



Report on Radcliffe-on-Trent Neighbourhood Plan 2014 - 2028

An Examination undertaken for Rushcliffe Borough Council with the support of the Radcliffe-on-Trent Parish Council on the June 2016 submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Radcliffe-on-Trent Neighbourhood 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 Radcliffe-on-Trent Parish Council;
- The plan has been prepared for an area properly designated – the Radcliffe-on-Trent Parish as shown on Page 4 of the Neighbourhood Plan (NP);
- The plan with proposed modifications states that the plan period 2014 to 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

Radcliffe-on-Trent Neighbourhood Plan 2014- 2028

1.1 Radcliffe-on-Trent, within Rushcliffe Borough, is a village of some 8,205 people (2011 Census). It is located south-east of Nottingham City and separated from it by the River Trent. The surrounding area is predominantly rural and much of it is designated as Green Belt. Land immediately north and west of Radcliffe-on-Trent is within an area at risk of flooding. The village was defined as one of six key settlements in the Rushcliffe Local Plan Part 1, and its village centre includes a range of shops and community services. Upper Saxondale to the east of the main village, is a residential area which was formerly a hospital site, and is a conservation area. A number of listed buildings have also been designated in the village. The A52 trunk road links Radcliffe to Grantham and Nottingham, as do rail and bus services.

1.2 The Parish Council established a Steering Committee comprising County, Borough and Parish Councillors, local residents, business leaders and others to prepare the NP, with work beginning in late 2013. Following consultation by Rushcliffe Borough Council, the Neighbourhood Planning Area was

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designated in September 2014. A Community Plan which had been subject to a series of local consultation and engagement events from 2012 to 2015 formed the cornerstone for the NP.

- 1.3 In addition to consultation on the Community Plan, a series of specific consultation and engagement meetings were held to progress the NP, beginning with an article in the Nottingham Post in July 2014. A formal presentation to the annual Parish meeting took place in April 2016 prior to the Submission Draft Plan formulation in June 2016.

The Independent Examiner

- 1.4 As the plan has now reached the examination stage, I have been appointed as the examiner of the Radcliffe-on-Trent Neighbourhood Plan by Rushcliffe Borough Council, with the agreement of the Parish Council.

- 1.5 I am a chartered town planner and former government Planning Inspector, and have previous experience examining Neighbourhood 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

- 1.6 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.

- 1.7 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). These are:
 - 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'; and
- 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 ('the 2012 Regulations').

1.8 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

1.9 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.

1.10 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 2012) 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 Radcliffe-on-Trent, not including documents relating to excluded minerals and waste development, is the Rushcliffe Local Plan Part 1: Core Strategy which was adopted in December 2014.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

Submitted Documents

2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- the Draft Radcliffe-on-Trent Neighbourhood Plan, June 2016;
- the Map on Page 4 of the plan which identifies the area to which the proposed neighbourhood development plan relates;
- the Consultation Statement, July 2016;
- the Basic Conditions Statement, July 2016;
- all the representations that have been made in accordance with the Regulation 16 consultation; and
- the Sustainability Appraisal and Strategic Environmental Assessment (SA and SEA) April 2016, by BPUD on behalf of Radcliffe NP Steering Group and Parish Council, as well as the Screening and Scoping SEA/SA Report 18th May 2016.

Site Visit

2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 2nd March 2017 to familiarise myself with it, and visit relevant sites and areas referenced in the plan and evidential documents.

Written Representations or Public Hearing

2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as 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.

Modifications

2.6 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 Radcliffe-on-Trent Neighbourhood Plan has been prepared and submitted for examination by Radcliffe-on-Trent Parish Council which is a

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qualifying body for an area that was designated by Rushcliffe Borough Council on 9th September 2014.

- 3.2 It is the only neighbourhood plan for Radcliffe-on-Trent, and does not relate to land outside the designated neighbourhood area.

Plan Period

- 3.3 Paragraphs 1.5, 5.18 and 6.5 of the NP indicate that the time period will be in compliance with the Rushcliffe Local Plan Part 1, running from 2014 to 2028. I consider that the NP should state the time period more specifically, and propose modifications to the front cover and paragraph 1.5 to achieve this. With **PM1** in place, the plan will specify clearly that it is to take effect from 2014 to 2028.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Report confirms that a variety of methods were used to inform and engage local people, beginning with the Community Plan in February 2012. The Report includes a Record of Key Events which have been many and varied over the last five years. A survey of all households, businesses and organisations was conducted in July 2013 to inform the Community Plan and subsequently the NP. This captured 1,874 returns, a substantial number which accounted for just under 50% of all questionnaires sent out. Responses on a number of local topics of interest and on six Strategic Housing Land Availability Assessment (SHLAA) sites were used to shape the policies in the emerging NP.
- 3.5 Consultation on the "Vision Statement" took place in March 2015 and the responses formed the Vision, Objectives and Spatial Strategy which underpin the policies within the NP. Meetings with local landowners and prospective developers were held in July 2015. Consultation, in accordance with Regulation 14, took place in October/November 2015 for six weeks. Sixty-five responses were received including replies from statutory bodies, community and Government organisations. The responses informed discussions between the steering committee, local planning authority, Parish Council and appointed consultants and led to production of the Submission Draft version of the NP in June 2016, which is the subject of this examination.
- 3.6 Consultation on the Draft NP, in accordance with Regulation 16, was carried out for six weeks from 4th November to 16th December 2016. Eighteen responses were made from interested parties including statutory bodies, the local planning authority, Nottinghamshire County Council and developers. Historic England, which had not commented at Regulation 14 stage, submitted comments in a letter of 14th November 2016 indicating that "at this point" it did not see the need "to be involved in the development of a strategy for your area". I have taken account of all 18 responses in my

examination of the NP. I am satisfied that consultation procedures have met the legal requirements for neighbourhood planning.

Development and Use of Land and Excluded Development

3.7 The plan sets out policies in relation to the development and use of land in accordance with s.38A of the 1990 Act. Nottinghamshire County Council observed that it does not cover minerals and waste policy; in particular, it does not refer to Policy WCS2 of the Nottinghamshire and Nottingham Waste Core Strategy. However, in my consideration of the NP's compliance with s.61J of the 1990 Act, as required under Paragraph 8(1) of Schedule 4B to the 1990 Act, I am clear that that a neighbourhood plan should not include provisions and policies for "excluded development" (which include waste development and certain other county matters)¹. The NP, correctly in my view, does not include such matters.

Human Rights

3.8 The Basic Conditions statement advises that the plan has been positively prepared to ensure none of the policies infringe any Human Rights (within the meaning of the Human Rights Act 1998). Rushcliffe Borough Council submitted a Legal Compliance Check and Decision Statement September 2016, and did not allege that Human Rights might be breached. I see no reason to disagree with this position.

4. Compliance with the Basic Conditions

EU Obligations

4.1 Radcliffe Parish Council appointed consultants BPUD to screen and scope the NP for SEA/SA. Their findings are included in the Screening and Scoping SEA/SA Report, 18th May 2016. This was based on the draft NP dated October 2015, after it had been subject to consultation. A Technical Baseline Study, setting the context and objectives, establishing the baseline and deciding on the scope of SEA, was used in the assessment.

4.2 Detailed assessment of the Plan's emerging policies, against the criteria in Schedule 1 of the 2004 Environmental Assessment of Plans and Programmes Regulations, concluded that two of the policies could have some negative environmental effects. These were Policy 10, Residential Development Strategy, and Policy 14 (of the October 2015 Plan) addressing employment land. However, as Policy 14 was criteria-based and included criteria that would mitigate against any adverse effects, a full SEA was found to be unnecessary.

¹ 'Excluded development' is defined in s.61K.

4.3 Policy 10 has been subject to full SEA. The Sustainability Appraisal and Strategic Environmental Assessment April 2016, describes an assessment, according to Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations 2004, exploring options to assess the most acceptable policy approach for housing delivery. Policy 10 was subsequently re-drafted, setting out a criteria-based approach to the location of new dwellings and encouraging employment uses in the village. I comment on Policy 10 under Main Issues below, but as far as SA/SEA is concerned, I am satisfied that the approach has been thorough and carried out in accordance with the Regulations, and should contribute to the achievement of sustainable development. Rushcliffe Borough Council has raised no objection to the assessment or its conclusions. The Environment Agency, in its letter of 5 December 2016, confirmed that it had read the SA/SEA report. It concluded that the Plan is unlikely to have any significant environmental effects within its remit, and met the Basic Conditions.

4.4 The SA and SEA report for Radcliffe-on-Trent Neighbourhood Plan April 2016 found that further screening for Habitats Regulations Assessment (HRA) was not required, observing that screening by Rushcliffe Borough Council of development sites for the Core Strategy did not identify any impacts on habitats. Natural England's letter of 6th January 2017, in response to the Regulation 16 consultation exercise for the NP, does not suggest otherwise.

Main Issues

4.5 Having regard for the Submission draft Radcliffe-on-Trent NP, the consultation responses, other evidence and the site visit, I consider that there are four main issues relating to the Basic Conditions for this examination. These are whether the policies for:

- Housing, Design and Heritage;
- the Village Centre, Business and Enterprise and Public Realm;
- Transport and Access; and
- the Environment

have had regard for national planning policy and guidance, are in general conformity with the strategic policies in Rushcliffe Local Plan, and are likely to contribute to the achievement of sustainable development.

Overview of the Radcliffe-on-Trent Neighbourhood Plan

4.6 Before addressing the main issues, I comment on the structure and layout of the NP. Section 1: Introduction, briefly explains what is the status and coverage of the NP, how it has been produced and how it will be used. I consider that this introduction provides a very useful and readable summary, and should assist members of the local community and other interested parties to understand and engage with the NP. Section 2 identifies seven

key issues and opportunities from the Village Centre to the Environment, and describes each one in brief. Section 3 uses these key issues and opportunities, adding an eighth one, Leisure, to set out objectives for each. These are defined to help deliver the Vision for Radcliffe-on-Trent which “aspires to be a vibrant and sustainable village”. Section 4 then describes the sub-regional context for the village, supported by two indicative maps. I consider that these sections of the NP are well-structured and set out background information for the NP’s policies (Section 5) in a helpful and straightforward fashion for the reader.

Issue 1 - Housing, Design and Heritage

4.7 In setting out the Key Issues and Opportunities for Radcliffe-on-Trent, paragraph 2.9 of the NP observes that the ‘Rushcliffe Local Development Plan’ requires a minimum of 400 new homes to be built on greenfield land around the village. Policy 3 Spatial Strategy of Local Plan Part 1, defines six key settlements outside the main built up area of Nottingham. One of the key settlements is Radcliffe, where a minimum of 400 new homes, out of a minimum of 13,150 across Rushcliffe Borough, should be built ‘in or adjoining’ the settlement by 2028. Rushcliffe Borough Council suggested that paragraph 2.9 of the NP should refer to Local Plan Part 1, Rushcliffe Core Strategy, with sites to be identified through Local Plan Part 2, for clarity. I agree with this clarification and propose a modification, **PM2**, to secure it.

4.8 Policy 10 of the NP sets out criteria for ‘the delivery of 400 dwellings’ to meet the Local Plan Part 1 requirement. I agree with those who suggested that the policy should be amended to refer to ‘the delivery of a minimum of 400 dwellings’ for conformity with the Local Plan Part 1, and I propose that modification (**PM7**) should be made. This modification has regard for the NPPF’s principle to support sustainable economic development to deliver the homes and thriving local places that the country needs (NPPF paragraph 17) and for the aim to boost significantly the supply of housing (NPPF paragraph 47). It also has regard for paragraph 184 of the NPPF which states that NPs should not support less development than set out in the Local Plan or undermine its strategic policies.

4.9 Rushcliffe’s Local Plan Part 2 is progressing, with adoption expected in June 2018. I am informed that development on key housing sites is not occurring as rapidly as envisaged earlier, and that maintaining a 5 year housing land supply presents a challenge. These factors support the revised wording in PM2 which introduces necessary flexibility. However, a substantially higher number than 400 new dwellings might adversely affect the character of the settlement or the surrounding area, much of which is designated Green Belt. The NP through its SA/SEA tested the delivery of up to 600 dwellings at Radcliffe-on-Trent (paragraph 7.4 of the SA/SEA report). If a higher number were to be delivered, I appreciate that this could trigger the need for a

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review of the NP. However, Policy 10 with modification **PM2** will be in general conformity with the adopted Rushcliffe Local Plan Part 1 regarding housing numbers.

- 4.10 There is currently uncertainty about the precise content of the emerging Local Plan Part 2 and its expectations for new housing in Radcliffe. Section 6 of the Radcliffe-on-Trent NP sets out arrangements for monitoring the plan's policies and taking any consequent action. Paragraph 6.6 refers to 'a number of circumstances' which could initiate a review. I accept that these could include a review of Local Plan Part 1, but consider it unnecessary for the NP to spell out this or every possible future scenario. Neither should the NP be expected to set clear dates for undertaking partial and full reviews. Section 6 should not be modified.
- 4.11 The NP does not allocate specific housing sites but indicates the broad locations where housing may be considered acceptable (Page 16 and paragraph 4.5). The spatial strategy proposes that the majority of new housing land should be adjacent to the existing settlement, to the east and the west. I consider that the allocation of sites should be made through the Local Plan Part 2, having taken account of the Green Belt Review and other strategic considerations, including flood risk in the Trent Valley.
- 4.12 On my site visit, I saw the twelve sites featured in Figure 7: Potential Greenfield Housing Sites around Radcliffe on Trent, of the draft Local Plan Part 2: Land and Planning Policies (Further Options) document. I note the assessments made of these sites for the Green Belt Review which has been subject to consultation in February/March 2017. Responses to the Regulation 16 consultation exercise for the NP included a number of comments relevant to the location of new housing in and around Radcliffe.
- 4.13 The SA and SEA examined eight options for the application of Policy 10, leading to a preference for Option H which assumed growth of 60% of the new housing to the east of the settlement, 30% to the west and 10% to the south. This was the approach in the Draft NP, January 2016. The Submission Draft NP, however, was revised following consultation, so that it is now based on Option C, favouring mixed use development and not expressly supporting housing growth to the south of the settlement. Those with an interest in sites to the south of the village contended that they could provide housing on small sites with a greater prospect of delivery, and with opportunity to enhance sporting and recreational facilities at the Golf Club. As Policy 10 does not rule out new housing development south of the village and paragraph 4.5 refers to the 'majority of the release' being to the east and west, I am satisfied that the NP provides sufficient flexibility for sites on the south side to be assessed appropriately.
- 4.14 Some argued that land west of the village was not the most suitable because it was shown on the Environment Agency's maps as within Flood

Zone 2, and it represented the narrowest part of the Green Belt between Radcliffe and Nottingham. It was noted that the Environment Agency's comments on the SEA Screening and Scoping Report had stated that development should be concentrated to the east and south of the village due to flood risk to the west. However, the Agency's letter of 5 December 2016 to Rushcliffe BC, expressly supported Policy 10 as it seeks to avoid flood risk at the outset (point 4) in line with the NPPF. It does not comment adversely on references to a broad location for new housing land west of the village. The Greater Nottingham Strategic Flood Risk Assessment map in Appendix 4 of the NP, identifies land at risk of flooding as some distance from the built up area and predominantly north of the railway embankment.

- 4.15 The draft Green Belt Review refers to the proximity of Radcliffe to Holme Pierrepont and Gamston, Nottingham, but points out that the railway embankment would provide a visual barrier for any new development north of Nottingham Road and along Holme Lane from the west. I consider that the NP should refer to land west of the settlement as potentially suitable for housing. However, paragraph 2.17 should be modified to add the words "predominantly north of the railway embankment" at the end of the penultimate sentence (**PM3**).
- 4.16 Supporting the release of land east of Radcliffe-on-Trent for housing, some argued strongly for the release of St James Business Park from the Green Belt in order to allow existing businesses to flourish and expand better. Having regard for criterion 6 of Policy 10, I can see the potential benefits of such a release. However, the Business Park currently occupies a fairly isolated site in the countryside. The future status of the Business Park in Green Belt terms is a matter for the Local Plan Part 2, rather than this Neighbourhood Plan.
- 4.17 Policy 10 sets out ten criteria which proposals for new residential development should meet. The first three criteria concern location (requiring adjacency to the existing settlement edge), accessibility to community facilities and the Village Centre by sustainable transport means and good vehicular access to the strategic road network. Criterion 4 seeks to avoid development on land at risk of flooding. I am satisfied that these four criteria will contribute to the promotion of sustainable development.
- 4.18 Criterion 5 aims to deliver no more than 200 units on any one site. I agree that it could be difficult to define 'one site' as it is not uncommon for adjoining sites to be promoted, or large sites developed in phases. The justification for a 200 unit threshold has not been clearly set out, and I am aware that large sites can sometimes provide facilities and services which small sites cannot. Public open space, which could benefit the wider community, is given by a respondent as an example. Also, I accept that the harmful impact of a large development may sometimes be mitigated, which implies that those exceeding 200 units could be made acceptable. Criterion

5 should therefore be modified to omit the reference to 200 units and read: 'Designed to deliver development on a number of sites cumulatively over the plan period to 2028 so that the direct impacts of development are spread across the village' (**PM7**). This modification is necessary having regard for the NPPF's paragraph 184 and so that the provision of a minimum of 400 units, in conformity with the Local Plan, is not undermined by the NP. Paragraph 5.25 – 5. describes the underlying aim of the criterion appropriately and should be retained.

4.19 Criterion 6, seeking an element of commercial floorspace alongside residential development, has been criticised as too prescriptive; it is claimed that it could result in commercial development in unsustainable locations. However, criterion 6 does not require compliance in all cases (only where appropriate) and refers to Policy 13: Business and Enterprise of the NP. The supporting text of both policies highlights the importance of creating jobs alongside new homes and avoiding the development of a commuter / dormitory development. This aim is consistent with planning for sustainable development, in my view, and criterion 6 need not be modified.

4.20 Criteria 7, 8 and 10 are designed to safeguard the landscape and environment, and maintain a defensible settlement boundary consistent with Green Belt policy. These are consistent with the NPPF and should help achieve sustainable development. Criticism is made of criterion 9 requiring compliance with Policy 12: Housing Mix and Density. Even if criterion 9 merely provides a cross-reference and does not give additional guidance, I consider that its inclusion in Policy 10 should assist users of the NP.

4.21 Policy 11 provides useful information and is supportive of infill development. It has regard for section 7 of the NPPF, within which paragraph 56 points out that good design is a key aspect of sustainable development. The thrust of the policy meets the Basic Conditions for Neighbourhood Plans, but the reference to "policies 11 and 14 of this Plan" in the penultimate sentence of the policy is misleading and could undermine its effectiveness. It seems to me that it should refer to Policies 14: Design and Layout and 15: Local Architectural Styles of the NP. Proposed modification **PM8** would secure this change and should be made.

4.22 I have considered the argument that Policy 12 is too prescriptive in its expectations about housing mix. It is in general conformity with Policy 8 of Rushcliffe Local Plan Part 1 but provides more specific requirements. Paragraph 5.27 of the NP refers to an overwhelming need for smaller properties for first time buyers and the elderly who wish to downsize. This broadly complies with text in paragraphs 3.8.1 to 3.8.3 of the Local Plan Part 1, which give an overview of future housing mix requirements for Rushcliffe. I note that paragraph 3.8.3 ends by stating that it is important for new development to provide a range of types of housing. The NPPF, paragraph 50, refers to housing demand as well as need, and William Davis have

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provided up-to-date information on demand in the Radcliffe-on-Trent area in their Survey of Demand.

4.23 The 2011 Census data referenced in this Survey shows that Manvers and Trent wards, which include Radcliffe-on-Trent, have higher percentages in all age groups over 60 years than Rushcliffe Borough, the East Midlands or England. All younger age groups, except 5-7 year olds, are under-represented in the Manvers and Trent wards compared with Rushcliffe. Age groups 25-29 and 30-44, likely to include the majority of first-time house buyers, are significantly under-represented in Manvers and Trent (see Figure on Page 5 of Survey of Demand). The housing stock in Manvers and Trent is heavily weighted towards detached houses and bungalows, which comprise 45% of all dwellings. The stock is also generally much more expensive than housing across Nottinghamshire, the average sold price being about £275,000 in Radcliffe-on-Trent compared with about £174,000 for the average house price in the County.

4.24 The Survey of Demand goes on to state that just over 80% of residential transactions in Radcliffe in the last year (pre-December 2016) were for detached or semi-detached houses. New housing schemes in the wider area were also analysed, and these showed that developers are providing much new detached and larger housing. Given the composition of the housing stock in this part of Nottinghamshire, it is unsurprising to me that there is strong demand resulting in a high proportion of sales for large and detached units. However, the Neighbourhood Plan should not merely meet existing demand for a small sector of the population, as the first bullet point in paragraph 50 of the NPPF makes clear. This paragraph also emphasises that local planning authorities should deliver a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

4.25 The NP's aim to provide a mix of housing reflects the expectations of the Local Plan Part 1 that average household size will continue to fall in the future and the population continue to age. The NP, correctly in my opinion, seeks to address the growing needs of first time buyers, as well as the elderly who might wish to downsize or move to bungalows and sheltered accommodation, when these types of housing become more widely available. Policy 12 does not rule out the provision of 3 and 4+ bedroomed houses, which should comprise about 45% of new housing.

4.26 Policy 12 seeks to secure affordable housing in line with the Local Plan Part 1. Although it refers to a particular focus on providing for young people and young families, I consider that it need not exclude other potential occupiers. The policy should, however, confirm that 30% will be sought 'where viable' and I propose **PM9** to secure this and ensure that the policy is in general conformity with the Local Plan and has regard for the NPPF, paragraph 173.

I have considered whether Policy 12 should comment on the requirements of [Intelligent Plans and Examinations \(IPE\) Ltd, Regency Offices, 3 Portwall Lane, Bristol BS1 6NB](#)

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people with disabilities, but have been advised that disabled people may require more than 1 or 2 bedrooms eg. to accommodate guide or assistant dogs. Policy 12 does not place any limitations on accommodation for people with disabilities; it need not refer to them specifically. I consider that Policy 12 is forward looking, seeks to address existing and future needs and demand adequately, has the support of local people judging by the responses to consultation exercises, and gives clear guidance for developers. With the above proposed modification, it meets the Basic Conditions.

4.27 Section 7 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Policy 14: Design and Layout of the NP, takes up this theme and provides detailed guidance for future development. The final bullet point aims to minimise the production of carbon emissions through sustainable construction techniques. In view of the Government's Housing Standards Review, which transferred many technical matters assessed by planning to Building Regulations, I consider that this should be deleted. A reference to Building Regulations and to paragraph 173 of the NPPF requiring careful attention to viability and deliverability could be added to the supporting text in paragraph 5.35 to ensure that sustainable construction techniques are referenced. Having regard for legal requirements and the NPPF, **PM11** should be made.

4.28 The Environment Agency expressed support for Policy 14 as it indicates that Sustainable Urban Drainage System (SUDS) must be included within the design and layout of new developments. The Agency emphasised that SUDS features must be included at an early stage to aid flood risk management and enhance biodiversity, landscape and recreational value. The supporting text should be modified to make this point in the interests of achieving sustainable development, as set out in **PM11**.

4.29 Policy 15 sets out guidance on matters of locally distinctive design and architecture. As the policy states that the specific 'key design elements ... should be considered', in my view this provides some flexibility for innovative and possibly contrasting styles to be considered. Because Policy 12 seeks 25% of new residential accommodation to be 1 & 2 bedroom properties as retirement homes or bungalows, and 30% other two bedroom homes, I consider that there could be conflict with the third bullet point of Policy 15. The bullet point should be modified as shown in **PM12** to confirm that 2 storey residential properties will be the norm but 1 and 3 storey accommodation will be permitted in suitable locations, where good design principles are followed.

4.30 Providing the modifications outlined above and set out in the Appendix are made, I conclude that the Radcliffe-on-Trent Neighbourhood Plan's policies for Housing, Design and Heritage have had regard for national planning policy, are in general conformity with policies in Rushcliffe Local Plan, and

are likely to contribute to the achievement of sustainable development. The Basic Conditions will be met.

Issue 2 - Village Centre, Business and Enterprise and Public Realm

4.31 Policies 1-3 and 13 of the Neighbourhood Plan are covered by this issue.

Policy 1: Village Centre First, has had regard for section 2 of the NPPF, Ensuring the vitality of town centres, and is designed to encourage new retail, commercial and community service development within the centre. Rushcliffe Local Plan Part 1: Core Strategy promotes Radcliffe-on-Trent as a Local Centre and refers to the Greater Nottingham Retail Study which provides comprehensive evidence on retailing across the area, with projections for future retail floorspace provision. The Study was updated in 2015. It suggests that there is limited capacity for new retail floorspace in Rushcliffe's Local Centres. It recognises the range of shops and services available in Radcliffe-on-Trent but records a vacancy level over 10% of floorspace.

4.32 Paragraph 24 of the NPPF seeks the application of a sequential test to planning applications for main town centre uses that are not in existing centres. I note that the Greater Nottingham Retail Study recommends use of an impact threshold for new development, proposed at the edge of or outside a centre, of 500sqm. Policy 1 of the NP limits retail development outside the village centre to 280sqm, being one which would be exempt from Sunday trading laws. Although this is more restrictive, Radcliffe-on-Trent is one of the smallest centres which the Greater Nottingham Retail Study assessed. The character of the village is predominantly residential with a well-defined village centre where recent data indicate that there are vacant premises. I consider that the application of Policy 1 should be carefully monitored, in line with paragraph 6.4 of the NP, but it need not be modified.

4.33 Policy 1 covers community services, which include health services. Whilst it encourages the clustering of community services in the village centre, the policy does not aim to restrict new health centre development in the way that it would new retail development. I am satisfied that it offers adequate flexibility for potential new or expanding community facilities. Policy 2: Public Realm and Policy 3: Main Road Regeneration Area, should encourage improvements to the village centre and its accessibility by sustainable travel modes. They take forward the earlier Community Plan for Radcliffe-on-Trent and reflect local concerns.

4.34 The supporting text for Policy 13: Business and Enterprise also indicates that the community supports the provision of new development for employment purposes. This aim is in line with building a strong, competitive economy and delivering sustainable development (section 1 of the NPPF). The policy complements Policy 10 criterion 6, which favours mixed use development, and the last bullet point in Policy 13 helpfully states that

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business and enterprise development should not be harmful to residential amenity. I consider, however, that the fourth and fifth bullet points of the policy should be re-worded to omit the references to 'high quality' buildings in recognition that some commercial buildings for functional reasons may not achieve this goal. Also, 'high quality landscape proposals that cover the whole site' could be onerous, especially on sites within the built-up area of the village. **PM10** should be made so that the wording is consistent with the achievement of sustainable development. Providing that modification is made, I conclude that policies for the Village Centre, Business and Enterprise and Public Realm have had regard for national planning policy and guidance, are in general conformity with the strategic policies in Rushcliffe Local Plan, and are likely to contribute to the achievement of sustainable development.

Issue 3 - Transport and Access

4.35 Policies 7, 8 and 9 of the NP are Transport and Connectivity Policies.

Objective 3 of the Plan is to prioritise sustainable modes of transport, with particular focus on improving bus and rail provision, and promoting good access for all to public services and facilities. Highways England acknowledged and welcomed this objective. It also expressed support for the criterion in Policy 10 to locate residential development where the centre of the site is accessible by walking, cycling and public transport in accordance with Policy 8. Nottinghamshire County Council, with responsibility for transport planning and services, is satisfied that the NP meets the Basic Conditions, and that it contributes to the achievement of sustainable development including public transport services. I attach weight to these expressions of support from Highways England and the County Council.

4.36 Policy 7: Pedestrian Focused Development, is consistent with Policy 2 which also aims to prioritise pedestrian access and movement. This has regard for section 4 of the NPPF: Promoting sustainable transport, especially paragraphs 29 & 30, 34 & 35 and 37 & 38. Problems with parking, pedestrian safety and congestion in the village centre at peak times are recognised in paragraph 2.5 of the NP. Some have suggested that new housing development to the east of Radcliffe-on-Trent could exacerbate these problems, as commuters to and from Nottingham would increase traffic movements through the centre. By contrast, it is argued that development to the west would not result in many additional traffic movements at peak times through the village centre; some new residents might choose to cycle from there to Nottingham. These are factors which would need to be considered when sites are allocated in the Local Plan Part 2, or when planning applications for new development are put forward. They do not require amendments to Policy 7 or other parts of the NP, in my opinion.

- 4.37 On a similar theme, Highways England expressed concern that if a number of sites came forward for housing development in Radcliffe, there could be a significant cumulative impact on the operation of the A52. As I saw at my site visit, junction improvements (as described in Policy 15: Transport Infrastructure Priorities of the Rushcliffe Local Plan Part 1) are underway on this strategic road, but these are limited in scale. Highways England cautioned that additional development greater than envisaged in Rushcliffe Local Plan Part 1 could adversely affect the operation of the A52. This reinforces the case for housing policy to be in general conformity with the Local Plan, as I have already discussed in paragraph 4.9 above.
- 4.38 Policies 8: Public Transport and 9: Radcliffe-on-Trent Railway Station, are positively supportive of improvements to public transport services in the village. As I saw at my site visit, the village is well placed for access to Nottingham and West Bridgford and eastwards to Grantham and Lincolnshire by rail and bus. Policy 8 sets out some distances for access to public transport services, community services and the village centre which new development should satisfy. These are based on evidence from the Department for Transport as referenced in paragraph 5.16, and should be helpful to prospective developers and decision-makers. I recognise that urban extensions and large strategic development sites may be capable of supporting new local centres and public transport services. Even though mixed use development may lead to provision of some new community facilities, and larger schemes might support enhanced public transport services and pedestrian ways in Radcliffe-on-Trent, however, I would expect the village centre and existing transport infrastructure to remain the main focus for services. Nevertheless, in order to ensure flexibility, I consider that the second sentence in Policy 8 could be modified to recognise that development schemes may include measures to improve community services and accessibility by sustainable means to the village centre. **PM6**, should be made in the interests of enabling sustainable development.
- 4.39 Measures to enhance the infrastructure and services especially at the railway station should assist in encouraging greater usage of public transport in the future. I support Policies 8 & 9 which should help achieve sustainable development. These policies and the overall Vision for the Radcliffe-on-Trent Neighbourhood Plan, in my view, are in general conformity with Policy 14: Managing Travel Demand, in the Rushcliffe Local Plan Part 1. That policy seeks new development of appropriate scale in the most accessible locations. It wants the priority for new development to be selecting sites accessible by walking, cycling or public transport to key services and facilities. I conclude that, with the above modification, the policies for Transport and Access in the NP have had regard for national planning policy and guidance, are in general conformity with the strategic policies in Rushcliffe Local Plan, and are likely to contribute to the achievement of sustainable development.

Issue 4 – The Environment

4.40 Policies 4: Local Green Space, 5: Local Leisure Provision and 6: Biodiversity Network are covered under this issue. Policy 4 identifies 15 areas as Local Green Space and these are shown on the Proposals Map towards the back of the NP. Paragraph 77 of the NPPF cautions that Local Green Space designation will not be appropriate for most green areas or open space, and I looked critically at the 15 areas on my site visit. I found that they are all reasonably close to the community that they serve, and are demonstrably special (for example, they are set alongside the River Trent with attractive vegetation and views, or are allotments or playing fields). I agree that the Golf Club occupies too extensive a tract of land to meet the criteria for designation. Sufficient regard has been had for national policy in my view.

4.41 Policy 5 identifies priorities for improving the village's formal sports' facilities, as well as the provision of children's play areas and ancillary open space. An 'approximate' recreation zone between the Cricket Club and Wharf Lane Recreation Area is identified on the Proposals Map. The NPPF paragraph 73, states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Policy 5 aligns with that aim and should ensure that new housing development, which will increase the number of residents, can provide for their sporting and recreational requirements. The policy is consistent with planning for sustainable development.

4.42 Policy 6 is a brief policy which supports the retention of and extension to the Parish's biodiversity network. The Environment Agency expressed support for the policy, as a comprehensive way of protecting and enhancing biodiversity, with coverage of both green and blue infrastructure. However, Rushcliffe Borough Council and Nottinghamshire Wildlife Trust contended that it fails to recognise the presence of important features in the Parish. The Borough Council proposed additional text to paragraph 2.16 which refers to Local Wildlife Sites, adding that the Parish includes two Biodiversity Focal Areas (Cotgrave Forest and Trent Valley (Lady Bay to Stoke Bardolph)) identified in the Rushcliffe Biodiversity Opportunity Mapping Report. I consider that this information would be helpful to readers of the NP, and could usefully be added to the justification for Policy 6 in paragraph 5.13. **PM5** would secure this.

4.43 The Nottinghamshire Wildlife Trust recommended adding maps and text to refer to the River Trent as a major Green Infrastructure Corridor, important at regional level. It also proposed references to Skylarks Nature Reserve managed by the Wildlife Trust as a nature reserve, and the Grantham Canal as important for walking and cycling with wetland supporting wildlife habitats and species. In addition, reference to the Biodiversity Opportunity Mapping, prepared to inform the local authority in accordance with paragraph 117 of [Intelligent Plans and Examinations \(IPE\) Ltd, Regency Offices, 3 Portwall Lane, Bristol BS1 6NB](#)

the NPPF was sought. I shall not recommend that such maps are reproduced in the NP but, having regard to paragraphs 117 & 118 of the NPPF, I do recommend that paragraph 5.13 is extended to provide a clearer picture of the Parish's biodiversity assets. **PM5** is necessary to meet the Basic Conditions.

4.44 My attention was drawn to the definition of green wedges on the Sub-Regional Framework map on Page 15 and in paragraph 4.2. I agree that use of the term is misleading as it could imply a specific designation. The map and text should be modified (**PM4**) so that they refer to "green areas" for clarity. Also for accuracy the Glossary to the NP should refer to "The Brundtland Report" under Sustainable Development (**PM13**).

4.45 Providing these modifications are made, I conclude that policies for the Environment have had regard for national planning policy and guidance, are in general conformity with the strategic policies in Rushcliffe Local Plan, and are likely to contribute to the achievement of sustainable development.

5. Conclusions

Summary

5.1 The Radcliffe-on-Trent 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 NP, 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 Radcliffe-on-Trent Neighbourhood 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.

5.4 I recognise that the Parish Council and Steering Committee have worked very hard over a number of years with the local community to produce the Submission Draft version of the Neighbourhood Plan. Although I have recommended a number of modifications to the NP, I commend its authors for its structure and coverage, and the presentation of its policies in a clear, concise and readable fashion. It should provide a good basis for promoting future sustainable development and safeguarding the assets of the village.

Jill Kingaby

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Front cover and paragraph 1.5 on Page 6	Add: <u>2014-2028</u> with the Rushcliffe Borough Council Local Development Plan up to 2028 <u>Local Plan Part 1: Rushcliffe Core Strategy 2014-28</u>
PM2	Page 9, paragraph 2.9	The Rushcliffe Local Development Plan <u>The Local Plan Part 1: Rushcliffe Core Strategy</u> requires that a minimum ... around Radcliffe-on-Trent, <u>with sites to be identified in Local Plan Part 2.</u>
PM3	Page 11, paragraph 2.17	...This is mainly to the north and west of the parish, <u>predominantly north of the railway embankment</u> , on low-lying land
PM4	Page 15, Sub-Regional Framework Map and paragraph 4.2	Delete reference to "Green wedge" on map and replace with " <u>Green area</u> " 4.2Two green wedges <u>areas</u> play a key role ...
PM5	Page 25, paragraph 5.13	5.13 <u>Radcliffe-on-Trent Parish includes two Biodiversity Focal Areas (Cotgrave Forest and Trent Valley(Lady Bay to Stoke Bardolph)) identified within the 'Rushcliffe Biodiversity Opportunity Mapping Report' – C Jackson and N Crouch 2015 – published by Nottinghamshire Biodiversity Action Group. The parish, therefore, is important for its biodiversity and opportunities exist to protect and enhance this network, including by providing new linkages between sites and ensuring the appropriate management of existing sites and green spaces. This policy</u>

		<p>promotes a network (hedgerows, rivers, <u>wetland and pond habitats</u>, footpaths) and green spaces (parklands, grassland, <u>native woodlands and species rich grasslands</u>) and highlightsDevelopments can assist by incorporating habitat enhancing features such as <u>bird or bat boxes</u> or appropriate native <u>woodlands</u>, planted tree and hedgerow boundaries, <u>ponds, wetlands and meadows</u> or <u>other enhancing features</u>.</p>
PM6	Page 27, Policy 8	<p>...maximum advantage of existing services and facilities, improving facilities on, or adjacent to, development sites.</p> <p>Proposals for new residential ... to be considered acceptable. <u>Account will be taken of development which includes new community facilities and services when assessing a potential development's accessibility.</u></p>
PM7	Page 29, Policy 10	<p>The Neighbourhood Plan makes the provision for the delivery of <u>a minimum of 400 dwellings</u> ...</p> <p>5. Designed to deliver no more than 200 units <u>development on a number of sites</u> (cumulatively ..to 2028) on any one site in order to <u>so that</u> the direct impacts of development</p>
PM8	Page 32, Policy 11	<p>Penultimate sentence:</p> <p>.... (specifically policies 11 and 14 <u>and 15</u> of this Plan).</p>
PM9	Page 33, Policy 12	<p>Final sentence:</p> <p>...will seek the provision of 30% affordable housing <u>where viable</u> with particular focus</p>
PM10	Page 35, Policy 13	<p>Final paragraph</p> <p>In all cases</p> <ul style="list-style-type: none"> • High quality <u>New or altered</u>

		<p>buildings <u>meeting good design standards</u> and spaces that are reflective of the surroundings;</p> <ul style="list-style-type: none"> • High quality landscape proposalsis delivered, <u>where appropriate</u>;
PM11	Pages 36,37, Policy 14 and paragraph 5.35	<p>Delete last criterion: To minimise the production of carbon emissions through sustainable constructiondesign solutions.</p> <p>5.35 New sentences added: <u>Measures to minimise the production of carbon emissions through sustainable construction techniques, the reuse of materials and to integrate renewable and low energy design solutions will be sought through Building Regulations, having regard for viability and deliverability in particular cases.</u></p> <p><u>SUDS features should be included within the design and layout of new developments at an early stage to secure the best outcome for flood risk management, and enhancements to biodiversity, landscape and recreational areas.</u></p>
PM12	Page 37 Policy 15	<p>Third bullet point</p> <ul style="list-style-type: none"> • Design of residential properties <u>mostly</u> at two storeys, with occasional one or three storey dwellings <u>in suitable locations where good design principles are followed.</u>
PM13	Glossary	<p>Sustainable Development</p> <p>The Brundtland Report provides</p>