From:	Neil Kellogg[redacted]
Sent time:	04/05/2022 16:50:19
To:	Planning Policy
Subject:	Core Strategy Review - Spondon Woods SGA26

Dear sir,

I would like to place on record my objections to the inclusion of the 'SPONDON WOODS SGA26' in the Growth Proposals currently being considered as in my opinion it is not legally compliant.

The Plan that was being prepared late last year (2021) included a site at Lock Lane Sawley.

As a result of late consultations by the Council to that Growth Plan an objection was received from NetworkRail.

NetworkRail considered that should the Lock Lane site be developed as proposed, it would lead to traffic difficulties and congestion on Lock Lane where the rail track currently crosses the road on Lock Lane.

The Lock Lane site was hastily removed and replaced by the Spondon Woods site and included in the Erewash Growth Proposals without any form of public consultation as the last date for the Erewash Planning meeting to consider and approve the Growth Proposals was very close leaving insufficient time to consult.

It has to be noted that the Spondon Wood site abuts the Erewash boundary with Derby City Council. There is a legal duty under these circumstances for Erewash Borough Council to consult other local planning authorities before including a site in the forward plan.

It is now understood that there was no consolation with Derby City Council prior to this site being added to the Erewash Growth Plan and clearly shows a lack of Duty to

Co-operate as required by the Core Strategy Review.

This sites inclusion is not based on robust and creditable evidence gathered including the the views of a public consultation exercise, which would have highlighted many reasons why the site is inappropriate and should not to be included, some of which I mention below.

The Council has not shown how the present or even improved infrastructure will be able to cope with an additional 240 houses, which will inevitably gravitate towards Derby City rather than the towns contained in Erewash Borough.

The adjacent village of Spondon will bare the full extent of approximately 1,000 occupants and 500 cars from the proposed new houses and the impact this will have on bus services, schools, Doctors etc.

The narrow streets passing through Spondon village are currently overloaded with traffic and which leads onto Willowcroft Road where a three-way traffic signal provides the exit to Spondon for road traffic heading towards Derby city centre and the wider area that provides occupation for residents.

Should people try and avoid this bottle-neck it will create the same issues through the village of Ockbrook which is equally over trafficked on its narrow streets.

I am therefore of the opinion for the reasons stated above, that the Spondon Woods (SGA26) site should be omitted from the current Growth Proposals on the grounds that it is not legally compliant.

Could you please reply and confirm that my email is received and hopefully accepted as an objection to the proposal to include the SPONDON WOODS (SGA26) site in the Councils Growth Proposals.

Yours faithfully

Neil Kellogg

Neil Kellogg

[redacted]

From:	[redacted]
Sent time:	04/05/2022 21:10:30
To:	Planning Policy
Subject:	Core Strategy Review Representation
Attachments:	Core Strategy Review Representation 14th March to May 9th 2022.docx

Dear Erewash Brough Council Planning Department,

I have enclosed my letter regarding your Consultation on Erewash Future development including why I have objected to Building on Land North of Spondon in plenty of detail including choosing an alterative plan which is suitable for development.

The letter examines the true cost of Building on Land North of Spondon including financial cost that would exceed £32 million pounds including the cost on Schools, GP surgeries the full highway costs, the cost of increased congestion and pollution and costs on the environment including flooding etc.

The Costs of £32 million to develop Land North of Spondon has been backed up by evidence and research and how the impact would affect both Ockbrook, Borrowash and Spondon Community that could risk a political backlash from Derby City Council to extend the boundary out to cover the Land North of Spondon to bring the development into Derby City including taking the share of Council Tax to cover the population would have on the effects in and around Spondon including greater costs on services with a greater population living close to Spondon.

I have enclosed my letter in a Word document regarding your consultation of Erewash future developments in the Core Strategy Review.

I hope you find the letter interesting and useful when deciding your review when looking at the development in the cost benefit analysis including future environmental concerns on planning future housing devlopments have on the local community.

Yours Faithfully

Steve Peat

Core Strategy Review Representation 14th March to May 9th 2022.docx

[redacted]

03/05/2022

[redacted]

Dear [redacted]

Subject Core Strategy Review Representation

I want to make a comment on Core Strategy 1.4 North of Spondon is a great concern and will cause great concern on the local environment and Spondon and Borrowash local community.

In the Core Strategy review failed to mention that the events between Russia and the Ukraine will affect farm prices lead to the shortages of different crops like wheat and barley because 30% of wheat come from Russia and the Ukraine.

The Erewash Core Strategy failed to mention how international events could affect our farming needs in the future including how future developments on green belt land could affect future farming and reduce grain and bean quantities has more houses are built on Green Belt and green field land.

In my previous correspondence I have mentioned brown filed land that are suitable for housing but close to places of work that located off Merlin Way down and close to [redacted] that suitable for housing.

Core Strategy Review Representation 14th March to May 9th 2022.docx

I have visited this location and examined the location and with the help and support of the government with the brownfield fund to regenerate brownfield land. This location would be ideal because it reduce environmental impact because housing is close to areas of employment, and since it close to places of employment including regeneration land. This location could see public transport improving including create new public transport links to the area, and reduce car usage because the area will be served by public transport through a circular operation.

- The circular location could send buses down Merlin Way past [redacted] through the new estate then to Lows Ln to Ilkeston Road then Quarry Hill Road include serving the Elka Road Estate through Gisbery Road, Slater Wy then back on Elka Road then Quarry Hill Road back to Ilkeston.
- The circular route could cover both directions with and provide necessary public transport access to the new housing at Elka Road to places of employment and the new housing off Merlin Way.
- The new housing and business links could provide half and hour service at peak times between 6.00 am and 9.30 am and between 3.30 pm and 6.30 pm. With hourly service between 9.30am and 3.00pm and hourly between 6.30 and 10.30pm because this area lacks the access to public transport that is essential to fight climate change.
- This area is close to schools at Hallam Fields Primary School, and GP and Hospital services include at Veterinary Hospital, retail outlets that Spondon, Ockbrook and Borrowash area lacks if housing is located on land North of Spondon.

The land off Merlin Way past [redacted] would benefit from housing because land that should be used for farming can continue knowing the Land North of Spondon is used for cereal production include strawberry growing that was sold at Wimbledon Tennis Events and shops across the City of Derby and Derbyshire include strawberry picking events.

The next map shows the **land North of Spondon** is environmental **unfriendly and disability friendly,** and would likely to fail COP 26 in sustainability policy in future housing and transport developments in fighting climate change and cutting Carbon Dioxide from future developments.

Map below shows the new Housing development could not access public transport because of the narrowness of the housing in the orange and red border area near Spondon Wood.

Only people living near Dale Road could access public transport but new houses following Sandcroft Road will not be able to access public transport meaning the disabled or elderly people who move to this location will not be able to reach public transport on Dale Road. The Housing areas from Huntley Avenue to Sandcroft Road and Locko Road have lost their public transport called the Spondon Flyer making it difficult for elderly, and disabled to access public transport that only travels down Dale Road from Ilkeston.

The new development would be classed has environmental unfriendly because of the location the shape of the design of the layout would make it difficult to provide public transport access to reach areas where elderly or disabled people live. For example, in the **COP26** policy discussion on housing and transport will require new housing have easy access to public transport with bus stops located between **150 to 170 metres** from each house to promote public transport usage with buses travelling in a circular direction within the development.

The land North of Spondon is not suitable for public transport because of the narrowness of the development that makes it difficult for people to access public transport especially the elderly people who want to downside or disabled people who are looking for a new house but cannot access the site because of the lack of public transport.

Could household access Sandcroft Road from the new estate the answer in no because there is no side space between houses on Sandcroft Road to allow access to bus stops along Sandcroft Road and Locko Road. We the removal of the Spondon Flyer last November 2021 will become permanent because of [redacted] Driver problems and government cuts in public transport support and increased in fuel and driver costs.

The lack of public transport access meaning the 200 households would have around 350 to 500 extra cars leaving and entering the area meaning the lack of public transport meaning households will travelling by cars on roads that are congested with only one access out of Spondon to Derby and the A52 west or east.

- The Lack of **public transport means higher pollution levels** will be caused by household from this estate and the increased **car usage would increase delays** in Spondon and increase pollution within the **air quality air zone** that occurs from Spondon District Centre to housing

and roads around the A52 area including the A52 from [redacted] to Borrowash Road in Spondon off the A52 Junction.

- The 9 and 9A buses do not offer an alternative to [redacted] because the Little's 9 and 9a services offers only a two hourly service that does not follow the timetable because if arrives to early or arrives late or does not arrive in the Spondon/ Ockbrook area.
- A population increase of 400 people from the site will not improve the public transport by [redacted] and would increase congestion and traffic along Dale Road causing greater difficulty for old and disabled to cross the road to Dale Road Park. For example, since the pandemic public transport passenger has fallen and car usage has increased causing delays in Spondon including cars waiting and queuing back towards Dale Road shops in the mornings between 7am and 9.30am and delays in the opposite direction blocking traffic off the A52 and Lodge Lane North between 3.30pm and 6.00pm

The new development likely to increase pollution, congestion and injury accidents because more traffic turning onto a junction on narrow wooded road would with traffic speeding around 50+ mph passing the junction is an accident risk. The road known as Dale Road is also associated with high number of HGV's travelling at 50mph is an accident risk because having around 200 houses could result in 400+ car and van movements a day on and off a 50mph road. The traffic on this road do not follow the new 50mph and often travel around 60+mph after leaving Dale Road shops and when you examine the accidents figures they have been accidents along this stretch of road.

On the opposite side of the road facing the junction is a farm, and this farm has plenty of farm equipment that a Banks man is needed to stop traffic to allow farm vehicles and equipment to access the farm.

A bank's system may be required including traffic lights system may be needed to avoid accidents from turning traffic including crossing to help pedestrians cross the road to walk to schools at Ockbrook and Borrowash.

Footpath Costs will be higher compared with the Core Strategy Review

- People in Ockbrook often say a footpath is needed from Dale Road to the Junction of Dale Road and Moor Ln and down Moor Ln to the first footpath in Ockbrook. The area also needs to have street lighting so children from this new estate can walk safely to school in Ockbrook and Borrowash.
- I am aware Schools in Spondon are oversubscribed because of new housing in Spondon and extra houses from gardens converted to housing has increased the population of Spondon by several thousands.
- This means the extra 200 house and families who live on this estate will need to travel to Ockbrook and Borrowash meaning a longer safe footpath will be needed along Dale Road.
- A new Footpath will also be needed between Dale Road and Ockbrook School to walk children to School including visiting NHS and dental services at Borrowash. For example, NHS services in Spondon are oversubscribed compared with the postcode GP lottery.

The Footpath to connect to Ockbrook and Borrowash could cost the developer and Erewash Council over £3 million pounds include fitting of crossing and street lighting to link the estate to services in Ockbrook and Borrowash.

Health and Dental Care.

(1) Lack of NHS and Dental Services in Spondon and Borrowash could affect families living on this new estate on land North of Spondon.

- When you examine the GP postcode in the Dally Mail **NHS England: GP 'postcode lottery means patient-doctor ratio 70 times higher in some areas | Daily Mail Online** **please click blue line to connect to the postcode GP lottery.**
- **For example, Chapel Street Medical Centre have over 13500 patients to cover three full time GPs and 1 part-time GP.**
- Chapel Street medical Centre is oversubscribed and an extra 400 people will place a burden on existing patients include vulnerable patients. I am a vulnerable that suffer with Kidney disease, Diabetics, and Rheumatoid Arthritis and the increased population in Spondon areas has affected by health and waiting times to see my GP.
- Derwent Valley Medical Centre has a GP shortage, and have around 12000 patients with the number of Full Time GPs down to 3 and 2 part-time GPs. The people of Spondon, Borrowash and Ockbrook have longer waiting time to see and speak to the doctor since the number of GPs have fallen. The extra 400 people could increase waiting times further, and since Chapel Street and Derwent Valley have no room for further expansion or extra GPs to cover the increased population.
- Dental Care in Spondon is Poor for dental access. For example, Trusz and Malhotra Dental services at 10 Strathaven Close Spondon DE217RH are not taking new patients cited at **NHS Dentist » Trusz Malhotra « Derby « Dental Choices.**
- **Borrowash Dental services** are not taking on new patients and cannot cater for an increase population size of 400 extra people, and according to dental choices the practice is not able to expand **NHS Dentists in Borrowash Taking New Patients » Find an NHS Dentist « Dental Choices.**

The lack of dental services in Spondon and Ockbrook would place pressure on people who likely to move to the houses on land North of Spondon. Both children and adults will need to travel further into Nottingham and Ilkeston for a dental appointment. This means this location to build houses is not suitable because of the lack of services in Spondon and Borrowash. Erewash Council core plan would be ideal to build houses on land off Merlin Way past [redacted] because more medical and dental services are available if housing were developed in this location compared with Land North of Spondon.

Local Community of Spondon does not want this development to expand the community of Spondon that has faced thousands of new people and housing developments including land off Huntley Avenue.

- People in the Spondon Community believe the 200 houses Council Tax should be paid to Derby City Council because the new development would be using Services in Spondon and the Council Tax should be used to pay for Schooling each year, public transport on to and off the site and pay for extra services that a larger community need.
- The money from this development will go to Erewash Council meaning this development North of Spondon will be free rider meaning using Spondon services for free without paying towards these services.

- The people of Spondon wants the land protected to grow cereal crops because of the Land lost in Ukraine and Russia because of the War. For example, many local people believe there is plenty of brown field land in Erewash to built houses and apartments and provide low-cost housing for lower income groups. The people of Spondon believe this land should be used grow crops to help reduce food shortage that likely to occur with the Ukraine and Russian War.

Increased Flood Problems if 200 houses are built on land north of Spondon.

(1) In 2013 my house was flooded from an underground stream that travels from Locko Park lake through Spondon Wood through Huntley Avenue and though Dove Meadow Housing Estate. Since the estate was built in 2013 the field helped slow surface and underground water flow from Locko Park lake and streams that travel through the land north of Spondon through Huntley Avenue through Dove Meadow into Wood Road rear gardens across the A6096 into Dale Road Park towards the Derwent.

(2) In 2013 and 2014 the stream that passes through my back garden flooded and the water entered my kitchen, dinning room and conservatory that destroyed my kitchen, furniture carpets this includes leaving the house for several weeks into an hotel through Lloyds Bank Insurance.

(3) The building of these houses would increase over land surface flows that could increase flood and surface water into my garden and house. The last flood has increased my insurance from £29 a month to £45 a month but building these houses would increase surface flows due to concrete, tarmac and brick work would increase waterflows into streams and underground streams that pass-through Wood Road to Dale Road Park towards the Derwent.

(4) A number of houses on Huntley Avenue have been flooded through surface water from streams that pass through and across land north of Spondon. The removal of vegetation and replace with concrete and tarmac would increase flooding risks along Huntley Avenue.

(5) A development of 200 houses could place further strain on the local environment because of climate-change could increase water levels on the land include increasing water flows from Locko Park lake that extra rain would cause extra water flows on to land North of Spondon. This then will mix with water flows from buildings on the land North of Spondon could place flood risk to houses on Huntley Avenue including Wood Road who has faced flooding from water from land North of Spondon.

The development North of Spondon will face disturbance to the Dunshill Shelterbelt because earth moving equipment will cause vibrations that would affect wildlife, like birds, insects and animals.

For example, when Severn Trent Water sold the Water tower land to builder a number of **trees on the site where destroyed that killed nesting birds and insects and animals include a box den within the site.**

(1) The development affected birds breeding because of the noise and vibrations that affected areas close to the site and also caused birds not to lay eggs including reducing the area to search for food because the site had a range of other **biodiversity within the local area from the begging to the end of construction.**

(2) The building of houses on land North of Spondon will affect the biodiversity within the area because children and teenagers would explore the area causing disturbance to wildlife and birds in the wooded area next to the field on Land North of Spondon.
(3) When you examine other developments on green belt land across the country biodiversity has been affected nearby the development include increase litter, plastic and chemical pollution from households like petrol chemicals, paints, weed and insect killers that extend into wildlife areas affecting the insect and wildlife balance within the area.
(4) For example, in areas of new developments animal, bird, plant and insect life face reduction in their species in the local area and some rare plants and insects has become extinct.
(5) To protect this biodiversity is to reduce the number of homes built on the site if **local and national government** approves to build homes, they should reduce the number of homes from 200 to around 50 new homes. This includes developing a wildlife field area in the housing area including allowing more land to be farmed especially wheat and barley crops to help reduce the cost of living due to conflict in Ukraine.
(6) To increase Birds and plants a second barrier is needed at the back gardens off Huntley Avenue Drive with over 450 trees and shrubs to increase oxygen production from extra tree and plant vegetation. To also protect biodiversity people cannot tarmac or completely patio their back gardens and each garden should contain trees and fruit trees to feed insects, birds etc including trees and plants that produce berries etc.

I think when you examine you should use brown field land including old car parking spaces if you change land usage could provide extra land for houses but also provide greater protection to wildlife and biodiversity areas in green belt land and open spaces.

Land North of Spondon Close to clay and Bird Shooting

(1) The plan to build houses on land North of Spondon is close to shooting areas and clay shoots that occur each day including at weekends. For example, a number of farms include Locko Park, Bluebell Farm, Spondon Wood Farm has fired shots of shotgun pellets close to the Land North of Spondon.
(2) The building of houses close to land near shooting could place residents and their animals at risk knowing at 12 bore or similar shotgun shell can fire between 50 metres and 350 metres range depending on the shotgun shell. These shells spread apart with fragments that could travel beyond 500 metres.
(3) The shooting parties that shoot have shot birds and clay disks very close to the Land North of Spondon. There have been dead birds from gun shot have landed on the Land North of Spondon.

Dale Abbey Footpath 58 on to the site

(1) The Dale Abbey Footpath extended on to the site there should be a footpath to the Junction of Dale Road and Moor Lane in to Ockbrook to connect to the first footpath in Ockbrook to allow resident to access services in Ockbrook. This was mentioned in my early part of my letter that footpath costs will be far higher than set out in Erewash Core Strategy Review including page 4 on my letter.

Financial contributions towards the provision of additional pupil capacity at schools

(1) A small single financial contribution to local schools will not be suitable and acceptable for the local community. For example, local schools in Spondon belong to Derby City Council and paid through the support of local Council tax payers in Spondon. The people who going to pay Council Tax on land North of Spondon will Pay their Council Tax to Erewash Brough Council.
(2) The families living **on Land North of Spondon** may need to pay a **percentage of their Council Tax to Derby City Council** to cover schools in Spondon area include other costs to cover services in Spondon for people living in Erewash on Land North of Spondon.
(3) To fund additional school rooms and teachers Erewash Council and the developer will require to Spend over **£10 million** for additional class rooms and staff at Borrow Wood Primary School off Sandringham Drive in Spondon
(4) Spring Field School on West Road Spondon will need an extra **£5 million** to provide additional rooms and facilities to house the child population of around 200-240 extra children from Land North of Spondon.
(5) An extra **£5 million** will be needed extend West Park Community School to provide extra rooms and teachers etc to cater for the children attending West Park School. For example, the additional cost using 106 monies to Erewash Council **£20 million** pounds for building extra educational needs for residents living on Land North of Spondon.
(6) **Derby City Council is planning to extend the Derby City Boundary that would include the Land North of Spondon this means Erewash Council** could lose the **Council Tax from the Land North of Spondon**. The land off Merlin Way down and close to Johnsons Aggregates would be an ideal location because of zero risk for Derby City Council plan to extend the boundary to take Land North of Spondon.
(7) **The other financial contributions include money to extend GP practices.** For example, the estimated cost of extending the 4 GP surgeries would cost around £5. Million pounds according to GP Business cited at **Building a new GP surgery premises (gpbusiness.co.uk).**
(8) According to GP business Magazine UK it costs to build a new surgery is around £5 million pounds but extending the 4 surgeries in Spondon and Borrowash would cost around £1.25 million each to build extra rooms including hiring new GPs to work at the Surgeries. A number of GPs nationally have voted to reduce working hours to **8.30am to 5.00pm** instead of **8.00am to 7.00pm**. The reduction of GP hours would affect patient care on new residents located on land North of Spondon.
(9) At present the present population in Borrowash, Ockbrook and Spondon are **facing health care restrictions due to shortage of GPS, Nursing Staff and reducing hours** are placing a burden of vulnerable people in the suburb of Spondon and villages of Ockbrook and Borrowash.

Dental Services

(1) A new Dental Practice will be needed because all dentists in the local area are full including dentist in Chaddesden. For example, a Dental Practice could cost **around £2 million pounds** to construct and equip to dental practice to cater for people living on land North of Spondon. The dentist would cover people in Ockbrook and Borrowash and parts of Spondon who do not have dental access.

Total Cost for this development on Land North of Spondon excluding highways and Transport etc.

Schools £20 million

GP surgery £5 million

Dental Surgery £2.5 million

Biodiversity, environmental protection and flood control measures etc £3 million

Total Cost will be around £30.5 million pounds of S106 developers planning money to cover this development.

Highway and Transport costs

Footpath Costs to Ockbrook from Land North of Spondon

- **According to Wiltshire Council the Cost of a Metre of £180 and kerbing etc £85 total cost £265.** A Toucan crossing to Wiltshire Council is around £58,000 to £70,000 so building a crossing to allow pedestrians on the opposite side of the road on a 50mph+ road will cost **£58,000** or more. and if a junction is created with traffic lights the costs could be over **£150,000**.
- **The distance from Spondon Huntley Avenue to Riding Ockbrook with a new footpath/cycle path is 1.4 miles.**
- **The Total cost on 1.4 miles footpath at £265 a metre will cost on 2253 metres or 265*2253 = £597,045. This cover one side of road to Ockbrook then a £58,000 crossing near the junction of Dale Road and Moor Lane. The total average cost £655,045.**
- Street lighting costs along Dale Road for public safety of pedestrians and cyclist would cost for each street light according to Wiltshire Council each street light would cost £2810 and to provide safety including linking up to Ockbrook would be around 45-50 street lights covering Dale Road and Moor Lane would cost around **£140,000**.
- The total costs for highway project on Dale Road to Ockbrook **£795,045.**
- To provide access to Land North of Spondon will require 6-8 bus shelters to help promote public transport in the new development. For example, the total costs will be around **£70,000** include fitting and Solar lighting and install electronic timetables to count down bus arrivals.
- The subsidy of buses will be required of around **£15,000** a year to link with houses on Land North of Spondon, housing development at Midland Storage to promote green transport and move people away from the car

Other footpath improvements

(2) Improve Footpath between Dale Road Park to Ockbrook that's around 1.2 miles would cost around £550,000 including 30 street lights for public safety etc would cost around £635,000. These paths are needed to allow residents to access Borrowash Library and other services like voting to schools.

Housing and Homes

(1) The number of houses should be reduced to 50 because a full-size development would place pressure on schools, medical, dental and on the local highway through Spondon with congestion and air pollution. The extra costs exceed **£30** million pounds for School extensions, medical GP practices extensions and the building of a new dental practice to serve the development,

(2) The highway, bus and crossing will cost over £850,000 to serve the site on top of the £30 million for public service improvements under the Cost Benefit Analysis would cost the developer, Erewash Council and Derby City Council over £32 million pounds.

(3) There is a shortage of apartments and two-bedroom homes in both Erewash and Derby so the 50 houses could include 10 two bed apartments, 15 two bed room houses, and 20 three-bedroom homes including 10 homes for rent to Erewash Council. The 50-home plan would reduce the costs from £32 million to £8 million. These costs will rise if 200 houses are planned knowing the community structures will be needed include Doctor surgery Improvements, School Improvements, a new Dental surgery and full highway and footpath improvements to connect houses from the land North of Spondon to Ockbrook.

(4) To cater for a population of 600+ people a cemetery will be needed in the future knowing Ockbrook and Borrowash are almost full and Spondon is very close to Full. Erewash Council will need including Derby City Council to find land for future burials knowing some religions do not believe in cremations so new developments must include land for burials when the population passes to the next world from living at these new developments mentioned in **Erewash Core Strategy Review**

In my Conclusion I believe using the Cost benefit Analysis the cost of this development is far higher on the local community of Spondon and Ockbrook with full costs exceeding **£32 million** pounds to provide extensions to Schools, Doctors Practices and the construction of a new Dental Practice to serve an extra 500+ people.

The other costs include between **£800,000 and £1 million pounds** for highway and footway improvements to serve the site and connect the site to Ockbrook.

When you examine the full evidence, this location is not suitable for housing knowing the **Ukraine War** will cause foot shortfall in **wheat and barley** used in the bread making etc. I believe this site should be saved to feed our nation, and choose the area off Merlin Way down and close to Johnsons Aggregates on page 1 of my letter regarding **Erewash Borough Core Strategy Review consultations with the public.**

When you examine my alternative location on land off Merlin way it's close to employment sites, greater access to medical services including large GP practices, several Dental practices and Ilkeston has the Ilkeston Community Hospital that has an urgent health centre compared with Spondon and local neighbourhoods does not provide.

Ilkeston have a greater range of schools include colleges, have greater access to public transport within and around Ilkeston access to Ilkeston train station linking to other parts of Derby, Nottingham, London and Sheffield that Spondon Station does not provide or offer future services to other parts of Derby and Derbyshire. The road layout in Spondon have one access out to the A52 and is often congested, have high levels of air pollution and building extra homes could cause increased congestion, accidents and air pollution making it difficult to travel out of Spondon because of the increased congestion.

Spondon is not a suitable place for new houses because of the lack of buses, and knowing the Ilkeston Flyer often miss stops in Spondon along Dale Road especially in the mornings when the bus travels from Ilkeston between 7.00am and 10.30am. The buses are crowed include people standing along the bus travelling at 50 mph making the journey unsafe travelling from Derby if the bus faces an accident etc.

The building of houses on Land North of Spondon would affect the deer's that live of the site affect the Bio eco systems knowing the wood, wildlife and birds will be affected by this development from the noise, loss of habitat and human activity from residents i.e., Children most likely play in the wooded area disturbing wildlife and other animals that live in the wood, and human activity could lead to the loss of bird, animal and insect populations in Spondon and Ockbrook.

In my final opinion if Erewash Brough Council, and other Councils across the United Kingdom stop wasting land usage for both commercial and industrial areas especially moving car parking under the buildings across the UK. This will provide more land for new housing developments without using green belt land on top of redeveloping empty and old homes back into community would have avoided the land North of Spondon being chosen for a housing development.

Yours Faithfully

Stephen Peat

From: John Horrocks[redacted]
Sent time: 04/05/2022 17:15:55
To: Planning Policy
Subject: EBC Core Strategy Review (Regulation 19) - Spondon Woods - SGA 26

EBC Core Strategy Review (Regulation 19) – Spondon Woods – SGA 26

I wish to register my objection to the inclusion of SGA 26 – Spondon Woods in the Erewash Borough Council Strategy Review (Regulation 19).

I group my concerns under 2 headings based on the representation form guidance and conclude with a summary.

1. **Is the Core Strategy Review legally compliant and does it comply with the council's duty to cooperate?**

The requirements of the duty to co-operate have not been met. I show that this has been a deliberate policy of Erewash Borough Council not to do so. The inclusion of land at SGA 26 in this process has been ridiculous. It has zero effect on almost all the residents of Erewash Borough (so few will object to it) but a massive impact on the residents of Spondon. Despite this, Spondon residents were only made aware of SGA 26's inclusion in the Core Strategy Review (or even of the strategies existence) in a full-page article in the local press of 22nd March 2021, about a week prior to it going to full council Therefore they were not given any time to be able to object to its inclusion. I understand that the Planning Department at Derby City Council was only told of 'land north of Spondon' a couple of weeks before the meeting and not it's actual location. This is very poor consultation and a total disregard for Spondon residents (i.e. those most affected). This failure to cooperate continued at a subsequent Council meeting on 3rd of March 2022 when over 700 objections from non-Erewash Borough residents were summarily dismissed and a member of the public who asked a question of the Council in accordance with the constitution was not even given an answer on the night. This totally dismissive attitude by the Erewash Borough Council has been reinforced by the leader who has stated in correspondence to Spondon Councillors that "We are members of the Greater Nottingham planning area so we tend to have more discussions with them and we will not be signing up to the Derbyshire Planning Framework, I understand you are not happy about the Spondon Site but it is within our Erewash Boundary". So Erewash Borough Council appears to be looking towards Nottingham and will not acknowledge or engage with their neighbours to the West, despite dumping irrelevant housing and its associated demands for services on the city with no discussion or negotiation whatsoever. That shows a clear and deliberate breach of the Council's duty to cooperate.

2. **Is the Core Strategy Review sound?**

The location of this site is totally inappropriate to meeting Erewash Borough's need for housing. It is on the edge of its jurisdiction, separated from other Erewash communities by over a mile and its larger communities and services by much greater distances. Residents would be dependent on Derby City for much of their service provision but these are already oversubscribed (e.g. local senior school (West Park Academy), doctors and dentists). Discussion with the City Council, West Park Academy and the County Council should have taken place to address these issues but that has not happened. In addition to offering no benefits whatsoever to Erewash residents the site would be an extremely poor 'bolt on' for Spondon: it would have only one access route onto the estate (A6096 Dale Rd.) and for most residents it would be too far from any viable bus service, walking distances to the village would be excessive (and unpleasant), and cycling on Dale Rd would be too terrifying for most. Use of a car would be essential, adding to parking difficulties and the known excess traffic issues on Dale Road and through Spondon village. This site does not lend itself to 21st century living with walking and cycling at its core but would be a throwback to the 1970's with the car at its heart. Derby City Council has planned for growth in Spondon, but it's certainly not here. Housing here would be a very poor return for the loss of the greenbelt it demands and the damage it would inflict on Spondon Wood.

Erewash BC has claimed it needs to use greenbelt land because of the 'exceptional circumstances' that there are no suitable brownfield sites available. Bearing in mind the borough's industrial past this seems to be an incredible claim. Have they really pursued all options near to their centres of population before coming to this totally inappropriate and irrelevant site? Have they undertaken a proper Green Belt Review to establish whether there are more appropriate sites other than SGA 26, that are nearer to Erewash Borough geographical centres? If there are other sites that would better suit the immediate needs of Erewash residents rather than Derby City residents these sites should have been prioritised before declassifying green belt land that abuts Derby City. The Minister of State for Housing has stated that green belt should only be used in exceptional circumstances. They have not adequately demonstrated 'exceptional circumstances'. At the meeting of March 2022 great play was made that only a very small proportion of its Green Belt was taken by this and two other sites. This fails to recognise the special value of this particular site within the Greenbelt or that area is not the only criterion that needs to be assessed. SCA 26 separates the present housing from Spondon Wood, which is recognised by DEFRA as an Ancient woodland and as such is cited in national planning policy as important. This means it demands special treatment in the form of a protective buffer guarding it from unnecessary intrusion. The consultation claimed that an 'adequate buffer zone' will protect the wood. Erewash Borough Council have not explained what form this would take but I suggest that the site itself forms the buffer zone as it currently demonstrably protects the wood from the consequences of human and domestic animal intrusion, contamination and damage to the undergrowth and trees. Erewash Borough Council needs to strengthen greatly what it means by its words 'adequate buffer zone'. The current claim is much too weak.

3. Summary of Conclusions

-

1 Erewash Borough Council not only failed in its duty to cooperate, it did so as a deliberate policy

2 SGA 26 is a scheme which offers no benefit to the residents of Erewash Borough

3 The scheme has not been discussed in any way with Derby City Council despite abutting the boundary and burdening it with extra traffic on an already overloaded infrastructure.

4 Spondon and Derby would have to provide many of the services, despite these already being oversubscribed.

5 The need to use greenbelt land rather than brownfield sites has not been adequately demonstrated. If the need was demonstrated this part of the greenbelt does not appear to be appropriate.

6 The value of the subject field in protecting Spondon Wood has not been recognised. The proposal of a buffer zone has not been given proper consideration.

FJ Horrocks

[redacted]

From:	Planning
Sent time:	04/05/2022 10:55:56
To:	Planning Policy
Subject:	FW: Spondon Woods SGA 26

From: Colette Brotherton [redacted]
Sent: 04 May 2022 10:55
To: [redacted]
Subject: Spondon Woods SGA 26

This development is a disgrace, our country is losing valuable green belt land and ancient woodland which once its gone cannot be replaced. Prince Charles has very recently put his objections forward about saving Greenbelt and Ancient woodlands.

This particular development wad sneakily put forward during Covid times, with no consultation with Derby or the people it would affect (non EBC members) as it is nowhere near any other EBC houses, Derby City could claim these houses as they are on Derbys border and will be using Derby facilities (so wont be counted in EBC figures, so useless). Our schools, doctors and dentists are already oversubscribed and the pollution from more cars (as no-one will be walking from this development as it is off a 50 mile an hour road). These houses are not going to go to use Kirk Hallam, Ilkeston facilities.

The councillors said they all drove around there area and couldn't see any other areas that could be used!!! If you drive the 5 miles to Ilkeston, it is all fields, plus they have huge brown field sites.

The fact that Derby councillors or anyone actually from Derby have been allowed to comment or raise objections to get it this far is disgraceful. The wildlife are already being forced out, with already 2 accidents in 5 weeks of the fences going up to try to move the deer on, so that when the inspector comes there is no wildlife is shameful.

If this gets passed through it will be an absolute disgrace and the only winners will be Locko Park with a huge amount of money in their pockets.

Colette Brotherton
[redacted]

From:	Planning
Sent time:	05/05/2022 08:10:53
To:	Planning Policy
Subject:	FW: Spondon Woods
Attachments:	Core-Strategy-Objection.pdf

Hello,

Please find objection attached for you.

Kind regards,

[redacted]

From: Jodie Allsop [redacted]
Sent: 05 May 2022 08:01
To: [redacted]
Subject: Spondon Woods

Please find attached.

Sent from my iPhone

Core-Strategy-Objection.pdf

1

www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed.

Title(*) Miss

First Name(*) Jodie

Surname(*) Allsop

Job Title (where relevant)

Organisation (where relevant)

Address(*) [redacted]

Postcode(*) [redacted]

Telephone number(*) [redacted]

Email Address(*) [redacted]

Agent's details (if applicable) Include name, address, contact number and email

Core-Strategy-Objection.pdf

To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)(*)

Policies ☐ Policies Map ☐ Other text ☑

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.(*)

Other text

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes ☐ No ☑

Do you consider the Core Strategy Review is sound?(*)

Yes ☐ No ☑

Do you consider the Core Strategy Review Representation complies with the duty to operate?(*)

Yes ☐ No ☑

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Consultation Process – the Regulation 18 consultation is in place to engage with local residents to address key objections or issues. This process was flawed as Erewash Borough Council didn't fairly communicate or engage with all residents and also gave a short objection time during an unprecedented global pandemic when people were locked down, frightened, sick, lost loved ones and often unable to access media information sources, so weren't (and many still aren't!) aware of the proposals or where to find them. Public libraries and places of information where people congregate to formulate a collective response were closed or restricted and for many 'locals' – some of whom aren't technologically minded or have no internet access – the Erewash Borough Council website is difficult and confusing to navigate and finding and completing the complex consultation forms were too much of a technical barrier for many to attempt.

No Equitability & fairness – after what initially appeared a fairly shared housing proposal within Erewash, things changed and new preferred proposals lacked an obvious unbalanced approach towards housing delivery throughout the region. Cotmanhay, Kirk Hallam and Spondon in the North of the Borough alone now unfairly continuing to be disproportionately targeted to absorb the borough's housing quota. This is made more apparent by the fact that over the last 30 years, new postcodes in Erewash have almost exclusively been within Cotmanhay and Kirk Hallam.

***Please see remaining points on page 4 (continuation sheet)**

Core Strategy Objection-2.jpg

Core-Strategy-Objection.pdf

Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Regulation 18 consultation process was flawed by EBC's insufficient communication methods during pandemic, so the Core Strategy Consultation should be declared void as places of information, letterbox leaflets or active media weren't obvious or easily accessible and are essential to raise awareness to the public as people don't internet search subjects they're unaware of. EBC should then research, reevaluate and reassess housing shortfall and needs across Erewash to unbiasedly level up the whole region and share new housing fairly and equally across South, North, East and West Erewash. Whilst also considering the importance of retaining greenbelt in all areas it should look for brownfield(ie Stanton site) or greenfield where excessive development hasn't caused great congestion or already bursting infrastructures and places already overburdened by excessive development of past industrial, social and brownfield sites over the last 30 years. Negotiation and talks with neighbouring authorities could also reveal useful ideas. Once done, a revised, more equitable, fairer core strategy could be resubmitted.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?(*)

☑ No, I do not wish to participate in hearing session(s)

☐ Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in
hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination

Core-Strategy-Objection.pdf

Please use this space to continue any of your answers.

*(continued from page 2)

Disproportionate Greenbelt Removal – loss of over 1% of Erewash's 73% greenbelt total represents almost the entirety of Ilkeston's tiny remainder of greenbelt, whilst the remaining 70+% of greenbelt retains protected status and remains plentiful and untouched throughout the rest of Erewash.

Viability of infrastructure - road networks in and around Ilkeston and Kirk Hallam are beyond point of technical failure with the town of Ilkeston and Village of Kirk Hallam enduring bumper to bumper volumes of traffic and ever increasing polluting emissions which their bursting infrastructures are already unable to support.

Cotmanhay (Derbyshire's most deprived area) and Kirk Hallam schools are already beyond capacity to deliver and the EBC's proposed core strategy will only further aggravate these issues.

The Council's core strategy proposals don't include a costed programme of infrastructure development and have few to no available obvious expansion sites which means that, once again, both town and village have been left to struggle by the decisions of their council who are supposed to represent their health welfare and social care.

Housing Assessment Needs & Levelling Up – Despite repeated requests to the council, no evidence of a needs based assessment has been provided within the strategy and still continues to be unavailable. This doesn't accurately show housing needs for all areas in Erewash and leaves a lack of rural housing – thus depriving, fragmenting and displacing communities and means that despite a policy of (equally & fairly) levelling up north/south divides within the country (including housing requirements), it's not even being fairly achieved to cover just one Borough. This development allocation was given to the whole of Erewash- not just Kirk Hallam, Cotmanhay and North Erewash.

Political Protectionism – The Core Strategy appears politically driven as the controlling Conservative group's rural parishes within the Borough are sharing none of the housing burden or greenbelt loss as the Core Strategy almost exclusively loads the development onto the Kirk Hallam and Cotmanhay areas in North Erewash.

Utilisation of Existing Properties – The Borough of Erewash currently has 1800 vacant properties which have not been highlighted by the Council but are not yet considered as contributing numbers within the Core Strategy.

Joined-Up Strategy and Lack of Duty to Cooperate - The Old American Adventure development site at Pit Lane is just across the border in Amber Valley (which is a part of the neighbouring Derby Core development housing area) and being just 0.3 miles from the Cotmanhay SGA7 will contribute even more to traffic levels. Engagement to cooperate could have addressed the issue. Similarly, additional traffic from 1300 houses at SGA25 in Kirk Hallam, the Elka's Rise development and New Stanton Park industrial development less than a mile away (even with a relief road) will greatly increase congestion at Twelve houses and reroute it back up to Bulls Head roundabout – so encircling Kirk Hallam and making it more difficult for those exiting the present Estate at all 3 access roads.

Also regarding Lack of duty to cooperate, [redacted] was assured by the local Planning Policy office that these guidance forms would be available in both Town Halls and the main borough libraries for public collection. However, when he and [redacted] visited the Ilkeston Town Hall the next day, the staff at Ilkeston – though very nice and helpful – had to inform him there weren't any available.

From: [redacted]
Sent time: 05/05/2022 07:21:01
To: Planning Policy
Subject: Spondon wood

Please take this as my objection to the housing estate being built on spondon wood. I live on deincourt close, next to the woods and my family love seeing all tbe deers. We do not want our quiet peaceful area to be ruined. Why build up a quiet area any more then you have too?
Please stop
Regards
Shane Hill and family

[redacted]

From:	[redacted]
Sent time:	05/05/2022 16:48:50
To:	Planning Policy
Subject:	FW: Core Strategy Review Representation submission
Attachments:	Core Strategy Review Representation submission.pdf Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

Hi,

Please see attached representation sent to me by [redacted] Can it be processed and logged as per the others please?

Thanks
[redacted]

From: [redacted]
Sent: 05 May 2022 16:44
To: [redacted]
Cc: [redacted]
Subject: Core Strategy Review Representation submission

[redacted]

Please find attached my client's representation and a pdf version of your online form.

Kind regards.

[redacted]

From: [redacted] **On Behalf Of** Erewash Borough Council
Sent: 05 May 2022 16:42
To: [redacted]
Subject: Core Strategy Review Representation submission

Thank you for your submission on the Erewash Borough Council Core Strategy Review. The information that you have submitted is in the attached PDF.

Core Strategy Review Representation submission.pdf

Core Strategy Review Representation form submission

You have submitted the following information via erewash.gov.uk.

Title:
Mr

First Name:
Daniel

Surname:
Seabridge

Job Title (where relevant):
[redacted]

Organisation (where relevant):
Seabridge Developments Limited

Address:
[redacted]

Postcode:
[redacted]

Telephone number:
[redacted]

Email Address:
[redacted]

Agent's details (if applicable) Include name, address, contact number and email:
[redacted]

To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)
Policies

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.
Please see a separate submission letter dated 5 May 2022 sent by email in relation to Strategic Policy SP1

Do you consider the Core Strategy Review is Legally Compliant?
No

Do you consider the Core Strategy Review is sound?
No

Core Strategy Review Representation submission.pdf

Do you consider the Core Strategy Review complies with the duty to cooperate?
Yes

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Why I consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate.
Please see a separate submission letter dated 5 May 2022 sent by email

Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Comments:
Please see a separate submission letter dated 5 May 2022 sent by email

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?
Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:
To assist the appointed Inspector in addressing MIQ's that touch upon the issues we have raised in our representations.

Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

[redacted]

[redacted]

5 May 2022

Our Ref: [redacted]

Dear Sirs

Erewash Core Strategy Review – Plan Publication Version (Regulation 19)

Introduction

This representation is submitted on behalf of Seabridge Developments Limited, which has a Promotion Agreement with the landowners in respect of a suitable, available and deliverable, medium sized potential housing site, on the south side of Derby Road, Draycott. The land is identified in the SHLAA as site 498 and as SGA30 in the Strategic Growth Area Assessment.

Records will reveal that we submitted representations dated 17 April 2020 and again 7 May 2021 on behalf of our client, in respect of the previous consultation on the Draft Options for Growth and also the Revised Growth Options, respectively.

Our client is disappointed that their representations have not been accommodated by the Council in the Publication version of the Plan.

Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

Landscape Sensitivity and Green Belt Review and Release

We concur with the Council's stance that exceptional circumstances exist to justify the removal of land from the Green Belt, but we suggest that it is incumbent on the Local Planning Authority to consider the potential impacts of any release and associated development in particular locations and of specific sites having regard to the five main purposes of the Green Belt.

In this respect, it is generally accepted practice for Local Planning Authorities to commission an independently assessed Green Belt Review and also a Landscape Sensitivity Assessment so as to provide an objective evidence base upon which to consider any future development strategy and to ensure that only that land which contributes the least to the functioning and purpose of the Green Belt is released. Indeed the Courts have described an analysis of the impact on the functioning of the Green Belt and its purpose as being almost inevitable in the consideration of exceptional circumstances (*Compton PC, v Guildford BC, SSHCLG & Ors [2019] EWHC 3242 (Admin)*). The Council appears to be relying upon an 'in-house' Strategic Growth Area Assessment which does not contain a comparative assessment of the potential impacts of each site, on the five main purposes of the Green Belt. **The Council has failed to provide any objective evidence that it has assessed the impact of its proposals on the Green Belt nor to suggest that it is only releasing land from the Green Belt in areas where such release will cause the least harm.**

It appears to us that the Council first decided on a development strategy which is heavily reliant on large urban extensions and then produced the SGAA to support the strategy without an objective assessment of the impacts on the functioning and purposes of the Green Belt. Such an approach is not acceptable and in our submission renders the Plan unsound and, if adopted, potentially subject to challenge.

The Strategy

We consider that the proposed development strategy which relies upon a number of large strategic sites alone, is flawed.

Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

Large sites, particularly sizeable urban extensions and the redevelopment of significant brownfield sites, inevitably have longer lead-in periods associated with the scale of what is being undertaken and the associated infrastructure required to accommodate significant development and in terms of brownfield sites, potentially significant and lengthy remediation. The former Stanton Ironworks is a case in point. This site has been earmarked for redevelopment for many years, but attempts to develop it have not proved successful. Strategic Policy 1.2 – South Stanton acknowledges that there remain significant challenges and it does not expect residential development to be delivered in the early part of the plan.

Furthermore, in our experience it takes several years from adoption of a Plan that proposes the release of land from the Green Belt, until such large sites begin to deliver new homes in sufficient numbers so as to make meaningful contribution towards the Council's housing needs. This raises the significant possibility that sufficient homes to meet local housing needs will not be achieved early in the Plan period.

We consider that the Strategy should be more balanced and provide for opportunity for small and medium sized housing allocations, that are also capable of early delivery to make up for previous shortfalls and also ongoing housing needs (including affordable), in the shorter term.

Failure to provide a range of sites of different size that can be delivered over differing time scales, results in an imbalanced development strategy that will not assist the significant increase in the delivery of new homes that is required by Government Policy and will not begin to redress the Council's poor past performance in meeting its housing needs and associated shortfall, resulting from an out-dated Development Plan.

Indeed, it is likely that the proposed strategy will merely exacerbate the existing shortage in available housing sites to meet housing needs in the shorter term (5 years).

Small and Medium Sized Sites/Housing Builders

Another unfortunate consequence of the proposed reliance upon strategic sites is the fact that this approach strongly favours and places a heavy reliance on a relatively small number of national (plc) housebuilders, each with their own corporate strategies, but it does absolutely nothing to support small and medium sized builders which operate in the area and which would welcome the inclusion of some sites of up to, say 75 units.

Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

Indeed, it is Government policy to make sufficient (10%) provision of small and medium sized housing sites, as highlighted by the requirement set out at paragraph 69 of the NPPF (2021) which acknowledges that: *"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly"* and the Framework requires local planning authorities *"to promote the development of a good mix of sites"* (paragraph 68).

We maintain that failure to identify sufficient small and medium sites is not NPPF policy compliant and renders the Plan unsound.

The Scope for Development and the Larger Rural Villages

We maintain that the allocation of some small and medium sized sites that are proportionate to the scale of the larger rural settlements such as Borrowash, Draycott and Breaston, in the A6005 corridor, which is a main bus route between Derby and Long Eaton, would represent an equally sustainable element of a more balanced housing strategy, offering the opportunity for existing residents in those settlements to trade up or down, as well as providing homes for first-time buyers and also affordable housing to enable to local residents to remain in the village where they grew up.

To make the plan sound, we consider that at least a modest proportion of the overall housing allocations should be directed to the larger and more sustainable larger villages where there is the opportunity to provide for some organic growth, utilising the existing infrastructure available in these settlements.

Conclusions

Erewash Borough Council has a poor record of housing delivery against specified targets and we are concerned that the preferred option will only exacerbate this trend.

We have serious concerns regarding the assessment (or lack of) of the impact of the removal of sites from the Green Belt and the process by which the Council has identified land to be released.

The Plan fails to accord with paragraph 69 of the NPPF. We maintain that any successful Growth Strategy must contain a balanced portfolio of development opportunities, including sites of different sizes and in different sustainable locations, including the larger rural villages.

Seabridge Developments Ltd Representations - Erewash Core Strategy Publication Version (05-05-2022).pdf

Consequently, our client is compelled to object to Strategic Policy SP1 for the reasons highlighted above.

We maintain that for the Core Strategy to be made 'sound' it should:

(a) be based on an objectively assessed analysis of the impact of Green Belt release which directs the release of that Green Belt land which contributes the least to the purposes of the Green Belt and therefore the release of which causes least harm;

(b) make greater provision for small and medium sized housing sites; and

(c) provide for some growth in the larger and more sustainable villages, such as Breaston, Draycott and Borrowash on the A6005 corridor, where there are suitable opportunities.

[redacted]

From:	Bob Woollard[redacted]
Sent time:	09/05/2022 15:06:38
To:	Planning Policy
Cc:	[redacted]
Subject:	The Core Strategy Review - Plan Publication Version (Regulation 19)
Attachments:	19.013 EBC 09-05-22.pdf 19.013 EBC 09-05-22.docx

Dear Sir / Madam

Please find attached our representations on the Core Strategy Review Reg 19 consultation submitted on behalf of our client Redrow Homes Ltd.

I have included a word version in case that make it easier for analysis.

I would be grateful if you could confirm receipt. Thanks.

Best regards

[redacted]

[redacted]

[redacted]

19.013 EBC 09-05-22.pdf

Our ref:

9th May 2021

by email only

Dear

CORE STRATEGY REVIEW - PLAN PUBLICATION VERSION (REGULATION 19)

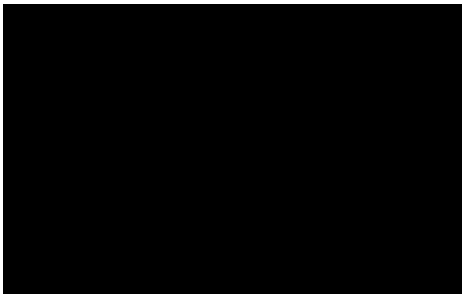
This Consultation Response sets out P&DG's representations submitted on behalf of Redrow Homes Ltd ('Redrow') in relation to the 2020 Core Strategy Review: Plan Publication Version (Regulation 19)

Promoter Details:

Andrew Noton

Redrow Homes Limited

19.013 EBC 09-05-22.pdf



Legal Compliance

The plan is included in the current Local Development Scheme (LDS) published in March 2021. The LDS sets out the key stages in the production of the Review and is available on the Council's website and at its main offices.

The process of community involvement for the Review is considered to be in accordance with Erewash Borough Council's Statement of Community Involvement adopted August 2019 and specifically the section 'Plan Making (Planning Policy)'. The submitted Statement of Consultation sets out how the Council has engaged in accordance with the SCI.

The Core Strategy Review is supported by a Sustainability Appraisal (SA), which identifies the methodology and process by which the SA has been carried and the baseline information used to inform the process and outcomes of the process. The SA is considered to provide sound evidence that the Strategic Policies and allocations proposed are those most likely to achieve the stated environmental, economic, and social objectives when judged against reasonable alternatives.

It is understood that the plan has complied with the relevant requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

Soundness

The Core Strategy Review Document and Policies Map is considered to meet the tests of soundness overall as set out at paragraph 35 of the National Planning Policy Framework. Specific comment at a policy level is set out below.

Duty to Cooperate

The Core Strategy Review Document and Policies Map is considered to comply with the statutory duty to cooperate under Section 33 of the Planning and Compulsory Purchase Act. It is understood that Erewash Borough Council has co-operated on key strategic issues with 'Prescribed Bodies,' neighbouring local authorities and public organisations in the development of the Core Strategy up to the submission of the document to the Secretary of State for Communities and Local Government for examination. It is understood that this continues to involve on-going constructive and active engagement throughout the plan preparation process and associated activities relating to sustainable development and the use of land, in particular in connection with strategic infrastructure.

It is noted that Erewash has been an active member of the Greater Nottingham Planning Partnership, comprising the constituent authorities of the Nottingham Housing Market Area,

19.013 EBC 09-05-22.pdf

[redacted]

with the stated aim of preparing strategic development plans which are consistent and provide coherent policy across the area. In doing so it seeks to address the Duty to Cooperate between the constituent Councils and provides a single point of contact for other Duty to Cooperate partners to engage in the strategic plan making process.

Erewash is also noted to be an active participant in the Greater Nottingham Joint Planning Advisory Board (JPAB) which meets every few months and oversees the preparation of strategic plans in the Greater Nottingham area. Other Duty to Cooperate bodies are invited to attend as observers, and the meetings are held in public.

Strategic Policy 1.1 – Housing

The Erewash Core Strategy was adopted in March 2014 and is now 8 years old. Government Policy requires that Local Plans are reviewed every 5 years and it is entirely appropriate that the Core Strategy Review must look to future growth needs in order to ensure that the economic and housing growth requirements of the Borough are meat balanced against the need to address environmental constraints. The current plan period ends in 2028 and it is necessary to roll forward housing growth requirements based on objectively assessed needs identified through the Standard Method, and the Housing Delivery Test. It is recognised that the 35% uplift in housing growth required within Nottingham City, may well have implications for growth within adjoining Housing Market Area / Duty to Cooperate authorities, but it is understood that the consequences of this will not be felt until later in the City's plan period, with the opportunity for future Local Plan reviews to account for unmet need.

In this context it is fully **justified** that the Erewash Core Strategy Review plans for the delivery of 393 dwellings per year to at least 2037. It is considered justifiable that the review should plan for a 17-year period to 2037 in the context of paragraph 22 of the Framework, which requires the Erewash Core Strategy Review to include Strategic Policies within the plan for a period of at least 15 years from the date of its adoption. As such the strategic policy can be seen to be **consistent with national policy.** In identifying a defined strategy for meeting housing and economic growth needs, the policy can be considered **effective.**

Policy 1.1: Housing is considered **sound** as it directly supports the provision of new homes against the identified need for new dwellings in Erewash over the life of the Local Plan. The allocation of sites is absolutely critical in the adoption of a plan-led approach in line with paragraph 15 of the National Planning Policy Framework ('NPPF'). This is particularly whereby the designation of land for development through Local Plans provides significantly enhanced landowner and developer confidence in bringing forward sites for development.

The Spatial Strategy

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The Spatial Strategy is considered to be justified in the context of the specific and unique context of the Borough. Squeezed between Nottingham to the east and Derby to the West, Erewash is both a vital residential location for residents working in both cities and a vital area of countryside separating and maintaining the identity of those cities. To the east, the main urban areas of Ilkeston and Long Eaton are constrained by tightly drawn Green Belt Boundaries but require investment, growth and regeneration, particularly on the former Stanton Ironworks; to the west, highly sustainably located transitional land site on the edge of Derby, readily accessible to sustainable services, but cut off from the wider countryside by highway infrastructure. In the middle lie sensitive Green Belt villages, important in maintaining the separation of the city's but with moderate growth needs to maintain sustainable levels of service provision. In effect the 'dumbbell' spatial pattern of growth ensures that necessary growth needs are met in those location with the best access to sustainable services and transport provision, while protecting the more valued and sensitive landscapes that the Green Belt has a clear function in protecting. The spatial strategy is therefore considered to the **justified** and will be **effective** at delivering growth in the right locations while protecting sensitive locations. The policy is consistent with paragraph 142 of the Framework in this regard.

As part of the process of preparing an up-to-date development plan, Erewash Borough Council has sought to identify sufficient housing land to meet their objectively assessed need over the plan period, and to ensure a five-year supply of deliverable housing sites. However, the existing Core Strategy has been unable to deliver the housing growth requirements year-on-year against targets. There is a now a considerable five-year housing land supply shortfall. Following therefore, a new spatial strategy and approach to meeting housing growth needs is required in Erewash. It is within the housing growth context that every other Nottingham City Region authority, with the Nottingham-Derby Green Belt as a constraint, has been required to, or is in the process of, amending Green Belt boundaries to accommodate growth needs. It is necessary that Erewash Borough Council does the same, in order to meet its growth needs.

The Nottingham / Derby Green Belt was drawn tightly around those settlements falling within it, constraining the ability of many local authorities to accommodate current and future housing growth needs. The result, particularly in those districts which are partially Green Belt, has been a serious and unsustainable 'leap-frogging' of development, away from the city fringe, beyond the inset sustainable towns and villages, and placing pressure on towns and villages beyond the Green Belt. Redrow supports the Council's approach to releasing suitable sites from the Green Belt, and it is without question that the exceptional circumstances set out at paragraph 140 of the Framework have been fully evidenced and **justified**. **Consistent with National Policy**, the Local Plan process is entirely the correct forum in which to assess the need for changes to the Green Belt.

Paragraph 141 of the Framework sets out that *'before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making*

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authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account ..(para 140).., and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;
b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development…'

In respect of bullet a), it is a fact that Erewash cannot deliver its housing needs on brownfield sites alone. Erewash Borough Council's Brownfield Register 2019 identifies 35 deliverable sites on brownfield land. The majority of sites (approx. 25) benefit from planning permission. These planning permissions equate to only 443 dwellings if all of them are delivered. Therefore, the release of Green Belt to provide for housing growth needs would place no harm upon the premise that is held in both the NPPF and the development plan to allocate brownfield sites on a preferential basis, since from all of the evidence available there is simply not enough suitable 'derelict' or 'other urban land', either in the Green Belt or not, to meet the required housing needs across the Borough.

In respect of bullet b) there is no suggestion that development taking place in the Borough has taken place at unsustainably low densities. It is my experience that housing densities within the Borough are reflective of the need to make the most efficient use of land, balanced with the need to respect and reflect the existing character of local areas. High rise and very high-density development within the main urban areas would not be an appropriate strategy, while the plan remain challenging on maximising opportunities.

In respect of bullet c) it is noted above that the plan is considered to have met the Duty to Cooperate test and the evidence of joint working confirms this position. Notably, neighbouring Housing Market Area authorities are equally constrained by Green Belt (which they have had to amend to accommodate growth needs) and the city authorities both have a 35% housing need uplift to accommodate which almost certainly will not be met within their administrative boundaries. As such, there is no tenable prospect of the neighbouring authorities accommodating some of the needs of Erewash.

It is therefore considered that the Core Strategy Review fully meets the tests for exceptional circumstances and the Council is quite correct to reach this conclusion in formulating Policy 1.1.

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Erewash has carried out an appropriate level Green Belt assessment through the Core Strategy Review process and the Sustainability Appraisal. There is no requirement in policy or legislation for a detailed review of the whole of the Green Belt or detailed boundaries. This is confirmed in paragraph 140 of the Framework.

Strategic Policy 1.1 and the Core Strategy Review as a whole should be seen as a critical tool in supporting market confidence in housing delivery and, in turn, boosting the number of sustainable new homes delivered. The Core Strategy Review is required to act as the **effective** delivery tool for Erewash's adopted spatial growth strategy and as such, site allocations form an essential part of this. There is no intention or requirement to produce a 'Part 2' site allocations and development management plan, and as such Erewash is entirely reliant on the Core Strategy Review as its growth delivery mechanism. It is clear that the absence of specific allocations within the Adopted Core Strategy has contributed to constrained delivery since adoption. The Review document provides the clarity, certainty and an evidence-based assessment of the most appropriate locations for growth and will ensure deliverable sites come forward promptly to ensure and maintain the Council housing land supply.

Site allocations act to reduce the level of more speculative development proposals and work in the interests of pursuing a robust, plan-led approach to the housing delivery. In the absence of this approach site delivery is liable of becoming more *ad hoc* in nature, which then presents the risks of ongoing shortfalls in the delivery of new dwellings.

The current deficit in housing land and delivery shortfall across Erewash makes this context and need for housing more pressing. The allocation of land at Acorn Way will therefore directly support the delivery of housing against the current shortfall in turn making a significant contribution to the delivery of a sound Local Plan.

Strategic Policy 1.3 Acorn Way

Strategic Policy 1.1: Housing, sets the context for the allocation of land at Acorn Way as a Strategic Policy and housing allocation. The preceding consideration of justification, effectiveness and consistency are carried through to the allocation and further consideration to the suitability and deliverability of the site are set out below.

The land at Acorn Way is a highly deliverable site that can be brought forward as a comprehensive and sustainable development. It is closely related to the settlement pattern of Oakwood and in walking distance to a range of local services, while being located on a good public transport corridor. The site can be developed in a way that is respectful of the environmental context, with the potential to include a mixture of good quality market and

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affordable homes, open space, ecological habitats, networks and landscaping. Inclusion and enhancement of green space linkages, landscaping and blue infrastructure is a key characteristic of the draft proposals to add variety to the public realm and to effect a sensitive transition between the urban fringe and its rural hinterland. Ecologically, the site can provide a suitable buffer between development and established habitats in the area through the green space linkages in accordance with paras 20(d), 92(c) and 186 of the Framework.

The contribution of the site to the purposes of Green Belt designation has been assessed within the Green Belt Review document prepared by P&DG in October 2019. There will be no insurmountable harm to the purposes of the Green Belt as a result of this site being released for housing as it is apparent that it affords well defined, robust, and enduring boundaries, in particular Acorn Way and Lees Brook.

The prompt delivery of around 600 dwellings would significantly help towards delivering much needed housing within the Borough.

It is confirmed that the site has the potential to:

1. Create at least two new vehicular junctions with suitable pedestrian access onto Morley Road;
2. Provide appropriate and justified financial contributions to increase the frequency of bus services along Morley Road;
3. Improve multi-user crossings of Acorn Way to encourage safe use of Morley Byway 29 and Morley Foot Paths 31 & 32 into the open countryside;
4. Provide appropriate and justified financial contributions towards the provision of additional pupil capacity at schools in Oakwood and Chaddesden where necessary; and
5. Provide 10% of the homes for on-site affordable home ownership, and a financial contribution towards off-site affordable housing in lieu of providing up to 20% of the homes as additional affordable housing, subject to viability.

Green Belt

As urban areas change, and housing growth pressures increase it is important to recognise that not all Green Belt land continues to make a positive contribution towards the overall function and purpose. In order to assess the site's genuine contribution towards the purposes of the Green Belt, in October 2019 P&DG undertook a site-specific Green Belt Review and Assessment of Exceptional Circumstances. This has previously been submitted to the Council for consideration. In essence, the site forms a transitional area of land, heavily influenced by the suburban context, and disconnected from the wider countryside and landscape by significant road infrastructure.

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The report concludes the release of Land West of Acorn Way offers a suitable and realistic opportunity to deliver a strategic yet proportionate contribution to housing growth needs, in a sustainable location, where development should be directed. Adjoining the built-up settlement edge of Oakwood, Derby, residential development here would rapidly assimilate with its urban fringe context, without encroaching uncharacteristically into the countryside. The strategic separation between Nottingham and Derby would not be devalued; the site's relationship to Derby and its physical context and character is such that it feels more like part of Derby than part of Erewash. The Green Belt boundary can be suitably repositioned without undermining the integrity and purpose in this location. The removal of this site from the Green Belt would not result in the unrestricted urban sprawl.

Save for the existing Green Belt designation, the site represents a sustainable location for residential development. It does not include land which is necessary to be kept open and its development would help meet long-term housing needs in the Borough.

Changes to the Green Belt boundary to the west of Acorn Way have been assessed against national policy and are in accordance with the principles and objectives and the National Planning Policy Framework. There will be no insurmountable harm to the purposes of the Green Belt as a result of this site being released for housing.

The Council have set out their own Green Belt assessment for the site within the 2021 Strategic Growth Assessments document under SGA1 at page 9. The Council conclude a similar outcome as to P&DG's in that the development of the site would not result in the gap between Derby's MBUA and the nearest Erewash inset settlements being reduced and would not represent a significant encroachment into the countryside. Further, new defensible boundaries could be drawn which would endure in the long term.

To conclude, it is Redrow's opinion that the release of Green Belt to meet the Borough's housing needs is essential and in this context the land at Acorn Way represents an excellent development opportunity and a logical growth option. However, in order to ensure a sound approach to the identification of such sites, Redrow consider it necessary to carry out a Borough wide Green Belt Review to demonstrate this site is a robust and sound Growth Option.

Access and Highway Impacts

An indicative masterplan has been produced and has been provided to the Council. The masterplan currently shows the potential for two points of access off Morley Road (approx. to AP1 and AP2) and as part of the design process all possible points of access were assessed and shown to have suitable visibility in order to create safe and adequate access into the site. Additional work to review the need for / potential for access onto Acorn Way itself is being assessed as part of considering all options.

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It is acknowledged that a scheme of up to 600 dwellings will have an impact on the local road network, however the existing infrastructure is comprehensive. Subject to any identified need for localised junction improvements the proposed scheme would not result in any severe or insurmountable highway impacts.

Ecology and Biodiversity

Derbyshire Wildlife Trust (DWT) were instructed by Erewash Borough Council in September 2019 to undertake a phase 1 habitat survey and desk top study of the site. The study concludes the poor-quality grassland is generally of low ecological value but has other features such as the network of mature native hedgerows and the sites potential to support ground nesting priority bird species, reptiles in dense scrub areas, and barn owls and/or bats in assorted buildings that are of ecological interest.

The SGA assessment shows that future development would need to be sympathetic to adjacent statutory, and in the case of the LWS, on-site non-statutory designations. ER010: Oaklands Brook would require a suitable standoff buffer zone to respect the setting of a recognised wildlife asset, although the Brook has the potential to also serve as a landscape feature that contributes positively to the design of any future development. Despite the relative lack of ecological assets across SGA1, every effort should be made to incorporate biodiversity measures should development occur – not only to help create a strong sense of place, but one which includes open spaces and bodies of water to encourage wildlife with housing sites.

The DWT study also highlights there is opportunities within the scheme to provide biodiversity net gain, which in the context of a site with generally reduced ecological value this is a significant benefit.

The indicative masterplan, which illustrates Redrow's the general intention of how the site will be developed, incorporates large areas of green infrastructure (including the retention of PROW's) and habitat creation with enhanced ecological value. The masterplan demonstrates a suitable standoff buffer can be provided in relation to Oaklands Brook which runs southeast of the site, in fact, the sites SUDs system would offer an excellent habitat buffer to the brook. Hedgerows and field boundaries are maintained and planted with native species where possible. Key areas of open space and green corridors are provided across the site, creating strong linkages for wildlife and a soft transitional edge against the countryside.

Overall, it is considered the aspirations of the DWT ecology appraisal can be achieved and ultimately the site can aspire to deliver on biodiversity net gain, providing enhancement to existing habitats and creating high quality new ones; the capacity for which is illustrated in the indicative masterplan. Redrow are working in partnership with the Wildlife Trust on achieving net gain across their developments. It is hoped that Acorn Way will form a pilot

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and exemplar for delivering net gain on an urban extension site. Significant green infrastructure will reinforce the connections to the wider countryside in accordance with paras 20(d), 92(c) and 186 of the Framework.

Landscape

The SGA assessment confirms the site sits within an area which has been assessed as having an average quality agricultural land. Much of Erewash's agricultural land has been graded as average (Grade 3), and it is not considered as the best or most versatile land crucial in assisting with agricultural production.

Redrow support this view and it aligns with the assessment of the site by [redacted] conclude the site is not covered by any specific landscape designation that would suggest an increased value or sensitivity to change, its features are do not appear to be rare or highly valued and it is not covered by any statutory, or non-statutory designation that would prohibit its development for residential purposes (except Green Belt). We would note that A recent Supreme Court ruling[1] has confirmed that openness does not imply freedom from all forms of potential development in the Green Belt and that the assessment of 'openness' does not necessarily require an assessment of visual impact.

The site is located approximately 800m to the west of Locko Park a Grade II Registered Park and Garden that includes the Grade II* Listed Locko Park house (approximately 1.8km from the site). The site is crossed by public rights of way apart from which there does not appear to be any significant landscape constraints to development.

Cross Boundary Relationship

The site lies solely within Erewash's authority boundary but adjoins the Derby City boundary on the western side (Morley Road). It is well known that Derby City has an ongoing unmet housing need, which authorities within the same Housing Market Area (South Derbyshire and Amber Valley) will need to consider as part of their own plan making. Redrow, at this stage wish to make clear that Erewash forms part of the Nottingham Housing Market Area, not Derby and on that basis, it is clear the delivery of this site will contribute directly to Erewash's housing numbers. Notably, the Nottingham Core Housing Market Area Boundary Study 2018 (Opinion Research Services), commissioned by the Greater Nottingham authorities, confirmed that the existing boundaries of the Housing Market Area and Functional Economic Market Area remain appropriate for strategic plan making.

This said, Redrow acknowledges the cross-boundary relationship and the likely impacts and benefits this will bring to the Derby City area. For example, it is anticipated that future

[1] Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v North Yorkshire County Council [2020] UKSC 3

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residents will likely work and shop in the Derby City area. During the application process it is expected that S106 contributions will be assessed in the context of the cross-boundary relationship and will ensure, alongside the economy generated by the scheme, that development in this location will directly and indirectly contributes to Derby's economy and will not a resource drain. To coin a phrase, 'it will be an entirely symbiotic relationship, not a parasitic one.'

The close relationship of the site to Derby means future residents will contribute to Derby City's economy, providing new skills and workforce. There is also the opportunity to contribute to Erewash's housing need, whilst providing new housing on the edge of Derby. It is clear that the site can benefit both Authorities. Redrow are currently delivering housing sites on the fringe of Derby and have significant and recent experience of resolving these cross-boundary issues. They have had to address the infrastructure requirements across administrative boundaries and can bring this successful experience, and established relationships to the Acorn Way site

Master planning

Redrow is a national housebuilder with a good reputation. On each scheme they work to the 'Redrow 8' urban principles, meaning they uphold the highest urban design qualities which is the cornerstone of every development. Redrow would seek to deliver a high-quality development which offers ecological, environmental, and urban design benefits, putting place-making and well-being at the heart of the scheme.

Redrow supports the conclusions of the Sustainability Appraisal. In relation to Natural Environment, Biodiversity, Green and Blue Infrastructure, Redrow Group are working in partnership with the Wildlife Trust to trial the potential for biodiversity offsetting / net gain. The Acorn Way site has the potential to form a key pilot project to ensure that biodiversity net gain is understood and delivered on the site. Furthermore, an indicative masterplan has been prepared which illustrates an extensive amount of habitat creation, green infrastructure retention, enhancement and creation and blue infrastructure which can support existing local water networks.

Deliverability

Redrow is a national housebuilder with a good reputation for delivering high quality housing. It has an option on the site and landowner agreement. There are no other parties that would inhibit effective and prompt delivery from the site at a good rate. Detailed constraints assessment has been undertaken and there are no significant concerns or obstacles to development or that would delay development. Identified impacts can be effectively mitigated and not significant harms would arise.

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It is Redrow's full intention to submit an application for development at the earliest appropriate opportunity. This may well comprise a hybrid application with a 'full' element to enable early delivery. We would be happy to provide further information on delivery trajectories to demonstrate the contribution that the site can make to the five-year housing land supply.

Yours faithfully

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Our ref: [redacted]

9th May 2021 *by email only*

[redacted]

Dear [redacted]

CORE STRATEGY REVIEW - PLAN PUBLICATION VERSION (REGULATION 19)

This Consultation Response sets out [redacted] representations submitted on behalf of Redrow Homes Ltd ('Redrow') in relation to the 2020 Core Strategy Review: Plan Publication Version (Regulation 19)

Promoter Details:

[redacted]

Agent Details:

[redacted]

[redacted]

[redacted]

Legal Compliance

The plan is included in the current Local Development Scheme (LDS) published in March 2021. The LDS sets out the key stages in the production of the Review and is available on the Council's website and at its main offices.

The process of community involvement for the Review is considered to be in accordance with Erewash Borough Council's Statement of Community Involvement adopted August 2019 and specifically the section 'Plan Making (Planning Policy)'. The submitted Statement of Consultation sets out how the Council has engaged in accordance with the SCI.

The Core Strategy Review is supported by a Sustainability Appraisal (SA), which identifies the methodology and process by which the SA has been carried and the baseline information used to inform the process and outcomes of the process. The SA is considered to provide sound evidence that the Strategic Policies and allocations proposed are those most likely to achieve the stated environmental, economic, and social objectives when judged against reasonable alternatives.

It is understood that the plan has complied with the relevant requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

Soundness

The Core Strategy Review Document and Policies Map is considered to meet the tests of soundness overall as set out at paragraph 35 of the National Planning Policy Framework. Specific comment at a policy level is set out below.

Duty to Cooperate

The Core Strategy Review Document and Policies Map is considered to comply with the statutory duty to cooperate under Section 33 of the Planning and Compulsory Purchase Act. It is understood that Erewash Borough Council has co-operated on key strategic issues with 'Prescribed Bodies,' neighbouring local authorities and public organisations in the development of the Core Strategy up to the submission of the document to the Secretary of State for Communities and Local Government for examination. It is understood that this continues to involve on-going constructive and active engagement throughout the

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plan preparation process and associated activities relating to sustainable development and the use of land, in particular in connection with strategic infrastructure.

It is noted that Erewash has been an active member of the Greater Nottingham Planning Partnership, comprising the constituent authorities of the Nottingham Housing Market Area, with the stated aim of preparing strategic development plans which are consistent and provide coherent policy across the area. In doing so it seeks to address the Duty to Cooperate between the constituent Councils and provides a single point of contact for other Duty to Cooperate partners to engage in the strategic plan making process.

Erewash is also noted to be an active participant in the Greater Nottingham Joint Planning Advisory Board (JPAB) which meets every few months and oversees the preparation of strategic plans in the Greater Nottingham area. Other Duty to Cooperate bodies are invited to attend as observers, and the meetings are held in public.

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justified. **Consistent with National Policy**, the Local Plan process is entirely the correct forum in which to assess the need for changes to the Green Belt.

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Strategic Policy 1.1: Housing, sets the context for the allocation of land at Acorn Way as a Strategic Policy and housing allocation. The preceding consideration of justification, effectiveness and consistency are carried through to the allocation and further consideration to the suitability and deliverability of the site are set out below.

[redacted]

The land at Acorn Way is a highly deliverable site that can be brought forward as a comprehensive and sustainable development. It is closely related to the settlement pattern of Oakwood and in walking distance to a range of local services, while being located on a good public transport corridor. The site can be developed in a way that is respectful of the environmental context, with the potential to include a mixture of good quality market and affordable homes, open space, ecological habitats, networks and landscaping. Inclusion and enhancement of green space linkages, landscaping and blue infrastructure is a key characteristic of the draft proposals to add variety to the public realm and to effect a sensitive transition between the urban fringe and its rural hinterland. Ecologically, the site can provide a suitable buffer between development and established habitats in the area through the green space linkages in accordance with paras 20(d), 92(c) and 186 of the Framework.

The contribution of the site to the purposes of Green Belt designation has been assessed within the Green Belt Review document prepared by P&DG in October 2019. There will be no insurmountable harm to the purposes of the Green Belt as a result of this site being released for housing as it is apparent that it affords well defined, robust, and enduring boundaries, in particular Acorn Way and Lees Brook.

The prompt delivery of around 600 dwellings would significantly help towards delivering much needed housing within the Borough.

It is confirmed that the site has the potential to:

1. Create at least two new vehicular junctions with suitable pedestrian access onto Morley Road;
2. Provide appropriate and justified financial contributions to increase the frequency of bus services along Morley Road;
3. Improve multi-user crossings of Acorn Way to encourage safe use of Morley Byway 29 and Morley Foot Paths 31 & 32 into the open countryside;
4. Provide appropriate and justified financial contributions towards the provision of additional pupil capacity at schools in Oakwood and Chaddesden where necessary; and
5. Provide 10% of the homes for on-site affordable home ownership, and a financial contribution towards off-site affordable housing in lieu of providing up to 20% of the homes as additional affordable housing, subject to viability.

Green Belt

As urban areas change, and housing growth pressures increase it is important to recognise that not all Green Belt land continues to make a positive contribution towards the overall function and purpose. In order to assess the site's genuine contribution towards the purposes of the Green Belt, in October 2019 P&DG undertook a site-specific Green Belt Review and Assessment of Exceptional Circumstances. This

has previously been submitted to the Council for consideration. In essence, the site forms a transitional area of land, heavily influenced by the suburban context, and disconnected from the wider countryside and landscape by significant road infrastructure.

The report concludes the release of Land West of Acorn Way offers a suitable and realistic opportunity to deliver a strategic yet proportionate contribution to housing growth needs, in a sustainable location, where development should be directed. Adjoining the built-up settlement edge of Oakwood, Derby, residential development here would rapidly assimilate with its urban fringe context, without encroaching uncharacteristically into the countryside. The strategic separation between Nottingham and Derby would not be devalued; the site's relationship to Derby and its physical context and character is such that it feels more like part of Derby than part of Erewash. The Green Belt boundary can be suitably repositioned without undermining the integrity and purpose in this location. The removal of this site from the Green Belt would not result in the unrestricted urban sprawl.

Save for the existing Green Belt designation, the site represents a sustainable location for residential development. It does not include land which is necessary to be kept open and its development would help meet long-term housing needs in the Borough.

Changes to the Green Belt boundary to the west of Acorn Way have been assessed against national policy and are in accordance with the principles and objectives and the National Planning Policy Framework. There will be no insurmountable harm to the purposes of the Green Belt as a result of this site being released for housing.

The Council have set out their own Green Belt assessment for the site within the 2021 Strategic Growth Assessments document under SGA1 at page 9. The Council conclude a similar outcome as to P&DG's in that the development of the site would not result in the gap between Derby's MBUA and the nearest Erewash inset settlements being reduced and would not represent a significant encroachment into the countryside. Further, new defensible boundaries could be drawn which would endure in the long term.

To conclude, it is Redrow's opinion that the release of Green Belt to meet the Borough's housing needs is essential and in this context the land at Acorn Way represents an excellent development opportunity and a logical growth option. However, in order to ensure a sound approach to the identification of such sites, Redrow consider it necessary to carry out a Borough wide Green Belt Review to demonstrate this site is a robust and sound Growth Option.

Access and Highway Impacts

An indicative masterplan has been produced and has been provided to the Council. The masterplan currently shows the potential for two points of access off Morley Road (approx. to AP1 and AP2) and as

[redacted]

part of the design process all possible points of access were assessed and shown to have suitable visibility in order to create safe and adequate access into the site. Additional work to review the need for / potential for access onto Acorn Way itself is being assessed as part of considering all options.

It is acknowledged that a scheme of up to 600 dwellings will have an impact on the local road network, however the existing infrastructure is comprehensive. Subject to any identified need for localised junction improvements the proposed scheme would not result in any severe or insurmountable highway impacts.

Ecology and Biodiversity

Derbyshire Wildlife Trust (DWT) were instructed by Erewash Borough Council in September 2019 to undertake a phase 1 habitat survey and desk top study of the site. The study concludes the poor-quality grassland is generally of low ecological value but has other features such as the network of mature native hedgerows and the sites potential to support ground nesting priority bird species, reptiles in dense scrub areas, and barn owls and/or bats in assorted buildings that are of ecological interest.

The SGA assessment shows that future development would need to be sympathetic to adjacent statutory, and in the case of the LWS, on-site non-statutory designations. ER010: Oaklands Brook would require a suitable standoff buffer zone to respect the setting of a recognised wildlife asset, although the Brook has the potential to also serve as a landscape feature that contributes positively to the design of any future development. Despite the relative lack of ecological assets across SGA1, every effort should be made to incorporate biodiversity measures should development occur – not only to help create a strong sense of place, but one which includes open spaces and bodies of water to encourage wildlife with housing sites.

The DWT study also highlights there is opportunities within the scheme to provide biodiversity net gain, which in the context of a site with generally reduced ecological value this is a significant benefit.

The indicative masterplan, which illustrates Redrow's the general intention of how the site will be developed, incorporates large areas of green infrastructure (including the retention of PROW's) and habitat creation with enhanced ecological value. The masterplan demonstrates a suitable standoff buffer can be provided in relation to Oaklands Brook which runs southeast of the site, in fact, the sites SUDs system would offer an excellent habitat buffer to the brook. Hedgerows and field boundaries are maintained and planted with native species where possible. Key areas of open space and green corridors are provided across the site, creating strong linkages for wildlife and a soft transitional edge against the countryside.

Overall, it is considered the aspirations of the DWT ecology appraisal can be achieved and ultimately the site can aspire to deliver on biodiversity net gain, providing enhancement to existing habitats and creating high quality new ones; the capacity for which is illustrated in the indicative masterplan. Redrow are

[redacted]

working in partnership with the Wildlife Trust on achieving net gain across their developments. It is hoped that Acorn Way will form a pilot and exemplar for delivering net gain on an urban extension site. Significant green infrastructure will reinforce the connections to the wider countryside in accordance with paras 20(d), 92(c) and 186 of the Framework.

Landscape

The SGA assessment confirms the site sits within an area which has been assessed as having an average quality agricultural land. Much of Erewash's agricultural land has been graded as average (Grade 3), and it is not considered as the best or most versatile land crucial in assisting with agricultural production.

Redrow support this view and it aligns with the assessment of the site by Golby and Luck Landscape Architects. Golby and Luck conclude the site is not covered by any specific landscape designation that would suggest an increased value or sensitivity to change, its features are do not appear to be rare or highly valued and it is not covered by any statutory, or non-statutory designation that would prohibit its development for residential purposes (except Green Belt). We would note that A recent Supreme Court ruling[1] has confirmed that openness does not imply freedom from all forms of potential development in the Green Belt and that the assessment of 'openness' does not necessarily require an assessment of visual impact.

The site is located approximately 800m to the west of Locko Park a Grade II Registered Park and Garden that includes the Grade II* Listed Locko Park house (approximately 1.8km from the site). The site is crossed by public rights of way apart from which there does not appear to be any significant landscape constraints to development.

Cross Boundary Relationship

The site lies solely within Erewash's authority boundary but adjoins the Derby City boundary on the western side (Morley Road). It is well known that Derby City has an ongoing unmet housing need, which authorities within the same Housing Market Area (South Derbyshire and Amber Valley) will need to consider as part of their own plan making. Redrow, at this stage wish to make clear that Erewash forms part of the Nottingham Housing Market Area, not Derby and on that basis, it is clear the delivery of this site will contribute directly to Erewash's housing numbers. Notably, the Nottingham Core Housing Market Area Boundary Study 2018 (Opinion Research Services), commissioned by the Greater Nottingham authorities, confirmed that the existing boundaries of the Housing Market Area and Functional Economic Market Area remain appropriate for strategic plan making.

[1] Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v North Yorkshire County Council [2020] UKSC 3

[redacted]

This said, Redrow acknowledges the cross-boundary relationship and the likely impacts and benefits this will bring to the Derby City area. For example, it is anticipated that future residents will likely work and shop in the Derby City area. During the application process it is expected that S106 contributions will be assessed in the context of the cross-boundary relationship and will ensure, alongside the economy generated by the scheme, that development in this location will directly and indirectly contributes to Derby's economy and will not a resource drain. To coin a phrase, 'it will be an entirely symbiotic relationship, not a parasitic one.'

The close relationship of the site to Derby means future residents will contribute to Derby City's economy, providing new skills and workforce. There is also the opportunity to contribute to Erewash's housing need, whilst providing new housing on the edge of Derby. It is clear that the site can benefit both Authorities. Redrow are currently delivering housing sites on the fringe of Derby and have significant and recent experience of resolving these cross-boundary issues. They have had to address the infrastructure requirements across administrative boundaries and can bring this successful experience, and established relationships to the Acorn Way site

Master planning

Redrow is a national housebuilder with a good reputation. On each scheme they work to the 'Redrow 8' urban principles, meaning they uphold the highest urban design qualities which is the cornerstone of every development. Redrow would seek to deliver a high-quality development which offers ecological, environmental, and urban design benefits, putting place-making and well-being at the heart of the scheme.

Redrow supports the conclusions of the Sustainability Appraisal. In relation to Natural Environment, Biodiversity, Green and Blue Infrastructure, Redrow Group are working in partnership with the Wildlife Trust to trial the potential for biodiversity offsetting / net gain. The Acorn Way site has the potential to form a key pilot project to ensure that biodiversity net gain is understood and delivered on the site. Furthermore, an indicative masterplan has been prepared which illustrates an extensive amount of habitat creation, green infrastructure retention, enhancement and creation and blue infrastructure which can support existing local water networks.

Deliverability

Redrow is a national housebuilder with a good reputation for delivering high quality housing. It has an option on the site and landowner agreement. There are no other parties that would inhibit effective and prompt delivery from the site at a good rate. Detailed constraints assessment has been undertaken and there are no significant concerns or obstacles to development or that would delay development. Identified impacts can be effectively mitigated and not significant harms would arise.

[redacted]

It is Redrow's full intention to submit an application for development at the earliest appropriate opportunity. This may well comprise a hybrid application with a 'full' element to enable early delivery. We would be happy to provide further information on delivery trajectories to demonstrate the contribution that the site can make to the five-year housing land supply.

Yours faithfully

[redacted]

[redacted]

From:	[redacted]
Sent time:	09/05/2022 16:13:29
To:	Planning Policy
Cc:	[redacted]
Subject:	The Core Strategy Review. Plan Publication Version (Regulation 19) - Bloor
Attachments:	Appendix 1.pdf Erewash Reg 19 Reps Bloor.pdf

Good afternoon,

Please find attached to this email representations to the Erewash's Core Strategy Review: Plan Publication Version (Regulation 19) Consultation on behalf of our client, Bloor Homes.

I trust these representations in support of the Plan are clear, however should you require any further information do let us know.

If you could confirm receipt of this email and its attachments it would be greatly appreciated.

Kind regards,

[redacted]

[redacted]

[redacted]

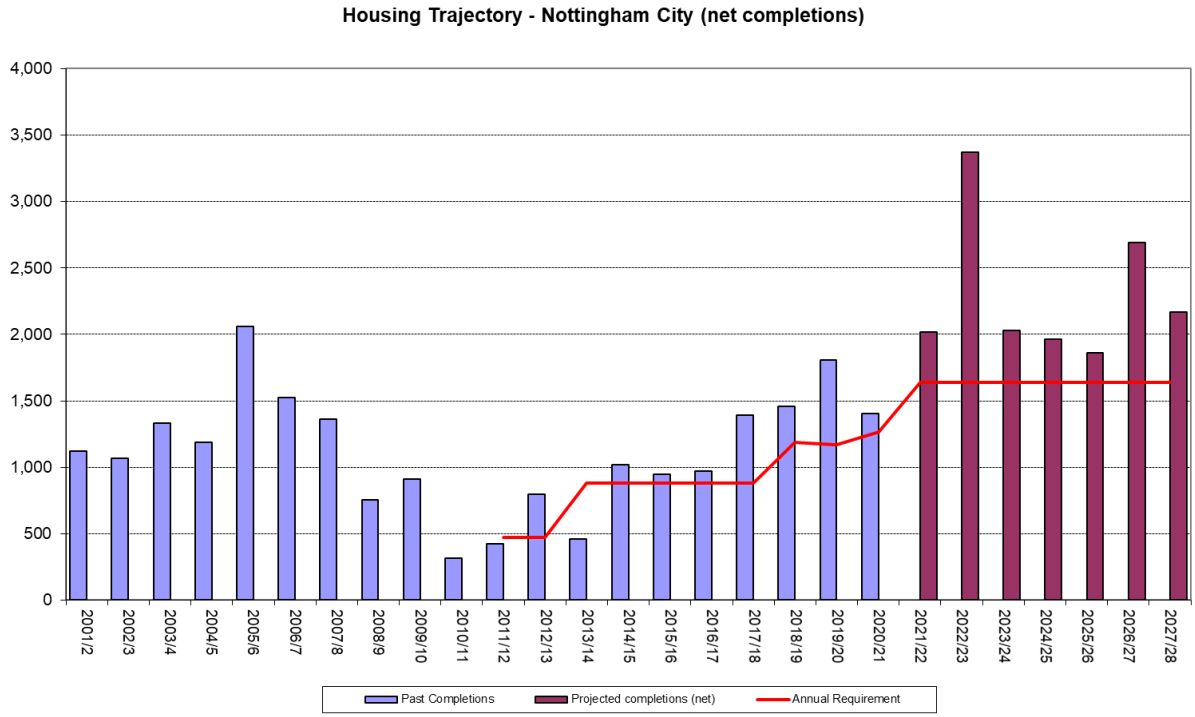
Questions raised at the JPAB Meeting on 08 March 2022

1 NCC paper states NCC cannot meet the entirety of the 35% uplift applied to the standard method. How much can NCC meet, and what residual remains?

- The City Council's "base" housing need is **20,621** from 2021-38 (end date of the Strategic Plan).
- Adding the 35% uplift gives a figure of **27,846**, and equates to an additional **7,225** dwellings.
- The shortfall in provision for Nottingham City for the same period is **4,543** homes, which is the difference between housing need plus 35% uplift of 27,846 and identified housing supply of 23,303.
- Therefore NCC is anticipated to meet **2,682** of the 35% uplift within its area (7,225-4,543).

2 NCC paper states that the issue of lack of supply will only become an issue later in the plan period, why is this?

- The City Council's Local Plan housing trajectory to 2028 is Figure 3 in the paper (below).



- It shows that completions up to 2028 are expected to be above the annual standard method plus 35% need.
- After 2028, it anticipated that completions will fall due to a number of factors, notably Local Plan sites being developed out, with few opportunities to find

new sites of significant scale (particularly greenfield sites), leaving reliance on more expensive and difficult to develop smaller brownfield sites, together with demographic changes reducing the number of student aged population, reducing demand for purpose built student accommodation.

3 Can the impact of changes to the SHLAA methodology and other means of boosting supply be quantified, to show by how much the City Council has managed to increase its housing supply?

- As of the 1st April 2020 the City had an identified supply of **19,278** new homes for the period between 2020-38.
- The critical re-assessment of the SHLAA as described in the paper has resulted in an increase in total supply of **4,025**, giving a total of **23,303** new homes.

[redacted]

Erewash Reg 19 Reps Bloor.pdf

Erewash Core Strategy Review

Plan Publication (Regulation 19) May 2022

Representations prepared by [redacted]
on behalf of Bloor Homes

[redacted]

[redacted] Reg 19 Reps Bloor.pdf

[redacted]

Project Title:

Land at Woodside

Author:

[redacted]

Contact Details:

[redacted]

[redacted]

[redacted]

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[redacted]

01 Introduction

These representations are prepared by [redacted] on behalf of Bloor Homes in respect of their land interests at Woodside, Spondon, referred to as Land North of Spondon in the Core Strategy Review Plan Publication Version (Regulation 19) Consultation Document, March 2022. The identification of the land to the North of Spondon for release from the Green Belt and allocation for residential development is fully supported.

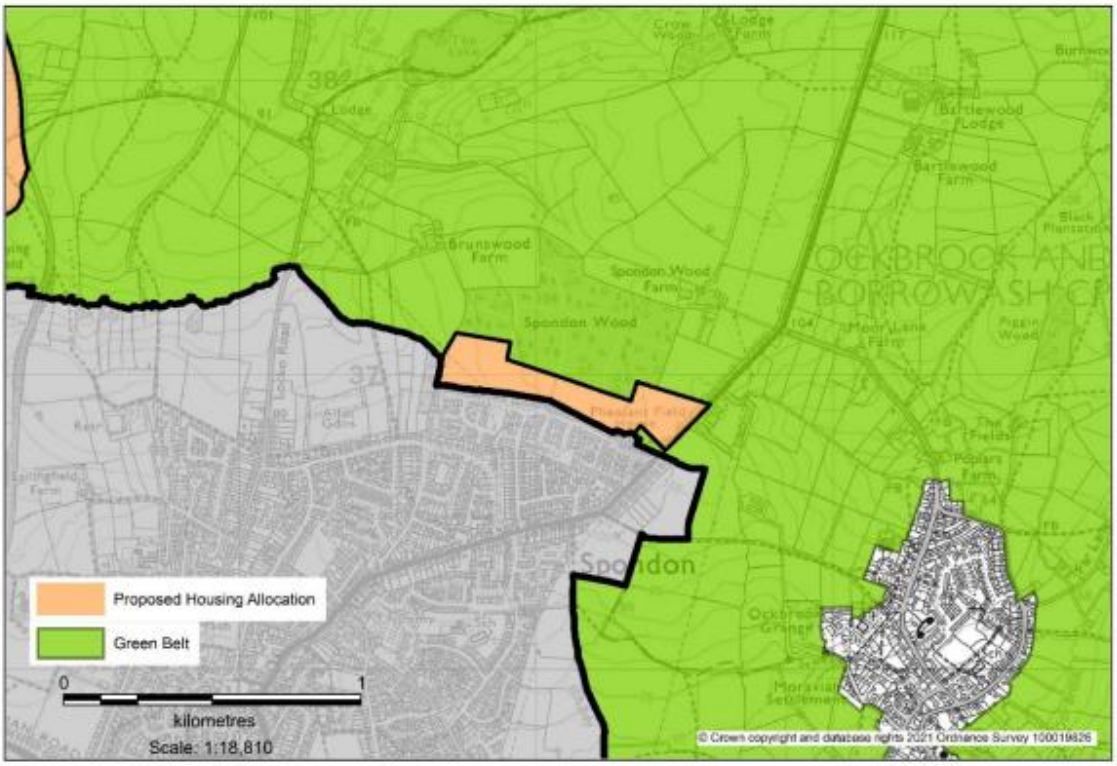

Figure1. Land North of Spondon Road (Erewash Borough Council Revised Options for Growth

The site is sustainably located adjacent to the Derby City Urban Fringe. It is well connected to existing services and facilities and can take advantage of existing transport connections. The site builds on the existing inter-relationship between Erewash and Derby City.

Notwithstanding Bloor Homes support for the removal of the site from the Green Belt and allocation for residential development, attendance is requested at any relevant Local Plan Examination hearing session in order to assist the Inspector with any site-specific questions they

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[redacted]

may have and to respond to any wider comments from third parties or residents.

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[redacted]

02 Representations

Legal compliance

Do you consider the Erewash Core Strategy Review (Regulation 19) to be legally compliant?

	Yes	No
Prepared in accordance with the Local Development Scheme	X	
Prepared in accordance with the Statement of Community Involvement	X	
Consistent with the regulatory requirements for consultation	X	
Compliant with the Duty To Co-operate	X	
Accompanied by a compliant Sustainability Appraisal	X	

Prepared in accordance with the Local Development Scheme

The most recent Local Development Scheme (LDS) was published by Erewash Borough Council (EBC) in March 2021 and set out the process of the development of the Core Strategy Review, including an anticipated timetable. Whilst there has been some slippage in the preparation of the Plan, given the ongoing Covid-19 pandemic it is considered that some slippage was almost inevitable. Beyond slippage to the timetable, the Council appears to have followed the process as set out within the LDS.

Prepared in accordance with the Statement of Community Involvement

The Council have met the minimum requirements as set out in their adopted Statement of Community Involvement. As such there is nothing to suggest that the Council have not prepared the Plan in accordance with the 2019 SCI.

Consistent with the regulatory requirements for consultation

There is nothing to suggest Council has not complied with statutory requirements for consultation.

Compliant with the Duty To Co-operate

We are not aware of any complaint by neighbouring authorities that the Council has failed to satisfy the Duty to Co-operate at the time of writing.

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[redacted]

Whilst HMA neighbour Nottingham City (at the JPAB Meeting on the 8th March – Appendix 1) has suggested that it may have unmet needs, these are not yet formally confirmed, and in any event, do not manifest until later in the Plan period, beyond 2028. This means that an unmet need is confirmed which Erewash needs to meet, it can be addressed through future reviews of the Core Strategy/Local Plan.

Accompanied by a compliant Sustainability Appraisal

The Regulation 19 consultation document has been published alongside a corresponding Sustainability Appraisal and appendices; early consultations also utilised the SA process. This has been followed in accordance with statutory guidance.

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[redacted]

Strategic Policy 1 – Housing

	Policies	Policies Map	Other Text
To which part of the Core Strategy Review does this representation relate?	X		

Strategic Policy 1 - Housing	Yes	No
Do you consider the Core Strategy Review is Legally Compliant?	X	
Do you consider the Core Strategy Review is Sound	X	

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

Paragraph 61 of the NPPF sets out that in order to determine the minimum number of homes needed, strategic policies should be informed by Local Housing Need (LHN), as derived from the Standard Method (as set out in the Planning Practice Guidance (PPG)). For Erewash Borough, utilising the 2014 household projections and the most recent (2021) median workplace-based affordability ratios, this generates a Local Housing Need of 386 dwellings per annum. Over the 15-year plan period this equates to a Local Housing Need of 5,790 dwellings per annum. This is just below the Council's proposed housing requirement of 5,800 dwellings.

The PPG sets out the scenarios when it would be possible to both uplift and reduce the housing requirement, having used LHN as a starting point. Despite the Green Belt constraints in Erewash, it is agreed that it would not be appropriate to reduce LHN. As such some Green Belt release will be necessary. In respect of potential uplifts, the PPG sets out uplifts could be applied to reflect the following, albeit not an exhaustive list;

- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);
- strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
- an authority agreeing to take on unmet need from neighboring authorities, as set out in a statement of common ground;

We are not aware of any agreed growth strategy or strategic scale infrastructure provision need to be delivered in Erewash. As referred to above, Nottingham City have indicated that it will be

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[redacted]

unable to meet its own need up to 2038, albeit the quantum of unmet need is currently unknown. In addition, there is likely to be an unmet need in Derby City. It is our understanding that the quantum of this unmet need is currently unknown and that, at present, Erewash have not formally been requested to meet any of the unmet need. Given the immediate need in Erewash to deliver its own housing need and having regard to the constrained nature of the Authority and its significant Green Belt coverage and the associated need for a Plan led system, it is considered that the Plan should be progressed as proposed. Any future unmet need can be addressed through future reviews of the Plan; a delay to wait for neighbouring authorities to confirm the quantum of their own unmet need will serve only to frustrate much needed development.

In respect of the adopted spatial hierarchy, it is agreed that sites on the Derby City fringe are some of the most sustainable in Erewash. There is a strong functional relationship with Derby City and Erewash and housing in this location can sensibly and soundly serve and meet housing needs of either and/or both.

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[redacted]

Strategic Policy 1.1 – Strategic Housing Sites

	Policies	Policies Map	Other Text
To which part of the Core Strategy Review does this representation relate?	X		

Strategic Policy 1.1 – Strategic Housing Sites	Yes	No
Do you consider the Core Strategy Review is Legally Compliant?	X	
Do you consider the Core Strategy Review is Sound	X	

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

Strategic Policy 1.1 provides detailed requirements for all sites over 200 dwellings. It contains a set of 7 criteria, with further guidance thereafter. The criteria all reflect good placemaking and design principles, to ensure new housing schemes are both functional yet attractive. The criteria will help ensure new housing developments on existing greenfield sites on settlement fringes will provide high quality developments, where possible retaining existing boundaries and internal field network vegetation. This will help new development assimilate into the wider landscape, protect ecology assets, and provide local character. Moreover, it will help to assist new developments being green from day one, whilst implemented landscaping schemes may take a number of years to grow and be fully functional.

Criteria 4 sets out that schemes should include an appropriate level of biodiversity net gain. It is assumed this means as a minimum that prescribed in national legislation, and this should be clarified. This approach is supported, as there has been no local justification or evidence provided which would necessitate and support a higher level of provision than that being nationally. That does not however prevent a scheme bringing forward a higher biodiversity net gain if appropriate.

Bloor Homes consider that the requirements of this policy are commensurate and deliverable.

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[redacted]

Strategic Policy 1.4 – North of Spondon

	Policies	Policies Map	Other Text
To which part of the Core Strategy Review does this representation relate?	X		

Strategic Policy 1.4 – North of Spondon	Yes	No
Do you consider the Core Strategy Review is Legally Compliant?	X	
Do you consider the Core Strategy Review is Sound	X	

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

The proposed release of the land north of Spondon from the Green Belt and its proposed allocation for circa 200 dwellings is fully supported. The site is sustainably located on the Derby Urban Fringe and upon adoption of the Plan can make an immediate contribution to the Council's five-year land supply (an indicative delivery trajectory is provided below).

Beyond its current location in the Green Belt, the site is not constrained. It contains no statutory environmental or historic designations that would preclude development. The site is within Flood Zone 1 (low probability). There are currently overhead power cables which cross the site, which have been incorporated within the indicative masterplan for the site.

Green Belt Purpose

The site is currently within the Green Belt. The NPPF sets out at paragraph 134 that the Green Belt serves 5 purposes. These are:

a) To check the unrestricted sprawl of large built-up areas;
b) To prevent neighbouring towns merging into one another;
c) To assist in safeguarding the countryside from encroachment;
d) To preserve the setting and special character of historic towns;
e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

An assessment of the site's suitability for release from the Green Belt is included in the Strategic Growth Area Assessment (2021). We concur with the conclusions of this assessment in respect

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[redacted]

of the land to the North of Spondon, that the site is well defined, enclosed and benefits from strong existing defensible boundaries. The site makes a very limited contribution to openness of the Green Belt, being located between existing housing and an area of woodland. Similarly, it does not perform strongly against any of the other functions of the Green Belt as set out below:

To check the unrestricted sprawl of large built-up areas

The site is highly contained, by the wood to the immediate northern boundary of the site. The southern boundary comprises existing residential development. This containment naturally restricts further growth beyond the site. It is considered that the site scores poorly against this purpose of the Green Belt.

To prevent neighbouring towns merging into one another

The development of the site would have a negligible impact on the coalescence of neighbouring settlements. As set out above, the wood provides a strong defensible boundary to the north of the site. To the east, the development of the site would not reduce the separation of Spondon to Ockbrook. Furthermore, it would have a negligible impact on the coalescence between Spondon and Stanley/West Hallam. The site is therefore considered to score poorly against this purpose of the Green Belt.

To assist in safeguarding the countryside from encroachment

Any development on green field land on the edge of a settlement would have an impact on encroachment into the countryside. The site is however bound to the north by the wood. The woodland ensures a strong defensible boundary to development safeguarding against further encroachment into the countryside beyond. The site therefore scores poorly against this purpose of the Green Belt.

To preserve the setting and special character of historic towns

The development of the site will have a negligible impact on the more historic centres of Spondon or Derby. The site is highly contained, immediately adjacent to a -modern 20th century housing estate. The site is therefore considered to score poorly against this purpose of the Green Belt.

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[redacted]

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

As established through the consultation document, there is no further available brownfield land available for development. The available brownfield sites have been identified and are proposed for allocation within the emerging Plan. Releasing this site from the Green Belt therefore will have no impact on urban regeneration. The site therefore scores poorly against this purpose of the Green Belt.

Exceptional Circumstances

Having regard to the above, it is clear that the site does not perform strongly against the five purposes of the Green Belt. It is still however necessary to demonstrate exceptional circumstances exist for the sites release from the Green Belt. Given the Council's housing supply position is significantly below that required to meet the Borough's housing need and the constrained nature of the Borough, it is considered that exceptional circumstances exist for the release of Green Belt land including on this poor-functioning Green Belt site to the north of Spondon. We therefore support the Council's proposal to release from the Green Belt and include it as an allocation within the emerging Plan.

Indicative Masterplan

As referred to above, an indicative masterplan has been prepared to illustrate how the site could be brought forward.

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[redacted]

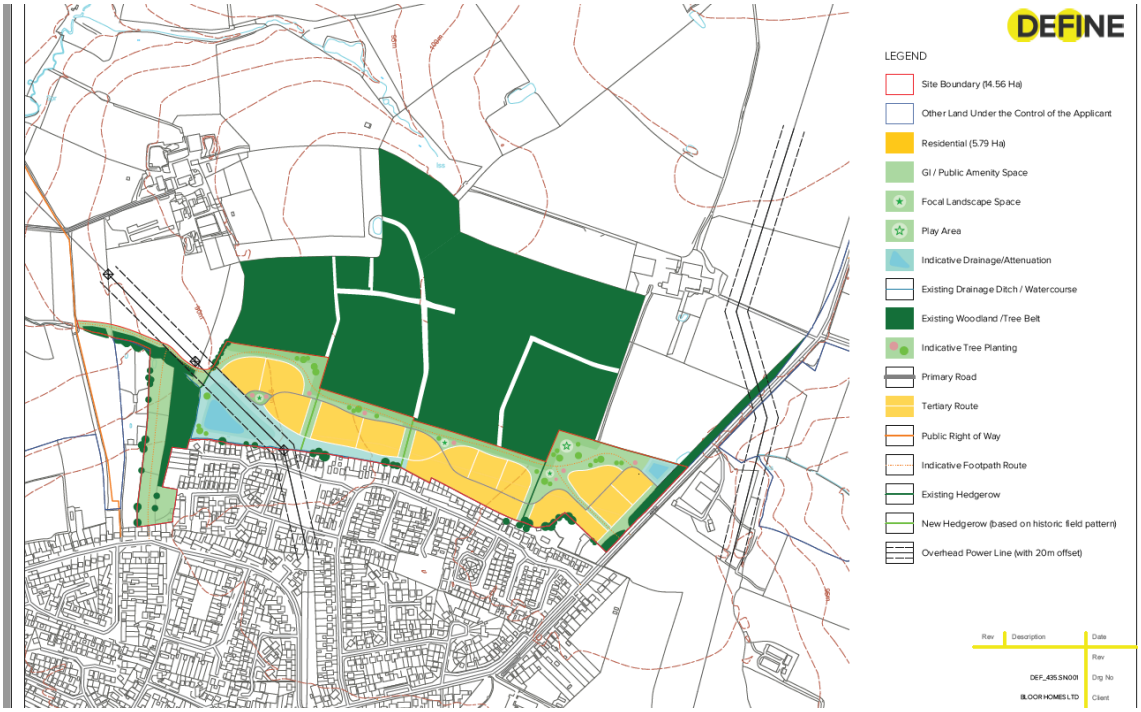

Figure 2: Indicative Masterplan for c.200 dwellings on land North of Spondon.

The masterplan has been carefully developed having regard to ecology, flood risk and drainage and highways matters. The proposed layout delivers a scheme of c.200 dwellings. A 15-metre buffer is proposed to the wood to the north. Open space is provided throughout the site. Development of the site could also deliver a new footpath connection to PRoW FP58 (Dale Abbey) providing opportunities to connect with the wider PRoW network.

The ecological value of the site and its location have been at the forefront of the masterplanning process. Crucial to this has been the consideration of the site for ongoing biodiversity net gain to identify proposals which will leave nature in a better position than found through considered development.

In respect of the site's ecology, the site itself is of limited merit as a result of farming practices. It is recognised that concerns have been raised in respect of deer being evidenced on the site. Deer are not specifically protected nor uncommon in this area. The site, whilst forming an area where deer traverse (in part owing to being fed by residents from the gardens to the south of the site), is not of specific biodiversity value in general nor when compared to land in the local vicinity.

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[redacted]

The proximity of the site to the wood is not a constraint to development and mitigation is proposed through the provision of a buffer to the wood to ensure that the habitat and species in and around the wood are not impacted by the proposed development. To ensure confidence that the wood will continue to be sensitively protected, site specific policy wording could be included within the emerging plan to guarantee suitable mitigation measures in respect of the woodland.

Delivery of Land North of Spondon

In respect of delivery, and having regard to the Council's Local Development Scheme which indicates examination of the Plan in June 2022 and adoption of the Plan in December 2022 the following build trajectory is anticipated:

	21/22	22/23	23/24	25/26	27/28
Number of dwellings	Plan adopted December 2022	30	70	70	Remaining units - Site complete

From:	Ian Dickinson[redacted]
Sent time:	06/05/2022 14:15:10
To:	Planning Policy
Subject:	Consultation on the Core Strategy Review Publication Version (Reg 19)

Dear Sir or Madam,

Thank you for consulting the Canal & River Trust on the publication version of the Core Strategy Review.

I can advise that the Trust has no comment to make on the document.

Regards

Ian Dickinson MRTPI
[redacted]

Keep in touch
Sign up for the Canal & River Trust e-newsletter https://canalrivertrust.org.uk/newsletter
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Follow us on https://twitter.com/canalrivertrust and https://www.instagram.com/canalrivertrust

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Cadw mewn cysylltiad
Cofrestrwch i dderbyn e-gylchlythyr Glandŵwr Cymru https://canalrivertrust.org.uk/newsletter
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Mae'r e-bost hwn a'i atodiadau ar gyfer defnydd y derbynnydd bwriedig yn unig. Os nad chi yw derbynnydd bwriedig yr e-bost hwn a'i atodiadau, ni ddylech gymryd unrhyw gamau ar sail y cynnwys, ond yn hytrach dylech eu dileu heb eu copïo na'u hanfon ymlaen a rhoi gwybod i'r anfonwr eich bod wedi eu derbyn ar ddamwain. Mae unrhyw farn neu safbwynt a fynegir yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn a safbwyntiau Glandŵwr Cymru.

Mae Glandŵwr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestredig 1146792. Swyddfa gofrestredig: National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW.

From:	Ray Clayton [redacted]
Sent time:	06/05/2022 14:27:55
To:	Planning Policy
Subject:	Core Strategy Review
Attachments:	Raymond Clayton.docx

Dear Sir or Madam

Please find attached Core Strategy Review Representation relating to SGA26 Land North of Spondon AKA The Spondon Wood Site.

Would you please acknowledge receipt.
Many thanks
Yours faithfully

Janice Clayton

[redacted]

Sent from Mail for Windows

Raymond Clayton.docx

Janice Clayton
[redacted]

To The Erewash Borough Council Planning Department for submission to the Independent Planning Inspectorate.

Core Strategy Review Representation relating to SGA26 Land North of Spondon, AKA The Spondon Wood Site.

1 Erewash Borough Council has failed in its duty to co-operate with Derby City Council during the course of this consultation. No consultation was conducted prior to the Spondon Wood site being included in their proposals, and they declined a request to allow a 12 week consultation period for objections, insisting on a six week period. They also refused to engage with the Derby and Derbyshire Housing Strategy and to participate in Derby's Housing Management area, even though Erewash is in Derbyshire, preferring to engage with Nottingham.

I understand that the planning department at Derby City Council was only told of the proposal, relating to "land north of Spondon" approximately two weeks before the Erewash BC meeting in March 2021 but even then the actual location was not Identified.

Derby City Councillors were not allowed to speak at either the March 2021 or the March 2022 Erewash BC meeting.

2 This site was included at a late stage in the proceedings, and other communities were given more than a year longer to consult and consider the proposals. At the March 2021 Erewash BC meeting six weeks were given for Spondon residents to object to the proposals, this being in the middle of a pandemic, when no face to face meetings were allowed. These objections were to be considered for the next Erewash BC meeting in September 2021, but this meeting did not take place. I understand this was due to the fact that documentation had not been completed, presumably as result of problems caused by the pandemic. The meeting eventually took place in March 2022. Six months leeway given for the Erewash BC but no leeway for submitting Spondon's objections.

Properties in Spondon adjacent to the proposed Spondon Wood site obviously overlook the site, and many of the residents were keen to have their views aired and to have spoken to the Erewash BC at the meetings in March 2021 and March 2022, but they were not allowed. It appears that opinions of these residents and Spondon people in general are not worthy of consideration by the Erewash BC.

At the Erewash BC meeting in March 2022 an Erewash resident asked a question concerning the Spondon Wood site, but Councillor Powell, the person designated to give a response did not have one prepared and was instructed through the Chair to provide a written answer within the next 7 days. Another example that Spondon doesn't appear to matter to the Erewash BC (except for the services it may provide).

3 The Spondon Wood site is on green belt land. The Minister of State for Housing has stated that green belt land should only be used in exceptional circumstances. There are no exceptional circumstances in this case, as brown field sites and sites nearer to the Erewash community are available.

Following the unsuitability of a site proposed in Sawley, Locko Park Estates obviously recognised there was a possibility that permission may become available to build on this Spondon Wood site, which would result in significant financial benefits to the land owners and the developers, and so an approach was made to Erewash BC to advise that the piece of land was available. Erewash BC took the easy option, at this late stage, and included the site in their Core Strategy Plan. I understand that no efforts were made at this time to seek and investigate alternative sites. In the past the Erewash Planning Department have been renowned for their strictness in refusing permission to build on green belt land, and they certainly would not have given permission to build on this site. This is proven by the fact that when a number of residents, living adjacent to the site, bought a piece of land from Locko Estates to lengthen their gardens, Erewash Planning Department would not allow them to build anything at all on the plots they had purchased. The plots had to be retained as grassed areas.

The two members of Parliament interested in this matter are Mrs Pauline Latham Mid Derbyshire, and Mrs Maggie Throup Erewash, and both are vehemently opposed to any building on the green belt and have both communicated their views to Erewash BC. In a statement published in the Derby Telegraph on 25 February 2022 Mrs Throup said "I have taken every opportunity to make robust representation to the Borough Council, outlining my concerns about the proposed use of green belt for future housing. In particular I do not believe that Erewash, as a borough, has yet exhausted the potential use of brown field sites or the repurposing of existing buildings".

In relation to this matter it would appear that, in the main, the only people in favour of taking over green belt land are the members of the Conservative group on the Erewash Borough Council, as it provides them with an easy route to achieve their required housing quota.

4 The site is obviously within the boundary of Erewash but it is certainly not near to any Erewash community. There are other sites closer to Erewash residents which would prove much more beneficial for Erewash, both from a community and an economic point of view.

5 Sites previously proposed by Erewash BC have been abandoned because of their proximity to bordering communities e.g between Spondon and Borrowash, yet under this scheme the proposal is to build right up to the Derby City boundary.

6 The site itself consisting of farmland, hedges, ditches, protected oaks and a spinney with pond adjacent to Dale Road, is bordered by Spondon Wood and is a haven for an abundance of wild life including deer, bats, newts, hedgehogs, red listed birds such a lapwings, cuckoos, thrushes, tree sparrows and starlings, birds of prey including owls, buzzards and sparrow hawks and many more.

People who have viewed the site since this process began cannot believe there is a proposal to build on this land. The impact would be devastating.

7 The proposal is to build close to the very established Spondon Wood, categorized as ancient woodland, and this would prove very damaging to the flora and fauna therein. Disturbance from noise and light, vandalism on trees and woodland plants, such as bluebells, and predation by pets would all have a detrimental effect. Erewash BC are proposing to create a buffer zone next to the woodland, but this would be relatively small and give very little protection against the above dangers.

8 There are no Erewash facilities within the immediate vicinity of the site such as schools, general practitioners, dentists etc, and so the development of this site would have a detrimental impact on services available in Spondon. Spondon Park school numbers are already reaching capacity, and doctors surgeries and dental practices are also struggling with numbers.

Erewash BC have accepted, that the residents on this site, would be reliant, for the most part, on the services provided in Spondon/Derby.

9 The road network through Spondon is already inadequate. Up until the 1960s when traffic was relatively sparse, there were three exit routes to the south to gain access to Derby, now there is only one, being via Willowcroft Road. The roads during certain times of the day have now become “car parks”.

Currently a food production hub in is course of construction on the old Celanese site in Spondon, and is forecast to create 5,000 jobs. Inevitably a fairly significant number of this new workforce will use the A6096 through Spondon to gain access to the food hub site. Taking this into account, and the increased traffic generated from a Spondon Wood housing development,

the situation would become totally unacceptable, the village and Willowcroft Road becoming gridlocked for most of the day.

10 Linked with the above, air pollution is also a problem due to the heavy amount of traffic using the village and Willowcroft Road, and any increase would make the situation even worse.

11 There is only one access to this proposed site for vehicles, pedestrians and cyclists, being from the A6096. Taking account of the numbers expected on the development it would be seriously unsafe for traffic exiting onto a country road with a speed limit of 50mph.

12 At the Erewash BC meeting in March 2021 statements were made relating to "job creation" "improvements to infrastructure" and "increased footfall for shopping in Erewash". None of these statements could be applied to the development of this Spondon Wood site. It will increase the housing by a relatively small number and provide little or no benefits to the Erewash community as a whole. The only major boosts will be to the bank balances of the land owners and the developers, together with a relatively small increase in council tax, payable to Erewash BC.

13 To conclude I would advise that the minimal communication and consultation, and the devious underhand manner in which the Erewash BC has conducted this matter, has left some members of the Spondon community, including myself, wondering as to whether the result of the processes carried out to date, in relation to the Spondon Wood site, was in fact a fait accompli.

Please visit the site, it has to be seen to be really appreciated.

Janice Clayton.

Email [redacted]

From: [redacted]
Sent time: 06/05/2022 14:45:54
To: Planning Policy
Subject: E B Council's Core Strategy Review Document.

Re; Spondon Woods **SGA 26** Mr Roger P Riches, [redacted]

I would like to make representation to EBC regarding the inclusion of SGA 26 into the core strategy review now out for consultation and if possible for this representation to be forwarded to the Secretary of State.

The inclusion of the land at SGA 26 in this process has been rather a knee jerk reaction on the council's behalf.

I as a Spondon resident was not allowed to ask questions at the council meeting due to the EBC constitution and I understand that the Planning Department at DCC was only told of 'land north of Spondon' a couple of weeks before the meeting and not it's actual location. This is very poor consultation and total disregard to Spondon residents.

It is the Government's 'Duty to Cooperate' that governs the discussions between neighbouring authorities to ensure there is joined up thinking to delivering new housing with the right facilities and in the right place. There was, however, no discussion or joined up thinking behind the proposed allocation of housing sites in Erewash, immediately on the city boundary. EBC are still obliged to meet the Duty to Cooperate with their neighbours' and not just dump some housing on their borders to meet their own needs. Green Belt should only be changed through plan making, through a considered and evidenced process which includes talking to your neighbours under the Duty to Cooperate.

EBC unilaterally charged forward with a last minute bolt on addition of Site SGA 26 just north of Spondon without due consideration of residents out of EBC Boundaries. Even in the subsequent report to Council on 3rd of March 2022, over 700 objections from non EBC residents were summarily dismissed and a member of the public who asked a question of the Council in accordance with the constitution was not even given an answer on the night.

The Minister of State for Housing has stated that green belt should only be used in exceptional circumstances. What exceptional circumstances are there that makes SGA26 acceptable, when it won't even meet the needs of Erewash residents?

Development of SGA 26 will have a detrimental impact on Spondon and Derby. EBC will collect the council tax from any properties developed. However, it will be Spondon and Derby who will have to provide school places, GP and dental services and the upkeep of roads that will be affected by an increase in the volume of traffic.

There are only a few routes out of Spondon and the main one is down through the village, down Williocroft Road and along Nottingham Road to the A52. This area already has a high level of air pollution and adding a 240 house residential development to the area will increase the air pollution and affect the health and wellbeing of Spondon residents.

SGA 26 site is home to a herd of fallow deer, these deer are both locally and historically important to Derby. This will be threatened by development. The site is also home to lapwing birds, bats and dormice all of which are protected. What ecological impact surveys were completed before bolting on SGA 26 to this consultation?

Bordering SGA 26 is Spondon Wood. This is, according to DEFRA, an Ancient woodland and as such are sited in national planning policy as important. Nearby development can also have an indirect impact on ancient woodland and the species they support. These can include:

breaking up or destroying connections between woodlands and ancient or veteran trees

reducing the amount of semi-natural habitats next to ancient woodland

increasing the amount of pollution, including dust

increasing disturbance to wildlife from additional traffic and visitors

increasing light or air pollution

increasing damaging activities like fly-tipping and the impact of domestic pets

changing the landscape character of the area

All that the consultation says is that an ‘adequate buffer zone’ will protect the wood. What guarantees are there?

Can the planning department show what assessments have been done on this Ancient woodland that would show that none of the impacts above would happen if a development were to go ahead?

Yours Sincerely

Roger P Riches.

Sent from Mail for Windows

From:	[redacted]
Sent time:	06/05/2022 14:27:20
To:	Planning Policy
Cc:	[redacted]
Subject:	Erewash Core Strategy Review - Representations on behalf of GLP
Attachments:	220504 Erewash CS Review Reg 19 - GLP_FINAL.pdf

Dear Sir/ Madam,

Please find attached representations on the Regulation 19 draft Core Strategy Review, on behalf of our client, GLP.

As requested we have also completed an online form, and these representations provide further details as indicated.

We should be grateful for confirmation of receipt, and look forward to receiving updates on the progress of the Core Strategy in due course.

Kind regards,

[redacted]

[redacted]

[redacted]

220504 Erewash CS Review Reg 19 - GLP_FINAL.pdf

[redacted]

APRIL 2022

Erewash Borough Council Proposed Core Strategy Review

Representations on Publication Version (Regulation 19)

[redacted]

GLP

April 2022

[redacted]

ON BEHALF OF GLP

Erewash Borough Council Proposed Core Strategy Review

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1. INTRODUCTION

1.1 On behalf of our client, GLP, we hereby provide our comments on the Publication Version (Regulation 19) of the Erewash Borough Council Proposed Core Strategy Review. These follow previous representations submitted by Savills on the Regulation 18 consultation in May 2021.

1.2 Our client has a commercial interest in the land to the southwest of Junction 25 of the M1, as identified in the enclosed plan at Appendix 1. The site extends to approximately 31 ha and is bounded by the M1 to the east, the A52 (Brian Clough Way) to the north, and a strip of agricultural land with Longmore Lane beyond to south.

1.3 The site is in single ownership and currently in agricultural use, with existing farm buildings and infrastructure located adjacent to the M1 and accessed via a bridge over the motorway from Bostocks Lane. The urban area of Sandiacre/ Long Eaton is located immediately to the east, on the opposite side of the M1, with Risley to the north and Breaston to the south.

1.4 The site is relatively flat and unconstrained, and is available and suitable for development. The site is currently designated as Green Belt however given the significant economic need for additional employment land (particularly for strategic logistics uses) GLP consider that the site can be appropriately released through the Local Plan process, and that this site represents a key location to serve this significant need.

1.5 In this context, we set out below our comments on the draft Core Strategy Review document published by the Council, and our proposed amendments to ensure the forthcoming Plan is sound and legally compliant.

2. REPRESENTATIONS ON THE CORE STRATEGY REVIEW (PUBLICATION VERSION)

2.1 Whilst the Regulation 19 consultation document does not explicitly explain the scope and role of the Core Strategy Review in relation to adopted planning policy in Erewash, we understand that the Review is intended to comprise a partial review of the Erewash Core Strategy adopted in 2014.

2.2 We understand that the Strategic Policies set out in the Review are intended to replace the corresponding policies in the adopted Core Strategy, and we note the reference to the plan period being extended to cover the period 2022-2037.

2.3 We provide our comments below on behalf of GLP on this basis.

Strategic Policy 2 – Employment

Amendments to Adopted Policy

2.4 Policy 4 of the adopted 2014 Core Strategy deals with employment matters, identifying a requirement to deliver at least 42,900 sqm of new office/ research & development floorspace (including a new 10 ha business park at the Stanton Regeneration Site), and at least 10 ha of new industrial and warehouse space (to be delivered predominantly at the Stanton Regeneration Site). The supporting text to the policy identifies a need to deliver sufficient employment growth to balance the level of out-commuting to surrounding areas, and to address localised pockets of significant unemployment and worklessness, in order to achieve sustainable economic growth.

2.5 Policy 20 of the adopted Core Strategy identifies the Stanton Regeneration Site allocation, including approximately 2,000 homes, a 10 ha business park, and at least a further 10 ha of land for 'general industry'. The supporting text to the policy explains that the brownfield site has been allocated for employment uses since 1994 but proposals failed to materialise. The introduction of residential uses was intended to boost the prospects of the site being delivered, albeit paragraph 3.21.3 of the supporting text acknowledges that given the significant land reclamation, remediation and infrastructure required, it would be a long term development proposal.

2.6 Strategic Policy 2 of the draft Core Strategy Review seeks to update the adopted employment policies by allocating at least 40 ha of land at Stanton North for B2 and B8 uses (increased from 10 ha), in addition to protecting existing employment sites. The supporting text to the policy explains that the provision of 40 ha originates from an assessment of need set out in the 2021 Employment Land Need Study.

2.7 Policy 2.1 goes on to provide further details of the employment allocation at Stanton North, indicating that overall an 80 ha site is identified for strategic employment development, with the supporting text clarifying that 55 ha of employment land is expected to be delivered in total across the 80 ha site.

2.8 Whilst there is some potential confusion in the policy wording as to whether 40, 55 or 80 ha of land is allocated at Stanton North for B2 and B8 uses, the intention is clearly to continue the adopted Core Strategy's focus on the single, large allocation on this brownfield site, and to increase the scale of the allocation from the 10 ha of industrial land identified in the 2014 policy.

Scale of Economic Need

2.9 Draft Strategic Policy 2 of the Core Strategy Review suggests there is a need for at least an additional 40 hectares of industrial (B2/ B8) land over the plan period (2022-37). This is based on the findings of the 2021 Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, which indicates a need for approximately 25-40 ha of industrial land (gross) over the period 2018-38, having regard to the Experian/ Labour Supply Range and Past Take Up Scenario. However, for the reasons set out below, we consider that the scale of need for industrial land in Erewash is in fact significantly higher than 40 ha.

2.10 Section 9 of the 2021 Nottingham HMA Employment Land Needs Study acknowledges the particular difficulties in forecasting the need for strategic B8 distribution floorspace, given the significant recent increases in demand, and the fact that limited past supply would skew any projections based on past delivery rates. As a result, it recommends (at paragraph 9.32) a further strategic study to quantify the scale of the B8 logistics need across the Core/Outer HMA. The authors of the report recommend that the main focus of this study should be along the M1 corridor and A-roads near motorway junctions. It is therefore clear that the scale of need for strategic B8 development has not been comprehensively assessed in the evidence base produced to date, and that further work is required to quantify the full scale of employment need in the HMA, and thus in Erewash. The 2021 study is therefore likely to significantly underestimate the scale of employment need in the borough.

2.11 Analysis prepared by GLP set out in Appendix 2 explains how Erewash is located in a strategically important position from a regional and national perspective in terms of large scale logistics development. Erewash sits at the heart of the Nottingham and Derby city labour market catchment, and there is strong operator demand for large scale logistics in the area, noting the good access to the strategic road network.

2.12 GLP's analysis points to a critical level of market failure, with very low vacancy rates and high demand, compared with limited supply. This indicates a need for 543 – 914 ha for big box logistics (typically warehouse units exceeding 9,000 sqm) within the 5km-15km Nottinghamshire M1 Property Market Area. Whilst this will not all be delivered in Erewash, the borough has a key role to play in delivering additional logistics development. In this context, the existing 25 ha in the borough and the

additional 40-55 ha identified in the draft Core Strategy Review are important elements of future supply, but it is clear that significantly more land is required to keep pace with identified needs.

2.13 Accordingly, we consider that the Core Strategy Review significantly underestimates the full employment need for the borough, particularly having regard to the need for big box logistics development in this regionally and nationally important location. As such, the 40-55 ha identified at draft Strategic Policy 2 is significantly below the full, objectively assessed need for Erewash. We therefore consider that the policy cannot be sound as it is not based on an appropriate evidence base detailing the full, objectively assessed needs of the borough. We encourage the Council to undertake a more detailed assessment of employment need having regard to the factors highlighted in GLP's analysis included at Appendix 2, leading to a more comprehensive review of the 2014 Core Strategy, which was adopted in a significantly different economic context.

Supply of Employment Land

Scale of Supply

2.14 Having regard to the above, we consider that the overall quantum of industrial land being planned for in the Core Strategy Review, as set out in Strategic Policy 2, is significantly below the level of need and consequently the strategy is not positively prepared, as it does not seek to meet the area's objectively assessed needs as required by paragraph 35 of the National Planning Policy Framework (NPPF).

2.15 Accordingly, the supply of employment land (particularly for big box logistics) will need to be increased in order to ensure the OAN is met in full. Paragraph 81 of the NPPF indicates that significant weight should be placed on the need to support economic growth and productivity, and the Planning Practice Guidance[1] notes that the logistics sector in particular plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities. A failure to meet identified needs will consequently have significant negative economic consequences for the borough and the region and will fail to deliver sustainable development.

2.16 We therefore disagree with the Council's assessment of the Core Strategy Review's economic strategy in the Sustainability Appraisal, which identifies the preferred option as resulting in 'major positive' effects in terms of providing the required infrastructure and land and buildings required by businesses. In our view this presents an unduly positive assessment, given the overall quantum of employment land provided will not meet the full OAN for employment land, which will in fact have adverse economic impacts in terms of failing to deliver the economic growth, space for businesses and jobs required. The Sustainability Appraisal's assessment of the options has been fundamentally

[1] Paragraph 031, Reference ID: 2a-031-20190722

flawed by an under-estimation of the amount of employment land needed, and thus the benefits of the proposed strategy in terms of the supply of employment land have been overstated.

2.17 This flawed assumption in terms of the scale of the need and assumed benefits of the proposed strategy has led to a review of the adopted 2014 Core Strategy which is too limited in its scope, with the Council essentially identifying additional capacity at an existing long-term allocation which has yet to be delivered. The scale of the need identified by GLP indicates a pressing need to significantly expand the scope of the Core Strategy Review, and consider the potential to urgently deliver significantly more employment land across the borough (particularly in the key strategically important locations such as the M1 corridor).

2.18 As part of this more comprehensive review of the 2014 strategy, it will be important to work collaboratively with neighbouring authorities to identify the level of need in the wider region, and to ensure Erewash plays its part in meeting wider needs (including the need for 543 – 914 ha of big box logistics within the 5km-15km Nottinghamshire M1 Property Market Area). This is essential in order to ensure compliance with the Duty to Cooperate. In this regard, we note that the Council has not published any evidence regarding any constructive, active and ongoing engagement with neighbouring authorities as required by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended).

2.19 Accordingly, there is no evidence available at the current time to demonstrate that the Duty to Cooperate has been complied with and the relevant legal tests have been met. This requirement cannot be retrospectively remedied following submission of a Plan for examination, and thus we encourage the Council to publish all relevant evidence in advance of the submission of the Plan, demonstrating how the Duty to Cooperate has been fully complied with and how effective cooperation has informed the Core Strategy Review from the start of its preparation. Any additional unmet needs identified through this process will also need to be factored into the level of supply being planned for by the Core Strategy Review.

Reliance on Stanton North

2.20 In addition to the overall supply position failing to meet objectively assessed needs, we consider that the strategy set out by the Council in Policy 2 is overly reliant on a single, large allocation at Stanton North.

2.21 As noted above, this site has been allocated since 1994 for employment development, and has been identified in three Local Plans (1994, 2005 and 2014) and a site-specific SPD (2017). The same broad area is now allocated for development in the draft Core Strategy Review, with the northern part of the site now specifically identified for employment development, and the southern portion identified as a strategic housing allocation.

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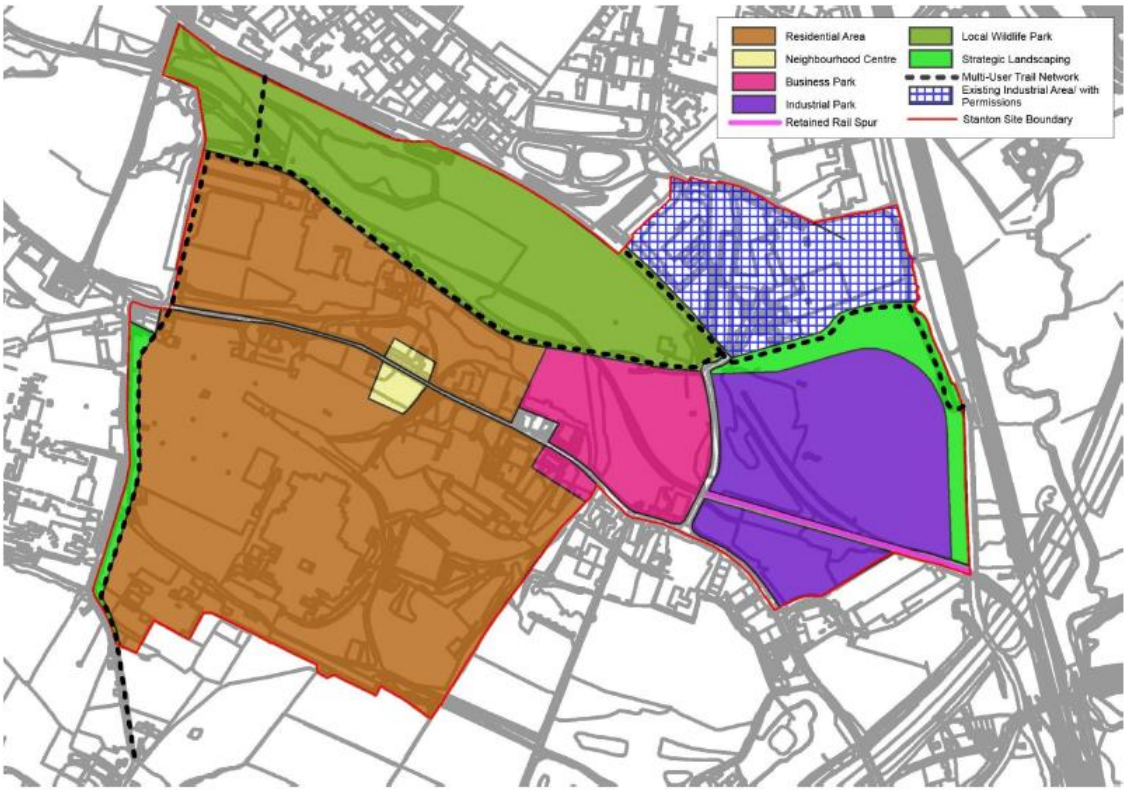
2.22 The indicative masterplan for the site set out in Plan 1 of the 2017 Stanton Regeneration Site SPD (extracted below for reference) indicated that the industrial area would be located in the northeastern corner of the site, with a business park towards the centre. A large local wildlife park would provide a buffer between the business park/ residential development and the Quarry Hill Industrial Estate to the north, reflecting the areas of water and vegetation covering this part of the site.



2.23 The Strategic Growth Area Assessment (which forms the main part of the Council's evidence base) provides a high-level assessment of the relevant constraints affecting the site, but no evidence is provided to explain how the anticipated capacity of the updated allocation set out in draft Strategic Policy 2.1 has been calculated. There is consequently a lack of evidence supporting the draft Core Strategy Review to demonstrate the robustness of the allocation and the deliverability of the site, and how the assumptions underpinning the 2017 SPD have been amended.

2.24 As a result, we consider that there is a lack of evidence to demonstrate that the policy is effective or justified, having regard to the requirements of paragraph 35 of the NPPF, as the Council has not demonstrated how the anticipated supply would be delivered during the Plan period, or detailed what the assumptions in the policy are based on.

2.25 The 2021 Nottingham Employment Land Needs Study notes that approximately 85 ha of the site was acquired by Verdant Regeneration Ltd in December 2020. A hybrid planning application was subsequently submitted by the new owners in November 2021 for the redevelopment of the site to provide up to 261,471 sqm of employment floorspace (comprising a mix of Class Eg (iii) (Industrial

Processes), B2 (General Industrial) and B8 (Storage & Distribution). The application seeks detailed consent for the vehicular access, infrastructure and remediation works, with outline consent for the demolition of existing structures and erection of new employment floorspace. The application site covers an area of 78 ha, and is broadly consistent with the draft allocation identified in the Proposed Policies Map accompanying the Core Strategy Review. The submitted Planning Statement indicates that a total of 51 ha would be developed for employment uses.

2.26 The current planning application suggests an intention to finally bring forward development of the employment element of the allocation, although we note that the application is currently awaiting determination and it is unclear whether the Council and all relevant consultees consider that the development proposals are acceptable at this stage. It is noted that the current application proposals include industrial development on part of the site identified for residential development in the 2017 SPD, contrary to adopted policy.

2.27 Notwithstanding, the reliance on a single, large allocation includes a significant degree of risk in terms of delivery of the borough's employment land supply, as the strategy set out in draft Strategic Policy 2 is wholly reliant on Stanton North to deliver a range of industrial/ warehouse development to help meet identified needs and satisfy the requirements of occupiers. The risk of disruption to plan making from relying on a large allocation was seen recently in Bassetlaw District, where the Council was required to review its proposed strategy following the withdrawal of landowner support for a proposed garden village to the southwest of Retford.

2.28 The reliance on one site may also affect delivery rates, both in terms of the time required to build out the site and the lack of competition from other sites in the market. The rate of delivery is a particularly critical issue given the significant shortage and urgent need for strategic scale logistics developments in the area.

2.29 The Stanton North site also does not have the locational advantage of other sites in terms of accessibility to the strategic road network, being located some distance from the nearest junction with the M1 (Junction 25), and with no plans to deliver a new junction as part of the current application proposals. The access to the motorway is convoluted and is therefore a less attractive location to serve strategic logistics needs than alternative sites in the borough. This raises the question as to what extent this site will help to meet the needs of this sector, which the 2021 Employment Land Needs Study highlighted as a key element in the overall employment needs for Nottinghamshire. The proximity of the employment element of the allocation to residential development may also be a key influencing factor on the nature of employment uses that come forward on this site.

2.30 As a result of the above, notwithstanding the failure of the Core Strategy Review to plan for the full objectively assessed employment needs of the borough, we also consider that the strategy set out in Strategic Policy 2 is overly reliant on a single, large allocation which has not been adequately

supported in terms of the Council's evidence base and which presents notable risks to the delivery of employment land to meet the needs identified in the policy.

Identifying Additional Supply

2.31 Having regard to the issues identified in relation to draft Strategic Policy 2, there is a clear and urgent need to identify additional sites that are capable of delivering sustainable economic growth within the borough. In this context, and noting in particular the pressing need for strategic logistics development acknowledged in the 2021 Employment Land Needs Study and further detailed in the GLP assessment at Appendix 2, Junction 25 is the most logical location for an additional employment allocation.

2.32 As explained in GLP's assessment, whilst there has been significant development at Junctions 24/24a, 27 and 28 of the M1, Junction 25 stands out as having received essentially no logistics development. This is despite it being identified as one of the most prime business locations on the M1 in the East Midlands and within the Golden Triangle, having regard to the availability of labour, where operators wish to locate, and accessibility to the strategic road network. Junction 25 lies at the heart of the Nottingham and Derby city labour market catchment, and within the core area of search for operators, whilst benefitting from convenient access to the M1.

2.33 Paragraph 83 of the NPPF emphasises the need to address specific locational requirements of different sectors, including large storage and distribution operations at a variety of scales and in suitably accessible locations. The 2021 Employment Land Needs Study clearly recommends that a study should be undertaken to examine the need for further strategic B8 development in the region, and that potential sites should be assessed in order to assess their suitability to accommodate future growth in this sector. The study suggests (at paragraph 9.32) that the focus of this exercise should be along the M1 Corridor and A-roads near to motorway junctions, and paragraph 9.30 specifically identifies Junction 25 of the M1 as one such location in the study area. In this context, the land identified by GLP adjacent to Junction 25 of the M1 provides a particularly suitable and sustainable location to ensure the Core Strategy complies with the requirements of the NPPF and delivers sufficient space in appropriate locations to meet the specific locational requirements of big box logistics operators, as advocated by the 2021 Employment Land Needs Study.

2.34 We are concerned that the Council has not adequately assessed this site as a development option, despite the landowners identifying its potential in response to previous consultation on the emerging Core Strategy Review (and despite Junction 25 being identified in the evidence base as a key location). Development of this 31 ha parcel to the southwest of the M1 junction was not identified as an option within the Strategic Growth Area Assessment or the Sustainability Appraisal, and as discussed above the Council's assessment of the strategic growth options was based on a flawed assumption regarding the overall level of employment need.

2.35 We consider that it is necessary for the scope of the Core Strategy Review to be extended to consider the potential for additional employment sites to be allocated to ensure the full employment needs of the borough (and any unmet needs from elsewhere) are met. This should include an appropriate evidence base to support the new Plan, including an assessment of the function of Green Belt parcels and consideration of Exceptional Circumstances for Green Belt release in the context of an acute need, alongside supporting evidence on matters such as highways and other key strategic issues. A key part of this evidence will also be the strategic B8 study recommended in the 2021 Employment Land Needs Study. In order to ensure the new Plan is justified in accordance with paragraph 35 of the NPPF, we consider that it is necessary for the Council to undertake this additional evidence gathering and to assess a broader range of options in an updated Sustainability Appraisal, which takes account of the full OAN for employment land.

2.36 GLP would be pleased to work constructively with the Council to provide relevant inputs to this process. Initial technical work has been undertaken in relation to the land southwest of Junction 25, in order to demonstrate the suitability and deliverability of the site for strategic scale logistics development. GLP are therefore confident that the site can be appropriately developed and that key issues such as Green Belt, transport, landscape and visual matters and ecology can be addressed. The site is relatively unconstrained, is available for development now, and can make a significant contribution to the early supply of employment land following adoption of the new Plan.

Summary and Proposed Amendments

2.37 On behalf of GLP, we object to Strategic Policy 2 as currently drafted, as we do not consider it is sound, having regard to the requirements of paragraph 35 of the NPPF.

2.38 We have set out how the policy does not appropriately identify the full scale of employment needs for the borough and is not based on sufficient evidence. As such, in our assessment the policy is not justified. In particular, Policy 2 does not take into account the significant additional need for strategic logistics development given the borough's key location within the wider region and nationally. We note that the 2021 Employment Land Needs Study recommends that further work is required in this regard, which has not yet been undertaken and has not informed the content of the current consultation document.

2.39 In addition, the Council has not published any evidence relating to its cooperation with neighbouring authorities, and thus it is unclear whether the Duty to Cooperate has been complied with, and whether any additional unmet need from other authorities needs to be accounted for in the overall employment land requirement. Given the lack of evidence on this issue, it is not clear whether the Core Strategy Review is legally compliant, and we do not consider that the Plan is effective in terms of being based on joint working.

2.40 As a result of the understating of the employment need, the supply of employment land identified in draft Strategic Policy 2 is not sufficient to meet the full employment needs of the borough, and is therefore not positively prepared. Meanwhile the reliance on a single, large strategic site for new development places significant risk of the delivery of employment land, and we have highlighted concerns regarding the suitability of this single site to qualitatively meet the full employment needs of Erewash. We therefore consider that the policy is not effective as currently drafted.

2.41 The Council's reliance on adding additional capacity to an existing allocation has resulted in a lack of comprehensive evidence being prepared to assess alternative options, and in our view the scope of the Core Strategy Review needs to be significantly expanded to consider the full potential of additional sites to deliver employment growth and the benefits of doing so. This is necessary in order to ensure the policy and the Plan overall is justified.

2.42 In this context, the land southwest of Junction 25 of the M1 provides a highly suitable and logical location for employment growth, which will serve the key locational requirements of big box logistics operators.

2.43 Accordingly, in order to address the soundness issues identified and make the Plan sound, we consider that the Council should undertake a more comprehensive review of the 2014 Core Strategy to reflect the markedly different economic context, and to allocate the land southwest of Junction 25 of the M1 for strategic B8 development.

3. SUMMARY AND CONCLUSIONS

3.1 This document sets out our comments on the on the Publication Version (Regulation 19) of the Erewash Borough Council Proposed Core Strategy Review and associated evidence base, on behalf of GLP.

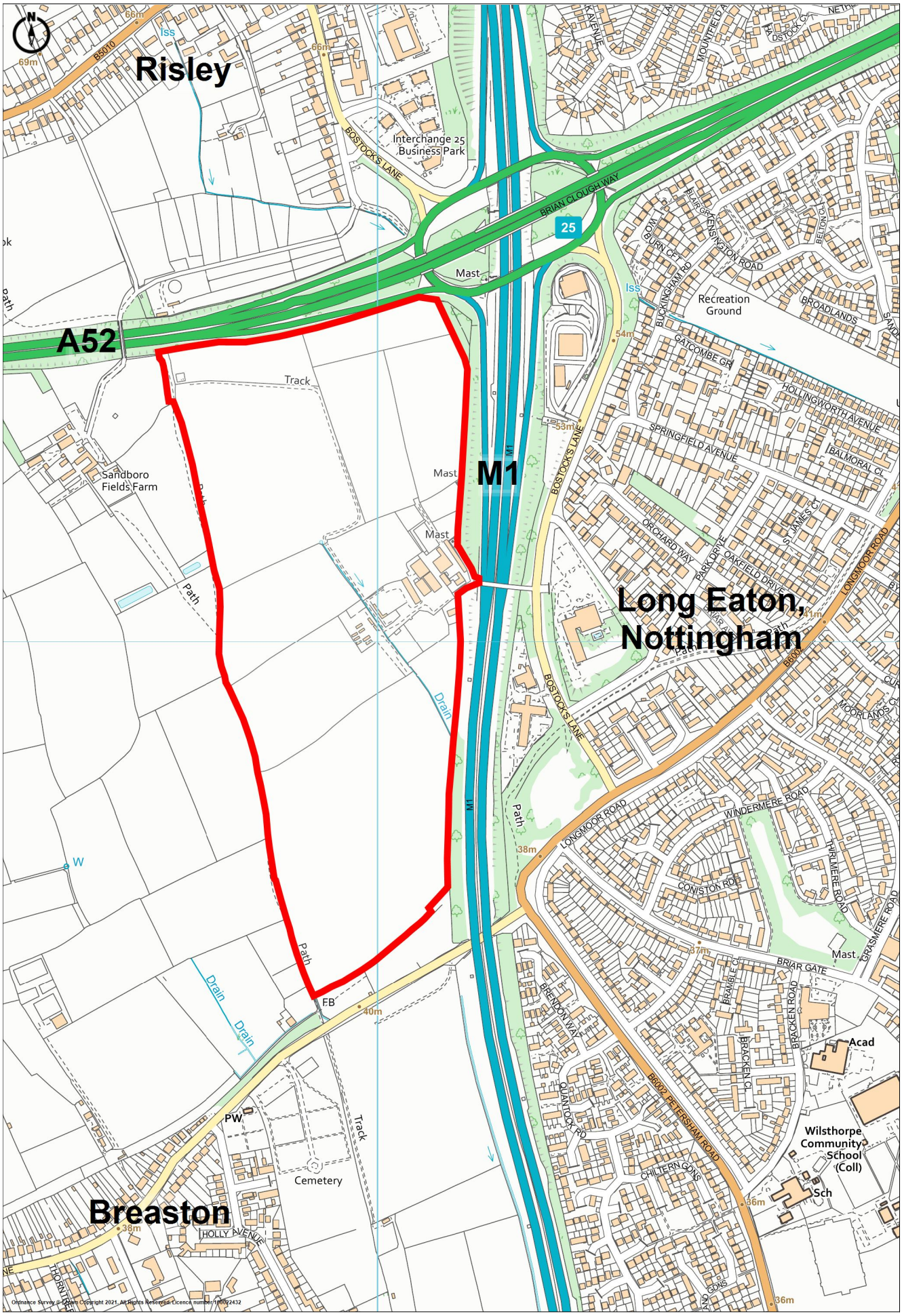
3.2 In particular, we have highlighted our objection to Strategic Policy 2, which we consider is not sound for the reasons discussed. In addition, we have identified our concerns that the Plan does not currently meet the Duty to Cooperate, and this will need to be rectified prior to submission of the Plan for examination.

3.3 Fundamentally, the soundness issues we have identified result from a failure of the Plan to meet the objectively assessed employment need for Erewash. Accordingly, we consider that a more comprehensive review of the Core Strategy is required, with additional employment land required for strategic growth in suitable locations. Additional land is available and suitable for development which can come forward to meet the borough's objectively assessed needs, including the land at Junction 25 of the M1.

3.4 In order to make the Plan sound, we consider that the employment strategy should be amended at Strategic Policy 2, and the supply of employment land increased to ensure the identified need is met as a minimum, and that additional sites are allocated to address the current shortfall, based on a more comprehensive review of the Core Strategy and a robust site selection/ Green Belt review methodology. Following this process, we consider that the land southwest of Junction 25 of the M1 should be allocated for strategic employment development.

3.5 We trust the Council will take these points into account prior to submission of the Plan for examination, and we would welcome the opportunity to work collaboratively with the Council to address the soundness issues identified. Should these objections remain unresolved following submission of the Plan, we respectfully request that GLP are given the opportunity to discuss these matters further at the Examination Hearing Sessions.

A1. LOCATION PLAN



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LANDMARK INFORMATION

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A2. GLP ECONOMIC ANALYSIS

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GLP UK Management
[redacted]
www.glp.com/eu

Assessment of Logistics Property Market Dynamics

Erewash Borough

April 2022

Registered in the United Kingdom under Company No: 11065864
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1. INTRODUCTION

1.1 This report has been commissioned to consider the evidence and logistics property market dynamics in the Erewash area to inform policy and plan making in respect of land at J25 of the M1. The key considerations are:

- Relevant local policy and evidence
- The current key issues in the industrial and logistics sector
- Property market indicators across the sector at the national and regional level
- The relevant logistics market area for considering planning for logistics along the Erewash M1

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2. POLICY AND EVIDENCE CONTEXT

2.1 This section considers the emerging Erewash Core Strategy Review and its supporting evidence in relation to employment matters. At the time of writing the Erewash Employment Land Survey 2018 is not available for review. The main evidence is understood to relate to the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study 2021, considered below.

Local Plan Reg 19

2.2 The Core Strategy Review Policy Document under 'Strategic Policy 2 – Employment' identifies Providing at least 40 hectares of high-quality employment development at Stanton North to meet the identified needs for new and relocating industrial and warehousing/logistics uses (use classes B2 and B8)… The provision for 40 hectares of high-quality employment uses at Stanton North originates from work undertaken by the 2021 Employment Land Need Study.

2.3 Under Strategic Policy 2.1 – Stanton North, it is stated that *this 80ha site is expected to deliver up to 55ha of employment land, which is more than adequate to meet the assessed needs of the Borough. The rest of the site is needed to contribute towards transport and green infrastructure priorities.*

Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study 2021

2.4 The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study was released in May 2021[1]. Key points concerning Erewash are as follows:

2.5 Based on the analysis of various scenarios, the gross industrial land requirements are comprised between **24.99 ha and 40.16 ha** land over 20 years.

2.6 *Of the 16 strategic employment sites Lichfields appraised as part of this study, only two had any available land that could come forward for employment use. (…) The inclusion of these two small plots of land would*

[1] Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, 2021. Available at: https://www.ashfield.gov.uk/media/os3nteda/nottingham-core-hma-and-nottingham-outer-hma-employment-land-needs-study-2021.pdf

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increase the supply only marginally, from 13.89 ha of industrial/warehousing land, to 14.53 ha, still well below the level of land needed.

2.7 As argued by Lichfields, *'the provision of industrial land, which appears insufficient even to meet the lowest (labour supply 2014-based SNPP) scenario, of 24.99 ha. At the upper end of the range, both the Regeneration and Past Take-up Scenarios suggest that there could be a shortfall in the order of around 26 ha (40 ha higher scenario for demand – 14 ha total supply identified).*

2.8 *The 85 ha Stanton Regeneration site may have a significant role to play in radically addressing this shortfall, depending on the intentions of the new owners. (...) it is likely that following the recent acquisition by Verdant Regeneration Ltd. of approximately half of the wider site, a proportion of the land is likely to be utilised as a waste recycling facility. It may also have a role to play in meeting wider needs over and above Erewash's own requirements, which would be a policy choice for Erewash to take and one to be agreed with other districts in the Core HMA."*

2.9 The report also states in regards to logistics needs that: 'stakeholders were of the opinion that employment growth across Greater Nottingham has been limited by lack of available sites over the past decade and that studies forecasting need based purely on past trends, will significantly underestimate the scale of demand. Agents were confident that there is capacity in the market for **one, or even two, large regional distribution centres at these key M1 junctions** and that at current levels of demand, two such schemes would be at capacity within a decade.' The importance of this assertion cannot be underestimated in light of the proposed development at J25 M1 and also in terms of whether the Core Strategy Review is meeting its Planning Practice Guidance compliant requirements.

2.10 The report goes on state that sites should follow a series of criteria including those listed below[2]:

- *"Immediate proximity to a junction on the Strategic Road Network, preferably a Motorway along the central spine of the country; For larger National Distribution Centres, proximity to a Strategic Rail Freight Interchange / Ports and/or Airports can be an important consideration;*

- *Avoiding areas of saturation of supply, in terms of existing competing facilities, but also of labour force, to avoid situations where unemployment rates are very low and labour likely to be too expensive/difficult to employ;*

[2] Paragraph 9.28, page 195

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- *Readily accessible, and suitably skilled, labour supply – generally there is a c. 30-minute maximum drive time that workers are willing to make to these types of facilities;*

- *Close proximity to a major urban area, to ensure that occupiers can access graduates from Higher Education facilities and ensure there is a large labour supply with a broad mix of skills. Proximity to these urban areas is also vital to link in with last mile depots and enable next day delivery for ecommerce"*

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3. UNDERSTANDING THE INDUSTRIAL AND LOGISTICS SECTOR

3.1 The most recent and comprehensive report on the industrial and logistics sector in the British Property Federation's (BPF) Levelling Up Logistics 2022.

BPF Levelling Up Logistics

3.2 The BPF's report aims to *'demonstrate the wider economic, social and environmental benefits of the industrial & logistics sector'*, which supports 3.8 million jobs in England, £232 billion GVA and a forecast increased productivity of 29% by 2039.

3.3 It highlights the importance of industrial and logistics facilities as **critical national infrastructure**: *'Alongside their supply chains, they support the functioning of our economy and the way we live our lives, by ensuring we have what we need. They are as critical as the roads, rail, airport and port facilities needed to move goods around the country.'*

3.4 Many **demand drivers** are influencing the growth of industrial and logistics facilities, leading to unprecedented demand in the sector. As seen in the diagram below, macro-trends following Brexit and the pandemic are shaping the logistics landscape, namely stockpiling and near-shoring / re-shoring. On top of this, market trends such as online sales, data centres, and robotics are changing the demand profile for strategic warehousing.

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Figure 3.1 I&L growth drivers

Source: BPF/Savills, 2021

3.5 The report also draws attention to continuing **misconceptions about average pay** and skills level in the sector, which are proven to be higher than the average across all industry, and increasingly becoming more diverse in terms of skills.

3.6 Occupations are becoming more diverse, as seen in the chart below, with a higher share of professional occupations, and associate professional and technical roles, linked to higher-skilled requirements in engineering and technological professions associated with managerial functions and servicing of automation facilities, as well as back of house online operations.

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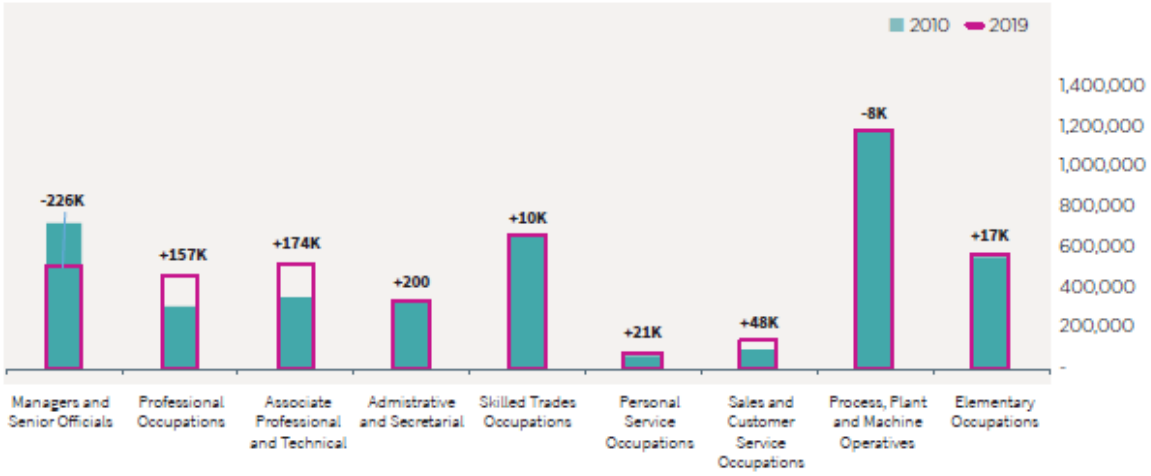
Figure 3.2 I&L occupations are becoming more diverse



Source: ONS, APS & Savills analysis

3.7 Co-locating different business functions is increasingly becoming the norm, gathering traditional roles such as factory / warehouse managers, forklift operators and delivery drivers with new roles such as software engineers in charge of automated systems, supply chain managers and data analysts.

3.8 In terms of planning, the report sets out that '*the UK planning system is restricting growth in the I&L sector by not allocating enough land in the right locations (...) and that the historic lack of supply has restricted ('suppressed') demand by 29% nationally, which should be provided for in the future. Future demand estimates should also consider housing, e-commerce and freight growth.'*

3.9 The report highlights the benefit of the sector in delivering units in areas of deprivation and thus helping to deliver regeneration objectives, as below.

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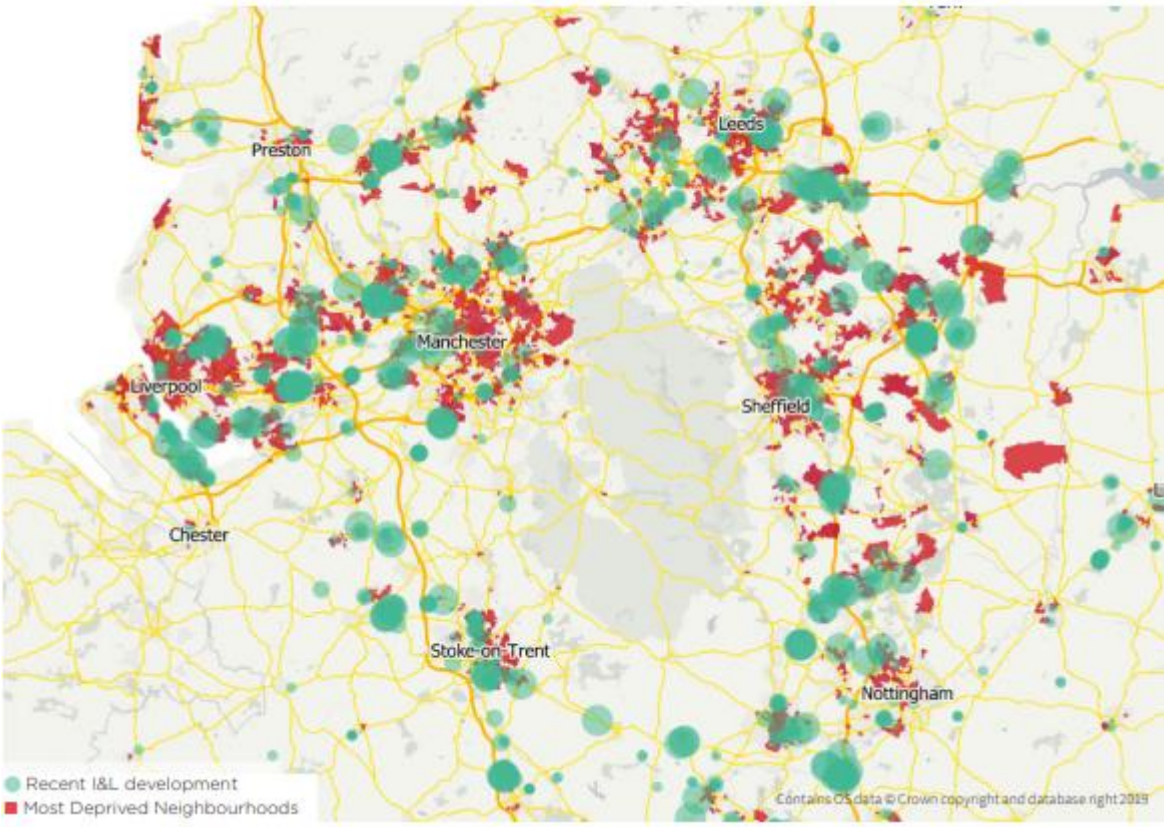
Figure 3.3 Recent industrial & logistics development & deprivation



Source: BPF/Savills, 2021

3.10 The paper introduces a new methodology to address the supply/demand imbalance in the logistics sector. The methodology is based on the principle of 'suppressed demand' (i.e. accounting for demand that has been lost due to supply shortages). The following steps are included in the methodology:

- Projecting forward historic demand (net absorption) as the principle indicator)
- Adding suppressed demand to historic trend: in other words, combining historic demand and demand that has not been addressed
- In terms of suppressed demand, finding a market equilibrium: broadly estimated at 8% of availability (rounded from 7.5%), identifying years when available floorspace was below the equilibrium rate, and calculating suppressed demand: that is translating low availability rate into a floorspace figure.

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3.11 As a whole, this methodology is expected to better provide and allow for to planning for the right level of strategic warehousing, meeting the needs of the sector and ensuring that logistics facilities don't fall behind overall customer demand.

3.12 The analysis in the report includes testing suppressed demand in the Nottingham/M1 area, which is estimated to have 28% of suppressed demand for industrial & logistics historically.

3.13 Key recommendations from the report include:

- *Introducing a Presumption in Favour of Logistics Development within the NPPG when precise criteria are met, such as:*
    - *Easy access and proximity to the strategic highway network.*
    - *Ability to provide effective access by non-private car to suit shift working patterns.*
    - *Located away from residential development/where there is no unacceptable impact on residential amenity to allow for uninterrupted 24 hour working.*
    - *Capable of accommodating large scale buildings in terms of both footprint and height.*
    - *Sites which suit the future occupier's needs.*
- *Ensuring Local Plans allocate logistics sites in the right locations to respond to a broad range of market needs.*
- *Ensuring the industrial and logistics sector is recognised for its focus on ESG: making a valuable contribution to the Government's Green Industrial Revolution and generating social value.*
- *Introducing an Employment Land Delivery Test to ensure that a commensurate amount of employment land is brought forward to counterbalance housing and that any employment land lost to other uses is delivered in the right locations. If a local planning authority failed to meet the delivery test, a presumption in favour of sustainable logistics development could be engaged.*

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4. MARKET TRENDS

4.1 This section reviews market trends at a national and regional level (East Midlands). It is based on leading market reports from multiple real estate agents' research arms.

National

4.2 Based on Savills' latest research[3], 2021 reached a new annual record of 55.1m sq ft in large industrial and logistics transactions, surpassing 2020's total of 51.6m sq ft. A total of 220 separate transactions were recorded (above 100,000 sqm).

4.3 Savills also observed a change in demand: '*whilst online retailers accounted for 35% of take-up, 3PLs, automotive, manufacturing and high street retail companies all increased the amount of space taken in 2021, demonstrating a wider breadth of demand.'*

[3] Spotlight: Big Shed Briefing, 2022. https://www.savills.co.uk/research_articles/229130/323880-0

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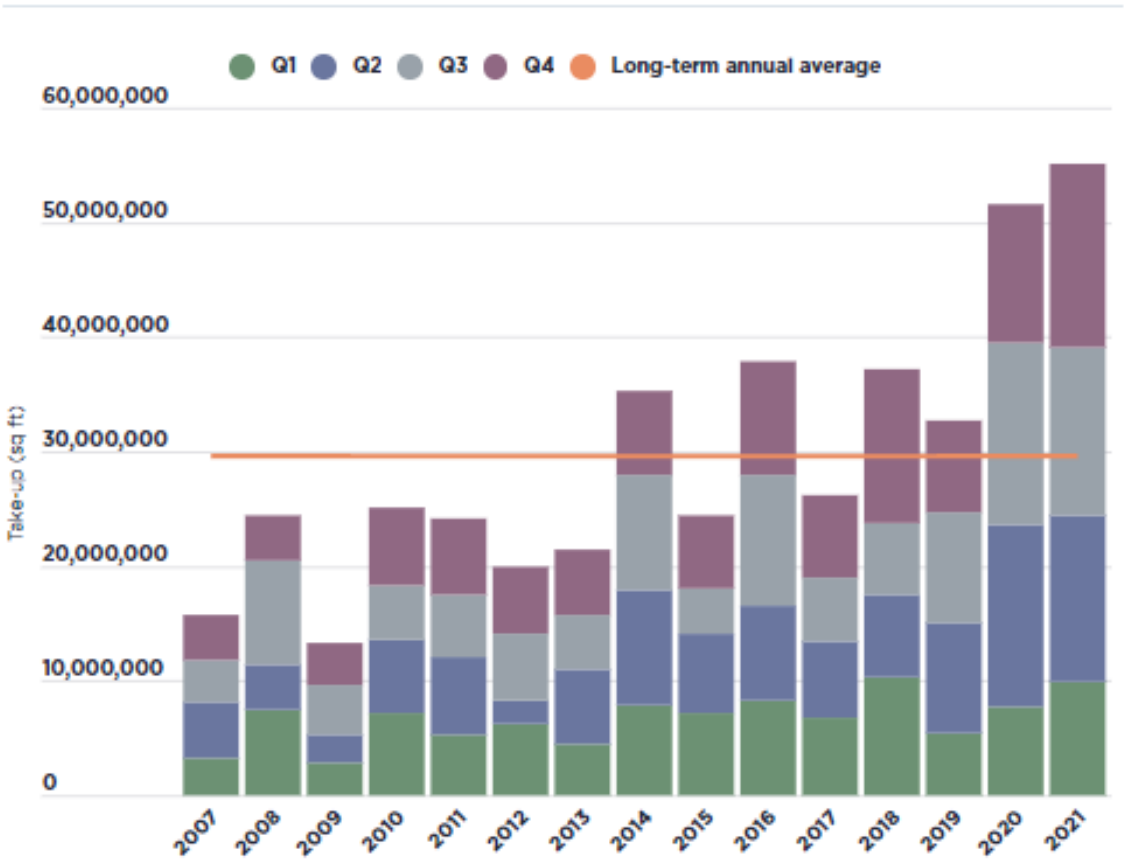
Figure 4.1 National strategic warehousing take-up, 2007 to 2021



Source: Savills Research

4.4 These surging levels of demand have put consistent downward pressure on supply, which has fallen at its fastest pace ever and now stands at 17.35m sq ft, reflected in a vacancy rate of 2.91%, the lowest levels ever recorded.

4.5 Grade A supply has fallen to 7.15m sq ft, down from 19.7m sq ft prior to the onset of Covid-19 in Q1 2020. Developers have started to react to the prevailing market conditions, and there is now 18.6m sq ft under construction.

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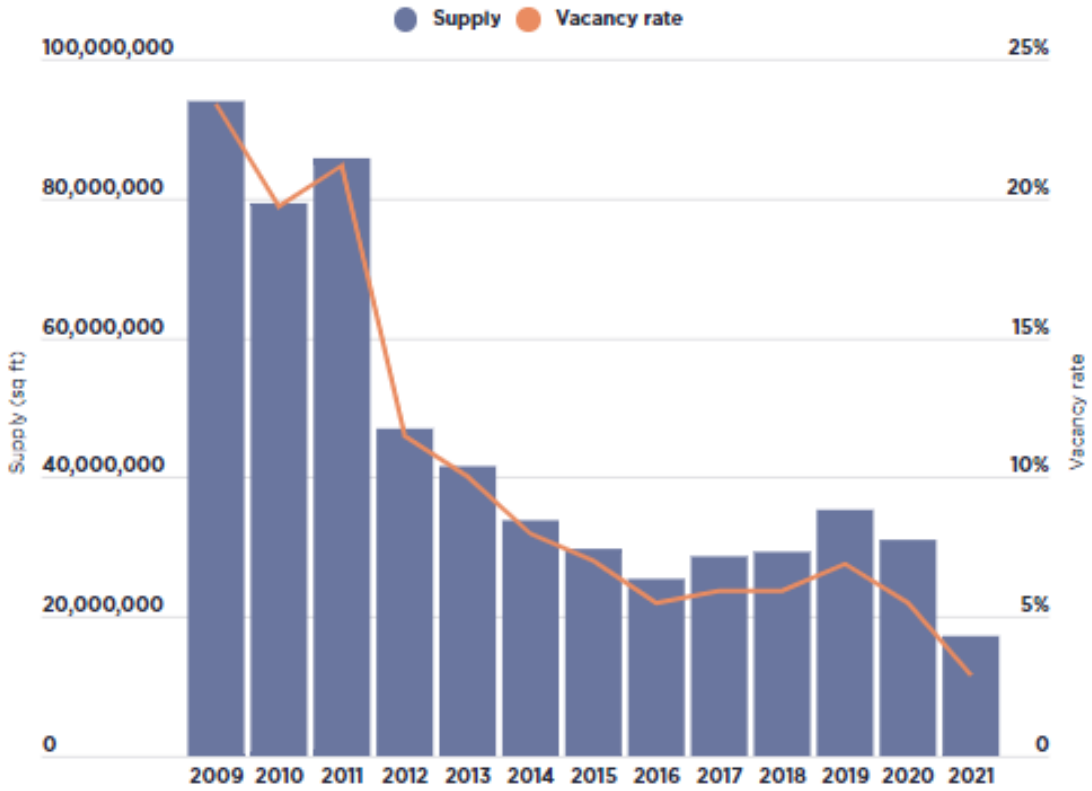
Figure 4.2 National strategic warehousing supply and vacancy, 2007 to 2021



Source: Savills Research

4.6 The chart above shows a huge drop in vacancy rates between 2009 and 2021. This rate is now in a dangerous zone leading to rising prices for customers, limiting churn and restricting economics growth. Savills argues the market equilibrium is situated around 8% of availability[4], however reaching this level would require a very large quantity of delivery.

4.7 These reports show that at a national level, the industrial and logistics sector is facing a very difficult situation. Low availability and vacancy, mixed with high demand for large-scale warehousing means that the sector is struggling to cope with growth. This, in turn, leads to a constrained economic potential and rising costs for the end consumer.

[4] BPF, Savills, 2022. Levelling Up - The Logic of Logistics. Available at: file:///C:/Users/tbuchon/Downloads/levelling-up-the-logic-of-logistics-bpf-report%20(1).pdf

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4.8 In terms of drivers of demand, Savills[5] report key sector factors as:

Logistics:

- Increasing demand from e-commerce with on-line retailers continuing a shift away from manufacturer/suppliers delivering direct to their customers and the emergence of RDCs and NDCs.

- A continuing rise in the average size of buildings, has led to an increase in plot sizes necessary to accommodate larger buildings.

- Demand for highly accessible locations: that allow retailers / 3PLs to complete fulfilment times.

Impact of COVID-19 & BREXIT on Logistics

- The Covid-19 pandemic has highlighted the importance of supply chain resilience to all sectors of the economy and in particular the inextricable link between retail and the supply chain.

- Where there were barriers to on-line retail, these have by necessity been removed (for example retailers have made supply chain investments, consumers have increased access and knowledge of on-line platforms, sectors have increased their penetration of the on-line market).

- Brexit has been a key factor in the market. In 2019, 3PL companies, making provisions for stockpiling and supply chain disruption, accounted for 30% of all of the new space taken; up from a long term average of 22%.

- Both Brexit and the current COVID-19 issues have reinforced the trend of on-shoring: the repatriation of manufacturing, particularly for critical components, to reduce the length of supply chains (and thereby risk of interruption in the supply of key components), more easily maintain control of quality, and ensure key industries maintain their intellectual property and production capacities against international competition.

[5] Representations to the Erewash Core Strategy Review: Revised Options for Growth May 2021 (Savills)

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GLP

Manufacturing

- Occupier demand for B2 uses throughout the United Kingdom has increased in recent years. Overall since 2007, over 330 different occupiers have taken units over 100,000 sq. ft throughout the country. The trend for on-shoring could also lead to further increased demand for UK manufacturing facilities.

- Increase in unit size required: The average size of B2 buildings transacted within the United Kingdom has increased in recent years, rising from 156,779 sq. ft in 2008 to 281,520 sq. ft in 2019, highlighting the shifting occupier demand towards larger sized units.

- Growth of Build to Suit: Manufacturers are increasingly seeking built-to-suit units as a large proportion of the second hand stock on the market is not capable of accommodating modern occupier requirements. In 2009 over 50% of all space transacted was second hand space and 30% was built-to-suit. In 2019 the balance shifted with just 27% of space transacted by manufacturers being second hand and 56% being built to-suit.

- R&D focus: Increased demand for high quality premises with excellent linkages to educational and training facilities. The UK manufacturing sector, led by the advanced manufacturing sector, has witnessed a renaissance over the last decade. The growth in manufacturing has been dominated by 'cleaner' manufacturing. The market is increasingly moving towards 'advanced manufacturing', driven by the UK's R&D capabilities.

Regional: East Midlands

4.9 Lambert Smith Hampton's Fast Forward[6] report (2022) comments extensively on the East Midlands regional outlook, reinforcing its centrality in the national logistics market.

4.10 In terms of demand LSH report that *'the East Midlands saw colossal take-up of 16.0m sq ft in 2021, smashing 2019's previous record by 38%. In typical fashion, the region commanded the largest share of UK activity in the XL segment (i.e. > 250,000 sqft), with take-up of 9.5m sq ft accounting for 26% of the UK total.*'

[6] Lambert Smith Hampton, 2022. Fast forward, available at: https://www.lsh.co.uk/-/media/images/lsh/research/industrial%20report%202022/industrial%20and%20logistics%20market%202022

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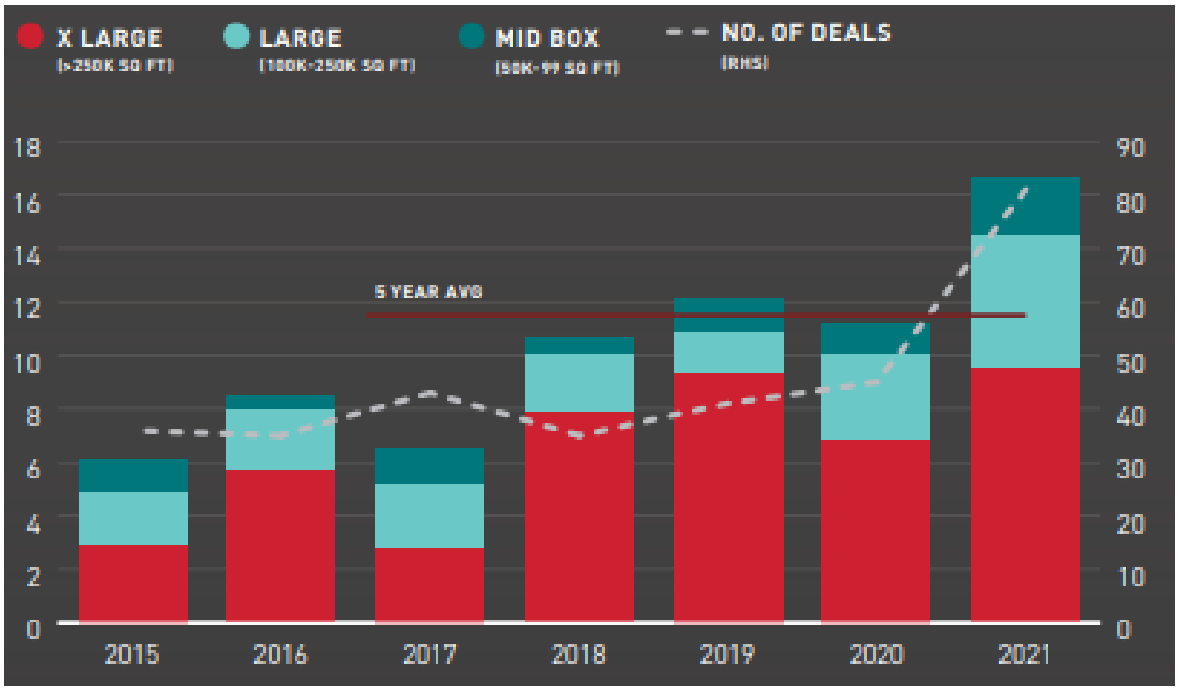
4.11 As seen in the chart below, demand for strategic warehousing in 2021 exceeded the 5-year average by almost a third, largely driven by the x-large category (> 250,000 sqft).

Figure 4.3 East Midlands take-up, 2015 to 2021, million sqft



Source: Lambert Smith Hampton, 2022

4.12 In quantitative terms, demand is at an all time peak.

4.13 In terms of demand by type, as established by Savills,[7] *'occupier preference continues to revolve around better quality units. In 2021, 87% of space transacted has been Grade A, 11% has been Grade B and 2% has been Grade C. In terms of specification, 33% of space has been second-hand space, 30% has been built-to-suit space and 37% has been speculatively developed space.'* This clearly shows that the region needs to deliver high-quality facilities to meet occupier demand.

4.14 In terms of supply, *'at the end of 2021, a record 5.2m sq ft of speculative development was underway across the region, more than a quarter of the UK's total.'* However, the chart below shows a significant fall in availability, dropping down to around half of the 2020 level. Based on LSH analysis, there is only 1 years'

[7] Savills, 2022. Big shed briefing. Available at: https://pdf.euro.savills.co.uk/uk/commercial---other/big-shed-briefing---january-2022.pdf

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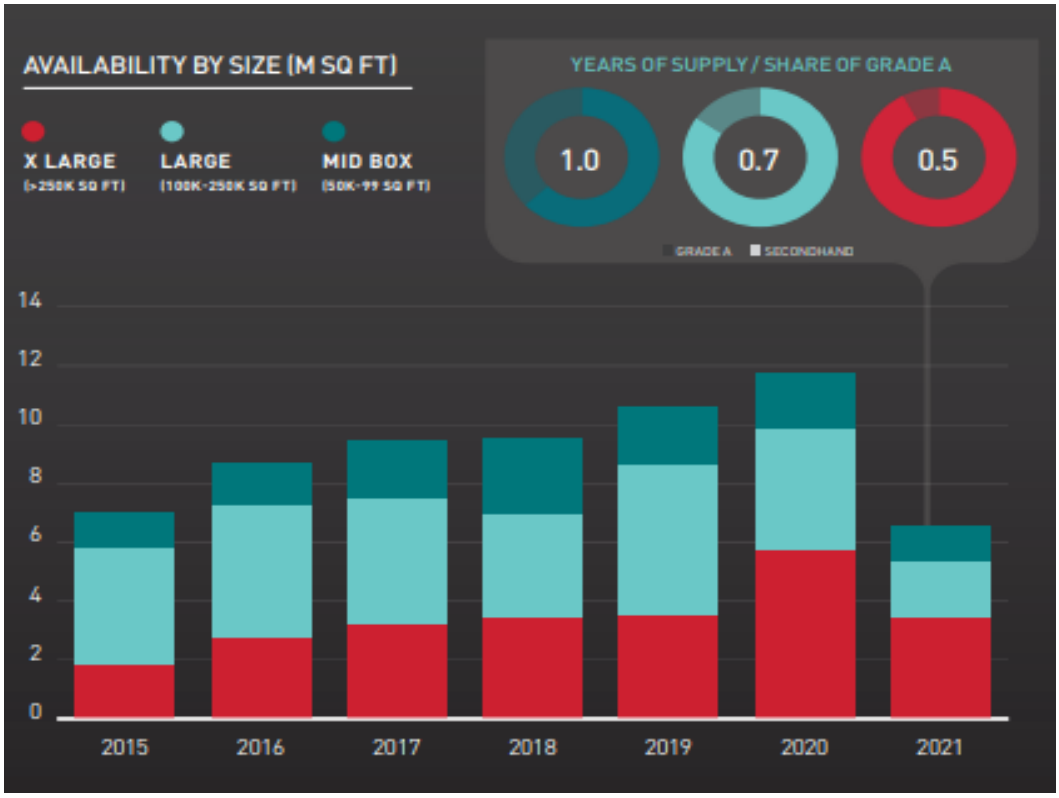
worth of supply in the mid box segment (> 50,000 sqft), 0.7 year in the large (> 100,000 sqft), and 0.5 year in the X large (> 250,000 sqft). These trends are corroborated by Savills research[8], which points to a vacancy rate of 1.69%, equivalent to just 0.19 years' of supply.

Figure 4.4 East Midlands availability, 2015 to 2021, million sqft



Source: Lambert Smith Hampton, 2022

4.15 As seen in the national outlook, the East Midlands is also facing a highly challenging situation with no abatement anticipated in record levels of occupier demand with an all time low in vacancy and availability of stock. This inhibits economic growth, employment growth, and as argued by the BPF report, is impacting the country in a way critical infrastructure would do, such as roads, rail and energy supply.

[8] Savills, 2022. The logistics market in the East Midlands. Available at: https://www.savills.co.uk/research_articles/229130/323892-0

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5. M1 J25 PROPERTY MARKET

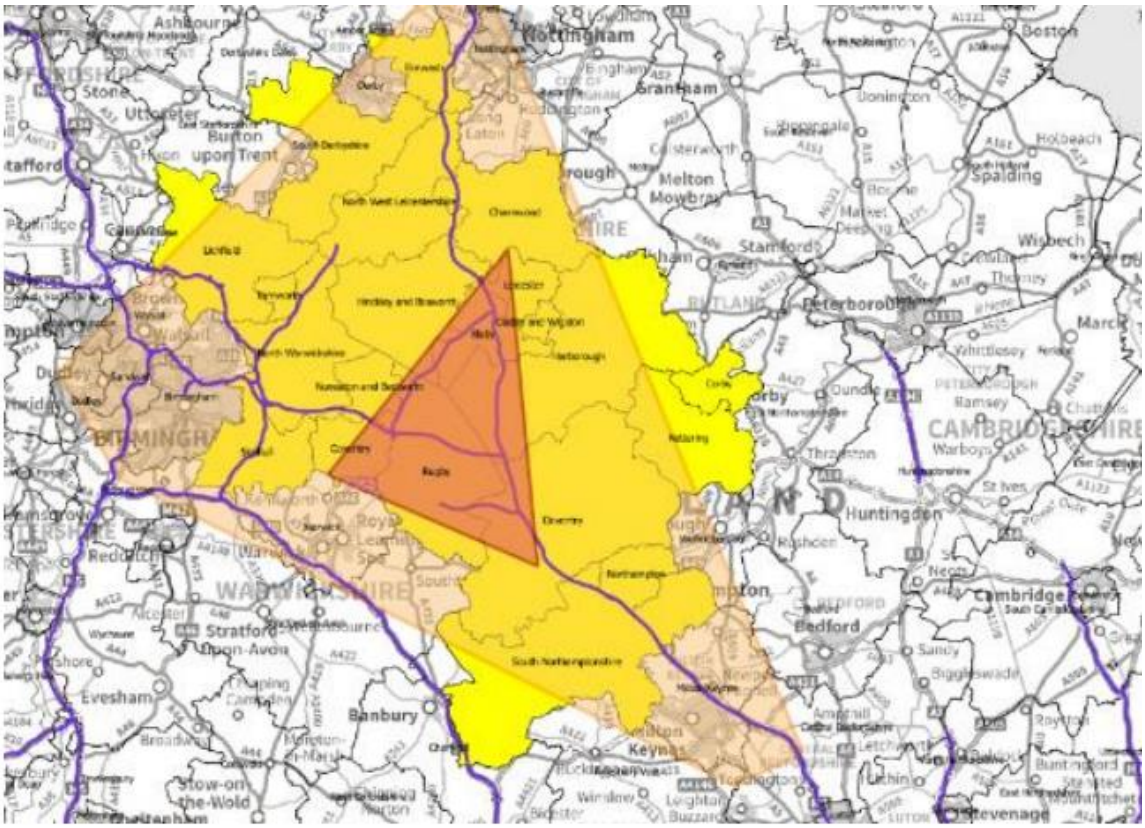
5.1 This section considers the specifics of the logistics property market area relevant to Erewash – notably at M1 J25 – seeking to pick up the acknowledged shortfalls in the in authority's employment evidence.

Defining the Property Market Area for logistics at Erewash / M1 J25

5.2 The M1 is one of the key national artery transport routes connecting London and Leeds via Milton Keynes, Leicester, Nottingham, Sheffield and Leeds. It provides a central logistics function in transporting goods around the country. Leicester essentially sits at the heart of this corridor in terms of country centrality. The area around Leicester is termed the 'Golden Triangle' in terms of logistics at the majority of the country can be reached in a single 4hr drive time trip. The Leicester and Leicestershire authorities recognise the role that the area plays and this is well defined in the joint study for these authorities "Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change" April 2021[9]. This study provides an indication of the area functioning centrally as the Golden Triangle, as below.

[9] https://www.llstrategicgrowthplan.org.uk/wp-content/uploads/2021/09/Leicester-and-Leicestershire-Strategic-Distribution-Study-2021.pdf

Figure 5.1 Golden Triangle Area



Source: Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change 2021, P22

5.3 The above diagram highlights the centrality of the M1/M6/M42 triangle but also clearly shows the wider area **including Erewash** and other authorities such as North West Leicestershire, the latter containing some of the most important logistics developments in the country (notably East Midlands Gateway).

5.4 This evidence assists in providing a starting point in understanding the scale of industrial and logistics big box requirements for Erewash that are relevant to J25 M1.

5.5 The evidence for industrial and logistics for the emerging Local Plan relies on the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study 2021 (as above). This is predicted on the assumption that the Housing Market Areas (HMA) are an appropriate boundary to delineate big box industrial and logistics requirements. Whilst this is relevant for smaller scale units that support the local economy and follow traditional travel to work area (TTWA) definitions, this is not the case for large scale units where operators have a different requirement and area of search, essentially acting as inward investors severing sub regional markets and beyond.

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5.6 Such matters are emphasised in the Planning Practice Guidance (PPG) which notes (Paragraph: 031 Reference ID: 2a-031-20190722) that:

*The logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities, and has distinct locational requirements that need to be considered in formulating planning policies (**separately from those relating to general industrial land**).*

*Strategic facilities serving national or regional markets are likely to require **significant amounts of land, good access to strategic transport networks, sufficient power capacity and access to appropriately skilled local labour**. Where a need for such facilities may exist, strategic policy-making authorities should collaborate with other authorities, infrastructure providers and other interests to identify the scale of need across the relevant market areas. This can be informed by:*

- *engagement with logistics developers and occupiers to understand the changing nature of requirements in terms of the type, size and location of facilities, including the impact of new and emerging technologies;*
- ***analysis of market signals, including trends in take up and the availability of logistics land and floorspace across the relevant market geographies;***
- *analysis of economic forecasts to identify potential changes in demand and anticipated growth in sectors likely to occupy logistics facilities, or which require support from the sector; and*
- *engagement with Local Enterprise Partnerships and review of their plans and strategies, including economic priorities within Local Industrial Strategies.*

5.7 In order to understand the appropriate Property Market Area (PMA) consideration has been given too key factors of:

- Availability of labour
- Operator area of search
- Strategic road network accessibility

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5.8 These factors align with GLP's own experience of the market, our views based on engagement with active agents as well as according with the principles set out in the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study 2021 p189 / 195.

5.9 In terms of **availability of labour**, we can see as per the below diagram that Erewash and the J25 M1 site lie **at the heart** of the Nottingham and Derby city labour market catchment, assuming a typical 30 minutes drive time[10]. We can also see that the extent of this labour market catchment runs essentially from J22/23 in Leicestershire to J27/28 in Nottinghamshire. When taking into account the extent of Leicester city catchment (to J23) we can define a the most appropriate M1 Derby / Notts labour market area as J24-28 of the M1.

[10] 30 minutes drive time for labour defined in both Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change 2021, p157; and Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study 2021 p195.

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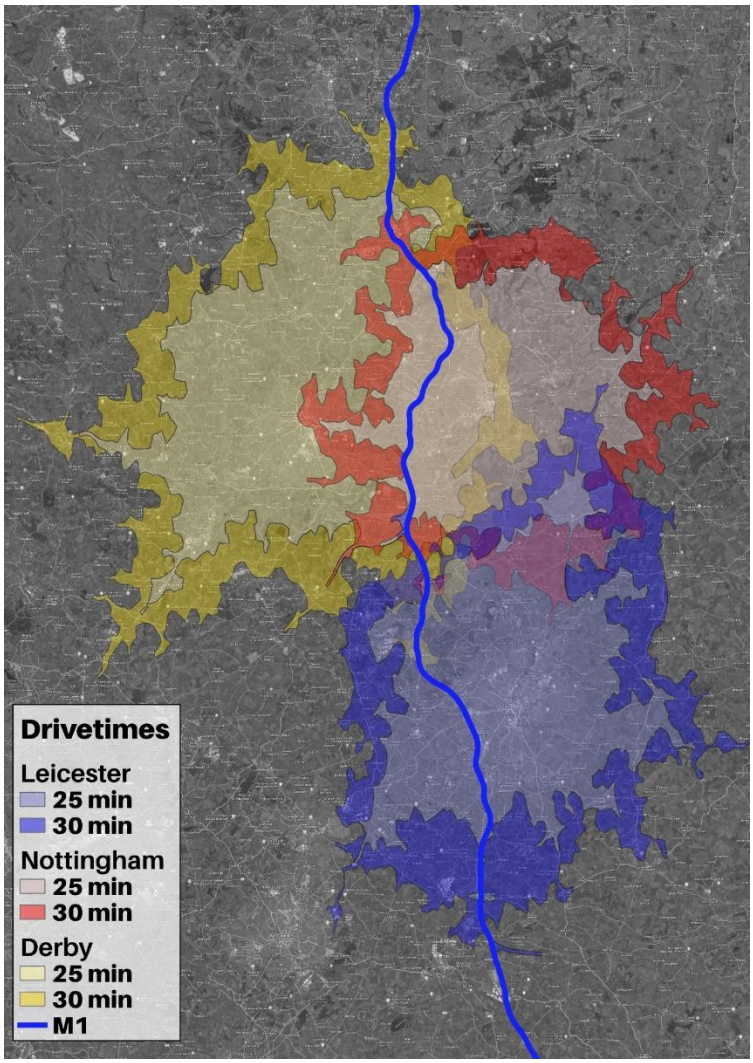
Figure 5.2 East Midlands Cities - 30 minute drive time



5.10 This also helps us understand the **operator areas of search.** Typically operators for big box units are relatively footloose to the region or sub region, which in this instance is essentially the Golden Triangle / East Midlands, whilst ideally being in proximity to the main labour catchments (Leicester, Derby, Nottingham) and strategic road network access (M1 and connecting trunk roads). Given that Leicester generates and provides for a separate workforce (for example serving logistics parks of Magna Park at Lutterworth and Bardon Hill near Coalville) when looking at Nottingham / Derby we can begin to understand the more localised PMA, the significant advantage of East Midlands Distribution Centre and East Midlands Gateway at J24/24a (reaching the Nottingham and Derby labour markets) and the **significant potential** of J25 within the core East Midlands market area.

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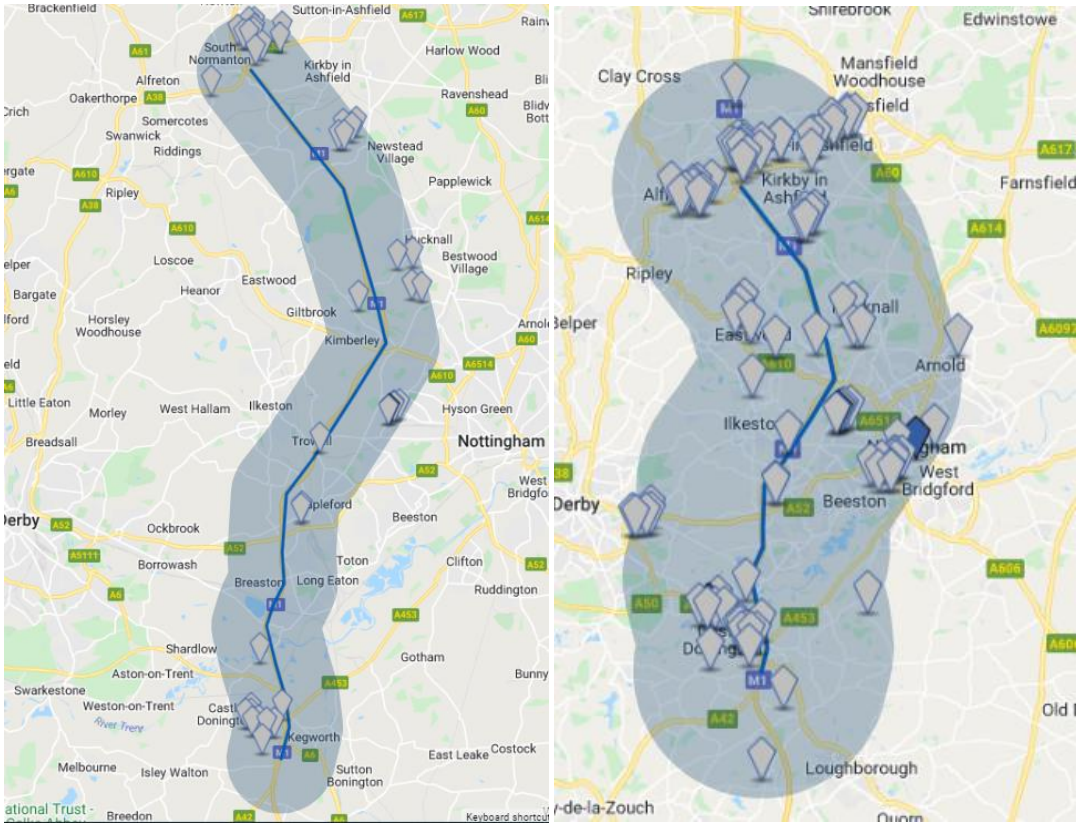
5.11 Using the information above we can generate an inner PMA for big box units based around the Derby / Nottingham M1 as is set out below. This considers the M1 (i) with a 5km corridor radius (which intentionally excludes the central industrial parks in Derby and Nottingham and focuses on junctions) and (ii) for context a 15 km corridor radius (including tributary A Roads as well covering most Erewash and core Nottingham industrial parks).

Figure 5.3 Nottingham M1 Big Box Property Market Area: 5m/15km Corridor Radius



Source: CoStar (existing B8 distribution units locations of 100,000 sqft+ shown)

5.12 The above is considered an 'ideal' market. Our discussions with agents and occupiers reflects that in reality areas of search for units can easily extend to the whole of the East Midlands and beyond, particularly because supply side availability is so constrained that operators have to look well beyond preferred areas to find units. This is reasonably adequately reflected in the "A1 Corridor Logistics Assessment 2021" for Bassetlaw Council[11] which reports on the increasing popularity of the A1 as a location for logistics investment due to the significant constraints on M1 site / land availability. Whilst this assertion is correct, it

[11] https://www.bassetlaw.gov.uk/media/6524/ti014-bassetlaw-logistics-aug-2021-final.pdf

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also means supply constraints are causing inefficiencies in terms of increasing journey times for both HGV movements to destination markets, as well as labour access, leading to goods price inflation.

5.13 The above figure 4.3 indicate the considerable concentrations of units in some junctions and less at others. Of note:

- J24/24a including East Midlands Gateway, Airport and Distribution Centre
- J28 intense development along the A38 east and west
- J27 Sherwood Business Park to the east
- J26 is highly constrained in terms of the residential footprint running to inside of 500m of the junction on both sides.
- J25 stands out as having received essentially no logistics development despite its position as one of the most prime business locations on the M1 in the East Midlands and the Golden Triangle.

5.14 It is noted that J24/24a is particularly exceptional as benefiting the Rail Freight Interchange (and airport) and it is not necessarily expected that all motorway junctions provide this level of capacity – notwithstanding that market sentiment indicates that this is possible.

Understanding the PMA demand and supply outlook

5.15 The previous chapter provides a clear picture of the very high levels of demand in the East Midlands for big box units and the severe constraints on unit supply. It is useful to briefly review the figures for East Midlands against those for the Inner M1 PMA as defined here to highlight the critical level of market failure being born out, and an indication of the levels of future supply required.

5.16 The table below sets out the current availability and average take up (net absorption) in recent years for the East Midlands, Nottinghamshire, Derbyshire, and the Notts Inner M1 PMA 5km/15km. A vacancy

adjustment is included to account for the market vacancy being below 5% in the last 5 years and the level required to rebalance the recent historic position[12].

Table 5.1 Market indicators for units of 100,000 sqft+

	Stock sqft	Vacant	Availability sqft	5 year av. net absorption sqft	Years supply (available)	Future need to 2037 based on net absorption sqt	Future need with vacancy adjustment sqft
East Midlands	206m	2.1%	10.8m	5.3m	2.0	84.7m	107.2m
Nottinghamshire	31.3m	1.1%	1.5m	0.7m	2.1	11.7m	15.6m
Derbyshire	39.1m	1.3%	1.9m	0.8m	2.4	12.1m	17.6m
Notts M1 PMA 5km	**13.7m**	**2.6%**	**0.1m**	**1.2m**	0.1	**18.9m**	**20.6m**
Notts M1 PMA 15km	**33.6m**	**1.9%**	**1m**	**1.9m**	0.5	**31.0m**	**34.1m**

Source: CoStar April 2021

5.17 We can see that the Nott M1 PMA has the lowest levels of availability in terms of years supply. This is in part to be expected given the inclusion of the historic take up at East Midlands Gateway and other units at J24/24a and the very limited supply to enable future levels of continued demand.

5.18 The 5km-15km corridor generates a future need of 20.6m-34.1m sqft (with only 1m sqft available) or 1.9m to 3.2m sqm. Translated to hectares at a ratio of 0.35[13] this suggests a need of **543 – 914 ha.**

5.19 Clearly not all this need should be delivered in Erewash particularly as the trends are heavily influenced by take up at East Midlands Gateway (itself now largely built out). However, when considering the dense development patterns at other PMA M1 junctions, intense levels of demand and the hugely limited availability, it becomes clear that significant new land supply is required.

[12] This broadly follows the method set out in the Levelling Up Logistics paper although vacancy target is set at a lower 5% than the 8% recommended, reflecting the built to suit requirements in the big box market, meaning lower vacancy is desirable / typical

[13] As per Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change 2021

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5.20 The limited existing availability of c1m sqft (c.25 ha) reported in the table above, as well as proposed development at New Stanton of 40-55ha, are important proposals but are unable to make significant inroads compared to the overall needs.

5.21 Proposed future supply in the PMA through Local Plans has not been assessed in full. However the A1 Corridor Logistics Assessment for Bassetlaw Council[14] appendices provide a summary of potential allocations for logistics sites in Nottinghamshire. Excluding Newark (to the east of the M1), Bassetlaw (to the north) and Erewash (New Stanton) the estimated supply is c.33.9 ha, however all of this has planning permission and is therefore likely to be captured in the CoStar availability metric above. Additionally, Ashfield's draft allocations propose a further 51.9 ha at J27 / Whyburn Farm although part of this is blighted by HS2 and not expected to be available until late in the Plan period.

5.22 At the upper end, this estimated supply of 33.9 ha plus Ashfield's 51.9 hai and 55 ha in Erewash proposed (total 140.8 ha) is less than one quarter of the potential required development area and leaves a vast level of need to be fulfilled in this part of the M1.

5.23 In this context, the potential development at J25 of c.25ha delivering upwards of 1.4m sqft should be considered as of central importance given its ability to support delivery at one of the most readily developable and labour supplied locations in this the PMA and wider East Midlands M1 corridor.

[14] https://www.bassetlaw.gov.uk/media/6524/ti014-bassetlaw-logistics-aug-2021-final.pdf

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6. CONCLUSIONS

6.1 The key findings of this report are:

- The emerging Core Strategy Review allocates 40-55ha of industrial and employment space

- The Core Strategy responds to the 2021 evidence base – however fails to acknowledge the need for one or two additional large scale parks being required at M1 junctions in the next decade alone

- The latest evidence on the logistics sector indicates improving levels of skills, wages and occupations supporting regeneration and responding to multiple drivers in demand. However there are serious concerns regarding the inability of the planning system to keep pace with demand and alternative PPG methods are recommended that consider take up trends and historic suppressed demand.

- The national logistics market in 2021 reported an all time high in demand against an all time low in vacancy and supply. A similar picture is found at the East Midlands level in terms of record levels of take up and sever availability constraints. Brexit, Covid-19, E-commerce and manufacturing requirements are all driving unabated levels of demand in sector supplemented needs for larger units and land areas supporting the delivery of high quality stock.

- Looking at the M1 corridor localised to Erewash, and attempting to establish the requirement for larger scale logistics as identified as being unaccounted for in the council's evidence, the labour market catchment for Derby / Nottingham suggests that J24-28 represents a larger scale logistics property market area relevant to consider (which includes East Midlands Gateway). Projecting forward historic take up in this area (and making an adjustment for historic low vacancy) suggests need of 543 – 914 ha over the Erewash Plan period. Current known levels of potential supply are estimated as 140.8 ha which indicates the acute need to consider additional space – and the urgency of this when taking into account market indicators.

- Of M1 junctions within the property market area as defined, J25 provides exceptional access to labour, strategic road network connectivity and huge development potential in comparison to other areas which are already significantly developed or otherwise inappropriate.

From:	Planning
Sent time:	06/05/2022 13:24:07
To:	Planning Policy
Subject:	FW: Planning Application SGA-16 Spondon Woods
Attachments:	Erewash Borough Council - SGA26.pdf

From: ALTOFT Neil [redacted]
Sent: 06 May 2022 13:14
To: [redacted]
Subject: Planning Application SGA-16 Spondon Woods

Please find my letter attached regarding the proposal to declassify green belt near Spondon Woods.

Neil Altoft

[redacted]

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Neil Altoft: Letter of Objection SGA:26

I object to Erewash Borough Council reclassifying the site - **SGA:26 Spondon Woods** for the following reasons:

- As stated in the National Planning Policy Framework, Greenbelt should only be used in **exceptional** circumstances.
- This means that **only** when all Brown Field sites are exhausted.
- This means that the **maximum density** has been achieved.

(I'll demonstrate that neither of these have been achieved.)

- The fields surrounding Spondon Woods are essential part of the Spondon Woods **ecosystem** and this is recognized by environmental studies.
- This is a clear expansion of Derby City boundaries and will negatively impact on the oversubscribed Derby City schools and healthcare.
- A FOI request in 2012 showed over 2000 properties in Erewash were empty. 3500 in Derby. 764 in Nottingham in 2018.

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National Planning Policy Framework

136. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

137. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

(a) makes as much use as possible of suitable brownfield sites and underutilised land;

(b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport;

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- **The Green Belt**. We will protect and enhance the Green Belt. We will improve poor quality land, increase biodiversity and make our beautiful countryside more accessible for local community use. In order to safeguard our green spaces, we will continue to prioritise brownfield development, particularly for the regeneration of our cities and towns.

Conservative Party

Manifesto - 2019

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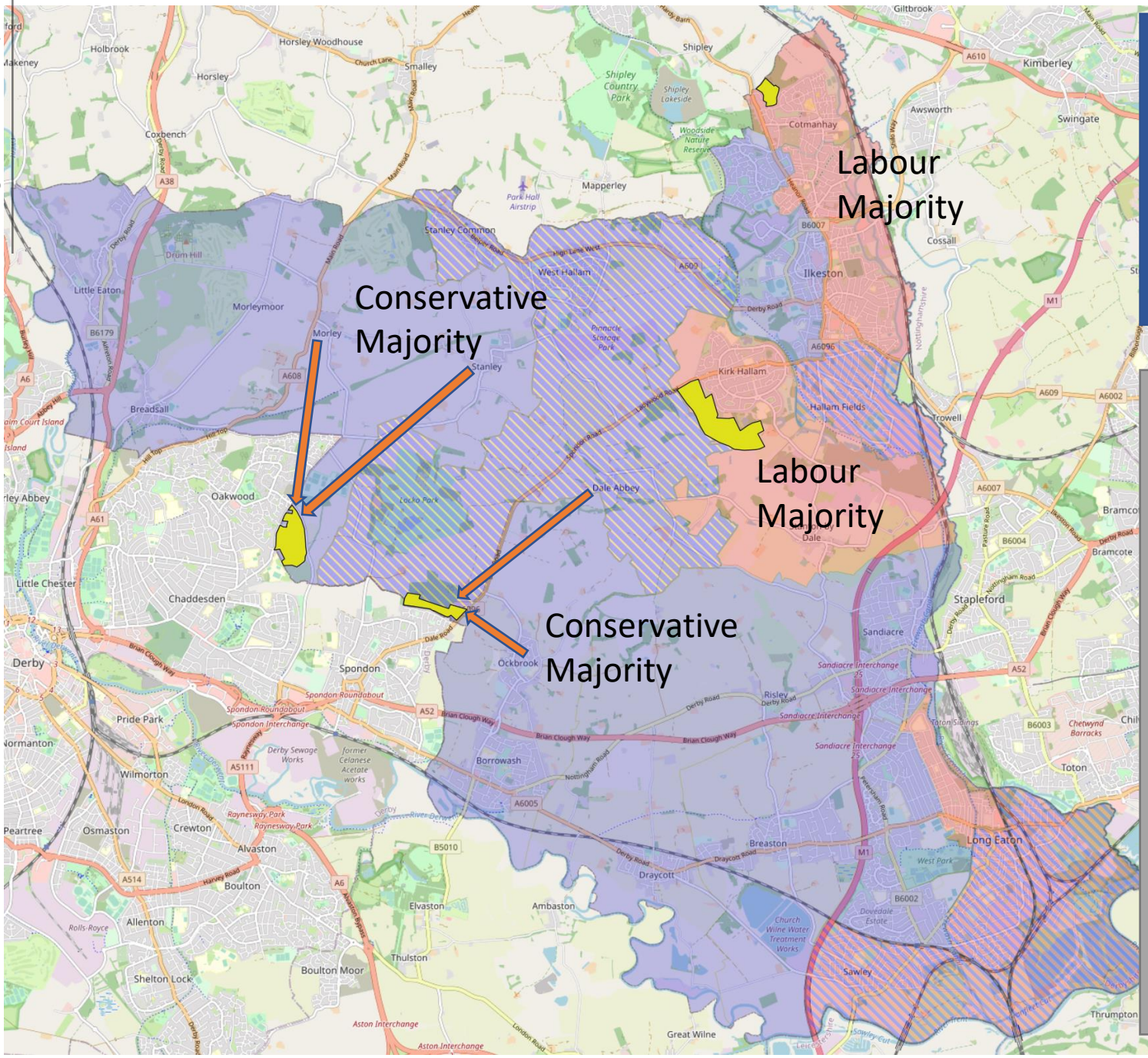

Politically Motivated Site Selection

Despite the Conservative Party manifesto promise not to build on Green Belt, the selection has been voted through by a Conservative majority council.

- All the Green Field sites chosen are either in Conservative majority wards **BUT** miles → away from Erewash voters.
- **Or**…..
- Sited in Labour majority wards.

This is not a coincidence.

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Unused Sites

Missed Brownfield Opportunities

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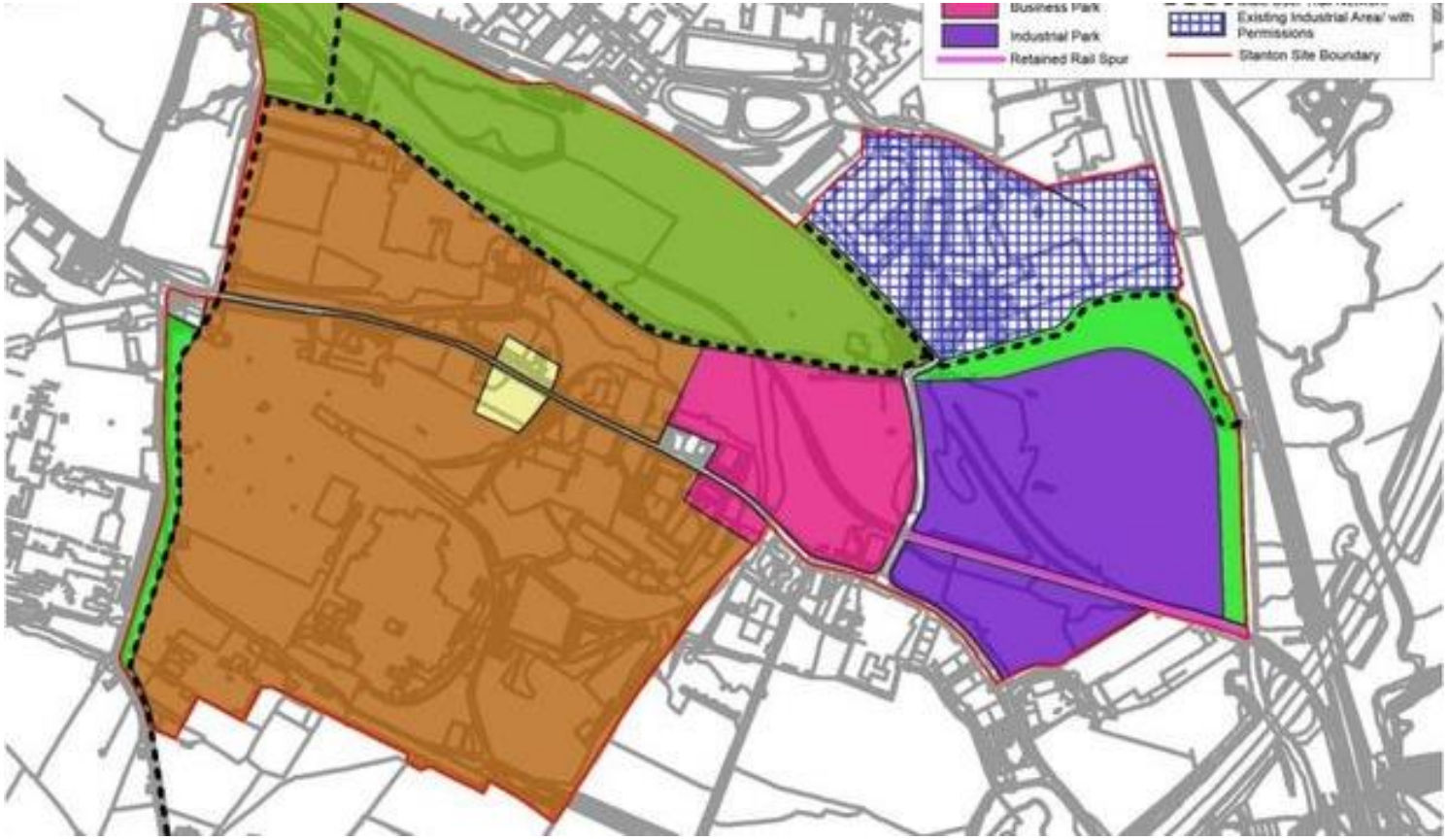
Stanton Iron Works



- 450 Acres Brownfield site.
- Isolated site, therefore, it doesn't need to fit in with surrounding character
- Business Park allocation is not necessary. Pandemic has changed the requirement for office space forever
- This has been available for an adventurous development for 12 years
- This shows that EBC have not exhausted all suitable sites
- EBC has given most of this site away to other uses.

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West Hallam Depot

- Isolated site, therefore, does not need to be design constrained.
- Site is suitable for a minimum of 1000 homes. Could be considerably more.
- EBC have allowed this site to be withdrawn from development.
- This shows that EBC have not exhausted all suitable sites.

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Ilkeston Town Centre (April 2021)

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Ilkeston Town Centre

- There are so many opportunities in Ilkeston Town centre to consolidate the shopping areas and build high density housing.
- Shopping habits have changed forever.
- A high percentage of the town centre is ground level car parking.
- No multi-storey parking.
- No building is higher than 3 storeys.
- High percentage of closed stores.
- Massive wasted opportunity.
- Erewash Borough Council cannot demonstrate that they have:
  - (a) makes as much use as possible of suitable brownfield sites and underutilised land;
  - (b) optimises the density of development

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Poor Quality Town Centres

Long Eaton Town Centre (ITC)

Data	2018	2019	2020	2021
Size of Centre (Ha)	13.4	13.4	13.4	**13.4**
Total Number of Units	253	252	252	**251**
Units per Hectare	19	19	19	**19**
Total Number of Vacant Units	17	25	36	**28**
Percentage rate of vacant Units	7%	10%	14%	**11%**
Total Number of Units in A1 use[4]	112	112	111	**110**
Percentage rate of Units in A1 use	44%	44%	44%	**44%**

Ilkeston Town Centre (ITC)

Data	2018	2019	2020	2021
Size of Centre (Ha)	14.3	14.3	14.3	**14.3**
Total No of Units	297	304	303	**300**
Units per Hectare	21	21	21	**21**
Total No of Vacant Units	40	37	32	**29**
Percentage rate of vacant Units	13%	12%	11%	**10%**
Total No of Units in A1 use[1]	141	147	143	**144**
Percentage rate of Units in A1 use	47%	48%	47%	**48%**

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Underutilized Sites

Lack of Ambition: only 2 up 2 down

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Lack of Ambition

When given the opportunity of building land, EBC do not lead the design.

Always developer led rather that council led.

Every opportunity results in the same 2 up 2 down estate.

Compare and contrast with Cambridge Council or other parts of the world

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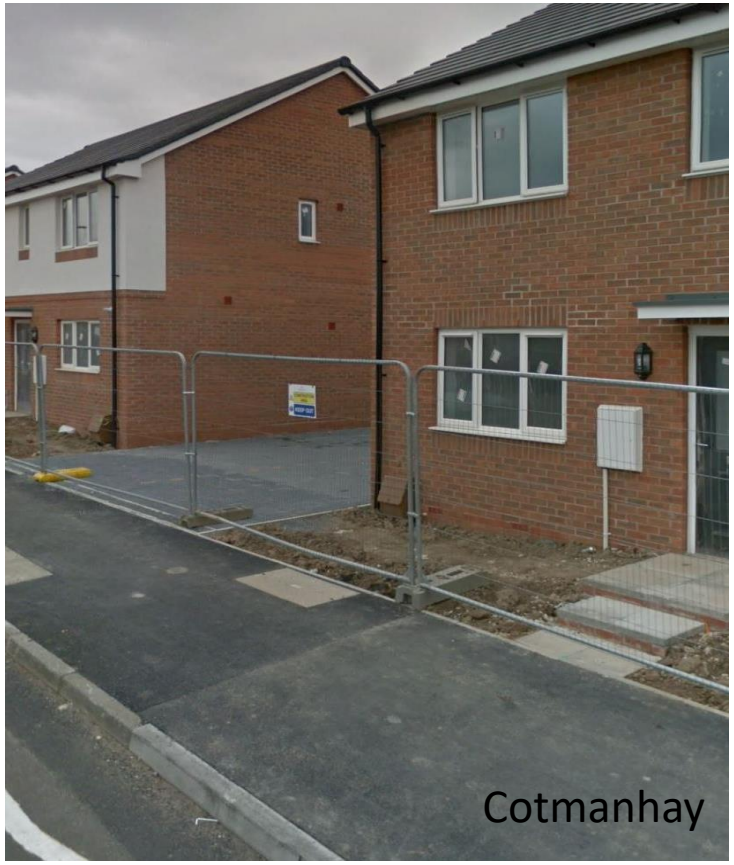
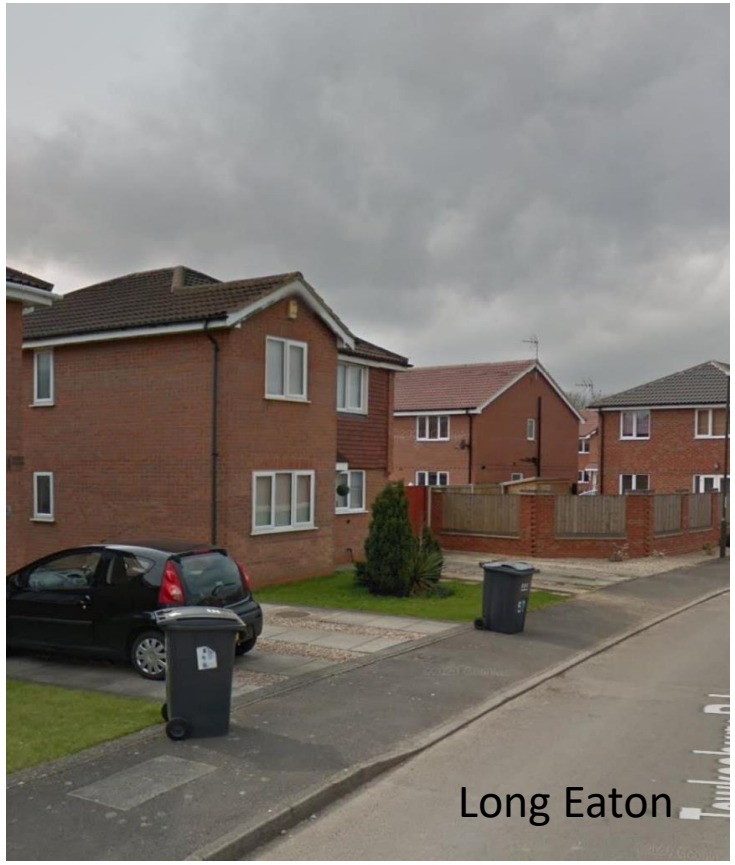
Erewash Examples


Cotmanhay


Long Eaton

- Recent new builds in Long Eaton and Cotmanhay
- Low density
- Minimum Environmental Standards

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Cambridge Examples

- Innovative
- Imaginative
- High Density Living
- Environmentally Friendly

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Opportunities Missed

- Stanton Iron Works and West Hallam depot are once in a generation opportunity.
- Town Centre's need to evolve in response to new habits.
- EBC should take the lead in ambitious design that does not dissolve more countryside

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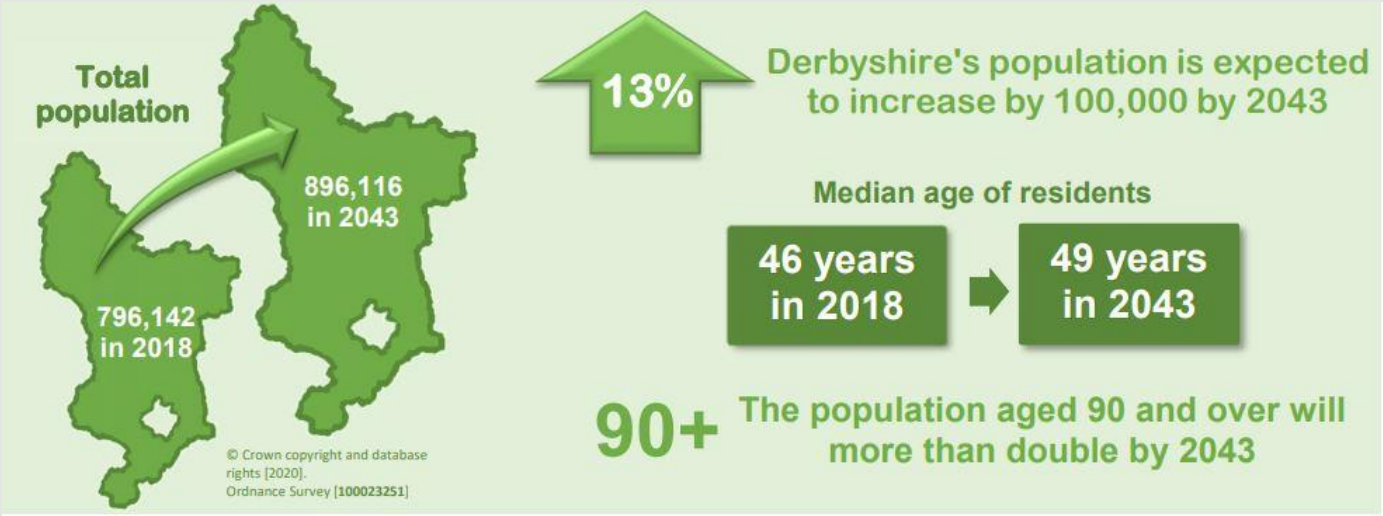
Derbyshire Population – 2018 to 2043



- There is a forecast for a 13% increase in population by 2043.
- It is not possible to meet this demand without building on Green Belt unless the housing is higher density
- EBC should be advocating higher buildings to meet this demand, not building on fields

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Changing Demographic

- It can be seen that the drive for new housing is driven by an aging population
- This demographic change needs to be catered for in planning

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Parklands View

- Derby have responded to the changing demographic with examples like Parklands View on an old factory site
- These kind of developments are required to meet expanding elderly population
- 4 Storeys
- Riverside and parkland views in Derby
- Contrast this with EBC use of building land

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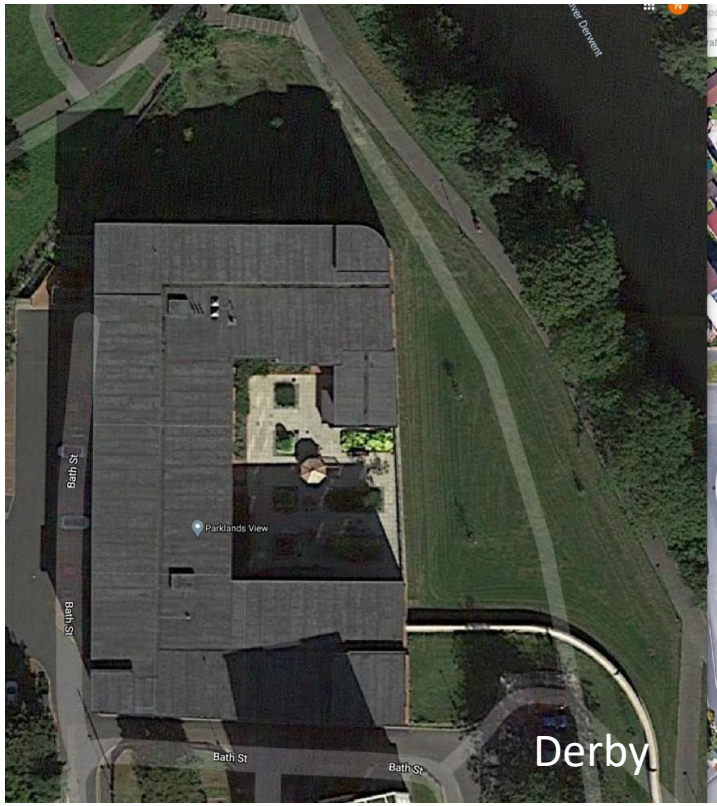
Density Comparison



- Parklands View, Derby vs. Long Eaton new builds
- On the same area: 82 2 bedroom apartments vs. 28 Small homes
- The maps above are at the same scale
- EBC are not meeting the maximum density criteria
- Parklands View is only 4 storeys. It could be higher in brown field areas.
- Parklands View also meets the expanding need for social care

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Ancient Woodland

- Spondon Woods is Ancient Woodland
- Records of it go back hundreds of years

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Not a Natural Boundary

- EBC state that Spondon Wood is a natural boundary and therefore can be built up to.
- This is completely wrong. It is a human boundary, not a wildlife boundary.
- The ecosystem of the woods includes the surrounding fields.
- Disturbance from housing development may be both direct (e.g. human activity within/close to woods, light and noise pollution) and indirect (e.g. predation of wildlife species by pets kept nearby) *(Arlettaz et al. 1999; Conrad et al. 2005; Longcore & Rich 2004).*
- Invasion by non-native plants *(Cross 1981; Dehnen-Schmutz et al. 2004).*

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Wildlife Surrounding Spondon Wood

- Spondon Woods and surrounding fields has a very high amenity value and is full of wildlife that use the fields
- All the pictures below are taken by myself or neighbours
- Other wildlife includes Jay, Greenfinch, Partridge, Pheasant, Tawny Owls
- 8 Buzzards have been recorded circling the fields at once on a record year
- Many papers suggest the planting of buffer zones to protect core woodland habitat from the impact of development, but very few give figures for the size of buffer zones and those that do range in size from 50m to 400m. *(Impacts of nearby development on ancient woodland – addendum Luci Ryan The Woodland Trust December 2012)*

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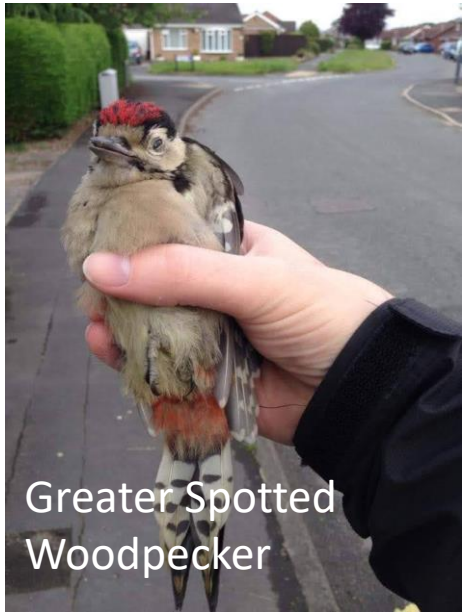
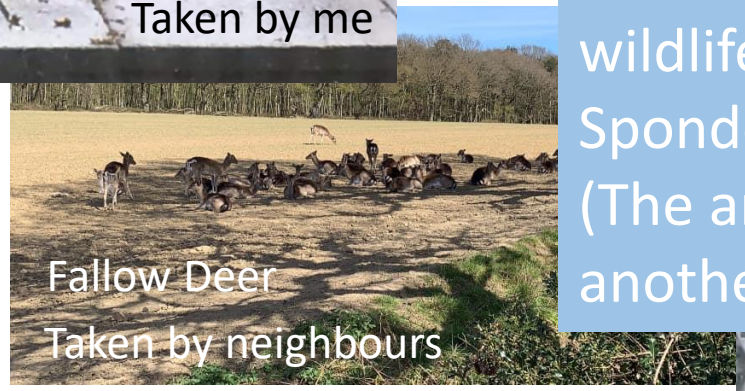
Great Crested Newt
Taken by me



Taken by me.
Flew from
Spondon woods
into bus Shelter

All amateur photos of some of the wildlife in the fields surrounding Spondon Wood.
(The area proposed by EBC to be another housing estate)



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Additional Points

Spondon Woods

- There are plenty of other sites closer to Erewash residents.
- Spondon already suffers from traffic issues on Willowcroft Rd.
- Spondon does not have enough Senior School places to meet current demand.
- Spondon only has 2 small Doctors Surgeries. It can currently take over a week to get an appointment.
- There’s only one access point to this site from a national speed limit road.
- EBC should be looking at sites surrounding towns and villages within Erewash.

From: LATHAM, Pauline[redacted]
Sent time: 06/05/2022 13:03:24
To: Planning Policy
Cc: [redacted] Planning
Subject: Objection to Erewash Borough Council Core Strategy Review

Dear [redacted],

I would like to formally submit an objection to the Erewash Borough Council Core Strategy Review.

Firstly, I am very concerned that the majority of the proposed developments are unsustainable and are lacking in detail in relation to transport connections such as bus services. The proposed developmental sites also lack sufficient infrastructure such as shops, dentists, doctors and schools and reference in the document to adequate services is limited.

A number of these sites would sit on the edge of EBC but will have an impact on Derby City Council services and facilities. It is DCC that will have to provide the infrastructure for these housing development eg. roads, schools, shops, doctors, dentists, however, they will not receive the council tax revenue from residents.

Site SGA10 South of Little Eaton, is located near to a very small industrial estate and it is very unlikely that those living on this development will obtain employment here. Residents are more likely to travel further afield. The secondary school provision mentioned is St Benedict's School which is a Catholic school and residents are more likely to wish to send their children to the already over-subscribed Ecclesbourne School in Duffield.

There are anomalies throughout the document, including reference to the Da Vinci School as a 'primary' school when in fact it is a secondary school.

Site SGA15 West Hallam Depot is in a rural area with no sustainable transport connections such as a bus service. There are no transport connections detailed, therefore how is it intended that people will travel from this development?

Sites SGA3 an SGA24, Breadsall and SGA1 Oakwood, these sites may increase the risk of flooding which is the case for some recent developments in these areas. EBC has taken no responsibility for the knock-on effects of flooding issues experienced from recent developments within the city boundary which has affected these two areas. There are better solutions than developing these pockets of land. The road infrastructure, schooling, dentists and doctors services are inadequate to sustain more development in these areas.

Sites SGA5 and SGA 6, Borrowash, Sustainable travel needs to be provided to accommodate these developments and EBC needs to investigate the provision of a tramline between Derby and Nottingham to create linear sites.

Site SGA 26, Spondon. I have had many constituents contact me regarding the inclusion of the SGA 26 site in the Core Strategy and I understand that they were only notified a week before it was submitted to the full Council meeting in March 2021. There were over 700 objections from non-EBC residents against its inclusion, however, I am informed that these were dismissed. I am also aware that Spondon residents and councillors were not allowed to ask questions at that Council meeting. I understand that the Planning Department at DCC was only informed about the proposal described as 'land north of Spondon' only 2 weeks before the meeting and its exact location was not disclosed at that time. I therefore feel that the consultation process has been totally inadequate.

The local Secondary School, West Park Academy, is already over-subscribed and has had to expand already to meet the needs of Derby residents but would be the obvious school of choice for any

residents of SGA 26. There has been no consultation with the Academy or Derby City Council regarding school place planning. Has EBC consulted with Derbyshire County Council regarding school place planning?

The road network through Spondon is not able to cope with additional traffic. There are only a few routes out of Spondon and the main one is through the village, via Willowcroft Road and along Nottingham Road to the A52. This area already has a high level of air pollution and adding a 240 housing development to the area will increase this further and affect the health and wellbeing of Spondon residents. The SGA 26 site is home to a herd of fallow deer, these deer are both locally and historically important to Derby and will be threatened by the development. The site is also home to lapwing birds, bats and dormice, some of which are protected. What ecological impact surveys have been completed? Bordering SGA 26 is ancient woodland which is, according to DEFRA, classed in national planning policy as important. The proposed development would have an indirect impact on the ancient woodland and the species which it is home to. These can include:

- Breaking up or destroying connections between woodlands and ancient or veteran trees
- Reducing the amount of semi-natural habitats next to ancient woodland
- Increasing the amount of pollution, including dust
- Increasing disturbance to wildlife from additional traffic and visitors
- Increasing light or air pollution
- Increasing damaging activities like fly-tipping and the impact of domestic pets
- Changing the landscape character of the area

This site often floods and in 2014 major floods affected Spondon, Ockbrook and Borrowash as the sewer drains could not cope. What assessment of this site has been carried out to prove that this could not add to this pressure?

I hope you will seriously consider all of the above objections when considering this Review.

Yours sincerely,

Pauline Latham OBE MP
Member of Parliament for Mid-Derbyshire

[redacted]

[redacted]

-

[redacted]

From:	Andrew Clayton[redacted]
Sent time:	06/05/2022 12:22:55
To:	Planning Policy
Subject:	RE: Erewash Core Strategy Review - Consultation on Publication version
Attachments:	Letter to EBC 05.05.22-Final Version.pdf

Dear [redacted]

Please find attached my objection to SGA26 ,Land South of Spondon being included in the Core Strategy. I wish this to be made available to the independent Planning Inspector.
Could you please acknowledge receipt of this e.mail.

Yours sincerely

Andrew Clayton

From: [redacted]
Sent: 10 March 2022 17:03
Subject: Erewash Core Strategy Review - Consultation on Publication version

Dear Sir/Madam,

RE: EREWASH LOCAL PLAN REVIEW

We are contacting you as you have previously stated that you wish to be kept informed of Erewash Borough Council's progress in reviewing its Core Strategy local plan document.

At the Full Council meeting held on Thursday 3rd March, Erewash councillors approved an eight-week consultation on the draft Core Strategy Review (Publication version). Taking into account previous consultation responses from 2020 and 2021, this document now contains several draft policies covering the following matters:

- Housing strategy and allocation sites;
- Employment;
- Town, Local & Village centres;
- Transport; and
- Green Infrastructure

This consultation is open from **Monday 14th March to Monday 9th May 2022**. All duly-made responses to the consultation will be forwarded on to the independent Planning Inspector as part of the Council's submission of its Plan to the Secretary of State. More information about the consultation, including key documents and an online representation form, will be available from **Monday 14th March 2022** on the Council's website at the following location: www.erewash.gov.uk/local-plan-section/core-strategy-review.html

Due to data protection, we kindly ask that if you wish to stay updated on the progress of the Local Plan review you respond to this email notifying the Council of your preference. Should you submit a representation as part of this consultation then your details would automatically be retained by the Borough Council until such time that the Core Strategy Review be adopted.

Yours faithfully

[redacted]

[redacted]

[redacted]

The opinions expressed in this e-mail are those of the author and do not necessarily represent the opinions of Erewash Borough Council.
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Erewash Borough Council, Ilkeston Town Hall, Wharncliffe Road, Ilkeston, Derbyshire. DE7 5RP. www.erewash.gov.uk

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Letter to EBC 05.05.22-Final Version.pdf

5th May 2022

Dear Sirs,

Re: Objection letter concerning land south of Spondon Woods – SGA26 to be put before the Independent Inspectorate.

I believe the area known as **SGA26**:**South of Spondon Woods** should **NOT** be released from Green Belt status. I am objecting to this declassification and any subsequent planning application. The reasons for this together with my other comments are listed below:

DUTY TO CO-OPERATE

I have been informed by my local councillor that there has been a failure by EBC to co-operate with Derby City Council. EBC have also been criticised by Amber Valley Borough Council about their lack of constructive engagement between neighbouring Councils including Derby City and AVBC. Both Councils have expressed concerns as to the way EBC have proceeded.

John Campbell of Ropewalk Chambers, who was instructed by the Residents of Spondon Association also commented that there has been "wholesale failure to co-operate with Derby City Council".

This is deeply worrying as Spondon is part of Derby City and therefore the development would in effect be an extension to Derby, it adds no value to Erewash residents.
The provision of services for this development (e.g schools, healthcare and education) will be the responsibility of Derby City Council with EBC taking the financial benefits.
If EBC had consulted with Derby City Council they would have been informed about lack of school provision and the strain already being placed on healthcare and roads in Spondon.

School provision

There is no provision at the local secondary school. West Park School, which is the nearest school, is already 12 % over capacity. Friesland school which is a considerable distance is 3% over capacity. Similar figures apply for Primary schools too.

There is no provision for the schooling for this new development.

Traffic

The document states that current arrangements appear to provide optimal mechanism to allow traffic to pass through at an acceptable flow. There is no evidence to back this up other than the line appears to. This is not backed up by any empirical data. The traffic is already unacceptable for the residents of Spondon.

The document states that Moor Lane leads to Ockbrook Village that has a limited, local road network not suited to accommodating additional vehicular movements. The document states that traffic will more likely turn right. This is an opinion and not a reason. Traffic will go this

Letter to EBC 05.05.22-Final Version.pdf

way to avoid having to go through Spondon. As stated, the village of Ockbrook is not suited to accommodating more vehicles.

Healthcare

There are two small doctors surgeries both of which are oversubscribed. The situation is the same for dental practices in the village.

GREEN BELT

I have serious concerns, which are shared by neighbouring councils to Erewash, as to the basis on which Erewash have concluded that there are exceptional circumstances to justify the proposed Green Belt amendment in this and other locations. There is no indication that the amendment to delete this land from the Green Belt has been informed by a comprehensive review of Green Belt in Erewash. There does not appear to have been a strategic Green belt review, which may have identified less sensitive areas of the Green Belt for potential release. Proposals do not appear to be soundly based on robust evidence.

Exceptional circumstances cannot be demonstrated to justify this proposed amendment to Green Belt.

Brownfield land in Erewash

Land should only be released from Green belt status under exceptional circumstances and I don't belief this development is justified as an exceptional circumstance. I do not belief that EBC has justified that they have used as much brownfield land as possible. There is no evidence provided to suggest that this is the case.

To preserve the setting and special character of historic towns

The suggested boundary of SGA2 adjoins West Hallam Conservation Area (CA) and is therefore within 500m of this heritage asset. For SGA 2 the document states that the development is within 500m of a heritage asset and that development therefore would increase the risks of affecting the setting and character of the CA."

For similar reasons to the above, I believe that the area surrounding Spondon Wood which is within 150 metres should be left. I also believe that this should be given conservation status as it is a habitat of importance.

The document even states that the adjacent Spondon Wood is classified as a combination of ancient/semi-natural woodland and ancient replanted woodland. It is listed by DEFRA as a habitat of principal importance
SGA 2 which was rejected, quite rightly, states that the site would be a fill in, therefore this would not affect the character of West Hallam as much as the Spondon site would.

Encroachment into the countryside.

The measurement for this takes Sadler Gate Derby which is 6.19 KM away from the site as the basis for measurement. This is a different basis than that taken for SGA5 and SGA2 which are similar sized developments. The measurements for these two sites are taken from the centre of the village. If this was taken as the basis for measurement for SGA26, then the percentage would change from 2.4 % to approximately 10%, which based on the size of the village is a large percentage.

EBC planning department said that “The metric employed in assessing how much any of the individual sites encroach into the open countryside was undertaken by measuring how much further the possible development would project outwards from the centre of that settlement beyond the settlement’s current extent. There is no specific criterion connected to this element of the assessment, although it stands to reason that the greater the reported percentage, the more impact development of an SGA would have on encroachment into surrounding countryside.” Clearly the centre of Derby is not the centre of the settlement, it should be judged the same as SGA2 and SGA5.

I still don’t believe that it is a good basis for measuring the encroachment as it doesn’t take into account the size of the area. This development is clearly an encroachment.

<u>The presence of Spondon Wood to the north of the site provides a robust Green Belt boundary</u>

The above was one of the reasons that the site has been chosen. A row of ancient woods does not constitute a robust boundary. Also, the land extends to the left of the site which could later be argued is a natural extension to the site and be developed on further.

<u>Consequently, it is proposed to delete this site from the Green Belt and allocate it as a strategic housing development, as a replacement for the site north of Lock Lane.</u>

This is not a valid reason. The site should have been assessed, as were all other sites prior to the March 2021 amendment. The site should have been rejected or added to the list prior to March on its own merits. It appears that this was never going to be the case and the site was going to be added in regardless to avoid being challenged. It is not a valid reason to add SGA 26 because Lock Lane was rejected. Other rejected SGA’s were not reconsidered as a replacement.

<u>EREWASH BOROUGH COUNCIL</u>

I don’t believe that Erewash Borough Council went to enough effort to make the residents of Spondon aware of this site in the same way that they did for Erewash residents.

It appears that Erewash Borough Council attempted to quietly add this site, at the request of the Developer, at the last minute, to make it as difficult as possible for the residents of Spondon to voice their concerns and in a democratic society I believe that this was totally unacceptable.

The developer has attempted to exploit the laws around green belt, purely for financial gain, by approaching EBC to get them to add this development to their proposal and this is not acceptable.
The process does not appear to have been carried out in a fair and balanced way, it was very political. It appears strange that all SGA’S in the West Hallam area, which is Councillor Harts constituency have all been rejected, one being similar to the Spondon development.

As Spondon residents do not vote in Erewash elections, their opinions have been largely ignored. Spondon residents were not even allowed to ask questions at the various meetings.

Votes for the core strategy were made in public which made it difficult for Conservative members to vote against it. Many of the legitimate arguments against the strategy, particularly Green Belt issues, were turned into a Labour v Conservative fight rather than what is best for residents and the Spondon Community.

Letter to EBC 05.05.22-Final Version.pdf

To conclude, I object strenuously to the development on land adjacent to Spondon Woods / SGA26 and I would like my objection to be put before the Independent Inspectorate.

Please acknowledge receipt of this letter.

Yours sincerely

Andrew Clayton

From:	[redacted]
Sent time:	06/05/2022 11:11:52
To:	Planning Policy
Subject:	Stanton Estates - Land at Breaston - Regulation 19 Representations
Attachments:	Stanton Estates - Erewash Reg 19 Reps.pdf

Dear Sirs

On behalf of my client, Stanton Estates, please find attached representations to the Regulation 19 Erewash Core Strategy Review in respect of land at Breaston.

Please acknowledge receipt of this submission.

With Kind Regards

[redacted]

[redacted]

[redacted]

[redacted]

Stanton Estates - Erewash Reg 19 Reps.pdf

Erewash Core Strategy Review

Plan Publication (Regulation 19) May 2022

Representations prepared by [redacted]
on behalf of the Stanton Estates

[redacted]

Stanton Estates - Erewash Reg 19 Reps.pdf

[redacted]

Project Title:

Land at Wilsthorpe Road, Breaston

Agent:

[redacted]

Contact Details:

[redacted]

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01 Introduction

1.1 These representations are prepared on behalf of Stanton Estates in respect of its land interests within Erewash, adjoining the sustainable settlement of Breaston. The land is available, achievable and deliverable and can make a contribution towards meeting the authorities housing requirement. It can contribute within the first five years of the Plan period, assisting the authority in demonstrating a robust five-year housing land supply.

1.2 The site comprises land to the east of Breaston, as illustrated by Figure 1 below.

Figure 1: Land at Wilsthorpe Road, Breaston (Source: GoogleEarth)

1.3 As with a number of the preferred options identified within the Revised Options for Growth Consultation, the site falls within the Green Belt. However, it is considered that additional Green Belt land release will be required to enable the Council to meet its housing requirements in sustainable locations, such as land to the east of Breaston.

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[redacted]

02 Representations

Comment 1

To which part of the Core Strategy Review does this representation relate?

[X] Policies [ ] Policies Map [ ] Other Text

Strategic Policy 1 - Housing

Do you consider the Core Strategy Review is Legally Compliant?

[X] Yes [ ] No

Do you consider the Core Strategy Review is sound?

[X] Yes [ ] No

Please provide details of why you consider the Erewash Core Strategy Review is not legally compliant, sound or complies the duty to co-operate

2.1 Paragraph 61 of the NPPF sets out that in order to determine the minimum number of homes needed, strategic policies should be informed by Local Housing Need, as derived from the Standard Method (as set out in the Planning Practice Guidance(PPG)). For Erewash Borough, utilising the 2014 household projections and the most recent (2021) median workplace-based affordability ratios, this generates a Local Housing Need of 386 dwellings per annum. Over the 15-year plan period this equates to a Local Housing Need of 5,790 dwellings per annum. This is just below the Council's proposed housing requirement of 5,800 dwellings.

2.2 The PPG sets out the scenarios when it would be possible to both uplift and reduce the housing requirement, having used LHN as a starting point. Despite the constraints applicable in Erewash, we agree it would not be appropriate to reduce LHN and thus some sensible Green Belt release will be necessary. In respect of potential uplifts, the PPG sets out uplifts could be applied to reflect the following, albeit not an exhaustive list;

- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);
- strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
- an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;

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[redacted]

2.3 In respect of Erewash, we are not aware of any agreed growth strategy or strategic scale infrastructure provision need to be delivered in Erewash. There is however neighbouring unmet need in Derby City, albeit it is not our understanding that Erewash have not yet formally been requested to meet this need. It is also understood that Nottingham City is likely to declare unmet needs as part of its ongoing Plan preparation.

2.4 Having regard for the above, it is considered that there remains scope for the Authority to deliver in excess of 5,800 dwelling suggested housing requirement, to make a much-needed local contribution to housing provision in the HMA and wider spatial area. The availability of sites such as that promoted by our client demonstrates that there is suitable land available within Authority, adjacent to sustainable settlements. As such it is considered the Council could deliver a higher number of dwellings to offer some assistance to unmet needs in the local area and to contribute to local economic growth.

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[redacted]

Comment 2

To which part of the Core Strategy Review does this representation relate?

[X] Policies [ ] Policies Map [ ] Other Text

Strategic Policy 1.1 – Strategic Housing Sites

Do you consider the Core Strategy Review is Legally Compliant?

[X] Yes [ ] No

Do you consider the Core Strategy Review is sound?

[X] Yes [ ] No

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

2.5 Strategic Policy 1.1 provides detailed requirements for all sites over 200 dwellings or more. It contains a set of 7 criteria, with further guidance thereafter. The criteria all reflect good placemaking and design principles, to ensure new housing schemes are both functional yet attractive. The criteria will help ensure new housing developments on existing greenfield sites on settlement fringes will provide high quality developments, where possible retaining existing boundaries and internal field network vegetation. This will both help new development assimilate into the wider landscapes, but also protect ecology assets and provide local character. Moreover, it will help to assist new developments being green from day one, whilst implemented landscaping schemes may take a number of years to grow and be highly functional.

2.6 Criteria 4 sets out that schemes should include an appropriate level of biodiversity net gain. This means as a minimum that is prescribed in national legislation. This approach is supported, as there is no local justification or evidence provided which would necessitate and support a higher level of provision than that being prescribed at a national level.

2.7 The land at South of Longmoor Lane, Breaston has the potential to deliver in excess of 200 dwellings and our client is satisfied that a policy compliant scheme can be advanced in respect of Policy 1.1.

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[redacted]

Comment 3

To which part of the Core Strategy Review does this representation relate?

[X] Policies [X] Policies Map [ ] Other Text

Strategic Policy 1.2-1.6 – Strategic Housing Sites

Do you consider the Core Strategy Review is Legally Compliant?

[X] Yes [ ] No

Do you consider the Core Strategy Review is sound?

[ ] Yes [ ] No

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

2.8 The Council proposes the allocation of 5 sites, ranging from 200 dwellings to 1,300 dwellings, delivering a theoretical supply of an additional circa of 3,350 dwellings. There are however long-standing issues with some of the proposed allocations. This Plan does not currently have any continuity built into it, with no reserve sites or safeguarded land. This means the Plan is highly susceptible to delivery issues if any of the sites fail to deliver or if housing need is increased. This is specifically relative in relation to the difficult to deliver brownfield sites, particularly Stanton Ironworks.

2.9 The site was allocated in the Core Strategy 2014 to provide a new community of 2,000 homes, a primary school, shops, services, a nine-hectare (ha) business park, a further 18 ha of general employment land along with a 22ha local wildlife park. The Draft Options for Growth consultation document set out that only 1,000 dwellings would be delivered in the Plan period, with a further 1,000 to be delivered following the Plan period. Following the acquisition of a large part of the site for employment uses, the revised and current consultation documents conclude that circa 1,000 dwellings will still be delivered during the Plan period.

2.10 Despite the involvement of Homes England, we still consider this to be an overly ambitious target and likely to be unachievable. The site closed in 2007 and there has been little progress on plans for its redevelopment. Despite interest in the site from potential developers, the site owner, Saint Gobain, has been unable to agree terms on a sale for the whole site. In 2013 a planning application was submitted for the redevelopment of the site. This was due to be considered at Erewash Planning Committee in 2015 however, the landowner withdrew the application after Officer's

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[redacted]

recommended that the application be refused. Eleven reasons for refusal were proposed, including:

1. Failure to provide appropriate affordable housing
2. Failure to provide amount and mix of employment development
3. Failure to deliver green infrastructure including a wildlife corridor
4. Inappropriate and excessive retail uses
5. Failure to show restoration of landscape
6. Loss of bat roosts
7. Inadequate compensation of wildlife habitat
8. Inadequate noise protection
9. Failure to address how increase in traffic would be dealt with
10. Failure to show how residential amenity would be met
11. Harm to heritage assets

2.11 This demonstrates the significant difficulties in developing such a large-scale regeneration proposal of this nature on a site previously used for iron production and bomb making.

2.12 Following the withdrawal of the planning application, a site-specific Supplementary Planning Document (SPD) was prepared by the Council and adopted in 2017, aimed at helping to bring the site forward. This however is now out of date due to the sale of a significant portion of the site in 2020, being developed for employment uses. The SPD set out that to remediate just a small area of the site, enough for 100 dwellings, would cost in the region of £700,000. Whilst there will likely be variations across the site, this demonstrates the significant difficulty in works necessary in order to deliver the site.

2.13 Considering the land sold as part of the employment deal referenced above, the subsequent reduction in dwellings to be provided reduces the critical mass of future residents. As a residential development, the site is now too small to form a free-standing community. The Governments Garden Communities Prospectus advises that 1,500 dwellings is the minimum number of units required to create the critical mass and self-sustainability necessary for such a development. This means that services and facilities previously planned for the site as part of the 2,000 dwelling scheme will no longer be viable. This will not create a sustainable community, but instead a residential enclave some distance from the existing services and facilities of Ilkeston or Sandiacre.

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The reduction in dwellings may also have an impact on viability. Considering the isolated nature of the site, there will be a requirement to deliver local services and facilities, particularly a primary school, community facilities, transport facilities and likely significant road works. When combined with existing remediation costs, it is considered that it will be incredibly difficult to bring forward any scheme, let alone a scheme which delivers affordable housing.

2.14 Having considered the Council's documentation, it is not clear through new evidence that any substantive progress has been made on the site since the previous Local Plan Review consultation. This is concerning given it would be normal practice to provide an updated position to the Inspector to provide the necessary confidence that the site can deliver as anticipated.

2.15 Having regard for these issues, combined with apparent market interest in bringing the site for employment uses (as demonstrated by the recent sale), the Council should instead explore the possibility of allocating the whole site for employment purposes. This would assist in providing vital jobs and would compensate the proposed loss of employment land at other locations. If the Council's aspirations to deliver an element of residential use at this location, then the site should be allocated, but the Council should not rely on any delivery in order to meet its overall housing targets and/or provide reserve sites or safeguarded land tied to release mechanisms that will release land for housing in the event that the site does not deliver as anticipated. This is considered significantly more flexible than placing significant reliance on a Local Plan review, which will not be began for 5 years, will take a number of years to complete, with corresponding lead in times meaning housing will take in excess of 7-8 years to be delivered.

2.16 The allocation at West Hallam Depot for approximately 1,000 dwellings on brownfield land inset from the Green Belt. The site is currently in employment use. Whilst it is understood that there are a number of older buildings on the site, as an existing employment site the loss of such employment land provision should be assessed; it is not clear to what extent this has been undertaken. Moreover, no evidence is available to demonstrate that the site cannot continue in employment generating uses and what spatial impacts the loss of this employment site will have on the local employment provision and on the local economy, and what measures are to be taken to mitigate such losses, for example through replacement provision. It is noted that employment uses can have a greater impact of built form and may not be appropriate in locations where residential development could be assimilated. As such, retention of employment uses on this site

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[redacted]

is considered pragmatic.

2.17 As a residential-led redevelopment, the site is too small to form a free-standing community. The Governments Garden Communities Prospectus advises that 1,500 dwellings is the minimum number of units required to create the critical mass and self-sustainability necessary for such a development. Whilst the site does have some connectivity to West Hallam, it is not so well connected that it can be assumed that residents would walk to access services and facilities. Whilst it reuses brownfield land, there are likely to be impacts on sustainability and highways as a result of its redevelopment, particularly given that the funding for the Kirk Hallam Relief Road cannot be guaranteed and it is questioned whether the redevelopment could afford to make a contribution to such infrastructure given the costs of delivering the site.

2.18 Furthermore, the site is likely to present a significant ground contamination risk as a result of its historic use as a wartime ordnance depot and its continued use as an industrial site. The scale of the ordnance depot is not public information and as a result it is difficult to estimate the extent of potentially contaminated areas across the site. Whilst it is considered likely that not all of the site would have been used for the storage of ordnance without some indication of an extent of potential contamination then it is impossible to determine whether the site can be considered viable following necessary remediation works.

2.19 These issues will strain the viability of the site, and that is before wider contributions which would be necessary to deliver the site, such as infrastructure, school provision, etc are considered. It is considered highly doubtful that the site will be able to meet a policy compliant level of affordable housing.

2.20 Moreover, it is our understanding that many of the businesses on the site have valid leases remaining. It is not clear whether it is the intention of the landowner to await their expiry, or serve notice on such businesses. If it is the former, this will surely lead to significant delays of any delivery on the site. If it is the latter, legitimate and functioning businesses may find themselves struggling to operate, be forced to relocate (potentially out of the Borough) and even potentially going out of business, having further negative impacts on the local economy following a global pandemic and a current cost of living crisis. Many businesses may seek to relocate to other areas, which would directly impact both local employment and economy, as well as the Council's business rates income, which could damage their ability to provide much needed services. Post

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[redacted]

COVID-19 it is vital that businesses are supported and that opportunities to protect functioning employment sites are properly investigated.

2.21 As per Stanton, there appears to have been a lack of progress on this site. If there had of been progress this should have been documented in formal evidence and this should have been available for consideration at Regulation 19 stage. Again, the lack of progress is of concern and does not provide the Inspector comfort as to the deliverability of these cornerstone sites.

2.22 In light of the Council's reduction of housing provision north of Cotmanhay, additional housing land was required. The Council have elected to make up for such losses through an extension of the Kirk Hallam allocation.

2.23 We raised concern previously in relation to this site. In particular, we are keen to understand further the interrelationship between the delivery of this site and the delivery of the Kirk Hallam Relief Road. It is not clear how much development would be acceptable prior to the delivery of the relief road, albeit the *Strategic Growth Areas Assessments* document sets out that the additional housing makes this relief road "***essential*** *to help direct newly-generated traffic towards better classified roads*" [our emphasis]. It is not clear at this stage what mechanisms of funding the Council are seeking to use to deliver this infrastructure, or whether the development itself will pay for the infrastructure. In the case of the latter, it is not clear how much of the housing development will be required to pay for the completion of the infrastructure, and how early through the development this can be delivered. Clearly for the site to be allocated, it must be clearly demonstrated that the relief road is viable. If the relief road is reliant on finance from the delivery of the Kirk Hallam allocation, it must be demonstrable in transport terms that there is scope in the existing network to function acceptably whilst the site is being built out up to a point where the road is opened and operable. Beyond finance, it is not clear where the infrastructure is at in terms of planning, nor is it clear the length of time it will take to deliver this road and whether ownership issues are present.

2.24 It is noted the proposed development proposals will almost entirely engulf the Pioneer Meadows Local Nature Reserve. The Council will need to be clear that the impacts on this designated area are acceptable, and any impacts can be successfully mitigated.

Stanton Estates - Erewash Reg 19 Reps.pdf

[redacted]

2.25 Until evidence is provided to demonstrate the site is deliverable with the various constraints, not least highways, the site cannot be considered deliverable.

2.26 The potential issues of non-delivery of the above sites could be remedied through the allocation of reserve sites and safeguarded land. If any of the sites are deemed through the examination process to unsound, then the land at Wilsthorpe Road, Breaston is available and suitable to remedy any shortfall. The site's suitability is discussed in greater detail below.

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[redacted]

Comment 4

To which part of the Core Strategy Review does this representation relate?

[X] Policies [X] Policies Map [ ] Other Text

Omission Site: South of Longmoor Lane, Breaston – Ref: SGA31

Do you consider the Core Strategy Review is Legally Compliant?

[X] Yes [ ] No

Do you consider the Core Strategy Review is sound?

[ ] Yes [X] No

Please provide details of why you consider the Erewash Core Strategy Review is legally compliant, sound or complies the duty to co-operate

2.27 Having regard for the arguments to increase the Council's housing requirement, combined with issues with some of the Council's preferred housing sites, it is considered likely that there will be a demonstrable shortfall of housing supply against the Borough's established housing needs and thus further housing sites may need to be found. When combined with local issues of delivery in neighbouring Derby City, this means there is likely to be a significant area wherein housing delivery does not meet actual demand. If not rectified, this will have a damaging impact on local housing availability and affordability, which will disproportionately impact the area's younger people who will struggle to gain access onto the housing ladder. A lack of new housing may also push up the price of private rents, reducing the ability for people in rented accommodation to save money for a deposit and thus enter the housing ladder. Having regard for the current cost of living crisis, people simply cannot afford to absorb continued unsustainable house and rent growth, with many more people becoming trapped in rental accommodation without the free income to put towards a deposit. Whilst we appreciate the Council, as well as neighbouring authorities, are constrained by Green Belt, this further demonstrates the demonstrable need for further Green Belt release to meet housing needs. In this context, we would again highlight the availability and suitability of our client's land interests south of Longmoor Lane, Breaston.

2.28 Our client's site has been assessed by the Council, ref: SGA31. This wider site has the capacity to deliver circa 250 dwellings (having regard for a reduced area available on the site (circa 14ha) for development to deliver the necessary landscape buffering and infrastructure requirements), including dwellings within the first 5 years, with two builders able to deliver concurrently. This land is located sustainably adjacent to Breaston and in close proximity to Long Eaton, meaning a vast array of services and facilities are accessible by only a short walk. The site is in close proximity to

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[redacted]

existing bus stops which are served by the highly regular Indigo service, which provides easy access to Nottingham and Derby. This route would reasonably serve those wishing to commute, as well as trips for retail, leisure, education, social and health.

Green Belt

2.29 The land is designated as Green Belt. The NPPF sets out at paragraph 138 that the Green Belt serves 5 purposes. These are:

a) To check the unrestricted sprawl of large built-up areas;

b) To prevent neighbouring towns merging into one another

c) To assist in safeguarding the countryside from encroachment

d) To preserve the setting and special character of historic towns;

e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.30 It is noted that a full Green Belt Assessment has not been undertaken in preparing the consultation document and identifying the proposed allocations. The published evidence most pertinent to Green Belt performance is the Technical Assessment of the Derby Principal Urban Area Green Belt Purposes (September 2012) document. However, this assesses broad areas of Green Belt, not specific strategic development parcels. Assessing the land to the north of Wilsthorpe Road against the five purposes of the Green Belt, it is considered that the site scores relatively poorly, as set out below:

<u>To check the unrestricted sprawl of large built-up areas</u>

2.31 The site is highly contained, between Breaston and the M1, with roads on the northern and southern boundary. This containment naturally restricts further growth. The site ties tightly to existing built form on the Breaston. On that basis, the site is considered to score poorly against this purpose of the Green Belt.

<u>To prevent neighbouring towns merging into one another</u>

2.32 The development of the site would have a negligible impact on the coalescence of neighbouring settlements. The M1 provides a strong defensible boundary to the east of the site and so coalescence of Breaston and Long Eaton will not be experienced to those traveling between the two settlements. Whilst the impacts may look worse on aerial imagery and mapping, the site will be experienced at ground level post development, predominantly to those passing the site on both the A6005 and Longmoor Lane. Any scheme will be landscape led and designed to ensure that

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[redacted]

views from these routes would ensure a significant degree of separation was maintained. To the east, the development of the site would include a landscape buffer so that it would not reduce the separation of Breaston to Long Eaton any further than the existing separation distance of approximately 50 metres at land south of Wilsthorpe Road, despite the Site Assessment assuming a large reduction in separation between Breaston and Long Eaton. These mitigatory measures could be secured through policies within the Plan, and will drastically reduce the impacts of development on this purpose of the Green Belt. When considered with the proposed mitigatory measures, the site is considered to score poorly against this purpose of the Green Belt.

To assist in safeguarding the countryside from encroachment

2.33 Any development on green field land on the edge of a settlement would have an impact on encroachment into the countryside. The site however is tied tightly to the east of Breaston and as it is bordered by the M1 to the east, there can be no further growth east of the site. The site is therefore score poorly against this purpose of the Green Belt.

To preserve the setting and special character of historic towns

2.34 The development of the site will have a negligible impact on the more historic centres of Breaston or Long Eaton. It is highly contained, adjacent only to a standard modern 20th century housing estate and a four laned motorway. The site is therefore considered to score poorly against this purpose of the Green Belt.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

2.35 As established through the consultation document, there is no further available brownfield land available for development. This site is needed to alleviate a shortfall of housing land supply created by an over reliance on difficult to deliver brownfield land. Releasing this site from the Green Belt therefore will have no impact on urban regeneration. The site therefore scores poorly against this purpose of the Green Belt.

Exceptional Circumstances

2.36 Having regard for the above, it is clear that with appropriate mitigation, which can be secured through site specific policy criteria, the site does not perform strongly against the five purposes of the Green Belt. However, it is still necessary to demonstrate exceptional circumstances for the sites release. The Council have already confirmed that they believe exceptional circumstances exist for Green Belt release, as evidenced by the proposed allocations. Given the Council's housing

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position is significantly below that required to meet the Borough's housing need, it is considered that exceptional circumstances exist for the release of this poor-functioning Green Belt site. The site should therefore be released from the Green Belt and included as an allocation within the emerging Plan to assist in meeting housing needs. The site can help mitigate any increase in housing requirement or if other sites need to be removed, or delivery reduced or delayed to ensure continuity in supply. The site could also be designated as safeguarded land to come forward if delays to other allocations occur impacting the Authority's 5-year housing land supply or ability to satisfy the Housing Delivery Test.

Site Assessment

2.37 This land is sustainably located adjacent to Breaston and close to Long Eaton. The site is within Flood Zone 1, and as established by the Council's own evidence, is largely unconstrained, save for its location within the Green Belt, but this is a policy constraint, not a technical one. The site can deliver two accesses to the north onto Longmoor Lane and to the south on the A6005, improving permeability and reducing impacts on the highway network by not forcing vehicles to use a single access. The dual access would enable two housebuilders to deliver on the site concurrently, which would assist in delivering dwellings quickly, making a valuable contribution to the current five year housing land supply shortfall. Initial work undertaken by the Council demonstrates that the there appears to be scope in the existing highway network, albeit this will be confirmed by appropriate highways evidence. There is the potential to include a new pedestrian link through the site, further improving local permeability and linking to the rights of way network to the north.

2.38 As referenced, the site will provide a landscape buffer to the east to ensure there remains a significant area of separation west of the M1 between Long Eaton and Breaston. This buffer will also serve to distance new dwellings from the M1, reducing any impacts of noise or pollution. With such a buffer, it is considered the site will not deliver development any closer to Long Eaton than that which exists at present. This buffer can provide amenity, habitat and make a contribution to biodiversity net gains.

2.39 Any localised shortfall of capacity in healthcare provision or school places can be rectified through developer contributions. Given the site is not a difficult one to deliver, the site can make a full, policy complaint contribution towards the delivery of affordable housing, a key asset given the likelihood that affordable housing will be reduced or not delivered on the larger brownfield allocations. The housing mix will be informed by Council policy, local need and market demand. The site has the

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[redacted]

capacity to deliver accommodation to suit younger people through starter homes, family housing and housing suitable for downsizing, including bungalows.

2.40 The immediate and localised setting has capacity to accommodate sensitively designed and well considered residential development. It is considered that the proposed development of the site would form a logical extension to Breaston, with existing residential development located to the west of the site already forming notable urbanising features within the site's localised setting and any proposed development would be seen within this context. The proposed development would not breach the current limits to Breaston formed by the major road corridors within the site's localised eastern context. These act as suitable and strong defensible Green Belt boundaries.

2.41 While it is acknowledged that the development of this site would extend built form into greenfield land, the site is well related to the existing urban edge and M1 corridor to the east. It is considered that the proposed development of the site for residential use could be integrated without significant harm to the existing landscape character of the site and its localised and wider setting.

2.42 With respect to the visual environment, views of the site are largely localised, with primary receptors being local residents associated and road corridors to the north, east and south of the site. Within these views, the site is seen within the context of existing built form associated with the wider settlement setting of Breaston. Any glimpsed views of the proposed development will be seen within the context of existing residential development or the M1 corridor. The presence of the established treescape within the wider site context will ensure that appropriately designed built form will not appear prominent or overbearing.

2.43 If the Council remain of the opinion that the larger site cannot be developed, there is a smaller area of land, shown below (figure 2), which has also been put forward for development. This can come forward independently of the wider land, and could provide circa 60 dwellings, to the north of Heath Gardens.

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[redacted]

Figure 2: Land north of Wilsthorpe Road, Breaston (Source: GoogleEarth)

2.44 This site will have a negligible impact on the purposes of the Green Belt, and would not reduce the distance between Breaston and Long Eaton. This site will however make only a modest contribution to assisting in meeting the established housing shortfall, when compared with the circa 250+ dwelling contribution achievable through the release and allocation of the wider site, but could still make a valuable contribution, particularly in the short term.

2.45 Our client is willing to work with the Council and provide any evidence needed to provide comfort as to the suitability of the site and its ability to deliver early within the Plan period.

From:	Rachel Cheetham[redacted]
Sent time:	08/05/2022 11:21:58
To:	Planning Policy
Subject:	Core Strategy Review Representation
Attachments:	EBC CSR Objection.pdf

Please find attached correspondence detailing my objection to the EBC Core Strategy Review Document, specifically concerning the inclusion of site SGA26: Land North of Spondon

Regards

Rachel Cheetham

[redacted]

EBC CSR Objection.pdf

[redacted]

8th May 2022

[redacted]

Dear Sirs

CORE STRATEGY REVIEW REPRESENTATION

I wish to object to Erewash Borough Council's Core Strategy Review Document, with specific reference to the greenbelt declassification and inclusion of the Land North of Spondon (SGA26).

My objection is based on the following points:

- EBC's failure in its legal duty to co-operate with Derby City Council and local Spondon residents despite over 700 objections from non EBC residents.
- The lack of fair consideration of SGA26 due to its late inclusion as a direct replacement site, including no evidence of a full greenbelt review.
- Declassifying greenbelt over brownfield sites.
- Consideration of the impact of the Covid-19 pandemic on planning decisions.
- The impact any development will have on the Ancient Woodland (Spondon Wood).
- The loss of valuable agricultural land.
- The impact on Spondon Village and Derby City Council resources.

<u>Duty to Co-operate</u>

In the extraordinary meeting held by EBC on 25th March 2021 a six-week consultation period was approved in regard to the Revised Growth Option Document which would set out where strategic housing development would occur in Erewash as part of EBC's Local Plan review. This followed the previous year's consultation which ran between January and July 2020 and sought views on where EBC should focus future housing growth. Site SGA26 was not considered during the original consultation process and it is understood that Derby City Council were only made aware of this a few days before the extraordinary meeting and had to fight for an invite to speak at this meeting. Spondon residents were only made aware of the situation through a newspaper article in Derby Telegraph. On this basis it raises the concern that EBC have failed in their legal duty to co-operate with Derby City Council.

EBC CSR Objection.pdf

As part of the original consultation EBC have stated that they "employed a variety of additional mechanisms to promote engagement with stakeholders, organisations and the community" and the extended six-month consultation period was undertaken due to the Covid-19 pandemic (which remains ongoing), however the same process has not been afforded to the consideration of SGA26. Development of SGA26 directly impacts the residents of Spondon, yet EBC have made no attempts to engage with them. This is concerning that the actions of EBC have prevented full and meaningful participation of the affected community, which is contrary to the National Planning Policy Framework (NPPF), which states "early, proportionate and effective engagement between plan makers and community" should be undertaken. It is also highlighted by the Court of Appeal in their refusal to grant Sevenoaks Council permission to appeal against a High Court ruling that it's Local Plan failed to comply with the Duty to Co-operate.

Representatives of Spondon were not allowed to ask questions or make representation at EBC Council meetings due to the EBC constitution and EBC have unilaterally charged forward with this last minute bolt on of the addition of SGA26 without due consideration of the residents out of EBC boundaries, yet who will directly bound and be impacted by the development of SGA26. During the EBC meeting on 3rd March 2022 the 700 objections raised by non EBC residents were summarily dismissed and a member of the public who asked a question of the Council in relation to this and in accordance with the constitution was not given an answer on the night.

In addition, note should be made of the dismissive attitude displayed by the Leader of EBC who has stated in correspondence to Spondon Councillors that 'We are members for the Greater Nottingham planning area so we tend to have more discussions with them and we will not be signing up to the Derbyshire Planning Framework, I understand you are not happy about the Spondon Site but it is within our Erewash Boundary'. This attitude is wholly at odds with the Government's 'Duty to Co-operate' that governs discussions between neighbouring authorities to ensure that there is a joined up approach to thinking on delivering new housing with the appropriate facilities in place. Stating that they only speak with one authority and not another directly bounding them is unacceptable and not an adequate response.

It appears that there is a 'not in my back yard' approach by EBC in order to deliver their housing requirements. They do not care about impacting the Spondon residents as they cannot vote and directly affect EBC. The Spondon residents are being ignored despite the measures put it place by the Government to ensure this does not happen. I therefore strongly feel that the Core Strategy Review is not legally compliant.

<u>Fair Consideration of SGA26</u>

Site SGA26 was not considered during the original consultation by EBC and it is stated in EBC documentation that it is only to be considered due to the Lock Lane (SGA17) site being rejected. The statement in EBC documentation that SGA26 is "recommended as a replacement proposal for the land north of Lock Lane" is concerning as it appears SGA26 is being directly compared only to SGA17 rather than being considered on its own merits which is a flawed assessment.

Additionally, during the original consultation SGA7 and SGA17 received the vast majority of objections, and the main focus of these objections related to the loss of greenbelt, ecological impact, accessibility and loss of community open space. Following consultation and the number of rejections specifically in relation to SGA7 and SGA17 the sites were either removed from proposals or significantly reduced only to be directly replaced by a site that would also create loss of greenbelt, negative ecological impact and accessibility issues. With no evidenced consultation from EBC regarding SGA26 it does not appear that SGA26 is being fairly represented, especially if the volume of objections received plays such a big role in the decisions being made.

EBC CSR Objection.pdf

I would also like to ask whether EBC has undertaken a comprehensive greenbelt review to establish if there are more appropriate sites other than SGA26; especially other sites that would be closer to other EBC geographic centres and more likely provide greater benefit to EBC residents.

Declassifying Greenbelt Over Brownfield Sites

As stated in the NPPF, greenbelt should only be declassified where exceptional circumstances are fully evidenced and justified. In relation to questions asked during the previous consultation period regarding the use of greenbelt land in the face of alternative options, EBC provided a response stating that detailed work spanning several years has been undertaken to firstly identify and then encourage development of brownfield sites across Erewash, however constraints associated with the reuse of brownfield sites (the scale of the contamination and the costs of remediation) has served as a major constraint in the delivery of new housing. EBC further state that they have identified all available brownfield sites which have a 'realistic' prospect of delivering residential development within the plan period. I have several concerns about this and the apparent dismissal of brownfield sites in this way, which I have previously raised. I would again like to ask the questions; how have EBC defined the term 'realistic'? Have the sites been appropriately investigated and quantitatively assessed to determine remediation targets for a residential end use? Have they been investigated under Part IIA of the Environmental Protection Act 1990 and the "polluter pays" principal fully considered? Have Remediation Options Appraisals been undertaken and costed to determine whether remediation really is cost prohibitive – and who decided remediation was cost prohibitive? Have fiscally stringent housing developers determined remediation works were not cost effective when there are few barriers to develop on greenfield sites? If Local Authorities are not pushing developers to select brownfield sites through policy amendments, housing developers will naturally select the sites that they deem 'easier' and cheaper to develop. As a professional within the Contaminated Land Industry, I question, based on the above, whether EBC, as they state in their question/response document to the original consultation, are doing "everything in it's power to facilitate new housing development on brownfield land".

I accept that there are financial constraints associated with contaminated land, and building on greenfield sites may be a more attractive option to housing developers, but depending on the nature and extent of contamination, the remediation process does not need to be prohibitive and can often be incorporated into the development process. If Environmental Consultants and Remediation Contractors are appointed within the project team at the outset, strategies can be employed to work with the developer to provide the most cost effective and sustainable approach to the development. Remediation was previously considered time prohibitive to developments on occasion, but remediation processes can be phased and undertaken in collaboration with elements of enabling works to facilitate programme progression and remediation technologies are developing and progressing continuously – how long ago were the sites assessed? Different elements of SURF UK (Sustainable Remediation Forum) can be incorporated into developments to further enhance the sustainability of developing on brownfield sites and sustainability should be a key consideration in decisions such as these going forwards. With this in mind how can EBC state that developing SGA26 is more sustainable that other sites?

Impact of Covid-19 Pandemic

The Covid-19 Global Pandemic has been an unprecedented event of hugely significant magnitude. Consideration should be given to this and the impact it has had on society; on our habits and preferences, to determine if the situation is still as it was when the consultation process originally commenced in January 2020. These changes have been noted in many areas such as, but not limited to, the huge surge in demand for distribution warehouses and the greatly increased vacant units on

EBC CSR Objection.pdf

our highstreets. The impact this has had on our highstreets and town centres will likely mean that more land and buildings are available and may amount to a monumental shift in our land use preferences; hence there may be additional sites available for consideration that would be more sustainable and promote regeneration of key areas within Erewash, than were available for consideration initially. I have previously raised that this should be investigated further before precious greenbelt is declassified, yet have not seen any evidence regarding this to date. I would question the EBC statement that it is 'inevitable' that the SGA26 site is inherently more sustainable that other sites considered, or that it's deletion from the greenbelt allocation would have the least harm on the function of that greenbelt when further investigation on non-greenbelt sites has not been considered.

The Minister of State for Housing has stated that greenbelt should only be used in exceptional circumstances. The argument should be explained by EBC as to what is making the declassification of SGA26 exceptional. A full assessment of other potential sites has not been undertaken, especially in light of the impact of Covid-19 and the SGA26 site will not be meeting the needs of EBC residents, with it being an extension of Spondon not any other existing settlement within Erewash.

Impact on Spondon Wood

It was stated in the Erewash Core Strategy Review – Revised Options For Growth document that SGA26 "is bounded by Spondon Wood to the north and consequently its development would have a relatively limited impact on the greenbelt". However, it is considered that the impact on Spondon Wood itself has not been considered in this assessment. Spondon Wood is classified as an Ancient Woodland and any proposed development on the bounding greenbelt would threaten habitats and documented protected species. This would be contrary to the guidance within the NPPF with respect to protecting wildlife habitats. The ecosystem of the wood includes the surrounding agricultural land which would be removed, and various wildlife studies have highlighted the impact of Edge Effects, which would be detrimentally influenced through the development of SGA26.

Alternative sites located away from Ancient Woodland locations should be preferable over SGA26.

What assessments have been undertaken by EBC to determine the impact the proposed development would have on the Spondon Wood Ancient Woodland?

Loss of Agricultural Land

SGA26 is and, as far back as records have been kept, always has been agricultural land. Articles in national press highlighted that there is a general concern throughout the UK regarding the loss of agricultural land. Has the agricultural land classification of the site been determined to feed into the consultation as to whether this site should be declassified as greenbelt, and if it has been undertaken, can this please be made available? I would find it difficult to understand, given concerns regarding agricultural land availability and the ever rising food prices, how decisions could be made on this site, without this information being available. The site is regularly cropped, so there is concern, even if it is of a lower agricultural class, that the site should not be taken out of production. I have found no evidence of alternative land to be designated to agricultural use to mitigate the loss of SGA26 should development of this site proceed.

Impact on Spondon Village

During the initial consultation process several sites were rejected because "in sustainability terms, strategic extension of the conurbations is a more suitable proposition than directing the same scale of growth to villages". Spondon is also a village, yet this does not seem to be taken into account in the review undertaken by EBC. SGA26 was described as an extension of the Derby conurbation into

EBC CSR Objection.pdf

the greenbelt, not the extension of Spondon village. It therefore appears that extensions to villages within Erewash are not considered suitable on sustainability grounds but an extension to a village outside of the Erewash boundary is suitable. These are not consistent metrics for assessment across all sites. While I accept that sustainability assessments are, by their nature, subjective they should all apply consistent assessment criteria to all sites.

It is also noted that sites were rejected during the initial consultation for reasons such as “they would harm the setting of the existing village” or “the development would encroach into open countryside”. I strongly feel that the same could be said for the development on SGA26 and therefore do not understand why this site would be considered for declassification of the greenbelt.

Should it proceed, a development at SGA26, sanctioned by EBC and to the benefit of EBC for the purpose of land supply calculations, will largely impact Derby City and specifically Spondon village in terms of negative impacts to local services including:

- Health – already oversubscribed doctors and dentist surgeries;
- Schools – oversubscribed secondary school and three out of four primary schools oversubscribed; and
- Transport and Highways – significant traffic issues making entrance and exit of the village difficult already.

Whilst EBC have previously responded to concerns raised regarding air and noise pollution stating that the impact is minimal when considered as part of their overall development plans across the Borough, due to the nature of the Spondon road layout, development at SGA26 would have a further negative impact on the already congested situation and should be considered specifically and not in a broad overview. This is highlighted by the Air Quality Management Areas located in the south of Spondon on the entrance and exit routes for the village. The contributory detrimental impact that SGA26 would have to the air quality situation within the Air Quality Management Area should be taken into consideration with respect to SGA26.

Recent Decisions By EBC

I understand that EBC have recently rejected a planning application for H Webster of Golden Valley Farm, where the request comprised the replacement of a caravan currently present on the site with a one storey home. The application was reported to have been rejected by EBC due to the site being located within protected greenbelt. If one home is not acceptable to be constructed on greenbelt, especially when it would be replacing a caravan already present, how can EBC justify declassifying an area of greenbelt for the potential construction of 240 houses? There appears to be a gross lack of consistency in the approach of EBC, which is extremely concerning.

In conclusion, I would like to raise an objection in respect of Erewash Borough Council’s Core Strategy Review on the basis that it includes site SGA26, which I strongly do not think should be included on the basis of my points raised above.

Yours faithfully

Mrs Rachel Cheetham

[redacted]

From:	terry malpass[redacted]
Sent time:	08/05/2022 19:18:56
To:	Planning Policy
Subject:	EBC Core Strategy Review (Regulation 19) Spondon Woods - SGA26
Attachments:	Barrister response.pdf

Dear Sirs

EBC Core Strategy Review (Regulation 19) Spondon Woods - SGA26

Further to my previous emails that objected to the above proposals to ''Declassify Greenbelt '' land South of Spondon Wood, I would further question the recent decision by EBC at their full committee meeting held on 3rdMarch to now proceed through to the next stage of the process by making the following comments for your immediate consideration.

Firstly and most importantly, it should be noted that when voting to carry a motion to proceed with SGA26 that certain councillors, despite being reminded on the night by others, chose to totally ignore the legal challenge that has been previously presented by a barrister on behalf of local residents, that highlights inherent flaws in how matters have been dealt with in relation to statutory obligations in correctly liaising with another neighbouring authority, which in this case is Derby City Council.

For clarification, I attach a further copy of this document for your attention.

It is also my understanding that an inadequate duty to co-operate with Derby City Council has been undertaken and as a consequence this authority are objecting direct to EBC on the basis that ultimately SGA26 will be on their joint boundary condition with the only available facilities to service the site being located within Spondon village, which fully falls within the jurisdiction of Derby City Council.

In addition, I would summarise my current and previous objections, as follows :-

Consultation process

As stated above, this has been totally lacking on all counts with EBC being deficient in every department and under their statutory and legal duties in so much as :-

- NO prior notification was given to their direct boundary neighbour Derby City Council, who were completely unaware of any intention to declassify SGA26 until a few days before the EBC extra-ordinary meeting to ratify it's inclusion within their Local Plan, as part of a new list of proposed development sites on 25th March 2021.

- Similarly, NO prior notification was extended to Spondon residents following EBC decision to add SGA26 onto their list of sites, following the last minute omission of " Land North of Lock Lane, Sawley " with first warning being to read about it within a Derby Evening Telegraph newspaper article published on 22 March 2021.

This is totally unacceptable seeing as the original list of SGA sites was formulated & approved by EBC the previous year on 23 January 2020, which then resulted in a well-managed and direct consultation period taking place with exhibitions in February at Kirk Hallam, Sawley and Ilkeston, when the public were given ample opportunity to comment either for or against the overall proposals.

No such invitation was given to the residents of Spondon and to add salt into the wounds the EBC extra-ordinary meeting also voted to shorten the consultation period for their amended list of SGA sites from 12 weeks to 6 weeks with the chair person simply dismissing the situation by saying in the aftermath of the newspaper article " well if the residents of Spondon didn't know about it before - they certainly do now " quote / unquote, which for a person of official standing and election is an absolute disgrace.

EBC residential needs

As stated above, SGA26 is located on the extreme edge of the EBC boundary and realistically is going to be utilised by people either from Derby or more than likely from Spondon itself, so will be of little benefit to the actual residents of Erewash, which begs the question as to whether other sites much nearer to Ilkeston or thereabouts should take preference

Local amenities

Although Erewash will benefit from the creation of an additional 240+ houses and the resultant council taxes this will add to their coffers, in reality the burden of servicing the site will unfortunately fall upon Derby City Council in the form of not only providing new educational places for an intake of children of varying ages, but also impose further pressure / demand on the already over-subscribed dental and medical surgeries within the village.

The EBC report somewhat glosses over these issues and it should also be noted that in the haste of adding SGA26 onto their potential development list following the omission of others, it simply states that "*no information has yet been gained from utility providers*"

Green Belt

Above all other considerations the land is designated Green Belt and as a matter of planning policy should not be developed in preference to any brownfield sites or underutilised land, as advocated by the Minister of State.

In considering brownfield opportunities, EBC should vigorously pursue other sites such as the West Hallam Depot, where 1000+ new homes can be created, in addition to other possibilities elsewhere, rather than using Green Belt.

Unfortunately, a change in direction has already taken place that dilutes this situation in that EBC have elected to sell off approx. two thirds of their brownfield land at the former Stanton Iron works to private developers in favour of a commercial development, instead of building over a 1000 new homes without the loss of any Green Belt, which is a somewhat strange decision all considered, other than if taking a cynical view that this action brings in quick and easy cash to bolster EBC coffers.

Whilst politics shouldn't be in anyway a determining influence on matters, it is understood that in general terms both Labour and Lib Dem councillors oppose the development of SGA26, together with other Green Belt sites, whilst Conservatives have voted in favour, so I would remind those particular councillors of their own manifesto that states :-

- We will protect and enhance Green Belt.

- We will improve poor quality land, increase biodiversity and make our beautiful countryside

  more accessible for local community use.
- In order to safeguard our green spaces, we will continue to prioritise brownfield development

  particularly for the regeneration of our cities and towns.

Also a simple but noteworthy case that has recently hit the local press is the planning decision made on the proposed replacement of a caravan with a permanent one storey home at Golden Valley Farm in Risley, which was refused on the firm grounds that it was "*unacceptable on Green Belt and if allowed would then encourage others to do the same on protected land that should be considered as being sacrosanct*" an opinion I fully endorse and as such would hope that the same view is therefore applied to SGA26.

Finally, I would query as to whether EBC have undertaken a proper Green Belt Review to establish amongst other things, if there are more appropriate sites nearer to its geographical centre that would best suit the immediate needs of their own residents, rather

than the selection of such a remote site that abuts Derby City Council ?

Site density

EBC have speculated that the 12.3 Hectares of land will be populated by 240 houses by using a factor of 19.5 dwellings per hectare, which is all well & good, but in reality once the green light has been given to a commercial developer it is feared that a more significant factor will then be applied, in order to increase their financial return & profits on the site.

For example, out of the 25 SGA sites originally identified 19 have a higher density with 11 of those having 35 dwellings / Ha and if this figure was pursued it would then obviously virtually double the projected number of houses from 240 to 430 with the subsequent impact and knock on effect this will have on all other site considerations.

Site access

In terms of access EBC recognise that realistically the only viable prospect is a new connection with the A6096 (Dale Road) on the "*relatively narrow frontage*" along the site's eastern boundary, which has the following consequences :-

- The loss of a "*dense lining of mature roadside trees*" in order to create this new junction, together with the associated visibility splay lines that will be required by Highways on either side.

- Worryingly, this new ' T ' junction occurs within a newly designated 50 mph traffic zone, which up until recently was 60mph when SGA26 was first proposed and where vehicles easily achieve these speeds, due to the A6096 being a very straight section of road in this area of Spondon that already encourages drivers to put their foot down !

- As a single point of access, serving an EBC projected population of 240 houses, this will present unacceptable delays & dangers of vehicles either entering or exiting the site on a daily basis, due to the existing high volume of traffic that currently use the A6096 in an established 50 mph zone.

Traffic issues

EBC planners speculate without the benefit of a proper Transport Assessment that in simple terms 240 houses will generate a figure of 240 cars exiting the site at peak AM times with 120 turning right and 120 turning left, which somewhat under states the situation and problems caused, in that :-

- Final site density has yet to be established, as this could easily exceed the suggested figure of 240 houses, should a commercial developer pursue matters in trying to achieve a maximum site density and in turn their highest financial return.

- It should be recognised that the existing local infrastructure is already a very sensitive receptor with no realistic capability of supporting further increases in traffic generation , whether 240 cars or more, when taking account of current problems, these being :-

Turning right, leads traffic through the centre of Spondon village & to the mini-roundabout at the top of Willowcroft Road, which are both notoriously traffic jammed by commuters trying to get onto the Derby bound A52 via the Nottingham Road junction with long tail backs in all directions.

Similarly any traffic turning left to access the A52 via Ockbrook village face identical problems, if not worse, in that their local roads are very narrow and restrictive leading only to further congestion & queues onto either the Derby or Nottingham bound carriageways, as actually eluded to within the EBC report.

EBC conclude that the emphasis to resolve potential highway issues and any subsequent mitigation measures that may be required is the ''*responsibility of the site promoter and Derbyshire County Council* " which is a totally unreasonable stance to take by disregarding quite serious issues, in order to merely move this proposal onto the next stage of approval.

Pollution

Of course it goes without saying that the additional burden of a further 240 - 480 vehicles (as most houses will accommodate a 2 car family) will seriously impact on air quality levels, particularly on their journey to either join the " A52 corridor " or to use local amenities within Spondon, therefore substantially increasing existing Carbon Monoxide emissions.

Transportation

EBC recognise that Dale Road has a regular bus service that runs between Ilkeston - Derby via Spondon village with an existing stop, which I estimate will be 100+ metres away from the new residential access onto the A6096, but would however point out that this basic provision fails to comply with current legislation on sustainability.

The Chartered Institution of Highways and Transportation looks for new developments to provide a bus stop within 400 metres of a dwelling, whilst also questioning whether in fact this long established standard should be less by stating that "*today buses face much greater competition from cars, an argument in favour of shorter walking distances and that a distance of 400 metres may be excessive for the elderly.*"

The overall depth of the site exceeds 800 metres, so therefore does not provide a sustainable solution for public transport with no real prospect of attracting a new extended bus route, as the site is serviced by what in reality will be a very long cul-de-sac, which will be unacceptable to any bus service provider.

Emergency access

As stated above, the proposed development will have a single point of access, which not only creates potential traffic problems in terms of being able to safely ingress or egress the site, under heavy traffic conditions, but might also represent an issue for emergency service vehicles should an incident at the new junction impede their access to the far western boundary.

Flooding

EBC refer to the site falling within Flood Zone 1, as defined by the Environmental Agency flood mapping for planning and whilst this is correct it only relates to the flooding of land caused by either local watercourses of rising sea levels and doesn't include other sources or more specifically "*within an area with critical drainage issues*"

I therefore draw your attention to the fact that the western section of the land is prone to localised stormwater flooding issues, which in the past has resulted in flood water actually entering houses on Fallow Road / Deer Park View, as well as flooding further afield onto Locko Road itself.

It is also considered that the local infrastructure in this area is already stretched with similar problems that have been experienced by other residents with the surcharge of the foul sewers and nearby pumping station.

Biodiversity

It is recognised that Spondon Wood is classified as being "*ancient woodland*" supported by SGA26 as part of its localised eco-system, so development of the land will jeopardise this important relationship causing a potential imbalance that will be detrimental

to the wood and the wildlife that inhabit it, namely :-

- Large 60+ herd of fallow deer, hares, 4 breeding pairs of buzzards, sparrow hawks,

  woodpeckers, owls & various species of bats.

The field itself also has a presence of Lapwings, a ground nesting bird that is on the RSPB Red List species, due to a serious decline in numbers over recent years.

It should also be checked out on site that the existing pond that occurs in the north-west corner of the site does not contain newts.

Retention of the arable land will avoid unnecessary intrusion into Root Protection Areas of individual trees along the southern border of the ancient wood, whilst maintaining the existing water table and preserving the status quo for all indigenous wildlife within the locality.

Local community

Whilst no doubt, objections will have been raised by all of the 72 households along Pheasant Field / Huntley Avenue / Chaffinch Close / Fallow Road & Deer Park View, who will be directly affected & overlooked by any future development on SGA26, local feeling goes way beyond these properties into Spondon village itself, as well as extending into outlining areas such as the villages of Borrowash & Ockbrook, who share common concerns regarding loss of Green Belt, additional traffic generation and all the associated pollution issues that ensue.

So much so, that this grass roots swell of opinion has not only led to further individual letters of objection, but also an on-line partition that has so far been signed by in excess of 3,500 people, who collectively recognise the overall implications any large development will have on their village(s).

In conclusion, I trust that all the above points are considered to be fair & valid with the final outcome being that SGA26 is subsequently removed from the latest list of sites that are intended to be declassified from having a Green Belt status to one that then permits new development.

Terry Malpass

[redacted]

Barrister response.pdf

EREWASH CORE STRATEGY REVIEW – REVISED OPTIONS FOR GROWTH

RESPONSE TO CONSULTATION ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

INTRODUCTION

1. This document has been prepared for and on behalf of the Residents of Spondon Association ("***the Association***"), an unincorporated body of concerned residents living in or local to the village of Spondon.

2. It intends to respond specifically to the proposal of Erewash Borough Council ("***EBC***") to declassify Green Belt land South of Spondon Wood ("***SGA26***") in substitution for a previously identified site at Land North of Lock Lane, Sawley ("***SGA17***") as part of EBC's Core Strategy Review.

3. In sum, the Association strenuously objects to the proposal and makes four points:

    3.1. EBC's approach to this consultation exercise is inherently flawed, in circumstances where SGA26 has been identified in substitution for another site and consulted upon separately from those in the original Growth Options Consultation in 2020 ("***the 2020 Consultation***");

    3.2. There has been a wholesale failure by EBC to co-operate with Derby City Council;

    3.3. The methodology by which the degree of encroachment into the greenbelt has been calculated at SGA26 is flawed;

    3.4. SGA26 is an unsuitable site on practical planning grounds.

Barrister response.pdf

3.1. EBC'S APPROACH TO THIS CONSULTATION

4. It is a matter of deep concern to the Association and its membership that this consultation is being conducted long after the substantive 2020 Consultation, where all proposed sites for greenbelt declassification were collectively considered on a level playing field.

5. The Report of the Director of Resources to the Extraordinary Council Meeting held on 25 March 2021 states (at paragraph 3.10):

> *"The recommendation not to pursue development on land north of Lock Lane cannot be made without considering a replacement site in the Green Belt. The consultation process has brought forward a new site for consideration. This site is on the edge of Derby City north of Spondon and is [in] line with the strategic hierarchy. It is bounded by Spondon Wood to the north and consequently its development would have a relatively limited impact on the Green Belt. It would also have direct access to the A6096. This site is therefore recommended as a replacement proposal for the land north of Lock Lane"*

6. It is clear from the above quoted passage that the exercise of considering the suitability of SGA26 is now inherently distorted. Rather than being considered on its own planning policy merits and/or collectively with the other putative sites identified in the 2020 Consultation, SGA26 is now set up against SGA17 as a potential "*replacement*".

7. Put simply, a separate consultation after conclusions have already been drawn following the substantive 2020 Consultation has prevented full and meaningful participation by the affected community. Their representations are now against a backdrop where the site in question is effectively presented as the only alternative option.

8. The Association submits that this is contrary to EBC's Statement of Community Involvement and paragraph 16(c) of the National Planning Policy Framework, which encourages "*early, proportionate and effective engagement between plan-makers and communities…*". The fact is there was no community engagement until the unsuitability of SGA17, and the relative suitability of SGA 26, have been presented as *fait accompli*.

Barrister response.pdf

9. By way of example of the distorted nature of this consultation exercise, paragraph 3.4 of the Statement of Consultation for the 2020 Consultation sets out an extensive list of measures taken to engage with stakeholders, organisations and the community. Those measures have not been repeated a second time around, painting a picture that this consultation has been "tacked on" to consider a discrete issue, rather than looking at the suitability of potential Green Belt sites in the round.

3.2. FAILURE TO CO-OPERATE

10. It is noted in the Revised Options For Growth paper dated March 2021 that Spondon "*is part of Derby City, so this proposal is an extension of the Derby conurbation into the Green Belt*". The Strategic Growth Assessment describes that it "*directly adjoins the main built-up area (MBUA) of Derby within the administrative area of Derby City Council*."

11. That being the case, while EBC is able to reap the benefits for the purposes of its land supply calculations, plainly the burden of dealing with practical service provision to any development (e.g. transport, highways, education and healthcare) will fall upon Derby City Council.

12. In those circumstances, it is striking that, as the Association understands it, there has been no consultation whatsoever with Derby City Council prior to the Extraordinary Council Meeting on 25 March 2021 and/or the inclusion of SGA 26 in EBC's proposals.

13. Section 33A of the Planning and Compulsory Purchase Act 2004 imposes upon EBC a statutory duty to co-operate with other local planning authorities, in this case Derby City Council, in its preparation of development plan documents and/or other local development documents so far as they relate to "*strategic matters*".

Barrister response.pdf

14. This is expanded upon at s.33A(4):

> *"(4)For the purposes of subsection (3), each of the following is a "strategic matter"—*
>
> *(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas…"*

15. Plainly, declassification of Green Belt land would have a "*significant impact*" on both the Derby City and EBC planning areas, for the reasons set out above. Thus, there has been a wholesale failure by EBC to comply with its statutory duty to co-operate.

16. It is precisely this sort of failure to engage at an early stage which led to the rejection of the Sevenoaks District Local Plan and the authority's unsuccessful legal challenge in *Sevenoaks District Council v Secretary of State for Housing Communities and Local Government* [2020] EWHC 3054. The Association respectfully suggests that EBC has fallen into the same trap.

3.3. ENCROACHMENT INTO THE GREENBELT

17. In order to justify potential interference with the five stated purposes of Green Belt land at paragraph 134 of the National Planning Policy Framework, EBC has conducted an assessment as to how far any of the proposed sites encroach into the open countryside.

18. The methodology employed was to measure how much further the possible development would project outwards from the centre of the settlement beyond the settlement's current extent, with the result that the greater the reported percentage, the greater the impact or encroachment into surrounding countryside.

Barrister response.pdf

19. Thus, for example, at SGA2 Land at Beech Lane, West Hallam, the measurement was taken from the centre point of West Hallam with the result that the site would contribute to an enlargement of 52.6% of the existing settlement. Similarly, at SGA5 East of Borrowash, the measurement was taken from the centre point of Borrowash with the result that the site would contribute to an enlargement of 59.4% of the existing settlement.

20. The measurement for SGA26 meanwhile was taken from the centre point of the city of Derby, with the result that the site would contribute to a relatively modest enlargement of Derby of 2.4%.

21. That methodology is meaningless and produces an artificially small percentage increase. Measuring from Derby city centre makes no rational, logical sense when the village of Spondon, like many of the other sites explored in the 2020 Consultation, can and does operate as a self-sufficient, self-contained settlement. Had measurement been taken from the centre of Spondon, the percentage increase in settlement size, and thereby encroachment into the established Green Belt, would have been far greater.

22. Put another way, such a measurement would have offered a more accurate insight into the extent of encroachment into Green Belt land as a proportion of the size of the existing settlement. That analysis would also have put the degree of harm likely to be occasioned by any development in a rather different light.

3.4. PRACTICAL PLANNING CONSIDERATIONS

23. Individual residents have submitted their own concerns as to the practical planning implications of declassifying the Green Belt at SGA26 and any development which may follow. For convenience however, the Association summarises its position below and says, taken collectively, the site is plainly unsuitable.

Barrister response.pdf

Ecology/Biodiversity

24. Proposed access and egress to the site will involve the destruction of trees and hedgerow. The Association believes there are several trees at SGA26 which are over 100 years old and are subject to Tree Preservation Orders.

25. The open farmlands adjacent to Spondon Wood provide a natural habitat for grazing deer, badgers, hedgehogs, hares, pheasants, lapwings and buzzards, which will be necessarily destroyed. The Association is aware that recent planning applications have already been held up or rejected owing to the tracking of bats in Spondon Wood and surrounding land.

26. In short, the environmental damage will be substantial. There are substantial brownfield sites in Erewash. There are no special circumstances to justify the declassification of Green Belt with the destructive implications that involves.

Education

27. There is no local secondary school provision. The nearest school is West Park Community School which is already 12% over capacity. Thereafter, Friesland School, a considerable distance away, is already 3% over capacity.

28. Primary school provision is equally scarce. Three out of four primary schools are also over capacity. It is doubtful that these shortages could be effectively overcome by s.106 agreements or planning conditions.

Highways and Transport

29. Traffic is already at an unacceptable level for local residents. It is not sufficient for EBC to simply abrogate all responsibility for traffic concerns and instead leave it to the relevant highways authority and/or developer to find effective solutions, particularly when the former, as noted above, has not been consulted.

Barrister response.pdf

30. These matters are highly relevant to the question of sustainability as an increase in traffic is the inevitable consequence of declassifying the Green Belt and opening it up for development.

31. The observations in the Strategic Growth Assessments that current arrangements allow traffic to pass through at an acceptable flow does not appear to be backed up by empirical data, nor does it accord with the first-hand experience of local residents, as will be seen from the individual responses to this consultation.

Healthcare

32. There are two small doctors' surgeries in Spondon, both of which are oversubscribed and with average appointment waiting times between 2 and 4 days. The same is true of the two local dental practices.

CONCLUSION

33. The proposal to declassify SGA26 as Green Belt land is legally, procedurally and substantively flawed. It has no place in a revised Core Strategy and will be strenuously resisted.

FOR AND ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

From: Matthew Lee[redacted]
Sent time: 08/05/2022 12:16:12
To: Planning Policy
Subject: EBC Core Strategy Review (Regulation 19) - Spondon Woods - SGA 26

Matthew Lee
[redacted]

To however it may concern,

I am writing to formally object to SGA:26 being included in the revised housing growth strategy/land being re-designed as greenbelt. I would like to start by expressing my outrage that this is being proposed by Erewash Borough Council when it clear that all negative impacts of a development of this land will fall on the residents of Spondon, which is a ward of Derby City Council. It also seems that you have failed with your legal duty to consult with both Spondon residents and Derby City Council in relation to this proposal.

I feel that Erewash Borough Council have also failed to give a valid reason why this particular green belt land is now being considered when you have not published any green belt reviews, that may indicate sites more suitable to the residents of this borough.

This new development will put excessive pressure on the already stretched infrastructure in Spondon. The traffic on Dale Road is already excessive and heavily populated with lorries which use this as a through route from the A52 to Ilkseston. This propsed development will not only increase the volume of traffic but also air pollution which is already deemed excessive by DEFRA. [redacted] I regularly experience difficulty parking and dangerous driving practices due to the volume of the traffic from ours and the other schools in the area.

The Doctors and Dentists in the Spondon area are already clearly over subscribed as I personally experience difficulties with obtaining an appointment at the doctors and am unable to use a dentist in Spondon at all.

Have any survey and reports been done that would detail any impacts on the biodiversity of this development as the prosed land is rich in both wildlife and vegetation and should not be prioritised over other available brownfield land or greenbelt, better situated for the residents of Erewash Borough Council?

I look forward to hearing your response on the above issues and would like to be kept up-to-date with the progress of this proposal.

Regards,

Matt Lee
[redacted]

From:	[redacted]
Sent time:	06/05/2022 17:10:41
To:	Planning Policy
Cc:	[redacted]
Subject:	Erewash Core Strategy Review - Representation Clarification
Attachments:	Core Strategy Review Representation submission.pdf Land Adjacent to Oakwell Brickworks Site Location Plan.pdf

Dear Sir / Madam

I write in relation to the Core Strategy Review consultation.

We have submitted representations on behalf of our client, Tata Steel UK Limited, using the Council's online Portal (attached for reference). Our representations seek an amendment to the boundary of the proposed Nutbrook Strategic Green Infrastructure Corridor. Whilst it is difficult to see the precise boundary of the designation at the scale of the Policy Map, it looks to include land (in part) within Tata Steel's ownership adjacent to the former Oakwell Brickworks. This land is identified in the SHLAA for housing and has also been subject to a recent outline planning application. Our representations seek the removal of this land in its entirety from the proposed Strategic Green Infrastructure Corridor.

Our representations refer to amending the boundary to coincide with the SHLAA site boundary (Site Ref: 184). We wanted to clarify that our client is promoting a slightly smaller area of land for development, which excludes land within the Local Wildlife Site and avoids the extent of the historic pits associated with the former Oakwell Brickworks. A planning application is currently being prepared for housing using this revised redline boundary.

We were unable to submit the revised redline plan as part of our representations using the online system, so have attached a copy to this email for reference. To clarify, our client seeks to exclude its site (see attached red line boundary) from the Strategic Green Infrastructure Corridor.

Please could you confirm receipt and that the above will be considered as part of our formal representations?

Kind regards

[redacted]

Core Strategy Review Representation submission.pdf

Core Strategy Review Representation form submission

You have submitted the following information via erewash.gov.uk.

Title:
[redacted]

First Name:
[redacted]

Surname:
[redacted]

Job Title (where relevant):

Organisation (where relevant):
[redacted] (on behalf of Tata Steel UK Limited)

Address:
[redacted]

Postcode:
[redacted]

Telephone number:
[redacted]

Email Address:
[redacted]

Agent's details (if applicable) Include name, address, contact number and email:
[redacted]

To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)
Policies Policies Map

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.
Strategic Policy 1 - Housing, Strategic Policy 5 - Green Infrastructure

Do you consider the Core Strategy Review is Legally Compliant?
Yes

Do you consider the Core Strategy Review is sound?
No

Core Strategy Review Representation submission.pdf

Do you consider the Core Strategy Review complies with the duty to cooperate?
Yes

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Why I consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate.
Strategic Policy 1 - Housing

Tata Steel UK Limited ('Tata Steel') fully supports the strategic option of locating new housing development within the Ilkeston Urban Area. The consultation document rightly acknowledges the importance of growth in the Ilkeston Urban Area, placing it second in the hierarchy (after growth within the Long Eaton Urban Area).

Notwithstanding the above, it is important that the role played by sites within the existing Ilkeston Urban Area is not underplayed as part of the wider spatial strategy. The Core Strategy must place sufficient importance on bringing forward appropriate sites within the defined urban area (both brownfield and greenfield). Such sites should be recognised as an essential component of delivery.

The revised Core Strategy must include policies that proactively support, and seek to maximise, development on appropriate sites within urban areas. The revised Core Strategy should therefore be explicit that that there will be a 'presumption in favour of sustainable development' for new housing development within the urban areas, taking into account relevant material planning considerations. Whilst proposals will need to be considered on a site by site basis, the starting point should be a clear presumption in favour of new housing development within existing urban areas. This should also be reflected in the interpretation / application of other relevant policies within the Core Strategy.

Putting a positive policy framework in place to support such development will ensure that all appropriate sites within existing conurbations can come forward, particularly those within settlements at the top of the identified hierarchy. This should be applied to both brownfield and greenfield sites within the defined Urban Area. Doing so will ensure that the Council adopts a positive approach to decision making for such sites.

It is also important that other policies within the plan do not unnecessarily restrict the delivery of new housing within areas such as the Ilkeston Urban Area. This includes Strategic Policy 5 (Green Infrastructure), which is addressed in more detail below.

Strategic Policy 5 - Green Infrastructure

Tata Steel UK Limited (Tata Steel) has land interests at / adjoining the former Oakwell Brickworks site, which falls within the Ilkeston Urban Area (as currently defined). Two parcels of land within Tata's ownership are identified in the 2019 SHLAA as being deliverable in the first five year period of the plan Ref: 184 and 185). The SHLAA confirms that both parcels of land are suitable, available, achievable, deliverable and developable for new housing.

Both sites are within the settlement boundary, within walking distance to Ilkeston town centre and local services, and benefit from good public transport. A full planning application for residential development has recently been submitted for one of the parcels of land (off Little Hallam Hill). A separate full application is currently being prepared for the second parcel (off Derby Road). It is important that the revised Core

Core Strategy Review Representation submission.pdf

Strategy provides a policy framework that supports sites such as those being brought forward by Tata Steel – both of which can play an important part in delivering the required number of new homes in Erewash.

The draft Policy Map appears to designate the southern portion of land to the south of Derby Road (SHLAA Site ref. 184) within the 'Nutbrook Strategic Green Infrastructure Corridor'. The plan is hard to interpret in PDF form, but the boundary of the Strategic Green Infrastructure Corridor appears to be arbitrary and does not follow the red line of the Site shown within the SHLAA.

Given that the Site is considered to be available, achievable, deliverable and developable for new housing in the SHLAA, it should be entirely outside of the proposed Strategic Green Infrastructure Corridor. The Site is readily available and deliverable and will play a key role in the delivery housing in the first five years of plan period. It is important that the ability of such sites to deliver housing is not unduly impeded by other policies, such as the proposed Strategic Green Infrastructure Corridor.

As set out in our previous representations, the revised Core Strategy should avoid blanket or overly restrictive policies in relation to green infrastructure. It is more appropriate for green infrastructure to be addressed as part of a wider policy (or policies), which sets out criteria applicable to all relevant sites. This enables proposals to be considered on a site-by-site basis, with the provision of appropriate green infrastructure being informed by detailed assessment and technical work. This approach allows for greater flexibility for appropriate sites to come forward, whilst still ensuring that green infrastructure is considered and integrated into development proposals.

Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Comments:
Strategic Policy 1 - Housing

The revised Core Strategy should include policies that proactively support development on appropriate sites within urban areas. The revised Core Strategy should therefore be explicit that that there will be a 'presumption in favour of sustainable development' for new housing development within the urban areas, taking into account relevant material planning considerations. This should be applied to both brownfield and greenfield sites within the defined Urban Area.

Whilst proposals will need to be considered on a site by site basis, the starting point should be a clear presumption in favour of new housing development within existing urban areas. This should also be reflected in the interpretation / application of other relevant policies within the Core Strategy.

Strategic Policy 5 - Green Infrastructure

Should the Nutbrook Strategic Green Infrastructure Corridor be taken forward, the boundary should be amended to reflect the development potential of Tata Steel UK's land at Derby Road, Ilkeston. The draft Policy Map should be amended to ensure that the entirety of SHLAA Site ref. 184 is outside of the Strategic Green Infrastructure Corridor.

The revised Core Strategy should avoid blanket or overly restrictive policies in relation to green infrastructure. Green infrastructure should be addressed as part of a wider policy (or policies), which sets out criteria applicable to all relevant sites. This enables proposals to be considered on a site by site basis, with

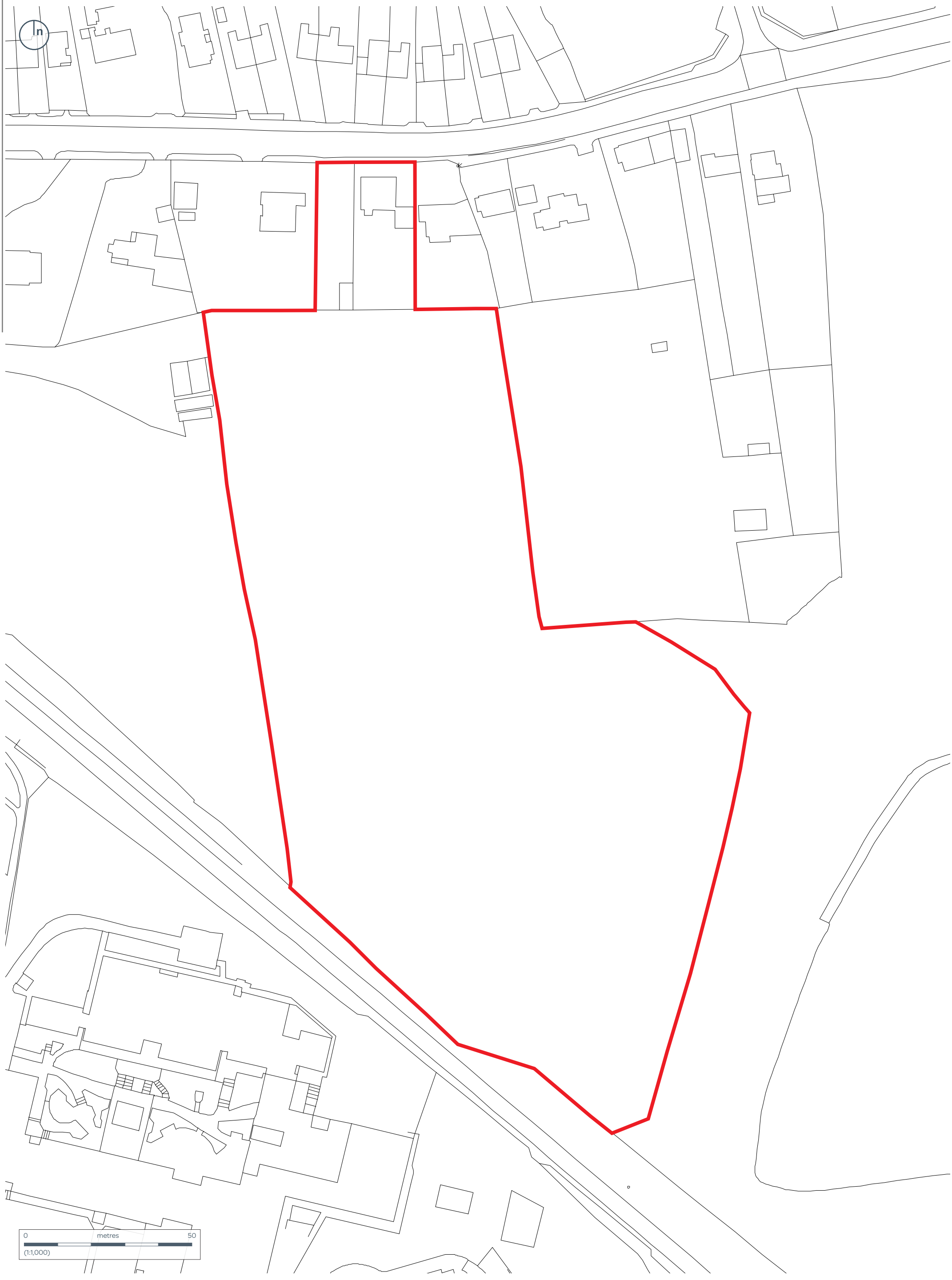
Core Strategy Review Representation submission.pdf

the provision of appropriate green infrastructure being informed by detailed assessment and technical work. This approach allows for greater flexibility for appropriate sites to come forward, whilst still ensuring that green infrastructure is taken into account and integrated into development proposals.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?
Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:
Our client has significant landholdings in the Ilkeston area and considers it necessary to participate in relevant hearing sessions to ensure that its interests are reflected in the Core Strategy Review.

Land Adjacent to Oakwell Brickworks Site Location Plan.pdf



[redacted]

CLIENT	Tata Steel UK Limited
PROJECT	Oakwell Brickworks, Ilkeston
DRAWING:	Site Location Plan

PROJECT NO.	STATUS	
CORA2006	Draft	
DRAWING NO.	SCALE	
01	1:1000 @ A3	
REVISION	DATE	CHECKED BY
00	June 2021	[redacted]

[redacted]

From:	Jude Boyle[redacted]
Sent time:	08/05/2022 13:27:31
To:	Planning Policy
Subject:	Erewash Green Belt
Attachments:	Core Strategy Review Representation.pdf

Core Strategy Review Representation

core strategy review form
*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in the box provided at the bottom of this section.

The consultation runs between Monday 14 March until May 9 2022.

For representations to be valid, a full name and address must be provided. You will receive an email upon completion of the form.

All fields marked with an Asterix (*) must be completed.

Title**(*)**

Ms

First Name**(*)**

Judith

Surname**(*)**

Boyle

Job Title (where relevant)

Organisation (where relevant)

Address**(*)**

[redacted]

Postcode**(*)**

[redacted]

Telephone number**(*)**

[redacted]

Email Address**(*)**

[redacted]

Agent's details (if applicable) Include name, address, contact number and email

Submit request

From:	[redacted]
Sent time:	09/05/2022 19:43:10
To:	Planning Policy
Cc:	[redacted]
Subject:	Representations to Erewash Plan Publication Version consultation
Attachments:	101-738 Stanley Representations.pdf Enclosure 1 - Site Location Plan.pdf

Hello

Please see attached representations in relation to the Reg 19 consultation of the Core Strategy review

I would be grateful if you could confirm receipt.

Kind regards

[redacted]

101-738 Stanley Representations.pdf

[redacted]

9th May 2022

Our Ref: 101-738

[redacted]

[redacted]

Dear Sir / Madam,

Without Prejudice – Erewash Plan Publication Version consultation (Regulation 19)

Thank you for the opportunity to submit representations in respect of the above consultation undertaken in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

By way of introduction, we represent landowners who are actively promoting an area of land for residential development located within the village of Stanley, Derbyshire. A location plan can be found in Enclosure 1.

The site and its surroundings

Our clients are committed to the comprehensive promotion of an area of their land (extending to some 1.31 ha.) for residential development. Through the promotion of site 'Land at Stanley' we are seeking to work with the Council and other relevant stakeholders to secure its allocation for development and bring forward the delivery of homes in this area.

The village of Stanley is located in the central part of the Borough, conveniently located between Derby and Ilkeston. It has strong links between both settlements, which offer a wide range of services, employment and onward travel opportunities.

The site presently lies within the Green Belt. However, there are a number of factors that indicate the site is in a sustainable location for future development. The site directly adjoins the development boundary and the development beyond to the south and east provides a degree of physical containment and examples of development which have been found to be sustainable notwithstanding the presence of planning constraints.

Furthermore, Stanley is identified in the current Erewash Core Strategy as a village which is inset from the Green Belt, which by definition is not open in character and is more urban in nature than other more rural settlements. Also by virtue of insetting within the Green Belt there is tacit acknowledgement of some development occurring here.

Emerging Core Strategy

Proposed Location of Housing

In order to support growth, development should be located in or at the edge of well connected, accessible settlements. Our client's land interest provides an opportunity to not only meet this locational criterion but also provide a form of development which meets relevant sustainability aspirations.

[redacted]

101-738 Stanley Representations.pdf

The sustainability of proposed locations for growth is embedded in the NPPF, to ensure that areas of growth meet their own needs and the needs of future generations. Paragraph 7 of the NPPF states: "The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs".

Furthermore, Paragraph 68 of the NPPF states: "Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

a) specific, deliverable sites for years one to five of the plan period; and
b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan." (my emphasis)"

Furthermore, it is evident, within the Core Strategy Policy Document, that growth within villages and the rural area is proposed (at 350 dwellings throughout the plan period). However, there is a lack of clarity as to where this growth will be accommodated within the 'rural area' and whether this will be accommodated within existing Green Belt boundaries. A mix of sites, including those in the rural area, and those that are smaller in size, should be accommodated within the Core Strategy to ensure a sufficient supply of dwellings are provided within the Plan Period. Smaller sites can play an important role in the delivery of homes within the Borough. It is well established (Para 69 NPPF) that smaller sites can come forward and built out relatively quickly.

A more balanced approach to the location of new development should be undertaken which will allow the benefits of development to be recognised in the villages within Erewash, which will assist in the improvement of services and provide more housing choice. This type of approach will allow for variety in housing provision within the Borough, adding flexibility to the plan. Paragraph 77 of the NPPF states: "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby".

Research recently undertaken by the Country Land and Business Association (CLA) "Sustainable Villages – Making Rural Communities Fit for the Future"[1] emphasises the shortfalls of Local Plans in supporting growth in more rural areas of local authority areas. The options presented in the Erewash Core Strategy Review do not adequately address the issue of rural housing need and therefore, we would recommend a more in depth, considered option which supports growth on the edge of existing villages to allow suitable and sustainable growth to occur.

Furthermore, the reliance on a smaller pool of larger allocations (such as large urban extensions) would present a risk to the delivery of homes in the Borough and if not delivered as envisaged, leave the Borough vulnerable to development in unsustainable and unsuitable locations. Our client believes that further allocation of sites would provide create a robust plan, that is sensitive to changes in the local economic environment, whilst boosting the supply of homes in the Borough.

The Core Strategy Review should offer favourable weight to potential development sites that can demonstrate they are in such proximity to services and facilities that sustainable modes of transport can be used rather than private car dependence. Consideration of reasonable alternatives within the Borough should be proposed, to improve flexibility and add robustness to the plan, including assessment of residential development in Stanley.

Housing Requirement

The issue of the amount of housing development proposed within the Local Plan is clearly a matter of great importance, particularly as the Government clearly signals its intention for Local Planning Authorities to meet the objective of "significantly boosting the supply of housing". Local Planning Authorities should use their evidence base to ensure that a "sufficient amount and variety of land can come forward where it is needed" (para 60 NPPF).

[1] https://www.cla.org.uk/policy/strong-foundations-sustainable-villages-report/

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In order to be considered sound, a Local Plan must be positively prepared, justified, effective and consistent with national policy. Paragraph 11b of the NPPF states that it should be based on a strategy which seeks to provide for objectively assessed needs for housing and other uses, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. It should be the most appropriate strategy when considered against reasonable alternatives, be deliverable and based on effective joint working on cross-boundary strategic priorities. It should enable the delivery of sustainable development.

In terms of housing, local planning authorities should use their evidence base to ensure that the local plan meets the assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, as far as is consistent with the policies in the NPPF (Paragraph 11).

Strategic Policy 1 clearly identifies that the provision of 5,800 homes over the plan period is a "minimum" requirement. The minimum figure of 350 homes in the rural area accepts that rural housing is appropriate in principle. Our clients welcome acknowledgement by the Council that it considers its housing requirement as a minimum figure, and therefore there will be no quantifiable planning harm arising from exceeding the requirement (provided development is acceptable in all other terms). Our clients also welcome the recognition that the rural area will accommodate housing in the Borough.

However, our clients do object to the quantum of development proposed within the publication Core Strategy and the way that it has been derived, particularly as it fails to adequately comply with 11b. of the NPPF which requires strategic policies to "provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas" (my emphasis).

It is evident that there has been limited input from partner and neighbouring authorities in respect of the Council in deriving its housing land requirement. This raises concerns as to whether sufficient land has been identified to meet the needs of a growing Borough and surrounding areas.

The Green Belt

See below an extract of the current Local Plan's Proposals Map, showing the border of the settlement boundary. Our client's land lies adjacent to the Green Belt boundary and the settlement of Stanley is inset from the Green Belt.

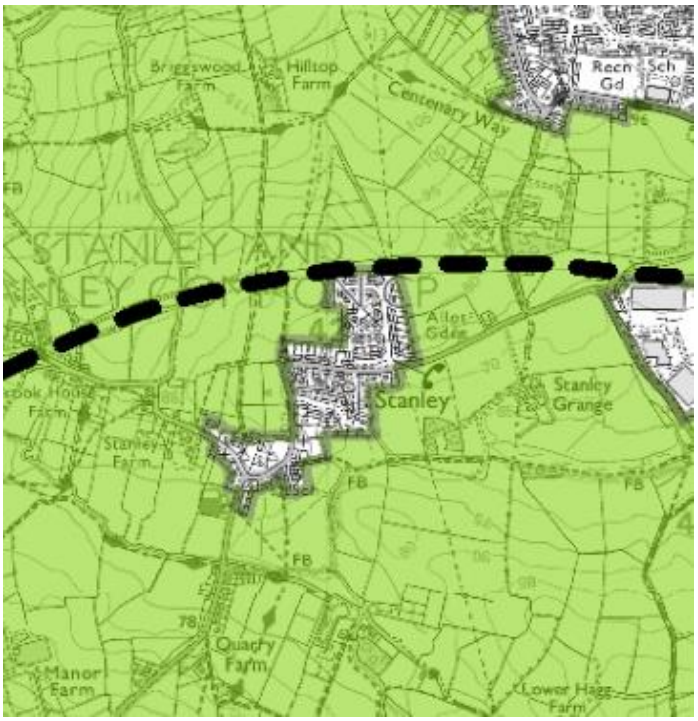

Figure 1: Stanley shown as 'inset' from the Green Belt within Erewash Borough.

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Exceptional circumstances exist to remove land from the Green Belt within the Borough. It is well known that the existing Brownfield opportunities for development in Erewash would not be sufficient to support the housing need of the Borough.

Paragraph 142 NPPF states "When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account."

It is accepted that the development of Green Belt land in the Borough is required to meet housing need. Our clients welcome the acknowledgement that Green Belt land will be released to accommodate housing need in the Borough. However, our clients believe that a greater focus on the potential areas for growth should be carried out.

Paragraph 79 of the NPPF (2021) states that one of the "essential characteristics" of Green Belts is their "openness". Stanley's exclusion from the Green Belt can be discussed in terms of 'openness', where a more urban character is present and open countryside is more limited than other, smaller settlements in the Borough. Therefore, development in Stanley could be considered more appropriate as it already presents a more urban character than neighbouring settlements.

Our client's land is well related to existing patterns of development, including Stanley Hall (and associated development) to the south and residential development to the east. A combination of this, alongside prevailing topography and the opportunity to develop long term landscaped boundaries, means that the site does not strongly perform against the five purposes of including land within the Green Belt. It is a logical candidate site to consider for removal through a positive land allocation for housing.

Conclusions

To summarise, our clients maintain that the Core Strategy Review in its current form would not provide sufficient flexibility in land supply to meet the needs of the Borough. In addition, the Strategy may not be able to adapt to rapid change. Furthermore, the Strategy relies too heavily on large urban extensions rather than a wide range of sustainable development opportunities within the Borough. Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay, and built out in a sufficient timeframe to ensure a consistent supply of homes. Our clients believe that the plan in not sound in its current form.

Furthermore, lack of Duty to Cooperate between neighbouring authorities regarding housing need (and the wider Housing Market Area) raises concerns regarding the deliverability of key sites in the Borough.

In terms of our client's landholding in Stanley, we consider, in line with footnote 11 to paragraph 47 of the NPPF, that the site:

1. Is available for development;
2. Offers a suitable location for development;
3. Is an achievable development with a realistic prospect that housing will be delivered within the plan period.

Furthermore, the development at Land at Stanley village is has the ability to deliver:

- 25 dwellings within a scheme relating well to the existing village of Stanley
- Residential development suitable in scale and massing for Stanley village in relation to the site size.
- Residential development complementing existing residential uses.

Our clients, therefore, believe that allocating their land for residential development would not result in an overly dominant housing development within the village and in light of reviewing the plan, the site as a whole should be considered for allocation for up to 25 dwellings, along with an amendment to the Green Belt boundary at Stanley.

Our clients are committed to playing an active role in the preparation of the draft Local Plan and look forward to taking part in future consultation, including oral participation at the eventual examination (as may be required). I trust that this letter is useful in refining the policies and development strategy. If any clarification is required, please do not hesitate to contact me.

[redacted]

101-738 Stanley Representations.pdf

planning consultant

Yours faithfully

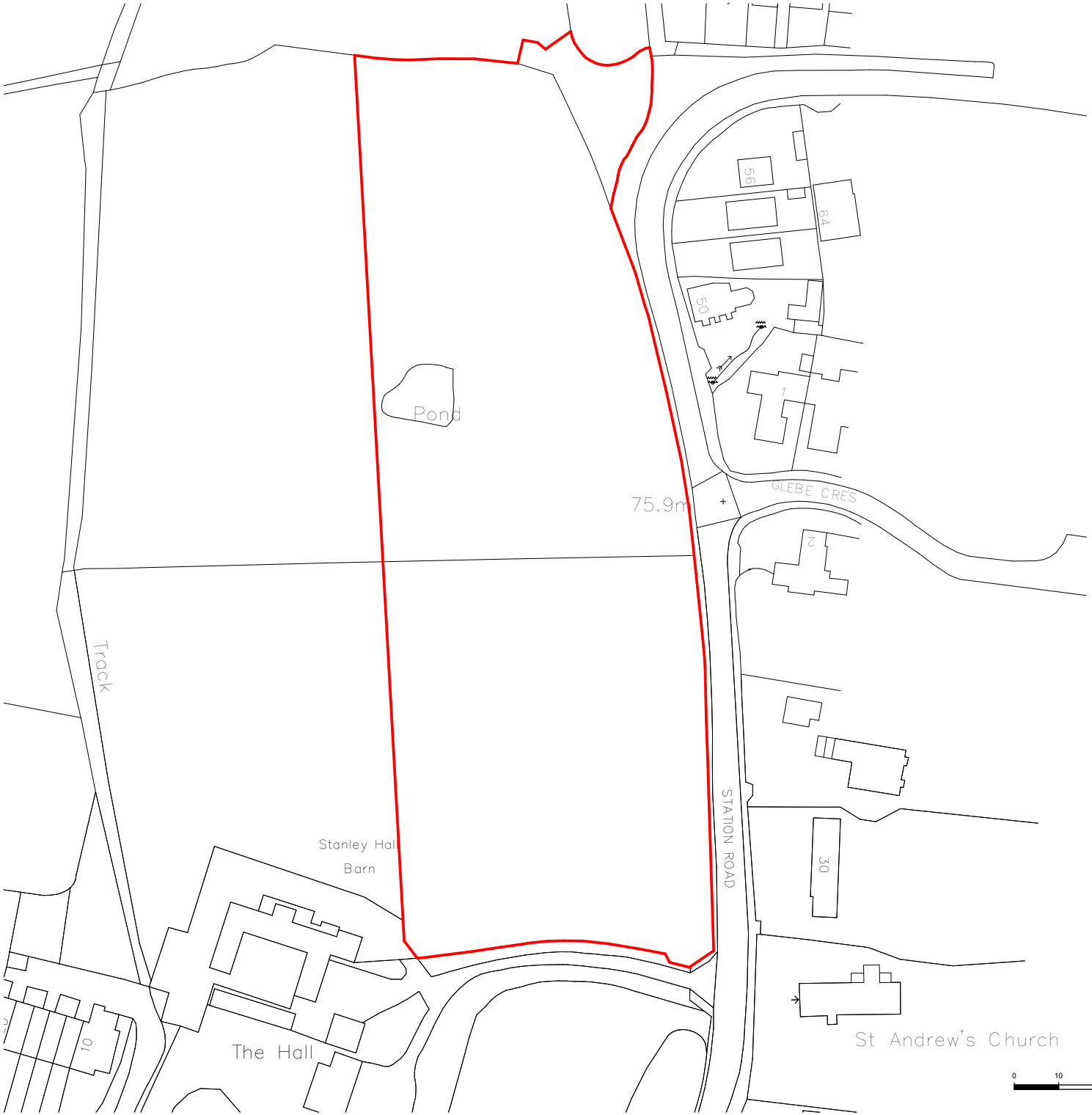
[redacted]

[redacted]

c.c.

[redacted]

Enclosure 1 - Site Location Plan.pdf



Revision:	Date:	Drawn:	Check:

Site Boundary

NOTE - Drawing based upon information provided by others and is subject to comments from specialists and the local authority and land registry.

Project:	A development at Station Road, Stanley Hall
Status:	Feasibility
Client:	Mason Winfield
Sheet title:	**Site Location Plan - Northern Parcel**
Scale:	1:1250 @A4
Date:	09.05.22
Drawn:	JBW
Checked:	[redacted]
Ref:	[redacted]

N

0 10 20 30 40 50m

Waterloo House, 71 Princess Road West, Leicester, LE1 6TR · T 0116 204 5800
74 Wells Street, London, W1T 3QQ · T 020 3327 0381
F 0116 204 5801 · rg-p.co.uk · design@rg-p.co.uk

Notes
All designs should be constructed in strict accordance with building regulations.
In addition any materials, components and fixings in/or connected to a façade should be non-combustible if the top storey of the building is above 11m.
All dimensions to be checked on site. Do not scale off this drawing for construction purposes.

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From:	[redacted]
Sent time:	09/05/2022 17:33:19
To:	Planning Policy
Subject:	Representations to Core Strategy Review consultation - Land at Risley Lane, Breaston
Attachments:	220509 - Breaston Representations - FINAL (1).pdf

Good afternoon

Further to our representations as submitted through the online portal, please find attached document to be read in conjunction. This document is in support of the ongoing promotion of 'Land at Risley Lane, Breaston' and as such should be read alongside the Representations as submitted today.

Please could you confirm receipt of this email and its attachment, and the addition of its attachment to the representations submitted today.

Kind regards

[redacted]

[redacted]

220509 - Breaston Representations - FINAL (1).pdf

Land at Risley Lane, Breaston

Erewash Borough Council Core Strategy Review (Reg 19) Consultation Representations

Prepared on behalf of Mr Dickin and Mr & Mrs Gregory | May 2022

220509 - Breaston Representations - FINAL (1).pdf

Report Control

Project:	Erewash Borough Council Core Strategy Review (Reg 19) Consultation
Client:	Mr Dickin and Mr & Mrs Gregory
Reference:	22.3015 and 22.3016
File Origin:	220421 Erewash Borough Council Core Strategy Review (Reg 19) Consultation Representations
Primary Author	[redacted]
Checked By:	[redacted]

Issue	*Date*	*Status*	*Checked By*
1	04/05/2022	Draft	[redacted]
2	09/05/2022	Final	

220509 - Breaston Representations - FINAL (1).pdf

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APPENDIX

Appendix 1 – Site Location Plan

Appendix 2 - Indicative Masterplan

Appendix 3 – Site Access Appraisal

Appendix 4 – Call For Sites Form

220509 - Breaston Representations - FINAL (1).pdf

1. INTRODUCTION

1.1 This Representation has been prepared by Boyer on behalf of the landowners in response to the Erewash Borough Council Core Strategy Review Regulation 19 consultation.

1.2 The below Representation provides the landowners' responses to the topics and draft policies contained in the consultation document.

1.3 The below representations should be read in conjunction with the completed form that has been submitted to the ongoing 'Call for Sites' process, which promotes 'Land at Risley Lane, Breaston' for residential development to deliver approximately 150no. dwellings. The following section of this Representation provides a Site Profile for the above-mentioned site.

220509 - Breaston Representations - FINAL (1).pdf

2. SITE PROFILE – LAND AT RISLEY LANE, BREASTON

2.1 This Representation has been submitted in support of the above-mentioned site, which has been shown below:

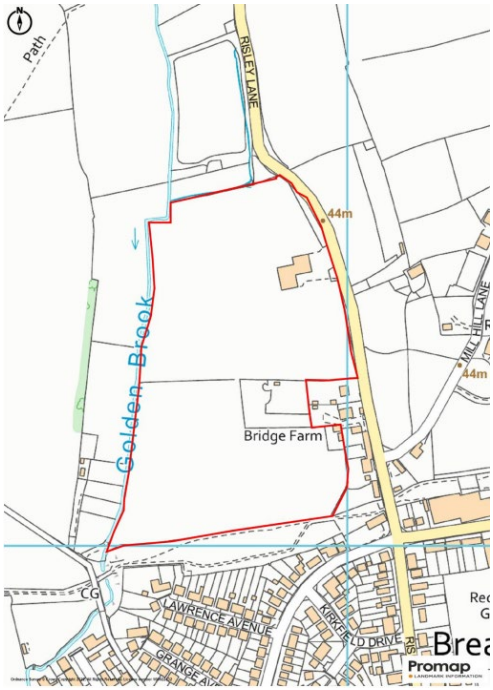

Image 1: Site Location Plan

Site Context

2.2 The promoted site, as shown above, comes to approximately 8.28 hectares and is broadly rectangular in shape, extending along Risley Lane in a north-south orientation. The land is bound to the north-east by Risley Lane, the rear curtilages of existing residential properties to the south-east and by existing vegetation to the north and south. The Golden Brook provides the western boundary to the site.

2.3 The promoted site is currently located within the Green Belt and has areas of Flood Zone 2 & 3 along its western boundary. However, the accompanying Indicative Masterplan (Appendix 2) has shown how a development of approximately 150 dwellings could be achieved on the site without negatively impacting upon the areas of flood risk and allowing ample areas for the implementation of sustainable urban drainage methods. The Indicative Masterplan also demonstrates how a development of the site could make a considerable public open space contribution, to the betterment of the village and enjoyment of its residents.

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2.4 Per the information in the accompanying Site Access Appraisal (Appendix 3), the site benefits from being located within 10 minutes walking distance of a range of local services and amenities, whilst the entirety of the village can be accessed by foot within 30 minutes, thereby providing sustainable accessibility to services and facilities which the village boasts, including schools, convenience stores and a General Practice.

2.5 The Site Access Appraisal also demonstrates how an access could be implemented from Risley Lane, which includes sufficient and appropriate visibility splays and indeed could offer a further additional betterment to the village by introducing a reduction in speed limit from 40mph to 30mph, thereby improving the highway safety on the approach into the village from the north by way of traffic calming measures.

Policy Context – Greater Nottingham Growth Study (GNGS) (2020)

2.6 The promoted site forms part of a wider area defined as the Breaston Extension (Ref: E11, shown below) assessed as part of the ongoing Greater Nottingham Growth Study, with the assessment provided in the Growth Options Study (July 2020) concluding that it was a "high potential area for strategic growth" due to the strategic strength of its location and onward connectivity to the regional centres and beyond.

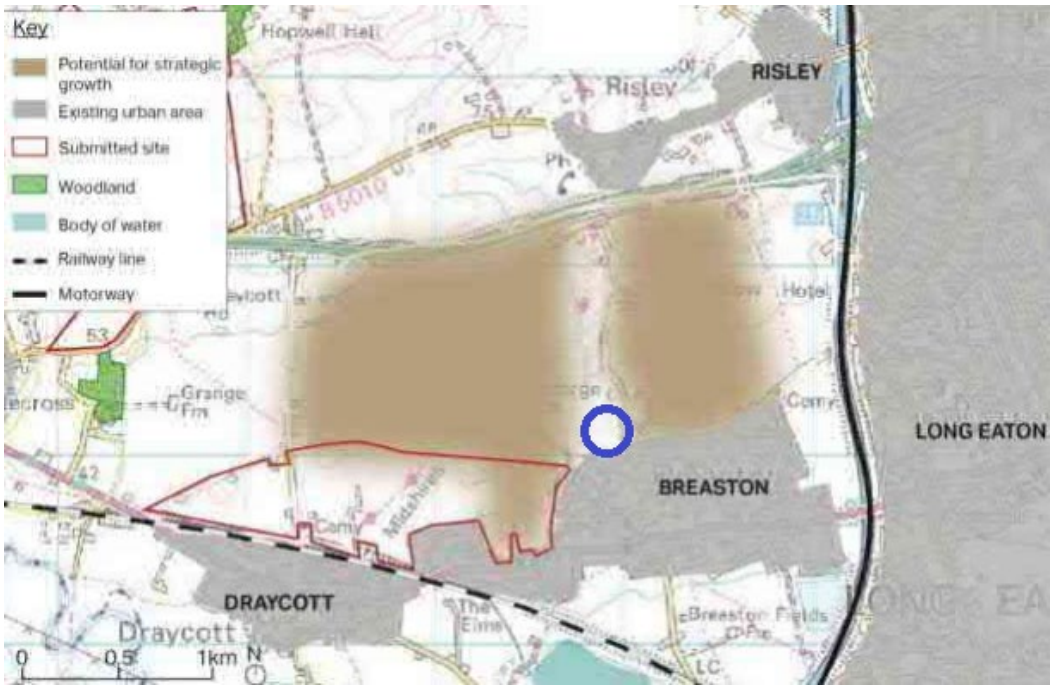

Image 2: Breaston Extension E11 – Promotion Site identified with blue circle

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2.7 The assessment was also notable in advocating for growth within the above-shown growth area to not coalesce the three settlements. As such, the promoted site would achieve this aspiration as it does not further coalesce Draycott and Breaston, whilst it is sufficiently remote from Risley to not coalesce these settlements. Indeed, nor would the promoted site erode the historic core of Breaston and would be of a commensurate scale were it to be delivered as a single site. Nonetheless, the site could also form part of an early phase of a wider development of land in this location, per the assessment contained in the GNGS.

Policy Context – SHLAA (2019)

2.8 The promoted site was assessed as two separate parcels in the most recent Strategic Housing Land Availability Assessment (2019), with the northern parcel being under Site Ref: 497 and southern parcel being under Site Ref: 287.

2.9 Comments received in both assessments include that consideration should be given to methods for mitigating flood risk and ensuring that an appropriate access can be achieved from the land onto Risley Lane.

2.10 It is considered that the information which accompanies this Representation provides an insight into how the site could be developed and thereby can build confidence that the concerns raised in the initial site assessments can be overcome as part of a development proposal.

220509 - Breaston Representations - FINAL (1).pdf

3. RESPONSE TO CONSULTATION DOCUMENT

Strategic Policy 1 - Housing

3.1 This Representation broadly supports the proposed settlement hierarchy and distribution of housing as contained in Strategic Policy 1. Principally, this Representation supports the direction of a portion of the overall housing requirement to "Rural Area Settlements", otherwise referred to as villages.

3.2 Nonetheless, this Representation advocates for the direction of a greater proportion of the overall housing requirement to 'Rural Area Settlements', in particular those that benefit from a strong base of services and facilities and relate well to the conurbations and towns as defined in emerging Strategic Policy 1. In particular, we advocate for Breaston to make an increased contribution towards the housing land supply for the Borough, reflective of the comparably strong base of services and facilities when considered against other villages of a similar scale. Further to this, Breaston benefits from excellent accessibility into both Derby and Nottingham by way of the A6005, with frequent bus services enabling residents to access the primary regional urban centres without requiring the use of a private vehicle.

3.3 From a review of the most recently published Housing Delivery Test results (2021), it can be seen that Erewash has been unable to meet the target delivery rates over the last three years, with the measurement determining that the Council delivered 79% of their housing requirement and was therefore required to add a 20% buffer to their housing land supply.

3.4 The spatial strategy employed in the adopted Core Strategy is broadly similar to the proposed spatial strategy contained in the draft Core Strategy Review, whereby the housing needs of the Borough will be primarily met through urban concentration with regeneration of brownfield sites being a core aspect of this.

3.5 This Representation, therefore, questions whether it is prudent policymaking to employ a similar spatial strategy which has been demonstrated in this Borough to be sub-optimal and inconsistent at delivery. As such, this Representation advocates for a spatial strategy which makes provision for a greater distribution of housing land to the defined 'Rural Area Settlements' (villages) of the Borough. This will enliven the housing delivery rate in Erewash by delivering houses in a greater diversity of locations, thereby offering better choice to the market.

3.6 Through reducing the reliance of the proposed spatial strategy on the timely delivery of complex brownfield sites such as Stanton Ironworks and increasing the reliance on deliverable housing sites in sustainable villages, the housing delivery rate will likely be more consistent and not subject to central government measures such as the 20% buffer.

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3.7 Beyond this, it is unclear in the consultation document what level of contribution that the Borough will make towards the unmet housing needs of both Nottingham and Derby, with Erewash Borough being part of the wider housing markets for both cities. Due to this, it should be made clear in the emerging Core Strategy Review how these market areas are being provided for. Additionally, it should be shown how a diverse range of sites brought forward can make a more immediate positive impact upon unmet housing need than cumbersome comparatively less deliverable strategic scale brownfield sites, such as South Stanton.

Strategic Policy 1.2 – South Stanton

3.8 Further to our comments above, this Representation advocates for the reduction in contribution the Stanton Ironworks, otherwise known as South Stanton, would be expected to make towards the housing land supply within the emerging Core Strategy Review plan period. Per the subtext of the draft Policy, despite the site being considered to be suitable and available for housing by both the Local Planning Authority and the current landowner for over 10 years, development has yet to come forward. Further to this, the subtext states that delivery is not expected on site in the first 5 years of the emerging Core Strategy Review.

3.9 The subtext acknowledges that slow progress of the delivery of the site has been largely due to market uncertainty over the cost of mitigating land stability issues from its mining legacy, and land contamination from its industrial legacy. We consider that it is not sound plan-making to direct approximately 1,000 units of the Borough's housing land requirements towards a site which has unquantified, acute and complex site constraints that have and will continue to preclude development.

3.10 This Representation questions the deliverability of the site, including beyond the first 5 years of the emerging Core Strategy Review as the comprehensive remediation of the land prior to the delivery of any residential development on site is inherently required to facilitate the implementation of the development, as is required by the emerging Strategic Policy. As such, a considerable and material investment would be required by a development partner long in advance of the receipt of any returns by way of house sales. Additionally, land values are comparatively low in this part of the Borough, which in turn further impacts upon the viability of the site and its ability to deliver the scheme as contained in the draft emerging Strategic Policy.

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3.11 Further to this, the emerging Core Strategy Review appears to pin the deliverability of South Stanton upon the successful development of North Stanton for employment development, which would be considered to be sufficient to "establish the degree of market challenge posed by historic mining and industrial activity at the former Stanton Ironworks, and thus increase market confidence in this site" (South Stanton). We consider that this further dilutes the ability for South Stanton to make the stated contribution towards the housing land supply as there are additional extraneous factors that would require meeting in order to make the site deliverable, by which we mean the introduction of the requirement for North Stanton to come forward in a timely manner to provide the necessary market conditions to bring South Stanton, and therefore approximately 1,000 dwellings, forward.

3.12 As we have considered previously in this Representation, we advocate for the proposed Spatial Strategy contained in Strategic Policy 1 to be updated to include a greater distribution of housing by way of reducing the quantum directed towards a new settlement at South Stanton and increasing the role of the 'Rural Area Settlements' (villages), with particular reference to Breaston.

Strategic Policy 3 – Town, Local and Village Centres

3.13 Breaston is proposed for designation within emerging Strategic Policy 3 as a Village Centre, with the emerging Strategic Policy noting that Breaston has a well established village centre which provides essential services to local residents.

3.14 Enabling additional development in Breaston, such as through allocating the above-mentioned 'Land at Risley Lane, Breaston', would inherently increase the footfall in the centre of Breaston and thereby serve to further protect the Village Centre, in support of the aspirations of emerging Strategic Policy 3.

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4. CONCLUSION

4.1 These representations have been prepared on behalf of the landowners and relate to the promotion of land west of Risley Lane, immediately north of Breaston for residential development.

4.2 This proposal represents a logical village extension to Breaston which could form an initial phase of a wider extension in response to the identification of this land in the Greater Nottingham Growth Study as suitable for residential development. These representations demonstrate how 150 dwellings could be accommodated with a suitable access to Risley Lane on a frontage which already accommodates housing within the built-up area of Breaston.

4.3 Overall, we are broadly supportive of the spatial strategy save for the overreliance on brownfield land where it is well established, by historic delivery rates that this is not a reliable source of housing land. It would therefore be logical to consider further greenfield and Green Belt sites adjoining sustainable villages such as Breaston where it is well established there is significant market demand and a strong record of delivery. This will ensure a robust supply of housing land through the plan period to ensure the same issues do not reoccur from the adopted Erewash Core Strategy.

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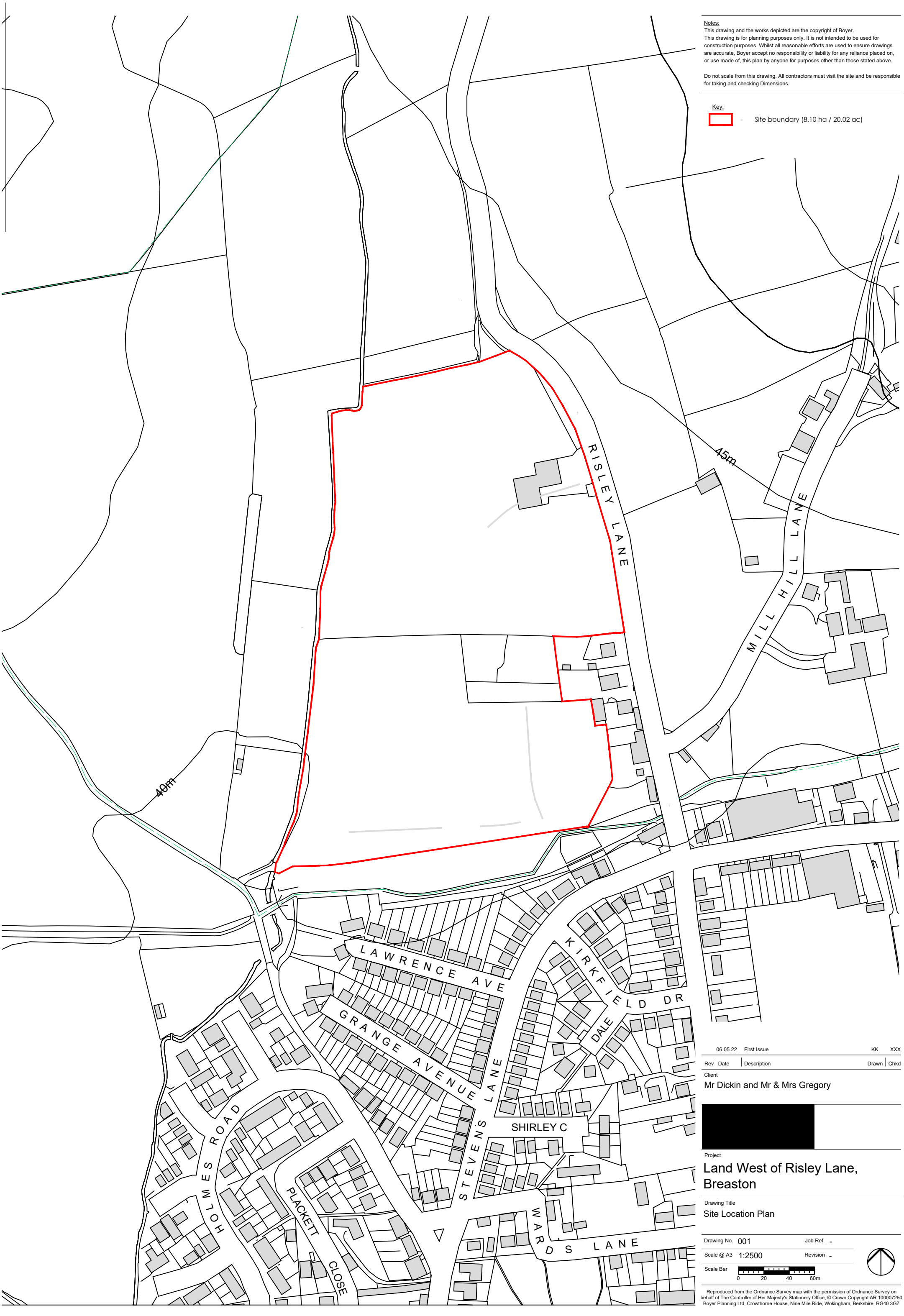
APPENDIX 1 – SITE LOCATION PLAN

220509 - Breaston Representations - FINAL (1).pdf



Notes:
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Do not scale from this drawing. All contractors must visit the site and be responsible for taking and checking Dimensions.

Key:

- Site boundary (8.10 ha / 20.02 ac)

Rev	Date	Description	Drawn	Chkd
	06.05.22	First Issue	KK	XXX

Client
Mr Dickin and Mr & Mrs Gregory

[redacted]

Project
Land West of Risley Lane, Breaston

Drawing Title
Site Location Plan

Drawing No. 001 Job Ref. -
Scale @ A3 1:2500 Revision -
Scale Bar 0 20 40 60m

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APPENDIX 2 - INDICATIVE MASTERPLAN

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Concept Masterplan

Land West of Risley Lane, Breaston

[redacted]

The concept masterplan has been prepared to demonstrate a landscape led approach to a sustainable residential development on land west of Risley Lane, Breaston.

The concept masterplan demonstrates that the land is available, viable, free of major constraints and capable of delivering up to 145 new high quality homes set in a high quality landscape setting. The masterplan promotes healthy and active living through provision of a number of community benefits including outdoor walks, equipped and natural play, new orchard/allotment, native planting and publicly accesible open space for the wider community.

LAND USE QUANTUM		
TYPE	HECTARES	ACRES
Residential	4.14	10.23
Open space	3.55	8.77
Infrastructure	0.41	1.01
Total	8.10	20.02

TOTAL OPEN SPACE PROVISION			
TYPE	STANDARD	REQUIRED	PROVIDED
Quantity standard for all open space	3.24 ha	1.13 ha	3.55 ha

KEY

- Site boundary (8.1ha/ 20.02ac)
- Development - 4.14 ha approx. 145 units at 35 dph
- Proposed open space
- Play Area (LAP & LEAP)
- Proposed main route
- Proposed secondary route
- Proposed tertiary route
- Existing PROW
- Pedestrian and cycle route
- All modes access point
- Pedestrian and cycle access point
- Indicative frontages
- Key buildings
- Local Equipped Area of Play (LEAP)
- Local Area of Play (LAP)
- Multi-functional basins
- Orchard/Allotments

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APPENDIX 3 – SITE ACCESS APPRAISAL

220509 - Breaston Representations - FINAL (1).pdf

[redacted]

LEADERS ROMANS GROUP

POTENTIAL RESIDENTIAL DEVELOPMENT:

LAND WEST OF RISLEY LANE, BREASTON

SITE ACCESS APPRAISAL

REPORT REF.
2202870-01B

May 2022

[redacted]

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Drawings

2202870-SK01C - Potential Site Access Layout

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Document Control Sheet

REV	ISSUE PURPOSE	AUTHOR	CHECKED	APPROVED	DATE
-	DRAFT TEAM ISSUE	[redacted]	[redacted]	[redacted]	04/05/2022
-	FINAL TEAM ISSUE				04/05/2022
A	REVISED FURTHER TO TEAM COMMENTS				06/05/2022
B	REVISED FURTHER TO TEAM COMMENTS				09/05/2022

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1. Introduction

1.1. Ardent Consulting Engineers (ACE) were instructed by Leaders Romans Group to provide an initial transport related review for the potential development of this site to provide a new residential development of approximately 150 residential units. The indicative overall red line boundary is shown within **Figure 1.1** for reference.

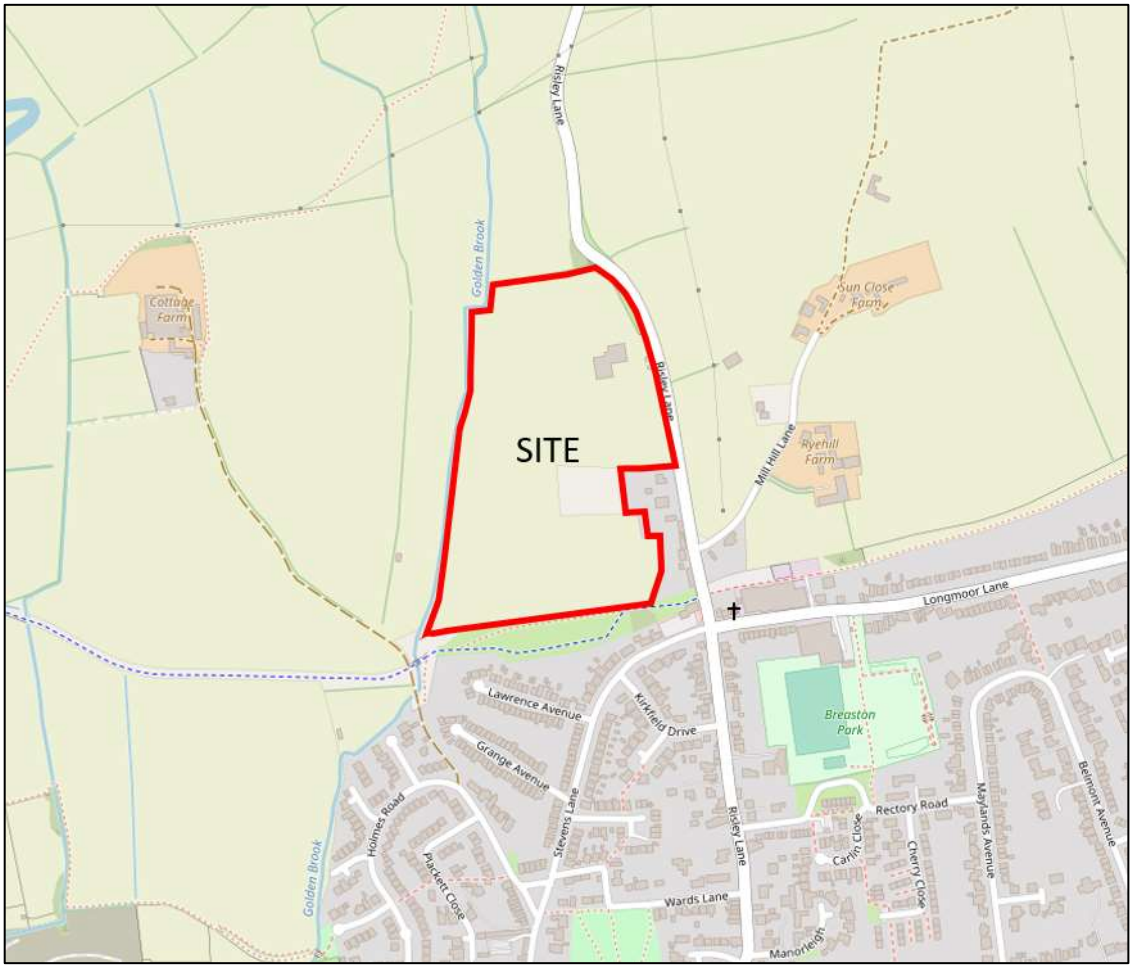

Figure 1.1: Indicative Overall Site Boundary Plan

1.2. The site is located at the western edge of Risley Lane in Breaston, Derbyshire. The Local Planning Authority is Erewash Borough Council (EBC), whilst Derbyshire County Council (DCC) acts as the local highway authority.

1.3. The purpose of this document is to assess the suitability of the site to accommodate a residential development, specifically with regards to whether a suitable access strategy can be provided. It is intended that this document will provide further support on these matters to supplement representations that shall be put forward to EBC by the landowners through the emerging Erewash Core Strategy Review.

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2. Existing Conditions

Existing Site

2.1. The site is located at the western edge of Risley Road and comprises circa 7.8 hectares of agricultural land and a storage facility. The site is bound by primarily agricultural land to the north and west, Risley Lane and a cluster of residential units to the east with open grassed space to the south. There are approximately 8 residential properties located at the eastern edge of the site boundary edge that are outside of the site boundary itself. Further residential properties are located to the south of the site boundary, accessed via Stevens Lane and Lawrence Avenue. The indicative site boundary in relation to the surrounding area is shown within **Figure 2.1** for reference.

Figure 2.1: General Site Location Plan

Risley Lane

2.2. Risley Lane extends along the eastern site boundary in a north/south direction leading to Risley to the north and the A6005 (Wilsthorpe Road to the south. Risley Lane is primarily subject to a 40mph in the vicinity of the site, reducing to 30mph circa 70 metres south of the south-eastern corner of the site.

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2.3. Risley Lane measures circa 4.5 metres wide and includes a footway extending along the western edge of the carriageway. A grass verge extends along the majority of the eastern edge of Risley Lane.

2.4. Based on the Land Registry Plan extract within **Figure 2.2**, it appears that Risley lane is within publicly maintained land whilst it has been confirmed that the footway is under the ownership of the ,landowners and so a new site access and potential to improve the existing footway along the site frontage could potentially be provided. Highway boundary information would be acquired from DCC as part of any transport reports supporting a planning application, to confirm the above assumptions.

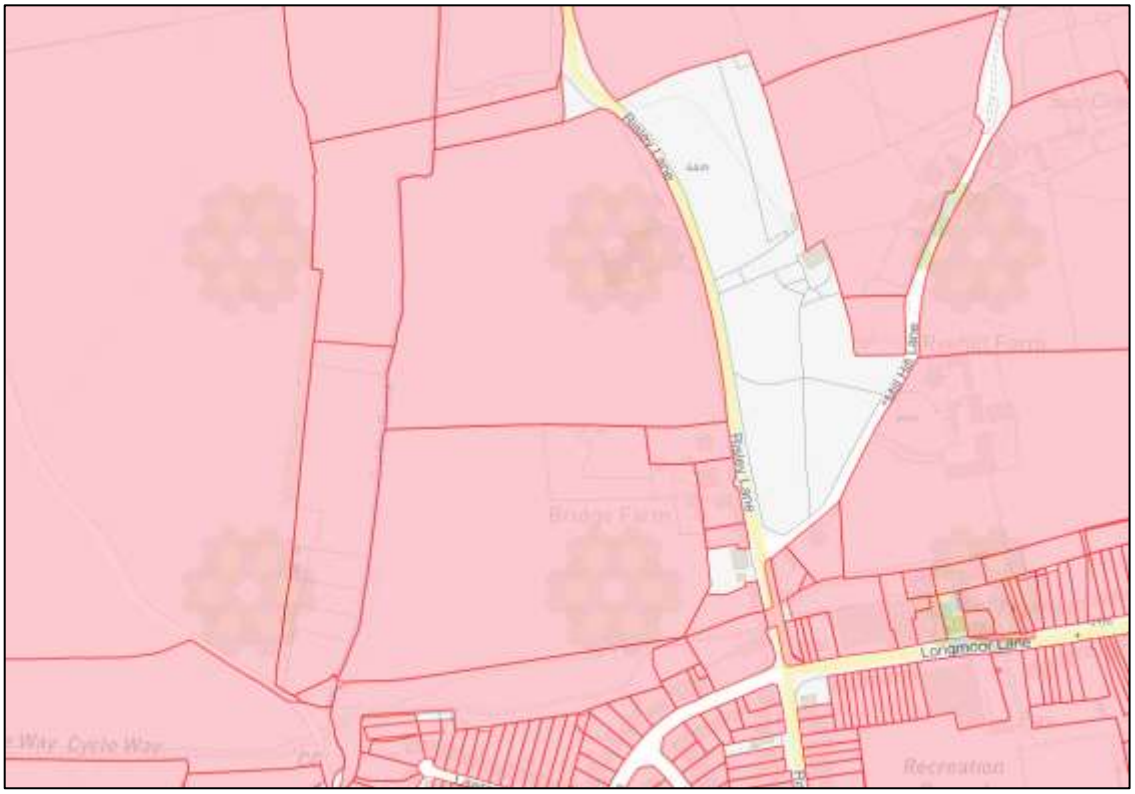

Figure 2.2: Land Registry Extract

2.5. As highlighted above, highway boundary information would be acquired from DCC as part of any transport reports supporting a planning application, to confirm the above assumptions.

Highway Safety

2.6. Paragraph 015 within 'Travel plans, transport assessments and statements in decision-taking' reiterates this and advises that *"an analysis of the injury records on the public highway in the vicinity of the site access for the most recent three-year*

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period, or five-year period if the proposed site has been identified as within a high accident area".

2.7. In accordance with the above, the 'CrashMap' website was examined (www.crashmap.co.uk) for any details of recorded Personal Injury Accidents within the past five years. This identified that there have been no recorded incidents on Risley Lane in the vicinity of the existing or proposed site access between 2017 and 2021 (most recent five-year period data available).

2.8. **Figure 2.3** is an extract form the CrashMap website showing the locations of the incidents during the recorded period above.

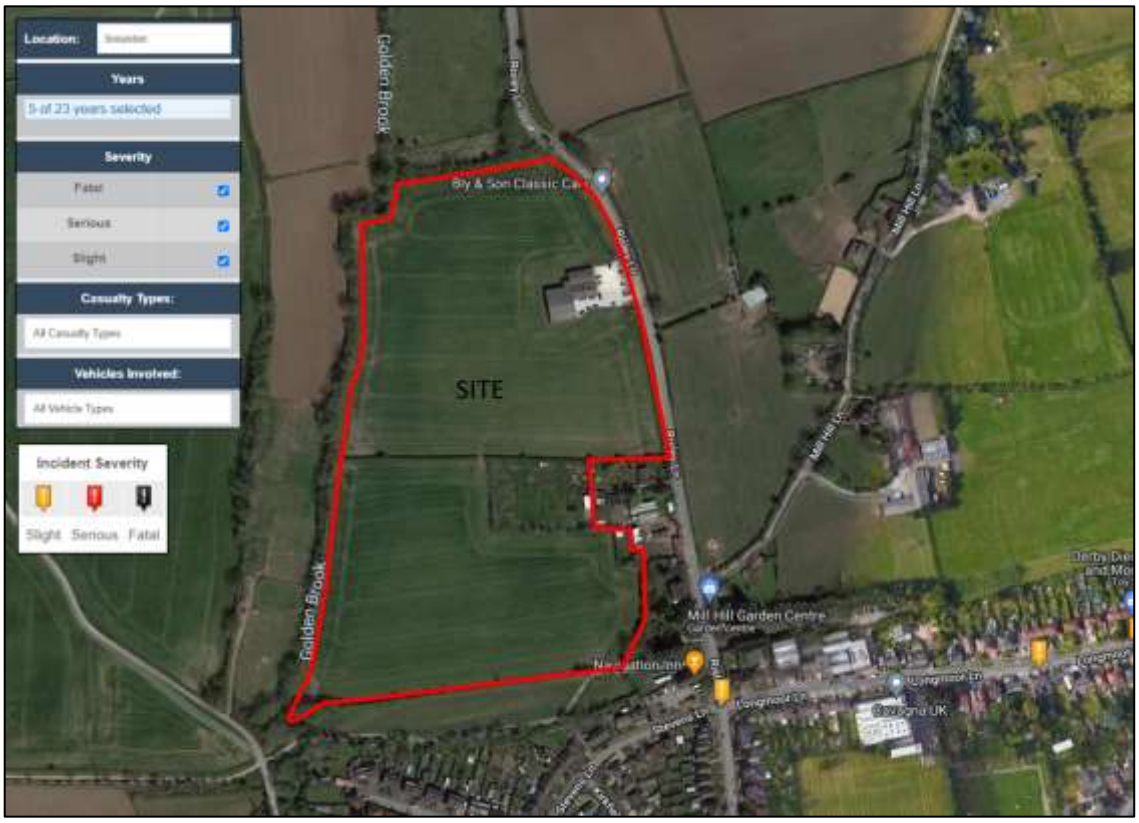

Figure 2.3: Crashmap Extract

2.9. The nearest incident occurred at the Longmoor Lane/Risley Lane junction to the south of the site boundary. This incident occurred in June 2018, was classed as slight' in severity and involved two vehicles colliding with no pedestrian or cyclist casualties.

2.10. Whilst it is unfortunate that the above incident occurred in close proximity to the site, it does not represent any particular trend in terms of incidents/clusters or suggest an on-going safety problem in this particular location. It can therefore be concluded that there are no significant existing highway safety issues in close

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proximity to the site and no further detailed safety assessment or amends to the existing highway layout should be necessary.

2.11. Further to the above, three incidents were recorded in two separate locations on Longmoor Lane. Of these, two were classified as 'slight' in severity and the remaining classed as 'serious'. Of these three incidents, one involved a cyclist, one involved a pedestrian and the remaining incident involved vehicles only. Based on the location of these incidents, it is considered that the primary reason for the occurrence would be associated with existing on-street parking and human error due the narrowing on-street parking occurs along with restricted crossing.

2.12. Whilst further assessment into highway safety would be required at a later stage, it is not considered that off-site improvement schemes would prevent incidents in this particular location and there appear to be no 'significant' issues that would be exacerbated by development at the site.

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3. Accessibility by Sustainable Modes of Travel

Pedestrian Accessibility

3.1. The site is located northern edge of a typical village. The Chartered Institution for Highways and Transportation (CIHT) document entitled 'Guidelines for Providing for Journeys on Foot' (GPJF) suggests walking distances which are relevant to a variety of journey purposes. These are reproduced in **Table 3.1**.

CIHT Classification	Town Centres (m)	Commuting/School/ Sightseeing (m)	Elsewhere/Local Services (m)
Desirable	200	500	400
Acceptable	400	1,000	800
Preferred Maximum	800	2,000	1,200

Table 3.1: CIHT Recommended Walking Distance

3.2. Further to the above, the 'GPJF' document provides guidance on how to encourage pedestrian travel. Paragraph 3.31 states that:

"'Acceptable' walking distances will obviously vary between individuals and circumstances. Acceptable walking distances will depend on various factors including:

- *An individual's fitness and physical ability*
- *Encumbrances, e.g. shopping, pushchair*
- *Availability, cost and convenience of alternatives transport modes*
- *Time savings*
- *Journey purpose*
- *Personal motivation*
- *General deterrents to walking".*

3.3. For 'town centres' it suggests that 800 metres is a preferred maximum walking distance, which equates to an approximate 10 minutes' walk based on a typical walking speed of 1.4 metres per second (circa 80 metres per minute). **Figure 3.1** shows an extract from traveltimeplatform.com shown where residents of the site can travel to / from within a 10-minute walk (circa 800 metres).

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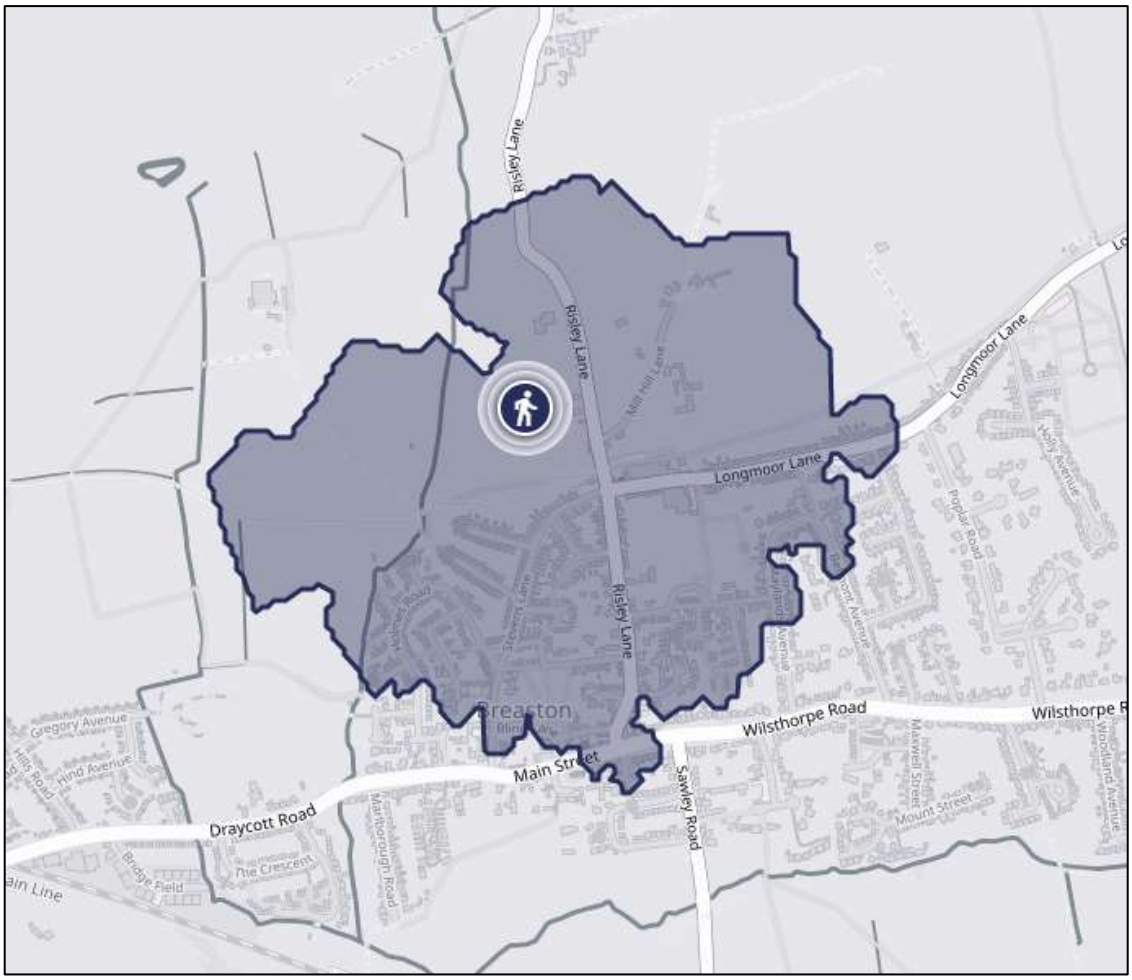

Figure 3.1: Extract from traveltimeplatform.com (10-minute walk isochrone)

3.4. Within 800m (10 minutes) walking distance of the site, a number of local services can be accessed such as The Navigation Inn public house, The Farm Shop, Breaston Methodist Church, Royal Spice Indian, Darling Eyecare and Perks Park.

3.5. For commuting / school trips 2 kilometres is a preferred maximum walking distance, which equates to an approximate 25 minutes' walk based on a typical walking speed of 1.4 metres per second (circa 80 metres per minute). However, by walking for an additional 5 minutes (circa 400 metres) the entirety of Breaston can be access by foot. This includes Firfield Primary School, St Michaels Church Hall and Breaston Pre-School.

3.6. Derbyshire County Council's online mapping confirms that a number of traffic-free public rights of way existing within close proximity of the site. This includes a public footpath that extends along the southern edge of the site linking the site to Long Eaton to the east and Borrowash to the west. The localised public footpaths are shown within **Figure 3.2**.

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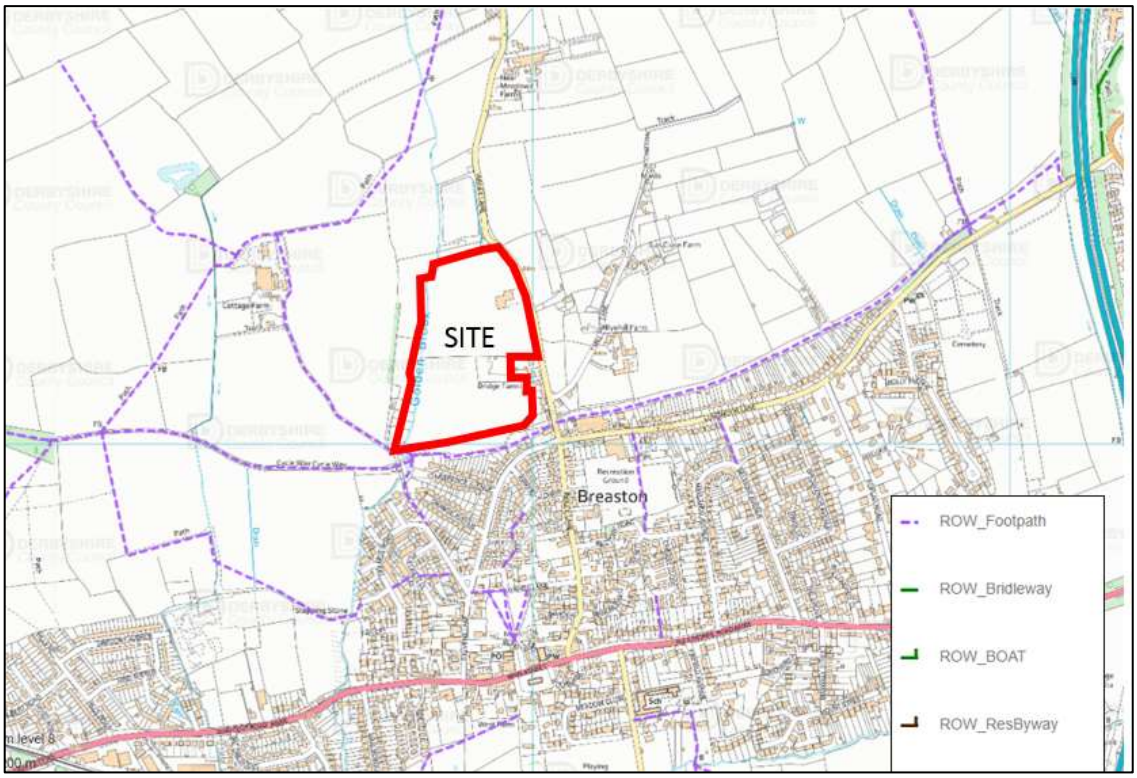

Figure 3.2: Public Rights of Way Map Extract

3.7. At present the site can be accessed on foot by an existing well-maintained footway extending along the western edge of the Risley Lane, linking pedestrians to Breaston Centre to the south and Risley to the north. No incidents between pedestrians and vehicles (including the existing HGV's) have been recorded on Risley Lane within close proximity to the site within the past five years and so this is not considered to raise highway safety concerns.

Cycling

3.8. It is generally recognised that a typical cycle speed of 12mph (19kph) would result in a 5-kilometre isochrone equating to a journey time of approximately 16 minutes. **Figure 3.3** shows an extract from traveltimeplatform.com showing where residents of the site can travel to / from within a 15-minute walk (circa 5-kilometre cycle).

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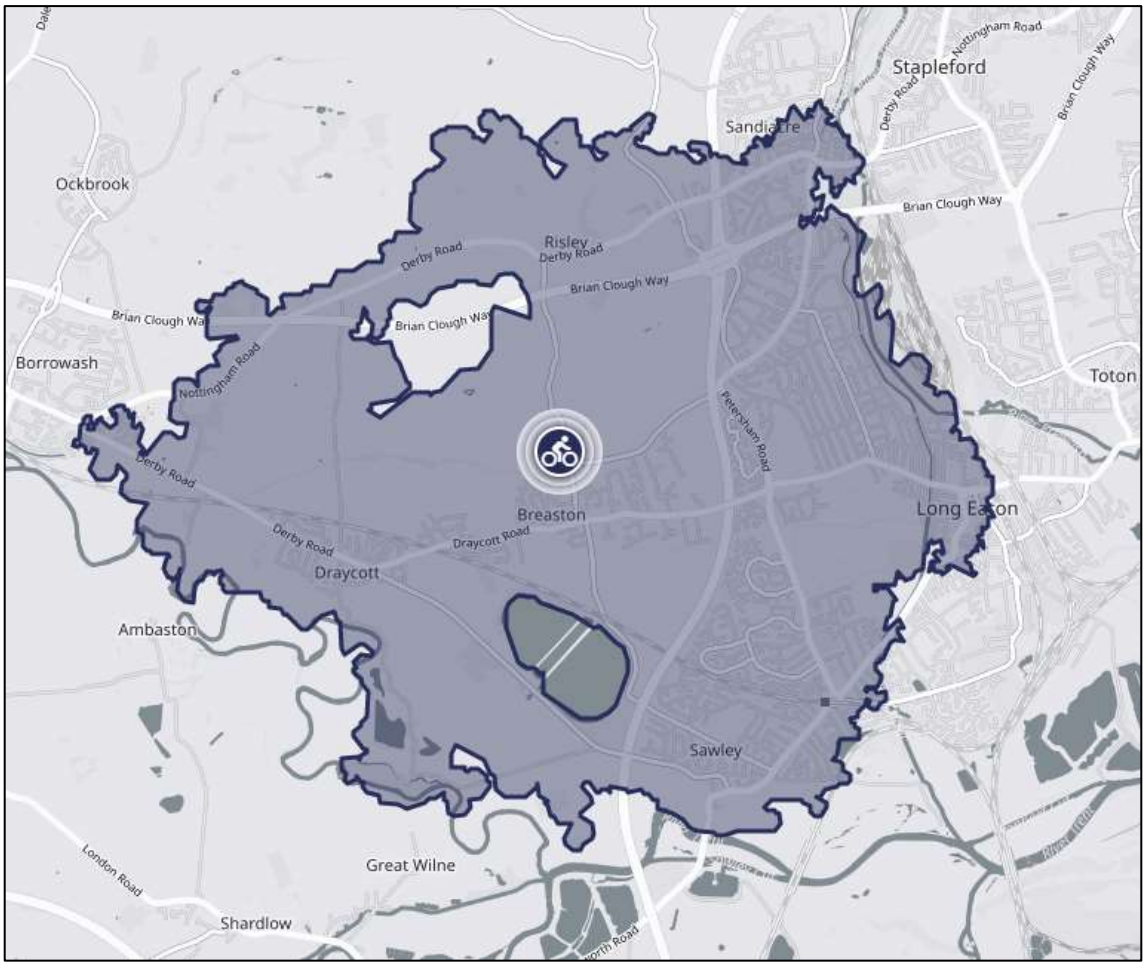

Figure 3.3: Extract from traveltimeplatform.com (15-minute cycling isochrone)

3.9. The 5 kilometres isochrone catchment area centred on the site (**Figure 3.3**) demonstrates that surrounding areas including the entirety Breaston, Draycott, Risley, Sawley Long Eaton and Sandiacre are within a comfortable cycling distance.

Accessibility by Bus

3.10. The ability to readily access wider major destinations by rail and bus provides a key advantage in providing a real alternative to car travel (e.g. for journeys to work) and, as such, reinforces the aim of reducing car travel.

3.11. Guidance from the Chartered Institution of Highways and Transportation (CIHT) document 'Guidelines for Planning for Public Transport in Development' indicates that ideally, a bus stop should be located within 400m from a new development. However, it is considered that this primarily relates to more urbanised locations. It should be noted that in more rural areas, a walk distance of 800 metres to a bus stop served by an hourly service is generally considered as acceptable. It is also noted that in

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Manual for Streets (MfS) 'Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.

3.12. Given the rural nature of the site, it is considered that an 800 metres walk distance to the nearest bus stops should be sufficient, subject to being served by a minimum of an hourly service.

3.13. There are four bus stops located on the A6005 circa 800 metres of the centre of the site (depending on the route taken such as the proposed site access or potential pedestrian access). The bus stops are located to the east and west of Risley Lane junction to the A6005 which all include timetable information, two include a shelter and are all served by service numbers 222 and Indigo travelling east and west bound. These services provide a combined frequency of approximately three buses every hour. These services link the site to Derby bus Station, Borrowash, Long Eaton, Chilwell, Beeston, Queens Medical Centre and Nottingham centre.

3.14. It is considered that the site is suitably served by existing level of bus provision with routes providing access to a mix of educational, recreational, retail, health and employment opportunities. Bus stops are within acceptable pedestrian travel distances, with routes to the stops being direct, pleasant and within close proximity to the site. However, as part of any future planning application there could be the potential to provide additional bus stops on the Risley Lane within close proximity to the site frontage to reduce walking distance for residents.

Accessibility Conclusion

3.15. The above section included a review of access to key amenities by sustainable modes, which has been undertaken within the context of the existing infrastructure provision. It is considered within the context of the development that the existing level of infrastructure can reasonably accommodate a potential uplift in trips without undue capacity or safety concern.

3.16. In conclusion, the site is accessible by a variety of sustainable modes of transport and can be considered a suitable location with regards to sustainability. However, as part of a potential future planning application, it is considered that improvements to sustainable travel could be incorporated if required.

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4. Potential Development Scheme

4.1. The purpose of this document is to assess the suitability of the site to accommodate a residential development with regards to access. Therefore, the exact number of units and internal layout cannot be confirmed. However, it is understood that the overall site could be suitable for approximately 150 dwellings. As previously highlighted, the development area is shown within **Figure 4.1** along with the potential site access location.

Figure 4.1: Site Location and Potential Access Location

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5. Vehicular Access Strategy

5.1. Vehicular access will be in accordance with Derbyshire County Council's 'Delivering Streets and Places design Guide' (2017).

5.2. The Delivering Streets and Places Design Guidance highlights that an access width of 5.5 metres is suitable for a residential development with a design speed of 30mph along with 2 metres wide footways. At this stage, a single point of access could be provided to serve the overall site and should comprise a carriageway width of 5.5 metres to accommodate internal refuse collection, 2 metres wide footways at either side and a minimum of 6 metres kerb radii. In addition to this Risley Lane is subject to a 40mph speed limit with visibility splays from the junction to be 2.4m x 120m.

5.3. In light of the above, **ACE Drawing Number 2202870-SK01C** shows how a T-junction arrangement at Risley Lane could be provided to form the primary point of access. This arrangement includes a 5.5 metres wide carriageway, 6 metres kerb radii and 2 metres wide footways to tie into the existing facilities along Risley Lane. It should be noted that there is sufficient site frontage for the exact dimensions of the access to be increased should this be required by the use of such as vehicle tracking or junction modelling.

5.4. The junction arrangement takes into account the current change in speed limit and is therefore designed in line with the requirements of DMRB for a 40mph design speed as a worst-case scenario. However, it is considered that the existing change in speed limit to the south of the site could potentially be relocated further north to extend the extent of 30mph and assist with reducing speeds on the approach to the site as an overall betterment.

5.5. With regards to visibility form the site access, **ACE Drawing Number 2202870-SK01C** demonstrates splays of 120 metres to the north and south from a 2.4 metres setback distance to the nearside kerb line. Both visibility splay distances appear to be achievable (subject to confirmation of the highway boundary information).

5.6. It is considered that the site access arrangement shown within **ACE Drawing Number 2202870-SK01C** is sufficient to serve the potential residential development subject to further detailed assessment. This arrangement could provide a number of betterments for users of Risley Lane by potentially extending the 30mph

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speed limit as well as improving the existing footway along the site frontage. Overall, it is considered that a 'safe and suitable access' could be achieved from Risley Lane to serve a development of circa 150 dwellings without resulting in a detrimental impact, in accordance with Paragraph 108 of the NPPF.

5.7. Due to the potential level of development, it is not considered that a secondary point of access is required. However, subject to further review of ownership/access rights, there could be the potential to implement an emergency access is required.

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6. Summary and Conclusions

6.1. In summary, it is considered there is scope to implement a suitable access strategy for the site via Risley Lane with the potential to include the relocation of the change in speed limit to extend the 30mph speed limit to assist with reducing vehicle speeds on the approach to the site from the south of Risley Lane. Based on DCC's current guidance, it is considered that a development of up to 150 units could be satisfactorily served via a single point of access at the Risley Lane.

6.2. It is noted that there have been instances with smaller developments where emergency accesses have been beneficial. We have in these instances proposed a separate 3.7m pedestrian/cycle link onto the public highway which included collapsible bollards. Therefore, as part of a future planning application the suitability an emergency / shared footway and cycleway shall be reviewed to further improve accessibility by non-car modes.

6.3. Overall, it is considered that the site offers a good opportunity for residential development with no major highway related concerns. To the contrary, the implementation of the development could help to address potential local concerns.

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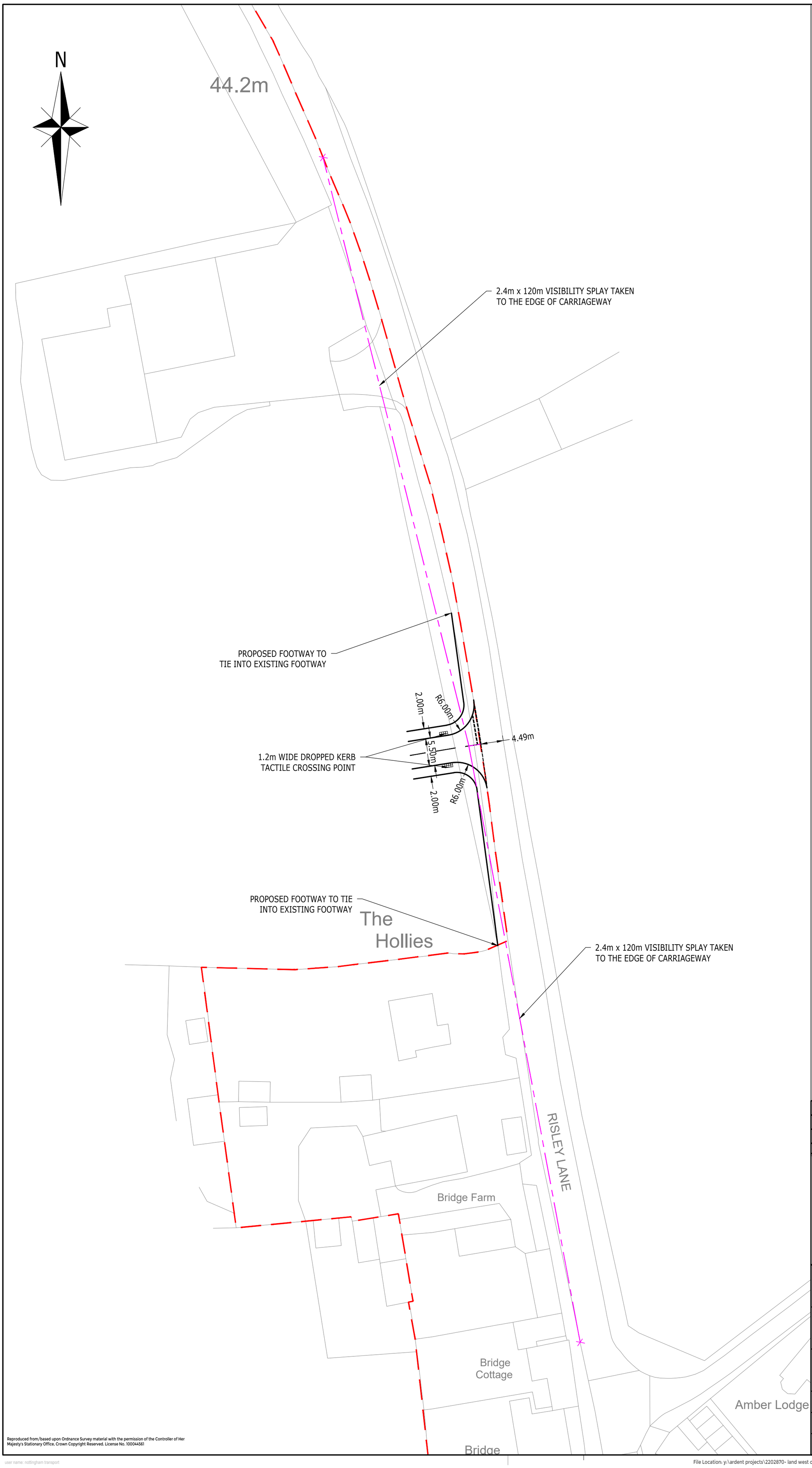

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NOTES

1. ACCESS DESIGN AND VISIBILITY SPLAYS HAVE BEEN DESIGNED IN ACCORDANCE WITH DCC STANDARDS FOR A 40MPH SPEED LIMIT.
2. ACCESS SUBJECT TO CAPACITY AND LEVELS ASSESSMENTS, VEHICLE SWEPT-PATH ANALYSIS, HIGHWAY BOUNDARY, SPEED SURVEY AND HIGHWAY LAND BOUNDARY INFORMATION.
3. ACCESS DESIGN IS BASED ON OS MAPPING AND SUBJECT TO TOPOGRAPHICAL SURVEY MAPPING.

KEY

INDICATIVE SITE BOUNDARY

FOR INFORMATION ONLY

Rev	Description	Drn	Chk	App	Date
C	REVISED FURTHER TO COMMENTS	GL	AG	DRAFT	09.05.22
B	REVISED REDLINE INCLUDED	GL	AG	DRAFT	06.05.22
A	REVISED FURTHER TO INTERNAL COMMENTS	GL	AG	DRAFT	04.05.22

[redacted]

Client

[redacted]

Project Title:

LAND WEST OF RISLEY LANE, BREASTON

Drawing Title:

INDICATIVE SITE ACCESS

A2 Scale	Date	Designed by
1:500	03/05/22	GL
Drawn by	Checked by	Approved by
GL	AG	DRAFT

Drawing Number	Rev
2202870-SK01	C

user name: nottingham transport

File Location: y:\ardent projects\2202870- land west of risley lane, breaston\technical\acad\drawings\2202870-sk01c - indicative site access.dwg

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APPENDIX 4 – CALL FOR SITES FORM

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Call for Sites Submission Form:

Please complete this form if you would like to suggest land for future development in the Borough of Erewash.

We would be particularly keen for sites to be submitted that are located within the settlement boundaries for Erewash towns and villages.

If you wish to submit more than one site, please complete a separate form for each site.
Complete each section to the best of your knowledge. All documents required to complete the form can be found on our website www.erewash.gov.uk

PLEASE NOTE: Submission of a site for the Erewash Borough Council SHLAA does not guarantee that it will be allocated for any future development, nor should it be construed that it increases the prospects of the granting of planning permission for any form of development.

1. Your Details			
Title	[redacted]	Name	[redacted]
Organisation (If applicable)	[redacted]	Representing (if relevant)	Mr Dickin and Mr & Mrs Gregory
Your Address	[redacted]		
Post Code	[redacted]	Telephone	[redacted]
Email	[redacted]		

2. Site Details			
Site Name	Land west of Risley Lane, Breaston		
Site Address (Inc. Post Code)	Land west of Risley Lane, Breaston, Derbyshire, DE72 3BP		
OS Grid Ref Easting	445878	OS Grid Ref Northing	334234
Total Site Area (ha)	8.28ha	Area of site suitable for development	
Please attach a 1:1250 scale OS map clearly outlining the boundary of the site with a red line. If appropriate, show other land in your ownership in blue. If relevant, also provide details of land where the site is under multiple ownership.			

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3. Site Ownership			
Ownership (please Tick)	Yes - Sole Owner X	Yes – Part Owner ☐	No - I am not the owner ☐
If the site is part owned, please provide the name(s) and address(es) of other owner(s)	Name		
	Address with Postcode		
Have you informed the other landowner(s) that you have submitted this site?	Yes, all other landowners are aware ☐	No, I have not informed other landowners ☐	

4. Site Constraints					
Current Use	Agricultural.				
Previous Use	Agricultural.				
Adjacent Land Uses	The land is bound to the north-east by Risley Lane, the rear curtilages of existing residential properties to the south-east and by existing vegetation to the north and south. Golden Brook provides the western boundary to the site.				
Relevant Planning History	There is no relevant planning history for the site, however the site has been included within the 2014 and 2019 SHLAA as two separate parcels. SHLAA 2019: Reference: 287 and 497. SHLAA 2014: Reference: 683.				
Existing Infrastructure	Gas X	Electricity X	Mains Sewerage X	Mains Water X	Telecoms X
Highway Access	Yes – Classified Road X		Yes – Unclassified Road ☐		No ☐

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Are there any legal issues surrounding the site?	Yes ☐	No X	If Yes, please provide details:
Is this site currently occupied?	Yes ☐	No X	If Yes, Please provide details:
Any Wildlife designations on the site?	Yes ☐	No X	If Yes, please list them:
Is the Site Covered by a Flood Zone?	Yes X	No ☐	If yes, please select which flood zone: FZ1 X FZ2 X FZ3 X
Any known land contamination?	Yes ☐	No X	If yes, please provide details:
Any heritage designations on the site?	Yes ☐	No X	If yes, please list them:
Public Access / Rights of Way Constraints	N/A		
Environmental Constraints (TPOs/ mature trees, ponds)	N/A		
Infrastructure constraints (pylons, gas mains etc.)	N/A		
Any other known constraints	N/A		
Methods of overcoming listed constraints	N/A		

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5. Site Proposal			
Proposed number of dwellings	Approximately 175 dwellings		
Availability for development	0-5 years X	6-10 years ☐	11+ years ☐

Completed forms should be sent back to the Planning Policy section either electronically to [redacted] or via the post to:

Planning Policy
Erewash Borough Council
Long Eaton Town Hall
Derby Road
Long Eaton
NG10 1HU

Declaration:

In submitting a site you consent for your name and postal address to be made publicly available. You also consent for a representative of the Council to access the site (if necessary) to undertake a site assessment.

Your details will be added to Erewash Borough Council's Planning Policy database, from which you will receive information about upcoming consultations and updates on local plan preparation. If you wish to opt out of this service, please tick here ☐

Name	[redacted]
Signature	[redacted]
Date	5th May 2022

[redacted]

From: Jill Fisher [redacted]
Sent time: 09/05/2022 12:44:42
To: Planning Policy
Subject: Re: Green Squeeze

Yes Please use:

I was under the impression that all I had to do was send you the form! Why does it have to be so complicated? Maybe to put people off from fighting this silly idea of building all these houses but no new schools, surgeries, etc and depriving people of the green spaces and farmland!!

So I am Certainly against this planning by Erewash to ruin the area!!!!!!!!!!!!

Mrs R J Fisher

On Mon, 9 May 2022 at 11:32, [redacted] wrote:

> Good morning,
>
> You are correct that all you needed to do was send the form but you haven't done this; you have only provided us with the front page (not the whole form). Out of courtesy we have emailed you to inform you of this fact to provide you with the opportunity to re-submit if you wish before consultation deadline today.
>
> We have provided the form online for people to submit representations directly and efficiently, at the following address: https://www.erewash.gov.uk/local-plan-section/representation-form.html. If you are using an alternative method for submitting the form, the success or otherwise of submission is not something we can control or advise on.
>
> Would you like the comments in your last email to be registered as your representation?
>
> [redacted]
>
> **From:** Jill Fisher [redacted]
> **Sent:** 09 May 2022 11:23
> **To:** [redacted]
> **Subject:** Re: Green Squeeze

I was under the impression that all I had to do was send you the form! Why does it have to be so complicated? Maybe to put people off from fighting this silly idea of building all these houses but no new schools, surgeries, etc and depriving people of the green spaces and farmland!!

So I am Certainly against this planning by Erewash to ruin the area!!!!!!!!!!!!

On Mon, 9 May 2022 at 08:46, [redacted] wrote:

> Good morning,
>
> Did you intend to only submit the page contained in the email below? We are unable to find any comments/ representations, just the front page containing your contact details.
>
> Regards,
>
> [redacted]
>
> **From:** Jill Fisher [redacted]
> **Sent:** 07 May 2022 21:24
> **To:** [redacted]
> **Subject:** Green Squeeze

www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed

Title(*) Mrs

First Name(*) Rosemary

Surname(*) Fisher

Job Title (where relevant) [redacted]

Organisation (where relevant) Not aplicable

Address(*) [redacted]

Postcode(*) [redacted]

Telephone number(*) [redacted]

Email Address(*) [redacted]

Agent's details (if applicable) Include name, address, contact number and email

Core Strategy Objection-1.jpg

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Erewash Borough Council, Ilkeston Town Hall, Wharncliffe Road, Ilkeston, Derbyshire. DE7 5RP. www.erewash.gov.uk

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From:	Malc Regan[redacted]
Sent time:	08/05/2022 11:24:13
To:	Planning Policy
Subject:	Land SGA26

Sent from Mail for Windows

Dear sir/madam I write this letter in protest over the proposal to build 240 houses North of Spondon SGA26. Should this go ahead this will be a total catastrophe for Spondon already at its limit regarding School capacity, Doctors Surgery and not to mention traffic congestion which has blighted Spondon for many years.

The environmental damage will be substantial.There are substantial brown field sites in Erewash. There are no special circumstances to justify the declassification of greenbelt with the destructive implications that that involves .

I urge you to reconsider this proposal rather than leave Spondon to deal with the consequences.

Yours sincerely Malcolm Regan

From:	Jo Clay[redacted]
Sent time:	07/05/2022 07:32:54
To:	Planning Policy
Subject:	Objection - EBC Core Strategy Review (Regulation 19) - Spondon Woods - SGA 26
Attachments:	Barrister response.pdf

Dear Sirs

I am writing to confirm my objection to the above proposed development in Spondon.

With reference to the National Planning Policy Framework on Protecting Green Belt Land namely Paragraph 140, it states that "Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified " In light of this I strongly believe that Erewash Borough Council should be urged to provide the evidence and justification to evidence that this is an exceptional circumstance.

I attach hereto a copy of our Barrister's opinion and would stress that there has been a lack of openness and communication from Erewash Borough Council to Derby City Council. Furthermore no justification has been provided as to why this site is more suitable than others within the Erewash Council border. It is my understanding that our Council, Derby City are challenging Erewash Borough Council on their 'duty to cooperate' and quite rightly so.

Have Erewash Borough Council undertaken a proper Green Belt Review to establish if there are more appropriate sites other than SGA 26, that are nearer to Erewash Borough Council geographical centers? If there are other sites that would best suit the immediate needs of Erewash Borough Council residents rather than Derby City Council residents these sites should have been prioritised before de – classifying green belt land that abuts Derby City Council.

Site SGA 26 is on the extreme edge of Erewash Borough Council and directly abuts Derby City Council land. Surely if houses are to be built there then the housing numbers should be allocated to Derby City Council numbers rather than Erewash Borough Council therefore negating the argument that Erewash Borough Council need this land to meet their housing quotas! Derby City Council would after all have to provide the infrastructure maintenance, roads, schools, shops, doctors, dentists etc but would not get any of the Council Tax revenue to pay for this.

The inclusion of the land at SGA 26 in any of this process has been ludicrous. The first that residents were aware of its inclusion in the Core Strategy was a week prior to it going to full council in March 2021. Residents of Spondon were therefore not given any time whatsoever or availability to be able to object to it's inclusion. We were not allowed to ask questions at the council meeting due to the Erewash Borough Council constitution and I understand that the Planning Department at Derby City Council was only told of 'land north of Spondon' a couple of weeks before the meeting and not it's actual site location. This is very poor consultation and total disregard to the Spondon residents.

As Derby is largely built up to its boundaries, further growth will inevitably spill across boundaries into the adjoining districts and it is the Government's 'Duty to Cooperate' that governs the discussions between neighboring authorities to ensure there is joined up thinking to delivering new housing with the right facilities and in the right place. There was, however, no discussion or joined up thinking behind the proposed allocation of housing sites in Erewash, immediately on the city boundary. Erewash Borough Council are still obliged to meet the Duty to Cooperate with their neighbours and not just be allowed to dump some housing on their borders to meet their own needs. Green Belt should only be changed through plan making, through a considered and evidenced process which includes talking to your neighbors under the Duty to Cooperate.

Erewash Borough Council unilaterally charged forward with a last minute bolt on addition of Site SGA 26 just north of Spondon without due consideration of residents out of Erewash Borough Council Boundaries. Even in the subsequent report to Council on 3rd of March 2022, over 700 objections from non Erewash Borough Council residents were summarily dismissed and a member of the public who asked a question of the Council in accordance with the constitution was not even given an answer on the night.

This shows a dismissive attitude by the Erewash Borough Council Leader who has stated in correspondence to Spondon Councillors 'We are members of the Greater Nottingham planning area so we tend to have more discussions with them and we will not be signing up to the Derbyshire Planning Framework, I understand you are not happy about the Spondon Site but it is within our Erewash Boundary'. So Erewash Borough Council appear to be looking towards Nottingham and will not acknowledge or

engage with their neighbours to the West, despite dumping on them.

Spondon SGA26 has been promoted by Erewash Borough Council without any appraisal of all urban areas in Erewash. How can it be 'inevitable' that this location is inherently more sustainable than others? Or that it's deletion from the Green Belt would have the least harm on the function of that Green Belt? Suburban sprawl cannot be sustainable.

The Minister of State for Housing has stated that green belt should only be used in exceptional circumstances. What exceptional circumstances are there that makes SGA26 acceptable, when it won't even meet the needs of Erewash residents?

Development of SGA 26 will have a detrimental impact on Spondon and Derby. Erewash Borough Council will collect the council tax from any properties developed. However, it will be Spondon and Derby who will have to provide school places, GP and dental services and the upkeep of roads that will be affected by an increase in the volume of traffic.

The local Secondary School, West Park Academy is over subscribed and has had to expand already to meet the needs of Derby residents. This would be the obvious school of choice for any residents of SGA 26. Again no consultation has taken place with the Academy or with the School Place Planning on Derby City Council. Erewash Borough Council do not actually have responsibility for school place planning – this is Derbyshire County Council's role. Have they even been consulted?

There are only a few routes out of Spondon and the main one is down through the village, down Williocroft Road and along Nottingham Road to the A52. This area already has a high level of air pollution and adding a 240 house residential development to the area will increase the air pollution and affect the health and wellbeing of Spondon residents.

SGA 26 site is alsp home to a herd of fallow deer, these deer are both locally and historically important to Derby. This will be threatened by development. The site is also home to lapwing birds, bats and dormice all of which are protected and some of which are protected. What ecological impact surveys were completed before bolting on SGA 26 to this consultation?

Bordering SGA 26 is Spondon Wood. This is, according to DEFRA, an Ancient woodland and as such are sited in national planning policy as important. Nearby development can also have an indirect impact on ancient woodland and the species they support. These can include:

breaking up or destroying connections between woodlands and ancient or veteran trees

reducing the amount of semi-natural habitats next to ancient woodland

increasing the amount of pollution, including dust

increasing disturbance to wildlife from additional traffic and visitors

increasing light or air pollution

increasing damaging activities like fly-tipping and the impact of domestic pets

changing the landscape character of the area

All that the consultation says is that an 'adequate buffer zone' will protect the wood. What guarantees are there?

Erewash Borough Council and the planning department should be challenged to show what assessments have been done on this Ancient woodland that would show that none of the impacts above would happen if a development were to go ahead?

This site often floods, despite only being in a Flood Zone 1. However, in 2014 major floods affected Spondon, Ockbrook and Borrowash as the sewer drains could not cope. What assessment of this site has been done to prove that this could not add to this pressure?

I am also concerned as [redacted] her future when growing up in Spondon for the reasons stated above. Her choice of schooling will naturally be limited and to enjoy one of life's simple pleasures, the beauty of open space, will go.

Please consider the objections of the Spondon community.

Yours faithfully

Miss Joanne Clay

[redacted]

Barrister response.pdf

EREWASH CORE STRATEGY REVIEW – REVISED OPTIONS FOR GROWTH

RESPONSE TO CONSULTATION ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

INTRODUCTION

1. This document has been prepared for and on behalf of the Residents of Spondon Association ("***the Association***"), an unincorporated body of concerned residents living in or local to the village of Spondon.

2. It intends to respond specifically to the proposal of Erewash Borough Council ("***EBC***") to declassify Green Belt land South of Spondon Wood ("***SGA26***") in substitution for a previously identified site at Land North of Lock Lane, Sawley ("***SGA17***") as part of EBC's Core Strategy Review.

3. In sum, the Association strenuously objects to the proposal and makes four points:

    3.1. EBC's approach to this consultation exercise is inherently flawed, in circumstances where SGA26 has been identified in substitution for another site and consulted upon separately from those in the original Growth Options Consultation in 2020 ("***the 2020 Consultation***");

    3.2. There has been a wholesale failure by EBC to co-operate with Derby City Council;

    3.3. The methodology by which the degree of encroachment into the greenbelt has been calculated at SGA26 is flawed;

    3.4. SGA26 is an unsuitable site on practical planning grounds.

Barrister response.pdf

3.1. EBC'S APPROACH TO THIS CONSULTATION

4. It is a matter of deep concern to the Association and its membership that this consultation is being conducted long after the substantive 2020 Consultation, where all proposed sites for greenbelt declassification were collectively considered on a level playing field.

5. The Report of the Director of Resources to the Extraordinary Council Meeting held on 25 March 2021 states (at paragraph 3.10):

> *"The recommendation not to pursue development on land north of Lock Lane cannot be made without considering a replacement site in the Green Belt. The consultation process has brought forward a new site for consideration. This site is on the edge of Derby City north of Spondon and is [in] line with the strategic hierarchy. It is bounded by Spondon Wood to the north and consequently its development would have a relatively limited impact on the Green Belt. It would also have direct access to the A6096. This site is therefore recommended as a replacement proposal for the land north of Lock Lane"*

6. It is clear from the above quoted passage that the exercise of considering the suitability of SGA26 is now inherently distorted. Rather than being considered on its own planning policy merits and/or collectively with the other putative sites identified in the 2020 Consultation, SGA26 is now set up against SGA17 as a potential "*replacement*".

7. Put simply, a separate consultation after conclusions have already been drawn following the substantive 2020 Consultation has prevented full and meaningful participation by the affected community. Their representations are now against a backdrop where the site in question is effectively presented as the only alternative option.

8. The Association submits that this is contrary to EBC's Statement of Community Involvement and paragraph 16(c) of the National Planning Policy Framework, which encourages "*early, proportionate and effective engagement between plan-makers and communities…*". The fact is there was no community engagement until the unsuitability of SGA17, and the relative suitability of SGA 26, have been presented as *fait accompli*.

Barrister response.pdf

9. By way of example of the distorted nature of this consultation exercise, paragraph 3.4 of the Statement of Consultation for the 2020 Consultation sets out an extensive list of measures taken to engage with stakeholders, organisations and the community. Those measures have not been repeated a second time around, painting a picture that this consultation has been "tacked on" to consider a discrete issue, rather than looking at the suitability of potential Green Belt sites in the round.

3.2. FAILURE TO CO-OPERATE

10. It is noted in the Revised Options For Growth paper dated March 2021 that Spondon "*is part of Derby City, so this proposal is an extension of the Derby conurbation into the Green Belt*". The Strategic Growth Assessment describes that it "*directly adjoins the main built-up area (MBUA) of Derby within the administrative area of Derby City Council*."

11. That being the case, while EBC is able to reap the benefits for the purposes of its land supply calculations, plainly the burden of dealing with practical service provision to any development (e.g. transport, highways, education and healthcare) will fall upon Derby City Council.

12. In those circumstances, it is striking that, as the Association understands it, there has been no consultation whatsoever with Derby City Council prior to the Extraordinary Council Meeting on 25 March 2021 and/or the inclusion of SGA 26 in EBC's proposals.

13. Section 33A of the Planning and Compulsory Purchase Act 2004 imposes upon EBC a statutory duty to co-operate with other local planning authorities, in this case Derby City Council, in its preparation of development plan documents and/or other local development documents so far as they relate to "*strategic matters*".

Barrister response.pdf

14. This is expanded upon at s.33A(4):

> *"(4)For the purposes of subsection (3), each of the following is a "strategic matter"—*
>
> *(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas…"*

15. Plainly, declassification of Green Belt land would have a "*significant impact*" on both the Derby City and EBC planning areas, for the reasons set out above. Thus, there has been a wholesale failure by EBC to comply with its statutory duty to co-operate.

16. It is precisely this sort of failure to engage at an early stage which led to the rejection of the Sevenoaks District Local Plan and the authority's unsuccessful legal challenge in *Sevenoaks District Council v Secretary of State for Housing Communities and Local Government* [2020] EWHC 3054. The Association respectfully suggests that EBC has fallen into the same trap.

3.3. ENCROACHMENT INTO THE GREENBELT

17. In order to justify potential interference with the five stated purposes of Green Belt land at paragraph 134 of the National Planning Policy Framework, EBC has conducted an assessment as to how far any of the proposed sites encroach into the open countryside.

18. The methodology employed was to measure how much further the possible development would project outwards from the centre of the settlement beyond the settlement's current extent, with the result that the greater the reported percentage, the greater the impact or encroachment into surrounding countryside.

Barrister response.pdf

19. Thus, for example, at SGA2 Land at Beech Lane, West Hallam, the measurement was taken from the centre point of West Hallam with the result that the site would contribute to an enlargement of 52.6% of the existing settlement. Similarly, at SGA5 East of Borrowash, the measurement was taken from the centre point of Borrowash with the result that the site would contribute to an enlargement of 59.4% of the existing settlement.

20. The measurement for SGA26 meanwhile was taken from the centre point of the city of Derby, with the result that the site would contribute to a relatively modest enlargement of Derby of 2.4%.

21. That methodology is meaningless and produces an artificially small percentage increase. Measuring from Derby city centre makes no rational, logical sense when the village of Spondon, like many of the other sites explored in the 2020 Consultation, can and does operate as a self-sufficient, self-contained settlement. Had measurement been taken from the centre of Spondon, the percentage increase in settlement size, and thereby encroachment into the established Green Belt, would have been far greater.

22. Put another way, such a measurement would have offered a more accurate insight into the extent of encroachment into Green Belt land as a proportion of the size of the existing settlement. That analysis would also have put the degree of harm likely to be occasioned by any development in a rather different light.

3.4. PRACTICAL PLANNING CONSIDERATIONS

23. Individual residents have submitted their own concerns as to the practical planning implications of declassifying the Green Belt at SGA26 and any development which may follow. For convenience however, the Association summarises its position below and says, taken collectively, the site is plainly unsuitable.

Barrister response.pdf

Ecology/Biodiversity

24. Proposed access and egress to the site will involve the destruction of trees and hedgerow. The Association believes there are several trees at SGA26 which are over 100 years old and are subject to Tree Preservation Orders.

25. The open farmlands adjacent to Spondon Wood provide a natural habitat for grazing deer, badgers, hedgehogs, hares, pheasants, lapwings and buzzards, which will be necessarily destroyed. The Association is aware that recent planning applications have already been held up or rejected owing to the tracking of bats in Spondon Wood and surrounding land.

26. In short, the environmental damage will be substantial. There are substantial brownfield sites in Erewash. There are no special circumstances to justify the declassification of Green Belt with the destructive implications that involves.

Education

27. There is no local secondary school provision. The nearest school is West Park Community School which is already 12% over capacity. Thereafter, Friesland School, a considerable distance away, is already 3% over capacity.

28. Primary school provision is equally scarce. Three out of four primary schools are also over capacity. It is doubtful that these shortages could be effectively overcome by s.106 agreements or planning conditions.

Highways and Transport

29. Traffic is already at an unacceptable level for local residents. It is not sufficient for EBC to simply abrogate all responsibility for traffic concerns and instead leave it to the relevant highways authority and/or developer to find effective solutions, particularly when the former, as noted above, has not been consulted.

Barrister response.pdf

30. These matters are highly relevant to the question of sustainability as an increase in traffic is the inevitable consequence of declassifying the Green Belt and opening it up for development.

31. The observations in the Strategic Growth Assessments that current arrangements allow traffic to pass through at an acceptable flow does not appear to be backed up by empirical data, nor does it accord with the first-hand experience of local residents, as will be seen from the individual responses to this consultation.

Healthcare

32. There are two small doctors' surgeries in Spondon, both of which are oversubscribed and with average appointment waiting times between 2 and 4 days. The same is true of the two local dental practices.

CONCLUSION

33. The proposal to declassify SGA26 as Green Belt land is legally, procedurally and substantively flawed. It has no place in a revised Core Strategy and will be strenuously resisted.

FOR AND ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

From:	Rebecca Webster[redacted]
Sent time:	08/05/2022 19:20:29
To:	Planning Policy; Planning
Subject:	Objection to EBC Spondon Woods SGA 26

To Whom this may concern,

As a resident of Spondon, I am both outraged and deeply saddened to hear that a proposal of a new housing development on greenbelt land has been issued and I will formally be objecting to this on these points:

The inclusion of the land of the SGA 26 in any of this process has been utterly absurd. The first that us residents were aware of this was only a week before the consultation in March 2021. We had no time to come together as a community to put forward our objections. Moreover, I understand that DCC were only given the 'North of the Spondon' and not is exact location. This is very poor consultation and total disregard for residents of Spondon. At absolutely no stage, has EBC shown a 'Duty to Co-operate' with their neighbours. Any changes to greenbelt land should only be changed through plan making, through a considered and evidenced process which includes taking to your neighbour councils.

The Minister of State for Housing has stated that green belt should only be used in exceptional circumstance. The main question is what exceptional circumstance will it make when it won't even meet the needs of Erewash residents?

[redacted] Our garden has on occasions been waterlogged from rainfall; an issue also raised by neighbours along the street. Having houses [redacted] in turn going to make this issue worse. Without the natural land, where is this water going to drained and socked up? If this development goes ahead, and we directly impacted through flooding, we will be legal actions against EBC.

Having been part of the Spondon community for a long period of time, I am deeply worried for the effect this housing development will have on the air pollution of the village. I'm sure you will already be aware (or maybe not as this is DCC) that Willowcroft Road and Nottingham Road have been recorded as hot spots of pollution in the Derby and it is frightening to think that this will only generate more concentrated levels of Nitrogen Dioxide (NO2). It is estimated to contribute to shortening the lives of 40,000 people in the Dioxide year. Erewash Borough Council, this 2021, we must be looking to the future and be trying to reduce this, not increase it. This is the one main exit to reach the city and whilst Derby City Council have confirmed there are no new plans to alleviate this, this development must not go ahead if we want to protect the health of our residents. Cars can be sat idling in this area for up to half an hour in traffic. As a council, I hope to think this would be of great importance to you to avoid any contribution to the related death figures. Planners who wish to build big housing developments need to look at these key areas. It would be absurd to go ahead with this proposal. Residents of Spondon are deeply concerned by. To add to this traffic would see the village blocked up to the shops. It is so narrow as it this, it would cause chaos, let alone the worry dangers to our health.

To say that this area of greenbelt is an ecological importance would be an understatement. The wildlife that encompasses the land and the historic wood, would of course be impacted severely. It has been confirmed that Lapwings birds are to be living in the area, a protected species. Moreover, the land and woods are also home to bats, dormouse, and deer. We must protect these creatures at all costs. This area is their natural habit. We cannot just come in and take over. We know that green belt lad isn't just to prevent urban sprawl, but also to ensure that our wildlife and natural habits remain protected. Building on this land could ruin some of these protected species and could be devastated by the noise and pollution building work would inevitably cause. I see that CPRE (The Countryside Charity) have looked and studied the site SGA 26 and have objected to this proposal as well. They are deeply concerned by the width of the land and have expressed concerns regarding the impact any development will have on the ancient woods. Their study is a very interesting read. I trust this their report will be considered.

Erewash Borough Council need to be looking at the brownfield's sites available in your borough. Can you prove that all sites have been looked at in detail? To say 'it would take a longer than 5 years to clear the sites' is a lazy excuse for a reason to just go to greenbelt. You have clearly identified these sites to give such a time frame. How can you justify this?? To press this issue more, the Minster of State of Housing has stated that green belt land should only be used in exceptional circumstances. Have you complied a green belt Review in which it would meets the needs of Erewash residents? Interestingly and ironically, I read a recent article in the newspaper detailing how Erewash Borough Council has turned down a planning proposal for a dwelling on greenbelt land. One of the reasons was and I quote ' it if wasn't on green belt, they would be doing the right thing, but the green belt is sacrosanct and it is protected' So on one hand you stop one house being built because is it and again in Erewash Borough Council's words 'sacrosanct' but you are happy to build 240 homes on this greenbelt piece of land??? How can you defensibly argue this issue?

Where will these new residents be going to school?? A Derby School (over-subscribed secondary school). I am aware that there have been existing Spondon children who have had to fight for a place through the appeals system. We cannot take any more on. It would also mean that given the location of the new proposal that again, we go back to the pollution issue that it would be too far to walk to the schools. More parents getting in their cars taking children twice daily to school creating more traffic and air pollution. Laughable really that in the same period, Spondon residents were informed of the proposed development last year, bollards and parking permits were to be introduced around the school areas due to congestion and air pollution telling them there were too many cars on the road. The saying goes, you really couldn't make this stuff up!!!!

Which doctors' surgeries will these new residents be using?? A GP surgery under the Derby and Derbyshire CCG.

Which dental practices will these new residents been using?? A Derby registered Dental Practice.

Who will provide funds for the Maintenance of roads that these new residents will be using?? Derby City Council.

Spondon residents do not use Erewash facilities for schools, doctors, dentists etc so why would you believe that these new Spondon residents would?? I would be very interested to hear that answer. How is this meeting the meeting the needs of Erewash residents?? Interestingly if you were to believe that these new residents would be using Erewash facilities, you are happy for them to get in their cars and cause more pollution given the location of the proposal. Wow, what a council to encourage people to get in their cars and pollute the planet even more!! Shame on you. Is that in the best interests are your residents? Are you happy to stand by the fact that you want people to use gas-guzzling cars to get to your facilities?? This is absolutely shocking given we are dealing with climate change on a colossal scale. How can you honestly say this is a sustainable option?

The access to the proposed plan is again very worrying. The road in question, A6096 is a hot spot for vehicle accidents, and this would be incredibly unsafe for vehicles, pedestrians, and cyclists. It would be nothing than irresponsible to have an access from there. The fact that there is a bend in the road shortly near to what would be the access, proves it's so dangerous. Goodness knows how many accidents would be caused. It would be negligent of you as a council to proceed with such ignorance of this crucial issue.

I do hope that that like the rest of the thousands of Spondon residents that have voiced their opinions (nearly 3500 on an online petition) you will listen to our concerns and take notice of what has been said. There clearly seems to be a 'one rule for them, one rule for us' mentality going on here and quite frankly its utterly appalling. If it wasn't so worrying, it would be nothing more than laughable.

The question remains, how is this in the best interests of your council and its residents? I can't come up the answer if I'm honest. Maybe it will come to me when I'm sat in more traffic breathing in more fumes on Willowcroft Road, that's if it doesn't kill me beforehand, I guess!

[redacted],
Rebecca Webster
[redacted]

Sent from Mail for Windows

From: Sarah Lee[redacted]
Sent time: 08/05/2022 12:30:38
To: Planning Policy
Subject: Objection to the Development on SG26 site- Spondon

-257 ?
Dear Erewash Borough Council

I am writing to object to the development being proposed on Green Belt land SG26.

As a resident of Spondon, [redacted] and has chosen to remain here to raise my family, the proposals concern me greatly.

My main areas of concern are below and include the impact that the development will have on Spondon Residents, and the unethical behaviour by Erewash Bourgh Council in its failure to execute its legal "duty to cooperate" with Derby City Council, who are also opposed to the development. The development of the land by Erewash is unethical in many ways. The way in which Erewash are trying to change the use of protected land for its own advantage is disgusting. The land is green belt land for a reason.

[redacted] regularly see the wild life from those woods and fields including the Deer, Pheasants, Sparrow Hawks and bats and owls amongst numerous other animals.

The development will destroy the home of all of these creatures. The land is "protected" Green Belt land and that should be respected. We cannot keep destroying the natural habitats of these animals, especially when we have identified and protected that land in the first place for that very reason. Please explain to me why the need to build houses on green belt land is more important than continuing to keep our wildlife- many of our protected species- safe such as the bats we see flying around regularly in our garden.

The way in which Erewash are proposing a development on land so close to a ward of Derby City Council is extremely unethical. With it being so close to Spondon it is inevitable that the residents will proceed to use the facilities, Schools and services such as the GP's and dentists in Spondon. The schools in Spondon are already under a huge strain and it is already difficult to secure school places in Spondon for our own residents. West Park is over subscribed every year and is a sought after school. [redacted] By developing SG26, the strain on School Places will be hugely increased meaning that the citizens and children of Spondon are likely to miss out on school places. It is not Derby City Council that is adding this strain, but Erewash Borough Council who will then gladly see Spondon residents suffer as a result whilst taking the council tax to spend in areas that belong to Erewash and not Spondon. Erewash have the option to use other sites and can develop land nearer to their own towns and villages meaning that they can develop the infrastructure to support its residents.

The houses that line that land on Dear Park view, Fallow Road, and Huntley Avenue will all be massively devalued by the development of this land. These are homes where people have saved up and spent their life saving on houses that back onto the green belt land. Bought at a premium because they purchased them knowing that the Green Belt land would not be changed, to now find that Erewash propose to do just that.

Accessibility from Dale Road is not suitable. Dale Road is a very dangerous and busy road. Over the years there have been multiple accidents, and sadly deaths, on that road. As an extremely busy road regularly used by HGV's and as a through road to Ilkeston it would be dangerous to have cars slowing down or pulling out onto Dale Road from a housing estate as a single point of access. This would be adding more potential collisions and increasing the danger for Spondon residents, as well as the residents from the new estate. Cars will either travel through the village and up Dale Road to reach the estate, or through nearby Ockbrook, who's roads are also not suitable for a huge increase in traffic. Willowcroft and the village now are already congested in the mornings, with it being the main route out of Spondon,. To increase that congestion and air pollution through the village with this development is wrong. Furthermore I assume as Spondon is within Derby City Council boundaries it would then be for Derby City Council to fund any changes to access points in and out of Spondon. This means Derby City residents council tax will be spent on something that they hugely objected to in the first place, and will be taking away the money from other important services for the residents of Derby. This again is ethically wrong.

This development must be stopped at once.

Please confirm receipt of this email.

Regards

Sarah Lee

From:	Matthew Eyre (Cllr)[redacted]
Sent time:	08/05/2022 14:05:52
To:	Planning Policy
Cc:	Mick Barker (Cllr)[redacted] Robin Wood (Cllr[redacted]
Subject:	Objections to Erewash Core Strategy Review - Options for Growth Document
Attachments:	Erewash Core Strategy Review (Final).docx

Good afternoon,

I hope you are well.

Please find attached a document containing an 18 page objection to the Erewash Core Strategy – Options for Growth Document, on behalf of myself (Councillor Matthew Eyre), Councillor Mick Barker and Councillor Robin Wood, Oakwood Ward Councillors on Derby City Council.

I have attempted to submit this via the website, but have had no luck in doing so, I think because of the length of the document.

I would be grateful if you could confirm receipt and that it has been passed on to the relevant individual/department.

Kind regards

Councillor Matthew Eyre
[redacted]

[redacted]

Erewash Core Strategy Review – Options for Growth Document

Response from Councillor Mick Barker, Councillor Matthew Eyre and Councillor Robin Wood; Elected Members of Derby City Council for the Oakwood Ward.

We strongly object to the housing allocations proposed by Erewash Borough Council at both Oakwood (SGA1) and Spondon (SGA26)

We are aware that our Spondon Councillor Colleagues will be providing a response to the SGA26 proposals, so we will address the SGA1 proposals.

Introduction

The allocation of housing within an authority is, purely and simply, a numbers game. How many do we need and where best in our borough can they be located to meet our perceived housing needs. Every council has to tackle these issues and balance each allocated site with the constraints of the allocation and wider administration. We cannot work in isolation and each council has to look beyond its boundaries to see the effects and impacts, whether positive or negative, of such allocations. Or indeed meet the needs of their neighbours within their own administration – the Duty to Cooperate.

It is common sense that sites allocated on the edge of a settlement will meet the growth needs of that settlement AND use the existing services and facilities of THAT settlement. The two sites allocated immediately to the north of Spondon and east of Oakwood fulfil these criteria.

The two sites meet the numbers game BUT will use the infrastructure, facilities and services of the EXISTING adjoining settlements – to the detriment of those settlements and the residents within them; this is a dictionary definition of taking without giving anything in return.

Inter-Authority Co-operation

It is incredibly disappointing that next to no discussions have taken place with us, as Ward Councillors, in developing the revised growth options for consultation, nor either discussions with, or even notification of, residents within the Oakwood Ward, who would

be drastically affected by these proposals, should they go ahead. While we acknowledge that such discussions are not a legal requirement, as authorities who share an authority boundary, such discussions, or minimal notification, would have been in the spirit of authority-to-authority cooperation. We are neighbours after all, and we should not be left finding out about things from social media, or per chance emails.

Similarly, it appears Erewash Borough Council, and its political and officer leadership, were intent on only minimal discussions occurring with our Officers at the City Council on this incredibly important Core Strategy. Concerns around lack of communication surrounding the initial consultation document in January 2020 have long been raised, including in a joint letter from [redacted] dated 28th July 2021. It appears things have not changed, and it appears Erewash Borough Council had no intention of them changing, and made no attempts to ensure or seek said change.

This letter also referenced that we believed “you need to make available more explicit justification of the choice of your sites and the exceptional circumstances for the release of the specific green belt sites.” Do such justifications now exist? What are they based on? When were they done? Who were they done by?

We as local councillors do not feel in possession of such justification; nor do our residents. We do however feel in possession of an understanding of what could be a motivation which would lead to the pursuit of a development ‘bolt-on’ to an existing community of an adjoining neighbouring authority, a good distance away from conurbations, amenities and facilities within your own borough.

Minimal conversation and positive cooperation with the City Council and an apparently convenient dumping of housing growth of hundreds of homes, seemingly ‘suitable’ for the growth of Erewash, yet adjoining the city boundary where, as you are well aware, new residents will use our roads and seek to use our services, without contribution to their upkeep, maintenance and renewal, seems to be your clear intent. We are incredibly disappointed it has come to this. What we have before us is the growth of Erewash that is in effect the growth of Derby – yet is growth we didn’t ask for, growth we didn’t discuss, and growth which does nothing for Derby and its residents! Or indeed residents of Erewash!

Indeed, at a meeting of Erewash Borough Council on 3rd March 2022, [redacted], stated that discussions had taken place with "13 Parish Councils in Erewash, 18 (Adjacent) Parish and Town Councils… 9 Local and Adjoining County and Borough Councils and 15 specific consultation bodies (Historic England, Nature Reserves, NHS etc)." Derby City Council was not mentioned in the list of authorities cited as having been engaging with.

Had 'real and timely' engagement taken place with the City Council, and with ourselves as City Councillors, we would have been able to provide information to support and elaborate on the vast array of concerns that we, and our residents, have in respect of any potential building on land off Morley Road / Acorn Way.

These concerns include:

The Purpose of Acorn Way:

Acorn Way was designed as a link road between Oakwood and Spondon, created to provide traffic from Oakwood and neighbouring areas with quick access to the A52 and facilities in neighbouring wards, without adding all this additional traffic, created during the construction of the Oakwood Estate, on to Nottingham Road, which would overbear infrastructure in Chaddesden.

Such easy access for Oakwood residents to facilities including Spondon's 'Big Asda,' is perhaps what motivated designers and developers not to put any such similar facilities in Oakwood, instead providing two small precincts and one medium sized one, which some would question the suitability of for what is already a large estate.

Acorn Way itself, a national speed limit road, is often congested, especially at peak times, and experiences significant pressures should traffic disruption elsewhere increase traffic flow on the road itself, which is not an uncommon occurrence. Similarly, when the road is closed for greenery maintenance or litter picking, it has to be closed outside of peak times, such is the nature of this road. If it is closed in peak time, due to an incident or accident, gridlock for hours would not be unexpected.

The road has no pathways, bus stops, cycle lanes or street lighting. It was never designed to require these. Significant infrastructure upgrades would be required for any type of pedestrianisation of this road – it would not be safe without it.

Should construction occur on and around Acorn Way, including, but even without, access/egress from any new development onto Acorn Way, we do not see how the road could continue to exist for the purpose for which it was intended.

We believe the long-term consequence is that this road would require works to improve pedestrian infrastructure to something more suitable for a road with access/egress onto it, or houses backing on to it, which would come at a significant cost, as the road is neither short nor land immediately favourable.

Similarly, this would no doubt require the reduction of the speed limit on Acorn Way, from national speed limit to 40mph or even 30mph, depending on the specific of the development. This would drastically amend, and for all intents destroy, the intended use of Acorn Way, which itself would become even more congested from the additional traffic stemming from the new houses.

There would no longer be the quick cut-through that was intended, and which works well for existing residents, merely another regularly congested road. Such actions would then push additional traffic onto Locko Road (itself lacking any real pedestrian infrastructure) and the already congested Nottingham Road in Chaddesden.

Traffic on Morley Road

Morley Road, which would no doubt require a minimum of one access/egress junction on to the newly created development, perhaps a number more, is already a road under significant strain.

At peak times, existing congested traffic at the Morley Road / Lime Lane Junction can stretch back hundreds of metres to then Smalley Drive and even Ryegrass Road access/egress junctions. This issue is compounded when there is traffic disruption elsewhere in the local area, and would be significantly compounded should changes be made to Acorn Way.

The extent of the existing disruption, and the issues it causes on existing access/egress junctions, including those at Smalley Drive and Sovereign Way, has led to this stretch of

road, and the Lime Lane and Sovereign Way junctions, being included in our 2022/23 Local Transport Priorities, as we are extremely concerned about the situation that is being created. Had discussions with ourselves taken place, we could have made Erewash Borough Council aware of these issues and the severity of the issue being caused. We have had no such opportunity to do this.

The addition of 600 houses and the hundreds of cars they would bring to this area at peak times, will exacerbate and compound this issue further and potentially cause more problems, including 'close' and 'actual' vehicle collisions, for residents in this area, which neither our existing residents, nor potential new residents in the Erewash Borough, would appreciate or find acceptable in the long term.

Additionally, one side of Morley Road does not have any pathways, indeed it is not always maintained in the way we would all wish, and there are no cycle lanes existent on Morley Road, nor are there plans to be, for the reasons outlined above and the simple lack of space. The 'bottom end' Morley Road, in the Chaddesden Ward, is also the location of Lees Brook School, meaning one section of the road suffers from occasionally severe school parking issues and can be difficult to navigate by bus. How can this do anything except promote the use of private cars, which again would exacerbate all the issues mentioned above?

Morley Road, Acorn Way, Lime Lane and other routes in the area are also, by their very nature, the unfortunate victims of 'rat run' journeys, as people trying to quickly navigate the outer edges of the City and avoid the A52, A38, City Centre and Nottingham Road, are met with commuters returning along Acorn Way from Pride Park and Raynesway, along Lime Lane from the University of Derby or Ilkeston, along Mansfield Road and Morley Road from the City Centre and A52, and through Oakwood on shorter journeys or school pick-ups.

600 houses worth of additional traffic is not needed, not sufficiently budgeted for and not easily and safely accommodatable on the existing roads. We have issues already and this would make the problems a lot worse – and that's without mentioning impacts on air quality for the houses in the area.

Insufficient Public Transport Capabilities

Similarly to the above, our Transport colleagues remain concerned that existing bus services are limited in terms of frequency and route/destination choice. SGA1 has only

one service per hour. One service, which passes through rather than transporting around the local vicinity, for the 600 new houses and thousands of residents you propose.

This existing service, the Trent Barton Black Cat, would not take new Erewash residents to existing shops, medical centres, schools or amenities in the immediate vicinity, it would not take them into the Oakwood estate, it would not take them to Long Eaton, Sandiacre, Borrowash, Ockbrook or most other places in Erewash. The route goes Derby – Ilkeston – Heanor – Mansfield. If new residents are not taking that journey, they aren't getting on the bus service closest to them.

We have seen no plans that Erewash Borough have to fund a new bus service for new Erewash residents, or plans to fund the number of different services and routes this new development would likely require to make it more attractive than private vehicle use, or even private hire vehicle use. Even if the viability of these sites allows improvements to existing bus services, as the draft policy suggests, these bus services are not likely to be sufficiently attractive to encourage people away from unsustainable car trips, and thus would do nothing to mitigate the issues laid out above, but may add a few buses to the traffic congestion.

The nature of this site again causes issues for walking and cycling connectivity. As laid out above, the pathway and cycle lane infrastructure is just not there. There is no spinning it, no hiding it or no dodging the question – it simply is not there and is not planned to be there.

Despite [redacted] statement at the meeting on 3rd March that new developments would be "accessible by modes of transport that do not emit carbon," with lacking pavements, cycle lanes or bus services, we fail to see how this would possibly be the case here. Another nail in the coffin for the supposed 'sustainability' of these sites.

Lack of suitable facilities required for an expansion of the existing residential area

We share the concern of Derby City Council's Chief Planning Officer Paul Clarke, who stated in his letter to Erewash Borough Council on 19th May 2021 that "there are implicit assumptions in the identification of these sites that City infrastructure, in terms of schools, healthcare, transport networks and public transport will be able to accommodate this level of housing growth with no prior discussion with the City Council to understand the local context."

For this to have been the conclusion of hard evidence after months of discussion and negotiation would be one thing – but that it was not. This was an arrogant, baseless assumption, made with no attempts to understand the local situation, no attempts to gage the pressures on existing local services, and no care for either the pressure it would place on existing residents under Derby City, or new residents under your own Borough. The disdain shown for our officers, for our service providers and for our residents is simply appalling. One could call it BAD planning, or one could call it NO planning – in this scenario, it amounts to the same thing, if it even amounts to 'planning' at all.

We are incredibly concerned that site SGA1, being located on the edge of Oakwood, would have absolutely no relationship at all with existing facilities, including schools, shops, medical centres and similar establishments, within the Erewash Borough Area, and minimal relationships with those within Oakwood, Chaddesden and Spondon. This has clearly been done by design and intention, it is plainly not an accident.

Oakwood has a single school, Parkview Primary School on Springwood Drive. We do not have any secondary schools within our ward boundary, nor are many of the neighbouring ward's school on the Eastern side of the ward.

Parkview Primary School is, and has always been too small for the Oakwood Estate. It has been over-subscribed since its first year and fails to meet the needs of the Oakwood estate as it currently exists. There is little opportunity to extend the school, due to existing buildings in the immediate area. The catchment area for the school would not extend to the new development, it does not extend to all of Oakwood!

Has any consultation taken place with Parkview Primary School? Have they even been contacted? Do they even know about this proposed development?

All Oakwood residents have to send their children outside the ward for secondary school, often to Chaddesden and Spondon but sometimes as far as Heanor and Darley. Many of these schools are consequently also either over-subscribed, or very close to it. Some Oakwood residents even find themselves moving to other areas of the City, due to a child moving into secondary school.

Schooling for the 600 new properties, despite any unresearched assumptions that the City would pick up all the provision requirements, would be the responsibility of Derbyshire County Council, not Derby City Council. Nearby schooling under the County

in the required area is some distance away, and already stretched. It is not easily served by existing bus or cycle routes, as previously discussed. They are certainly not within walking distance.

Has Derbyshire County Council been approached about school provision for SGA1 and SGA26? What was the outcome? Where is their commitment in writing to provide primary and secondary school placements for any child who is resident on any future development at SGA1 or SGA26? Where would these places be and how accessible for the new Erewash residents would they be?

Any assumption that the City would take up all the requirements for provision for this development is misguided and should not in any way be the basis for any decision to proceed with this development. Children would be left without nearby viable educational establishment options and it will not be our responsibility to provide them.

Consequently, there would be little if any school provision for any new residents in new properties within the immediate vicinity, forcing families to travel unreasonable distances, at peak times, likely in vehicles as opposed to more sustainable transport methods, to get their children to school. Not only will this be unfavourable to them at the time, at a time of Climate Crisis, it is not the kind of behaviour we should be encouraging through construction, or lack thereof. Again, this is ‘Bad’ or ‘No’ Planning, if ‘planning’ at all.

At a time of ever-increasing class sizes, we as ward councillors would not support increasing the class sizes of our schools by anything like the extent it would take to accommodate the proposed development and we do not possess the necessary excess budgets to extend current school buildings and facilities to accommodate such a drastic increase in demand. Again, it will not be our responsibility.

A very similar situation occurs in relation to Nursery school provision, with Oakwood’s limited facilities receiving significant numbers of applications, not all of which they can always meet.

Any working professionals who would inhabit the new Erewash development who would require nearby childcare facilities would be out of luck. We have seen no evidence that Erewash will seek to provide them through the development, and we do not have them already in existence. They will be amongst all the above who have to drive to find facilities elsewhere. ‘Bad’ Planning or ‘No’ Planning, the result is again the same.

Equally, both medical and dental facilities in Oakwood, Chaddesden and Spondon are limited and strained, with pandemic-increased backlogs and often very significant waiting times for appointments, including telephone appointments. Residents moving into any new properties will undoubtably struggle to join existing facilities in the area, likely having to register many miles away and, again, travel long distances on a regular basis on routes not provided for by public or sustainable transport.

The ease and availability of shopping precincts must also be considered. Oakwood has two small precincts, populated by Co-ops, Takeaways, Hairdressers, Barbers and a Café, with another medium-sized precinct accommodating a fish and chip shop, Post Office, Estate and Lettings Agent and slightly bigger Co-op.

These facilities were not designed to accommodate the sheer number of visitors they current receive on a regular basis. The car park at the medium precinct is regularly 'jam-packed' and we are currently engaging in discussions with the private owner around implementation of a one-way system, as, at many times during the day, the western entrance can become very hazardous.

Both smaller precincts are also regularly full of cars, with on-road parking the 'go to' options on Smalley Drive, though not often the safest option, and a very similar situation at Vestry Road. These sites, two of which are on the eastern side of the ward, are not in a position to cater for thousands more residents who would be added to the area. They also do not possess the large chain supermarkets or high street retailers which many Erewash residents would wish for and would require – these are convenient neigbourhood precincts which serve their immediate residents. To do a food shop at an Aldi, Lidl, ASDA. Tesco or Morrisons would require a drive to another area, the trip could not be done via public transport.

We have seen nothing in any documents made available to us, or any that we had to look for and find, that suggests that a new primary school, new secondary school, new medical centre, new large shopping precinct, or any similar amenity will be provided under these developments. Indeed, documents already provided to Erewash Borough Council demonstrated that there are no local amenities, none of those that we have discussed above, within an easy walking distance (800 metres or 10 minutes). This has seemingly been disregarded entirely by Erewash Borough Council as they attempt to plough ahead with this development, despite the impact this would have on their future residents if the development proceeded.

In our minds, it is clear that the explicit intention is to 'piggy-back' existing facilities until they are broken by the strain and then to say "well it isn't Erewash's problem, it's yours". This is simply unacceptable and will be of no benefit to existing residents of Derby City or future residents of Erewash Borough, whose needs these sites are purported to meet. Again, it is 'Bad' planning, or 'No' planning at all.

Removal of land from the Green Belt

At a time of Climate Crisis, is removal of Green Belt Land, especially Green Belt Land which surrounds large existing conurbations like Derby City, without clear documentary evidence and justification that it is absolutely necessary and needed, really something we should be considering, never mind actually doing?

In antithesis to what we would have expected, we have seen no recent or even semi-recent comprehensive review of the Green Belt Land under Erewash Borough Council's Boundaries, which would have informed the selection of land to be deleted from the Green Belt in favour of allocation for housing. In addition, the Core Strategy fails to reference any strategic Green Belt Reviews that have previously been undertaken, covering the whole Erewash Borough. There doesn't appear to be any such work/evidence on assessing and prioritising such Green Belt sites. How can this possible be the case? Who on earth would make decisions on such important matters in this way?

With regard to SGA1 and SGA26, there is also a woeful absence of evidence, such as employment need, landscape sensitivity or flood risk, OR, as importantly, a comprehensive review of the Green Belt **as a whole** to inform and arrive at the designations now promoted with such vigor. Rather than being dumped upon on a whim with no regard for the impact or consequences and absolutely no regard for whether these are the best, or even appropriate, locations for such drastic development and changes in the character of the land, an informed process for site selection is an essential ingredient in planning your growth properly, and ensuring you do not cause severe negative impacts, up to and including flooding, to existing areas.

When building 'bolt ons' to existing conurbations, we would have imagined it was the most basic element of forward planning to consider whether removing green fields, which naturally soak up rainwater, and replacing them with concrete and tarmac which do not, could impact on existing properties in the immediate vicinity.

Morley Road is a hill, with low lying properties, including residential dwellings and Lees Brook Scholl, in a dip towards the bottom. Where is the absolutely confirmation that, by removing green fields and replacing them with tarmac and houses, this area would not be at risk of flooding? We have not seen it? Does it even exist? Has such an investigation even been considered? And, should this go ahead, who would insurance companies come after if a flood were to occur?

Drains around Oakwood are prone to over-flowing during heavy rain. When once a chance even, this has become more common in recent years. While Oakwood itself, being atop the hill, rarely floods at present, if you takeaway a good portion of rainwater-absorbing land, how do we know this will not create an issue. We do not know, because the studies and examinations have not been carried out and presented to us.

‘Bad’ planning or ‘No’ planning, the consequences may be the same either way.

Taking the numerical obligations of delivering new residential dwellings seriously, the allocated sites should meet the needs of the Erewash Borough rather than discarding these numbers, like fly-tipping, on the edge of the City, just to inefficiently and improperly ‘meet’ a numerical solution.

There is no hard evidence – an evidence base, to build upon and to make site specific decisions. Decisions appear to be based more on assumptions, whims and guesses than on hard evidence.

Has Erewash Borough Council ranked the sites promoted to you and assed each in terms of their impact on the Green Belt and meeting your own growth needs? How do these sites meet YOUR growth needs and how can you evidence this beyond a numerical solution? Which other sites were determined to need to remain in the greenbelt, and why was this conclusion reached?

The Minister of State for Housing has been clear that Green Belt Land should only be use for residential dwelling development in exceptional circumstances. Exceptional, in other words “extraordinary” or “anomalous” or “divergent.” What makes SGA1 so ‘abnormally’ beneficial for housing, so ‘extraordinary’ a location for development, so ‘divergent’ from all other Green Belt locations that Erewash Borough Council seek to plough ahead despite everything we and other have highlighted?

At a recent meeting attended by Councillor Mick Barker, we were told that some sites are more preferable in sustainability terms than SGA1 and SGA26, including land at North Draycott and land at North West Hallam, but these were taken out of consideration as they are 'too big' and you 'do not need the extra numbers these would generate'. This IS just a numbers game and what better way to plan properly for any sites failing to come forwards than to include those larger sites, over plan to maintain a 5 years supply, and remove the two smaller sites on the Derby boundary.

In what universe would any authority remove preferable and more sustainable sites simply because they may allow you to provide the amount of housing you need to, and then add a bit of flexibility on top? If the sites would provide 'too much housing,' perhaps Erewash Borough Council could see developers to include within plans for North Draycott and North Wes Hallam, so of the facilities discussed above that would not be available to residents at a developed SGA1 site?

Why would you make this decision? Could it possibly be that they were removed because developments at these sites would not enable Erewash Borough Council to 'piggy-back' on Derby City Council services and amenities while seeking only to collect council tax and empty bins…?

"Absolutely shocking" fails to sufficiently define our astonishment and horror at such a decision, especially given that such overprovision in these more sustainably suitable locations would surely be of a flexibility benefit, but given that you seem to be providing houses for the expansion of Derby's population rather than Erewash's Housing Needs, as we will discuss later, we would highly suggest reconsideration of this decision – your residents may one day thank you for it, as would ours for not over-loading our services beyond capability.

At the Erewash Council Meeting on 3rd March, [redacted] reference that the removal of Green Belt Status of the land off Morley Road / Acorn Way should be supported, because this site was amongst one of the "least damaging locations" for housing to be built.

We ask, least damaging for who? For residents tens of miles away, we accept it is not very 'damaging'. For those residing in the immediate vicinity of Acorn Way and Morley Road, and in the wider Oakwood Ward, this development would push already strained services to, and possibly beyond, their capabilities, risk overcrowding local school, congesting and choking local roads, strain and over-demand public transport, while providing nothing in return.

This is very damaging!

These are just a selection of the many concerns that we as Councillors have about the proposed SGA1 site for land off Acorn Way / Morley Road. It SHOULD NOT be allowed to proceed.

SGA1 will not meet Erewash's Housing Needs and will function as Derby City Overspill; Erewash Borough Council Leader Admits Failures; Derby City Council was not appropriately involved in the process

The City Council does not have a blanket refusal of additions to existing conurbations.

As you will be aware from a letter sent to Erewash Borough Council by Paul Clarke (Derby City Council Chief Planning Officer) on 19th May 2021, "*The City Council has been supportive of extensions to the south and west of the City, outside of the Green Belt, through the current round of HMA local plans*."

Erewash chose not to be part of the HMA – we did not exclude you from it! You are part of Derbyshire and OUR immediate eastern neighbour.

It is fascinating that these extensions to Derby are promoted without any clear appraisal of all urban areas within Erewash, or discussions with us and other relevant neighbouring authorities.

How can it be '*inevitable*' that locations close to Derby or Nottingham are inherently more sustainable than others? Or that their deletion from the Green Belt would have the least harm on the function of that Green Belt? At a time when open green spaces close to existing suburbia, with all the natural, environmental, physical and mental health and wellbeing benefits that accompany them, are being promoted and celebrated for their necessity, how can this be the conclusion you have arrived at?

Suburban sprawl, especially without provision of the required facilities for the expansion, surely cannot be reasonably considered 'sustainable' nor meet the housing needs of

Erewash where, in the real world, such housing will meet the housing needs of adjoining settlements! In this case, Derby City expansion.

We welcomed your Leader's open, frank and honest admission that you have been far too busy with other initiatives to engage properly with this process (in her words) "*I understand that* [redacted] *has admitted that he had not carried out the amount of work in this area as he should, I understand the pressures the department has been under but that is no excuse…*"

Such admissions that Derby City has not been properly, efficiently and effective engaged with, that we have not been treated as we should have been, that we have not been given fair 'crack of the whip' and that our concerns have not been properly addressed or listened to are rare. While we are far from content that this has been the situation, [redacted] open acceptance that this is not acceptable, and that her Chief Planning Officer failed our City Council, is welcomed. But in the same breath, you carry on regardless.

We have arrived at this critical point, where the potential for the houses to be constructed, with all the negative impacts to your borough (not that many) and to ours (massive impacts) that it will bring, and the Duty to Cooperate has seemingly been set to one side.

As your Leader confirms "*We are members of the Greater Nottingham planning area so we tend to have more discussions with them and we will not be signing up to the Derbyshire Planning Framework*."

Such comments make clear that despite our shared boundary around Oakwood and Spondon, and your location within the County of Derbyshire, you appear to be looking solely towards Nottingham and have absolutely no interest in engaging, co-operating and liaising with Derby City Council in the way that we would hope and that proper planning for growth expects. You will burden our services and burden our residents, regardless of what is actually best for residents in Erewash.

Perhaps you are frightened of Nottingham City Council, perhaps you are vainly trying to please them. A very sad and sorry state of affairs it is either way.

This inward-looking, parochial, approach adopted by your Borough does seem counter to the requirements to talk with your neighbours. The common joint approach to planned

and coordinated growth is absent. In fact, it raises serious concerns over whether Erewash Borough Council is fulfilling its legal obligations under the Duty to Co-operate. No doubt your Inspector at examination will clarify this obligation for his own benefit.

Whilst we of course accept that the 'Duty to Cooperate' is not a 'Duty to Agree', and that has certainly been your mantra, explicit in your actions if not explicitly in writing, the facilitation of discussions about strategic issues and those common to both authorities should be an absolute priority, both to the existing neighbouring authority which will be affected by the construction of new properties, but also, surely, to the authority within whose boundaries the properties will be constructed… should the building, on this or any scale go ahead, these will be your residents. We have sought to co-operate, you have sought, and succeeded, to be evasive.

Cooperation between Erewash and Derby City is surely in your best interests as it is ours, or are you happy for future residents of your Borough to be impacted by all the issues laid out above?

Whilst we accept that some discussions with officers took place before the Reg19 Consultation and the impending 'Examination,' they were at far too late a stage in this process; indeed, they came at a stage where many, ourselves as Councillors included, believe that Erewash perceives building on this land to be 'a done deal' and merely half-heartedly engaged with the process as a 'tick box' exercise, with minimal care or concern about the plight our existing residents will, or your future residents would, face. Tokenism springs to mind. We will do this to you and no amount of objection will prevent such. Is that really how Erewash would define a 'Duty to Cooperate'?

At this stage, with the continued rising of inflation and significant increase of house prices and at a time of a 'Cost of Living Crisis,' we must also consider the proportion of Affordable Housing within the proposed developments.

You have sought to justify 'nil' inclusion of social housing in the bolt on to Oakwood, and the 'bolt on' to Spondon, on the grounds that there is no affordable housing need in this part of the borough.

Your conclusion on this point, though flawed, is perhaps not a surprise, there is very little existing housing in this part of YOUR borough! This reality further underlines the fact that Erewash's Housing Needs, which we do not dispute do exist, are to be found on the

Eastern side of your borough, where you beloved Nottingham City is located, it is not the Western side on our shared boundary. If it were on the Western side, there would be more housing here already as you would have sought to build here decades ago.

We feel it is overwhelmingly likely that this site, and the site at Spondon, will be meeting housing needs from within Derby City, and not the housing needs of young families, single parents, divorcees, aspiring young people, recent graduates, 'downsizers' and retirees within the Erewash Borough. To pretend otherwise will do these residents of your borough a disservice in the long term.

The real-world consequences of this are that Erewash's Housing Needs will not be sufficiently met by your own Core Strategy, instead being perceived as Derby's Growth, Derby Housing Needs and, in effect, Derby 'Overspill.' Erewash Borough Council will provide a number of properties that will be of no assistance to those already within Erewash, perhaps currently seeking to reside in Wilsthorpe, Draycott, Risley, Dale Abbey, Sawley, Sandiacre, and other parishes and villages, struggling to purchase housing in the areas around where they live, where their children go to school, where their family are nearby, where they take their dog to the vets, where they shop local and where they do not want to leave but are not able to stay.

Not wishing to move long distances to the Derby borders, these new properties will be taken up by those residing within Derby who are moving up or along the property ladder, freeing up other properties within Derby for Derby residents. This provides no benefit to your residents in Erewash; you will under meet your 'numerical' needs but will not meet the actual Housing Needs of Erewash residents and you will not be thanked by Erewash residents for this disservice.

Again, this leads us to question your decisions around the more sustainable North West Hallam and North Draycott sites, again which you acknowledge are more sustainable than SGA1 or SGA26.

SGA1 would not be housing that would support the continued growth of Erewash or meet your own needs. If it were, these proposed homes would be more closely associated with the towns and settlements IN Erewash, such as Breaston, Draycott, Borrowash, Sandiacre, Sawley, Risley, Dale Abbey, and Ockbrook. They would not be being proposed to be bolted on to existing areas of Derby, away from services provided by Erewash, but conveniently close to those provided by Derby City, in the Oakwood, Spondon and Chaddesden Wards.

The issue of Derby's unmet housing need is likely to be an issue for the Local Plans of all neighbouring authorities, not only those in the Derby Housing Market Area (HMA), given the nature of the tight boundaries surrounding Derby City. This will continue to be an issue until there is an agreement on how housing needs in and around Derby are to be met. The answer is authorities working together, cooperating and planning without boundaries, where growth is located where growth IS NEEDED.

But the construction of 'bolt ons' to existing communities, with no proposed addition to public services, facilities, amenities or highways, is absolutely not the way it should be done. It is 'Bad' Planning or 'No Planning' if it can be classified as 'planning' at all.

If Erewash Borough Council is seeking to provide 'bolt-ons' to assist with Derby City's Housing Needs, there are constructive ways this could be done, and done in the locations it is needed and the locations it is actually suitable, with mitigations and an honest, open and frank discussion about the issues that already exist, but these have not been adhered to.

If Erewash Borough Council is seeking to provide for its own housing needs, then building on Derby City's boundary, rather than within Erewash's own conurbations, will not do anything close to achieving this aim.

The DISGRACEFUL treatment of concerns of Oakwood and Spondon Residents

As local Councillors for the area directly impacted by development on SGA1, we were only made aware of the content of the meeting of 3rd March by chance; an email from a concerned resident on Morley Road who was sending in their own objections to the Core Strategy Review and wanted to inform us of the meeting. Such late notice meant only one of our councillors, [redacted] was able to attend and seek to make the feelings of our residents known.

It was too late for him to submit a question, too late for him to speak or ask to speak, and almost to late for him to be in the public gallery, such was the high turnout of individuals in opposition to the Core Strategy, but we could at least have taken some solace from the fact that the concerns of our residents were going to be taken into account.

How shocked we were then when [redacted] dismissively and arrogantly stated that, in respect of hundreds of objections to the sites at Spondon and at Oakwood, "Of which only a handful of the responses came from Erewash – Acorn Way only one representation came from Acorn Way."

While we assume the repetition of Acorn Way was a mis-speak, the second time intending to say 'from Erewash,' as we have personally been sent more than one piece of evidence of objections being submitted from our residents to [redacted] and the Council itself, we were horrified to hear that objections from our residents in Oakwood, and from residents in Spondon, were seemingly being treated as 'second class' purely because our residents do not reside within the boundaries of Erewash Borough Council and cannot vote for its elected representatives or pay into its coffers.

It IS our residents that will feel the pain of this poor planning not those in the Erewash heartland!

Not only was such blatant dismissal of objecting residents from Spondon completely an utterly unacceptable and morally reprehensible when considering the damage that would be done to their community and natural environment – they were at least considered as 'mentionable' during the meeting.

[redacted] statement of only 'one objection from Acorn Way' gave the game away. A 'slip of the mask' that revealed that not only are all the Oakwood residents objecting to SGA1 not being given the courtesy of being properly considered and properly taken into account, they weren't even given judge to be worthy of inclusion in his speaking notes for deliberation in the meeting itself. [redacted] never mentioned how many overall objections there were to the SGA1 site if Oakwood residents had been included, perhaps he didn't know, perhaps he didn't care, perhaps he and his officers simply didn't want us to know.

But one thing we should all know it that when you propose the allocation and building of 600 houses as a 'bolt-on' to existing locations, which do not adjoin any existing locations within your own borough, then dismiss any concerns from those adjoining locations because they do not come from within your own borough, you do a disservice to your residents, disservice to the adjoining authority's residents, and disservice to Council's up and down the country. 'Bad' Planning, 'No' Planning or just a total lack of care for anyone else – we know which one we think it is.

For all the above reasons, we completely, entirely and utterly object to the inclusion of land off Acorn Way / Morley Road (SGA1) and land north of Spondon (SGA26), being included under Erewash Core Strategy Review – Options for Grown Document.

From:	Andrea Clayton[redacted]
Sent time:	06/05/2022 17:13:22
To:	Planning Policy
Subject:	Re: Objection to land south of Spondon Woods - SGA26
Attachments:	0226_001.pdf Re Spondon Wood - ADVICE.pdf

Dear Sirs

Please find my objection letter. I wish for this to be put before the Independent Inspector. Hard copy sent via first class post.

Please acknowledge reciept.

Yours sincerely

Andrea Clayton (Mrs)

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[redacted]

6th May 2022

Dear Sirs,

Re: Objection letter concerning land south of Spondon Woods – SGA26 to be put before the Independent Inspectorate.

I believe the area known as **SGA26**:**South of Spondon Woods** should **NOT** be released from Green Belt status. I am objecting to this declassification and **any** subsequent planning applications. The reasons for this together with my other comments are listed below and in addition to my original objection letter.

DUTY TO CO-OPERATE

There has been a total failure by Erewash Borough Council ("EBC") to co-operate with Derby City Council and Derbyshire County Council. EBC have also been criticised by Amber Valley Borough Council about their lack of constructive engagement between neighbouring Councils including Derby City and AVBC. Both Councils have expressed concerns as to the way EBC have proceeded and this is repeated by them in this proposal.

[redacted] who is retained by the Residents of Spondon Association also commented that there has been a ***"wholesale failure to co-operate with Derby City Council".***

This is deeply worrying as Spondon is part of Derby City and therefore the development would in effect be an extension to Derby, it adds no value to Erewash residents.
The provision of services for this development (e.g schools, healthcare and education) will be the responsibility of Derby City Council with EBC taking the financial benefits.
If EBC had consulted with Derby City Council they would have been informed about lack of school provision and the strain already being placed on healthcare and roads in Spondon. Let alone the fact that Derby City have housing numbers to meet themselves which appear to be predominantly in the Spoondon area.

School provision

There is no provision at the local secondary school. West Park School, which is the nearest school, is already 12 % over capacity. Friesland school which is a considerable distance is 3% over capacity. Similar figures apply for Primary schools too.

There is no provision for the schooling for this new development.

Traffic

The document states that current arrangements appear to provide optimal mechanism to allow traffic to pass through at an acceptable flow. There is no evidence to back this up other than the line appears to. This is not backed up by any empirical data. The traffic is already unacceptable for the residents of Spondon.

0226_001.pdf

The document states that Moor Lane leads to Ockbrook Village that has a limited, local road network not suited to accommodating additional vehicular movements. The document states that traffic will more likely turn right. This is an opinion and not a reason. Traffic will go this way to avoid having to go through Spondon. As stated, the village of Ockbrook is not suited to accommodating more vehicles.

Healthcare

There are two small doctors' surgeries both of which are oversubscribed. The situation is the same for dental practices in the village. It is currently taking over 2 weeks to see a GP at the Spondon Medical Practice.

GREEN BELT

I have serious concerns, which are shared by neighbouring councils to Erewash, as to the basis on which Erewash have concluded that there are **exceptional** circumstances to justify the proposed Green Belt amendment in this and other locations. There is no indication that the amendment to delete this land from the Green Belt has been informed by a comprehensive review of Green Belt in Erewash. There does not appear to have been a strategic Green belt review, which may have identified less sensitive areas of the Green Belt for potential release. Proposals do not appear to be soundly based on robust evidence.

Exceptional circumstances cannot be demonstrated to justify this proposed amendment to Green Belt. Exceptional Circumstances in this matter serve only to benefit EBC and disadvantage DCC and in particular Spondon residents. Exceptional Circumstances should not mean what is p[referential to EBC [redacted] such as [redacted]

Brownfield land in Erewash

Land should only be released from Green belt status under exceptional circumstances and I don't belief this development is justified as an exceptional circumstance. I do not belief that EBC has justified that they have used as much brownfield land as possible. There is no evidence provided to suggest that this is the case.

To preserve the setting and special character of historic towns

The suggested boundary of SGA2 adjoins West Hallam Conservation Area (CA) and is therefore within 500m of this heritage asset. For SGA 2 the document states that the development is within 500m of a heritage asset and that development therefore would increase the risks of affecting the setting and character of the CA."

For similar reasons to the above, I believe that the area surrounding Spondon Wood which is within 150 metres should be left. I also believe that this should be given conservation status as it is a habitat of importance.

The document even states that the adjacent Spondon Wood is classified as a combination of ancient/semi-natural woodland and ancient replanted woodland. It is listed by DEFRA as a habitat of principal importance
SGA 2 which was rejected, quite rightly, states that the site would be a fill in, therefore this would not affect the character of West Hallam as much as the Spondon site would.

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Encroachment into the countryside

The measurement for this takes Sadler Gate Derby which is 6.19 KM away from the site as the basis for measurement. This is a different basis than that taken for SGA5 and SGA2 which are similar sized developments. The measurements for these two sites are taken from the centre of the village. If this was taken as the basis for measurement for SGA26, then the percentage would change from 2.4 % to approximately 10%, which based on the size of the village is a large percentage.

EBC planning department said that "The metric employed in assessing how much any of the individual sites encroach into the open countryside was undertaken by measuring how much further the possible development would project outwards from the centre of that settlement beyond the settlement's current extent. There is no specific criterion connected to this element of the assessment, although it stands to reason that the greater the reported percentage, the more impact development of an SGA would have on encroachment into surrounding countryside." Clearly the centre of Derby is not the centre of the settlement, it should be judged the same as SGA2 and SGA5.

Similarly, EBC refer to the site as having NO protected trees on the site which is again incorrect and misleading. I have a large Oak tree at the foot of my rear garden which sits on the EBC border and as shown in my Deeds has **a Tree Preservation Order** on it which directly impacts on how close a development as proposed can be built to the protected tree. EBC make no reference to this at all, yet always required permission from them should said tree require pruning or crowning.

EBC have refused planning requests from Spondon residents who wish to add a summer house or conservatory to their dwelling and in doing so have quoted how this will negatively impact upon the greenbelt. Recent applications to develop a residential barn in Ockbrook was declined on the same basis. However when there is a vast financial gain to be made, EBC take a complete U turn and in their typical hypocritical manner, EBC propose building 240 plus houses on this very same greenbelt.

The presence of Spondon Wood to the north of the site provides a robust Green Belt boundary

The above was one of the reasons that the site has been chosen. A row of ancient woods does not constitute a robust boundary. Also, the land extends to the left of the site which could later be argued is a natural extension to the site and be developed on further.

Consequently, it is proposed to delete this site from the Green Belt and allocate it as a strategic housing development, as a replacement for the site north of Lock Lane.

This is not a valid reason. The site should have been assessed, as were all other sites prior to the March 2021 amendment. The site should have been rejected or added to the list prior to March on its own merits. It appears that this was never going to be the case and the site was going to be added in regardless to avoid being challenged. It is not a valid reason to add SGA 26 because Lock Lane was rejected. Other rejected SGA's were not reconsidered as a replacement.

EREWASH BOROUGH COUNCIL

I don't believe that Erewash Borough Council went to enough effort to make the residents of Spondon aware of this site in the same way that they did for Erewash residents.

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It appears that Erewash Borough Council attempted to quietly add this site, at the request of the Developer, at the last minute, to make it as difficult as possible for the residents of Spondon to voice their concerns and in a democratic society I believe that this was totally unacceptable. Councillor Powell painfully and embarrassingly dodged questions put to him and denied receiving the Barristers legal document which was served on EBC in May 2021. For clarity I attach a further copy.

EBC are desperate for this site to be used to take full advantage of the financial benefits and to avoid any of the responsibility's which directly disadvantage and inconvenience Derby City Council and in particular the residents of Spondon. Despite this we have been unable to voice our objections throughout. This proposed plan is simply wrong for all of the reasons above and is crying out for an independent review.

The developer has attempted to exploit the laws around green belt, purely for financial gain, by approaching EBC to get them to add this development to their proposal and this is not acceptable. The process does not appear to have been carried out in a fair and balanced way, it was very political. It appears strange that all SGA'S in the West Hallam area, which is Councillor Harts constituency have all been rejected, one being similar to the Spondon development.

As Spondon residents do not vote in Erewash elections, their opinions have been largely ignored. Spondon residents were not even allowed to ask questions at the various meetings.

Votes for the core strategy were made in public which made it difficult for Conservative members to vote against it. Many of the legitimate arguments against the strategy, particularly Green Belt issues, were turned into a Labour v Conservative fight rather than what is best for residents and the Spondon Community.

To conclude, I object strenuously to the proposed development on land adjacent to Spondon Woods / SGA26 and I would like my objection to be put before the Independent Inspectorate.

Please acknowledge receipt of this letter.

Yours sincerely

Andrea Clayton

Re Spondon Wood - ADVICE.pdf

IN THE MATTER OF:

EREWASH CORE STRATEGY REVIEW – REVISED OPTIONS FOR GROWTH AND THE RESIDENTS OF SPONDON ASSOCIATION

ADVICE

INTRODUCTION

1. I am instructed on a Direct Public Access basis by Andrea Clayton, a resident of the area of Spondon in Derby and member of the Residents of Spondon Association ("***the Association***"), an unincorporated body of concerned residents living in or local to the area.

2. In short, Erewash Borough Council ("***EBC***") conducted a consultation exercise in 2020 ("***the 2020 Consultation***") in respect of its house building strategy going forward and to explore the declassification of a number of Green Belt sites in their planning area.

3. The land South of Spondon Wood ("***SGA26***") was not included in the 2020 Consultation but rather has been included in a separate consultation exercise, arising out of an Extraordinary Council Meeting on 25 March 2021, and proposed in substitution for a previously identified site at Land North of Lock Lane, Sawley ("***SGA17***") as part of EBC's Core Strategy Review.

4. The Association are opposed to the proposal. I am asked to advise generally on the matter.

5. This advice is supplemental to the Response to Consultation ("***the Response***") I have already drafted on behalf of the Association and which is due to be submitted to EBC. The contents of that document are not repeated herein.

NATURE OF THE EXERCISE

6. It is important to state at the outset that, at this stage, EBC is merely conducting a consultation exercise. No planning application has been made that can formally be opposed. There is no judicial or quasi-judicial process involved. It is for those reasons that the Response I have drafted makes only summary reference to the practical planning implications of any development on the site.

7. To be blunt, at this stage, those matters are not particularly relevant and EBC does not have to have regard to, for example, the issues of adequate highways, school or healthcare provision in its decision whether to declassify the land as Green Belt. EBC is quite right that those are actually matters for a developer to overcome by way of satisfactory proposals and section 106 agreements with EBC.

8. I have however included them in the Response as there is clearly considerable strength of feeling amongst the local community about these points. I merely make the point though that EBC is perfectly entitled to disregard them at this stage.

9. That is not to say that they would not become relevant later on in the event a substantive planning application was made. Indeed, at that point, it would be advisable for the Association to engage specialist assistance from a planning consultant, ecological experts and the like to comment upon the very specific considerations which may go against any proposed development.

10. At present, the exercise is simply a consultation as part of EBC's general duties to engage with the local community. That said, I have attempted in the Response to foreshadow the potential for EBC's decision to be challenged on public law grounds in the event an adverse decision is made.

THE PROCESS

11. It strikes me that the process by which EBC might ultimately come to the decision to declassify SGA26 as Green Belt is flawed.

12. Firstly, There is no escaping the fact that the inclusion of SGA26 was not the product of independent and considered thought but rather out of a necessity to find an alternative site to SGA17. That is not a promising start.

13. It is not clear to me why SGA26 was not included in the 2020 Consultation, nor how exactly that process "*brought forward a new site for consideration*".[1] What is clear though is that SGA26 has not been put forward on its own merits but rather as a "*replacement proposal*" for SGA17.

14. In my view, that sets the process off on entirely the wrong foot. The consultation is inherently distorted so as to effectively become a horse trading exercise between two competing sites. That is not the proper form for a meaningful public consultation. Indeed, it rather tilts the field against SGA26 from the get-go.

15. As I have said in the Response, this approach tends to fly in the face of EBC's Statement of Community Involvement and paragraph 16(c) of the National Planning Policy Framework, which encourages "*early, proportionate and effective engagement between plan-makers and communities…"*. The community in SGA26 was not engaged with at all until after SGA17 was dismissed as an unsuitable site and SGA26 proposed in its stead.

16. Secondly, there has been a striking failure by EBC to engage with Derby City Council, the authority upon whom the burden of public service provision at the site would ultimately fall. The late addition of SGA26 rather strikes me as something of a "lightbulb" moment whereby a member of EBC's planning team has come to the realisation that it can obtain the benefit of an improvement in its 5 year housing supply statistics without shouldering the burden of making highways, school or healthcare provision.

17. This is of course speculation, but it underscores the importance of co-operation between local authorities and other statutory consultees.

18. As the Association understands it, there has been no consultation whatsoever with Derby City Council prior to the meeting on 25 March 2021 or the decision to include SGA26 in its fresh proposals. That is a clear breach of the duty to co-operate on "*strategic matters*" under section 33A of the Planning and Compulsory Purchase Act 2004 ("***the 2004 Act***").

[1] Response paragraph 5, citing the Report of the Director of Resources to the Extraordinary Council Meeting on 25 March 2021.

19. Again, as I have said in the Response, it is precisely this sort of failing that led to the rejection of a local plan in *Sevenoaks District Council v Secretary of State for Housing Communities and Local Government* [2020] EWHC 3054.

EFFECT

20. The question that arises though is what difference does any of the above make in practical terms?

21. Nothing I have said above prevents EBC from pressing ahead with its consultation or making a decision to declassify SGA26 as Green Belt land. There is simply no mechanism to restrain EBC from exercising their planning powers as they see fit.

22. Indeed, EBC may simply ignore the Response, or justify their ultimate decision on other grounds.

23. The purpose however of framing the Response in the terms I have is to flag up the inherent flaws in EBC's process and foreshadow the potential for a legal challenge in the event that an adverse decision is made. That may give EBC pause to consider whether they can, or should, include SGA26 as a potential site.

24. Section 113 of the 2004 Act provides a mechanism by which the adoption of a local plan, or any planning document, may be challenged by a "*person aggrieved*". The process is not unlike a judicial review, albeit the scope of the enquiry and remedies of the High Court are on a statutory footing.

25. In short, a person aggrieved by a relevant document may apply to the High Court on the ground that either the document is *ultra vires* (*viz*. not within the appropriate power of the local authority) or a procedural requirement has not been complied with.[2] Such an application must be made within 6 weeks of the date of adoption and, as in normal judicial review proceedings, the applicant must obtain permission at a preliminary stage and satisfy a test of standing.[3]

[2] Section 113(3)
[3] Section 113(3A)&(3B)

26. I will only say briefly that the meaning of a person "*aggrieved*" is fairly broad, though a distinction must be drawn between a person with reasonable concern and a mere "*busybody*".[4] Those living in the immediate vicinity though, and who have participated in the consultation process, would seem to me to be likely satisfy that test.

27. The statute then sets out a menu of remedies which the High Court may grant, including interim orders to suspend the operation of the document, quashing the document, remitting it either to the local authority or Planning Inspectorate for revision/modification and various other forms of directions.[5]

28. As indicated above, this is not a step the Association or its membership could take now, but it is something they may wish to consider in the event their worst fears are realised and a revised Core Strategy is adopted which declassifies SGA26 as Green Belt.

29. I would however make the following two points of caution.

30. Firstly, the High Court is not concerned with the planning merits. It is concerned only with the legality of the decision and the process by which it was reached. As stated above, the planning merits only come into play at the stage of a substantive planning application being made.

31. Secondly, as is ever the case with any public law challenge, the High Court might well be satisfied that a procedural requirement has not been met, for example there has been a failure to co-operate or engage with the local community (as set out above) and quash the decision. There is nothing stopping EBC however from curing those procedural defects a second time round and coming to the same conclusion. As I have said, the Court is concerned only with the process, not the outcome.

CONCLUSION

32. I do consider that EBC's process in embarking upon this consultation exercise, and thereby any decision which arises out of it, to be procedurally flawed.

[4] *Walton v Scottish Ministers* [2012] UKSC 44
[5] Section 113(6)&(7)

33. There may well be grounds to consider a statutory review in the event that the proposal to substitute SGA26 for SGA17 is carried, however I hesitate to advise in detail on prospects unless and until such a decision is made and when EBC's reasoning is made clear.

34. There are ways and means of instigating a legal challenge, or indeed resisting any proposed development on the land, in the event the desired result is not achieved at this stage. I draw attention though to the words of caution I have set out above and make the point that such matters can amount to a difficult and costly exercise.

35. I am hopeful that I have addressed all salient points arising from my instructions. If however I can be of any further assistance, please do not hesitate to contact me.

JOHN CAMPBELL

[redacted]

5 May 2021

From: Evonne Williams (Cllr[redacted]
Sent time: 08/05/2022 20:07:23
To: Planning Policy
Cc: [redacted]
Subject: SUBMISSION ON BEHALF OF SPONDON RESIDENTS TO CORE STRATEGY (REG19) CONSULTATION
Attachments: Barrister response.pdf

Please find attached a submission prepared by a solicitor on behalf of Spondon residents for the core strategy review.

Please can you ensure it is passed onto the independent inspector.

Regards
Evonne

Cllr Evonne Williams | [redacted]

[redacted]

Barrister response.pdf

EREWASH CORE STRATEGY REVIEW – REVISED OPTIONS FOR GROWTH

RESPONSE TO CONSULTATION ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

INTRODUCTION

1. This document has been prepared for and on behalf of the Residents of Spondon Association ("***the Association***"), an unincorporated body of concerned residents living in or local to the village of Spondon.

2. It intends to respond specifically to the proposal of Erewash Borough Council ("***EBC***") to declassify Green Belt land South of Spondon Wood ("***SGA26***") in substitution for a previously identified site at Land North of Lock Lane, Sawley ("***SGA17***") as part of EBC's Core Strategy Review.

3. In sum, the Association strenuously objects to the proposal and makes four points:

    3.1. EBC's approach to this consultation exercise is inherently flawed, in circumstances where SGA26 has been identified in substitution for another site and consulted upon separately from those in the original Growth Options Consultation in 2020 ("***the 2020 Consultation***");

    3.2. There has been a wholesale failure by EBC to co-operate with Derby City Council;

    3.3. The methodology by which the degree of encroachment into the greenbelt has been calculated at SGA26 is flawed;

    3.4. SGA26 is an unsuitable site on practical planning grounds.

Barrister response.pdf

3.1. EBC'S APPROACH TO THIS CONSULTATION

4. It is a matter of deep concern to the Association and its membership that this consultation is being conducted long after the substantive 2020 Consultation, where all proposed sites for greenbelt declassification were collectively considered on a level playing field.

5. The Report of the Director of Resources to the Extraordinary Council Meeting held on 25 March 2021 states (at paragraph 3.10):

> *"The recommendation not to pursue development on land north of Lock Lane cannot be made without considering a replacement site in the Green Belt. The consultation process has brought forward a new site for consideration. This site is on the edge of Derby City north of Spondon and is [in] line with the strategic hierarchy. It is bounded by Spondon Wood to the north and consequently its development would have a relatively limited impact on the Green Belt. It would also have direct access to the A6096. This site is therefore recommended as a replacement proposal for the land north of Lock Lane"*

6. It is clear from the above quoted passage that the exercise of considering the suitability of SGA26 is now inherently distorted. Rather than being considered on its own planning policy merits and/or collectively with the other putative sites identified in the 2020 Consultation, SGA26 is now set up against SGA17 as a potential "*replacement*".

7. Put simply, a separate consultation after conclusions have already been drawn following the substantive 2020 Consultation has prevented full and meaningful participation by the affected community. Their representations are now against a backdrop where the site in question is effectively presented as the only alternative option.

8. The Association submits that this is contrary to EBC's Statement of Community Involvement and paragraph 16(c) of the National Planning Policy Framework, which encourages "*early, proportionate and effective engagement between plan-makers and communities…*". The fact is there was no community engagement until the unsuitability of SGA17, and the relative suitability of SGA 26, have been presented as *fait accompli*.

Barrister response.pdf

9. By way of example of the distorted nature of this consultation exercise, paragraph 3.4 of the Statement of Consultation for the 2020 Consultation sets out an extensive list of measures taken to engage with stakeholders, organisations and the community. Those measures have not been repeated a second time around, painting a picture that this consultation has been "tacked on" to consider a discrete issue, rather than looking at the suitability of potential Green Belt sites in the round.

3.2. FAILURE TO CO-OPERATE

10. It is noted in the Revised Options For Growth paper dated March 2021 that Spondon "*is part of Derby City, so this proposal is an extension of the Derby conurbation into the Green Belt*". The Strategic Growth Assessment describes that it "*directly adjoins the main built-up area (MBUA) of Derby within the administrative area of Derby City Council*."

11. That being the case, while EBC is able to reap the benefits for the purposes of its land supply calculations, plainly the burden of dealing with practical service provision to any development (e.g. transport, highways, education and healthcare) will fall upon Derby City Council.

12. In those circumstances, it is striking that, as the Association understands it, there has been no consultation whatsoever with Derby City Council prior to the Extraordinary Council Meeting on 25 March 2021 and/or the inclusion of SGA 26 in EBC's proposals.

13. Section 33A of the Planning and Compulsory Purchase Act 2004 imposes upon EBC a statutory duty to co-operate with other local planning authorities, in this case Derby City Council, in its preparation of development plan documents and/or other local development documents so far as they relate to "*strategic matters*".

Barrister response.pdf

14. This is expanded upon at s.33A(4):

> *"(4)For the purposes of subsection (3), each of the following is a "strategic matter"—*
>
> *(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas…"*

15. Plainly, declassification of Green Belt land would have a "*significant impact*" on both the Derby City and EBC planning areas, for the reasons set out above. Thus, there has been a wholesale failure by EBC to comply with its statutory duty to co-operate.

16. It is precisely this sort of failure to engage at an early stage which led to the rejection of the Sevenoaks District Local Plan and the authority's unsuccessful legal challenge in *Sevenoaks District Council v Secretary of State for Housing Communities and Local Government* [2020] EWHC 3054. The Association respectfully suggests that EBC has fallen into the same trap.

3.3. ENCROACHMENT INTO THE GREENBELT

17. In order to justify potential interference with the five stated purposes of Green Belt land at paragraph 134 of the National Planning Policy Framework, EBC has conducted an assessment as to how far any of the proposed sites encroach into the open countryside.

18. The methodology employed was to measure how much further the possible development would project outwards from the centre of the settlement beyond the settlement's current extent, with the result that the greater the reported percentage, the greater the impact or encroachment into surrounding countryside.

Barrister response.pdf

19. Thus, for example, at SGA2 Land at Beech Lane, West Hallam, the measurement was taken from the centre point of West Hallam with the result that the site would contribute to an enlargement of 52.6% of the existing settlement. Similarly, at SGA5 East of Borrowash, the measurement was taken from the centre point of Borrowash with the result that the site would contribute to an enlargement of 59.4% of the existing settlement.

20. The measurement for SGA26 meanwhile was taken from the centre point of the city of Derby, with the result that the site would contribute to a relatively modest enlargement of Derby of 2.4%.

21. That methodology is meaningless and produces an artificially small percentage increase. Measuring from Derby city centre makes no rational, logical sense when the village of Spondon, like many of the other sites explored in the 2020 Consultation, can and does operate as a self-sufficient, self-contained settlement. Had measurement been taken from the centre of Spondon, the percentage increase in settlement size, and thereby encroachment into the established Green Belt, would have been far greater.

22. Put another way, such a measurement would have offered a more accurate insight into the extent of encroachment into Green Belt land as a proportion of the size of the existing settlement. That analysis would also have put the degree of harm likely to be occasioned by any development in a rather different light.

3.4. PRACTICAL PLANNING CONSIDERATIONS

23. Individual residents have submitted their own concerns as to the practical planning implications of declassifying the Green Belt at SGA26 and any development which may follow. For convenience however, the Association summarises its position below and says, taken collectively, the site is plainly unsuitable.

Barrister response.pdf

Ecology/Biodiversity

24. Proposed access and egress to the site will involve the destruction of trees and hedgerow. The Association believes there are several trees at SGA26 which are over 100 years old and are subject to Tree Preservation Orders.

25. The open farmlands adjacent to Spondon Wood provide a natural habitat for grazing deer, badgers, hedgehogs, hares, pheasants, lapwings and buzzards, which will be necessarily destroyed. The Association is aware that recent planning applications have already been held up or rejected owing to the tracking of bats in Spondon Wood and surrounding land.

26. In short, the environmental damage will be substantial. There are substantial brownfield sites in Erewash. There are no special circumstances to justify the declassification of Green Belt with the destructive implications that involves.

Education

27. There is no local secondary school provision. The nearest school is West Park Community School which is already 12% over capacity. Thereafter, Friesland School, a considerable distance away, is already 3% over capacity.

28. Primary school provision is equally scarce. Three out of four primary schools are also over capacity. It is doubtful that these shortages could be effectively overcome by s.106 agreements or planning conditions.

Highways and Transport

29. Traffic is already at an unacceptable level for local residents. It is not sufficient for EBC to simply abrogate all responsibility for traffic concerns and instead leave it to the relevant highways authority and/or developer to find effective solutions, particularly when the former, as noted above, has not been consulted.

Barrister response.pdf

30. These matters are highly relevant to the question of sustainability as an increase in traffic is the inevitable consequence of declassifying the Green Belt and opening it up for development.

31. The observations in the Strategic Growth Assessments that current arrangements allow traffic to pass through at an acceptable flow does not appear to be backed up by empirical data, nor does it accord with the first-hand experience of local residents, as will be seen from the individual responses to this consultation.

Healthcare

32. There are two small doctors' surgeries in Spondon, both of which are oversubscribed and with average appointment waiting times between 2 and 4 days. The same is true of the two local dental practices.

CONCLUSION

33. The proposal to declassify SGA26 as Green Belt land is legally, procedurally and substantively flawed. It has no place in a revised Core Strategy and will be strenuously resisted.

FOR AND ON BEHALF OF THE RESIDENTS OF SPONDON ASSOCIATION

From: Fiona Richards[redacted]
Sent time: 08/05/2022 22:12:02
To: Planning Policy
Subject: EBC Core Strategy Review (Regulation 19) - Spondon Woods - SGA 26

[redacted]

8th May 2022

[redacted]

To whom it may concern,

SGA 26 Formal Objection

I am writing to convey my full objection to the proposed inclusion of **SGA 26** into the EBC Core Strategy Review, and shall detail my objections below.

Firstly, this land is green belt and as a consequence it should remain as green belt. It is a natural haven for wildlife and is home to a variety of protected species that live in the designated ancient woodland such as: bats, lapwings, buzzards and kites to name just a few. The pollution sustained developing this open space would have a detrimental impact on the ancient wood, destroying it forever. As you are no doubt already aware, climate change is a major issue throughout the world and I strongly believe that developing this site will only compound the issue. Leaving the area more open to flooding and high level pollution.

The Minister of State for Housing has stated that green belt should only be used in exceptional circumstances. This is not exceptional, this is trying to put a sticking plaster over EBC's targets at the expense of future generations and the Derby City Council's tax payers. During the extraordinary council meeting, as a collective, you stated that you had exhausted all of the brown field areas for development within Erewash. However, EBC have chosen to under develop the Stanton Ironworks site in favour of eating up greenbelt.

The lack of disregard for the National Planning Policy Framework 2012, Section 13, paragraph 134, clearly states that green belt serves to assist in safeguarding the countryside from encroachment. The development would see the green belt abolished and destroyed forever and is not grounds for 'exceptional circumstances' when there are so many sites ripe for regeneration within the borough, some of which you have discounted in favour of developing green belt land (Stanton Iron Works). I note a planning permission refusal by EBC for a bungalow in Risley on the grounds of that it would be built on green belt land. It feels that where substantial amounts of money are involved, it is one rule for one and another rule for another and this feels hypocritical. I would urge you to review this National Planning Policy, Section 13, paragraphs 133 -147 as I believe your proposal breaches policy.

The last-minute inclusion of SGA 26 into the EBC Core Strategy Review was in response to the rejection of the Lock Lane proposal. This inclusion failed to consult with the neighbouring council: Derby City Council and with the residents of Spondon. Legally, you have a duty to co-operate with both of the aforementioned and as a council you have failed to do this. Furthermore, you agreed to minimise the consultation period from twelve weeks to six weeks, which included three Bank holidays during a global pandemic, which shows a lack of transparency to the process and gives EBC no legitimacy with the people it serves.

The impact which this development will have on traffic, services and wildlife will only have a negative impact on the residents of Spondon, and will not have any detriment to the residents of Erewash Borough Council. I strongly believe that although you may be fulfilling your housing quota, the houses will not be purchased by EBC residents, but DCC residents. Therefore, you are not building houses for your local community.

Once the green belt is gone, it is gone forever. There will be no green land left for future generations, what right do you have to facilitate this? It is morally abhorrent.

Your faithfully

Mrs Fiona L Richards

From:	Denise Bond[redacted]
Sent time:	10/05/2022 00:10:42
To:	Planning Policy
Subject:	submission for the core strategy review
Attachments:	Core Strategy Review Representation 9 may 2022-2.docx

I just submitted my submission for the core strategy review (before midnight), none of the charts or tables came out so I am attaching the word document from which I cut and pasted them, so that I have made a readable submission.

Sent from Mail for Windows

Core Strategy Review Representation

Denise

Bond

[redacted]

To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)**(*)**

☑ Policies ☑ Policies Map ☑ Other text

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.**(*)**

Do you consider the Core Strategy Review is Legally Compliant? **(*)**

☐ Yes ☑ No

Do you consider the Core Strategy Review is sound?**(*)**

☐ Yes ☑ No

Do you consider the Core Strategy Review complies with the duty to cooperate?**(*)**

☐ Yes ☐ No

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.
Why I consider the Erewash Core Strategy Review is not legally compliant or is unsound

- Whether the Erewash Core Strategy Review is in the Local Development Scheme;

There was a Local Development Scheme, however it did not contain a meaningful timetable. I as an opposition councillor was not able to use the timetable in the Local Development Scheme in order to plan my time when scrutinising the Core Strategy, and neither was any one else. I got one week's notice of council discussions on the Core Strategy, when council meeting agendas were published. This is not compliant with the spirit of a Local Development Scheme.

Parish Councillors in my ward submitted freedom of information requests to find out when the Core Plan would be coming back to council because local conservative's social media tweets made Parish Councillors believe that the outcome of the review had been shared with conservative councillors but not the public.

Furthermore, I made repeated requests for pre scrutiny of the Core Plan at the policy formation stage through the scrutiny committee, it was not possible to insist that this happened before the document came back to council, because we did not know when it was coming back to council.

Why was the timetable meaningless?

Here is the original timetable from the original LDS published in June 2018

Date	Stage	Details
September 2019	Growth Options Consultation (Regulation 18)	Consultation on areas of proposed housing and employment growth.
March 2020	Draft Publication Consultation (non statutory)	First consultation draft of whole document.
September 2020	Publication Consultation (Regulation 19)	Statutory Consultation of whole document
January 2021	Submission to Secretary of State (Regulation 22)	Council preferred version, submitted to Secretary of State for examination.
June 2021	Examination in Public (Regulation 24)	Public hearings into objections to the document, held by Planning Inspectorate.
December 2021	Adoption (Regulation 26)	By Council

As you can see, the Regulation 18 Consultation was scheduled for Sept 2020. This actually came to council on the 25th March 2021. So for 7 months, I knew that the regulation 18 documentation could happen at any moment but not when it would happen. The regulation 18 consultation was concurrent with the local county council elections, and two Erewash by elections. Had I had the proper advanced notice of this fact, I would have made formal objections, because major consultations should not take place during a period of election purdah. As it was I only got a weeks' notice and my objections were voted down on political lines and there was no opportunity to take the matter further. So the lack of a meaningful timetable did have an impact on my actions.

When the LDS was eventually updated in March 2021, see below. The time table was again not complied with, and when dates were missed, no alternative dates were published. So between September 2021 and March 2022, I knew the Regulation 19 consultation was due but not when it would be. Again this did impact on my work in the scrutiny committee.

March 2021	Growth Options Consultation Part 2 (Regulation 18)	Revises the strategy and preferred sites as informed by previous consultation.
September 2021	Publication Consultation (Regulation 19)	Sets out the full text of the Core Strategy Review.
January 2022	Submission to Secretary of State (Regulation 22)	Submission of Publication version and responses to Regulation 19 consultation.
June 2022	Examination in Public (Regulation 24)	Planning Inspector considers the submission version and responses to the Regulation 19 consultation.
December 2022	Adoption (Regulation 26)	Full Council decides whether to adopt Core Strategy Review.

- Whether community consultation was carried out in accordance with the Statement of Community Involvement;

This was impacted by covid, particularly with regard to display of materials at town halls and libraries. I am aware that other have made submissions on this.

- Whether the requirements of the relevant Regulations have been followed;

How are the public expected to respond to this? The relevant regulations should be listed with links. I am going to assume this refers to planning guidance and the framework which I will address under soundness.

I do have some concerns about the information provided to the public in order to help them make an informed response to the Core Plan.

Firstly the housing needs assessment for Erewash, commissioned by EBC as part of JPAB has not been made available to the people of Erewash. It was not forthcoming after I asked for it on several occasions, and in the end as an Erewash councillor, I had to download it from Broxstowe's website.

Secondly, the original consultation on the core plan explained how many houses had to be built overall and added up where they would all come from. This information was taken of the website and was not available for consultations 2 and 3, so anyone who had not downloaded the report in the 1st

consultation did not have access to it. Rather a shame for the people of Spondon, who greenbelt site was not even mentioned in the first consultation.

- Whether the appropriate notifications have been made;
  No comment

- Whether a Sustainability Appraisal assessing social, environmental and economic factors has been carried out and made public;

  I have considerable reservations about these Appraisals.

Consultation on the Assessment Criteria

There has been no consultation on the weight given to the different assessment criteria. In fact the weighting given to different factors seems to be entirely random. Depending on how many question planning had on a particular subject. So there are a total of 14 points available on the subject of waste management. Pollution has up to 2 points. Housing need has up to 10 points. Is waste management and resources more important than housing need? I don't think so. But I don't think it should be my call alone. There should have been some discussion on this. I have tried to bring the subject of the core plan to scrutiny, over a period of years, the committee agreed to consider it further but either it was lockdown, or no one was available to come from planning, or it just happened to fall off the agenda.
EBCs entire strategy is based on this randomly waited, not discussed or consulted on, changing between consultations SAG process.

The weighting on the assessment criteria is important, it makes the difference between which land goes forward to consultation and which does not. In March 2021 the second round of consultation, each of the sixteen areas were are equally weighted with a maximum of 32 points available, Why has this weighting changed?

All extensions of villages into the greenbelt were given a blanket score of -11, all extensions of the town (Ilkeston) into the green belt were given a score of -1.

Had a comparable method of weighting been used thus:

Topic	No of Questions	Kirk Hallam SW score	Kirk Hallam SW mean score per question	Breaston/ Borrowash score	Breaston/ Borrowash mean score per question	N of Cotmanhay score	N of Cotmanhay mean score per question
Housing	5.00	4.00	0.80	4.00	0.80	2.00	0.40
Jobs	3.00	4.00	1.33	5.00	1.67	0.00	0.00

Economics	5.00	4.00	0.80	3.00	0.60	0.00	0.00
Shopping	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Health	5.00	5.00	1.00	2.00	0.40	5.00	1.00
Safety	2.00	-2.00	-1.00	-2.00	-1.00	-1.00	-0.50
Inclusion	4.00	7.00	1.75	8.00	2.00	2.00	0.50
Transport	4.00	6.00	1.50	-3.00	-0.75	3.00	0.75
Brownfield	2.00	-3.00	-1.50	-4.00	-2.00	-3.00	-1.50
Climate	5.00	1.00	0.20	1.00	0.20	1.00	0.20
Pollution	1.00	-1.00	-1.00	-1.00	-1.00	-1.00	-1.00
Flooding	6.00	-4.00	-0.67	-5.00	-0.83	-2.00	-0.33
Nature	7.00	-1.00	-0.14	1.00	0.14	-1.00	-0.14
Landscape	4.00	-2.00	-0.50	-7.00	-1.75	-2.00	-0.50
Heritage	5.00	2.00	0.40	-1.00	-0.20	1.00	0.20
Waste	7.00	-5.00	-0.71	-8.00	-1.14	-5.00	-0.71
total		16.00	3.26	-6.00	-1.87	0.00	-0.64

So site 20 Breaston and Draycott went from -11 to -1.87, And land SW of Kirk Hallam went from -1 to 3.26.

In my response to this consultation I pointed out that the blanket scores were inaccurate for many sites, and am grateful that sites have now been individually assessed.

I now wish to look at the actual assessments. I will us SG20 North of Breaston and Draycott as an example with some comparisons with land NW of Kirk Hallam.

1) **MEETING HOUSING NEED !**

The Sustainability Appraisals do not take into account the distribution of housing need across the borough, and are therefore not fit for purpose.

I am a parish councillor. I duly enquired of the planning department, what would be required of my parish were we to produce a neighbourhood plan. I was told that I would need to provide enough housing to meet the needs of my neighbourhood, by allocating enough land to meet a proportion of Erewash's housing needs commensurate with the population of my Parish. I accepted that and I now understand that the assumption, that an area's need for new housing is proportional to its population, to be a usual assumption within planning.

Erewash is a long thin borough, it has two main towns Ilkeston and Long Eaton. Most villages look to either Long Eaton and are connected by public transport to one or the other. I live in Sawley at the far south of the borough. I don't drive so if I want to go to Ilkeston town hall for a meeting I need to allocate at least an hours travelling time and £7+ bus fare. If I wanted to visit the new housing sites at Cotmanhay or Kirk Hallam, that would be two buses and at least 1 hour 30 minutes travel time. There would only be a 15 minute improvement if I lived in Long Eaton, and things would be a least 20 minutes worse if I lived in Draycott or Breaston. Travelling to the Spondon or Oakwood sites would be similarly difficult. This is relevant, because housing need will be generated by people in Sawley, Long Eaton, Draycott and Breaston. It may well be due to people growing up an leaving home, getting divorced, having children or losing their home. In all of these circumstances there is likely to be a social need for the people seeking new homes to want to stay near their families,

friends, support structures, jobs and places of education. Housing which is £7 and over an hour away from all these things will not meet the housing needs of people from the South of the borough.

The housing needs section of the Sustainability appraisals simply does not take the distribution of housing need within the borough into account. Therefore, I do not consider the sustainability appraisal's assessment of housing need to be complete.

Throughout my comments on the SGA s I will be illustrating my points using SGA 20 (North of Draycott and Breaston) as an example. I am choosing the example because it is a reasonable distance from Sawley, Long Eaton, Draycott and Breaston, and would meet those area's housing needs. However my comments do apply to all SGAs.

1) Housing need

1.1 Will it increase the range and affordability of housing for all social groups? I agree with the analysis of 2+ for SGA 20. But I do not think greenbelt sites in the North of the borough should score as highly (0), because there are more brownfield sites in the North of the borough and these largely meet the north of the borough's housing need.

The government believe housing need is proportional to house prices, the more demand for housing in an area the more the housing cost. As part of JPAB, Erewash commissioned Iceni to do a housing needs assessment of the Nottingham travel to work area. It produced this table showing how house prices vary across the borough of Erewash.

Table 5.19 **Estimated LQ Purchase Price and Private Rent by Submarket**

Authority	Submarket	LQ Price	LQ Rent	Excl. Shared Houses
Erewash	East Ilkeston	£83,000	£395	£410
	Little Eaton & Stanley	£198,000	£650	£670
	Long Eaton	£128,000	£495	£515
	Mid Erewash Rural	£152,000	£550	£565
	Sandiacre	£130,000	£500	£520
	West Ilkeston	£122,000	£485	£500

As you can see housing is most accessible Ilkeston where all of the housing that will be built on greenbelt to meet Erewash's housing need is planned. Whereas no greenbelt housing is planned to meet the needs of Long Eaton or Mid Erewash Rural. Or the most desirable area, little Eaton and Stanley. This is another argument for East Ilkeston homes sites scoring lower on housing need.

Erewash has taken absolutely no notice of this data in its assessment of housing need in the SGAs. I this table demonstrates that it is much harder to buy and rent housing in the South of the borough than the North.

I think Ilkeston should survey people with protected characteristics with regard to hate crime, and see whether there are parts of the borough where they would consider it less safe to live, and take this into account.

Furthermore, the greenbelt developments in Spondon and Acorn Way should have a -2 score because they do not meet housing need in Erewash, but rather housing need in Derby City.

1.2
Will it reduce the number of unfit/vacant homes?
I think SGA20 should score +2 and the Ilkeston sites should score -1: Erewash has not provided an analysis of the distribution of unfit and vacant across the borough, I failed to see how it has meaningfully scored this criteria without one. Ilkeston already has the most affordable homes in the borough. It is cheaper to buy than it is to rent (the barrier being access to capital). This is an indicator that housing demand is low in Ilkeston compared to the rest of the borough. I would argue that this also means these homes are the most likely to become unfit or vacant. Building more homes in this location is nonsensical, and is lightly to result in the existing homes being more vulnerable to becoming unfit or unoccupied. By contrast, homes are snapped up in the vicinity of SGA 20.

1.3
Will it provide sufficient pitches and plots for gypsies and travellers and travelling show people? SGA 20 score O Neutral- agreed.

1.4
Will it reduce homelessness? I believe the SGA 20 score should be +2 not 0: Erewash is part of social housing allocation program called housing options. People in need of housing bid for homes using a points based system. I understand that people bidding for homes in an around Ilkeston get housed much more quickly that people bidding in the south of the borough. I know someone who was offered housing within weeks in Ilkeston but had to wait almost a year in a homeless hostel to be housed in Long Eaton. This evidence is anecdotal, but Erewash should and could easily ask Housing options to do a analysis of numbers of waiting times and bid numbers, for social housing in different parts of the borough.

I believe building housing including housing in SGA 20 would reduce homelessness (-2) because waits in emergency accommodation would be reduced, if housing were available evenly across the borough, and building in the South of the borough would redress the balance.

1.5
Will it provide the required infrastructure? SGA 20 scored +2 Agreed.

2. Jobs and employment
I agree with the over positive of +5 for SGA20. This development would make local village business more viable.

3. Economic Structure and Innovation, I agree with the overall score of +3 for SGA 20.

4. Shopping: SGA 20 = +1 agreed

5. Health and wellbeing SGA 20 = + 2

I think there is scope to increase this score. I think all the housing needs (over and above those met by the brown field sites in Long Eaton) for Long Eaton (including Sawley) Breaston and Borrowash could be met in this area, and there still be room for wildlife corridor active transport routes, allotments, playing fields and linear a Park. Possibly creating an additional strategic green infrastructure corridor between Long Eaton and Derby. This would but the local food growing score, and the green spaces score up by another 1 each, giving a **SGA score of +4.** I would also put the score up by 1 because there is a frequent direct bus to QMC hospital. If Kirk Hallam gets a point for being able to access Ilkeston's medical facilities, SGA 20 should get one for reaching Long Eaton and QMC. This adjustments put Breaston/Draycot's health and well being on a par with Kirk Hallams, which seems fair because the sites have similar scope for green space, active transport and reaching medical facilities.

6) Community Safety

6.1.
Will it reduce crime and the fear of crime? I do not agree that increasing the number of people necessarily creates crime and the fear of crime. I think that housing need can be met without urbanising the area and joining the two villages. I think the SGA score of -1 should be neutral.

6.2
Will it contribute to a safe and secure built environment? I admit that we will not make it better, but I believe we can avoid making it worse. I think the SGA score of -1 should be neutral.

7.0 **Social Inclusion**
Because of the potential for increased common green space, I agree with the +8 score for social inclusion.

8.0 **Transport**
This assessment does not seem equitable

If I compare the three sites at Cotmanhay, West Hallam and Breaston/Borrowash, I see that they are all withing walking distance of existing village/estate centres with ac comparable range of local services. They 1.6, 1.3, and 2 miles from the city centre respectively. Cotmany is 18 minutes by bus from Ilkeston, West Hallam is 12 minutes and Breaston is 11 minutes by bus from Long Eaton. I would say their access to services by active/public transport is broadly comparable. Yet West Hallam and Cotmanhay score +3 and +6 respectively while Breaston/Borrowash scores -3. This does not make sense. Why are people from West Hallam less likely to drive to work than people from Breaston? The discrepancy is too great. I would accept a score of +2 because 2 miles is a longer walk than 1.3 miles.

9,10,11 and 12
I accept the scores for climate change, brown field land, air pollution and flooding, which are broadly in line with other similar sites.

13 Natural Environment: If development were to go ahead on this site I would want Erewash to strive for measures that would increase this score, but the score is comparable to other sites, which could be similarly enhanced so it is equable to accept the score.

14 Landscape and Built Environment
The size of this site compared to the housing need of the area could allow a proposal to come forward which used green space and screening woodland to separate Breaston and Draycott and preserve the attractiveness of the landscape. Not all site would allow this. I do not think the scoring of this element is consistent across sites. I do not think it is worse to look up and see houses where there used to be a hilltop in Cotmanhay, that it is to see houses in a flat field behind Breaston. Rather than accept a score of -7, options for improving this score should be considered. For now I feel that Breaston's farmland landscape loss should have the same score as Kirk Hallams farming landscape loss, ie -2.

15 Heritage
The decommissioned Derby and Sandiacre Canal forms the Northern Border of the site there is an active movement to restore this canal Restoration Progress so far – Derby and Sandiacre Canal (derbycanal.org.uk). I believe that Erewash should investigate how building on this site could contribute to the restoration of this asset. A restored stretch of canal as part of a linear park with a separate cycle path and walking route, in combination with screening woodland, may be a heritage feature that would make local people willing to accept a local housing project. Some work in this area could change a -1 to a +5. In the meantime I feel Breaston / Draycott should benefit from the same argument made by the assessors for Kirk Hallam which is essentially that heritage will be appreciated by more people because there will be more people living there!

16 **Resources and Waste Management**: I fail to see how this is worse per dwelling than it is for any other site in Erewash. I compared the answers for land South West of Kirk Hallam, and land Noerth of Draycot and Draycott. For six of the seven questions, the answers were identical, cut and paste. But for .1 and .3 the scores were inexplicably different. The score for loss of quality agricultural land is rightly -2 in sga 20. SGA 20's score is incorrectly added up. Whatever the score should be, Kirk Hallam should score 2 more that SGA 20, I score Kirk Hallam -4 and SGA 20 -6.

In going through this one assessment I hope I have shown that generally, housing need has not been properly taken into account, and that transport has been scored worse in village declared rural, that similarly served developments on the edge of the conurbation.

I believe their should be a moderation process, so that issues such as two greenfield sites getting different scores on greenbelt; two areas with no heritage getting different heritage scores and two tracts of farmland getting wildly different landscape scores; can be ironed out.

I also believe that greenbelt on the edge of conurbations and towns, thus providing a lung for a lot of people, and greenbelt that is widely used by the public for recreation should be given additional protection. This principle has not been given sufficient weight in the SGA process.

My suggested modifications to the scores of SW of Kirk Hallam and North of Breaston/ Draycott were not wildly controversial, but they changed where houses should be recommended to be built.

Topic	No of Questions	Kirk Hallam SW score	Kirk Hallam SW mean score per question	Breaston/ Draycott score	Breaston/ Draycott mean score per question
Housing	5.00	1.00	0.20	8.00	1.60
Jobs	3.00	4.00	1.33	5.00	1.67
Economics	5.00	4.00	0.80	3.00	0.60
Shopping	1.00	1.00	1.00	1.00	1.00
Health	5.00	5.00	1.00	5.00	1.00
Safety	2.00	-2.00	-1.00	-2.00	-1.00
Inclusion	4.00	7.00	1.75	8.00	2.00
Transport	4.00	6.00	1.50	2.00	0.50
Brownfield	2.00	-3.00	-1.50	-4.00	-2.00
Climate	5.00	1.00	0.20	1.00	0.20
Pollution	1.00	-1.00	-1.00	-1.00	-1.00
Flooding	6.00	-4.00	-0.67	-5.00	-0.83
Nature	7.00	-1.00	-0.14	1.00	0.14
Landscape	4.00	-2.00	-0.50	-2.00	-0.50
Heritage	5.00	2.00	0.40	2.00	0.40
Waste	7.00	-4.00	-0.57	-6.00	-0.86
total		14.00	2.80	16.00	2.92

- Whether the requirements of the Duty to Cooperate have been met.

  No comment. I believe others are making representations on this matter.

Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have

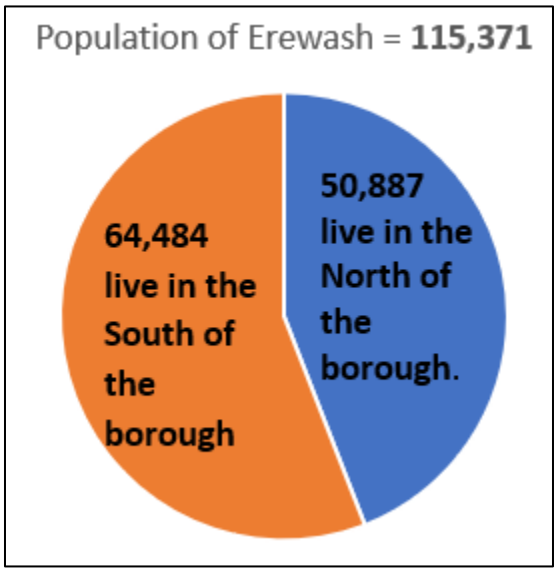
identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.
Comments

The core plan is not sound because it does not meet housing needs.

Facts on Housing Need and Houses Allocated in the Draft Core Plan, in the North and South of the Borough of Erewash.

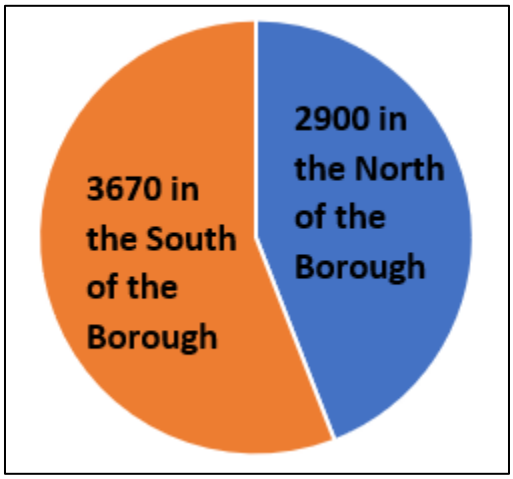
The population Erewash is 115,000 of these 51,000 live in Ilkeston and the North of the borough and 64,000 live in Long Eaton and the South of the borough.

This Pie Chart Shows How Population is Distributed Across the North and South of Erewash

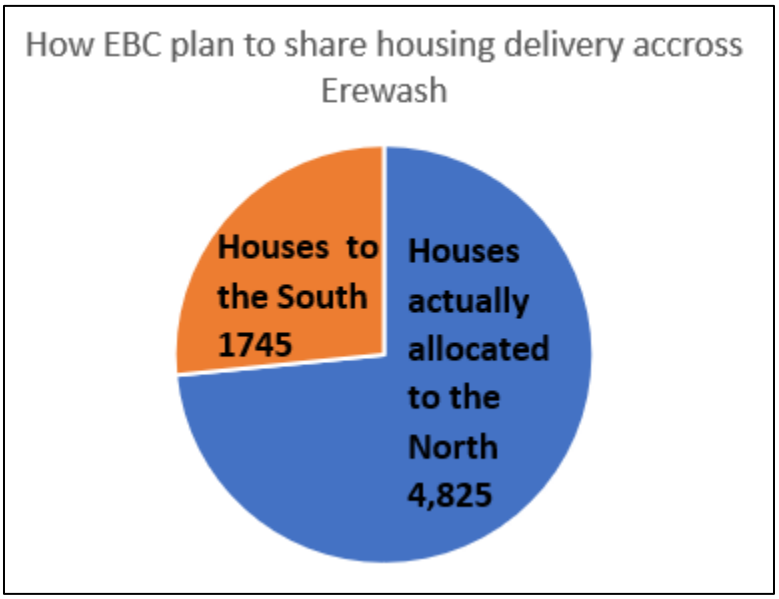


The housing delivery target of 6570 should be distributed between the North and the South of the borough in line with population, because housing need is in proportion with population.

This Pie Chart Shows How the 6,570 Houses to be Delivered in Erewash Should be Fairly Shared Across the Borough According to Need.



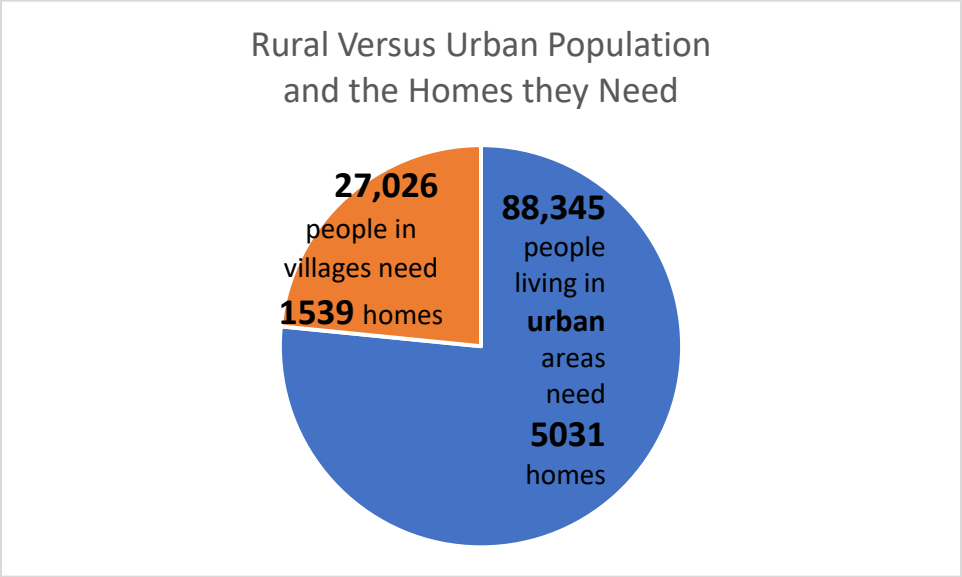
This Chart Shows How the Houses to be Delivered are distributed between the North and the South of the Borough according to the Draft Core Plan



The difference between the number of houses allocated to Ilkeston and the North of the borough, and the number that area needs is 1925. More than all the houses planned for the greenbelt in the North of the borough. In fact if we didn't build any houses in the green belt to the North of the borough, Housing need would be met, and there would still be 725 dwellings to help out the South (houses at Stanton could meet housing need generated from Sandiacre).

Why does North and South matter. Aren't we all in it together? The trouble is, if your need a new home due to a relationship breakdown, a house in Ilkeston is not what you need if your Spouse and Children live in Long Eaton. If you need a bigger home cause you are having a baby, and you want to be near your mum who lives in Draycott a house in Cotmanhay, may not be what you want. Everyone in Erewash should have an equal chance of living near their support structures if they need to move.

There is another important divide, that between Town/Conurbation and Village



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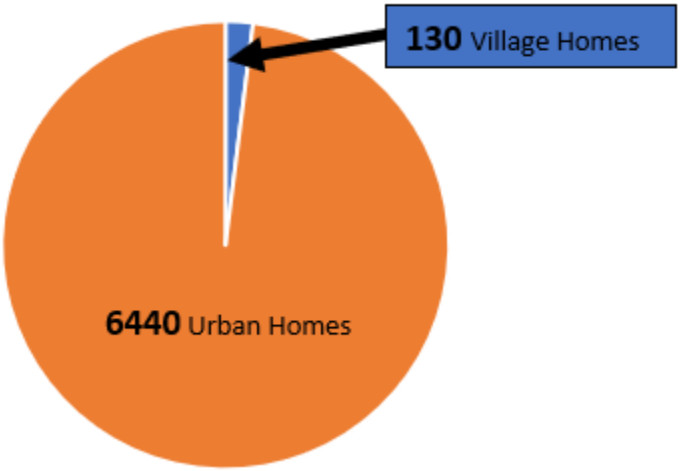

This work was done on the figures for the 2nd consultation, there has been a small change in the numbers but the main principle holds true.

How the core plan needs to change to meet housing needs

The table below shows how housing need is distributed in line with population across the borough.

0	**Polpulation**	Housing delivery target	Area sum	Housing in the core plan

Erewash	**115,371**	5800		
Awsworth Road	4,987	251		
Kirk Hallam & Stanton-by-Dale	6,624	333		1300
south stanton				1000
Larklands	8,307	418		
Hallam Fields	5,217	262		
Little Hallam	4,857	244		
Cotmanhay	5,135	258		250
Ilkeston			2433	1400
Ilkeston Total			3950	
Long Eaton Central	7,547	379		
Derby Road East	5,723	288		
Wilsthorpe	7,779	391		
Nottingham Road	4,998	251		
Sawley	6,720	338		
Derby Road West	7,219	363		
LE total			2010	700
Sandiacre	8,312	418	418	
Draycott & Risley	4,322	217		
Breaston	4,516	227		
Ockbrook & Borrowash	7,348	369		
south villages			814	

Little Eaton & Stanley	4,527	228		
Shipley View	4,920	247		
West Hallam & Dale Abbey	6,313	317		
North Villages			792	
rural homes				350
derby conurbation spondon				0
derby conurbation Acorn Way				600
-	115,371	5800		5600

It shows that Ilkeston needs 2433 homes and yet it is set to provide 3950. This surplice of 1517 homes includes most of the 1550 homes due to be built on the Ilkeston Green Belt. These numbers should be drastically reduced if not cut altogether. Depending whether the people of West Hallam would trade some houses for an access road and improved green infrastructure. If they would perhaps this site would allow some of the Stanton homes to meet Sandiacre's housing needs.

The villages in the North of the Borough need to find space in their vast tracts of Green belt to accommodate their combined need for 800 houses.

Ockwood and Burrowash need to do likewise with their need for 369 dwellings.

There were ample sites put forward and rejected, that could have met this need.

That leaves Long Eaton, Draycott and Breaston with a shortfall of 1750 homes. 1500 of which could be placed at SGA 20. In 4 separated estates, surrounded by 50m wide woodland boundaries. Using the access points already identified. The woodland would screen the houses from: users of the Sandiacre and Derby canal active transport route, the railway line and the views of existing houses. Improved wildlife habitats, allotments, more school grounds, playing fields if required and a linear park along the route of the (possibly restored) Sandiacre and Derby canal, should all be offered and consulted on to make the idea more attractive to local residents. I would also like to see schemes to make it easier for local residents to buy the homes built in their area.

The remaining 250 homes will need to be found space in the Long Eaton urban area. Even though it seems that repurposing buildings is not economic funding should be pursued to continue to increase town centre density, making Long Eaton more vibrant and meet more housing needs.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You

should not assume that you will have a further opportunity to make submissions.
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**(*)**

☐ No, I do not wish to participate in hearing session(s) ☑ Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in
hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Send request using the button below

Submit request

Data Protection: This form is not secure. Please don't include any confidential or sensitive information on it. Erewash Borough Council (EBC) collects personal information when you contact us for services we provide. We use this information to provide the services requested. We may need to share your information with other organisations or EBC departments to ensure service delivery. This is made clear in our privacy notice. We will not share your information with any other third parties, unless required to do so by law. For more information on how we protect & use your data, visit www.erewash.gov.uk/privacy

From: E. Richards[redacted]
Sent time: 09/05/2022 05:46:18
To: Planning Policy
Subject: EBC Core Strategy Review (Regulation 19) - Spondon Woods - SGA 26

[redacted]

9th May 2022

[redacted]

Dear Council,

Objection to SGA 26

-

I am appalled by the manner in which EBC have conducted themselves. As locally elected officials, elected to serve the community I feel you have been disingenuous at best. I was unfortunate enough to view part of the council meeting in which council members discredited themselves with their unprofessional behaviour and this for me has set the tone for how EBC conducts its business. To this end, you have shoe-horned SGA 26 into your Core Strategy after a twelve-month consultation period, in which SGA 26 had never been referenced. To self-serve your needs and not the needs of your communities you have then, at the very last minute publicised your plans without consultation with Derby City Council. Furthermore, you have chosen to reduce the consultation period from twelve weeks to six weeks with local people, whilst local elections are taking place and there are a series of Bank Holidays coupled with the on-going global pandemic.

I also note that traffic monitoring is taking place at the proposed entrance to the SGA 26 site despite the fact that we are in a consultation period with traffic flow at a reduced rate because we are in the middle of a global pandemic. We talk around council officials conducting themselves with integrity and being fair and transparent and yet all of the above points to the contrary.

You have failed in your duty to develop Stanton Iron works. Electing for an easy option of selling 50% of this land for commercial development and then stating that you have exhausted your brown field capacity. This is simply not true. It is in direct contravention to the National Planning Policy, Section 13, paragraphs 133 – 147, which states that you are under an obligation to recycle derelict and other urban land [134, (e)]. You have made a conscious decision which means you have failed in your obligations. Mark Twain said, 'We cannot build anymore land,' and yet EBC seem intent on allowing existing sites to run derelict whilst destroying the remaining green belt contravening The National Planning Policy, section 13, paragraph 134 (e). This is in contravention to ministerial direction which states that green belt should be used as a last resort.

The proposed development sits below the threshold of having to support the infrastructure of Spondon and therefore EBC are seeking to have all of the benefits of a Derby City postcode and its amenities without any of the cost. This is morally abhorrent as it will only seek to have a detrimental impact on the residents of Spondon whilst EBC can state that they have met their governmental targets.

Mental health and wellbeing is a key feature in modern day society, particularly as we emerge from a global pandemic, green space, green fields and wildlife all have a positive effect on this element. The impact of the removal of such spaces will only add pressure to services elsewhere that you will need to meet. I urge you as a council to fulfil your obligation to the people that you represent by acting fairly and with integrity, accepting the fact that you have failed to co-operate, failed to follow National Policy and due process and withdraw SGA 26 from your Core Strategy document.

Yours faithfully,

Mr E Richards

From: [redacted]

[redacted] 09/05/2022 09:52:36

To: Planning Policy

Subject: Environment Agency Response to: LT/2011/113659/CS-04/IS1-L01

Attachments: PlanningProposal.rtf

The Local Development Document has been reviewed and I enclose the Environment Agency's comments on:

Core Strategy

Erewash Borough Council

Core Strategy

This message has been sent using TLS 1.2

Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.

PlanningProposal.rtf

[redacted]

Our ref: [redacted]
[redacted]
Your ref:

Date: 09 May 2022

Dear [redacted]

Erewash Core Strategy Review - Consultation on Publication version (Reg 19)

Thank you for consulting the Environment Agency on the Erewash Draft Core Strategy. The Environment Agency has the following comments on the proposed strategic policies listed within the draft strategy.

Strategic Policy 1.2 – South Stanton

We reiterate the potential impact from existing industrial activities at Hallam Fields on new residents moving into the proposed residential development at South Stanton. We have had a number of reports of amenity incidents from existing residents, related to sites the Environment Agency regulates. We produce regular newsletters to inform residents of the measures we are requiring operators to take to resolve those problems. New residents considering moving into this development should be made aware of the history of amenity complaints in the local area. Whilst we continue to drive operators to make environmental improvements at the sites we regulate, we cannot guarantee that there will be no impact from existing industrial activities.

We would recommend the following points are added in as requirements for this strategic housing allocation:

- A site specific Flood Risk Assessment incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.
- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.
- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for Biodiversity Net Gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to

[redacted]

Cont/d..

allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.
- A contamination and ground condition survey.
- A report detailing the impact of existing and proposed industrial activities on the new housing development from an amenity perspective and any mitigation measures that may be required.

Strategic Policy 1.3 – Acorn Way

The site is situated in flood zone 1 and the Lead Local Flood Authority (LLFA) are the relevant authority to provide comments on surface water matters. We would recommend the following points are added in as requirements for this strategic housing allocation:

- A site specific Flood Risk Assessment incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.
- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.
- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for biodiversity net gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.

Strategic Policy 1.4 – North of Spondon

The site is situated in flood zone 1 and the Lead Local Flood Authority (LLFA) are the relevant authority to provide comments on surface water matters. We would recommend the following points are added in as requirements for this strategic housing allocation:

- A site specific Flood Risk Assessment incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.
- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.

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- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for biodiversity net gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.

Strategic Policy 1.5 – South West of Kirk Hallam

Part of the proposed development allocation is situated within flood zones 2 and 3 that originate from the ordinary watercourse the Sow Brook. The policy map provided shows a green infrastructure corridor within this area which would suggest that no built development will be proposed within the areas shown to be within fluvial flood risk. If built development such as housing is proposed within this area then the LPA will need to ensure that the sequential test has been undertaken. If the sequential test is passed then a sequential approach should be taken to locating development within the site i.e. by placing the highest vulnerability uses outside of the flood zones. An appropriate easement from the Sow Brook, which is an ordinary watercourse, will need to be agreed with the Lead Local Flood Authority (LLFA).

We do note that the proposed relief road appears to cut through part of the area shown to be within flood zones 2 and 3. If this is the case then the development of the relief road should look at opportunities to improve the flood risk situation, and as a minimum, not increase flood risk to the site, or to others.

We reiterate the potential impact from existing industrial activities at Hallam Fields on new residents moving into the proposed residential development to the south west of Hallam Fields. We have had a number of reports of amenity incidents from existing residents, related to sites the Environment Agency regulates. We produce regular newsletters to inform residents of the measures we are requiring operators to take to resolve those problems. We can provide a copy of our latest newsletter for your information if required. New residents considering moving into this development should be made aware of the history of amenity complaints in the local area. Whilst we continue to drive operators to make environmental improvements at the sites we regulate, we cannot guarantee that there will be no impact from existing industrial activities.

We would recommend the following points are added in as requirements for this strategic housing allocation:

- A site specific Flood Risk Assessment ensuring that any development, including the proposed relief road, looks at opportunities to reduce the impacts of all sources of flood risk incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.

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- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.
- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for biodiversity net gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.
- A report detailing the impact of existing and proposed industrial activities on the new housing development from an amenity perspective and any mitigation measures that may be required.

Strategic Policy 1.6 – North of Cotmanhay

The site is situated in flood zone 1 and the Lead Local Flood Authority (LLFA) are the relevant authority to provide comments on surface water matters. We would recommend the following points are added in as requirements for this strategic housing allocation:

- A site specific Flood Risk Assessment incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.
- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.
- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for biodiversity net gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.

Strategic Policy 2.1 – Stanton North

The northern part of this site is situated within the fluvial flood zones 2 and 3 from the main river Nut Brook. Development should be kept outside of the fluvial flood zones. If development is proposed within the flood zones, the sequential test will need to be undertaken by the local planning authority (LPA). If the sequential test is passed then a sequential approach should be taken to locating development within the site i.e. by placing the highest vulnerability uses outside of the flood zones. At the time of this consultation, a planning application is live for this proposed development and no built

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development is proposed in the northern part of the site or near the culverted section of the Nut Brook and therefore there are no plans to deculvert the Nut Brook. If future applications are submitted that look at the opportunities to deculvert the Nut Brook we would be supportive as this could provide opportunities to enhance the green and blue infrastructure within the area, however any proposal can not increase flood risk to the site, or to others. We would recommend any future applicant engages early with the Environment Agency if they are proposing deculverting. If the culverted section is to remain in situ then an 8m easement from the culverted either side of the Nutbrook should be maintained.

This allocation is located near to existing industrial activities situated at Hallam Fields. There have been a number of reports in the past of amenity incidents associated with the existing industrial activities. New businesses and industries within this employment allocation should be made aware of the history of amenity complaints. Any new industrial activities proposed within this allocation should check with the Environment Agency to understand what Environmental Permits may be required. Where permits are required we would encourage early engagement from the developer and recommend that any future permit application for industrial activities at this site should be parallel tracked alongside any associated planning application to allow both regulatory processes to be undertaken at the same time.

We would recommend the following points are added in as requirements for this strategic employment allocation:

- A site specific Flood Risk Assessment ensuring that development looks at opportunities to reduce the impacts of fluvial flood risk as well as incorporating surface water control measures (SUDS) throughout the development.
- Sustainable drainage systems (SuDS) should explore opportunities to reduce runoff rates from existing greenfield and as a minimum to retain surface water flows at greenfield run off rates. SuDS should be integrated into the proposed and existing green/blue infrastructure.
- Opportunities to provide significant biodiversity net gain above the minimum 10% requirement (eg 20% BNG) should be explored to understand the opportunities available as part of the development proposal including providing suitable habitat buffers around any ordinary watercourses situated on site.
- On site green and blue infrastructure should be incorporated within the development linking in with the wider requirements for biodiversity net gain and surface water management.
- A phase 1 habitat survey should be undertaken.
- Opportunities to deculvert the Nutbrook should be explored to help improve the biodiversity and habitat. Flood risk would also need to be considered to ensure any deculverting does not increase flood risk and should look at opportunities to reduce the impact of flood risk to the site and to others.
- The site should ensure that there is sufficient capacity in the receiving sewage treatment works and where required, suitable phasing of the development, to allow for any future upgrades if required. Engagement with Severn Trent Water will be required to understand the current situation.
- A contamination and ground condition survey.
- Where required, the developer should contact the Environment Agency to understand the Environmental Permit requirements for any proposed waste or regulated industry development proposals. Twin tracking of both planning and

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permitting applications should be considered to help with the determination of both applications.

- A report looking at the impact of the proposed development on nearby receptors from an amenity perspective, the impact of existing industrial activities on the proposed new industrial and commercial premises from an amenity perspective, and any mitigation measures that may be required.

Strategic Policy 4 – Transport

As highlighted within our response to strategic policy 1.5, the proposed Kirk Hallam relief road appears to cut through part of the area shown to be within flood zones 2 and 3. If this is the case then the development of the relief road should look at opportunities to improve the flood risk situation, and as a minimum, not increase flood risk to the site, or to others. A suitable flood risk assessment will need to be provided as part of a future application for the development of this relief road. The development of the road should also look at opportunities to provide wider environmental enhancements such as biodiversity net gain, and opportunities to improve the water quality within the area.

Strategic Policy 5 –Green Infrastructure

We welcome that a Green Infrastructure (GI) policy will become part of Erewash's strategic plan. We would suggest that the policy title could be amended to included Blue infrastructure ie 'Blue and Green Infrastructure'. We would encourage the policy wording to also include reference to blue infrastructure as well as green infrastructure. We welcome that the objectives of the policy to require 'sustainable flood water management'. We would ask that the policy objectives could be strengthened to require 'reductions in all types of flood risk'. Whilst the NPPF requires development to ensure flood risk is not increased, this policy offers the opportunity for proposals within these areas to provide reductions in flood risk from all forms of flood risk.

We welcome that the objective also looks to require biodiversity improvements. The Environment Bill requires a minimum of 10% biodiversity net gain (BNG) to be provided. Given the important nature of these strategic corridors this gives the opportunity for the objectives for these areas to ask for more. We would encourage the objective to be enhanced to ask for proposals to provide a greater amount of BNG, for example '***a minimum of 20% biodiversity net gain***'.

The objectives should also include opportunities to improve wider multifuncational environmental enhancements for example water quality improvements. An objective could be added along the lines of '***multifunctional environmental enhancements should be provided, including opportunities to improve water quality'***.

Yours sincerely

[redacted]

[redacted]

End

From:	Planning
Sent time:	09/05/2022 07:40:14
To:	Planning Policy
Subject:	FW: Acorn Way Development

Kind regards,

[redacted]

From: [redacted]
Sent: 08 May 2022 23:34
To: [redacted]
Subject: Acorn Way Development

Policy Document reference: Strategic Policy 1.3 – Acorn Way

Policy document statement: "Land west of Acorn Way as shown on the Policies Map is allocated for strategic residential development of around 600 homes"

I would like to express opposition to this development on the following grounds.

Traffic on Morley Road is already at a very high level in early morning and late afternoon and the development will increase traffic further, the consequences including a) increased air pollution (effects on health well-known but detailed in the UK Government publication 'Guidance: Health Matters: air pollution' published 2018), b) Morley Road is already practically unusable when Leesbrook School opens and closes; additional residents/pupils and more cars will make the problem even worse, c) increased carbon emissions as a result of increased queueing of vehicles around Lees Brook School on Morley Road.

Regards

David Clarke

[redacted]

From:	Duncan Inwood <dinwoodtp6@gmail.com>
Sent time:	09/05/2022 21:10:08
To:	Planning Policy
Subject:	Proposed Erewash Core Strategy Reviw

Dear Sir/Madam,

I am responding on behalf of the Derby and Sandiacre Canal Trust.

I am concerned that the saved policies R1 and T4/T5 are being replaced in the Review and are not as strong in relation to the protection and restoration of the canal.

I would request that the Strategic Policies on Transport and Green Infrastructure include reference to the Derby and Sandiacre Canal.

The proposed policy review has the objective of providing high quality walking and cycling networks and to widen transport choice. The existing route and the restored canal will provide these aspects and in a strategic context link the Erewash Canal and other routes with routes to the west.

Additionally, it provides and will provide through restoration a significant green and blue corridor across the Borough and with links beyond. The Trust is keen to promote its use as a multi user route which will have the potential to link through Derby to the Derwent Valley Cycle route and via the Erewash Canal to the Nutbrook Trail and Great Northern Greenway and River Trent routes.

I would request, therefore, that these aspects are taken into account and the policies amended accordingly.

Should you require further detail please contact me.

Kind Regards

Duncan Inwood

Derby and Sandiacre Canal Trust

[redacted]

From: [redacted]
Sent time: 06/05/2022 14:57:25
To: Planning Policy
Cc: [redacted]
Subject: Submission of Representations and Site Promotion - Regulation 19 Consultation (Land at Thacker Farm, north west of Kirk Hallam)
Attachments: 220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf 220506 - EBC Regulation 19 Reps (FINAL) land at Thacker Farm.pdf

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Dear Sir/Madam,

Please find enclosed representations to the current Regulation 19 Consultation and site promotion for Land at Thacker Farm, north west of Kirk Hallam.

The attachments include a completed consultation form and Representations, with the following link including a copy of attached representations with the associated appendices. Regulation 19 Consultation - FINAL Reps, Thacker Farm

We would be grateful if you could please confirm receipt of our email and representations.

Kindest regards

[redacted]

220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf

www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed.

Title(*) Mr

First Name(*) James

Surname(*) Smith

Job Title (where relevant) Managing Director

Organisation (where relevant) Peveril Homes Limited

Address(*) c/o Agent

Postcode(*) c/o Agent

Telephone number(*) c/o Agent

Email Address(*) c/o Agent

Agent's details (if applicable) Include name, address, contact number and email

[redacted]

220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf

To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)(*)

Policies [X] Policies Map [ ] Other text [x]

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.(*)

Sustainability Appraisal; Draft Policies and Spatial Structure

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes [ ] No [x]

Do you consider the Core Strategy Review is sound?(*)

Yes [ ] No [x]

Do you consider the Core Strategy Review Representation complies with the duty to operate?(*)

Yes [ ] No [x]

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see response in our representations accompanying this form.

220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf

Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see response in our representations accompanying this form.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**(*)**

☐ No, I do not wish to participate in hearing session(s)

☒ Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would welcome an opportunity to address an Inspector during any hearing sessions for the Core Strategy Review to discuss the matters raised in our representations submitted during the various stages of consultation.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in
hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination

220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf

Please use this space to continue any of your answers.

Please see our full representations accompanying this form, which includes the promotion of our client's site – Land at Thacker Farm, north west of Kirk Hallam.

220506 - EBC Regulation 19 Reps (FINAL) land at Thacker Farm.pdf

[redacted]

6th May 2022

[redacted]

Dear Sir/Madam,

REPRESENTATIONS TO THE DRAFT EREWASH CORE STRATEGY REVIEW (PUBLICATION VERSION) REGULATION 19 CONSULTATION ON BEHALF OF PEVERIL HOMES LIMITED AND SITE PROMOTION

Introduction

[redacted] are instructed by Peveril Homes Limited (referred to as 'our client' hereafter) to submit representations to the current Regulation 19 Consultation on the draft Erewash Core Strategy Review (Publication Version). Our client is also the owner of land shown edged in red on the enclosed Site Location Plan (Appendix 1), referred to as 'Land at Thacker Farm, North West of Kirk Hallam', which in the context of these representations is being promoted for development.

Whilst our client supports the Authority's approach to release land from the Green Belt to deliver new development, we have significant concerns with the Regulation 19 Consultation as it is supported by very limited evidence base as per the documents available on the Council's website (see Appendix 2 for a copy of the consultation page). The absence of a robust evidence base brings into question the soundness of the plan-making process as there is no clear justification for the proposed approach, which again raises the significant concern that the Authority has not fully assessed all reasonable opportunities for growth in the Borough.

These representations are therefore submitted in response to the consultation questions forming part of this Regulation 19 Consultation, in the context of the matters set out above with regards to the Sustainability Appraisal; Draft Strategic Policy 1 – Housing; Draft Strategic Policy 5 – Green Infrastructure and the promotion of our client's site.

Do you consider the Core Strategy Review is Legally Compliant?
No. The Core Strategy Review fails to be supported by appropriate evidence base documents to justify the proposed approach for the distribution of housing growth in the Borough ((see Appendix 2 for a copy of the consultation page). Furthermore, the Sustainability Appraisal for this Regulation 19 consultation has failed to demonstrate that the authority has considered reasonable alternatives to accommodate growth.

Guidance on the preparation of a Sustainability Appraisal (SA) during the plan-making process is set out in the Planning Practice Guidance (PPG) dated March 2014 (as amended), where Paragraph 001 Reference ID: 11-001-20190722 states as follows:

[redacted]

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> *"A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives..."* (Underlining is our emphasis).

As such, to assess the extent to which an emerging plan will help achieve relevant environment, economic and social objectives, there is an obligation on the authority that such an assessment is judged against reasonable alternatives.

Whilst the Sustainability Appraisal summarises the various 'housing growth' options, it fails to set out firstly, the options for calculating the Objectively Assessed Housing Need (OAHN), and secondly, how the various housing growth 'options' have been assessed against the delivery of the preferred OAHN figure against environmental, economic and social objectives.

We would expect the Sustainability Appraisal to assess reasonable alternatives in identifying the Borough's OAHN. For example, through applying the Standard Methodology as required by Paragraph 61 of the National Planning Policy Framework (published July 2021) but also applying a 'buffer', which would be a reasonable alternative in light of the authority having under delivered against their housing requirement in previous years. This continues to be reflected in the recent Housing Delivery Test 2021, which shows Erewash Borough Council as a 'buffer' authority due to a lack of housing delivery between the period of 2018-2021, with 782 dwellings being delivered in this period against a housing requirement of 990 dwellings i.e. 79% delivery rate. The lack of housing delivery should therefore be taken into account as part of any housing need for the emerging plan period.

In our view, the SA does not currently provide a sound appraisal that supports the proposed strategy for the Core Strategy Review as it has not had regard to all reasonable alternatives.

Do you consider the Core Strategy Review is sound?
No. The Regulation 19 consultation fails to meet the tests of soundness as required under Paragraph 35 of the National Planning Policy Framework (NPPF) as it has not been positively prepared or justified in the absence of appropriate evidence base documents.

Part 1 of Draft Strategic Policy 1 – Housing, refers to an Objectively Assessed Housing Need (OAHN) of 5,800 net new homes. There is no evidence accompanying this Regulation 19 Consultation which demonstrates how the authority have calculated the OAHN and so cannot be viewed as being positively prepared or justified. The authority has not included a Housing Land Supply Statement in support of this Regulation 19 Consultation. In the absence of this, through our separate research, we have found that within the authority's 5 year land supply statement – dated December 2019, the authority is found to have a 3.43 years supply. But, this document and neither any updated version forms part of documents supporting this Regulation 19 Consultation.

The authority has been under delivering against its housing need, which is reflected in the Housing Delivery Test 2021, but also previous Housing Delivery Test results, and so it is unclear if the proposed OAHN takes account of this.

The Settlement Hierarchy at Part 2 of Draft Strategic Policy 1 Housing also proposes the allocation of land into the Green Belt. Paragraph 140 of the NPPF outlines that *"once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans…" (Underlining is our emphasis).*

Our client does not necessarily disagree that the authority would need to look at land within the Green Belt, but there is no evidence of the authority undertaking a Green Belt Review Assessment. It is noted that the Strategic Growth Assessment (dated March 2021) supporting this Regulation 19 consultation includes an assessment of proposed allocations against the five purposes for including land within the Green Belt, which are set out at Paragraph 138 of the NPPF. However, this does not represent a Green Belt Review Assessment in the context of justifying the exceptional circumstances to remove land from

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[redacted]

the Green Belt and demonstrating that the most suitable sites have been identified to accommodate growth. The absence of a Green Belt Review Assessment means that it is difficult to quantify that the authority has not overlooked other sites, which may also be suitable for removal from the Green Belt to accommodate growth.

In addition to the above, we note that the authority is proposing to introduce Strategic Green Infrastructure Corridors. Draft Strategic Policy 5 –Green Infrastructure outlines that the objective for these corridors is as follows:

- Sustainable flood water management;
- Biodiversity improvement, including natural carbon capture;
- Active travel; and
- Open space recreational uses.

Similar to our comments above, this Regulation 19 Consultation is not supported by any evidence base documents justifying both the need and proposed locations for the Strategic Green Infrastructure Corridors. The proposed allocation and location for these corridors did not form part of the previous rounds of consultation and so again, the justification for introducing Strategic Green Infrastructure Corridors during a Regulation 19 Consultation brings the soundness of the plan-making process into question.

Do you consider the Core Strategy Review Representation complies with the duty to cooperate?
No. Paragraph 24 of the National Planning Policy Framework (NPPF) states that *"local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries."* There is no evidence within the consultation documents of Erewash Borough Council having undertaken their duty to cooperate with the adjoining authorities or prescribed bodies etc. as required under Paragraph 24 of the NPPF. This means that it is unknown if the Objectively Assessed Housing Need (OAHN) within Draft Strategy Policy 1 – Housing, has taken account of any unmet need outside the authority's administration area, and therefore, is unlikely to have been prepared effectively as required under the tests of soundness at Paragraph 35 of the NPPF.

Site Promotion – Land at Thacker Farm, North West of Kirk Hallam

The authority will be aware that our client's site has been promoted as part of the previous consultation stages for this Core Strategy Review. Our client's site is located in the Green Belt and comprises circa 63 hectares (ha) of land at Thacker Farm, North West of Kirk Hallam.

It is noted that the Council have previously rejected our client's site due to concerns that development would reduce the separation between Kirk Hallam and West Hallam Depot. We do not agree with this view as consideration should be given to the functionality of West Hallam Depot, which comprises an industrial estate.

Our client's site is in a sustainable location, abutting Kirk Hallam and therefore, is in close proximity to existing services and transport linkages offering connectivity. The authority has accepted through the Spatial Structure within the Core Strategy Review that new growth is to be accommodated through an expansion to Kirk Hallam. Our client's site is located to the north of the proposed allocation (draft Strategic Policy 1.5 – South West of Kirk Hallam) and can accommodate additional growth, but also offer the ability to extend the proposed relief road providing improved connectivity to the A609 in the north.

One point that we do wish to raise is that the authority's justification for the proposed relief road is unclear as there is no transport evidence base justifying both its need and position. For example, there is no reference for the proposed relief road within the Derbyshire Local Transport Plan 2012-2026. Notwithstanding this, our client's site offers available land next to Kirk Hallam and can accommodate additional housing growth, which we expect will be required as there is no justification for the currently proposed OAHN figure or evidence of the authority undertaking their duty to cooperate.

[redacted]

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[redacted]

It is noted that the authority is proposing to introduce Strategic Green Infrastructure Corridors, part of which extends onto our client's site. We object to the inclusion of Strategic Green Infrastructure Corridors as there is no evidence base to justify both the need and proposed location of these corridors.

With this parcel of land falling in the Green Belt, its proposed removal has been assessed against the provisions of Paragraph 138 of the NPPF, which identifies the five purposes for including land in the Green Belt as follows:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In assessing our client's site against the five purposes of including land within the Green Belt, we comment as follows:

- **Green Belt Purpose a): Checking the Unrestricted Sprawl of Large Built-Up Areas** – As discussed above, the authority has accepted through the Spatial Structure within the Core Strategy Review that new growth is to be accommodated through an expansion to Kirk Hallam. Our client's site is located to the north of the proposed allocation under draft Strategic Policy 1.5 – South West of Kirk Hallam and can accommodate additional growth. The authority's acceptance of growth in this location would not therefore result in unrestricted sprawl through the release of our client's site in the context of Purpose a).

- **Green Belt Purpose b): Preventing the Merging of Neighbouring Towns** – Our client's site would not result in the merging of neighbouring towns as the site abuts Kirk Hallam along its north-western boundary. Whilst we note West Hallam Depot is situated to the west of our client's site, we do wish to emphasise that West Hallam Depot comprises a standalone industrial estate and not a town. As such, we do not consider that the release of this site from the Green Belt would conflict with Purpose b).

- **Green Belt Purpose c): Safeguarding the Countryside from Encroachment** – Whilst the site would introduce development on greenfield land, the site is not isolated being adjacent to Kirk Hallam. As such, we do not believe that the proposed site area would lead to an unacceptable level of development in the context of Purpose c).

- **Green Belt Purpose d): Preserve the Setting and Special Character of Historic Towns** – The site is not located within a Conservation Area and neither does it contain other heritage designations. Therefore, we do not believe that the release of this site from the Green Belt would result in unacceptable heritage harm in the context of Purpose d).

- **Green Belt Purpose e): To assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – Due to the site being greenfield, it would not assist in the regeneration of derelict or other urban land. However, the authority accepts there is insufficient brownfield sites within the Borough to meet the identified need and so the release of this site would not conflict with Purpose e).

Overall, the release of this site for development would not result in significant impact on the five purposes of including land in the Green Belt and represents an appropriate extension of Kirk Hallam to accommodate growth in the Borough in a sustainable location.

[redacted]

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[redacted]

Summary and Conclusions

As noted above, whilst our client supports the authority's approach in releasing land from the Green Belt to accommodate growth, as discussed in detail above, there are significant concerns with the Regulation 19 Consultation as there is a very limited evidence base to justify the authority's proposed approach. Therefore, we do not consider the consultation meets the tests of soundness as required under Paragraph 35 of the NPPF as it has not been positively prepared or justified.

Prior to any submission of the draft Core Strategy Review to the Secretary of State for Examination, we request that the authority publish the supporting evidence base for a re-consultation process. Our client's site, which is in the Green Belt, has been demonstrated above to be a suitable and deliverable site, and one that would not conflict with the purposes of including land within the Green Belt and should be reconsidered by the authority as a proposed allocation.

We trust that our representations will be taken into account as part of the ongoing preparation of a Core Strategy Review.

Yours faithfully,

[redacted]

[redacted]

Enc.

APPENDICES

Appendix 1 Location Plan – 'Land at Thacker Farm, North West of Kirk Hallam

Appendix 2 Copy of Erewash Borough Council's Regulation 19 Consultation webpage

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[redacted]

Appendices

[redacted]

220506 - EBC Regulation 19 Reps (FINAL) land at Thacker Farm.pdf

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Appendix 1

[redacted]

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Appendix 2

[redacted]

From: [redacted]
Sent time: 06/05/2022 14:57:25
To: Planning Policy
Cc: [redacted]
Subject: Submission of Representations and Site Promotion - Regulation 19 Consultation (Land at Thacker Farm, north west of Kirk Hallam)
Attachments: 220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Thacker Farm.pdf 220506 - EBC Regulation 19 Reps (FINAL) land at Thacker Farm.pdf

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Dear Sir/Madam,

Please find enclosed representations to the current Regulation 19 Consultation and site promotion for Land at Thacker Farm, north west of Kirk Hallam.

The attachments include a completed consultation form and Representations, with the following link including a copy of attached representations with the associated appendices. Regulation 19 Consultation - FINAL Reps, Thacker Farm

We would be grateful if you could please confirm receipt of our email and representations.

Kindest regards

[redacted]

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www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed.

Title(*) Mr

First Name(*) James

Surname(*) Smith

Job Title (where relevant) Managing Director

Organisation (where relevant) Peveril Homes Limited

Address(*) c/o Agent

Postcode(*) c/o Agent

Telephone number(*) c/o Agent

Email Address(*) c/o Agent

Agent's details (if applicable) Include name, address, contact number and email

[redacted]

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To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)(*)

Policies [X] Policies Map [ ] Other text [x]

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.(*)

Sustainability Appraisal; Draft Policies and Spatial Structure

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes [ ] No [x]

Do you consider the Core Strategy Review is sound?(*)

Yes [ ] No [x]

Do you consider the Core Strategy Review Representation complies with the duty to operate?(*)

Yes [ ] No [x]

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see response in our representations accompanying this form.

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Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see response in our representations accompanying this form.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**(*)**

☐ No, I do not wish to participate in hearing session(s)

☒ Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would welcome an opportunity to address an Inspector during any hearing sessions for the Core Strategy Review to discuss the matters raised in our representations submitted during the various stages of consultation.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in
hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination

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[redacted]

6th May 2022

[redacted]

Sent via email only: [redacted]

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[redacted]

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With this parcel of land falling in the Green Belt, its proposed removal has been assessed against the provisions of Paragraph 138 of the NPPF, which identifies the five purposes for including land in the Green Belt as follows:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In assessing our client's site against the five purposes of including land within the Green Belt, we comment as follows:

- **Green Belt Purpose a): Checking the Unrestricted Sprawl of Large Built-Up Areas** – As discussed above, the authority has accepted through the Spatial Structure within the Core Strategy Review that new growth is to be accommodated through an expansion to Kirk Hallam. Our client's site is located to the north of the proposed allocation under draft Strategic Policy 1.5 – South West of Kirk Hallam and can accommodate additional growth. The authority's acceptance of growth in this location would not therefore result in unrestricted sprawl through the release of our client's site in the context of Purpose a).

- **Green Belt Purpose b): Preventing the Merging of Neighbouring Towns** – Our client's site would not result in the merging of neighbouring towns as the site abuts Kirk Hallam along its north-western boundary. Whilst we note West Hallam Depot is situated to the west of our client's site, we do wish to emphasise that West Hallam Depot comprises a standalone industrial estate and not a town. As such, we do not consider that the release of this site from the Green Belt would conflict with Purpose b).

- **Green Belt Purpose c): Safeguarding the Countryside from Encroachment** – Whilst the site would introduce development on greenfield land, the site is not isolated being adjacent to Kirk Hallam. As such, we do not believe that the proposed site area would lead to an unacceptable level of development in the context of Purpose c).

- **Green Belt Purpose d): Preserve the Setting and Special Character of Historic Towns** – The site is not located within a Conservation Area and neither does it contain other heritage designations. Therefore, we do not believe that the release of this site from the Green Belt would result in unacceptable heritage harm in the context of Purpose d).

- **Green Belt Purpose e): To assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – Due to the site being greenfield, it would not assist in the regeneration of derelict or other urban land. However, the authority accepts there is insufficient brownfield sites within the Borough to meet the identified need and so the release of this site would not conflict with Purpose e).

Overall, the release of this site for development would not result in significant impact on the five purposes of including land in the Green Belt and represents an appropriate extension of Kirk Hallam to accommodate growth in the Borough in a sustainable location.

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[redacted]

Summary and Conclusions

As noted above, whilst our client supports the authority's approach in releasing land from the Green Belt to accommodate growth, as discussed in detail above, there are significant concerns with the Regulation 19 Consultation as there is a very limited evidence base to justify the authority's proposed approach. Therefore, we do not consider the consultation meets the tests of soundness as required under Paragraph 35 of the NPPF as it has not been positively prepared or justified.

Prior to any submission of the draft Core Strategy Review to the Secretary of State for Examination, we request that the authority publish the supporting evidence base for a re-consultation process. Our client's site, which is in the Green Belt, has been demonstrated above to be a suitable and deliverable site, and one that would not conflict with the purposes of including land within the Green Belt and should be reconsidered by the authority as a proposed allocation.

We trust that our representations will be taken into account as part of the ongoing preparation of a Core Strategy Review.

Yours faithfully,

[redacted]

[redacted]

Enc.

APPENDICES

Appendix 1 Location Plan – 'Land at Thacker Farm, North West of Kirk Hallam

Appendix 2 Copy of Erewash Borough Council's Regulation 19 Consultation webpage

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[redacted]

Appendices

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[redacted]

Appendix 1

[redacted]

220506 - EBC Regulation 19 Reps (FINAL) land at Thacker Farm.pdf

[redacted]

Appendix 2

[redacted]

From: [redacted]

Sent time: 06/05/2022 14:58:28

To: Planning Policy

Cc: [redacted]

Subject: Submission of Representations and Site Promotion - Regulation 19 Consultation (Land off Larch Drive, Cloudside, Sandiacre)

Attachments: 220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Cloudside.pdf 220506 - EBC Regulation 19 Reps (FINAL) Land at Cloudside.pdf

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Dear Sir/Madam,

Please find enclosed representations to the current Regulation 19 Consultation and site promotion for Land off Larch Drive, Cloudside, Sandiacre.

The attachments include a completed consultation form and Representations, with the following link including a copy of attached representations with the associated appendices. Regulation 19 Consultation - FINAL Reps - Cloudside, Sandiacre

I would be grateful if you could please confirm receipt of this email and representations.

Kindest regards

[redacted]

[redacted]

[redacted]

[redacted]

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www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed.

Title(*) Mr

First Name(*) James

Surname(*) Smith

Job Title (where relevant) Managing Director

Organisation (where relevant) Peveril Homes Limited

Address(*) c/o Agent

Postcode(*) c/o Agent

Telephone number(*) c/o Agent

Email Address(*) c/o Agent

Agent's details (if applicable) Include name, address, contact number and email

[redacted]

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To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)(*)

Policies [X] Policies Map [ ] Other text [x]

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.(*)

Sustainability Appraisal; Draft Policies and Spatial Structure

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes [ ] No [x]

Do you consider the Core Strategy Review is sound?(*)

Yes [ ] No [x]

Do you consider the Core Strategy Review Representation complies with the duty to operate?(*)

Yes [ ] No [x]

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see response in our representations accompanying this form.

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Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see response in our representations accompanying this form.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**(*)**

☐ No, I do not wish to participate in hearing session(s)

☒ Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would welcome an opportunity to address an Inspector during any hearing sessions for the Core Strategy Review to discuss the matters raised in our representations submitted during the various stages of consultation.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in
hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination

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Please use this space to continue any of your answers.

Please see our full representations accompanying this form, which includes the promotion of our client's site – Land off Larch Drive, Cloudside, Sandiacre.

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[redacted]

[redacted]

6th May 2022

[redacted]

Sent via email only: [redacted]

Dear Sir/Madam,

REPRESENTATIONS TO THE DRAFT EREWASH CORE STRATEGY REVIEW (PUBLICATION VERSION) REGULATION 19 CONSULTATION ON BEHALF OF PEVERIL HOMES LIMITED AND SITE PROMOTION

Introduction

[redacted] are instructed by Peveril Homes Limited (referred to as 'our client' hereafter) to submit representations to the current Regulation 19 Consultation on the draft Erewash Core Strategy Review (Publication Version). Our client is also the owner of land shown edged in red on the enclosed Site Location Plan (Appendix 1), referred to as 'Land off Larch Drive, Cloudside, Sandiacre', which in the context of these representations is being promoted for development.

Whilst our client supports the Authority's approach to release land from the Green Belt to deliver new development, we have significant concerns with the Regulation 19 Consultation as it is supported by very limited evidence base as per the documents available on the Council's website (see Appendix 2 for a copy of the consultation page). The absence of a robust evidence base brings into question the soundness of the plan-making process as there is no clear justification for the proposed approach, which again raises the significant concern that the Authority has not fully assessed all reasonable opportunities for growth in the Borough.

These representations are therefore submitted in response to the consultation questions forming part of this Regulation 19 Consultation, in the context of the matters set out above with regards to the Sustainability Appraisal and Draft Strategic Policy 1 – Housing; with the promotion of our client's site.

Do you consider the Core Strategy Review is Legally Compliant?
No. The Core Strategy Review fails to be supported by appropriate evidence base documents to justify the proposed approach for the distribution of housing growth in the Borough ((see Appendix 2 for a copy of the consultation page). Furthermore, the Sustainability Appraisal for this Regulation 19 consultation has failed to demonstrate that the authority has considered reasonable alternatives to accommodate growth.

Guidance on the preparation of a Sustainability Appraisal (SA) during the plan-making process is set out in the Planning Practice Guidance (PPG) dated March 2014 (as amended), where Paragraph 001 Reference ID: 11-001-20190722 states as follows:

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> *"A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives..."* (Underlining is our emphasis).

As such, to assess the extent to which an emerging plan will help achieve relevant environment, economic and social objectives, there is an obligation on the authority that such an assessment is judged against reasonable alternatives.

Whilst the Sustainability Appraisal summarises the various 'housing growth' options, it fails to set out firstly, the options for calculating the Objectively Assessed Housing Need (OAHN), and secondly, how the various housing growth 'options' have been assessed against the delivery of the preferred OAHN figure against environmental, economic and social objectives.

We would expect the Sustainability Appraisal to assess reasonable alternatives in identifying the Borough's OAHN. For example, through applying the Standard Methodology as required by Paragraph 61 of the National Planning Policy Framework (published July 2021) but also applying a 'buffer', which would be a reasonable alternative in light of the authority having under delivered against their housing requirement in previous years. This continues to be reflected in the recent Housing Delivery Test 2021, which shows Erewash Borough Council as a 'buffer' authority due to a lack of housing delivery between the period of 2018-2021, with 782 dwellings being delivered in this period against a housing requirement of 990 dwellings i.e. 79% delivery rate. The lack of housing delivery should therefore be taken into account as part of any housing need for the emerging plan period.

In our view, the SA does not currently provide a sound appraisal that supports the proposed strategy for the Core Strategy Review as it has not had regard to all reasonable alternatives.

Do you consider the Core Strategy Review is sound?
No. The Regulation 19 consultation fails to meet the tests of soundness as required under Paragraph 35 of the National Planning Policy Framework (NPPF) as it has not been positively prepared or justified in the absence of appropriate evidence base documents.

Part 1 of Draft Strategic Policy 1 – Housing, refers to an Objectively Assessed Housing Need (OAHN) of 5,800 net new homes. There is no evidence accompanying this Regulation 19 Consultation which demonstrates how the authority have calculated the OAHN and so cannot be viewed as being positively prepared or justified. The authority has not included a Housing Land Supply Statement in support of this Regulation 19 Consultation. In the absence of this, through our separate research, we have found that within the authority's 5 year land supply statement – dated December 2019, the authority is found to have a 3.43 years supply. But, this document and neither any updated version forms part of documents supporting this Regulation 19 Consultation.

The authority has been under delivering against its housing need, which is reflected in the Housing Delivery Test 2021, but also previous Housing Delivery Test results, and so it is unclear if the proposed OAHN takes account of this.

The Settlement Hierarchy at Part 2 of Draft Strategic Policy 1 Housing also proposes the allocation of land into the Green Belt. Paragraph 140 of the NPPF outlines that *"once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans..." (Underlining is our emphasis).*

Our client does not necessarily disagree that the authority would need to look at land within the Green Belt, but there is no evidence of the authority undertaking a Green Belt Review Assessment. It is noted that the Strategic Growth Assessment (dated March 2021) supporting this Regulation 19 consultation includes an assessment of proposed allocations against the five purposes for including land within the Green Belt, which are set out at Paragraph 138 of the NPPF.

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However, this does not represent a Green Belt Review Assessment in the context of justifying the exceptional circumstances to remove land from the Green Belt and demonstrating that the most suitable sites have been identified to accommodate growth. The absence of a Green Belt Review Assessment means that it is difficult to quantify that the authority has not overlooked other sites, which may also be suitable for removal from the Green Belt to accommodate growth.

Do you consider the Core Strategy Review Representation complies with the duty to cooperate?
No. Paragraph 24 of the National Planning Policy Framework (NPPF) states that *"local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries."* There is no evidence within the consultation documents of Erewash Borough Council having undertaken their duty to cooperate with the adjoining authorities or prescribed bodies etc. as required under Paragraph 24 of the NPPF. This means that it is unknown if the Objectively Assessed Housing Need (OAHN) within Draft Strategy Policy 1 – Housing, has taken account of any unmet need outside the authority's administration area, and therefore, is unlikely to have been prepared effectively as required under the tests of soundness at Paragraph 35 of the NPPF.

Site Promotion – Land off Larch Drive, Cloudside, Sandiacre

Our client's site is located in the Green Belt, comprising circa 5.2 hectares (ha) located off Larch Drive, leading from an existing residential area to the south. The site lies immediately adjacent to the M1 motorway, which runs along the north/western boundary. An existing public footpath crosses the site connecting to a footbridge over the M1. To the northeast lies a wildlife site – the Stoney Clouds Nature Reserve and Sandiacre 'Cloud Side' Conservation Area, however, the site itself does not fall within either of these designations. The site is not shown to be at risk of flooding as per the gov.uk online flood mapping facility. The extent of land is shown on the location plan included at Appendix 1 of these representations.

It is noted that Sandiacre is at the top of the proposed Spatial Structure for Erewash in the Core Strategy Review, which refers to *"The Long Eaton Urban Area, including Long Eaton, Sandiacre, and Sawley, is part of the Nottingham Conurbation."* With the site being within Sandiacre it is located within a sustainable location in close proximity to both existing services and transport linkages offering connectivity.

We note that the position of the site next to the M1 Motorway will require matters relating to noise and air quality to be fully assessed and mitigated as necessary. However, the sites position next to the M1 Motorway should not preclude it being considered in the context of the principle for redevelopment potential in the first instance.

With this parcel of land falling in the Green Belt, its proposed removal has been assessed against the provisions of Paragraph 138 of the NPPF, which identifies the five purposes for including land in the Green Belt as follows:

a) *to check the unrestricted sprawl of large built-up areas;*
b) *to prevent neighbouring towns merging into one another;*
c) *to assist in safeguarding the countryside from encroachment;*
d) *to preserve the setting and special character of historic towns; and*
e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

In assessing our client's site against the five purposes of including land within the Green Belt, we comment as follows:

- **Green Belt Purpose a): Checking the Unrestricted Sprawl of Large Built-Up Areas** - The site is not isolated from the existing built as it is located immediately adjacent to the built form of Sandiacre, with the M1 motorway along the north to western boundary comprising a physical barrier. As such, the proposed site is a contained parcel, and thus its release from the Green

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Belt would not result in unrestricted sprawl of large built up areas and therefore, would not conflict with Purpose a).

- **Green Belt Purpose b): Preventing the Merging of Neighbouring Towns** – Our client's site would not result in the merging with another town as it comprises a parcel of land abutting an existing residential area of Sandiacre. As commented above in respect of Purpose a), the M1 motorway forms a physical barrier, which further prevents the merging of towns and therefore, the release of the site from the Green Belt would not conflict with Purpose b).

- **Green Belt Purpose c): Safeguarding the Countryside from Encroachment** – The site is not isolated or disconnected from Sandiacre and therefore, would not lead to an encroachment of the countryside in terms of Purpose c).

- **Green Belt Purpose d): Preserve the Setting and Special Character of Historic Towns** – It is noted that the Sandiacre 'Cloud Side' Conservation Area is situated to the north east of the Site. The impact on the significance of this designated heritage assets would be taken into account as part of any development proposal. However, the site itself is not located within this Conservation Area and neither does it contain other heritage designations. As such, we do not believe that the development of this site would result in unacceptable heritage harm in the context of Purpose d).

- **Green Belt Purpose e): To assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – Due to the site being greenfield, it is acknowledged that it's development would not assist in the regeneration of derelict or other urban land. However, the authority accepts there is insufficient brownfield sites within the Borough to meet the identified need and so the release of this site would not conflict with Purpose e).

Overall, the release of this site for development would not result in significant impact on the five purposes of including land in the Green Belt and represents an appropriate redevelopment site to accommodate growth on a sustainable site.

Summary and Conclusions

As noted above, whilst our client supports the authority's approach in releasing land from the Green Belt to accommodate growth, as discussed in detail above, there are significant concerns with the Regulation 19 Consultation as there is a very limited evidence base to justify the authority's proposed approach. Therefore, we do not consider the consultation meets the tests of soundness as required under Paragraph 35 of the NPPF as it has not been positively prepared or justified. Prior to any submission of the draft Core Strategy Review to the Secretary of State for Examination, we request that the authority publish the supporting evidence base for a re-consultation process. Our client's site, which is in the Green Belt, has been demonstrated above to be a suitable and deliverable site, and one that would not conflict with the purposes of including land within the Green Belt and should be reconsidered by the authority as a proposed allocation.

We trust that our representations will be taken into account as part of the ongoing preparation of a Core Strategy Review.

Yours faithfully,

[redacted]

[redacted]

Enc.

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APPENDICES

Appendix 1 Location Plan – 'Land off Larch Drive, Cloudside, Sandiacre'

Appendix 2 Copy of Erewash Borough Council's Regulation 19 Consultation webpage.

[redacted]

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[redacted]

Appendices

[redacted]

220506 - EBC Regulation 19 Reps (FINAL) Land at Cloudside.pdf

[redacted]

Appendix 1

[redacted]

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[redacted]

Appendix 2

[redacted]

From: [redacted]
Sent time: 06/05/2022 14:59:15
To: Planning Policy
Cc: [redacted]
Subject: Submission of Representations and Site Promotion - Regulation 19 Consultation (Land north of Croft Lane, Breadsall)
Attachments: 220506 - EBC Regulation 19 Reps Forms (FINAL) Land at Breadsall.pdf 220506 - EBC Regulation 19 Reps (FINAL) Land at Breadsall.pdf

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Dear Sir/Madam,

Please find enclosed representations to the current Regulation 19 Consultation and site promotion for Land north of Croft Lane, Breadsall.

The attachments include a completed consultation form and Representations, with the following link including a copy of attached representations with the associated appendices. Regulation 19 Consultation - Final Reps, Croft Lane Breadsall

I would be grateful if you could please confirm receipt of this email and representations.

Kindest regards

[redacted]

[redacted]

[redacted]

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www.erewash.gov.uk EREWASH BOROUGH COUNCIL

Core Strategy Review Representation

The consultation runs between Monday 14 March and May 9 2022.

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterix (*) must be completed.

Title(*) Mr

First Name(*) James

Surname(*) Smith

Job Title (where relevant) Managing Director

Organisation (where relevant) Peveril Homes Limited

Address(*) c/o Agent

Postcode(*) c/o Agent

Telephone number(*) c/o Agent

Email Address(*) c/o Agent

Agent's details (if applicable) Include name, address, contact number and email

[redacted]

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To which part of the Core Strategy Review does this representation relate? (one or more must be ticked)(*)

Policies [X] Policies Map [ ] Other text [x]

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the form.(*)

Sustainability Appraisal; Draft Policies and Spatial Structure

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes [ ] No [x]

Do you consider the Core Strategy Review is sound?(*)

Yes [ ] No [x]

Do you consider the Core Strategy Review Representation complies with the duty to operate?(*)

Yes [ ] No [x]

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see response in our representations accompanying this form.

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Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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☐ No, I do not wish to participate in hearing session(s)

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hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination

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Please use this space to continue any of your answers.

Please see our full representations accompanying this form, which includes the promotion of our client's site – Land to the north of Croft Lane, Breadsall.

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[redacted]

6th May 2022

[redacted]

Sent via email only: [redacted]

Dear Sir/Madam,

REPRESENTATIONS TO THE DRAFT EREWASH CORE STRATEGY REVIEW (PUBLICATION VERSION) REGULATION 19 CONSULTATION ON BEHALF OF PEVERIL HOMES LIMITED AND SITE PROMOTION

Introduction

[redacted] are instructed by Peveril Homes Limited (referred to as 'our client' hereafter) to submit representations to the current Regulation 19 Consultation on the draft Erewash Core Strategy Review (Publication Version). Our client is also the owner of land shown edged in red on the enclosed Site Location Plan (Appendix 1), referred to as 'Land to the north of Croft Lane, Breadsall', which in the context of these representations is being promoted for development.

Whilst our client supports the Authority's approach to release land from the Green Belt to deliver new development, we have significant concerns with the Regulation 19 Consultation as it is supported by very limited evidence base as per the documents available on the Council's website (see Appendix 2 for a copy of the consultation page). The absence of a robust evidence base brings into question the soundness of the plan-making process as there is no clear justification for the proposed approach, which again raises the significant concern that the Authority has not fully assessed all reasonable opportunities for growth in the Borough.

These representations are therefore submitted in response to the consultation questions forming part of this Regulation 19 Consultation, in the context of the matters set out above with regards to the Sustainability Appraisal and Draft Strategic Policy 1 – Housing; with the promotion of our client's site.

Do you consider the Core Strategy Review is Legally Compliant?
No. The Core Strategy Review fails to be supported by appropriate evidence base documents to justify the proposed approach for the distribution of housing growth in the Borough ((see Appendix 2 for a copy of the consultation page). Furthermore, the Sustainability Appraisal for this Regulation 19 consultation has failed to demonstrate that the authority has considered reasonable alternatives to accommodate growth.

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We would expect the Sustainability Appraisal to assess reasonable alternatives in identifying the Borough's OAHN. For example, through applying the Standard Methodology as required by Paragraph 61 of the National Planning Policy Framework (published July 2021) but also applying a 'buffer', which would be a reasonable alternative in light of the authority having under delivered against their housing requirement in previous years. This continues to be reflected in the recent Housing Delivery Test 2021, which shows Erewash Borough Council as a 'buffer' authority due to a lack of housing delivery between the period of 2018-2021, with 782 dwellings being delivered in this period against a housing requirement of 990 dwellings i.e. 79% delivery rate. The lack of housing delivery should therefore be taken into account as part of any housing need for the emerging plan period.

In our view, the SA does not currently provide a sound appraisal that supports the proposed strategy for the Core Strategy Review as it has not had regard to all reasonable alternatives.

Do you consider the Core Strategy Review is sound?
No. The Regulation 19 consultation fails to meet the tests of soundness as required under Paragraph 35 of the National Planning Policy Framework (NPPF) as it has not been positively prepared or justified in the absence of appropriate evidence base documents.

Part 1 of Draft Strategic Policy 1 – Housing, refers to an Objectively Assessed Housing Need (OAHN) of 5,800 net new homes. There is no evidence accompanying this Regulation 19 Consultation which demonstrates how the authority have calculated the OAHN and so cannot be viewed as being positively prepared or justified. The authority has not included a Housing Land Supply Statement in support of this Regulation 19 Consultation. In the absence of this, through our separate research, we have found that within the authority's 5 year land supply statement – dated December 2019, the authority is found to have a 3.43 years supply. But, this document and neither any updated version forms part of documents supporting this Regulation 19 Consultation.

The authority has been under delivering against its housing need, which is reflected in the Housing Delivery Test 2021, but also previous Housing Delivery Test results, and so it is unclear if the proposed OAHN takes account of this.

The Settlement Hierarchy at Part 2 of Draft Strategic Policy 1 Housing also proposes the allocation of land into the Green Belt. Paragraph 140 of the NPPF outlines that *"once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans…" (Underlining is our emphasis).*

Our client does not necessarily disagree that the authority would need to look at land within the Green Belt, but there is no evidence of the authority undertaking a Green Belt Review Assessment. It is noted that the Strategic Growth Assessment (dated March 2021) supporting this Regulation 19 consultation includes an assessment of proposed allocations against the five purposes for including land within the Green Belt, which are set out at Paragraph 138 of the NPPF. However, this does not represent a Green Belt Review Assessment in the context of justifying the exceptional circumstances to remove land from

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the Green Belt and demonstrating that the most suitable sites have been identified to accommodate growth. The absence of a Green Belt Review Assessment means that it is difficult to quantify that the authority has not overlooked other sites, which may also be suitable for removal from the Green Belt to accommodate growth.

Do you consider the Core Strategy Review Representation complies with the duty to cooperate?
No. Paragraph 24 of the National Planning Policy Framework (NPPF) states that *"local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries."* There is no evidence within the consultation documents of Erewash Borough Council having undertaken their duty to cooperate with the adjoining authorities or prescribed bodies etc. as required under Paragraph 24 of the NPPF. This means that it is unknown if the Objectively Assessed Housing Need (OAHN) within Draft Strategy Policy 1 – Housing, has taken account of any unmet need outside the authority's administration area, and therefore, is unlikely to have been prepared effectively as required under the tests of soundness at Paragraph 35 of the NPPF.

Site Promotion – Land to the north of Croft Lane, Breadsall

Our client's site comprises circa 4.1 hectares (ha) of land as identified by the red line boundary on the Location Plan at Appendix 1 and has been promoted as part of the previous consultation stages for this Core Strategy Review. For completeness, we have enclosed a copy of the previous representations submitted for this site at Appendix 3.

The site is located in close proximity to Breadsall Village but also in close proximity to the administrative boundary of Debry City Council. It is defined by the A61 along its western boundary and Croft Lane along the southern boundary. As set out in our response to the consultation questions, there is no evidence of Erewash Borough Council undertaking their duty to cooperate with adjoining authorities. This not only questions the soundness of the plan but also fails to demonstrate if the authority has taken account of any unmet need from these adjoining authorities. This must also be viewed in the context of the Council's own Objectively Assessed Housing Need (OAHN) figure not being justified for this Regulation 19 consultation.

It is noted that the Council are proposing a strategic allocation at Acorn Way immediately abutting the administrative boundary of Derby City Council. As set out in the previous representations for this site (see Appendix 3) we presume the authority therefore acknowledge the social and economic relationship with Derby and so should look to work with them to identify additional sites close to their administrative boundary to accommodate any unmet need. The position of our client's site, in close proximity to the administrative boundary of Derby but also to Breadsall, offers an available site in a sustainable location to address such matters.

With this parcel of land falling in the Green Belt, its proposed removal has been assessed against the provisions of Paragraph 138 of the NPPF, which identifies the five purposes for including land in the Green Belt as follows:

a) *to check the unrestricted sprawl of large built-up areas;*
b) *to prevent neighbouring towns merging into one another;*
c) *to assist in safeguarding the countryside from encroachment;*
d) *to preserve the setting and special character of historic towns; and*
e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

In assessing our client's site against the five purposes of including land within the Green Belt, we comment as follows:

- **Green Belt Purpose a): Checking the Unrestricted Sprawl of Large Built-Up Areas** - The site sits in close proximity to Breadsall, with its southern and western boundary defined by the existing highway network. To the north of the site lies greenfield land. Given the position of the site, its release from the Green Belt would not conflict with Purpose a).

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[redacted]

- **Green Belt Purpose b): Preventing the Merging of Neighbouring Towns** – As per the above, the site sits in close proximity to Breadsall to the east, with the southern and western boundary already defined by the existing highway network. To the north of the site lies greenfield land. Given the position of the site, its release from the Green Belt would not conflict with Purpose b).

- **Green Belt Purpose c): Safeguarding the Countryside from Encroachment** – The site is not located in an isolated position – it is in close proximity to Breadsall to the east and Derby City to the west. Furthermore, with the southern and western boundaries defined by the existing highway network, these act as physical barriers containing the site. Taking the sites position into account, we do not consider that its release from the Green Belt would conflict with Purpose c).

- **Green Belt Purpose d): Preserve the Setting and Special Character of Historic Towns** – The site is not located within a Conservation Area and neither does it contain other heritage designations. Therefore, we do not believe that the release of this site from the Green Belt would result in unacceptable heritage harm in the context of Purpose d).

- **Green Belt Purpose e): To assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – Due to the site being greenfield, it is acknowledged that it's development would not assist in the regeneration of derelict or other urban land. However, the authority accepts there is insufficient brownfield sites within the Borough to meet the identified need and so the release of this site would not conflict with Purpose e).

Overall, the release of this site from the Green Belt for development would not result in significant impact on the five purposes of including land in the Green Belt and represents an opportunity for the Borough to accommodate growth from adjoining authorities.

Summary and Conclusions

As noted above, whilst our client supports the authority's approach in releasing land from the Green Belt to accommodate growth, as discussed in detail above, there are significant concerns with the Regulation 19 Consultation as there is a very limited evidence base to justify the authority's proposed approach. Therefore, we do not consider the consultation meets the tests of soundness as required under Paragraph 35 of the NPPF as it has not been positively prepared or justified.

Prior to any submission of the draft Core Strategy Review to the Secretary of State for Examination, we request that the authority publish the supporting evidence base for a re-consultation process. Our client's site, which is in the Green Belt, has been demonstrated above to be a suitable and deliverable site, and one that would not conflict with the purposes of including land within the Green Belt and should be reconsidered by the authority as a proposed allocation.

We trust that our representations will be taken into account as part of the ongoing preparation of a Core Strategy Review.

Yours faithfully,

[redacted]

[redacted]

Enc.

[redacted]

220506 - EBC Regulation 19 Reps (FINAL) Land at Breadsall.pdf

[redacted]

APPENDICES

Appendix 1	Location Plan – 'Land to the north of Croft Lane, Breadsall'
Appendix 2	Copy of Erewash Borough Council's Regulation 19 Consultation webpage.
Appendix 3	Copy of Representations issued to Erewash Core Strategy Review - Draft Options for Growth (July 2020)

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220506 - EBC Regulation 19 Reps (FINAL) Land at Breadsall.pdf

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Appendices

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Appendix 3

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