

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.

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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.

(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.

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.

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)).

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.

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.

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: <u>“This policy These two policies seeks to....”</u></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><u>In all circumstances sSolid shutters will normally be considered <u>are unacceptable. Only security measures...;</u></u></i> ○ <i><u>Within the Conservation Area projecting boxes and external shutters are also considered to be inappropriate and will be resisted.</u></i>
PM14	Page 38	<p>Policy TA1:</p> <p>The first sentence reference to Policy CA1 should be replaced to read:</p> <p><i><u>"...(as outlined in policy CA1CF1).."</u></i></p> <p>The wording of the second sentence of paragraph two should be amended as follows:</p> <p><i><u>"The thresholds for these requirements are set out in guidance published by the Government 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 Green Belt 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 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”.</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 11.11of 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. 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 non-designated 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 <u>them</u> 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><u>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></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>“LR1(A) – Local Green New and Existing Open Spaces; and Parks <u>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 <u>pPolicy 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 CA1<u>CF1</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</u> sSolid shutters will normally be considered <u>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
		<i><u>in guidance published by the Ggovernment and by the local transport authority guidance.</u></i>		
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 and it identifies</u> 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><u>“All new developments must take account of their impact on <u>designated</u> heritage assets and...”</u></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><u>“There are a number of non-designated heritage</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>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.