

Erewash Core Strategy Review Examination

Response to Matters, Issues & Questions (MIQs)

Main Matter 6: Housing Allocations

Issue:

Whether the proposed housing site allocations are justified, effective and consistent with national policy.

Relevant Policies: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6

Please note: In responding to the questions below the Council should identify and address specific key concerns raised in the representations.

Questions

9. Strategic Policy 1.6 North of Cotmanhay

9A. What is the background to the site allocation and how was it identified?

- The original extent of Strategic Policy 1.6 allocation was made known to the Council by site promoters in 2019. A portion of this site, which falls on white land, had already been promoted via earlier versions of the Strategic Housing Land Availability Assessment (SHLAA).
- The site falls within the 'Extension of the Town into the Green Belt' Growth Option tested through SA1 (**see document CD4**) which found it to be the next most sustainable option for growth available after the Borough had already exhausted more sustainable options A-E as outlined within that document. It was therefore proposed as one of the allocation options within the Options for Growth document consulted on in January 2020 (Regulation 18). At the time, the Council sought to deliver a larger scale of strategic housing in order to maximise the regeneration benefits in one of the most deprived areas of the Borough. As such, land to the east of Cotmanhay Wood was included, making it a 600 home proposal, with an improved woodland being at the centre point of the new development.
- However, following Regulation 18 consultation, the landowners of the eastern section did not support the allocation of their land. The subsequent Revised Options for Growth document (Regulation 18.2) formalised this change and it is this 250-home version of the site which is included in the Core Strategy Review. Since this time, the Council has worked with the site promoters and developed Strategic Policy 1.6.
- Through SA3 (**see document CD4**), the version of the site contained within the Core Strategy Review (CSR) was tested for its sustainability alongside 24 other site options that had been made known to us through the Core Strategy

Review process. All site options tested spanned the entire spectrum of strategic growth options appraised within SA1. The assessment tables for each housing allocation option are contained within appendices B1-B6 of the SA (**see documents CD7 E-K**). Strategic Policy 1.6 allocation was found to be a sustainable site option. The results from its assessment compared with other sites can be viewed at Table 9 of the SA (**see document CD4**).

- This site, as with the others proposed for allocation within the CSR, are considered the most appropriate locations to accommodate the Borough's development needs.

9B. What would be the effect of developing the site on the purposes of the Green Belt?

Effects from developing the site on the purposes of the Green Belt are set out within the Strategic Growth Area (SGA) Assessments document (see document EBH1 and document EBH2 for associated mapping).

9C. Are there exceptional circumstances to alter the Green Belt in this particular case? If so what are they?

Yes. The Council has failed the Housing Delivery Test (HDT) since its inception (detailed further within the Five Year Housing Land Supply Position Paper – **see document EBH3**) and can demonstrate that it has exhausted all other reasonable options before considering locations in the Green Belt, including directing development first and foremost to available land within Growth Options A-D tested by SA1 (**see document CD4**), which are all non-Green Belt options. The Strategic Housing Land Availability Assessment (SHLAA – **see document EBH4**) identifies all sites known to be available for development within Growth Options A-C and Option D (new settlements not in the Green Belt) resulting in the proposed allocation of South Stanton (Strategic Policy 1.2). Even with the housing provision resulting from these sites, the Borough Council would not be able to identify a Five-Year Housing Land Supply without extending development via strategic allocations into land currently within Green Belt (**see document EBH3**). The Council also sought to identify any potential for the redistribution of some of the Borough's Objectively Assessed Need (OAN) to Nottingham Core and Derby Housing Market Area authorities. As evident from the statements of common ground and duly made representations of those authorities, no offers to accommodate some of the Borough's OAN were received. The Council is of the view that it has examined fully all other reasonable options for meeting its identified need for development and thus exceptional circumstances do exist in alignment with Paragraph 141 of the NPPF.

9D. Should the policy set out what compensation measures will be expected where there is Green Belt release for development and how it will be calculated?

Access improvements to the Green Belt are proposed in criterion 3 of Policy 1.6, as supported by NPPF paragraph 142. Additionally, bringing Cotmanhay Wood into use as a Community Woodland through active management, including the provision of managed public access with a link to and enhancement of Ilkeston Footpath 5.

9E. What is the basis for the scale of development proposed and is this justified?

Strategic Policy 1.6 allocation represents the extent of land promoted to the Council and has become intrinsic to delivery of the wider spatial strategy.

9F. What is the background to the specific policy requirements? Are they justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?

The specific policy requirements are informed by the Sustainability Appraisal (see document CD4) supporting the CSR and findings of the Strategic Growth Area Assessments (see document EBH1). The Council has also worked closely with the site promoters through development of the CSR which has also informed the Council's understanding of site constraints. Justification for these requirements is provided in the text of the CSR and include the following:

Criterion 1: Widening and otherwise improving the access along Woodside Crescent to Heanor Road to provide a suitable and safe vehicular and pedestrian access to the development. This required as the current access is not adequate to support a development of this scale, and will need to be significantly improved to meet the requirements of the County Highway Authority.

Criterion 2: Provision of a suitable interface between the development and Cotmanhay Wood, to include a semi-natural buffer zone, to protect the biodiversity interest of the Wood.

Criterion 3: Bringing Cotmanhay Wood into use as a Community Woodland through active management, including the provision of managed public access with a link to and enhancement of Ilkeston Footpath 5. Managed pedestrian access will encourage appropriate use of the wood and, through increased natural surveillance, discourage inappropriate use. Improved access to the wider countryside will also support NPPF paragraph 120(a).

Criterion 4: Biodiversity improvements to Cotmanhay Wood to suitably offset the biodiversity impacts of the development, including extending the wood onto the field to the north-east if required. Cotmanhay Wood includes areas of ancient woodland. To protect its flora and fauna, a suitable interface will avoid private gardens backing onto the site, expose the edge of the wood to natural surveillance, and prevent unregulated vehicular access.

Criterion 5: Financial contributions towards the provision of additional pupil capacity at local Ilkeston schools where necessary. Children living in the new development

will normally attend Cotmanhay Junior & Infants School and the Ormiston Ilkeston Enterprise Academy. Where there are insufficient available places at those schools to accommodate those new pupils, financial contributions from the new development will be required to increase the capacity of the receiving schools.

Criterion 6: Government policy requires 10% of new homes on large sites to provide affordable routes to home ownership, where this is viable. Viability will be limited by the relatively low housing values in Ilkeston, the abnormal development foundation costs involved in redeveloping this former opencast site, and the need to provide the infrastructure and facilities described above.

9G. What are the highways implications of the allocation and how will any impacts be mitigated?

Highways impacts of the plan as a whole are set out in ETB1.1. That work has been carried out in partnership with Derbyshire County Council Highways Authority, Nottinghamshire County Council Highways Authority, Derby City Council Highways Authority, and National Highways.

Criterion 1 of Policy 1.6 set out the transport mitigations identified through both the transport modelling and informed through the Sustainability Appraisal that will be applied to this allocation. The transport modelling also identifies a sub-regional list of junction improvements that can be further tested at the planning application stage for this site.

Even with the proposed mitigations, the site will result in an increase in traffic. However, it is not considered that either unacceptable highway safety impacts, or severe impacts on the road network, would result from that increase in traffic that would justify the prevention of this allocation.

9H. Does the policy identify appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

Traffic and transport impacts have been considered under the answer to Question 9G. above. Suitable provision for schools is provided by Criterion 5 of Policy 1.6. No evidence of need for any additional provision has been submitted to the CSR.

9I. Are there potential adverse effects not covered above? If so what are they and how would they be addressed and mitigated? (The Council's response should address key issues raised in the representations).

Matters raised in representations include the impacts of developing a greenfield site, including impacts on biodiversity, landscape and loss of Green Belt, school provision, other local services and impacts on traffic and transport.

The loss of Green Belt is considered in answer to Questions 9B-D above.

Impacts on biodiversity in general are addressed by Impacts on biodiversity in general are addressed by Criteria 2-4 of Strategic Policy 1.1. There are no designated ecological assets on or adjacent this site. Nevertheless, Criterion 2 of Strategic Policy 1.6 requires a suitable interface to be provided to Cotmanhay Wood, including a semi-natural buffer zone to protect the biodiversity interest of the wood. Criterion 4 of Strategic Policy 1.6 requires biodiversity enhancements of Cotmanhay Wood to off-set the biodiversity impacts of the development.

There are no landscape designations affecting the site.

Traffic and transport impacts have been considered under the answer to Questions 9G and 9H. above.

Suitable provision for schools is covered by Criterion 5 of Policy 1.6.

No evidence of need for any additional service provision has been submitted to the CSR.

The Statement of Consultation also covers matters raised in the representations at each stage of the plan's preparation. This can be found in the submission documents section of the Examination Library.

9J. What evidence is there to demonstrate that the allocation is viable and deliverable within the plan period? What is the situation with regards land ownership and developer interest?

Delivery of the allocation including all infrastructure required by Policy 1.6 has been found to be viable in the Local Plan Viability Assessment (see document EBC04). The proposed allocation is under a single ownership with developer commitments pending the sites allocation through the appropriate local plan process. The Council has worked with the site promoters since its emergence as a potential allocation. A formal pre application has also been submitted to the council.

9K. How will the site be brought forward for development? What mechanisms will there be to ensure a comprehensive and co-ordinated approach to development, ensuring that infrastructure requirements are provided?

The site will be brought forward by the planning application which has been submitted to the Council. The infrastructure requirements identified in the policy will then be delivered as conditions of Section 106 agreements associated with a planning consent, as appropriate.

9L. What is the expected timescale and rate of development and is this realistic?

As set out in the Erewash Housing Trajectory (**see document EBH3a**), development is expected to commence in Year 3 of the first five years of the plan period and contribute a total of 250 dwellings to the Five Year Housing Land Supply.

9M. Overall, is the allocation justified, effective and consistent with national planning policy?

For the reasons set out in the answer to the questions above, the allocation is considered to be justified, effective and consistent with national planning policy.