivity review is one option that the Council could consider to explore whether it is allocating its resources to best advantage. This would review existing processes, systems, reporting and performance management. It would also assess the extent to which the service understands the demand, volumes and type of work flowing into the service and that resources available are set up optimally to process good quality and timely decisions.

Partnership Funding and Support

6.18 We encourage the Council to maximise the potential of partnership work with neighbouring authorities and with the D2N2 Local Enterprise Partnership (LEP - covering Derby, Derbyshire, Nottingham and Nottinghamshire). We provide further detail below on a number of areas that we consider the Council should examine further.

6.19 We see potential for a new or revitalised role for the Greater Nottingham Joint Planning Advisory Board (JPAB) who have worked together well on the alignment of planning policy work across the Greater Nottingham area. With councillor and senior officer experience already in place, JPAB is well placed to strengthen its priority of housing

delivery. It could build on its successful bid of £850k grant from the Government's 'Large Sites and Housing Zones Capacity Fund' that has already funded a part time partnership manager post and commissioned specialist activities to accelerate housing delivery. An opportunity exists for JPAB to encourage and co-ordinate the use of a rise in planning fees across the Nottingham area (advocated in the Government's Housing White Paper) to add capacity to its work.

6.20 We would encourage Rushcliffe and the JPAB to learn from the way that the public and private sectors are tackling similar issues of growth in Kent and Medway. Here the County Council, Kent Developers Group, Kent Housing Group and Kent Planning Officers Group have developed a protocol to encourage continued collaborative working between all those involved in delivering growth in Kent. All parties agree to provide the appropriate level of resources to meet the identified need. In some instances this means developers providing financial support to authorities to buy in additional resources via Planning Performance Agreements, to assist in the efficient management of larger and more complex schemes. Charges for pre-application advice will be sufficient to support a high quality pre-application advice service.

6.21 The recent change in the strategic objectives of the D2N2 LEP presents a clear opportunity to enhance growth. The LEP has broadened its strategic objectives beyond jobs and skills to include a focus on supporting delivery of the 77,000 houses needed across its area, We spoke to the chairman and chief executive of the LEP who recognised that the time was right for a 'new conversation' between local councils and other partners in relation to housing delivery. Again JPAB may be the appropriate vehicle to lead such a 'new conversation' and act as strategic bidder and broker across the area. Rushcliffe would need to ensure that it used its political and executive influence to ensure that its strategic needs were clearly recognised in any capital or revenue bids.

6.22 Strategic bids to the LEP, Government agencies such as Highways England and Homes and Community Agency and other funders would seem to chime with the Housing White Paper's focus on partnership approaches to unlocking strategic housing sites. JPAB would need to ensure that bids were very well evidenced and with a clear analysis of the issues holding back implementation. They would also need to feature strong costed partnership solutions between the private and public sectors.

6.23 We see opportunities for stronger partnership working with Nottingham City Council, through a Memorandum of Understanding, and joint delivery team for the urban extension at South Clifton. Highway and viability issues have stalled progress of an outline application but the Council is seeking to work with the developers on a Planning Performance Agreement.

6.24 The Council regards the strategic housing allocation between Gamston and Tollerton as its most problematic site. The site has significant infrastructure needs and various landowners do not appear to want to move at the same pace. The Council's chief executive is demonstrating good leadership in seeking to work with the chief executives at

Nottingham City Council and Nottinghamshire County Council to co-ordinate a realistic and deliverable plan to enable development. We appreciate that there may be signs of renewed hope of a planning application in the coming year. If there is any further delay on a comprehensive scheme we would recommend that the Council uses its influence with its local authority partners to try and bring forward the publicly owned portions of the larger site as early development phases.

6.25 The Council told us that it adopted bespoke management and leadership solutions in relation to progressing each of the strategic sites. This allowed for managers to be fleet of foot and resources to be flexible as required. While we recognise the value of this approach it will be important for the Council to make full use of its project delivery and project management skills to deliver the housing 'pipeline'. Such an approach will also assist in supporting the alignment of resources on strategic sites. It is also important to acknowledge that the strategic sites allocated in the local plan part 1, cannot deliver the Council's ambitious housing targets by themselves.

Rushcliffe Strategic Growth Board

6.26 It will be important for the Council to ensure that it maximises the capacity of its new Strategic Growth Board to oversee and support the drive for major infrastructure and housing growth in Rushcliffe. We recognise that the Board is still in its infancy. But it will be important for the Leader, economic portfolio holder and others councillors on the Board to provide strategic political leadership to Growth Fund and other funding bids. We recommend that the strategic growth board is not distracted from an unrelenting focus on major growth by small scale localised improvements – however worthy the latter may be.

6.27 We would also recommend that the strategic growth board examines the opportunity of setting up a strategic projects delivery board that can bring together all key public sector players – principally the City and County Councils; Homes and Community Agency and Highways England. This could provide strategic partnership direction for the Nottinghamshire housing market area.

7.0 Further Support

7.1 PAS would be happy to discuss with Rushcliffe developing a package of further support (paid for at cost). Specifically, we recommend exploring PAS support around:

- improvement planning advice;
- training for the Planning Committee. http://www.pas.gov.uk/web/pas1/councillors-page/-/journal_content/56/332612/15306/ARTICLE
- [Productivity & Resource Review](http://www.pas.gov.uk/productivity-and-resource;jsessionid=292A57E7688D186B089FBB09F4AB524F.tomcat2) <http://www.pas.gov.uk/productivity-and-resource;jsessionid=292A57E7688D186B089FBB09F4AB524F.tomcat2>

7.2 There are also tools and materials available on the [PAS website](#) which can be downloaded and used for free. Some of these are listed below.

7.3 DM tools: PAS has produced a suite of materials which should help with various aspects of the DM process. The councils have already had access to support for their DM service from PAS, particularly in relation to the DM challenge kit. The resources below are available to download and use.

- [DM Challenge Toolkit](#): ideal for focusing improvement work and useful as part of a wide-ranging review or for simply making a few process changes
- [Key principles for good management](#): a series of 'key principles' for managing parts of the planning process.
- [Pre-app processes](#): PAS has a number of pre-application resources available to download and use.
- [Conditions](#): PAS has produced a best practice note on applying and discharging conditions
- [Project managing major applications](#): PAS has produced a new note about handling major applications
- [Using S106s – standard templates etc.](#)
- [Plan Making Direct Support](#)



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Action Plan – Planning peer Challenge February 2017 – Strategic Owner Executive Manager Communities – Update Jan 2018

Ref	Action	Owner	Target date	Priority	Position statement	%complete
1	<p>Planning Committee Ensure the Committee takes strategic planning decisions for the Borough as a whole.</p> <ul style="list-style-type: none"> • Committee changes; <ul style="list-style-type: none"> – seating/visibility/audibility – timing/length of meeting – call it the Planning Committee – introduce controlled public speaking – remove ex officio roles – reduce size and change composition – Define the role of the ward member when serving on the Committee – pre determination and pre disposition. – ensure it primarily 	Executive Manager Communities	June 2017	1	Complete	New layout introduced and new microphone system operational for meeting in March 2017
		Planning and Growth Manager/ Member Services	March 2017	1	Complete	New start time (6.30pm) agreed June Council and in place for meeting of Planning Committee in July
		Planning and Growth Manager/ Monitoring Officer (Constitution)	June 2017	1	Complete	<p>Protocol for public speaking agreed at June Council – introduced for meeting of Planning Committee in July</p> <p>Removal of Ex Officio roles agreed at May Council – immediate implementation</p> <p>Size and composition of planning Committee agreed at May Council – implemented for June Planning Committee</p>

Ref	Action	Owner	Target date	Priority	Position statement	%complete
page 52	deals with strategic planning decisions and consider developing a 'filter'					Role of Ward Councillors agreed by council June 2017 – Ward Councillors who sit on Committee required to step down for items in their area but can register to speak. Ward Councillors not on committee can register to speak on items in their area
	– webcasting/recording	Planning and Growth Manager	Dec 2017	2	Complete audio Webcasting not currently being considered	Process for Service Manager to speak to Councillors before referring items to committee formalised New audio/visual equipment in Council Chamber has facility to record meetings – trialled at meeting of Planning Committee on 25 January 2018 – no immediate plans to webcast meetings
	– Member training - minimum 2 yr refreshers with clear training plans	Planning and Growth Manager	Ongoing with annual review	2		Potential facilitator for half day/evening session identified – discussions ongoing with Constitutional Services

Ref	Action	Owner	Target date	Priority	Position statement	%complete
	<p>with the need to deliver on a robust local plan pt 2</p> <ul style="list-style-type: none"> - Further develop the councils “defensive strategy” based on the delivery that has already taken place in the Borough to use at “predatory appeals” 					<p>(funded by HCA grant) post filled October 2017</p> <p>Graduate Planning policy Officer post created – filled October 2017 (to assist with Part 2 of Local Plan)</p>
3	<p>Support quicker implementation of growth:</p> <p>use programme management to take an overview of the strategic sites and have flexibility to switch resources to facilitate the delivery of a pipeline of development;</p> <ul style="list-style-type: none"> • use a 'development team' approach to focus on the key barriers to delivery on key sites • Develop partnership with Local Enterprise Partnership to become more involved in the delivery of housing growth in the Borough. • Work with the Joint Planning Advisory Board (JPAB) to 	<p>Executive Manager Communities and Executive Manager Transformation</p> <p>Chief Executive,</p> <p>Executive Manager Communities,</p>	<p>June 2017</p> <p>Dec 2017</p> <p>Dec 2017</p>	<p>1</p> <p>3</p> <p>3</p>	<p>Complete and ongoing</p> <p>Complete and ongoing</p> <p>Complete and ongoing</p>	<p>Development Teams with all interested parties initiated for Gamston and Clifton strategic sites</p> <p>Strategic Sites Delivery Officer appointed October 2017 – principal role to liaise with colleagues and external partners etc to bring forward Strategic Sites</p> <p>Ongoing discussions between Chief Executive and LEP</p> <p>Presentation on Planning Peer Challenge given to</p>

Ref	Action	Owner	Target date	Priority	Position statement	%complete
	refocus its work on the delivery of housing					JPAB Board Planning Development Protocol developed and adopted at JPAB Board. Now being rolled out for signature to key development partners
4	<p>Strategic Growth Board</p> <p>Examine opportunities for the current strategic growth board to develop or support creation of a 'strategic projects delivery board' that can bring together all key public sector players – principally the City and County Councils; Homes and Communities Agency (HCA) and Highways England to maximise key partner energy and finance.</p>	Chief Executive, Executive Manager Communities, Executive Manager Transformation	July 2017	1	Complete and ongoing	<p>Regular item on Strategic Growth Board agenda covering pipeline of strategic development sites, delivery and opportunities for grant funding support.</p> <p>Representatives from Homes England, LEP and County Council and business partners on Membership</p>

Planning Applications ... having your say

A guide on how to speak at Planning Committee

Rushcliffe Borough Council receives around 1,400 planning applications each year. Some of these will be from an individual household wanting to improve their home with additional accommodation, a new garage or conservatory; others will be from a property developer proposing to build a new housing estate, primary school and local shops with additional open community spaces. All of the applications we receive need to be considered by our planning officers, this includes consulting people who may be affected by the application. In many cases, these planning officers can make a decision under delegated powers but around 6% of applications each year are referred to the Council's Planning Committee for a decision.

What is the Planning Committee?

The Planning Committee is formed of 11 Borough Councillors who make decisions on those applications referred to the Committee. These meetings take place once a month and are open to the public – dates and agendas (once they are published) can be found on our website www.rushcliffe.gov.uk/councilanddemocracy. You can also see who is on the Planning Committee on our website.

The majority of applications are referred to the Planning Committee where:

- they have been submitted by a Borough Councillor or senior member of staff
- they demonstrate a difference of opinion between the planning officers' recommendation and the ward councillors' views as expressed during the consultation
- the ward councillor has declared an interest
- the Borough Council is the applicant.

Please note that large or complex applications may be considered differently by the Planning Committee.

Having your say at Planning Committee?

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How do I register my wish to speak?

If you wish to speak at Planning Committee, you will need to contact our Constitutional Services team at constitutionalservices@rushcliffe.gov.uk or on 0115 9148 511 with your name, address and telephone number, the application number you wish to speak about, and whether you are objecting to, or supporting the application. Requests to speak at Planning Committee must be received by 5pm on the Monday before the meeting. Only one applicant, objector and ward councillor (except in a multi councillor ward where the views of councillors differ) may speak at the Planning Committee on each application. If more than one person in each category wishes to speak, you will be asked to give us permission to share your contact details with other people wishing to speak and decide amongst yourselves who speaks at the meeting.

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- the planning officer presents a report containing the recommendation
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What should I talk about when I speak to the Committee?

Firstly, it depends on whether you are the applicant, whether you are representing those that object to the application, or acting in your capacity as a ward councillor. All speakers must ensure that their statement only refers to planning-related issues, examples are detailed below – these are the only issues which the Committee can consider and to speak about other issues would waste the time that you have. Speakers may not address questions directly to the Committee or the planning officers present. Speakers will not generally be questioned by the Committee – in very exceptional cases the Chairman might ask you to clarify a point of fact.

Relevant planning-related issues that can be considered by the Committee

The Committee can only take planning-related issues into account when making their decision. Therefore, you should ensure that your statement relates to material planning considerations which may include:

- Overlooking / loss of privacy
- Design / effect on appearance of area
- Access, parking, traffic, road safety
- Trees / biodiversity / landscape / heritage
- Noise / disturbance
- Local or government policy / economic benefits
- Flooding issues

Matters which are not considered to be material planning considerations include:

- Loss of property value / loss of view
- Boundary / land ownership / neighbour disputes
- Impact on private drainage systems
- Inappropriate or personal comments
- Doubts as to integrity of applicant
- Breach of covenant

Please ensure that your statement does not contain any inappropriate comments, including those which are racist, sexist, xenophobic, defamatory, prejudiced or likely to cause offence. It should not be derogatory to this Council, or to any other party, or relate to matters the Council could consider to be confidential.

Let us know if you want to speak

At constitutionalservices@rushcliffe.gov.uk or on 0115 9148 511

Planning Applications ... having your say

A guide on how to speak at Planning Committee

Rushcliffe Borough Council receives around 1,400 planning applications each year. Some of these will be from an individual household wanting to improve their home with additional accommodation, a new garage or conservatory; others will be from a property developer proposing to build a new housing estate, primary school and local shops with additional open community spaces. All of the applications we receive need to be considered by our planning officers, this includes consulting people who may be affected by the application. In many cases, these planning officers can make a decision under delegated powers but around 6% of applications each year are referred to the Council's Planning Committee for a decision.

What is the Planning Committee?

The Planning Committee is formed of 11 Borough Councillors who make decisions on those applications referred to the Committee. These meetings take place once a month and are open to the public – dates and agendas (once they are published) can be found on our website www.rushcliffe.gov.uk/councilanddemocracy. You can also see who is on the Planning Committee on our website.

The majority of applications are referred to the Planning Committee where:

- they have been submitted by a Borough Councillor or senior member of staff
- they demonstrate a difference of opinion between the planning officers' recommendation and the ward councillors' views as expressed during the consultation
- the ward councillor has declared an interest
- the Borough Council is the applicant.

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 <p>Rushcliffe Borough Council</p>	<p>Cabinet</p> <p>13 March 2018</p> <p>Affordable Housing Review</p>	<h1>6</h1>
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Report of the Executive Manager – Neighbourhoods

Cabinet Portfolio Holder for Housing and Planning Councillor R G Upton

1. Summary

This report will provide Members with a review of affordable housing, including progress to date, forward projections and outline the emerging opportunities and challenges for increasing the future delivery of new affordable housing. The projections will set out delivery through both planning obligations and through direct partnership delivery. In respect of the latter, two Council owned sites are recommended for disposal to facilitate the delivery of affordable housing schemes. These proposals are expanded upon in paragraph 7.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) approve the disposal of the Council owned site at Marlwood, Cotgrave and of the Council's part ownership of a site at Walcote Drive, West Bridgford to Metropolitan at a nil value to facilitate the delivery of affordable housing as determined by the Council subject to advertising the proposed disposals as set out in paragraph 7.2 and delegates the consideration of any representations received to the Portfolio Holder for Economic Growth and Business
- b) approve the commissioning of rural housing needs surveys and exception site development independent of the support of Parish Councils
- c) endorse the package of measures used to increase the provision of affordable housing utilising the Council's approved capital programme for affordable housing.

3. Reasons for Recommendation

- 3.1 The report is to bring Cabinet up to speed on the current and historic delivery of affordable housing in the Borough and to consider future options and challenges for delivery.
- 3.2 The recommendation to approve the transfer of land assets to Metropolitan will facilitate the delivery of affordable housing in the Borough and help to address local housing need.
- 3.3 The continuation of the Rural Exception Site Programme to bring forward rural affordable housing will ensure the Council continues to meet rural local

housing need in settlements where land availability is limited and affordability is an issue.

- 3.4 Sums set aside for the provision of affordable housing will ensure a continued pipeline of affordable housing to meet local housing needs and assist in delivering the targets for affordable housing as determined by the Core Strategy.

4. Supporting Information

- 4.1 The Supporting Information outlines the various definitions and aspects of affordable housing as introduced in the Summary to this report. See **Appendix A – Definition of Affordable Housing and Policy Framework**.

Current Position

- 4.2 This report focuses on new affordable housing, however Cabinet should be aware that the majority of allocations come through the allocation of existing social housing. Historically, the main sources of new affordable housing supply for the Borough have been Section 106 sites, the redevelopment of garage sites in partnership with Metropolitan Housing supported by the Council's capital grant, and the development of rural exception sites. This position remains largely the same during the next five years. However, the numbers of rural exception sites are likely to be fewer due to some Parish Councils' reluctance to support exception site development with the allocation of sites through the Local Plan Part 2.

Historic and Projected Delivery

- 4.3 The two tables show affordable completions and projections over a 10 year cycle.

Table A - Affordable housing completions (2012/13 to 2016/17)

Year	s106	Rural	In-fill (garage sites)	Other	Total
12/13	41	0	0	0	41
13/14	10	12	0	0	22
14/15	17	0	31	21	69
15/16	79	0	0	0	79
16/17	74	0	0	0	74
Total	221	12	31	21	285

Table B - Affordable housing projections (2017/18 to 2021/22)

Year	S106	Rural	In-fill (garage sites)	Other	Total
17/18	144	0	0	0	144
18/19	108	0	0	0	108
19/20	148	0	23	0	171
20/21	156	0	0	0	156
21/22	226	0	0	0	226
Total	782	0	23	0	805

- 4.4 As the tables illustrate, we anticipate a step change in delivery from 2017/18. This is reflective of the delivery of larger strategic housing sites in the Borough. While additional delivery is positive, it is proportionate to the overall housing growth within the Borough. Furthermore, additional housing needs pressures are envisaged through the implementation of the Homelessness Reduction Act which will extend the Council's statutory duties to assist people who are homeless or threatened with homelessness.

Key Methods of Affordable Housing Delivery

4.5 Section 106

As can be seen from the preceding tables, the main form of new delivery is through section 106 agreements. Over the last five years, we have delivered 221 affordable housing units from S106 sites and we are predicted to deliver a further 782 over the next five years. Examples of the key sites we have achieved affordable housing through S106 are; Cotgrave Colliery, Land North of Bingham, Melton Road, Edwalton, Pasture Lane Ruddington, Wilford Lane West Bridgford, Lantern Lane, East Leake.

4.6 Garage and/or Infill sites

The Council works with Metropolitan Housing to deliver small in-fill schemes on garage sites and other redundant parcels of land. Phase 1 of a new garage sites programme is proposed to deliver 23 units over 5 sites. The schemes have the benefit of planning permission. A further phase has identified two sites, Marlwood in Cotgrave and Walcote Drive in West Bridgford. These sites are owned or part owned by the Council. It is recommended that the Council dispose of these sites to Metropolitan at nil value in order to facilitate the delivery of affordable housing on two schemes. In their current format, the two sites make minimal contribution to the Council's priorities but could clearly maximise the contribution via delivery of 7 affordable housing units across the two schemes. See **Appendices B and C** for the site plans and asset disposal procedure.

4.7 Rural Exception Site Development

The Council also works with a Rural Enabling Officer employed by Midlands Rural Housing and funded by Waterloo Housing Association, as part of the Trent Valley Partnership. This officer works with Parish Councils to bring forward rural exception sites. Rural exception sites are generally greenfield sites permitted in village locations as an exception to policy (which would not otherwise be released for general market housing) if exceptional housing need can be demonstrated by way of a housing needs assessment. This is time consuming work and is currently only progressed with the full support of the Parish Council.

- 4.8 Since the Partnership's inception in 2005, 7 affordable housing sites delivering in total 53 homes at Aslockton, Cropwell Bishop (phases 1 and 2), East Bridgford (phases 1 and 2), Kinoulton and Tollerton have been delivered via this route. Affordable housing provided through rural exception sites are locked in perpetuity for the benefit of local residents. The partnership has already surveyed the more sustainable settlements (under 3000 population) and is currently seeking to identify parishes for inclusion in the 2018/19 programme. Most of the parishes left are small and will only deliver small numbers of affordable housing. Many parishes are also awaiting the outcome of the Local Plan Part 2 consultation as some sites identified under this

programme are now being promoted through the Local Plan process for open market housing. In addition, some parishes are pursuing their own Neighbourhood Plans and therefore consider local housing needs can be met through that process.

Affordable Housing Funding

- 4.9 As set out in **Appendix A**, affordable housing is housing provided with a subsidy. Affordable housing is let at below market rates or sold on a partial ownership or discounted value basis. Therefore it stands to reason that some form of subsidy is required to finance the delivery of affordable housing.
- 4.10 Councils can improve the delivery of affordable housing through creative use of their own resources or by working effectively with other providers. This can include providing homes directly if resources are available or via joint venture vehicles. They may also give planning permission or other support including land or money to new providers.
- 4.11 As indicated earlier in the report, most affordable housing in the Borough is provided on s106 sites. As such, the subsidy for the affordable housing dwellings is provided by the landowner/developer in order to comply with the s106 agreement. In effect, the units are sold to the RP (registered provider) at a discounted value. That value is broadly determined by the capital that the RP can raise from the net rental income – a capitalised rental stream.

- **Affordable Homes Programme (AHP)**

- 4.12 The main Government agency supporting affordable housing is Homes England, formerly known as the Homes and Communities Agency. Homes England (HE) provide grant funding to support the delivery of affordable housing, as well as providing infrastructure funding and support for general housebuilding through loan finance and risk sharing.
- 4.13 HE do not fund affordable housing provided through s106 agreements, as the subsidy is expected to come via the landowner/developer. However if the site will not deliver up to the Council’s policy target of 30%, then the HE may provide gap funding to bring the affordable housing contribution up toward the policy target where ‘additionality’ can be evidenced. Whilst the HE is the main source of public subsidy for new affordable housing, other sources of funding are explained below.

- **Local Authority Cash Reserves and Receipts**

- 4.14 The Council also has its own capital funds through which to support the delivery of affordable housing. These are residual ring-fenced receipts from the original stock transfer of the Council’s former housing and section 106 cash contributions received in lieu of affordable housing provided onsite. The existing capital programme which has been agreed up to 2020/21 has a ring-fenced budget of £1.619m to support the delivery of affordable housing.

	17/18	18/19	19/20	20/21	21/22	22/23
Support for Registered Housing Providers	£909	£250	£250	£210	£0	£0

4.15 Successful negotiations have managed to lever in grant funding from HE to deliver the 23 affordable units (comprising of 16 affordable rent, and 7 shared ownership) across phase 1 of the garage sites redevelopment programme projected for 2019/20 (see table 3.2) without the need for the Council to use any of its own capital funds. However, it is hoped to continue to work in partnership with Metropolitan to bring forward further garage site redevelopment schemes which may require council grant to ensure these schemes are able to deliver a mix of affordable housing units.

- **Commuted Sums**

4.16 The Council's policy position is that affordable housing will be achieved through on site provision. Offsite financial contributions in lieu of affordable housing provision on site (commuted sums) will only be considered in exceptional circumstances. The Council currently has £0.469m in commuted sums to assist in the provision of more affordable housing.

- **Assistance from other Public Bodies**

4.17 D2N2 has allocated growth funding to unlock strategic sites which could bolster the level of affordable housing where viability has been cited. The Council has recently been successful in securing close to £10m Housing Infrastructure Funding (HIF), a government capital grant programme for new physical infrastructure, to bring forward development at Land South of Clifton. This will increase the level of affordable housing to be delivered on this site.

Securing the Future Delivery of Affordable Housing

4.18 Decisions on future options for delivery should be made with regard to the existing capital programme allocations which are projected to be fully spent by 20/21, what is economically viable, realistic to deliver on sites, type and tenure mix, value for money and local housing need. The following options are either being progressed or could be considered as part of a menu of options to support or indeed recycle the Council's capital programme:

a. Partnership working

Ensure an on-going dialogue and regular strategic development meetings are maintained with landowners, developers, registered providers and government funded bodies to develop a strategic approach to development opportunities and maximise funding availability. Regular meetings are undertaken with both Metropolitan and Waterloo Housing, supported by annual partnership scrutiny. Further meetings also take place with developers and other stock holding RPs to promote a strategic approach to the delivery of new housing and consider opportunities to bring forward affordable housing.

b. Garage site re-development programme

As well as the garage sites already mentioned we will work with Metropolitan to continue to identify further garage sites and infill opportunities on their land assets.

c. Rural exception site programme

This programme makes an important contribution to meeting local rural housing needs where development opportunities are limited. It is considered the Council should adopt a more proactive approach to bring

forward exception sites which may or may not include support from the relevant Parish Council.

d. New Homes Bonus

Resources allocated from current and future New Homes Bonus (NHB) receipts could be used to supplement or sustain the current capital programme allocation to fund affordable housing activity in the medium to longer term. NHB has been used previously to supplement the capital programme to deliver an additional 24 homes in 2014/15. Future NHB payments could be used as an alternative source to replenish the capital programme post 2020/21. This is unlikely given existing NHB commitments in the Medium Term Financial Strategy and uncertainty regarding the medium term viability of NHB.

e. Loan facilities

The Council could consider using the existing Capital Programme to provide a loan at a market rate to enable a developer, landowner or registers provider to bring forward schemes to deliver affordable rented units in the borough. All loans would have to be considered within the Council's overall Medium Term Financial Strategy.

5. Risk and Uncertainties

- 5.1 As outlined in the latest Strategic Housing Market Assessment (April 2012), there is a considerable and growing need for affordable housing in the borough. Whilst the Council is taking a proactive approach to bring forward development in the borough to meet its housing targets, the rate at which major schemes are built out is unpredictable, and dependent on the state of the market, viability and mortgage availability.
- 5.2 Lack of alternative options available to households including reduced availability of both public and private investment in the delivery of affordable housing and its impact on the viability of sites could impact on homelessness and further service pressures in the form of temporary accommodation usage which is currently increasing and mirroring national trends.
- 5.3 The Council's policy position is that affordable housing will be achieved through on site provision. Offsite financial contributions in lieu of affordable housing provision on site (commuted sums) will only be considered in exceptional circumstances and therefore this cannot be seen as a reliable source of funding provision.
- 5.4 Lack of land availability in the borough to bring forward sites for affordable housing could limit the opportunities to spend the Council's capital grant allocation.
- 5.5 The extension of Right to Buy to Registered Provider tenants could reduce the amount of the existing supply of affordable housing.

6. Other Options Considered

- 6.1 Discontinue the capital programme for affordable housing and rely on planning obligations via S106 agreements to support the provision of affordable housing.

- 6.2 The Marlwood site could be marketed separately although the intention is to gain more social value from the use of both sites for affordable housing.

7. Implications

7.1 Finance

The sum available in the Capital Programme is £1.619m. This consists of £1.150m balance of capital receipts set aside for affordable housing from stock transfer (this is subject to affordability regarding the whole of the capital programme and ongoing Council approval) and £0.469m in S106 monies lodged in lieu of the provision of affordable housing on site.

The identified land plots at Marlwood and Walcote, in their existing use, are below the de-minimis value for inclusion in the Council's Asset Register. The value, with planning is assessed to be £120,000 for the Marlwood site and £100,000 for Walcote Drive. Disposal at nil value would not generate a capital receipt for the authority.

7.2 Legal

Section 123 of the 1972 Local Government Act requires that where a disposal of land which is either open space (in and of itself) or is part of open space is proposed, notices must be published in two consecutive weeks in a local newspaper (e.g. Nottingham Post), and any objections received be considered.

The intended disposals (of the parcels of land shown in Appendix C) are disposals caught by the Act. For the purposes of the Act, the definition of "open space" is any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.

Under the Council's Disposal and Acquisition Policy for Land and Buildings, any disposal of land where there is a requirement to advertise the disposal of open space land under Section 123(2A) of the Local Government Act 1972 is a Cabinet decision.

8. Corporate Priorities

- 8.1 The provision of additional funding for affordable housing in the capital programme supports the Council's corporate priorities:
- 8.2 **Supporting economic growth to ensure a sustainable, prosperous and thriving local economy** – Effective partnership working to increase the supply of affordable housing will meet a range of needs across the borough which in turn will generate economic growth and deliver other significant benefits (New Homes Bonus).
- 8.3 **Maintaining and enhancing our resident's quality of life** – Strong partnership working will enable residents to have safer, healthier and live longer lives in which they are able to fulfil their aspirations. The continued

supply of affordable housing, particularly in rural locations, will reduce the instability caused to families and communities by preventing homelessness and creating more sustainable communities.

For more information contact:	Dave Banks Executive Manager – Neighbourhoods 0115 914 8438 dbanks@rushcliffe.gov.uk
Background papers Available for Inspection:	None.
List of appendices (if any):	Appendix A – Affordable Housing Policy Framework and Definitions Appendix B – Land and Disposable Site Plans Appendix C – Disposals Procedure

Appendix A

Definition of affordable housing

Affordable housing is defined in national planning policy guidance and is provided by registered bodies. Its broad definition is housing provided with a subsidy to households in housing need. The tenures of affordable housing are also determined through national planning policy and the forms of tenancy are determined through the respective Housing Acts. Rents are regulated by Government, the landlords are generally regulated bodies and the properties are let to households in priority of housing need (as determined by the Local Housing Authority). So in conclusion 'affordable housing' is a subsidised and regulated form of housing let to qualifying persons in housing need.

In reality most people know affordable housing as rented housing owned and managed by either the local authority or by a Housing Association. Affordable housing providers are currently referred to as 'Registered Providers'. Registered Provider encompasses traditional Housing Associations, local authorities and other providers such as non-Housing Association charities and for profit providers. For the purposes of this report it is sufficient to refer to Registered Providers (RP) when discussing providers of affordable housing.

Affordable Housing tenures

Most affordable housing is rented housing granted on either a lifetime tenancy or a fixed term tenancy (usually for five years). Within this there are a number of rented tenures. Social rented housing is most common form of affordable rented housing and indeed by the far the most common form of affordable housing. Here rents are set by formula at a target rent.

Social rented housing is owned by local authorities and private Registered Providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other parties and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private Registered Providers to households who are eligible for social housing. Affordable Rent is subject to rent controls that allow a rent of up to 80% of the local market rent (including service charges, where applicable). Where 80% of market rent is higher than the local housing allowance (LHA), Registered Providers will often limit rents to LHA levels due to concerns about lettable and rent arrears.

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent. The most recent intermediate tenure introduced by the Government is 'Starter Homes'. This provides a discounted (80%) sale to the eligible application who is granted full ownership after 5 years of continuous occupation.

The Government has been consulting on a further affordable housing tenure which would be called 'affordable private rent'. This proposes that within a 'build to rent' development where properties are built to let directly to renters without any pre-sale to individual investment landlords and will be owned by a single entity (one institutional investor or company acting as a landlord), then the affordable element can be retained by the owning entity and let to households in need at up to 80% of market rent on a form of assured shorthold tenancy.

Market access schemes

There are schemes that are supported by the Government that assist households to access the housing market. These are not defined as affordable housing but can be viewed as assisting households who would not otherwise be able to afford to buy the property they want. Help to Buy is the current market access scheme. This provides an interest free loan for 5 years of 20% of the property value requiring the buyer to provide a deposit not less than 5% and raise a mortgage for the residual 75%. After 5 years, the household will need to remortgage the 20% interest free element provided by the Government.

Affordability and local planning policies in respect of affordable housing

Affordability of the housing stock in general is a broader concept than the provision of planning policy defined affordable housing. The overall affordability of the housing stock looks at house prices as multiple of household income.

In the UK, most areas, including Rushcliffe, have seen house prices outstrip household incomes for a considerable period of time (lower quartile house prices are over 8 times lower quartile earnings in Rushcliffe). Therefore the ability to afford to buy a property for first time buyers or ability of households to upsize has been compromised. The affordability ratio (housing costs to income), as it is known, is one determinant of the extent to which local planning authorities can require affordable housing through planning policies.

As part of the evidence base to support adopted planning policies within the Local Plan, a Strategic Housing Market Assessment must be carried out to assess the level of housing need within the Borough. The affordability ratio along with a number of other measures will determine the proportion of affordable housing that new residential development can and needs to support where possible. This evidence will form the basis of local housing strategies and is an important aspect of developing affordable housing policies including targets and thresholds.

The Rushcliffe Local Plan Part 1: Core Strategy was adopted in 2014. Policy 8 sets out the broad Council requirements for affordable housing on qualifying sites. This is as follows:

"Approach to Affordable Housing

New residential developments should provide for a proportion of affordable housing on sites of 5 dwellings or more or 0.2 hectares or more. The proportion of affordable housing that should be sought through negotiation on strategic sites and within each housing submarket is as follows:

- Strategic Sites (Policies 20 to 25) Up to 30%
- West Bridgford, Rushcliffe Rural, Radcliffe, Gamston,
- Ruddington and Compton Acres 30%
- 'Leake', Keyworth and Bingham 20%
- Cotgrave 10%”

The type and tenure of dwellings will be determined for negotiation and informed by the Council's housing needs model.

It should be noted that all planning policy obligations are contingent on overall site viability. As such, the Council's requirements for affordable housing cannot constrain the delivery of housing development.

Following negotiations, affordable housing on qualifying sites is secured by agreement under section 106 of the Town and Country Planning Act 1990. These agreements are known as section 106 agreements and qualifying sites are often referred to as section 106 (s106) sites.

Appendix B

Parcel of Land at Walcote Drive, West Bridgford



Parcel of Land at Marlwood, Cotgrave



Appendix C

DISPOSALS

4.0 DEFINITION OF SURPLUS/UNDER USED ASSETS

4.1 An asset can be considered for disposal if it falls within either category of surplus or under-used, as defined below:

4.2 An asset is deemed to be surplus to the Council's requirements if one or more of the following is true:

- a) it makes minimal contribution to the delivery of the Council's priorities and services as demonstrated through the options appraisal
- b) it does not generate sufficient income to be retained for investment purposes when compared to alternative rates of return estimated to be available in the longer term.
- c) it has no potential for future service delivery or strategic regeneration/redevelopment or wider community purposes
- d) an alternative asset has been identified which would achieve a more cost effective service delivery
- e) the asset has no alternative use

4.3 An asset is deemed to be under-used if one or more of the following is true:

- a) the income being generated from the site is below that which would be achieved from:
 - i. an alternative use
 - ii. disposing of the site and investing the receipt
 - iii. intensifying the use; or
- b) part of the site is vacant and is likely to remain vacant for the foreseeable future
- c) it makes insufficient contribution to the delivery of the Council's priorities and services as demonstrated through the options appraisal

4.4 An asset will be assessed against the above criteria in the context of the long-term potential, as well as the immediate situation.

5.0 Disposal Considerations

5.1 In order to consider when and how to bring an asset forward for disposal, the following matters are to be considered:

Legal/Legislative Considerations

- The purpose/legislation under which the council holds the asset
- Legal constraints/powers to dispose
- Implications of disposing at an undervalue

- Ownership/Title constraints
- Which disposal route to follow

Financial

- Consideration of the business case
- Consultation within the business case
- Optimising the disposal value i.e. development potential, adjoining asset
- Local Development Framework (i.e. allocation of asset)
- Cost and method of disposal
- Terms and conditions of sale
- Access to funding or a partnership/community arrangement
- Income generation
- Investment yield
- Business cost reduction

Timing/Local Considerations

- Current local market conditions
- Potential for the asset to increase in value in the future against the opportunity cost
- Existing condition of the asset and operational costs
- Any anti-social or community matters

 <p>Rushcliffe Borough Council</p>	<p>Cabinet</p> <p>13 March 2018</p> <p>Draft Character Appraisal and Proposed Conservation Area for Kneeton</p>	<h1>7</h1>
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Report of the Executive Manager – Communities

Cabinet Portfolio Holder for Housing and Planning Councillor R G Upton

1. Summary

- 1.1. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (*the 1990 Act*) imposes a duty on local planning authorities to designate as Conservation Areas any ‘areas of special architectural or historical interest the character or appearance of which it is desirable to preserve or enhance’.
- 1.2. Upon the request of local residents and Councillor Lawrence as Ward Councillor, Kneeton has been considered because of its architectural and historic interest and is considered to fulfil the criteria set out within Section 69.
- 1.3. A period of public consultation has been undertaken on a draft conservation area and an associated appraisal and management plan following approval by Cabinet in June 2017. This report seeks formal adoption of a conservation area for Kneeton and the associated appraisal and generic management plan.

2. Recommendation

It is RECOMMENDED that

- a) The village of Kneeton as shown edged red on the Plan at **Appendix A** be designated as a conservation area under the Planning (Listed Buildings and Conservation Areas) Act 1990 for the reasons set out in this report.
- b) The Conservation Area Character Appraisal in **Appendix B** is adopted, as the document which outlines and describes the special architectural and historic character of the conservation area which it will be desirable to preserve or enhance.

3. Reasons for Recommendation

- 3.1. Kneeton has been investigated and assessed and is considered to be a place which has a special architectural and historic interest the character and appearance of which it would be desirable to preserve or enhance.

- 3.2. After local residents and the ward member requested that Kneeton be considered for a conservation area an informal meeting was held in the village to inform the residents of the process and to gauge public opinion. A show of hands was undertaken with the substantial majority of those present being in favour of a conservation area for the village.
- 3.3. A period of public consultation was undertaken for a period of 4 weeks from 28 August to 25 September 2017. During the consultation period a drop-in session was held in the Parish Church to allow anyone with questions about the process to have these addressed. The session was attended by approximately 20 villagers.
- 3.4. A single formal comment was received in the form of an objection on behalf of the trustees of the Kneeton Estate, making the following points:
- A suggestion that the Trustees understand what residents want in terms of change within the village quoting concerns over:
 - a. Narrowness of roads
 - b. Inadequacy of car parking
 - c. Lack of vehicle turning facilities
 - d. Aging population
 - e. Under occupancy of homes
 - f. Absence of children in the village
 - g. Lack of 'vitality'
 - A private "plan" (*unsupported by RBC*) is being prepared and the trustees are concerned that the proposed conservation area would conflict with their own plans for the future of the village.
 - The Trustees feel any conservation area proposal should be put on hold until RBC has considered the plan being prepared by the trustees and "aligned the two documents".
 - Concerns over inclusion of "vast tracts" of countryside and agricultural land to the north of the village core to protect ruined features of interest which in the view of the trustees have insufficient interest and value to justify the inclusion of land required for them to fall within the boundary, also highlighting that "nothing is really left" of these features.
 - The 'Generic Management Plan' is a poor fit for Kneeton and should be replaced by adopting the privately produced village plan as the management plan for the conservation area.
- 3.5. In response to these comments the following is offered:
- No residents have raised any of these matters (i. a-g) as points of concern, additionally resolving matters such as narrowness of roads would be impossible without fundamentally altering the character of Kneeton.

- A draft of the plan has been provided so that RBC may provide a formal view on its proposals. Whilst this is not in the public realm and pre-application advice is confidential, the private plan is contrary to anything which could be considered to preserve the character of a historic settlement and whilst it would conflict with the proposed conservation area it also conflicts with local and national planning policy in several key regards.
- It would be impossible to align significant growth proposals as presented in the private plan produced on behalf of the trustees with a document intended to identify and promote the conservation of its special architectural and historic character and appearance.
- The area of agricultural land, either steep wooded slopes or functional floodplain of the River Trent, features the identifiable remains of a ferry landing, a ferryman's house and a ford. These features are ruinous but can still be seen and identified on the ground. Whilst of limited architectural interest owing to their condition, they do have significant historic interest associated with former links to Hoveringham. When the ferry service was still operating up until the middle of the 20th Century it is suggested that it was easier for people to visit the pub in Hoveringham by ferry than it was to travel to East Bridgford. This historic link across the river is a significant component in the history and character of Kneeton and explains why so many footpaths lead down to the river-edge from the village, the route of these footpaths are used together with the riverbank itself to define a logical boundary to the conservation area. Given the floodplain nature of the majority of the land, it is not considered likely that the addition of a conservation area designation would restrict any form of development which would not already be restricted due to poor access and flood risk.
- Whilst it is acknowledged that any generic plan will likely have its limitations, the suggestion that the private plan might be better suited to promoting the preservation and enhancement of the special architectural and historic character and appearance of the place is not considered to be a legitimate statement given that the plan proposes a transformational level of growth rather than protection of the established character of the place.

3.6. Having considered all of the formal comments received it is, therefore, considered that no changes are justified or required to the draft documentation and any of the suggested changes would arguably be less successful in achieving the purposes of a conservation area designation.

4. Supporting Information

4.1. A copy of the amended conservation area character appraisal is appended to this report (**Appendix A**) and is the document which is proposed for adoption.

- 4.2. Within the document is a plan showing the proposed boundary of a conservation area for Kneeton which is considered to represent a boundary appropriate in context of the requirement within paragraph 127 of the National Planning Policy Framework (NPPF) which states:
- 4.3. *“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”*

5. Other Options Considered

The only alternative option would be to decline to create a conservation area for Kneeton.

6. Risk and Uncertainties

None.

7. Implications

7.1. Finance

Adoption would not be officially completed until notices are published in the Nottingham Post and The London Gazette. Alternatively given the small number of properties within the village it could be considered appropriate to directly write to each address to notify residents of the consultation.

The cost of the London Gazette notice is based upon the length of the notice but would be expected to be below £100.00.

7.2. Legal

Local planning authorities have a duty under section 69 of the 1990 Act to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

The Act requires the identification and designation of conservation areas. Whilst the legislation does not contain any requirement for public consultation, the undertaking of public consultation is considered to represent best practice. As such there is no minimum requirement for public consultation.

A conservation area is not formally adopted in law until such time as its adoption has been resolved by the Borough Council and a notification of adoption has been published in The London Gazette.

It is considered good practice when adopting a new conservation area to directly notify each property within the adopted boundary that the conservation area has been formally adopted and is in effect. This would

usually be done in writing the day of the London Gazette notice. Given the small size of Kneeton a mailshot on this scale is not considered to represent a significant burden on either time or resources.

7.3. Corporate Priorities

The designation of new conservation areas together with the preparation of character appraisals is a central government requirement contained in law within the 1990 Act. This proposal will also meet the Council's objectives to:

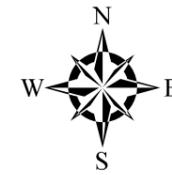
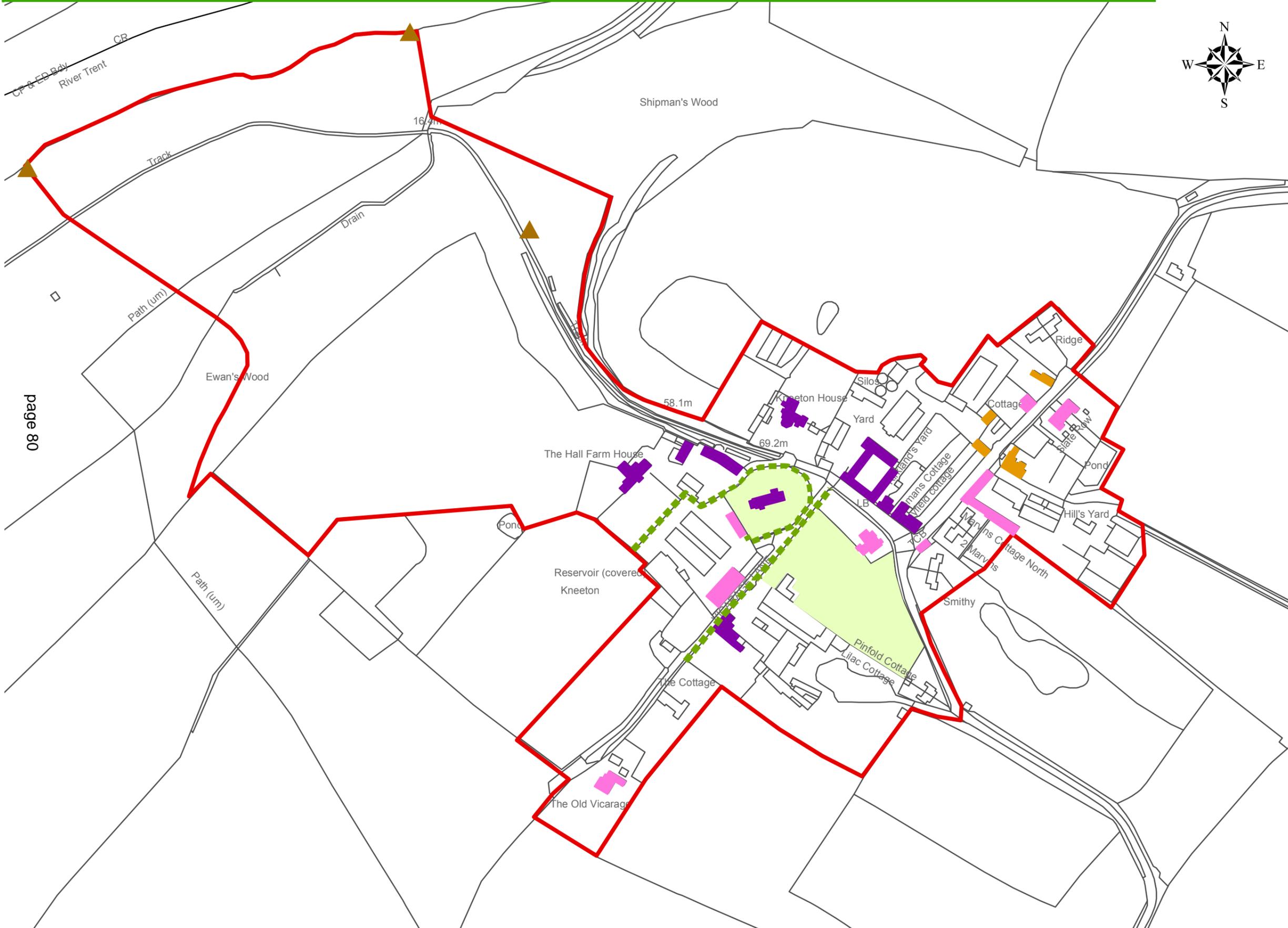
- Protect, preserve and enhance the natural and built environment of the Borough.
- Support and provide guidance to internal and external customers regarding development in conservation areas, tree preservation and high hedge legislation.

7.4. Other Implications

None.

For more information contact:	Dave Mitchell Executive Manager – Communities 0115 914 8267 jbate@rushcliffe.gov.uk
Background papers available for Inspection:	Planning (Listed Buildings and Conservation Areas) Act 1990 Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management Letter of Objection on behalf of Kneeton Estate Trustees
List of appendices (if any):	Appendix A – Proposed Conservation Area Boundary Appendix B – Kneeton Conservation Area Character Appraisal and Management Plan

Conservation Area Boundary



- Conservation Area Boundary
- Listed Buildings
- Positive Buildings
- Enhancement Opportunities
- Ruined features of interest
- Positive Boundary Features
- Positive Open Space

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**Kneeton Conservation Area
Character Appraisal and
Management Plan
March 2018**



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1.1 Background

Conservation Areas are designated by local planning authorities under the Planning Acts. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a Conservation Area as:

‘an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’.

Rushcliffe Borough Council, as the local planning authority, has a duty to designate parts of the Borough it sees appropriate as Conservation Areas.

Carrying out a Conservation Area Character Appraisal is an important method for identifying the qualities and characteristics that such an area possesses and to provide a basic summary of the elements, which collectively contribute towards the special character and appearance of the conservation area. A clear and comprehensive appraisal of the Kneeton Conservation Area provides a basis from which to propose a suitable conservation area boundary and upon adoption would also provide a sound basis for planning decision-making, and assists the Borough Council in defending such decisions that are subject to appeal. Generally the character and appearance of a Conservation Area will be preserved or enhanced through:

- Providing controls and regulating development through the planning system.
- Applying the extra controls that designation provides over demolition, minor development and the protection of trees.
- Environmental enhancement schemes and possibly providing financial assistance for the repair and restoration of specific buildings.
- Encouraging public bodies such as the local highways authority or utility companies to take opportunities to improve the street scene through the appropriate design and sensitive siting of street furniture (and retention of historic features of interest), or the removal of eyesores and street features that have a negative impact such as overhead wires.

The purpose of this character appraisal is to:

- Analyse the character of the area, identify an area suitable for designation as a Conservation Area, and identify the components and features of its special interest.
- To outline the planning policies and controls that apply to a Conservation Area.
- To identify opportunities for the future enhancement of the Conservation Area.

It should be noted that the omission of any particular building, structure, tree, wall or any other feature from being highlighted within this character appraisal does not imply that it is not of special interest, nor is there an implication in such an omission that it does not make a positive contribution, or conversely a negative contribution, to the character and appearance of the Conservation Area. Also the map is unable to identify accurately every tree of significance and value to the Conservation Area.

2.1 Key characteristics

- Kneeton is located in the north east of the Borough, on the south banks of the River Trent, approximately 3km from the border with Newark and Sherwood District.
- The village is of a nuclear form, with its core dominated by the open space of the churchyard and paddock land to the southeast.
- Brick built cottages, farmhouses and traditional agricultural buildings give a strong sense of consistency and character to the village.
- The scattered farmhouses and farmyards, now redundant, form a core part of the character of the village and demonstrate the agricultural basis upon which the settlement was founded and thrived.
- Much of the village remains in the ownership of a single family and rented out to tenants, this single oversight has ensured that a consistency of approach has been maintained across the village.



Properties like Storys House have developed over time, retaining earlier phases of their building, in this case the 17th century stone sections to the rear, while the later 18th and 19th century red brick additions help relate the building to the dominant building materials used in the village.

2.3 Key issues

Alterations to Listed and key unlisted properties –

The unaltered nature of Kneeton is a fundamental component of its charm and character. Relatively little growth and relatively little alteration has combined to give the village a very traditional appearance.

The proportion of listed buildings within the village has helped to maintain this traditional character, however, the unlisted buildings have also experienced relatively little alteration. Even so there are a number of changes which have occurred which have begun to erode the quality and architectural treatment of a number of buildings. The most prominent example is The Old School which has had its windows replaced with uPVC replacements.

With the move of agriculture away from a village-centric base the agricultural yards in the village are now under-utilised or even redundant, and one has already attracted attention as having potential for development, with permission granted for residential development.

Boundary treatments –

Many of the older properties front up against the pavement edge, while some of the larger properties such as those along Vicarage Lane have brick boundary walls running along the side of the lane. Elsewhere agricultural buildings form the boundary, such as at Hall Farm where the yard has to be passed through on the approach to the house and the old brick barns enclose the site to give privacy from all directions except the high ground of the churchyard. Along Slack's Lane some of the more modern late 19th and 20th century properties are set back from the lane and bounded by hedges, giving Slack's Lane a more rural feel. Stone boundary walls appear in the area around the church, enclosing the churchyard and Kneeton House.

Agriculture –

The remnants of rural agricultural life survive around the village, from the small agricultural labourers cottages and the expansive farmyards of traditional and modern agricultural buildings through to the largely rental tenure by which property is held in the village. Many of the houses remain associated to clusters of former agricultural outbuildings which add to the character of the village.

Development Pressures –

The unspoiled character of Kneeton has survived mostly as a result of limited pressure for development within the area and as a result of careful stewardship at the hands of the landowning family.

In recent years a number of properties along Slack's Lane have fallen into disrepair and little progress has been made in securing their re-use.

With the move of agriculture out of the centre of the village the former agricultural yards and the sites of modern agricultural sheds are now coming under pressure for redevelopment, which may well represent the most significant change in the character and appearance of the village in the last 100 years.

Highways and Transportation –

The village is located along a lane approximately 1.5Km to the west of the Fosse Way (A46). Slack's Lane no longer connects with the A46 following the recent road improvement, instead Red Lodge Lane is now the only route onto and across the A46 from the village. Bridgford Road and Kneeton Road lead out

through an agricultural landscape lined with a number of converted windmills to the southwest to East Bridgford 2.8Km away.

The village has no bus service and as such residents have a strong reliance on private transportation to access services, employment and shops.

The footpath linking Slack's Lane with Bridgford Road was shown on the Sanderson Map of 1836 as 'Cross Lane' and on that basis must have historically been of greater significance than today, it probably represented either a straighter route past the village, rather than through it, or once provided access to the rear of long agricultural plots fronting Slack's Lane.

Despite the proximity of good road links, and the relatively short distance from East Bridgford, Kneeton is an isolated place, there is no real awareness of Kneeton from within the wider landscape and from within the core of Kneeton there is no perception of proximity to any other places. This feeling of remoteness and isolation is a major element of the character of the place.

Public Realm –

Some elements of communications infrastructure including the K6 telephone kiosk and the Victorian wall mounted post box (name of founders, of Birmingham), although no more than a century old, have become a quintessential component of the character of the village, and many typical villages throughout England.

Although in places the street surface is the usual tarmac there are sections of pavement on Main Street paved in hard blue bricks with cobbled strips where access to farmyards and houses cross the pavement. This contrasting and high quality surfacing, together with natural stone curbs, adds to the traditional character of the place. Elsewhere and away from main street narrow grass verges are the norm with no formal pedestrian pavements.

The darkness and feeling of rural isolation at night is considered to be a part of the village's character, especially in the area around the church and Vicarage Lane.

Buildings at risk –

There are a number of buildings around the village which could be considered to be at risk of loss. The most obvious is the semi-derelict house along Slack's Lane. The house itself is of a good size and within a large plot but no apparent progress appears to have been made in terms of repairs, conversion or replacement.

Other buildings are former agricultural buildings unable to meet modern DEFRA standards and unsuitable for storage of modern large agricultural equipment and machinery. These buildings are largely in reasonable condition, and risks to them mostly arise out of their redundant status. Once buildings become redundant there is less incentive for them to be maintained and repaired and redundancy is often the beginning of decline.

Other buildings include the old blacksmiths shop at the junction of Slack's Lane and Main Street, the north gable end is bowed but appears to have been in this condition for some time, again the building is redundant and vacant. This building poses greater difficulty in that its small size makes finding any future use for the building more challenging. It is understood that the forge survives inside and may be of some interest as a relic of past village life where the local blacksmith would have been an important element of daily life.



There are a small number of vacant and neglected buildings within the village which represent opportunities for restoration so that they can once again make a positive contribution to the special architectural and historic character of the area.

3.1 Designation of Kneeton Conservation Area

Kneeton was designated as a conservation area in March 2018 following a process which began in late 2013. A public meeting was held in February 2015 to answer residents' queries, provide information about the process and implications and to gather the views and knowledge of local residents in relation to the history and character of the place. This meeting was well attended with more than 20 local residents in attendance.

Consultation on draft proposals was undertaken during the 4 weeks from 28 August to 25 September 2017.

This nucleated rural village is located in the north east of the Rushcliffe Borough, within the Trent Valley landscape character zone. The village is surrounded by open countryside, with steep wooded slopes down to the Trent Valley to the north. The village retained several working farms until relatively recently when the last working yard relocated out of the core of the village. Many of the former farmhouses remain surrounded by traditional, and sometimes more modern, agricultural buildings.

It is clear that the local residents and landowners value the nature of the place they call home and that this attitude has helped the village retain its rural character and charm. The vast majority of those attending the two public events were strongly in favour of having a conservation area for the village.



This modest former blacksmith's forge stands at the junction of Bridgford Road and Slack's Lane and serves as a reminder of the reliance of agriculture on a supply of metal tools, their sharpening and repair and the shoeing of horses during the 18th and 19th centuries, even a small village such as Kneeton with a handful of farms could easily support its own Blacksmith.

3.2 The purpose of a conservation area character appraisal

Local Planning Authorities have a duty to designate as conservation areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' (Planning (Listed Buildings and Conservation Areas) Act 1990).

A conservation area designation is not designed to preserve a place in aspic, instead the processes of change which allow places to grown and evolve are recognised as being unavoidable, and it is also recognised that change can be a positive and desirable force. The designation instead allows greater scrutiny and control to manage change to positive effect and to ensure that any changes which require planning permission do not harm, and ideally serve to actively enhance, the existing character of the place.

In 2005, Rushcliffe Borough Council followed government advice by looking more closely at the architectural and historic features within each of its adopted conservation areas and how their special character could be preserved or enhanced. This work resulted in the production of Conservation Area Appraisals and Management Plans. Best practise suggests that all new conservation area designations must be supported by Character Appraisals and Management Plans to define their special interest and the ways in which their preservation and enhancement will be supported.

This document represents a Character Appraisal and illustrates the adopted boundary of the Kneeton Conservation Area based upon research and public engagement. The document also identifies buildings and spaces which could represent opportunities to enhance the existing character of the village, largely on sites currently occupied by 20th century agricultural buildings and vacant older properties which could be targets for renovation and re-occupation.

This document should be used by residents and professionals both as a source of information and as a guide to any future planning proposals.

3.3 The planning policy context

This appraisal provides a firm basis on which applications for development within the Kneeton Conservation Area would be assessed. It should be read alongside the wider development plan policy framework produced by Rushcliffe Borough Council and other National Planning Policy Guidance documents. The relevant documents include:

- Rushcliffe Local Plan Part 1: Core Strategy, with specific focus upon:
- Policy 10 (Design and Enhancing Local Identity) [in part]
- Policy 11 (Historic Environment)
- The National Planning Policy Framework (NPPF) (2012)
- The National Planning Practice Guidance (2015 - Subject to Continual Review)
- By Design: Urban Design in the Planning System – Towards Better Practice (2000)
- Town and Country Planning Act 1990

- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Town and Country Planning (General Permitted Development) Order 2015
- Rushcliffe Borough Non-Statutory Replacement Local Plan, or policies within the as yet un-adopted part 2 of the Rushcliffe Local Plan.

4.1 Location and landscape setting

Kneeton stands on a ridge of high ground to the south of the banks of the River Trent. A wide floodplain of pasture land runs alongside the river beyond which a steep wooded slope raises up to the northwest side of the village, then land rises some 25 metres (from 45m above OS datum on the river to 71-73m above OS datum in the centre of the village) in just 275 metres (an average gradient of 1:11). The wooded character of these slopes leaves the village itself hidden in views from the opposite banks of the river, with only the tower of the parish church just visible above the tops of trees.

4.2 Location and activities

Rushcliffe Borough forms the Southern tip of the Nottinghamshire County which borders Leicestershire. It is predominantly a rural Borough that contains a mixture of city suburbs, market towns and villages. Rushcliffe is located about 1 mile South of Nottingham City Centre, with the River Trent forming the majority of its Northern boundary and the River Soar defining its Western Boundary.

The A46, a distinctive Roman Road, runs through the centre of the Borough and leads to Newark in the North and Leicester in the South. In the Northern half of the Borough, the A52 forms Nottingham's primary transport link to Grantham and the East of England. Junction 24 of the M1 and East Midlands Airport are located about 1 mile from the Western border.

Kneeton enjoys a rural setting and is located on high ground just inland of the low lying Trent Valley, close to the border with Newark and Sherwood District Council. Kneeton has a long history as an agricultural settlement and although farming operations are no longer run from the core of the village the character of the place is still heavily influenced by former agricultural complexes within the village.

The village has no local services, no village hall, no shop or pub and as such the only community focal point within the village remains its medieval parish church (grade II listed). The village once had a small school; however, this had closed by the time the 1960 Ordnance Survey maps were produced. The school building survives as a residential property 'Old School House'.

4.3 Topography and geology

Kneeton is located on high ground along the southern side of the River Trent (70 metres above sea level) towards the north-east end of a plateau of land running from the area around Mill Farm to the south. Although located only 300 metres from the river there are no views of the river from the village owing to the wide band of trees which line the steep slopes down to the river (Ewan's Wood and Shipman's Wood).

Although the basis of the village has been agriculture since its foundation before the Norman Conquest, its precise location owes more to the fordable crossing of the River Trent at this position (shown on 1880 OS map) and the later crossing via the Hoveringham Ferry just to the west. A loop of public footpath still exists running down the slopes beside Hall Farm, out to the river near the site of the old Ford, along the river to the old Ferry landing site and then back up the slopes to the southwest of the Old Vicarage.

Inland to the northeast, southwest and southeast the land is gently undulating agricultural land interspersed with small areas of woodland and bounded by established hedges.

The local geology is split, the village sits at the edge of two geologically different areas. The river valley is geologically new, with the low lying plains made up of alluvial deposits, silt and mud while the higher ground upon which the village sits is underlain by sandstone laid down in the Upper Triassic (c. 200-235

million years old) period, giving well drained land for agriculture, with the surrounding land receiving agricultural land classifications of 2 and 3 (“good to very good”, and “good to moderate”).

4.4 Relationship of the conservation area to its surroundings

The conservation area boundary includes the majority of structures within the village of Kneeton.

The settlement is surrounded by fields to the east, south and north, with woodland lining the steep slopes down to the Trent Valley to the west and north/west.

The village had a nucleated form with Kirklands Yard and the Old Schoolhouse being located near the centre of the settlement. The Parish Church stands slightly out of the centre of the village to the northwest. The position of the village at the northern end of a ridge of high land overlooking the river is significant, as is the existence of a fording point on the River Trent to Hoveringham on the opposite banks.

The conservation area also includes land to the northwest of the village on the low-lying land alongside the River Trent. Conservation Areas are intended to protect the architectural and historic special interest of a place, as such they are not tools for the protection of undeveloped open space with no historic interest. The land beside the Trent included within the boundary includes the remains of a ferrymans dwelling in a small wooded area to the north of the land down to the river beside Hall Farmhouse as well as the locations of the southern landing of the Old Hoveringham Ferry, in the location of which there are some cut stones still visible on the riverbed which may have been part of a man-made landing stage. Whilst these features are modest they do remain visible and have substantial historic interest in demonstrating how the village was once well connected to Hoveringham on the opposite side of the river. Whilst there is no feature on the ground to define the conservation area boundary at this point its northern boundary follows the river’s edge, and its western boundary follows a public right of way which leads to the location of the old ferry landing and to the east the line of a track to the point at which it reaches the point of a ford shown on historic maps.

5.1 History

Recorded in Domesday Book [1086] as “*Cheniueton*” (later spellings include *Kneveton*). The village had been granted to Count Alan of Brittany after the Norman Conquest in 1066. In 1086 the population consisted of 5 tenant farmers, 3 freedmen and 1 priest. In reality this does not equate to 9 people – children and women were not counted so in reality this is likely 8-9 households thus somewhere in the region of 32-40 people.

The village was a principal manor, which had 2 associated sub-manors nearby. Alan of Brittany held over 1000 manors, either as lord in his own right or as tenant in chief (where he acted as lord but the king retained physical ownership of the land and a right to the profits generated) after 1086 and as such may not have ever visited Kneeton. At the time of the Domesday Survey only the King and Robert, Count of Mortain, held more land than Alan of Brittany making him one of the most powerful men in England.

Alan had extensive lands in Yorkshire and spent the 5 years after 1066 putting down various northern rebellions. After this he was granted the title 1st Lord of Richmond and established Richmond Castle as his principal seat. It is entirely possible that his travels north and south resulted in brief stop-overs at his other holdings like Kneeton, but if such visits did happen they were likely brief and infrequent.

The church sits within a rounded plot, it is possible that the site of the current church has long been used as a place of burial and worship. Other circular and sub-circular churchyards have been recognised as being pre-roman (and in cases where circular churchyards exist on elevated mounds – prehistoric) and as such this churchyards distinctive shape may indicate that Kneeton is a very ancient settlement indeed, its position on elevated ground beside a rare fording point of the River Trent would certainly make it a desirable place to settle.



The Parish Church is the oldest standing building in the village and the only communal building within the parish, but the site of the church may have been used for forms of worship since before the advent of Christian religion.

At some point after 1140 the manor was given, almost entirely, to Welbeck Abbey, possibly to aid the foundation to become self-sufficient through rents and thus possibly very shortly after 1140. After the Reformation King Edward VI let the manor to Sir Edward Molyneux. In 1791 the estate passed to the Howard Family (The only Molyneux hier was the widow of the late Lord Howard) and the Manor was pulled down as the family no longer resided in Kneeton. Via Henrietta Howard-Molyneux to the Porchester family (she married Henry Howard-Molyneux Herbert – Lord Porchester, Earl of Caernarvon; in 1830).

The parish open fields, worked by tenant farmers in a series of strips allocated annually by drawing of lots, were enclosed by the manorial landholders sometime in the 20 years prior to 1793. The Board of Agriculture sent a reporter, Robert Lowe to Nottinghamshire in 1793 over concerns about the extent of enclosure in the county. Robert found that over 30% of common agricultural land had been enclosed without authorisation from Parliament, including at Kneeton, in the years leading up to his visit.

Typically where the only farmers in a parish were tenants, enclosure could occur without an act of parliament provided all of the tenant farmers agreed, and in such cases the landlord could simply threaten to evict them from their homes if they did not. Much enclosure was undertaken as a result of threat (agree to enclosure or be evicted) or fraud (most commoners could not read or write, they could be forced to make their mark on documents they did not understand, or alternatively one 'x' on a parchment looks much like any other and agreements could be forged).

White's Directory (1853) states that the village was home to 40 people, remarkably similar to the size of the village in 1086. The village and the surrounding 990 acres of land are described as 'all belonging to the Earl of Caernarvon (except about 140 acres)'. The church is described as being small, with a tower and 3 bells and several 'ancient' monuments to the Story Family, which are still displayed high on the walls inside the tower. The name of this family also survives in the name of Story's House on the south side of Vicarage Lane.

The village also has a number of stories to tell from the second world war, including a mock airfield complete with lights constructed in the parish to trick enemy aircraft into thinking they were flying over nearby RAF Syerston. There are also barns at Storys Farm which contain Italian graffiti from this period. Italian prisoners of war were billeted out from nearby camps to work the land on local farms, the barns apparently provided some accommodation for the prisoners during their time working on Kneeton farms. Kneeton also provided a thoroughfare for the airmen based at Syerston as they passed through the village to the ferry to Hoveringham and the Elm Tree public house. Although gone now the ferry crossing between Kneeton and Hoveringham survived well into the 20th century, the remains of the ferrymans cottage in the aptly named 'Shipman's Woods' can still be seen today. There is some uncertainty about when the service formally ended. The landings were still in existence in the 1940's and 50's as they are shown on Ordnance Survey Maps of the period (marked and labelled in 1940), although Whites Directory of 1853 states "*Near the village (of Hoveringham) there was once a ferry across the Trent to Kneeton*" suggesting that the ferry had already ceased to operate. Perhaps the landings continued to be used on a more ad-hoc basis by local boatmen after a more formal ferry ceased to operate.

5.2 Plan Form and Layout

Kneeton has a nucleated form, yet despite its small size there is a surprising amount of open space within the core of the village, primarily in the form of the churchyard and the Padock on the opposite side of Vicarage Lane. Houses mostly front onto the roads, however, some form small courtyards (Kirklands Yard) and some have evolved to face their backs to the highway (Storys House). Some of the smaller cottages address hard up to the pavement edge (Shipmans, Mayfield and Corner Cottages as an example), while

larger and later houses tend to be set back from the roadside (Kneeton House, 1-3 Slate Row and 1-2 Smithy Cottages).

5.3 Open spaces, trees and landscape

Kneeton has only a limited number of significant trees and is characterised more by its grass verges, hedgerows and open spaces. Verges provide a rural feel to the streetscene of the village.

Open spaces encircled by low walls of brick and stone, such as the substantial paddock and the churchyard at the centre of the village, are also prominent features and add to the village's rural character. Areas of open green space which make a positive contribution to the character of the Conservation Area are shown on the Townscape Appraisal map in Appendix 2.



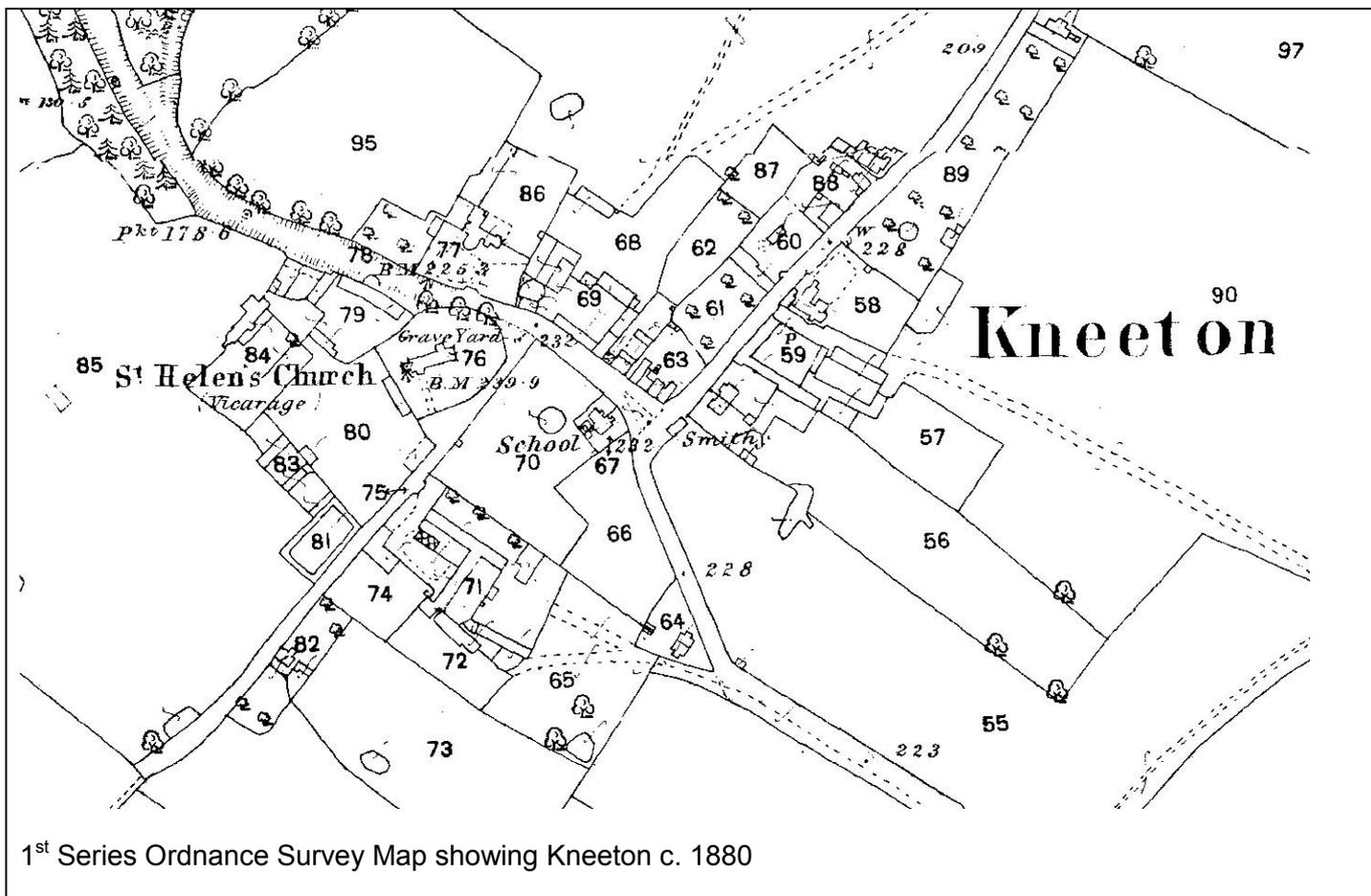
Opposite the open space of the churchyard, a large paddock sits centrally within the village enclosed by a red brick wall. The combination of the open space within the churchyard and paddock provides a wide expanse of open space as a focal point within the centre of the village.

5.4 Public realm

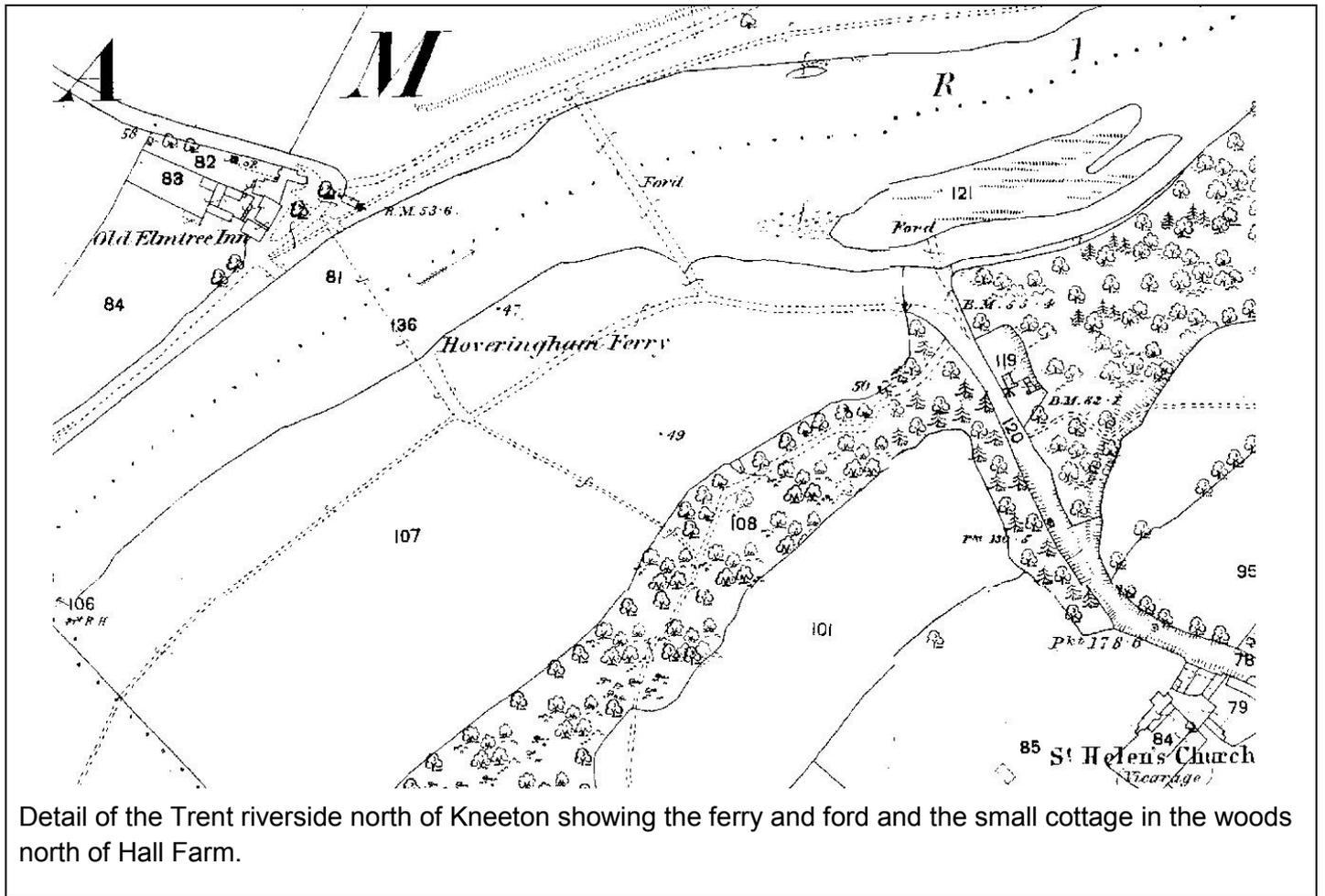
Kneeton's roads and pavements are mostly surfaced with asphalt, however, some areas are paved in close fitting blue bricks, and curb stones are in places of natural stone. Many private drives use gravel which is more sympathetic to the village's rural character.

Boundary treatments within the village include grass verges, hedgerows, and brick and stone masonry walls. In addition, a number of the village's older houses front directly onto the pavement, negating the need for any boundary definition. The public realm also features items of historic public infrastructure including a K6 public telephone kiosk and a Victorian post box.

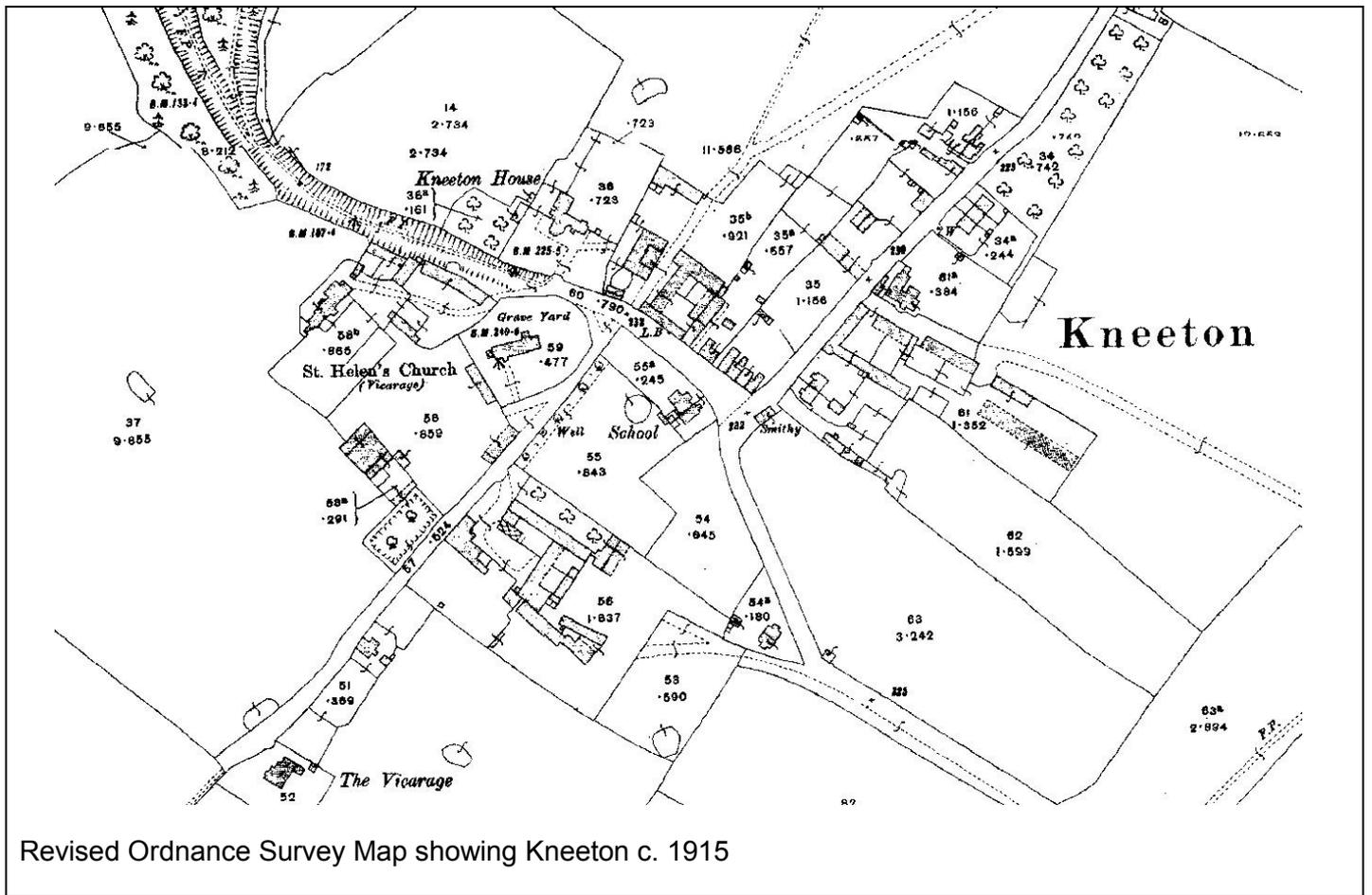
5.5 Historic Mapping



1st Series Ordnance Survey Map showing Kneeton c. 1880



Detail of the Trent riverside north of Kneeton showing the ferry and ford and the small cottage in the woods north of Hall Farm.



Revised Ordnance Survey Map showing Kneeton c. 1915

6.1 Buildings of the Conservation Area

Today there is little in the village which obviously pre-dates the 18th Century. The Church is 14th century, in part, but has been extensively restored (now almost entirely dating the near re-building undertaken by Ewan Christian in 1879-90, with the tower being the least altered section). From the south wall there are scars from where the nave once opened onto a south aisle through arched arcades, so clearly the church was once larger than it is today.

As previously discussed the Manor House was pulled down in 1781, and so it is interesting that its site is not marked on the 1st series Ordnance Survey Map of 1880, which so often does record the sites of long demolished manor houses. Given that only 100 years had passed its site should not have faded from local memory so completely.

The most obvious site is the paddock behind the Old School (ideal position opposite the Church) or alternatively (the manor was not built until after the reformation, so the site opposite the church may have already been developed or in other use) the land behind what today is Smithy Cottages is shown as having a sizable pond in it in 1880, manors were often associated with fish ponds as a way of storing fish to eat over the winter months; so this site is another contender.

A 3rd option is the yard beside the parish church backing onto Hall Farm. Whilst the name of hall farm is promising it does not necessarily convey proximity, Hall Farm may have been the estate farm or 'Home Farm' associated with the Hall, but that does not necessarily imply that it stood as an immediate neighbour to the Hall.



The village had its own school from 1871 until its closure around 1960.

George Walpole described the Hall in *The New British Traveller*, written shortly before the Hall was demolished, as being “A very handsome structure built on an eminence from whence there is prospect both extensive and delightful”. The main issue here is that the tree cover around Kneeton is such that none of these sites could really command an extensive prospect.

The most historic buildings are those dating to the early to mid-18th century opposite the Old School and the former farmhouses (and some of their agricultural outbuildings) scattered around the village. One of these former farmhouses to the northeast of the village centre is in a dilapidated state and is unoccupied. The building is a generous size and its walls appear sound – continued neglect might make it an unviable prospect, but at present it should be salvageable. The house also remains well related to a courtyard of 18th and 19th century barns to its southwest.

Kneeton House has a good 18th century range along its northeast side, while its frontage has had a bay fronted 19th century extension and porch which have significantly changed its appearance, from a very flat Georgian house, to a very 3 dimensional Victorian one, although the sequence of building is still reasonably clear.

Hall Farm is to the north of the Church and amongst its series of agricultural buildings (which include examples from the 18th-20th centuries) is the parish tithe barn. The listing description gives it a date of 18th century, however the building is much altered – once being entirely timber framed but now much replaced with brickwork (especially at lower levels). There is potential that the original timber framed tithe barn could be earlier, perhaps even before the 17th century, the brick infill appears contemporary with the surrounding 18th century barns and must have been added some time after the timber framed structure was first erected.

Courtyards of agricultural buildings are a significant feature within the settlement, with at least 4 no. (possibly 5 no.) recognisable farms scattered around the village (1880 OS map would appear to show 4 no. large, and 2 no. smaller, farmyards). The barns are typically well constructed, of brickwork of no lesser quality than some of the cottages within the village. This gives the entire settlement a consistent feel and material palette of red brick, clay pantiles and slate. In a few cases stone is used, sometimes for the lower section of a gable wall (Former Blacksmiths Shop, Shipman's Cottage), sometimes as dressing and sometimes as a plinth course for boundary walls (The Old Vicarage).



The parish Tithe Barn is described within its listing description as being “mid-18th century” (ie c. 1750) however it could well be earlier. The once timber framed structure has been extensively in-filled with brick to replace decayed timbers.

Other than the Church only 1 substantial stone building exists and this is the rear range of Storys House (Originally the Vicarage but subsequently used as a farmhouse with a range of brick built farm buildings behind. The rear range of the building is of stone, with wall-heads rebuilt in brick. This part of the building dates to the late 17th century and has large stone mullioned windows. The road frontage is of red brick and dates to the 19th Century. The ground floor has retained traditional joinery elements including external shutters held by simple iron catches fixed into the brick joints.

Beyond modern lightweight agricultural buildings only 6 no. new properties have been built in the village during the 20th and 21st centuries (3 no. semi-detached pairs). These are all located within the eastern part of the village and towards the edge of the developed area. A conservation area boundary could be drawn to exclude these modern properties, and several of the modern barns and agricultural buildings, or alternatively they could be included. The idea of designation is that it aims to “preserve or enhance” the character of the area and as such including imperfections or aberrations which do not make a positive contribution to the character of the area represents an opportunity for future enhancement.

The village does possess a degree of historic interest and its architectural interest lies with its sense of architectural consistency. The village has the character of an 18th century estate village with contemporary agricultural complexes and associated agricultural workers cottages. The relatively small amount of modern growth and development has allowed the historic form and character of the village to remain readily legible. The village thus fulfils the criteria within the Planning (Listed Buildings and Conservation Areas) Act 1990 for designation as a conservation area.

6.2 Listed Buildings

Buildings on the Government’s List of Buildings of Special Architectural or Historic Interest are called “Listed” buildings and are protected by law. Consent is required from Rushcliffe Borough Council before any works of alteration, extension, or demolition can be carried out. Further information can be found in Rushcliffe Borough Council’s publication Listed Buildings in Rushcliffe, which is also available online at: <http://www.rushcliffe.gov.uk/conservation/listedbuildings/>

A complete list of Listed Buildings and structures in Kneeton is provided in Appendix 1. All Listed Buildings are shown on the Townscape Appraisal plan, but some of the smaller structures such as gravestones may not be shown.

6.3 The Contribution of Unlisted Buildings

Although Kneeton contains a high proportion of listed buildings, a strong contribution to the established character of the place also comes from buildings around the village which are not recognised via listing. Examples include Slate Row, The Old Schoolhouse, The Old Vicarage and The Cottage.

Even more recent buildings such as Pinfold and Lilac Cottages make a positive contribution to the character of the village, in this example being amongst the first properties being encountered when arriving at Kneeton by road and being of similar scale, style and materials to many of the older properties within the village.

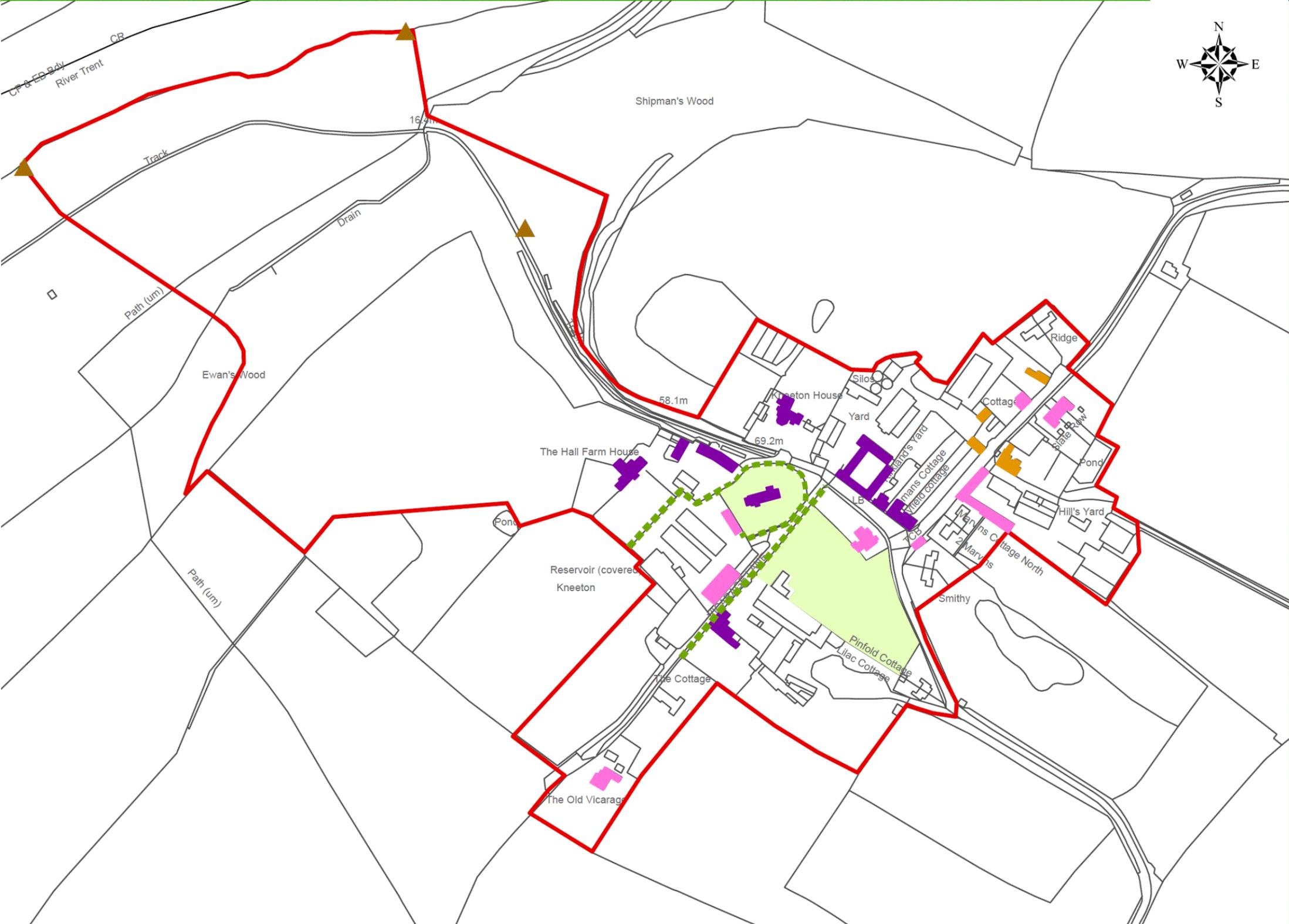
Appendix 1 – Listed Buildings in the Kneeton Conservation Area

Building Name	Listing Grade
Group of 3 headstones adjoining south wall of nave at Church of St Helen	II
Hall Farmhouse and attached Wash House*	II
Barn at Hall Farm	II
Neale's Farmhouse	II
3, Main Street	II
Corner Cottage and Mayfield Cottage	II
Church of St Helen	II
Old Vicarage and Boundary Wall*	II
Barn and Adjoining Stable at Hall Farm*	II
1 and 2 Kirklands Yard and adjoining Barn and Stables*	II

*Notwithstanding the implication of these titles all listed buildings always include all attached structures and extensions, regardless of age, and all detached outbuildings built before 1st June 1948 which are, or were at the time of listing, ancillary to the function of the primary listed building and were in the same ownership at the time of listing. Thus when a house is listed the listing will apply to extensions, porches, detached historic stables, barns, wash houses, privies etc. Only where such outbuildings and extensions are **specifically excluded** are they exempt from the provisions applying to listed buildings.

Conservation Area Boundary

Kneeton



- Conservation Area Boundary
- Listed Buildings
- Positive Buildings
- Enhancement Opportunities
- Ruined features of interest
- Positive Boundary Features
- Positive Open Space

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Appendix 3 – Generic Conservation Area Management Plan

1.0 Introduction

1.1 The quality and interest of the whole area, rather than individual buildings, gives a Conservation Area its special character. This includes factors such as historic street layout, use of local building materials, scale and detailing of buildings, boundary treatments, shop fronts, street furniture, vistas along streets or between buildings as well as trees and shrub planting.

1.2 In carrying out its planning functions, the Borough Council is required in law to give special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Conservation Area Appraisals identify the special character of each Conservation Area and the Borough Council has a programme for preparing or reviewing these.

1.3 There is also a duty to formulate and publish management plans setting out policies and proposals for the preservation and enhancement of Conservation Areas. Many of these policies and proposals are common to all Conservation Areas and these are set out in this document. Supplementary documents may be issued for individual Conservation Areas where specific policies or proposals are needed.

2.0 Aims and Objectives of this Management Plan

- To set out clear management proposals for the preservation and enhancement of Conservation Areas.
- To guide residents and professionals on:
 - features of value, worthy of preservation;
 - characteristics worthy of preservation;
 - opportunities for enhancement.
 - development proposals which preserve and enhance the special character of the area
- To foster community commitment to conservation principles

The Borough Council will follow these objectives in its own activities and will encourage other public bodies, including the Highway Authority to do the same.

3.0 National and Local Policies and Guidance

3.1 Central Government guidance applies to all Conservation Areas. This can be found in the following:

- The National Planning Policy Framework, or 'NPPF' (Particularly, but not exclusively Chapter 12: "Conserving and enhancing the historic environment")
- The National Planning Practise Guidance or 'NPPG'
- Historic England "Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management"

3.2 Rushcliffe Borough Council adopted part 1 of its new local plan in December 2014. This includes the high level strategic historic environment policy for the Borough:

Policy 11 – HISTORIC ENVIRONMENT

1. Proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance. Planning decisions will have regard to the contribution heritage assets can make to the delivery of wider social, cultural, economic and environmental objectives.

2. The elements of Rushcliffe's historic environment which contribute towards the unique identity of areas and help create a sense of place will be conserved and, where possible, enhanced with further detail set out in later Local Development Documents. Elements of particular importance include:

- a) industrial and commercial heritage such as the textile heritage and the Grantham Canal;
- b) Registered Parks and Gardens including the grounds of Flintham Hall, Holme Pierrepont Hall, Kingston Hall and Stanford Hall; and
- c) prominent listed buildings.

3. A variety of approaches will be used to assist in the protection and enjoyment of the historic environment including:

- a) the use of appraisals and management plans of existing and potential conservation areas;
- b) considering the use of Article 4 directions;
- c) working with partners, owners and developers to identify ways to manage and make better use of historic assets;
- d) considering improvements to the public realm and the setting of heritage assets within it;
- e) ensuring that information about the significance of the historic environment is publicly available. Where there is to be a loss in whole or in part to the significance of an identified historic asset then evidence should first be recorded in order to fully understand its importance; and
- f) considering the need for the preparation of local evidence or plans.

4. Particular attention will be given to heritage assets at risk of harm or loss of significance, or where a number of heritage assets have significance as a group or give context to a wider area.

3.3 The adopted Rushcliffe Local Plan was replaced in 2006 by the Non Statutory Replacement Local Plan for Development Control purposes and the following policies from that plan will be used for guidance in Conservation Areas. Until the adoption of part 2 of the local plan it contains the most recent development management policies relating to the historic environment for the Borough:

EN2 – CONSERVATION AREAS

Planning permission for development including changes of use and alterations or extensions to existing buildings within a designated Conservation Area, or outside of but affecting its setting, or views into or out of the Conservation Area will only be granted where:

- a) the proposal would preserve or enhance the character or appearance of the Conservation Area by virtue of its use, design, scale, siting and materials;
- b) there will be no adverse impact upon the form of the Conservation Area, including its open spaces (including gardens), the position of existing buildings and notable features such as groups of trees, walls

and other structures; and
there will be no loss of part or all of an open space which contributes to the character or appearance of the Conservation Area.

EN3 – DEMOLITION IN CONSERVATION AREAS

Where planning permission is required for development which includes the demolition of buildings in Conservation Areas it will only be granted where the proposal does not detrimentally affect the character or appearance of the area, and any permission may be conditional on redevelopment proposals for the site being approved, and contracts for them accepted, before demolition is begun.

3.4 Village Design Statements

Village Design Statements exist or are being prepared for several villages in the Borough, some of which are also Conservation Areas. Although these offer no statutory protection they identify the qualities that are valued by the local community and the character that should be preserved.

4.0 Development in Conservation Areas

4.1 Article 4 Directions

Article 4 of the Town & Country Planning (General Permitted Development) Order 2015 allows planning authorities to restrict specified permitted development rights in particular areas. Many councils use these to assist with the preservation of the special character of Conservation Areas although there are currently none in Rushcliffe.

Many buildings still possess original or traditional architectural details which contribute to the special character. These include windows, doors, porches, door hoods, pilasters and fanlights, chimneys, brick detailing and roofing materials as well as walls, gates and railings. However, the increased use of upvc windows, plastic barge boards, inappropriate roofing materials, high spiked metal railing and electric gates is eroding the character of many of our Conservation Areas. The use of Article 4 Directions will be considered where appropriate.

4.2 Building Design

Extensions to buildings in Conservation Areas should respect:

- The key characteristics of the original building including scale, mass, materials and proportions
- The contextual setting and character of the Conservation Area

This does not mean slavishly copying the original, which can devalue it and destroy the ability to “read” historic change and dilutes our historic heritage. In some cases this is impossible. For example Flemish Bond brickwork cannot be replicated in cavity walls and narrow lime mortar joints cannot be replicated in modern metric brickwork.

4.2.1 Good contemporary design will be encouraged where it respects the scale and character of its context. This must be demonstrated in the Design and Access Statement submitted with any planning application.

4.2.2 In particularly sensitive locations, such as uniform terraces, exact replication may be necessary to maintain compositional unity. In that case, attention to details, choice of materials and high quality workmanship are the keynotes.

4.2.3 Where new building is appropriate, on infill sites or where an existing building detracts from the character of the area, the opportunity should be taken to re-establish the streetscape, reinforce enclosure, open up distant vistas or views of landmarks or hide unsightly views.

4.2.4 As with extensions, good contemporary design which respects local character and the context of the site will be encouraged.

“New and old buildings can coexist happily without disguising one as the other, if the design of the new is a response to urban design objectives”.

(DETR - „By Design“, p19)

4.2.5 Pastiche designs, incorporating poor imitations of other styles will be resisted, particularly where they incorporate details which are not locally appropriate. Careful high quality replication may be required in a few very sensitive locations.

4.2.6 All new buildings should respond appropriately to the existing frontage and normally follow the established building line. Development or redevelopment will normally be resisted if:

“it blocks important views identified in the individual appraisals uses important open spaces identified in the appraisals adversely affects the setting of any Listed or key buildings fails to maintain or re-establish the streetscape where appropriate dominates its Conservation Area background fails to recognize the context of the site destroys important features identified in the individual appraisals such as boundary walls, fences, hedgerows or trees”

4.2.7 New development that stands out from the background of buildings may be appropriate in exceptional circumstances if it contributes positively as a landmark to enhance the street scene, to highlight a corner or to signal a visual change of direction such as along a curving vista.

4.2.8 Any external lighting should be carefully designed and sited to minimise light pollution.

4.2.9 Energy producing or saving devices are generally welcomed by the Council, but careful consideration is required when these are to be located in a Conservation Area and some may require planning permission. In particular they should be sited to minimise their impact on the building and on the local amenity.

4.3 Materials

Rushcliffe's older buildings are predominantly brick, some incorporating earlier timber framed structures. (There were many small local brickyards, some of which only worked for a few years and produced bricks in various shades of orangey red.) There are a small number of buildings built of local stone, mainly a soft grey lias, and higher status buildings in stone imported from Lincolnshire and elsewhere. Roofs are mainly plain tiles or pantiles, with some Swithland slate and Welsh slate from the mid 19c onwards. A few original thatched roofs remain.

Most of these materials are no longer available second hand, except in very limited quantities. National guidance is to use high quality new materials for extensions to existing buildings. However, it is preferable to use reclaimed materials where:

- Small quantities are needed to exactly match the materials of the existing building
- The materials are of high quality, the correct dimensions and colour
- The materials are sourced locally e.g. the approved demolition of an existing structure on site or in the immediate vicinity
- It can be demonstrated that the sourced materials have not resulted in the loss of a heritage asset elsewhere

4.4 Boundary Treatment

Boundaries, such as walls, fences or hedges, separate private spaces from the public realm of roads and pavements, physically and visually. They are as important in determining the character of a Conservation Area as the buildings behind them.

4.4.1 High brick walls and buildings on the back of pavements create a hard, urban feel to the Conservation Area whilst hedges, verges and trees produce a more rural character. In some Conservation Areas one or the other predominates whilst some have a mix of these features.

4.4.2 Where the character definition is strong, it is important to retain and promote a continuation of the theme. A high brick wall in a predominantly "green" lane will impact adversely on its character and the introduction of a hedge in an urban scene may be equally inappropriate. Where there is a variety in the type of boundary there will be more flexibility.

4.4.3 Local materials and design play a vital role in successful boundary treatments which maintain or enhance the character of the Conservation Area. Brick walls which match or complement the local architecture or locally native hedgerows and trees invariably have the greatest conservation benefits.

4.4.4 Any boundary detail should be in keeping with the street scene and be complementary to the building to which it is the boundary. It should reflect the status of the property and not attempt to create a sense of grandeur where unwarranted.

4.5 Landscaping

4.5.1 Trees can be a key factor in the special character of Conservation Areas.

4.5.2 In Conservation Areas there is a requirement to give the local planning authority six weeks notice of any proposed work to a tree. This period allows the local authority to assess the trees and decide whether a tree preservation order is desirable.

4.5.3 In many instances, the planting of new trees or groups of trees, would enhance the character of the Conservation Area. The Council is keen to promote this, where new planting contributes to the public realm, and has worked with Parish Councils to carry out small scale planting and other landscape schemes in their areas previously.

5.0 Buildings at risk and sites which detract from the character of the area

5.1 A number of important buildings in our various Conservation Areas are currently vacant or not in regular use, with some being „at risk“ of neglect or decay. There is a presumption against demolition of buildings which contribute to the character of the area unless there are exceptional circumstances. It would therefore

benefit both the physical form and the function of the Conservation Area if these buildings were repaired, maintained and brought back into use.

5.2 The Council will encourage owners of key properties in Conservation Areas which are in need of renovation or repair to carry out the basic maintenance work necessary to make sure the building is structurally sound and weather tight. The Council will encourage and advise on renovation and repair work that is sensitive to the original or traditional historic character of the building and retains original features.

5.3 The Council may take formal action if the condition of any building (listed or unlisted) which makes a positive contribution to the character of the Conservation Area is considered to be at risk.

5.4 Where the poor condition of a building or structure is as a result of neglect and lack of maintenance by its owner there is no requirement for the Borough Council to take its deteriorated condition into account when deciding whether demolition is appropriate. This is to avoid rewarding the deliberate neglect of buildings by representing such action as a way to obtain planning permission for demolition and redevelopment.

6.0 Management of Public Realm

6.1 Management of highways and footpaths is the responsibility of the Highway Authority, Nottinghamshire County Council. The Council will use its influence to ensure that the principles of good street and public realm design, such as those set out in

“Streets for All: East Midlands” (English Heritage, 2005), “By Design: Urban Design in the Planning System: Towards Better Practice” (DETR/CABE, 2000) “Manual for Streets” (DfT, 2007),

are applied within Conservation Areas.

6.2 Grass verges can also be lost during road or pavement improvement schemes and kerbstones may be added. They can also come under threat from property owners seeking to create hard-standings for off-street parking. The loss of grass verges, and the cumulative effect that this has over time, can result in the gradual deterioration of the special character of a Conservation Area. Such works will be resisted.

6.3 The quality and design of street surfaces and street furniture can also have a major impact on the character of the Conservation Area. Where historic or traditional street surfaces and street furniture have survived, these should be preserved and maintained. Any streets or public spaces in poor condition can have a negative impact on the Conservation Area and may need to be improved. Materials should be carefully selected to ensure that they complement and enhance the character of the Conservation Area.

6.4 Any surfaces, whether public or privately owned, that are in a severe state of disrepair and/or have a negative impact on the Conservation Area should be a priority for improvement works.

6.5 The public footpaths and other rights of way within and adjacent to the Conservation Area play a vital role in allowing people to enjoy and experience the area. It is important that these paths are well maintained, clearly marked and made accessible.

7.0 Monitoring

7.1 This Management Plan will be reviewed in accordance with a programme to be agreed in the light of the emerging Local Development Framework and government policy and best practice guidance at the time.

7.2 This review could involve residents and/or members of a residents' conservation group or conservation advisory committee under the guidance of the Borough Council. By this means, the local community would become more involved in the process, thus raising public awareness of and commitment to conservation issues.

 <p>Rushcliffe Borough Council</p>	<p>Cabinet</p> <p>13 March 2018</p> <p>Keyworth Neighbourhood Plan</p>	<p>8</p>
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Report of the Executive Manager – Communities

Cabinet Portfolio Holder for Housing and Planning Councillor R G Upton

1. Summary

- 1.1. The draft Keyworth Neighbourhood Development Plan (Neighbourhood Plan) was submitted to the Borough Council in July 2017 and following a statutory six week publicity and consultation period, which ended on Tuesday 17 October 2017, it proceeded to independent examination. The independent examination was undertaken by Patrick T Whitehead. The Examiner's report has now been received and it recommends that, subject to a number of proposed modifications, the Plan proceeds to referendum.
- 1.2. The decision to be made is whether to accept the Examiner's recommended modifications and allow the Neighbourhood Plan to proceed to referendum of eligible voters in Keyworth Parish.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) accepts all of the Keyworth Neighbourhood Plan Examiner's recommended modifications to the Keyworth Neighbourhood Plan;
- b) approves the holding of a referendum for the Keyworth Neighbourhood Plan, with the area for the referendum being the Parish of Keyworth; and
- c) approves the 'Keyworth Neighbourhood Plan Decision Statement' and its publication.

3. Reasons for Recommendation

- 3.1. The Borough Council, as Local Planning Authority, has a statutory duty to assist in the production of Neighbourhood Plans where communities wish to produce them under the Localism Act 2011.
- 3.2. The Borough Council is required to consider the Neighbourhood Plan Examiner's recommendations and decide what action to take in response to each. The Borough Council must come to a view as to whether the Plan, if modified in accordance with the Examiner's recommended modifications, meets certain prescribed 'Basic Conditions' and other statutory requirements. If it does, then a Neighbourhood Plan referendum must be held. The purpose of the referendum would be to ask voters whether the Neighbourhood Plan should be used to help decide planning applications in Keyworth Parish. If

there is a majority vote in favour of this proposal then the Borough Council would be required, subject to certain prescribed criteria, to make the Neighbourhood Plan part of the statutory development plan.

4. Supporting Evidence

- 4.1. The draft Keyworth Neighbourhood Plan has been produced by Keyworth Parish Council in conjunction with the local community. The Plan contains a number of policies which are intended to form part of the statutory development plan for the Borough and, therefore, to assist the Borough Council in the determination of relevant planning applications. The draft Neighbourhood Plan was submitted to the Borough Council in July 2017.
- 4.2. The Borough Council is required by legislation to assess whether the submitted Plan meets certain prescribed 'Basic Conditions' and other statutory requirements and whether it should proceed to referendum. In order to meet the Basic Conditions, the Neighbourhood Plan must:
 - have regard to national policies and advice contained in guidance issued by the Secretary of State
 - contribute to the achievement of sustainable development
 - be in general conformity with the strategic policies of the development plan for the area
 - be compatible with and not breach European Union obligations and
 - meet prescribed conditions and comply with prescribed matters.
- 4.3. In order to assist in this process, the Borough Council is required to invite representations on the submitted draft Plan and appoint an independent Examiner to examine the Plan and consider all representations received through the consultation undertaken by the Borough Council. The submitted Plan was publicised and representations were invited from the public and other stakeholders, with the period for representations closing on 17 October 2017. The independent Examiner appointed was Patrick T Whitehead. He has now completed his examination of the Plan and his report was published on 19 February 2018 (see **Appendix 1**). The Examiner was required to recommend either that:
 - the Plan is submitted to a referendum without changes; or
 - modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 4.4. The Examiner has concluded that, subject to a number of modifications set out in his report, the Plan meets the prescribed Basic Conditions and other statutory requirements and that it should proceed to referendum.
- 4.5. The legislation sets out that the Borough Council must consider each of the Examiner's recommendations, including the reasons for them, and decide what action to take in response to each one. It is considered that each of the Examiner's recommendations is appropriate and necessary in order for the Plan to meet the Basic Conditions or to make factual corrections. If any of the

modifications are not accepted than the Plan cannot proceed to referendum at this stage.

- 4.6. The Borough Council is required to publish a 'decision statement' which sets out the decisions made in respect of the recommendations contained within the Examiners report and the reasons for those decisions. A draft decision statement is provided at **Appendix 2**. An illustration of how the Examiner's recommended modifications would alter the Plan is available as a background paper.
- 4.7. If the Borough Council is satisfied that the Plan incorporating the Examiner's recommended modifications meets the Basic Conditions and other regulatory requirements, then the decision must be taken to hold a referendum to determine whether local people support the Plan and whether it should become part of the statutory development plan. The Borough Council is also required to consider whether the area for the referendum should be extended beyond the designated neighbourhood area (the Parish of Keyworth). It is the Examiner's recommendation that the referendum area should not be extended, based on the conclusion that the Plan, incorporating the recommended modifications, would contain no policies or proposals which are significant enough to have an impact beyond the designated neighbourhood plan boundary.
- 4.8. If the decision is taken to allow a modified Plan to proceed to referendum, then the date for the referendum is likely to take place no later than 18 June 2018. The referendum would follow a similar format to an election. All electors registered to vote and eligible to vote in local government elections within the neighbourhood area (the Parish of Keyworth) would be given the opportunity to vote in the referendum. In accordance with regulatory requirements, the ballot paper would have the following question: *'Do you want Rushcliffe Borough Council to use the Neighbourhood Plan for Keyworth to help it decide planning applications in the neighbourhood area?'* Voters would be given the opportunity to vote 'yes' or 'no'. If more than 50% of those voting in the referendum vote 'yes', then the Borough Council is required to make the Neighbourhood Plan part of the development plan for Rushcliffe. If the result of the Referendum is "no", then nothing further happens. The Parish Council would then have to decide what it wishes to do.
- 4.9. If there is a vote in favour of the Neighbourhood Plan becoming part of the development plan, then a report would be taken to a future Full Council meeting with the recommendation that the Plan is made part of the statutory development plan for Rushcliffe. Applications for planning permission would then have to be determined in accordance with both the Rushcliffe Local Plan and the Keyworth Neighbourhood Plan, unless material considerations indicate otherwise.

5. Risk and Uncertainties

To not follow the legislation and regulations correctly could lead the Borough Council open to legal challenge. The circumstances whereby a legal challenge, through a claim for judicial review, can be raised are set out in the Town and Country Planning Act 1990, section 61N.

6. Implications

6.1. Finance

The Borough Council has already received a total of £5,000 direct financial support from central Government following the Keyworth Neighbourhood Area designation. A further £20,000 would be able to be claimed once a date for referendum is set.

This direct support is to ensure that local planning authorities receive sufficient funding to enable them to meet their legislative duties in respect of neighbourhood planning. These duties include provision of advice and assistance, holding the examination and making arrangements for the referendum.

6.2. Legal

The Neighbourhood Plan, as proposed to be amended, is considered to meet the Basic Conditions which are set out in law following the Localism Act (see Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990). This has been confirmed in the Examiner's report. It is also considered that the Neighbourhood Plan meets all the relevant legal and procedural requirements.

6.3. Corporate Priorities

The policies contained within the Neighbourhood Plan will assist in delivering the Borough Council's corporate priorities in supporting economic growth to ensure a sustainable, prosperous and thriving local economy, and maintaining and enhancing residents' quality of life.

6.4. Other Implications

None.

For more information contact:	Dave Mitchell Executive Manager – Communities 0115 914 8267 dmitchell@rushcliffe.gov.uk
Background papers Available for Inspection:	Electronic copies of the documents relating to the submitted draft Keyworth Neighbourhood Plan and its examination can be found at: http://www.rushcliffe.gov.uk/planningpolicy/neighbourhoodplanning/ Background Paper to the Keyworth Neighbourhood Plan Cabinet Report, 13 March 2018: Illustration of Keyworth Neighbourhood Development Plan including proposed modifications.
List of appendices (if any):	Appendix 1 – Examiner's Report for the Keyworth Neighbourhood Development Plan Appendix 2 – Draft Keyworth Neighbourhood Plan Decision Statement

Appendix 1: Examiner’s Report for the Keyworth Neighbourhood Development Plan



Intelligent Plans
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Report on Keyworth Neighbourhood Development Plan 2014 - 2028

An Examination undertaken for Rushcliffe Borough Council with the support of the Keyworth Parish Council on the December 2016 submission version of the Plan.

Independent Examiner: Patrick T Whitehead DipTP (Nott) MRTPI

Date of Report: 19 February 2018

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Main Findings - Executive Summary

From my examination of the Keyworth Neighbourhood Development Plan (KNDP / the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Keyworth Parish Council;
- The Plan has been prepared for an area properly designated – the Parish Council area shown on the map on page 1 of the Neighbourhood Plan;
- The Plan specifies the period to which it is to take effect – 2014 - 2028; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Keyworth Neighbourhood Plan 2014 - 2028

- 1.1 Keyworth is a large village with a population of some 7,000, located within and entirely surrounded by the Nottingham-Derby Green Belt. It is around 8 miles (13km) south of the regionally important city of Nottingham and 10 miles (16km) north of the University town of Loughborough. The village is around 13 miles (20km) from the M1 motorway and a little further from the East Midlands Airport. There is a relatively low level of economic activity due to a significant retired population in the village, but unemployment levels are low as are levels of deprivation. The headquarters of the British Geological Survey (BGS) is a significant local employer within a well-functioning local economy. The community supports primary and secondary schools, three shopping areas and a number of other community assets such as churches, pubs, health and leisure centres, library and a village hall.
- 1.2 Prior to the inception of the NP, consultation and engagement exercises had been undertaken in relation to the Rushcliffe Core Strategy and the

Keyworth Village Plan [CD02]¹, both involving Keyworth Parish Council. Then in 2011, the Parish Council won a bid to undertake a 'frontrunner' project to produce a NP, financially supported by central government. The Keyworth 'Neighbourhood Area' was designated by Rushcliffe Borough Council on 4 December 2012 with the entire parish to be included in the KNDP area. The KNDP has been prepared by KPC as Qualifying Body with the assistance of consultants, BPUD Ltd (now known as Urban Imprint), and throughout the process has focussed on two interrelated aspects: the site specific detail, and the remainder of the key planning issues. Consultation took various forms aimed at the community as a whole with questionnaires delivered to individual households and a Digital Kiosk set up in various public places.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the KNDP by Rushcliffe Borough Council (RBC), with the agreement of the Keyworth Parish Council (KPC).
- 1.4 I am a chartered town planner and former government Planning Inspector, with more than 20 years experience inspecting and examining development plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft plan.

The Scope of the Examination

- 1.5 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions;
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:

¹ Core documents for this Examination are referenced in square brackets thus: [CD02].
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- it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017) or

a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of RBC, not including documents relating to excluded minerals and waste development, comprises the adopted Rushcliffe Local Plan Part 1: Core Strategy 2014 (RLP Part 1) and the saved policies of the Local Plan 1996. A Non-Statutory Replacement Local Plan was adopted as Council policy in 2006 and is treated as a material consideration in the determination of planning applications. RBC is in the process of producing a new (emerging) Rushcliffe Local Plan Part 2: Land and Planning Policies (RLP Part 2) which will set out the non-strategic development policies and policies for managing new development and will run from 2011 to 2028. The draft RLP Part 2 Preferred Housing Sites document was the subject of consultation, closing on 27 November 2017. It is anticipated the next stage will be the publication of the draft Plan in early 2018².
- 2.2 A significant consideration in the development of policies for the KNDP is the Nottingham-Derby Green Belt designation. Any outward growth of Keyworth is constrained by the Green Belt which is drawn tightly around the existing built form of the settlement. A Green Belt Review [CD07]³ noted the preparation of the KNDP and the intention to allocate sites for housing and concluded that, whilst a further review would make judgements as to which areas around Keyworth are considered suitable for release from the Green Belt “..it will be left to the Neighbourhood Plan Group to determine which of these areas the community wishes to include within its plan, taking into account other factors such as sustainability, access, proximity to the village centre”. (Paragraph 4.47). Consultants BUPD Ltd carried out a detailed appraisal of 10 areas of the Green Belt around Keyworth for KPC to form part of the evidence base to select preferred housing and employment sites⁴. I shall refer to these documents in my consideration of the KNDP Development Strategy (paragraphs 4.8 – 4.15).
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG)

² Regulation 19 of the Town and The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

³ Rushcliffe Green Belt Review, November 2013.

⁴ Green Belt Review for Keyworth Neighbourhood Plan, BPUD, September 2014.

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offers guidance on how this policy should be implemented. PPG makes clear that whilst a draft neighbourhood plan is not tested against the policies in an emerging Local Plan, the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the Basic Conditions against which a neighbourhood plan is tested. It cites, as an example, that up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development⁵. Paragraph 184 of the NPPF also provides, “*The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider area*”. On this basis, I make reference to the emerging RLP Part 2 in this report.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft KNDP 2014 - 2028, December 2016;
 - the map on page 1 of the Plan which identifies the area to which the proposed neighbourhood development plan relates;
 - the Consultation Report December 2014 and the Post Regulation 14 Consultation Report June 2017;
 - the Basic Conditions Statement, June 2017;
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Sustainability Appraisal/Strategic Environmental Assessment prepared by Urban Imprint Ltd on behalf of Keyworth Parish Council; and
 - the request for additional clarification sought in my letter of 15 December 2017, the response on the 18 December 2017 provided by the Parish Council and that of the Borough Council dated 21 December 2017, all of which are available on the RBC website⁶.

Site Visit

- 2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 4 December 2017 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.6 This examination has been dealt with by written representations. There have been no specific requests to be heard amongst the Regulation 16

⁵ PPG Reference ID: 41-009-20160211.

⁶ <http://www.rushcliffe.gov.uk/planningpolicy/neighbourhoodplanning/#d.en.14239>

representations. The consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum. Accordingly, I considered hearing sessions to be unnecessary.

Modifications

- 2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The KNDP has been prepared and submitted for examination by KPC which is a qualifying body. The Neighbourhood Plan Area covering the whole of the Parish of Keyworth was designated by RBC on 4 December 2012.
- 3.2 It is the only neighbourhood plan for Keyworth, and does not relate to land outside the designated neighbourhood area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2014 to 2028.

Neighbourhood Plan Preparation and Consultation

- 3.4 The consultation for the KNDP has taken place over an extended period from autumn 2011 to summer 2014 and has involved a number of focussed exercises. As noted previously, there had been a consultation on a Keyworth Village Plan in 2008 and the key findings from that consultation were grouped into a series of core themes. There was also a Core Strategy consultation carried out during 2011 which provided further key findings important to village stakeholders.
- 3.5 The general consultation for the KNDP was carried out between April and September 2012 and is detailed in the Consultation Report⁷. It took various forms including a Neighbourhood Plan Questionnaire delivered to each household and available via a Digital Kiosk in public places. There was also a Prospective Sites for Development Questionnaire asking respondents to rank the sites in order of preference and a SWOT

⁷ Consultation Report, KPC 2014.

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(Strengths, Weaknesses, Opportunities and Threats) analysis activity took place in April 2014. Submissions were also sought from developers who presented their proposals to the public who were invited to make comments.

- 3.6 The consultation also targeted certain groups to ensure representation of the whole community. Amongst these, primary school children were asked what they liked and disliked about the village [CD14] and Sixth Form students took part in workshops [CD15]. Targeted groups included the University of the 3rd Age, Local School Management Staff, Local Businesses and staff at the BGS [CD23 and 27]. A consultation of Statutory Bodies was undertaken in May 2013 regarding the suitability of development on each of the SHLAA⁸ sites with the comments collated in Section 11 of the Consultation Report.
- 3.7 The Pre-Submission (Regulation 14) consultation on the draft KNDP was held for 6 weeks running from 6 December 2014 to 24 January 2015. The Post-Regulation 14 Consultation Report, prepared by Urban Imprint for KPC, shows a total of 256 responses received from the general public, stakeholders, developers/landowners and statutory parties, the majority being completed questionnaires. Most significantly, opinion was divided regarding the housing allocation sites with just under 50% supporting the proposed allocations whilst the remainder were divided over possible solutions.
- 3.8 A total of 56 responses received from the Regulation 16 consultation were submitted along with the amended Plan. Of these, 11 expressed support or made comment without objection. Responses requesting further action included those submitted by RBC, and from prospective developers/landowners including Aldergate Properties Ltd, Barratt Homes, Bloor Homes, David Wilson Homes, Miller Homes Ltd, Mr Norman Davill, and the Hagg family. RBC has confirmed that the KNDP as submitted is considered to have met the legal requirements in paragraph 6 of Schedule 4B to the 1990 Act⁹. I take account of these responses in my assessment of the Plan. I confirm that the consultation process has met the legal requirements for procedural compliance on neighbourhood plans and has regard to advice on plan preparation in the PPG.

Development and Use of Land

- 3.9 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.10 The Plan does not include provisions and policies for 'excluded development'.

⁸ Strategic Housing Land Availability Assessment, RBC 2016.

⁹ Keyworth Neighbourhood Plan Legal Compliance Check and Decision Statement, RBC August 2017.

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Human Rights

- 3.11 As indicated in the Basic Conditions Statement, KPC is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998), and from my independent assessment I see no reason to disagree.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The neighbourhood plan was screened for Strategic Environmental Assessment (SEA) by Urban Imprint Ltd for KPC, which found that it was necessary to undertake SEA. Paragraph 4.1 of the SEA Report indicates that *"the Parish Council, as the responsible authority, considers that a Strategic Environmental Assessment of the emerging Neighbourhood Plan is required in part"*. The part in question is Policy H1 which outlines broad locations for the delivery of 500 new dwellings, although the Report states (paragraph 2.13) that it is good practice to ensure that a brief sustainability appraisal is undertaken of all of the policies. The SEA also provides the sustainability appraisal (SA).
- 4.2 The SEA was carried out following stages A – E of the SEA process referred to in PPG¹⁰. The detailed assessment of Policy H1 considered four options and alternatives designed to each meet, in some way, the aspirations of the Steering Group and reflecting different strategies. All options were tested against the sustainability and impact assessment criteria and a revised policy was written and subjected to Schedule 2 of the Regulations¹¹. Additionally, each of the policies in the plan was assessed against a series of sustainability objectives, developed from those used in the preparation of the RLP Part 1. This, it was considered, would reinforce the links between the relevant plans and policies.
- 4.3 I have given careful consideration to the SEA/SA. In so far as the assessment of Policy H1 is concerned, the selection of the 4 alternative options was undertaken on a rational basis and represents reasonable and realistic alternative strategies for development. The options are also sufficiently distinct to allow a comparison of the different sustainability implications of each. Further, I consider that the comparison of options was undertaken in a comprehensive manner and provides a satisfactory basis for selecting a preferred strategy. The assessment of the policies

¹⁰ PPG Reference ID: 11-002-20140306.

¹¹ Environmental Assessment of Plans and Programmes Regulations 2004.

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against the identified criteria is thorough and the results are summarised in an appendix to the SEA/SA Report.

- 4.4 I have noted that responses from the consultation bodies (Natural England, Environment Agency and English Heritage) were generally supportive and each has made detailed comments. I have also noted that the exercise resulted in amendments and additions to the KNDP to better contribute towards sustainability objectives¹². I conclude therefore that the SEA is robust and comprehensive, and has given the necessary and proportionate level of assessment to the environmental effects resulting from the policies and proposals contained in the Submission Plan.
- 4.5 The KNDP was further screened for Habitats Regulations Assessment (HRA), which was not triggered. None of the site allocations are in close proximity to a European designated Natura 2000 site and Natural England has not raised any issues of concern. From my independent assessment of this matter, I have no reason to disagree.

Main Issues

- 4.6 The KNDP has been developed on the basis of two main elements: the site specific detail based on a Development Strategy and the policies to address key planning issues. On the same basis, I have approached my assessment of the KNDP as two main matters:

Issue 1: Whether the proposals for housing and employment allocations and retail designations forming the Development Strategy in Appendix 3 are appropriate in the context of the adopted strategic planning policies and align with those in the emerging RLP Part 2?

Issue 2: Whether the Plan's policies provide an appropriate framework to shape and direct sustainable development, have regard to national policy and guidance and are in general conformity with the adopted strategic planning policies (and align with those in the emerging RLP Part 2)?

- 4.7 As part of that assessment, I shall consider whether the policies are sufficiently clear and unambiguous having regard to advice in the PPG: that the KNDP should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence¹³.

Issue 1: Whether the proposals for housing and employment allocations and retail designations forming the Development Strategy in Appendix 3 are

¹² SEA/SA Report, Paragraph 6.13.

¹³ PPG Reference ID: 41-041-20140306.

appropriate in the context of the adopted strategic planning policies and align with those in the emerging RLP Part 2?

- 4.8 The Submission Plan sets out the Development Strategy as Appendix 3 to the main document. The reason why the Development Strategy is confined to an Appendix to the KNDP is that the Plan cannot allocate specific sites which would require the release of land from the designated Green Belt surrounding the settlement. However, it is necessary to consider Appendix 3 to enable me to appreciate the context in which the housing policies were drawn up and I also fully recognise this is a very important issue to the local community. As a consequence, the Strategy identifies sites reflecting local preferences which form an aspirational strategy whilst acknowledging that it is for the local planning authority, RBC, to pursue the release of Green Belt land and make the allocations through the preparation of the RLP Part 2. KPC has sought to make this clear throughout the Neighbourhood Plan but there are a number of points in the document where amendments are necessary to clarify the status of the recommended allocations. RBC has provided a helpful list of suggested changes¹⁴ which form the basis of some proposed changes. These will be dealt with at the appropriate place in the report.
- 4.9 There are a number of influences on the Strategy which must be considered.

The Green Belt

- 4.10 As previously mentioned (paragraph 2.2) the Nottingham-Derby Green Belt is an important consideration since it is drawn tightly around the built-up extent of the village. As a consequence, any allocations for development purposes would require release of Green Belt land which, in turn, would require a review of the Green Belt boundary.
- 4.11 The Government attaches great importance to Green Belts and national policy requires that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. Following this advice, RBC has commenced a review as part of the preparation of RLP Part 2, and has published Parts 1 and 2(a)¹⁵ and 2(b) of the review¹⁶. The latter report provides a detailed assessment of the periphery of Keyworth and the SHLAA sites. Overall, it has concluded that the area is of low-medium Green Belt value (paragraph 4.102) although 7 individual SHLAA sites were categorised as of medium-high value. The sites include those in two main areas: KEY/C Shelton Farm and KEY/F to the rear of Stanton-on-the-Wolds Golf Course on the

¹⁴ Response to the Examiner's question, January 2018.

¹⁵ Rushcliffe Green Belt Review, November 2013 (Parts 1 and 2(a)).

¹⁶ Rushcliffe Green Belt Review, September 2017 (Part 2(b)).

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north-east side of the village; and KEY/J Wysall Lane, KEY/K west of Hillside Farm, KEY/O north of Bunny Lane and KEY/Q north of Debdale Lane on the west side of the village.

- 4.12 As also recorded earlier (paragraph 2.2), KPC commissioned its own review of the Green Belt¹⁷ prepared by BPUD Ltd. The 10 general peripheral locations were each assessed against the purposes of the Green Belt as set out in paragraph 80 of the NPPF. The conclusion in paragraph 3.2 indicated that all areas were identified as being of “*medium*” importance in fulfilling the stated purposes of the Green Belt except Area ‘G’ south of Keyworth, encompassing land between and either side of Wysall Lane and Lings Lane, which was scored as of “*medium-high*” importance.
- 4.13 It is RBC, as the local planning authority, which reviews Green Belt boundaries and so KNDP cannot allocate specific sites for development purposes where these are located within the current boundary of the Green Belt. The Parish Council acknowledges this (paragraph B.1) and, for this reason, has located the Development Strategy in Appendix 3. In response to a question from the Examiner, KPC advised that the inclusion of the housing allocation sites within the Green Belt in KNDP “*..could only be 'suggestions' that the council wished to express to RBC in advance of the Local Plan Part 2 being finalised*”¹⁸.

Housing target

- 4.14 The RLP Part 1 includes a spatial objective indicating that Keyworth, identified as a Key Settlement, will accommodate new development to maximise its accessibility to services and infrastructure¹⁹ and allocating a minimum of 450 homes in or adjoining the village²⁰. No specific allocations are included in the Plan. In order to meet the requirement, the KNDP Development Strategy seeks to allocate sites for 450 – 480 new dwellings in the Plan period. However, RBC published a Housing Site Selection Interim Report in September 2017 which effectively revised the total upwards on the basis that the village has “*..scope to sustain around 580 dwellings in total on Greenfield sites adjacent to the village*” and that “*..given the existing size of the town which has around 3,000 dwellings, 580 new homes should be able to be assimilated as part of Keyworth without unduly affecting the town’s character or local amenity*”²¹. It was also argued that in all respects the increase would be sustainable.

¹⁷ Green Belt Review for Keyworth Neighbourhood Plan, BPUD, September 2014.

¹⁸ KPC response to Examiners questions. Letter dated 18 December 2017.

¹⁹ RLP Part 1, paragraph 2.4.1.

²⁰ RLP Part 1, Policy 3, paragraph 2(b).

²¹ Housing Site Select Interim Report, RBC, September 2017, paragraph 6.27.

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4.15 The Development Strategy was developed on the basis of the RLP Part 1 target. However, KPC acknowledge that at the time of approval for submission the requirement was for “a minimum of 450 dwellings”, and it fully accepts that RBC can revise the site allocations in order to meet a new requirement of 580 dwellings²². I shall have regard to the new requirement in my consideration of the Development Strategy. However, bearing in mind the fact that KNDP can only include recommendations and it is for RBC to make allocations, I do not see a pressing need for an urgent re-assessment of sites to meet the increased housing target.

The Proposed Housing Allocations

4.16 The Plan proposes to recommend three principle allocations for new housing which would, in total, provide for at least 450 dwellings. It is suggested that this provides a “balanced” approach resulting in the total being split almost equally between east and west (paragraphs C.5 and E.1). This is not entirely the case since the land north of Bunny Lane (KEY/M) would provide for 150-160 dwellings to the west of Keyworth, whilst land at Platt Lane (KEY/A) and land off Nicker Hill (KEY/D) would provide for a combined total of 300-320 dwellings to the east of the village – a point noted by representors at Regulation 16 stage. However, as a balancing factor, the Plan also proposes a reserve housing allocation north of Debdale Lane (KEY/P) and to the east of the village for around 100 dwellings. Whilst the Plan has sought to build on the balanced growth option (Option 4), from my visit, it appears that the chosen allocations do ensure that impacts on the landscape setting of the settlement are minimised, and that the new developments would deliver an appropriate settlement edge, creating a transition to the wider landscape, identified as benefits in the SEA/SA Report (paragraph 8.2). Nevertheless, the result is that the allocations are more properly described as “divided between” rather than “balanced between”, a point I shall return to later (paragraph 4.67).

4.17 A number of amendments to the Plan’s main text and to the Appendix are necessary for reasons of accuracy and clarity, with the amended text in some cases being suggested by RBC. Where this is the case the suggested text has formed the basis for proposed modifications in order to meet the Basic Conditions.

4.18 The first instance where clarification is necessary is paragraph 1.5 in the Introduction to the KNDP where compliance with the relevant RBC local plan is referred to. The requirement is that Neighbourhood Plans are in general conformity with strategic local plan policies and have regard to national policy and guidance. The paragraph should be revised and expanded to include reference to the emerging RLP Part 2, and further

²² KPC response to Examiners questions. Letter dated 18 December 2017.

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clarify the status of the Appendix 3 recommended sites. The suggested revisions offered by RBC include technical changes to ensure the NP is worded appropriately at the point of adoption. The proposed change is provided by **PM1** which ensures the introduction is factually correct.

- 4.19 Paragraph 1.11 in the section titled Development Strategies also requires amendment to ensure that the actual relationship between the sites being put forward for allocation in the NP and the RBC process for developing the RLP Part 2 are clear. This particularly relates to the final part of the paragraph, for which amendments are proposed by **PM2** to ensure clarity.
- 4.20 For reasons of clarity a note should be inserted below the Appendix title to ensure the status of the Development Strategy is made clear. Appropriate text is included in proposed modification **PM29**.
- 4.21 Paragraph A1: The introductory paragraph requires some amendment and expansion to clarify the relationship between the KNDP Development Strategy contained in the Appendix and the emerging RLP Part 2. Amended text is provided by proposed modification **PM30**.
- 4.22 Paragraphs B1 and B2: Amendments to these paragraphs are necessary to clarify the Appendix status. Amalgamating the two paragraphs assists the understanding of the relationship of the KNDP with the development plan. It is a convention that the term "Green Belt" has capital letters. Proposed modification **PM31** provides appropriate amendments.
- 4.23 Paragraph C3: As with other statements in the Plan, it is necessary to amend the paragraph to clarify the intention to "*recommend*" rather than seeking to "*allocate*" the number of dwellings to meet the housing target. Proposed modification **PM32** provides the necessary changes to the text.
- 4.24 Paragraph C.6 refers to "*..two safeguarded sites rather than one single larger site..*". This is clearly erroneous and to be factually correct the text should be amended. Proposed modification, **PM33**, provides appropriate amendments.
- 4.25 Paragraph C7: For clarity of intent, the word "*recommended*" should be inserted in the first sentence. The final sentence should be corrected to refer to the "*Green Belt*". **PM34** provides appropriate amendments.
- 4.26 Paragraph E1: A factual inaccuracy occurs in the final sentence of paragraph E.1. As already noted the proposals do not provide for an almost equal split between east and west and the final sentence should be amended to reflect this as shown in proposed modification **PM35**.

- 4.27 Paragraphs E2, E3, E6, E9 and E15: Each of these paragraphs requires the insertion of the word “*recommended*” to clarify the intention of the Plan and appropriate amendments are provided by **PM36**.

Issue 2: Whether the Plan’s policies provide an appropriate framework to shape and direct sustainable development, have regard to national policy and guidance and are in general conformity with the adopted strategic planning policies (and align with those in the emerging RLP Part 2)?

Considerations

- 4.28 A number of the policies include “*normally*” as part of the policy statement. An example is Policy H3 which provides design requirements for new development. It states “*..the following design criteria normally apply..*” implying that there may be circumstances where the criteria will not apply. There is, therefore, a degree of uncertainty about the application of the policy requirements which raises questions regarding clarity and precision contrary to advice in the PPG²³. In dealing with each policy I shall consider the desirability of including “*normally*” in the particular context of its occurrence.
- 4.29 A second concern is that various requirements are placed on proposals for new residential developments by individual policies in different parts of the Plan. This makes it difficult to assess the cumulative impact of standards and policies on the deliverability of development. The NPPF makes it very clear in paragraphs 173-174, that the sites and the scale of development identified should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened, and that the cumulative impact should not put implementation of the plan at serious risk. I shall have regard to the national guidance and make appropriate references in my consideration of individual policies. The instances include potential contributions by way of planning obligations (policies CF2, LR1, LR2, SR2, TA2, H1 and E1) and policy requirements such as those in TA3 and H2.
- 4.30 The Proposals Map identifies Community Assets and Leisure Assets by a circle with either “C” or “L”. However, the key to the Map indicates that those assets relate to “Policy CA1”. There is no Policy CA1 and the reference should be to Policy CF1 as shown in proposed modification **PM37**, necessary for accuracy.
- 4.31 The Proposals Map also refers to allocations and safeguarded land as “*proposals only*”. In order to ensure the status of the sites and their inclusion on the Map is not misunderstood, these references should refer to the recommendation for their inclusion in the RLP. Appropriate text is

²³ PPG Reference ID: 41-041-20140306.

provided by **PM38** to meet the Basic Conditions so far as accuracy is concerned.

Policy ED1

- 4.32 The Policy provides a framework for the encouragement and control of new development and redevelopment of buildings on the BGS site. There are four components of the Policy: encouragement for proposals supporting the existing and future operations; support for limited infilling and ancillary uses; criteria which new development will be required to meet and lastly prevention of proposals resulting in the loss of employment space. The supporting explanatory text indicates the intention to support ongoing BGS activities but also the support for diversification on the site. The policy framework provides a useful indication of proposals which KPC would support, and the requirements it would wish to be met by proposals.
- 4.33 The Policy is in general conformity with Policy 5, paragraph 5, of the RLP Part 1 which encourages economic development associated with BGS at Keyworth and is in line with national policy supporting the sustainable growth of business enterprises in rural areas²⁴. However, the second paragraph lacks clarity and would benefit from a clearer and more precise structure to clarify its intent. At Regulation 16 stage, RBC has proposed an amendment to the text of the final paragraph of the Policy, removing the requirement for an economic viability assessment. The requirement is an unduly onerous demand on BGS and I support replacement of the text as shown in the proposed modification. With the amendments shown in proposed modification **PM3**, the Policy will meet the Basic Conditions.

Policy ED2

- 4.34 The focus of Policy ED2 is small scale employment developments elsewhere within the Plan area. The Policy encourages economic diversification in accordance with the RLP Part 1, Policy 5, paragraph 6 and in line with national advice in NPPF, paragraph 28, regarding the promotion of a strong rural economy. It provides a set of appropriate criteria to be met by proposals. The first and penultimate paragraphs of the Policy each contain an inappropriate use of the word "*normally*" and should be amended. RBC has indicated that the term "*small scale*" in the first paragraph is superfluous and proposed its deletion as shown in the proposed modification. Additionally, the penultimate paragraph should be amended to reflect the national approach to development within the Green Belt as indicated in NPPF, paragraph 87.

²⁴ NPPF: Paragraph 28.

- 4.35 The final paragraph relating to the retention of existing buildings used for employment purposes includes an unduly onerous requirement for conversion to a non-employment use to demonstrate every attempt has been made to secure an employment use. RBC has offered a revision to the paragraph which provides a satisfactory response. I have provided suggestions for revised text regarding each of these paragraphs in the proposed modification **PM4**. The Policy will meet the Basic Conditions with the appropriate amendments.

Policy ED3

- 4.36 Policy ED3 is concerned with development by entrepreneurial enterprises, for example involving the conversion of residential buildings for business or tourism uses. The Policy is generally in line with national policy in the NPPF, paragraph 28, supporting enterprise in rural areas. It provides criteria which must be met by proposals although the Policy does not make this explicit. The first paragraph also includes “normally” which suggests there may be exceptions. In order to meet the requirement in the PPG²⁵ for clarity and precision the first paragraph would benefit from amendments as shown in proposed modification **PM5**, the inclusion of which will meet the Basic Conditions.

Policy CF1

- 4.37 The Policy seeks to protect and enhance community facilities and lists community assets to which it would apply. These range from schools, churches, pubs and other community buildings to various open spaces. The Policy provides support for development proposals which would result in improvement of the assets. It also seeks to resist development which would result in the loss of an asset, subject to two criteria: replacement of the asset by an equivalent or superior provision or subject to the facility no longer being required or it is no longer viable. RBC has indicated that the final criterion is onerous in requiring an independent viability test to demonstrate that there is no longer a need for the facility or it is no longer viable and has suggested revised wording which is incorporated into proposed modification **PM6**.
- 4.38 The Policy is straightforward in its intent and clear in its purpose and is generally compliant with Policy 12 in the RLP Part 1. It also follows national guidance in the NPPF, paragraph 28, on the retention and development of community facilities in villages, and in paragraph 70 regarding delivery of social, recreational and cultural facilities and services. Therefore, with the proposed modification, it meets the Basic Conditions.

²⁵ PPG Reference ID: 41-041-20140306.

Policy CF2

- 4.39 New development proposing identified new community assets would be supported through this Policy. As with the previous Policy, CF2 is in general conformity with RLP Part 1, Policy 12 concerning the provision of new, extended or improved community facilities, and follows national guidance in the NPPF. The final sentence of the first part of the Policy indicates that early engagement with the community is encouraged, but also suggests such engagement will “..be looked on favourably”. This is not helpful to a prospective developer since there is no sense in which this can give comfort that proposals would be acceptable or that, in its absence, planning permission would be withheld. The phrase should therefore be deleted as shown in the proposed modification.
- 4.40 The final part of the Policy seeks contributions from developers of strategic residential schemes for the delivery of the assets. This can be related to Policy 12 in the RLP Part 1, which states that “...new or improved community facilities will be sought to support major new residential development.”. and “..where appropriate, contributions will be sought to improve existing community facilities provision where the scale of residential development does not merit direct provision of community facilities”. However, as worded, the paragraph would not appear to meet the statutory test for planning obligations. In particular the NPPF makes it clear that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition²⁶. The Policy does not identify ‘unacceptable impacts’, it merely seeks funding for new community assets. The Policy also includes an unreasonable requirement for the long term management of the facility to “..be secured as part of a planning permission”.
- 4.41 An additional problem arises through the PPG requirement that “*planning obligations must be fully justified and evidenced*”²⁷. The explanatory justification for Policy CF2 does suggest the new residential development would increase pressure on the current provision within the village. However, there is no hard evidence to indicate that present facilities are over-used in any way and suggestions regarding the provision of additional gymnasia and specialist courts (such as squash courts) cannot be construed as an impact of new development requiring mitigation. RBC’s Regulation 16 comment advises there is a need for the paragraph to be amended and has provided a suggested revision. However, even taking account of the new wording, the paragraph is not a convincing statement of policy.

²⁶ NPPF: Paragraph 203.

²⁷ PPG Reference ID: 23b-004-20150326.

- 4.42 Further, the second sentence is unnecessary in that the release of any additional sites beyond the settlement boundary would require further release of land within the Green Belt.
- 4.43 In summary the Policy is aspirational in that schemes do not presently exist for these facilities: as indicated in the explanatory text, the intention is to develop social capital and contributions will be sought to assist in funding improvements. In order for the Policy to meet the Basic Conditions, in particular by ensuring that, overall, the scale of obligations is not such that delivery of the allocated sites is threatened, amendments to the text are necessary. There is an incorrect reference to Policy "CA1" in paragraph 6.5 which should be amended to "CF1". Appropriate changes are provided by proposed modification **PM7** in order to meet the Basic Conditions.

Policy CF3

- 4.44 The expectation of this Policy is that the design of community buildings should make a positive contribution to the built environment. It provides a set of criteria to be met by all new developments and proposals to improve existing buildings. The Policy also encourages low carbon or carbon-neutral buildings. The criteria are straightforward and clearly set out and the Policy generally conforms with RLP Part 1, Policy 2 regarding climate change, sustainable design and adaptation, and Policy 12 relating to new and improved community facilities. It also follows national guidance which seeks to support the rural economy²⁸. However, the first sentence of Policy CF3 includes an unnecessary "normally" contrary to the requirement for clarity and precision in PPG²⁹. Proposed modification **PM8** provides an appropriate amendment so that the Policy meets the Basic Conditions.

Policy LR1

- 4.45 The Policy seeks to provide protection for new and existing open spaces and parks through the use of the designation Local Green Spaces (LGS) as provided for in NPPF, paragraphs 76-77. It also includes a requirement for new provision of formal and informal open space to be made in new residential development of more than 25 units, using standards in the RBC Leisure Facilities Strategy. Additionally, the Policy requires outdoor space for all commercial office space, and contributions to the creation of a green trail network from all new developments. A consequence is that the Policy lacks clarity of intent.

²⁸ NPPF: Paragraph 28, final bullet point.

²⁹ PPG Reference ID: 41-041-20140306.

- 4.46 A first step to providing the necessary clarity is that the Policy should be divided into two parts: the first providing appropriate protection to existing provision of open space; the second identifying the required provision of open space in new developments. In my proposed modifications, I have referred to these as LR1(A) and LR1(B). The LGS is Government backed through the NPPF with the advice that local policy for managing LGS should be consistent with Green Belt policy – in other words, it provides very strong protection. For this reason, I consider that Policy LR1(A) should be clearly identified as a LGS policy. NPPF, paragraph 77, gives clear guidance on the requirements for designation as LGS and this excludes consideration of the Keyworth Meadow Nature Reserve because it cannot be considered, in my view, as “*..in reasonably close proximity to the community*”. It is also inappropriate to indicate that new open spaces “*..will subsequently be designated as Local Green Spaces*” since NPPF, paragraph 76, advises that LGS should only be designated when a plan is prepared or reviewed. Accordingly, it is not possible to forecast whether it will be appropriate to designate a particular site or area as LGS in advance of the preparation or review process.
- 4.47 However, the following sites do meet the criteria set out in paragraph 77 of the NPPF in that they are not extensive tracts of land; are in reasonable close proximity to the community and are demonstrably special to that community: Footpath and woodland off Platt Lane; Skate park off Platt Lane; Triangular playing field behind houses on Plantation Road and Croft Road; Rectory Field and Bowls, Tennis Clubs and Platt Lane Playing Fields and pavilions.
- 4.48 The second part of the modified Policy – LR1(B) – sets out the requirement for provision of new open space to be met by development proposals. The first part of the required provision is based on standards set out by the RBC leisure services strategy. The reference is to the 2010 Open Space Audit which RBC has indicated has been superseded by the Rushcliffe Playing Pitch Strategy 2017. RBC has suggested amendments which can form the basis of a proposed modification. However, it seems illogical to replace one set of specific standards with another when these are produced and published by the Borough Council and may be subject to further review during the lifetime of the NP. Accordingly, to ensure the deliverability of this policy, I consider it can be future proofed by referencing the standards and their source, but omitting the actual standards as a Policy statement. RBC has also indicated that contributions to a green trail network should only be sought where it is deliverable and has the support of the local community. It has also indicated that any maintenance strategy should only be in respect of land over which the developer has control.
- 4.49 As indicated, it is necessary to re-structure the Policy for clarity reasons and proposed modification **PM9** provides a revised structure and incorporates amendments to address the issues raised above.

Consequential changes are necessary to the title preceding paragraph 7.0, to the paragraph itself, and to the entry in the table following paragraph 4.0. With these modifications, the Policy is generally compliant with Policy 16 in the RLP Part1, concerning green infrastructure, landscape, parks and open space, and follows national advice regarding Local Green Space designation and the protection and enhancement of rights of way and access³⁰ and so meets the Basic Conditions.

Policy LR2

- 4.50 This Policy seeks improvements to pedestrian and cycle networks within the Plan area. There is a simple statement supporting new provision in association with development proposals and a counter statement resisting development which would result in the loss of existing provision. The Policy is in general conformity with Policy 14 in the RLP Part 1, regarding improvements to walking and cycling provision, and follows advice in the NPPF paragraph 35, concerning the priority to be given to pedestrian and cycle movements. However, RBC has indicated that financial contributions should only be sought where delivery is necessary to mitigate the impacts of new development, and subject to financial viability. RBC has provided a suggested revised text and I have used this as a basis for proposed modification **PM10**. With this amendment, the Policy meets the Basic Conditions. An incorrect reference to Policy "CA1" in paragraph 7.8 will also require amendment.

Policy SR1

- 4.51 Policy SR1 identifies three main shopping areas in Keyworth, two of which are identified as local centres in RLP Part 1, Policy 6, (The Square and Wolds Drive). The third shopping area, identified as an Area of Neighbourhood Importance, is Nottingham Road/Debdale Lane, a smaller cluster of shops and services such as a pub, fish and chip shop and Sainsbury's Local supermarket, which is important locally although of less significance in the hierarchy identified in the Rushcliffe Local Plan. Accordingly, it is right that the NP should identify it as a local shopping area for the purposes of Policy SR1. RLP Part 1, Policy 6, indicates that Centres of Neighbourhood Importance will be set out in the RLP Part 2. Therefore, Policy SR1 is generally compliant with the Local Plan Part 1 and also follows national advice regarding the management of shopping areas and ensuring their continuing vitality, particularly in rural areas³¹.
- 4.52 There is one amendment which is necessary to ensure the clarity and precision required of neighbourhood plan policies by the PPG³². The final

³⁰ NPPF: Paragraph 75.

³¹ NPPF: Paragraphs 28 (final Bullet point) and 70 (third bullet point).

³² PPG Reference ID: 41-041-20140306.

paragraph of the Policy refers to “..a *primary shopping frontage*..”. The term “*primary shopping frontage*” refers to advice in the NPPF, paragraph 23 which requires a “*clear definition of primary frontages in designated centres*”. Since there has as yet been no definition of primary shopping frontages in the RLP, for clarity, it would be better to use the term “*active shopping frontage*” to relate to the term used elsewhere in Policy SR1. With the amendment in proposed modification **PM11** the Policy meets the Basic Conditions.

Policy SR2

- 4.53 Contributions are sought through this Policy from all new developments over 10 dwellings or 500 sq m of commercial floor space in order to make public realm improvements, specifically within the shopping areas. The Policy is effectively seeking off-site contributions from developers towards improving the environment of shopping areas. The difficulty with this is that it seeks to impose a further financial burden on developments over and above requirements for affordable housing provision, infrastructure provision and improvements and delivery of community assets. As I have already indicated (paragraph 4.29 above) the NPPF makes it clear that that the cumulative impact of such requirements should not put implementation of the plan at serious risk³³. In addition, such contributions, sought through planning obligations must meet the statutory tests set down in the Community and Infrastructure Levy Regulations 2010, and referred to in the NPPF at paragraph 204. These include the requirements that they should only be sought if necessary to make the development acceptable in planning terms, and be directly related to the development. RBC’s comments at Regulation 16 stage has advised that contributions would only be appropriate where specific schemes have been identified by the appropriate statutory body, and that delivery of the improvements should be through the Public Realm Strategy referred to in the Policy.
- 4.54 In order for the Policy to meet the legal and policy requirements related to planning obligations it is necessary to take all of these concerns on board, requiring significant amendment to the text. It is firstly necessary to make clear that contributions will only be sought where the impact of the proposed development is such that mitigation measures are necessary and secondly that they should be subject to financial viability considerations. I also agree with RBC that any contributions sought would have to be appropriate where specific schemes have been identified. Proposed modification **PM12** provides appropriate textual amendments in order to meet the Basic Conditions. An incorrect reference to Policy “CA1” in paragraph 8.10 will also require an amendment.

³³ NPPF: Paragraphs 173-174.

Policy SR3

- 4.55 Detailed guidance for shop frontage design is provided by Policy SR3 criteria, largely in line with Policy 10 in the RLP Part 1 which seeks to guide design and the enhancement of local identity. It also follows national advice that good design is a key aspect of sustainable development and should contribute positively to making places better for people³⁴. It is important that those who decide planning applications can apply the Policy consistently and with confidence³⁵ and in this respect amendments to the text are necessary to the last three criteria. With the appropriate amendments, as provided in proposed modification **PM13** the Policy meets the Basic Conditions.

Policy TA1

- 4.56 KPC is seeking to further promote and expand sustainable modes of transport. To achieve this, the Policy is concerned with ensuring that new residential developments plan for sustainable modes of transport through requiring the submission of Transport Assessments to support planning applications. The Policy conforms with the thrust of Policy 14, managing travel demand, in the RLP Part 1 and follows Government advice in the NPPF, paragraph 32. Rushcliffe Borough Council has pointed out that, in addition to national advice, guidance on transport assessments is published by the local transport authority. An amendment to the second sentence of paragraph two of the Policy to this effect would ensure clarity. The amended text is shown in proposed modification **PM14** which ensures the Policy meets the Basic Conditions. There is an incorrect reference to Policy "CA1" in the second sentence of the Policy which requires amendment.

Policy TA2

- 4.57 This Policy introduces tests for assessing the acceptability of highway schemes related to new developments. The first paragraph is concerned with highway safety in relation to vehicles entering and leaving the development site. RBC's response at Regulation 16 stage expresses concern that the requirement that all traffic should be able to enter and leave the development site in a forward gear could adversely affect the achievement of good urban design and make it difficult for individual dwellings to front directly on to roads. The statement is not precise or clear in the policy intent: for example, it does not define what constitutes a "scheme" or "development site" so that the policy would be difficult if not impossible to apply to development proposals. As RBC indicates, if it were to be applied to individual dwelling plots it would have undesirable

³⁴ NPPF: Paragraph 56.

³⁵ PPG Reference ID: 41-041-20140306.

consequences. Similarly, there would be no instance where a whole development might be permitted in which vehicles are forced to exit the site in reverse gear. The sentence should be deleted.

- 4.58 The third paragraph seeks contributions towards strategic highway improvements and local improvements to address perceived issues resulting from the strong focus of development on the Platt Lane, Nicker Hill and Station Road area of the network. Contributions towards the strategic highways network identified in the RLP Part 1 are sought through policies 18 and 19 of the Local Plan and it is not necessary to repeat those policy requirements nor, in these circumstances, is it appropriate for a Neighbourhood Plan to seek contributions towards the strategic highway network. The requirement should be deleted.
- 4.59 Appropriate amendments for each of these aspects of the Policy are provided by proposed modification **PM15** in order to ensure that the Basic Conditions are met.

Policy TA3

- 4.60 There are a number of issues with this Policy, which seeks to impose standards of car parking for new developments. The first issue concerns the imposition, as a necessity, of design standards which may have cost implications for developers without sufficient hard evidence to show that they are, indeed, necessary or why permission should not be granted in their absence. The NPPF, paragraph 59, makes it clear that policies should avoid unnecessary prescription or detail and, at paragraph 174, indicates that the cumulative impact of standards is a consideration and should not “*..put implementation of the plan at serious risk*”. However, the NPPF also gives guidance that parking standards may be set locally but, at paragraph 39, provides criteria to be taken into account when doing so. As a consequence, the imposition of such standards should be qualified, resulting in the need for some textual changes to the Policy.
- 4.61 A second issue is that some of the text contained in the Policy does not provide a statement of action required but rather a reason for requiring it: such text should not be included in the Policy but form part of the explanatory text.
- 4.62 The third issue is that the Policy seeks to restrict the future use of permitted development rights to prevent the conversion of garages to living space. This is contrary to Government advice in the PPG³⁶ which indicates that “*area wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the*

³⁶ PPG Reference ID: 21a-017-20140306.

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tests of reasonableness and necessity." Accordingly, it is necessary to delete the final sentence of the second paragraph. It is also necessary to delete the whole of paragraph 9.11 of the explanatory text which provides justification for the Policy.

- 4.63 Finally, RBC has suggested in its comments that the final part of the Policy should allow more flexibility in respect of developments of more than 10 dwellings that may take place within the Conservation Area. RBC has provided additional wording making specific mention of the Conservation Area which is an appropriate amendment.
- 4.64 Appropriate amendments to the Policy text are provided by proposed modification **PM16**. With the amendments, the Policy is in line with national guidance and meets the Basic Conditions.

Policy H1

- 4.65 The first paragraph of the introductory text for the Housing Strategy Policy requires some amendment to take account of the relationship between this NP and RBC's Local Plan Part 2. It is also necessary to change the reference to "*a further two sites*" in the penultimate sentence since there is only one additional designated site for safeguarded land. Appropriate changes to ensure accuracy are included in proposed modification **PM17** to meet the Basic Conditions.
- 4.66 Paragraph 10.4 requires small amendments to acknowledge the relationship with RLP Part 2. These are provided by **PM18** to ensure accuracy and general conformity with the strategic policies of the local development plan.
- 4.67 The Policy provides for the delivery of the Housing Strategy set out in Appendix 3. RBC has requested that some amendments are made to the wording of the Policy to take account of its relationship with RLP Part 2. In addition to those modifications and to take account of my comments made earlier (paragraph 4.16) that the Strategy does not actually result in an equal balance of development between east and west of the settlement a further amendment is necessary to the second paragraph.
- 4.68 The fourth paragraph of the Policy indicates a requirement for localised convenience retail needs to be met. This cannot be a requirement as such since any provision would only be met if market conditions could be satisfied. A change to the wording is necessary to take account of the provisions of RLP Part 1, Policy 12.
- 4.69 Proposed modification **PM19** provides appropriate amendments to the wording of the Policy to ensure that it generally conforms with the

strategic policies of the local development plan and is in line with national policy and guidance in order to meet the Basic Conditions.

- 4.70 Paragraph 10.5 relates to the delivery of the Local Plan housing target. It is necessary to amend the wording of the penultimate sentence for accuracy and provide a new sentence to clarify the relationship with the emerging Local Plan. Appropriate wording is provided by proposed modification **PM20** to ensure the paragraph meets the Basic Conditions so far as accuracy is concerned.

Policy H2

- 4.71 Policy H2 seeks to achieve a particular mix of housing types and sizes, considered to be appropriate for the settlement. Although reference is made to the Rushcliffe Housing Needs Survey, the explanatory text suggests that there is a strong influence on the Policy content resulting from expressions of desire which have arisen through the consultation process. Of course, the neighbourhood plan process is intended to give expression to local views and the NPPF, paragraph 184, makes this clear. However, it is also necessary for the Policy to be in general conformity with the strategic policies of the local development plan, in particular with RLP Part 1, Policy 8. This indicates that the appropriate mix of house size, type, tenure and density will be informed by a set of criteria. Evidence regarding the local demographic context and trends, local housing need and area character are included within these criteria. However, the criteria also include the need for policy to be informed by evidence within the Strategic Housing Market Assessment, other research into particular housing requirements, and the RBC's Sustainable Community Strategy and Housing Strategy.
- 4.72 Policy 8 in the RLP Part 1 also indicates that affordable housing should be sought "*through negotiation*" on sites of more than 5 dwellings, and also indicates that, for Keyworth, the proportion sought should be 20%, rather than the 30% sought by this Policy. No robust or up-to-date evidence is provided to suggest the proportion should differ from that identified in Policy 8. In order for the Policy to be achieve general conformity with the strategic policies of the development plan, amendments are necessary. In addition, RBC has made comments on the Policy content and has suggested some amendments as necessary.
- 4.73 In addition to these, to ensure some flexibility to meet the requirements of the Local Plan Policy 8, and also to ensure the viability of schemes is taken into account, further amendments are necessary. These are required to meet the Basic Conditions and are shown in proposed modification **PM21**.

- 4.74 The RBC comment regarding the use of the terms “*starter homes*” and “*shared ownership*” in the Policy and in paragraph 10.9 of the explanatory text requires amendments to ensure the NP has regard to national policy and guidance.

Policy H3

- 4.75 The Policy seeks to apply specific design requirements to all new housing developments comprising more than 10 dwellings. The criteria are generally straightforward and they broadly accord with RLP Part 1, Policy 10 so far as its general design guidance is concerned. It also has regard to national advice requiring good design in the NPPF, paragraphs 56-68.
- 4.76 The first sentence of the Policy would provide a more positive guide to developers with the word “*normally*” deleted. The same deletion regarding the fifth criterion would provide a clearer indication of the intention to seek appropriate densities for development on the edge of the settlement. A further amendment is necessary to the sixth criterion since developers cannot be committed to a management regime for landscape matters “*in perpetuity*” as this would not meet the tests for planning conditions³⁷.
- 4.77 Appropriate amendments are provided by proposed modification **PM22** to ensure the Basic Conditions are met.

Policy E1

- 4.78 The green and blue infrastructure to which the Policy relates includes hedgerows, watercourses, woodland and scrub areas. The Policy provides encouragement for development proposals which promote the establishment and enhancement of green and blue infrastructure. This follows national advice in the NPPF, paragraph 118, and is generally compliant with RLP Part 1, particularly Policy 16, paragraph 2. So far as seeking to establish new, and enhance existing infrastructure assets are concerned the Policy meets the Basic Conditions.
- 4.79 However, the Policy needs to go a little further in terms of minimising the impact of development proposals where there is a potential for the impact to be adverse or negative. The NPPF, paragraphs 117-118 and the RLP Part 1, Policy 16, paragraph 2(b) emphasise the need to give consideration to potential impacts of developments in terms of alternative schemes or mitigation. Proposed modification **PM23** includes a suggestion for an additional paragraph to address this omission, in order to meet the Basic Conditions.

Policy E2

³⁷ NPPF: Paragraph 206.

- 4.80 The Policy seeks to ensure new developments take account of the importance of the environment and habitats. This is in general conformity with the strategic policies of RLP Part 1, particularly policies 16 and 17, and is in line with national advice to minimise impacts on biodiversity and geodiversity³⁸.
- 4.81 Attention has been drawn to paragraph 11.11 which requires amendment to take account of the approval of the Rushcliffe Conservation Strategy. RBC has suggested appropriate revisions which are set out in **PM24** to ensure the Basic Conditions have been met.

Policy HC1

- 4.82 An objective of the KNDP is to value and conserve the Keyworth Conservation area which encompasses the core of the village and main shopping area. Policy HC1 seeks improvements to the public realm within the Conservation Area by setting down criteria to be met by development proposals. This generally accords with Policy 11, paragraph 3(d) of the RLP Part 1 and has regard to national advice concerning conserving and enhancing the historic environment³⁹, particularly in regard to having a positive strategy for the conservation and enjoyment of the historic environment.
- 4.83 The Policy provides useful criteria for achieving public realm improvements in the Conservation Area but amendments to the Policy text are necessary to achieve clarity of purpose and to meet the Basic Conditions. These are set down in proposed modification **PM25**.

Policy HC2

- 4.84 The Policy provides guidance for the design of new buildings in the Conservation Area. It provides the guidance in general conformity with the RLP Part 1, Policy 11 which indicates at paragraph 3.11.8 that Neighbourhood Plans “..will also have a bearing on development that may affect heritage assets”, and is also related to building design advice in the Keyworth Conservation Area Appraisal and Management Plan (paragraphs 4.2-4.4). It is also generally in line with national advice in the NPPF regarding the conservation and enhancement of the historic environment.
- 4.85 Although the Policy provides useful guidance for developers, it lacks clarity and precision - as required by PPG⁴⁰ - and includes duplication of principles and requirements. Appropriate amendments are provided in

³⁸ NPPF, Paragraphs 117-118.

³⁹ NPPF: Paragraph 126.

⁴⁰ PPG Reference ID: 41-041-20140306.

proposed modification **PM26**, the inclusion of which ensures the Policy meets the Basic Conditions.

Policy HC3

- 4.86 The RLP Part 1, Policy 10, indicates at paragraph 2 that amongst the elements against which development will be assessed is “*the potential impact on important views and vistas..*” (sub paragraph (h)). In compliance with this Policy HC3 seeks to identify important views relating to the Conservation Area and elsewhere in the parish and provide policy guidance on how proposals which impact on these views will be considered. RBC has made comments at Regulation 16 stage, firstly to offer minor amendments to the text for clarity and to draw attention to key views outside the Conservation Area being shown on the Proposals Map, and secondly to correct errors in the identification of key views. RBC has suggested amendments which form the basis of proposed modification **PM27**. With the proposed amendments, the Policy meets the Basic Conditions.

Policy HC4

- 4.87 The Policy seeks the protection of heritage assets which are not listed buildings. This follows advice in NPPF, paragraph 135, and is generally compliant with RLP, Part 1, Policy 11. However, there is no clear indication in the Policy title, introductory text or in the first paragraph of the Policy itself to distinguish the Policy implications for designated and non-designated heritage assets within the village as a whole or within the Conservation Area. Accordingly, there is a lack of precision and clarity about the Policy.
- 4.88 The second paragraph of the Policy refers to numerous heritage assets that are not designated but contribute to the Conservation Area “*and village as a whole*”. However, those identified in the policy for protection all appear to be located within the Conservation Area and the record referred to in the Keyworth Conservation Area Appraisal and Management Plan relates only to buildings and assets in the Conservation Area. Whilst PPG⁴¹ emphasises that “*..the local Historic environment record and any local list will be important sources of information on non-designated heritage assets*”, no such local list of non-designated assets is referred to, or has been drawn to the Examiner’s attention. It is necessary, therefore, to amend the text of the Policy and the explanatory text at paragraphs 12.11 and 12.12 to give clear and unambiguous guidance to developers and other using the Plan. With appropriate amendments shown in the proposed modifications included in **PM28** the Policy meets the Basic Conditions.

⁴¹ PPG Reference ID: 18a-007-20140306.

5. Conclusions

Summary

- 5.1 The Keyworth Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the KNDP, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Keyworth Neighbourhood Development Plan, as modified, has no policy or proposals which I consider significant enough to have an impact beyond the designated neighbourhood plan boundary, requiring the referendum to extend to areas beyond the plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated neighbourhood plan area.

Overview

- 5.4 The Keyworth Parish Council faced an unusual situation regarding the development of policies for the allocation of land and promoting development in the settlement. All of the land surrounding the built-up area of the village is designated as part of the Nottingham-Derby Green Belt which can only be released for development as part of a review carried out by the local planning authority. Rushcliffe Borough Council is engaged in the process of developing its RLP Part 2 and in this context, has carried out a review of the Green Belt. However, it is RBC's responsibility to allocate sites and so the KPC Development strategy can only be advisory with RBC having the ultimate say in what is allocated. The Parish Council appears to have developed a good working relationship with RBC and has worked with the Borough Council's officers in a constructive manner. As a consequence, the KNDP is a very good expression of the local community's wishes and ambitions for the village. It will provide a useful basis for local decisions and the management of development reflecting the shared vision. The efforts made by the Parish Council and the local community are commendable.

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Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 4	<p>Introduction:</p> <p>Amend paragraph 1.5 as follows:</p> <p>"It is important that Neighbourhood Plans remain in compliance with the relevant higher planning policy. Once submitted to Rushcliffe Borough Council, the KNDP will be subject to public examination and finally a local referendum, before being adopted as, the <u>The KNDP is a new tier of development plan policy and it will be used in the determination of planning applications within the parish boundary (see page 2 for boundary). It should be noted that this Neighbourhood Plan does not allocate any land adjacent to the village for development. Instead, a number of sites are recommended to Rushcliffe Borough Council for allocation in the Local Plan Part 2, which the Borough Council is currently preparing. These are the following sites:</u></p> <ul style="list-style-type: none"> • <u>land north of Bunny Lane – recommended for housing development;</u> • <u>land off Nicker Hill – recommended for housing development;</u> • <u>land between Station Road and Platt Lane – recommended for housing development;</u> • <u>land to the north of Debdale Lane – recommended as safeguarded land for potential future housing development;</u> and • <u>land at Shelton Farm / Hill Top Farm, Platt Lane – recommended for employment development.</u> <p><u>These recommended sites are set out in Appendix 3. It should be noted that, unlike the rest of the Neighbourhood Plan,</u></p>

		<p><u>Appendix 3 does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase Act 2004. Accordingly, while these sites are identified on the Neighbourhood Plan's Proposals Map, this is for illustrative purposes only. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development."</u></p>
PM2	Page 6	<p>Development Strategies:</p> <p>Amend the final part of paragraph 1.11 as follows:</p> <p><u>"...Site specific factors, in terms of the actual proposed allocation of residential and employment sites, were prepared through testing a series of options, details of which are given as part of Appendix 3. However, the proposed development allocations identified at Appendix 3 are now only recommendations to Rushcliffe Borough Council and do not form part of the development plan. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development."</u></p>
PM3	Page 13	<p>Policy ED1</p> <p>Amend the text of the second paragraph as follows:</p> <p>"In addition to the above, planning permission will normally be granted for <u>Additionally, proposals for limited infilling within the BGS complex for uses other than those set out above and for any other ancillary uses will be supported."</u></p> <p>Amend the final paragraph as follows:</p> <p>"..will be resisted unless supported by an economic viability assessment justifying its acceptability adequate</p>

		<u>justification.</u>
PM4	Page 16	<p>Policy ED2</p> <p>Amend the first paragraph as follows:</p> <p><u>"..planning permission will normally be granted supported for small-scale B1a-c employment use.."</u></p> <p>Amend the penultimate paragraph as follows:</p> <p><u>"Within the gGreen bBelt planning permission will normally not be granted supported where for inappropriate development harmful to the is-in-accordance-with gGreen bBelt policy-of-the-Local-Plan unless very special circumstances can be demonstrated"</u>.</p> <p>Amend the final paragraph as follows:</p> <p><u>"..will be resisted unless it can be demonstrated every attempt has reasonable attempts have been made to secure an employment use or its continued employment use is no longer appropriate or viable."</u></p>
PM5	Page 18	<p>Policy ED3:</p> <p>Amend the first paragraph as follows:</p> <p><u>"Planning permission will normally be granted for the conversion of residential dwelling houses, residential garages, or similar curtilage buildings (and operational development reasonably necessary) for business or tourism uses, will be supported provided that, where appropriate, all of the following criteria are met-where:"</u></p>
PM6	Page 20	<p>Policy CF1:</p> <p>Amend the final sentence as follows:</p> <p><u>"If an-independent-viability-test it can be demonstrated that there is no longer any need for the facility or that it is</u></p>

		<i>financially unviable.”</i>
PM7	Page 22	<p>Policy CF2:</p> <p>Amend the final sentence of the first part of the Policy by deleting “<i>..and will be looked upon favourably”</i>.”.</p> <p>Replace the final paragraph with the following:</p> <p><i>“Contributions may be sought from all strategic residential schemes (as set out in Policy H1) for the delivery of these assets <u>where proposals for their delivery have been identified, where it is necessary to mitigate the impacts of development, and provided that the viability of the development proposals are given consideration”</u></i>.”.</p> <p>The final two sentences of the Policy should be deleted in their entirety.</p> <p>In paragraph 6.5 the reference to “CA1” should be changed to “CF1”.</p>
PM8	Page 24	<p>Policy CF3</p> <p>Amend the first sentence of the Policy as follows:</p> <p><i>“Planning permission will normally be granted for new...”</i>”</p>
PM9	Page 26	<p>Policy LR1:</p> <p>The Policy should be replaced by two policies as follows:</p> <p><i>“Policy LR1(A) – Local Green Spaces</i></p> <p><i>Existing open spaces and formal and informal open spaces, listed below and defined on the Proposals Map, will be designated as Local Green Spaces and protected from inappropriate development:</i></p> <ul style="list-style-type: none"> • <i>footpath and woodland off Platt Lane;</i> • <i>skate park off Platt Lane;</i> • <i>triangular playing field behind</i>

		<p>houses on Plantation Road and Croft Road;</p> <ul style="list-style-type: none"> • Rectory Field and Bowls, Tennis Clubs; • Platt Lane Playing Fields. <p>Development resulting in the loss of Local Green Space will be resisted unless there are exceptional circumstances justifying its loss and/or the applicant provides equivalent or better provision elsewhere, in terms of its quality and quantum, and which is equally accessible to the community.</p> <p>Policy LR1(B) – Provision of new open spaces</p> <p>The following provision of open space will be sought in respect of new development:</p> <ul style="list-style-type: none"> • Where new residential development above 25 units is proposed, suitable provision for formal and informal open space should be made in accordance with the standards set down by the RBC Leisure Facilities Strategy and Playing Pitch Strategy (or any subsequent strategy); • All new commercial office space should be provided with adequate outdoor areas for the enjoyment of occupiers and to ensure the landscape is not dominated by car parking areas; • Development will be supported which contributes to the creation of a green trail network that has been identified by the Parish Council and which is viable and deliverable. New provision should provide links to the existing green networks and existing or proposed public green spaces. Contributions may be sought towards the long term
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		<p><i>management of provision on land over which the developer has control”.</i></p> <p>In the explanatory text:</p> <p>The title preceding paragraph 7.0 should be amended as follows:</p> <p><u>“Policy LR1(A) – NEW AND EXISTING OPEN SPACES AND PARKS LOCAL GREEN SPACES and POLICY LR1(B) – PROVISION OF NEW OPEN SPACES.</u></p> <p>and paragraph 7.0 amended to read: “This policy <u>These two policies</u> seeks to....”</p> <p>Paragraph 7.2 should be deleted as duplicating the provision of the modified Policy LR1(A);</p> <p>And the following text, omitted from the modified Policy LR1(B), to be added to the explanatory text:</p> <p>“The creation of a green trail network, providing and encouraging access throughout Keyworth and its surrounding landscape, for the benefit of the local community is an aspiration of the Parish Council. Therefore, it is proposed that development which makes a contribution towards the achievement of the network, using up to 50% of the required provision of open space in the standard set out in the Policy, will be supported subject to it meeting the requirements of other relevant policies in the Local Development Plan”.</p> <p>As a consequence of this proposed modification it is necessary to amend the entry relating to Policy LR1 in the table on page 10, paragraph 4, as follows:</p> <p><u>“LR1(A) – Local Green New and Existing Open Spaces; and Parks LR1(B) – Provision of New Open Spaces”.</u></p>
PM10	Page 29	<p>Policy LR2:</p> <p>The second paragraph should be amended as follows:</p>

		<p><i>"Proposed residential and commercial development should seek to deliver new walking and cycling routes, specifically where there are no or limited routes between existing and future community assets (as set out in pPolicy CAF1) and bus stops. <u>Where it is necessary to mitigate the impact of new development and subject to viability consideration, Contributions will may be sought to ensure that these routes are delivered"</u>.</i></p> <p>There is an amendment necessary to paragraph 7.8 as follows:</p> <p>"...developers should have regard to the location of community assets set out in policy CA1CF1 and link to them."</p>
PM11	Page 31	<p>Policy SR1:</p> <p>The text should be amended as follows:</p> <p><i>"..where the retail premises form part of an <u>primary active</u> shopping frontage."</i></p>
PM12	Page 34	<p>Policy SR2:</p> <p>The Policy title should be amended as follows:</p> <p><i>"Policy SR2 – PUBLIC REALM IN STRATEGY FOR RETAIL AREAS"</i></p> <p>The Policy text should be amended to read as follows:</p> <p><i>"A Public Realm Strategy is proposed, setting out desirable improvements within the Policy SR1 shopping areas, focusing on the delivery of the following elements:</i></p> <ul style="list-style-type: none"> ○ <i>Shared surfaces and crossings, where appropriate;</i> ○ <i>Improved parking provision, in particular short stay;</i> ○ <i>Improved accessibility including disabled bays, ramped access to shops and additional seating areas.</i>

		<p>Developments or community led projects which seek to provide or contribute to the improvements proposed by the Public Realm Strategy will be supported, subject to compliance with all other policies within the Development Plan. Where such developments affect the Conservation Area, they will be subject to compliance with policies HC1-HC4 (Heritage and Conservation) and Policy 11 in the Rushcliffe Local Plan Part1.</p> <p>Contributions towards achieving elements of the Public Realm Strategy through specific schemes may be sought, where appropriate and subject to negotiation and viability considerations, from developments on allocated sites, and those providing more than 10 residential units or 500 sq.m. of commercial floorspace.</p> <p>Landscape schemes associated with the improvements should use an appropriate and robust palette of materials and planting, including the use of natural stone. The incorporation of forecourts, allowing retail uses to spill out and create an active street scene will be encouraged."</p> <p>The second sentence to paragraph 8.10 should be amended as follows:</p> <p>"Further guidance on the public realm within the Conservation Area (some of which is designated as retail frontage) is contained in policy CA1CF1and HC1 – HC4."</p>
PM13	Page 36	<p>Policy SR3:</p> <p>Criteria 4 – 6 should be amended as follows:</p> <ul style="list-style-type: none"> ○ "Signage should respect the character of the individual building and adjoining properties. Only one hanging sign-should normally <u>will</u> be permitted per shopfront;

		<ul style="list-style-type: none"> ○ <i>In all circumstances sSolid shutters will normally be considered <u>are unacceptable. Only security measures...;</u></i> ○ <i>Within the Conservation Area projecting boxes and external shutters are also considered to be inappropriate and will be resisted."</i>
PM14	Page 38	<p>Policy TA1:</p> <p>The first sentence reference to Policy CA1 should be replaced to read:</p> <p><i>"...(as outlined in policy CA1CF1).."</i></p> <p>The wording of the second sentence of paragraph two should be amended as follows:</p> <p><i>"The thresholds for these requirements are set out in <u>guidance published by the Ggovernment and by the local transport authority guidance."</u></i></p>
PM15	Page 40	<p>Policy TA2:</p> <p>Delete the final sentence of the first paragraph.</p> <p>Amend the final paragraph as follows:</p> <p><i>"<u>Where necessary to mitigate the impact of Subject to viability, contributions will be sought where appropriate, from new developments (residential and non-residential), and subject to viability considerations, contributions will be sought towards the strategic highways improvements identified by the Rushcliffe Local Plan Part 1, as well as the following improvements for highway safety, pedestrians and cyclists:"</u></i></p> <p>Add the following sentence to the end of the Policy, following the list of improvements:</p> <p><i>"<u>Contributions will only be sought for improvements where a specific scheme</u></i></p>

		<u>has been identified by the appropriate statutory body”.</u>
PM16	Page 42	<p>Policy TA3:</p> <p>The second paragraph to be amended as follows:</p> <p><i><u>“Visitor parking should also be considered and provided at a rate of 1 space for every four dwellings proposed. P and parking needs should be met entirely within the confines of the site, and not result in overspill to the surrounding streets. A mixture of parking arrangements will be encouraged. Affordable housing schemes should demonstrate that sufficient car parking has been provided on site for occupiers and visitors but some flexibility is allowed from these standards. Where Developers will be encouraged to provide garages are provided they must be of a scale to accommodate modern larger vehicles. Where a garage or car port is provided as part of the parking standards set out above, permitted development rights will be removed to restrict its conversion to living space and its resultant loss as parking, unless a viable on-plot alternative is demonstrated.”</u></i></p> <p>Amend the third paragraph as follows:</p> <p><i><u>“Proposals for schemes of 10 or less dwellings or for non-residential development, or for all development within the Conservation Area, should demonstrate an appropriate level of parking based on consideration of the following, and may be provided by way of improvements to existing public car parking facilities:”</u></i></p> <p>Delete paragraph 9.11 of the explanatory text in its entirety.</p>
PM17	Page 45	Paragraph 10.0:

		<p>Amend the third and fourth sentences as follows:</p> <p>“Following careful consideration of the available sites, their impact on traffic generation, the gGreen bBelt and the landscape character, and responding to the community consultation, <u>the Neighbourhood Plan recommends to Rushcliffe Borough Council for potential inclusion in its Local Plan Part 2 an aspirational housing strategy which has been developed and which seeks to allocate the allocation of 450 to 480 dwellings across three sites. A further two sites may be designated site is recommended as safeguarded land for future development should the allocated sites not come forward, or to meet need during the next Plan period totalling another 200 dwellings.</u>”</p> <p>Provide additional text following the fifth sentence as follows:</p> <p><u>“The development strategy is a recommendation to the Borough Council and, therefore, it and Appendix 3 as a whole, does not form part of the development plan. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development.”</u></p>
PM18	Page 46	<p>Paragraph 10.4:</p> <p>Amend the paragraph as follows:</p> <p>“In addition to the three proposed allocations, there is a <u>recommended</u> safeguarded site identified for development beyond 2028 (the Plan period) or in the event that there are issues of deliverability. This is land north of Debdale Lane (5 hectares). As with the proposed allocated sites, the safeguarded site would <u>hopefully</u> be identified as part of the Local Plan: Part 2.”</p>
PM19	Page 47	<p>Policy H1:</p> <p>Amend the first paragraph as follows:</p>

		<p><u>“The Keyworth Neighbourhood Plan makes provision for recommends the delivery of between 450 and 480 residential dwellings to meet the strategic targets set out in the Rushcliffe Local Plan. Housing should be developed at the densities set out in policy H3, subject to compliance with the Rushcliffe Local Plan and its proposals for the number of dwellings on individual allocated sites”.</u></p> <p>Amend the first sentence of the second paragraph as follows:</p> <p><u>“It is recommended that sites Sites should be delivered (either as a result of planning permissions or allocated through the Local Plan: Part 2) to ensure that housing delivery is balanced divided between the east and west of the settlement, to ensure that impacts on the landscape setting of the settlement are minimized and that traffic generation is spread throughout the network”.</u></p> <p>Amend the fourth paragraph as follows:</p> <p><u>“Where required, necessary to mitigate the impact of development, and subject to viability considerations, contributions for improvements to local road junctions and pedestrian and cycle links to the shopping areas will be negotiated. Developments on allocated sites will be required to demonstrate how they have met encouraged to make provision for localised convenience retail needs and appropriate highways and access arrangements, both on and off-site”.</u></p>
PM20	Page 48	<p>Paragraph 10.5:</p> <p>Amend the fourth paragraph sentence as follows:</p> <p><u>“These sites form an integral part of the issues and options preferred housing sites document prepared in support of this</u></p>

		<p>emerging policy document”.</p> <p>Add the following sentence to the end of the paragraph:</p> <p><u>“It is however recognised that it will be the role of Local Plan Part 2 to ultimately determine the overall level of residential development on greenfield sites adjacent to the existing built up area of the village, in which directions around the village development is focused and which specific sites are allocated for development”.</u></p>
PM21	Pages 49-50	<p>Policy H2:</p> <p>Amend the first sentence of the Policy as follows:</p> <p><i><u>“The following mix of market housing types will be sought from all new developments in excess of 10 dwellings, subject to viability considerations:”</u></i></p> <p>The first entry in the table should be amended to read: <i>“Two-bed starter homes”.</i></p> <p>The final two entries in the table should be amalgamated to read as follows:</p> <p><i>“Four or more Bed Family Homes* 30 – 40”</i></p> <p><i>“* No more than 10% of the total market homes should be larger than 5 or more bedrooms”.</i></p> <p>The second paragraph should be amended to start as follows:</p> <p><i>“Subject to viability, We urge that a total of 30 <u>20% affordable housing (including shared ownership, social rented, affordable rented and intermediate housing and starter homes at 20% below market value) should be delivered sought through negotiation on sites of 5 dwellings or more than 0.2 hectares”.</u></i></p> <p>Paragraph 10.9: delete the phrase “smaller</p>

		starter and" from the third sentence.
PM22	Page 52	<p>Policy H3:</p> <p>Amend the first sentence of the Policy as follows:</p> <p><i>"For any scheme over 10 houses the following design criteria normally apply will be applied to assist in delivering new residential development of the highest quality"</i>.</p> <p>Amend the second sentence of the fifth bullet point as follows:</p> <p><i>"Where sites are green field or create a new settlement edge, density should not normally exceed 30dph with densities at the urban edge being as low as <u>no more than 20dph</u>"</i>.</p> <p>Amend the sixth bullet point as follows:</p> <p><i>"Ensure that appropriate buffer planting is provided adjacent to existing properties <u>where appropriate</u> and that this is retained and managed in <u>perpetuity</u> accordance with an agreed management plan"</i>.</p>
PM23	Page 55	<p>Policy E1:</p> <p>Add the following paragraph to the Policy:</p> <p><i>"Development proposals which would have a significant adverse impact on the existing green and blue infrastructure will be resisted and alternative proposals reducing or eliminating impact should be considered. As a last resort, or where adequate mitigation is not possible, permission will be refused."</i></p>
PM24	Page 58	<p>Policy E2:</p> <p>Amend paragraph 11.11 of the explanatory text as follows:</p> <p>"Work is currently underway on t The Rushcliffe Conservation Strategy and its</p>

		<p>implementation group, which will identify <u>has been published and it identifies opportunities across Rushcliffe, including in Keyworth. Applicants are encouraged to engage with this process and its strategy to maximise the benefits delivered.</u>"</p>
PM25	Page 60	<p>Policy HC1:</p> <p>The first paragraph of the Policy should be amended as follows:</p> <p><i>"Improvement to the public realm within the Conservation Area (CA) is a priority and will be supported by the KNDP. S support will be given to housing developments that contribute to the delivery of the public realm improvements. Development proposals for the public realm should:"</i></p>
PM26	Page 62	<p>Policy HC2:</p> <p>Amend the first paragraph as follows:</p> <p><i>"The design of new buildings and alterations to existing buildings within the Conservation Area must be of high quality. Any proposals which include features that erode the character of the Conservation Area will be resisted. New development should preserve or enhance the character of the Conservation Area. and respect should be given to the key characteristics of the local vernacular. Development proposals within and adjacent to the Conservation Area which demonstrate high quality design, understanding of the Conservation Area and consideration of the Conservation Area Appraisal, will be supported by the KNDP. Any proposals which include features that erode the character of the Conservation Area will be resisted"</i></p> <p>Amend the second paragraph as follows:</p> <p><i>"This could Proposals which include contemporary design <u>may be</u></i></p>

		<u>supported...</u>
PM27	Page 64	<p>Policy HC3:</p> <p>Amend the final part of the first paragraph as follows:</p> <p><i>"...into the surrounding landscape will be resisted by the KNDP."</i></p> <p>Amend the final part of the second paragraph as follows:</p> <p><i>"Development which leads to the loss of, or inappropriate impacts on, key views throughout the village and parish will be resisted. <u>In respect of areas outside the Conservation Area, key views are illustrated on the Proposals Map.</u>"</i></p> <p>The Proposals Map should be amended as follows:</p> <ul style="list-style-type: none"> ○ Remove the identification of key views out of the settlement southwards from Bunny Lane; ○ Add the identification of key views out of the settlement southwards from Selby Lane close to its junction with Willow Brook.
PM28	Page 66	<p>Policy HC4:</p> <p>Provide a new sub-heading to the first paragraph as follows:</p> <p><i>"<u>Designated heritage assets</u>"</i></p> <p>Amend the first sentence as follows:</p> <p><i>"All new developments must take account of their impact on <u>designated heritage assets and...</u>"</i></p> <p>Provide a sub-heading following the first paragraph as follows:</p> <p><i>"<u>Non-designated heritage assets</u>"</i></p> <p>Combine and amend the second and third paragraphs to provide new second paragraph</p>

		<p>and third paragraphs as follows:</p> <p><i>"There are a number of non-designated heritage assets which make a positive contribution to the character and appearance of the Conservation Area. The significance of these assets will be taken into account in the consideration of planning applications for development and the following buildings are identified for particular protection from the impact of development proposals:</i></p> <ul style="list-style-type: none"> ○ <i>United Reform Church, Nottingham Road;</i> ○ <i>Methodist Church, Selby Lane;</i> ○ <i>The Old Forge, Main Street;</i> ○ <i>Parochial Church Hall, Selby Lane;</i> ○ <i>Old Rectory, Nottingham Road.</i> <p><i>A record of the non-designated assets in the Conservation Area is included as Appendix 2 of the Keyworth Conservation Area Appraisal and Management Plan (Rushcliffe Borough Council, October 2010)."</i></p> <p>Amend paragraph 12.11 as follows:</p> <p>"There are many unlisted<u>non-designated</u> buildings within the village which contribute to character yet are not afforded full listed status. <u>Where non-designated buildings and heritage assets are locally listed</u> it is therefore important for the Plan to protect them se historic cultural assets..."</p> <p>Amend paragraph 12.12 as follows:</p> <p>"New developments which do not take account of high-quality <u>locally unlisted non-designated</u> buildings..."</p>
PM29	Page 75	<p>The title of the Appendix should be amended as follows:</p> <p><u>"APPENDIX 3: THE DEVELOPMENT STRATEGY (note: this appendix does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase</u></p>

		Act 2004).”
PM30	Page 76	<p>Paragraph A1:</p> <p>The paragraph should be amended as follows:</p> <p>“The Keyworth Development Strategy has evolved over a period of three years based on the feedback from residents, community groups and environmental organisations. It aims to guide the development <u>delivery</u> of the Keyworth Neighbourhood Plan <u>and preparation of the Rushcliffe Local Plan Part 2</u>. <u>It should be noted that, unlike the rest of the Neighbourhood Plan, this appendix does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase Act 2004.</u>”</p>
PM31	Page76	<p>Paragraphs B1 and B2:</p> <p>The paragraphs should be amended and linked to form one paragraph as follows:</p> <p>“B.1. The Keyworth Neighbourhood Plan is unable to allocate any specific sites to fulfil the housing and employment growth proposed by the Rushcliffe Local Plan: Part 1 (Core Strategy) as this would require the release of greenfield land around the settlement, all of which is currently designated as g<u>Green</u> b<u>Belt</u>. Only Rushcliffe Borough Council’s Local Plan can remove land from the g<u>Green</u> b<u>Belt</u> designation. This process is scheduled to be undertaken as part of the emerging Local Plan: Part 2 (Allocations) document. B.2. Therefore, the Neighbourhood Plan’s <u>recommended</u> Development Strategy, which seeks the release of g<u>Green</u> b<u>Belt</u> sites, is for now located within the Appendix <u>this Appendix</u> of the Neighbourhood Plan itself and <u>does not form part of the development plan</u>. It is anticipated that this development strategy and the Local Plan Part 2 provisions for Keyworth will be aligned before their adoption”.</p>

PM32	Page 77	<p>Paragraph C3:</p> <p>Amend the paragraph as follows:</p> <p>“In order to secure the delivery of the housing target, as set out in the Local Plan Part 1, the Neighbourhood Plan seeks to allocate <u>recommends that the Local Plan Part 2 allocates</u> 450 to 480 new dwellings within the period of the plan, i.e. by 2028.”</p>
PM33	Page 78	<p>Paragraph C.6:</p> <p>The final sentence to be amended as follows:</p> <p>“..and two <u>a single</u> safeguarded sites rather than one single larger site..”</p>
PM34	Page 78	<p>Paragraph C7:</p> <p>The first sentence to be amended as follows:</p> <p>“The <u>recommended</u> development sites are spread around the periphery of the village of Keyworth”.</p> <p>And the final sentence to be amended as follows:</p> <p>“In addition to this they received higher scores in some of the g <u>Green b Belt</u> assessments, i.e. they were considered more valuable sites in terms of contribution to the g <u>Green b Belt</u>.”</p>
PM35	Page 79	<p>Paragraph E1:</p> <p>The final sentence of paragraph E.1 should be amended as follows:</p> <p>“..with the split between <u>locations</u> east and west of the settlement being almost equal.”</p>
PM36	Pages 79 – 83	<p>The following amendments should be made to the paragraphs as indicated:</p> <p>Paragraph E2, first sentence:</p> <p>“Details of these particular <u>recommended</u> allocations are included below and are based on the submissions made by the site owners and their agents in response to the draft Plan proposals”.</p>

		<p>Paragraph E3, first sentence:</p> <p>"This is the largest single allocation proposed <u>recommended</u> by the Development Strategy but has the benefit of multiple <u>more than one access</u> points, although both will not be suitable for vehicles"</p> <p>Paragraph E6, third sentence:</p> <p>"This <u>recommended</u> allocation is only accessible from Nicker Hill, but is well connected to the wider public footpath network and is close to a number of local bus routes with the opportunity to provide a route running past the site".</p> <p>Paragraph E9, first sentence:</p> <p>"The <u>recommended</u> development is large enough to offer a variety of housing types including affordable housing, family homes and those for the elderly as specified in policy H2."</p> <p>Paragraph E15, first paragraph:</p> <p>"This site has been identified as <u>recommended</u> safeguarded land by the development strategy".</p>
PM37	Page 70	<p>Proposals Map:</p> <p>Replace references to Policy CA1 with Policy CF1.</p>
PM38	Page 70	<p>Proposals Map:</p> <p>References in the Key:</p> <p>"Housing Allocation (Proposed Only) Employment Allocation (Proposed Only) Safeguarded Land for Housing (Proposed Only)"</p> <p>To be replaced with the following:</p> <p>"Potential Housing Allocation (recommended for inclusion in the Rushcliffe Borough Local Plan) Potential Employment Allocation (recommended for inclusion in the Rushcliffe Local Plan)</p>

		Potential Safeguard Land for Housing (recommended for inclusion in the Rushcliffe Local Plan)''
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**Appendix 2: Keyworth Neighbourhood Plan
Decision Statement [DRAFT]**

Keyworth Neighbourhood Plan Decision Statement

1. Summary

- 1.1 The draft Keyworth Neighbourhood Plan has been examined by an independent Examiner, who issued his report on 19 February 2018. The Examiner has recommended a number of modifications to the Plan and that, subject to these modifications being accepted, it should proceed to referendum. Rushcliffe Borough Council has considered and decided to accept all the Examiner's recommended modifications and, therefore, agree to the Keyworth Neighbourhood Plan proceeding to a referendum within the Parish of Keyworth.

2. Background

- 2.1 In 2012, Keyworth Parish Council, as the qualifying body, successfully applied for its parish area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The Parish of Keyworth was designated as a Neighbourhood Area on 4 December 2012.
- 2.2 A draft Neighbourhood Plan was published by Keyworth Parish Council for Regulation 14 pre-submission consultation on 6 December 2014. An amended submission draft Neighbourhood Plan was then submitted by the Parish Council to the Borough Council in July 2017 in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). The submission Plan was subsequently publicised by the Borough Council and representations were invited from the public and other stakeholders. The period for representations to be made closed on 17 October 2017.
- 2.3 The Borough Council appointed an independent Examiner; Patrick T Whitehead, to examine the Plan and to consider whether it meets the 'Basic Conditions' and other legal requirements, and whether it should proceed to referendum.
- 2.4 The Examiner has now completed his examination of the Plan and his report was published on 19 February 2018. He has concluded that, subject to the implementation of the policy modifications set out in his report, the Plan meets the prescribed Basic Conditions and other statutory requirements and that it should proceed to referendum.
- 2.5 Having considered all of the Examiner's recommendations and the reasons for them, the Borough Council has decided to make the modifications to the draft

Plan, as set out at Appendix A, in order to ensure that the Plan meets the Basic Conditions and other legal requirements.

3. Decisions and Reasons

- 3.1 The Examiner has concluded that, with the inclusion of the modifications that he recommends, the Plan would meet the Basic Conditions and other relevant legal requirements. The Borough Council concurs with this view and has made the modifications proposed by the Examiner in order to ensure that the Plan meets the Basic Conditions and for the purpose of correcting errors in the text, as set out at Appendix A. Deleted text is shown as **struck through** and additional text is shown as **underlined** text, unless otherwise indicated.
- 3.2 As the Plan with those modifications set out at Appendix A meets the Basic Conditions, in accordance with the requirements of the Localism Act 2011, a referendum will now be held which asks the question *“Do you want Rushcliffe Borough Council to use the Neighbourhood Plan for Keyworth to help it decide planning applications in the neighbourhood area.”*
- 3.3 The Borough Council has considered whether to extend the area in which the referendum is to take place, but agrees with the Examiner that there is no reason to extend this area beyond the Neighbourhood Plan area (the Parish of Keyworth). The referendum will be held in the Parish of Keyworth at a date to be confirmed.

Date: [TBC]

Appendix A: Modifications to the draft Keyworth Neighbourhood Plan

Please note that deleted text is shown as **struck through** and additional text is shown as **underlined** text, unless otherwise indicated.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
PM1	Page 4, paragraph 1.5	<p>Amend paragraph 1.5 as follows:</p> <p>“It is important that Neighbourhood Plans remain in compliance with the relevant higher planning policy. Once submitted to Rushcliffe Borough Council, the KNDP will be subject to public examination and finally a local referendum, before being adopted as, <u>The KNDP is a new tier of development plan policy and it will be used in the determination of planning applications within the parish boundary (see page 2 for boundary). It should be noted that this Neighbourhood Plan does not allocate any land adjacent to the village for development. Instead, a number of sites are recommended to Rushcliffe Borough Council for allocation in the Local Plan Part 2, which the Borough Council is currently preparing. These are the following sites:</u></p> <ul style="list-style-type: none"> • <u>land north of Bunny Lane – recommended for housing development;</u> • <u>land off Nicker Hill – recommended for housing development;</u> • <u>land between Station Road and Platt Lane –</u> 	Accept recommendation	To clarify the status of recommended allocations in order to meet the Basic conditions and for technical reasons.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><u>recommended for housing development:</u></p> <ul style="list-style-type: none"> • <u>land to the north of Debdale Lane – recommended as safeguarded land for potential future housing development; and</u> • <u>land at Shelton Farm / Hill Top Farm, Platt Lane – recommended for employment development.</u> <p><u>These recommended sites are set out in Appendix 3. It should be noted that, unlike the rest of the Neighbourhood Plan, Appendix 3 does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase Act 2004. Accordingly, while these sites are identified on the Neighbourhood Plan’s Proposals Map, this is for illustrative purposes only. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development.”</u></p>		
PM2	Page 6, paragraph 1.11	<p>Amend the final part of paragraph 1.11 as follows:</p> <p><u>“...Site specific factors, in terms of the actual proposed allocation of residential and employment sites, were prepared through testing a series of options, details of which are given as part of Appendix 3. However, the proposed development allocations identified at Appendix 3 are now only recommendations to</u></p>	Accept recommendation	To ensure clarity.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><u>Rushcliffe Borough Council and do not form part of the development plan. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development.</u></p>		
PM3	Page 13, Policy ED1	<p>Amend the text of the second paragraph as follows:</p> <p><i>“In addition to the above, planning permission will normally be granted for <u>Additionally, proposals for limited infilling within the BGS complex for uses other than those set out above and for any other ancillary uses will be supported.</u>”</i></p> <p>Amend the final paragraph as follows:</p> <p><i>“..will be resisted unless supported by an economic viability assessment justifying its acceptability <u>adequate justification.</u>”</i></p>	Accept recommendation	For clarity and to meet the Basic Conditions.
PM4	Page 16, Policy ED2	<p>Amend the first paragraph as follows:</p> <p><i>“...planning permission will normally be granted <u>supported for small-scale B1a-c employment use..</u>”</i></p> <p>Amend the penultimate paragraph as follows:</p> <p><i>“Within the gGreen bBelt planning permission will</i></p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>normally not be granted supported where for inappropriate development harmful to the is in accordance with gGreen bBelt policy of the Local Plan unless very special circumstances can be demonstrated</i>.</p> <p>Amend the final paragraph as follows:</p> <p><i><u>“..will be resisted unless it can be demonstrated every attempt has reasonable attempts have been made to secure an employment use or its continued employment use is no longer appropriate or viable.”</u></i></p>		
PM5	Page 18, Policy ED3	<p>Amend the first paragraph as follows:</p> <p><i><u>“Planning permission will normally be granted for the conversion of residential dwelling houses, residential garages, or similar curtilage buildings (and operational development reasonably necessary) for business or tourism uses, will be supported provided that, where appropriate, all of the following criteria are met where:”</u></i></p>	Accept recommendation	For clarity and precision and to meet the Basic Conditions.
PM6	Page 20, Policy CF1	<p>Amend the final sentence as follows:</p> <p><i><u>“If an independent viability test it can be demonstrated that there is no longer any need for</u></i></p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<i>the facility or that it is financially unviable.”</i>		
PM7	Page 22, Policy CF2 and paragraph 6.5	<p>Amend the final sentence of the first part of the Policy by deleting “<i>..and will be looked upon favourably</i>”.</p> <p>Replace the final paragraph with the following:</p> <p><i>“Contributions may be sought from all strategic residential schemes (as set out in Policy H1) for the delivery of these assets <u>where proposals for their delivery have been identified, where it is necessary to mitigate the impacts of development, and provided that the viability of the development proposals are given consideration</u>”.</i></p> <p>The final two sentences of the Policy should be deleted in their entirety.</p> <p>In paragraph 6.5 the reference to “CA1” should be changed to “CF1”.</p>	Accept recommendation	To meet the Basic Conditions and make factual corrections.
PM8	Page 24, Policy CF3	<p>Amend the first sentence of the Policy as follows:</p> <p><i>“Planning permission will normally be granted for new...”</i></p>	Accept recommendation	For clarity and precision to meet Basic Conditions.
PM9	Page 26, Policy LR1	The Policy should be replaced by two policies as follows:	Accept recommendation	To comply with Local Plan policy

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
	<p>and paragraphs 7.0 and 7.2</p> <p>Page 10, table following paragraph 4.0.</p>	<p><u>“Policy LR1(A) – Local Green Spaces</u></p> <p><u>Existing open spaces and formal and informal open spaces, listed below and defined on the Proposals Map, will be designated as Local Green Spaces and protected from inappropriate development:</u></p> <ul style="list-style-type: none"> • <u>footpath and woodland off Platt Lane;</u> • <u>skate park off Platt Lane;</u> • <u>triangular playing field behind houses on Plantation Road and Croft Road;</u> • <u>Rectory Field and Bowls, Tennis Clubs;</u> • <u>Platt Lane Playing Fields.</u> <p><u>Development resulting in the loss of Local Green Space will be resisted unless there are exceptional circumstances justifying its loss and/or the applicant provides equivalent or better provision elsewhere, in terms of its quality and quantum, and which is equally accessible to the community.</u></p> <p><u>Policy LR1(B) – Provision of new open spaces</u></p> <p><u>The following provision of open space will be sought in respect of new development:</u></p> <ul style="list-style-type: none"> • <u>Where new residential development above</u> 		<p>and meet the Basic Conditions.</p>

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><u>25 units is proposed, suitable provision for formal and informal open space should be made in accordance with the standards set down by the RBC Leisure Facilities Strategy and Playing Pitch Strategy (or any subsequent strategy);</u></p> <ul style="list-style-type: none"> • <u>All new commercial office space should be provided with adequate outdoor areas for the enjoyment of occupiers and to ensure the landscape is not dominated by car parking areas;</u> • <u>Development will be supported which contributes to the creation of a green trail network that has been identified by the Parish Council and which is viable and deliverable. New provision should provide links to the existing green networks and existing or proposed public green spaces. Contributions may be sought towards the long term management of provision on land over which the developer has control”.</u> <p>In the explanatory text: The title preceding paragraph 7.0 should be amended as follows:</p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p>“Policy LR1(A) – NEW AND EXISTING OPEN SPACES AND PARKS <u>LOCAL GREEN SPACES</u> and <u>POLICY LR1(B) – PROVISION OF NEW OPEN SPACES.</u></p> <p>and paragraph 7.0 amended to read: “This policy <u>These two policies</u> seeks to....”</p> <p>Paragraph 7.2 should be deleted as duplicating the provision of the modified Policy LR1(A);</p> <p>And the following text, omitted from the modified Policy LR1(B), to be added to the explanatory text:</p> <p><u>“The creation of a green trail network, providing and encouraging access throughout Keyworth and its surrounding landscape, for the benefit of the local community is an aspiration of the Parish Council. Therefore, it is proposed that development which makes a contribution towards the achievement of the network, using up to 50% of the required provision of open space in the standard set out in the Policy, will be supported subject to it meeting the requirements of other relevant policies in the Local Development Plan”.</u></p> <p>As a consequence of this proposed modification it is necessary to amend the entry relating to Policy LR1 in</p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p>the table on page 10, paragraph 4, as follows:</p> <p>“<u>LR1(A) – Local Green New and Existing Open Spaces; and Parks-LR1(B) – Provision of New Open Spaces</u>”.</p>		
PM10	Page 29, Policy LR2 and paragraph 7.8.	<p>The second paragraph of the Policy should be amended as follows:</p> <p><i>“Proposed residential and commercial development should seek to deliver new walking and cycling routes, specifically where there are no or limited routes between existing and future community assets (as set out in p<u>Policy CAF1</u>) and bus stops. <u>Where it is necessary to mitigate the impact of new development and subject to viability consideration, Contributions will may be sought to ensure that these routes are delivered</u>”.</i></p> <p>There is an amendment necessary to paragraph 7.8 as follows:</p> <p>“...developers should have regard to the location of community assets set out in policy <u>CA1CF1</u> and link to them.”</p>	Accept recommendation	To meet the Basic Conditions and make factual corrections.
PM11	Page 31,	The text of the Policy should be amended as follows:	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
	Policy SR1	“..where the retail premises form part of an <u>primary active</u> shopping frontage.”		
PM12	Page 34, Policy SR2 and paragraph 8.10	<p>The Policy title should be amended as follows: “Policy SR2 – PUBLIC REALM IN <u>STRATEGY FOR RETAIL AREAS</u>”</p> <p>The Policy text should be amended to read as follows: “A Public Realm Strategy is proposed, setting out desirable improvements within the Policy SR1 shopping areas, focusing on the delivery of the following elements:</p> <ul style="list-style-type: none"> ○ Shared surfaces and crossings, where appropriate; ○ Improved parking provision, in particular short stay; ○ Improved accessibility including disabled bays, ramped access to shops and additional seating areas. <p>Developments or community led projects which seek to provide or contribute to the improvements proposed by the Public Realm Strategy will be supported, subject to compliance with all other policies within the Development Plan. Where such</p>	Accept recommendation	To meet the Basic Conditions and make factual corrections.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>developments affect the Conservation Area, they will be subject to compliance with policies HC1-HC4 (Heritage and Conservation) and Policy 11 in the Rushcliffe Local Plan Part1.</i></p> <p><i>Contributions towards achieving elements of the Public Realm Strategy through specific schemes may be sought, where appropriate and subject to negotiation and viability considerations, from developments on allocated sites, and those providing more than 10 residential units or 500 sq.m. of commercial floorspace.</i></p> <p><i>Landscape schemes associated with the improvements should use an appropriate and robust palette of materials and planting, including the use of natural stone. The incorporation of forecourts, allowing retail uses to spill out and create an active street scene will be encouraged.”</i></p> <p>The second sentence to paragraph 8.10 should be amended as follows:</p> <p>“Further guidance on the public realm within the Conservation Area (some of which is designated as retail frontage) is contained in policy <u>CA1CF1</u> and HC1 – HC4.”</p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
PM13	Page 36, Policy SR3	<p>Criteria 4 – 6 should be amended as follows:</p> <ul style="list-style-type: none"> ○ <i>“Signage should respect the character of the individual building and adjoining properties. Only one hanging sign should normally <u>will</u> be permitted per shopfront;</i> ○ <i><u>In all circumstances sSolid shutters will normally be considered are unacceptable. Only security measures which maintain a level of transparency to and from the street will be permitted, such as laminated glazing, lattice grilles and perforated shutters;</u></i> ○ <i>Within the Conservation Area projecting boxes and external shutters are also considered to be inappropriate and will be resisted.”</i> 	Accept recommendation	To meet the Basic Conditions.
PM14	Page 38, Policy TA1	<p>The first sentence reference to Policy CA1 should be replaced to read:</p> <p><i>“...(as outlined in policy CA1<u>CF1</u>)..”</i></p> <p>The wording of the second sentence of paragraph two should be amended as follows:</p> <p><i>“The thresholds for these requirements are set out</i></p>	Accept recommendation	To clarify, to meet the Basic Conditions and make factual corrections.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<u>in guidance published by the Ggovernment and by the local transport authority guidance.</u>		
PM15	Page 40, Policy TA2	<p>Delete the final sentence of the first paragraph.</p> <p>Amend the final paragraph as follows:</p> <p><u>“Where necessary to mitigate the impact of Subject to viability, contributions will be sought where appropriate, from new developments (residential and non-residential), and subject to viability considerations, contributions will be sought towards the strategic highways improvements identified by the Rushcliffe Local Plan Part 1, as well as the following improvements for highway safety, pedestrians and cyclists:”</u></p> <p>Add the following sentence to the end of the Policy, following the list of improvements:</p> <p><u>“Contributions will only be sought for improvements where a specific scheme has been identified by the appropriate statutory body”.</u></p>	Accept recommendation	To meet the Basic Conditions.
PM16	Page 42, Policy TA3 and paragraph	<p>The second paragraph to be amended as follows:</p> <p><u>“Visitor parking should also be considered and provided at a rate of 1 space for every four</u></p>	Accept recommendation	To align with national guidance and meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
	9.11.	<p><i>dwelling proposed. P and parking needs should be met entirely within the confines of the site, and not result in overspill to the surrounding streets. A mixture of parking arrangements will be encouraged. Affordable housing schemes should demonstrate that sufficient car parking has been provided on site for occupiers and visitors but some flexibility is allowed from these standards. Where Developers will be encouraged to provide garages are provided they must be of a scale to accommodate modern larger vehicles. Where a garage or car port is provided as part of the parking standards set out above, permitted development rights will be removed to restrict its conversion to living space and its resultant loss as parking, unless a viable on-plot alternative is demonstrated.</i></p> <p>Amend the third paragraph as follows:</p> <p><i>“Proposals for schemes of 10 or less <u>dwelling</u>s or for non-residential development, <u>or for all development within the Conservation Area</u>, should demonstrate an appropriate level of parking based on consideration of the following, and may be provided by way of improvements to existing</i></p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>public car parking facilities:</i></p> <p>Delete paragraph 9.11 of the explanatory text in its entirety.</p>		
PM17	Page 45, paragraph 10.0	<p>Amend the third and fourth sentences as follows:</p> <p>“Following careful consideration of the available sites, their impact on traffic generation, the gGreen bBelt and the landscape character, and responding to the community consultation, <u>the Neighbourhood Plan recommends to Rushcliffe Borough Council for potential inclusion in its Local Plan Part 2 an aspirational housing strategy which has been developed and which seeks to allocate the allocation of 450 to 480 dwellings across three sites. A further two sites may be designated site is recommended as safeguarded land for future development should the allocated sites not come forward, or to meet need during the next Plan period totalling another 200 dwellings.</u>”</p> <p>Provide additional text following the fifth sentence as follows:</p> <p><u>“The development strategy is a recommendation to the Borough Council and, therefore, it and Appendix 3 as a whole, does not form part of the development</u></p>	Accept recommendation	To meet the Basic Conditions and make factual corrections.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><u>plan. It will be for the Borough Council and its Local Plan Part 2 to determine which, if any, of the recommended sites at Appendix 3 are ultimately allocated for development.”</u></p>		
PM18	Page 46, paragraph 10.4:	<p>Amend the paragraph as follows:</p> <p>“In addition to the three proposed allocations, there is a <u>recommended</u> safeguarded site identified for development beyond 2028 (the Plan period) or in the event that there are issues of deliverability. This is land north of Debdale Lane (5 hectares). As with the proposed allocated sites, the safeguarded site would <u>hopefully</u> be identified as part of the Local Plan: Part 2.”</p>	Accept recommendation	To ensure accuracy and general conformity with the strategic policies of the local development plan.
PM19	Page 47, Policy H1	<p>Amend the first paragraph of the Policy as follows:</p> <p><i>“The Keyworth Neighbourhood Plan makes provision for recommends the delivery of between 450 and 480 residential dwellings to meet the strategic targets set out in the Rushcliffe Local Plan. Housing should be developed at the densities set out in policy H3, <u>subject to compliance with the Rushcliffe Local Plan and its proposals for the number of dwellings on individual allocated sites”</u>.</i></p>	Accept recommendation	To ensure general conformity with the strategic policies of the local development plan, to align with national policy and in order to meet to meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p>Amend the first sentence of the second paragraph of the Policy as follows:</p> <p><i><u>“It is recommended that sites Sites should be delivered (either as a result of planning permissions or allocated through the Local Plan: Part 2) to ensure that housing delivery is balanced divided between the east and west of the settlement, to ensure that impacts on the landscape setting of the settlement are minimized and that traffic generation is spread throughout the network”.</u></i></p> <p>Amend the fourth paragraph of the Policy as follows:</p> <p><i><u>“Where required, necessary to mitigate the impact of development, and subject to viability considerations, contributions for improvements to local road junctions and pedestrian and cycle links to the shopping areas will be negotiated. Developments on allocated sites will be required to demonstrate how they have met encouraged to make provision for localised convenience retail needs and appropriate highways and access arrangements, both on and off-site”.</u></i></p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
PM20	Page 48, paragraph 10.5	<p>Amend the fourth sentence as follows:</p> <p>“These sites form an integral part of the issues and options <u>preferred housing sites</u> document prepared in support of this emerging policy document”.</p> <p>Add the following sentence to the end of the paragraph:</p> <p><u>“It is however recognised that it will be the role of Local Plan Part 2 to ultimately determine the overall level of residential development on greenfield sites adjacent to the existing built up area of the village, in which directions around the village development is focused and which specific sites are allocated for development”.</u></p>	Accept recommendation	For accuracy and clarification.
PM21	Pages 49-50, Policy H2 and paragraph 10.9	<p>Amend the first sentence of the Policy as follows:</p> <p><i>“The following mix of market housing types will be sought from all new developments in excess of 10 dwellings, subject to viability considerations:”</i></p> <p>The first entry in the table should be amended to read: <i>“Two-bed starter homes”.</i></p> <p>The final two entries in the table should be amalgamated to read as follows:</p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>“Four or more Bed Family Homes* 30 – 40”</i></p> <p><i>“* No more than 10% of the total market homes should be larger than 5 or more bedrooms”.</i></p> <p>The second paragraph of the Policy should be amended to start as follows:</p> <p><i>“<u>Subject to viability, We urge that a total of 30 20% affordable housing (including shared ownership, social rented, affordable rented and intermediate housing and starter homes at 20% below market value) should be delivered sought through negotiation on sites of 5 dwellings or more than 0.2 hectares”.</u></i></p> <p>Paragraph 10.9: delete the phrase “smaller starter and” from the third sentence.</p>		
PM22	Page 52, Policy H3	<p>Amend the first sentence of the Policy as follows:</p> <p><i>“For any scheme over 10 houses the following design criteria normally apply will be applied to assist in delivering new residential development of the highest quality”.</i></p> <p>Amend the second sentence of the fifth bullet point as follows:</p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>“Where sites are green field or create a new settlement edge, density should not normally exceed 30dph with densities at the urban edge being as low as <u>no more than 20dph</u>”.</i></p> <p>Amend the sixth bullet point as follows:</p> <p><i>“Ensure that appropriate buffer planting is provided adjacent to existing properties <u>where appropriate</u> and that this is retained and managed <u>in-perpetuity accordance with an agreed management plan</u>”.</i></p>		
PM23	Page 55, Policy E1	<p>Add the following paragraph to the Policy:</p> <p><i>“Development proposals which would have a significant adverse impact on the existing green and blue infrastructure will be resisted and alternative proposals reducing or eliminating impact should be considered. As a last resort, or where adequate mitigation is not possible, permission will be refused.”</i></p>	Accept recommendation	To meet the Basic Conditions.
PM24	Page 58-59 Policy E2 supporting	<p>Amend paragraph 11.11 of the explanatory text as follows:</p> <p>“Work is currently underway on t <u>The Rushcliffe</u></p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
	text	Conservation Strategy and its implementation group, which will identify <u>has been published</u> and it identifies opportunities across Rushcliffe, including in Keyworth. Applicants are encouraged to engage with this process and its strategy to maximise the benefits delivered.”		
PM25	Page 60, Policy HC1	The first paragraph of the Policy should be amended as follows: <i>“Improvement to the public realm within the Conservation Area (CA) is a priority and will be supported by the KNDP. S support will be given to housing developments that contribute to the delivery of the public realm improvements. Development proposals for the public realm should:”</i>	Accept recommendation	For clarity and to meet the Basic Conditions.
PM26	Page 62, Policy HC2	Amend the first paragraph of the Policy as follows: <i>“The design of new buildings and alterations to existing buildings within the Conservation Area must be of high quality. Any proposals which include features that erode the character of the Conservation Area will be resisted. New development should preserve or enhance the character of the Conservation Area. and respect</i>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>should be given to the key characteristics of the local vernacular. Development proposals within and adjacent to the Conservation Area which demonstrate high quality design, understanding of the Conservation Area and consideration of the Conservation Area Appraisal, will be supported by the KNDP. Any proposals which include features that erode the character of the Conservation Area will be resisted</i>".</p> <p>Amend the second paragraph of the Policy as follows:</p> <p><i>"This could Proposals which include contemporary design <u>may be supported</u>..."</i></p>		
PM27	Page 64, Policy HC3 and Proposals Map at page 70	<p>Amend the final part of the first paragraph of the Policy as follows:</p> <p><i>"...into the surrounding landscape will be resisted by the KNDP."</i></p> <p>Amend the final part of the second paragraph as follows:</p> <p><i>"Development which leads to the loss of, or inappropriate impacts on, key views throughout the village and parish will be resisted. <u>In respect of areas outside the Conservation Area, key views</u></i></p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i><u>are illustrated on the Proposals Map.</u></i></p> <p>The Proposals Map should be amended as follows:</p> <ul style="list-style-type: none"> ○ Remove the identification of key views out of the settlement southwards from Bunny Lane; ○ Add the identification of key views out of the settlement southwards from Selby Lane close to its junction with Willow Brook. 		
PM28	Page 66, Policy HC4 and paragraphs 12.11 and 12.12	<p>Provide a new sub-heading to the first paragraph of the Policy as follows:</p> <p><i><u>“Designated heritage assets”</u></i></p> <p>Amend the first sentence as follows:</p> <p><i>“All new developments must take account of their impact on <u>designated</u> heritage assets and...”</i></p> <p>Provide a sub-heading following the first paragraph of the Policy as follows:</p> <p><i><u>“Non-designated heritage assets”</u></i></p> <p>Combine and amend the second and third paragraphs to provide new second paragraph and third paragraphs as follows:</p> <p><i>“There are a number of non-designated heritage</i></p>	Accept recommendation	To meet the Basic Conditions.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p><i>assets which make a positive contribution to the character and appearance of the Conservation Area. The significance of these assets will be taken into account in the consideration of planning applications for development and the following buildings are identified for particular protection from the impact of development proposals:</i></p> <ul style="list-style-type: none"> ○ <i>United Reform Church, Nottingham Road;</i> ○ <i>Methodist Church, Selby Lane;</i> ○ <i>The Old Forge, Main Street;</i> ○ <i>Parochial Church Hall, Selby Lane;</i> ○ <i>Old Rectory, Nottingham Road.</i> <p><i>A record of the non-designated assets in the Conservation Area is included as Appendix 2 of the Keyworth Conservation Area Appraisal and Management Plan (Rushcliffe Borough Council, October 2010)."</i></p> <p>Amend second paragraph of 12.11 as follows:</p> <p><u>"There are many unlisted non-designated buildings within the village which contribute to character yet are not afforded full listed status. Where non-designated buildings and heritage assets are locally listed † it is</u></p>		

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p>therefore important for the Plan to protect them <u>se</u> historic cultural assets...</p> <p>Amend paragraph 12.12 as follows:</p> <p>“New developments which do not take account of high quality <u>locally</u> unlisted <u>non-designated</u> buildings...”</p>		
PM29	Page 75	<p>The title of the Appendix should be amended as follows:</p> <p>“APPENDIX 3: THE DEVELOPMENT STRATEGY <u>(note: this appendix does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase Act 2004).</u>”</p>	Accept recommendation	For clarity.
PM30	Page 76, paragraph A.1	<p>The paragraph should be amended as follows:</p> <p>“The Keyworth Development Strategy has evolved over a period of three years based on the feedback from residents, community groups and environmental organisations. It aims to guide the <u>development delivery</u> of the Keyworth Neighbourhood Plan <u>and preparation of the Rushcliffe Local Plan Part 2</u>. It should be noted that, unlike the rest of the <u>Neighbourhood Plan, this appendix does not form part of the development plan, as defined by Section 38 of the Planning and Compulsory Purchase Act 2004.</u>”</p>	Accept recommendation	For clarity.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
PM31	Page76, Paragraph B.1 and B.2	<p>The paragraphs should be amended and linked to form one paragraph as follows:</p> <p>“B.1. The Keyworth Neighbourhood Plan is unable to allocate any specific sites to fulfil the housing and employment growth proposed by the Rushcliffe Local Plan: Part 1 (Core Strategy) as this would require the release of greenfield land around the settlement, all of which is currently designated as gGreen bBelt. Only Rushcliffe Borough Council’s Local Plan can remove land from the gGreen bBelt designation. This process is scheduled to be undertaken as part of the emerging Local Plan: Part 2 (Allocations) document. B.2. Therefore, the Neighbourhood Plan’s <u>recommended</u> Development Strategy, which seeks the release of gGreen bBelt sites, is for now located within the Appendix <u>this Appendix</u> of the Neighbourhood Plan itself and does not form part of the development plan. It is anticipated that this development strategy and the Local Plan Part 2 provisions for Keyworth will be aligned before their adoption”.</p>	Accept recommendation	For clarity.
PM32	Page 77, paragraph	<p>Amend the paragraph as follows:</p> <p>“In order to secure the delivery of the housing target, as set out in the Local Plan Part 1, the Neighbourhood</p>	Accept recommendation	For clarity.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
	C.3	Plan seeks to allocate <u>recommends that the Local Plan Part 2 allocates</u> 450 to 480 new dwellings within the period of the plan, i.e. by 2028.”		
PM33	Page 78, paragraph C.6	Paragraph C.6: The final sentence to be amended as follows: “ ..and two a single safeguarded sites rather than one single larger site.. ”	Accept recommendation	Factual correction
PM34	Page 78, paragraph C.7	The first sentence to be amended as follows: “The <u>recommended</u> development sites are spread around the periphery of the village of Keyworth”. And the final sentence to be amended as follows: “In addition to this they received higher scores in some of the g <u>Green b Belt</u> assessments, i.e. they were considered more valuable sites in terms of contribution to the g <u>Green b Belt</u> .”	Accept recommendation	For clarity and for factual correction.
PM35	Page 79, paragraph E.1	The final sentence of paragraph E.1 should be amended as follows: “ ..with the split between <u>locations east and west of the settlement being almost equal.</u> ”	Accept recommendation	Factual correction

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
PM36	Pages 79 – 83, paragraphs E.2, E.3, E.6., E.9 and E.15	<p>The following amendments should be made to the paragraphs as indicated:</p> <p>Paragraph E2, first sentence: “Details of these particular <u>recommended</u> allocations are included below and are based on the submissions made by the site owners and their agents in response to the draft Plan proposals”.</p> <p>Paragraph E3, first sentence: “This is the largest single allocation proposed <u>recommended</u> by the Development Strategy but has the benefit of multiple <u>more than one</u> access points, although both will not be suitable for vehicles”</p> <p>Paragraph E6, third sentence: “This <u>recommended</u> allocation is only accessible from Nicker Hill, but is well connected to the wider public footpath network and is close to a number of local bus routes with the opportunity to provide a route running past the site”.</p> <p>Paragraph E9, first sentence: “The <u>recommended</u> development is large enough to offer a variety of housing types including affordable</p>	Accept recommendation	For clarity.

Proposed modification number (PM)	Page no./ other reference	Modification	Decision	Reason for decision
		<p>housing, family homes and those for the elderly as specified in policy H2.”</p> <p>Paragraph E15, first paragraph:</p> <p>“This site has been identified as <u>recommended</u> safeguarded land by the development strategy”.</p>		
PM37	Page 70, Proposals Map	Replace on the Proposals Map references to Policy CA1 with Policy CF1.	Accept recommendation	Factual correction.
PM38	Page 70, Proposals Map	<p>References in the Key of the Proposals Map:</p> <p>“Housing Allocation (Proposed Only) Employment Allocation (Proposed Only) Safeguarded Land for Housing (Proposed Only)”</p> <p>To be replaced with the following:</p> <p>“Potential Housing Allocation (recommended for inclusion in the Rushcliffe Borough Local Plan) Potential Employment Allocation (recommended for inclusion in the Rushcliffe Local Plan) Potential Safeguard Land for Housing (recommended for inclusion in the Rushcliffe Local Plan)”</p>	Accept recommendation	To meet Basic Conditions as far as accuracy is concerned.