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Dear Sir / Madam

RUSHCLIFFE LOCAL PLAN PART 2 (LPP2) MAIN MODIFICATIONS CONSULTATION

Introduction

Thank you for consulting with the Home Builders Federation (HBF) on the above mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. For the consideration of the Council and the Inspector we submit the following responses to the LPP2 main modifications consultation.

Development Management Policies

MM45 to Policy 32 – Recreational Open Space

Where there is a need for recreational open space arising from new development it is reasonable for the Council to expect that development will make new provision or contribute to improving existing provision. However the Council cannot expect new development to provide for any identified existing deficiencies in existing provision. As proposed **MM45** is unclear and therefore could be misinterpreted and misused. The HBF suggest the following modifications :-

POLICY 32 - RECREATIONAL OPEN SPACE

1. Where there ~~are identified local deficiencies in the quantity, accessibility and/or quality of~~ is a need for recreational open space, sports pitches and ancillary facilities **arising from** new residential development, **housing schemes** of more than 10 dwellings will be required to contribute towards their provision



and/or enhancement of recreational open space, sports pitches and ancillary facilities, subject to viability considerations.

2. The form of new or enhanced recreational open space provision, sports pitches and ancillary facilities will be determined on a site by site basis ~~depending on evidence of local need including, but not limited to, the Playing Pitch Strategy and the Council's open space assessment.~~

3. Provision will be made in one of the following ways:

- provision of new recreational open space, sports pitches and ancillary facilities within the development where this is most appropriate;
- a financial contribution to provide new recreational open space, sports pitches and ancillary facilities on or off site, subject to the approval of the Borough Council; or
- a financial contribution to enhance existing recreational open spaces nearby, subject to the approval of the Borough Council.

4. In all cases, through a Section 106 agreement, the Borough Council will secure appropriate management arrangements for any provision, to be delivered by use of a management company or through a parish council with its agreement. Recreational open space includes provision for children and young people (including play areas), outdoor sports facilities (including formal playing pitches), amenity green space (including green infrastructure provision) and allotments."

Amend paragraph 11.1 as follows:

"11.1 The Council expects that development will provide or contribute toward increasing the quantity and quality of recreational open space and ancillary facilities where there is a need arising from new development ~~and where there are identified local deficiencies in the quantity, accessibility and/or quality of recreational open space, sports pitches and ancillary facilities.~~"

Amend paragraph 11.3 as follows:

"11.3 In respect of proposals of over 50 dwellings, the expectation is that provision of recreational open space and facilities will be made on site within the development where this is most appropriate. Where in the Council's view off-site provision is more suitable, then this will be provided for through developer contributions. There may be cases where a mix of onsite and offsite provision is most appropriate. In the case of proposals for residential development between 11 and 50 dwellings, the expectation is that financial contributions will be required to improve the quantity or quality of recreational open space, sports pitches and ancillary facilities in the surrounding area. This expectation is based on the presumption that on developments of less than 50 dwellings, it may not be appropriate to designate areas of land for recreational open space use on site due to the limited amount of space."

MM50 to Policy 39 - Health Impacts of Development

Under **MM50** the proposed addition of Part 2 to this Policy is repetitious. Many of the Bullet Points are covered within other Policies. Part 2 provides no further clarity or effectiveness instead it risks introducing difficulties of interpretation between Policy 39 and other policies. The HBF suggest the following modifications :-

POLICY 39 - HEALTH IMPACTS OF DEVELOPMENT

1) The potential for achieving positive health outcomes will be taken into account when considering development proposals. Where any significant adverse impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.

~~2) Where applicable, development proposals should promote, support and enhance health by:~~

~~a) providing the right mix of quality homes to meet people's needs and in locations that promote walking and cycling;~~

~~b) providing employment developments in locations that are accessible by cycling and walking;~~

~~c) supporting the provision and access to healthcare services;~~

~~d) retaining and enhancing accessible Green Infrastructure;~~

~~e) alleviating risks from unhealthy and polluted environments such as air, noise and water pollution and land contamination;~~

~~f) designing homes that reflect the changes that occur over a lifetime, meet the needs of those with disabilities and reduce the fear of crime;~~

~~and g) supporting and enhancing community cohesion.~~

JUSTIFICATION 13.XX

The links between planning and health and wellbeing are found throughout the National Planning Policy Framework (NPPF) and creating and supporting strong, vibrant and healthy communities is a key element of delivering sustainable development.

13.XX There are many different factors which have an influence on people's health including education, employment opportunities, good housing, open space, an active lifestyle, care and health facilities and safe environments.

13.1 The Health Impact of Development' **checklist** was produced by Nottinghamshire County Council, in consultation with partner authorities and organisations (including Rushcliffe Borough Council), and was published in 'Spatial Planning for the Health and Well-being of Nottinghamshire, Nottingham City & Erewash' (2016). ~~Comprising a checklist, the criteria within it are reflected in Policy 39 part 2) and~~ The use of this checklist may help to ensure that the health and well-being of residents is given appropriate weight when applications are prepared and considered. Applicants are encouraged to use this checklist to ensure compliance with this policy.

13.2 Not all of the points in the checklist will be relevant to all applications; equally there may be additional health-related issues that are relevant to particular applications.

13.3 Whilst evidence from Public Health England 'Rushcliffe Health Profile' (appended to 'Spatial Planning for the Health & Well-being of Nottinghamshire, Nottingham City & Erewash', 2016) shows health of people in Rushcliffe is generally better than the England average, it is important to maintain and further improve the health of residents."

Conclusion

For the Rushcliffe LPP2 to be found sound under the four tests of soundness as defined by the 2012 NPPF the Plan should be positively prepared, justified, effective and consistent with national policy (para 182). **MM45** and **MM50** are unsound because of inconsistency with national policy, not positively prepared, unjustified and ineffective.

It is hoped that these representations are of assistance to the Council and the Inspector in preparing the final stage of the Rushcliffe LPP2. In the meantime if any further information or assistance is required please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



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