

GREEN BELT TOPIC PAPER

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1. Introduction

1.1 Policies about the Nottingham-Derby green belt, initially established in the 1950's, have helped to prevent the coalescence of Nottingham and Derby. In order to assist in responding to outstanding objections on the Local Plan, this paper looks at how green belt policy has been implemented in Erewash Borough. The creation of the green belt is described followed by an analysis of changing government policies leading to the current proposals. Objections made on the first and second deposit local plans are then discussed and the Council's response explained.

2. The Nottingham-Derby Green Belt and the 1994 Local Plan

2.1 The concept of green belts to prevent urban sprawl can be traced to the pioneers of the new town movement at the turn of the 20th century. In 1955, after proposals were brought forward for a green belt around London, the government produced a circular inviting local authorities to bring forward proposals for other green belts. Proposals for Derbyshire were straightaway drawn up that year and together with proposals in Nottinghamshire, a Nottingham-Derby green belt was identified in the 1950's.

2.2 In a regional context, the Nottingham-Derby green belt has been about maintaining an area of countryside between these two cities. Erewash Borough plays a pivotal role, as its rural land is located at the narrowest point between the built up areas. This has meant that all of the land in the Borough, aside from that in established settlements, is generally considered to be part of the green belt.

2.3 Of most relevance in recent times to the identification of the boundaries of the green belt in Erewash is the 1983 document: *South and South East Derbyshire Green Belts Local Plan*. The production of that document by Derbyshire County Council followed a long process of research and consultation culminating in a public inquiry. The document contained with it ordnance survey maps detailing the green built boundaries precisely.

2.4 The boundaries of the green belt identified in 1983 were followed exactly in the production of the Erewash Borough Local Plan initially deposited in 1992. In addition, some land was identified to be protected as open land. While there were a number of objections on the deposited Erewash Borough Local Plan the inspector's report on the public inquiry in 1993 recommended no changes to the boundaries of the green belt. In respect of the other areas of protected open land, he recommended that there be notated three separate types – green wedge, small rural sites, and urban. The inspector's

recommendations were accepted and the Local Plan was subsequently adopted in September 1994.

3. Shifts in the purposes of planning

3.1 That green belts have been used as a planning policy tool for 50 years is an indication of their enduring popularity. The concept of preventing urban sprawl and protecting the openness of the countryside enjoys widespread public support. A corollary of having a tool in place for so long however, is a common lack of appreciation in how that tool fits in with the shifts that occur over time in planning policy.

3.2 The government's most recent planning policy guidance specifically on green belts (PPG2) dates from 1995. The guidance declares that the fundamental aim of green belts is to prevent urban sprawl by keeping land permanently open, and sets out five purposes of including land in green belts. The guidance stresses that green belt boundaries should be seen as being long-term, and in order to achieve this the boundaries should not be altered by local councils unless exceptional circumstances exist. The guidance envisages that there will be cases where "safeguarded land" to meet longer-term development needs is identified between the urban area and the green belt. Other parts of the PPG referring to the control of development within the green belt are discussed in Part 6 of this paper.

3.3 In 1999 a study was undertaken on behalf of the East Midlands Regional Local Government Association examining the Nottingham-Derby green belt in relation with current and emerging government thinking on planning. The report by Baker Associates is entitled: *Strategic Sustainability Assessment of the Nottingham-Derby Green Belt*. Its principle function was to inform the review of the regional planning guidance. The report is critical of the how the green belt fits in with the 'sequential approach to development' advocated by government in guidance issued since 1995. The sequential approach in essence requires that development is first directed to locations within settlements, then to the edges of settlements, then to other locations. The green belt in Erewash (as in the 1983 and 1994 Local Plans) has been tightly drawn around settlements providing no preference to edge of settlement development. The study recommends that the regional strategy not be inhibited by the current boundaries of the green belt.

4. The Structure Plan and Local Plan

4.1 At about the same time as the Baker Associates study was being undertaken, Derbyshire County Council were preparing a revised structure plan and Erewash Borough Council a revised local plan. In order to ensure that the two plans were consistent, the first deposit of the local plan was completed and released in March 2001, some two months after the structure plan had been finally adopted in January 2001.

4.2 The structure plan notes the shift in emphasis of government policy towards promoting sustainable development and considers the need for development land in accordance with the policy. The structure plan concludes that the land requirements up to 2011 can be met without local authorities needing to make any major alterations to the boundary of the green belt. A plan shows the approximate location of the green belt in diagrammatic form. However, no provision is made for "safeguarded land" i.e. the land that might be required for development after 2011, implying that major alterations to the green belt may be required to meet those future needs in a future structure plan.

4.3 In preparing the local plan, Erewash Borough also had to consider the implications of recent policy such as the principles of sustainable development and the sequential approach to development. It also needed to consider the changes to PPG2

issued in 1995 compared to the 1988 version of the guidance relied upon for the 1994 Local Plan. In seeking to meet the targets for new housing and employment set in the structure plan, the Council concluded that it would need to amend the boundaries of the green belt.

4.4 Whether the first deposit of the Local Plan in 2001 made major alterations to the green belt boundaries was the subject of a number of objections. The changes in summary were:

1. Land which had been identified in the 1994 Local Plan as not being in the green belt, but nevertheless being protected as open land was now for the most part redefined as being within the green belt. These areas of land had been variously identified as 'green wedge', 'small rural site' and 'urban fringe'.
2. Some open land on the edges of villages included in the green belt.
3. A new employment site was identified at Longmoor Lane, Breaston.
4. Some additional land was proposed for housing adjoining the former Oakwell Brickworks site, Ilkeston. This land was a small part of the protected open land 'green wedge' in the 1994 Local Plan. The Oakwell Brickworks site identified in the 1994 Local Plan is not included in the green belt.
5. Some additional land was proposed for housing at the edge of Cotmanhay, Ilkeston known as Woodlands Farm. Most of this land, but not all, was in the green belt in the 1994 Local Plan.
6. A new housing site was identified on the former Western Mere School site, Breaston. All of this land was in the green belt in the 1994 Local Plan, with part of it identified as proposed public open space.

4.5 The Council no longer wishes to pursue any of the above proposals other than 1 and 2 – objections to these are discussed in detail later in this topic paper. The main issues concerning 3 to 6 above relate to employment and housing and therefore are not discussed in those topic papers instead. Other objectors seeking that land be allocated for housing, but not specifically objecting to the green belt are also dealt with in the *Housing Topic Paper*.

4.6 There are a number of objections seeking further amendments to the boundaries of the green belt. The Council does not wish to make any of the changes requested. These objections are identified and discussed in Parts 9 to 11 of this topic paper.

5. Regional Planning Guidance and the future

5.1 It was only after the local plan was released that Regional Planning Guidance was prepared and the recommendations of the Baker report considered in detail. Policy 6 of RPG8 from January 2002 states:

“At the next review of structure plans, the boundaries of the Nottingham-Derby Green Belts should be critically reviewed for development needs up to 2021. Prior to any alteration to boundaries, development plans should take into account:

- The sequential approach to development outlined in policies 1 and 2
- The wider principles and purpose of existing Green Belt designations as set out in PPG2; and
- The case for adding land to the Green Belt

Green Belt boundaries should not need to be extensively altered after such a review within the period of this guidance.”

5.2 In accordance with this regional guidance, by the time of the second deposit of the local plan, it was expected that the green belt would be reviewed at the time the structure plans were next reviewed. The situation is now slightly different, in that the *Planning and Compulsory Purchase Bill* envisages that there will no longer be any structure plans, and that local plans will be replaced by local development frameworks in the next few years.

The Regional Local Government Association has prepared a partial review of the Regional Planning Guidance, which was released for consultation in April 2003. This draft states in paragraph 3.3.35:

“A further Green Belt review will need to be undertaken in relation to development requirements up to 2021. This should be undertaken in a co-ordinated manner within a common framework, covering appropriate areas in Nottinghamshire, Derbyshire and Leicestershire. The review should take account of the conclusions of *The Sustainability Assessment of the Nottingham-Derby Green Belt* (1999), undertaken by Baker Associates for the EMRLGA.”

5.3 Further, Policy 14 of the draft Regional Planning Guidance specifically about the green belt states:

“The principle of the Nottingham-Derby Green Belt is well established and should be maintained. A further review of the Nottingham-Derby Green Belt will be undertaken in relation to development requirements arising in this part of the Three Cities Sub-area up to 2021. The review will take into account:

- The sequential approach to development outlined in policies 1 and 2
- The wider principles and purpose of existing Green Belt designations as set out in PPG2; and
- The case for adding land to the Green Belt”

5.4 Delaying any further review of the Green Belt until the next planning period is therefore in accordance with regional policy. The current draft of the Regional Planning Guidance is due to be considered at an inquiry in November 2003 and when the *Planning and Compulsory Purchase Bill* is passed it will become the region's first Regional Spatial Strategy. A review of the green belt under this new system in conjunction with the regional planning authority and all of the relevant county councils is more appropriate than undertaking a further review at this point.

6. The green belt policies

6.1 The green belt policies of the local plan are necessarily strict on development in order to accord with PPG2. The first Proposal, GB1, is the umbrella policy which details the limited circumstances in which planning permission will be granted. These are in summary:

1. Rural buildings
2. Facilities for primarily outdoor activities
3. Infill development
4. Re-use of buildings
5. Affordable housing

6.2 There are a few numbering errors in GB1. Criteria 1 refers to GB7, but should refer to GB9. Criteria 4 refers to GB3, but should refer in addition to GB3a and GB5a. Criteria 5 refers to GB6, but should refer to GB8. Furthermore, when the Proposals are renumbered before the plan is adopted, a further cross-check will be necessary to ensure that the correct numbers are referred to.

6.3 While most of the criteria are subject to more detailed policies, Criteria 2 stands on its own in GB1. However, GB7a about extending domestic curtilages is one example of the criteria in action, as the policy envisages allowing private gardens to extend into the green belt where it will not harm the open character of the area.

6.4 One objector questions the use of both the words ‘village’ and ‘settlement’ in GB2. While the Council could have chosen to simply use the word ‘settlement’ (which encompasses villages), using both words helps to make the intent of the policy clear.

6.5 A number of objectors representing rural groups were concerned with the restrictions of GB5 and GB6 of the first deposit local plan. Some of their concerns were taken on board with the subsequent rewriting as one Proposal GB5a. Some objectors remain concerned however that the Proposal excessively restricts the conversion or change of use of existing rural buildings. The Council does not oppose diversification in the rural economy, and has added to the Employment chapter of the plan to generally promote rural enterprise. The strictness of the Proposal is intended to ensure that rural land uses remain the preferred land use in the green belt area. This is not to say that some minor rewording if favoured by the inspector might not be acceptable to the Council. For example Criteria 1(iv) is currently very broad and the more specific wording sought by English Heritage as follows could be further considered: "Particularly in the case of traditional farm buildings, the conversion can be carried out without adversely affecting the character of the building or its surroundings".

6.6 Broxtowe Borough Council has objected on Proposal GB8 on the basis that the Proposal should be clear that affordable housing should be allowed in the green belt only where it adjoins existing villages. The Council's intent as demonstrated in the text preceding the Proposal is that affordable housing will only be considered for approval within or adjoining existing settlements and must relate well to the settlement. While it is accepted that the Proposal itself is not plain on this point, making the amendment sought by Broxtowe would potentially relax the proposal which is not the intent of the objector. The reference in Criteria 3 of GB8 that any development must relate well to 'the existing settlement' is sufficient to indicate that affordable housing is expected only in these circumstances, and not in the middle of a rural area where there is no other housing adjoining.

7. Land changed from protected open land to green belt

7.1 When preparing the Borough's first Local Plan in the early 1990's the Council considered whether the green belt established in the 1983 *South and South East Derbyshire Green Belts Local Plan* adequately protected all of the land the Council considered should remain as open space. The result, was to incorporate the 1983 green belts local plan into the new local plan as a 'saved local plan', but also to identify several additional areas as protected open land. These proposals were taken by several objectors to the public inquiry held at the beginning of 1993. The inspector's conclusions, which were accepted by the Council, are summarised below:

- The area between Ilkeston and Kirk Hallam should be identified as a 'green wedge' due to the presence of biological sites and recreation along the canal and old railway line. The inspector considered it necessary to keep this green wedge open to maintain the separation between the two urban areas and to preserve the valley as an open area for recreation and conservation purposes.
- Sites at Sandiacre (Friesland gardens and Bostocks Lane), Breadsall and Stanley should be identified as open land in rural areas.
- The land at Top Bank, Long Eaton and Cloudside, Sandiacre should be identified as open land in urban areas.

7.2 The policies finally established following the inspector's report clearly hinder most forms of development. In respect of the green wedge, the policy was not to allow development that would lead to the coalescence of Ilkeston and Kirk Hallam or adversely impact on the wildlife or amenity value. Only development which retains the open character of the land was to be permitted. In respect of the small rural sites, development was not to normally be permitted at all because of the recreational or amenity value. In respect of the urban fringe sites only uses which would retain the open character of the land were to be permitted.

7.3 When developing the new local plan, the Council decided it would be best to include all of the land previously identified as 'protected open land' within the green belt. This reflects the fact that the purposes of the green belt, and these areas of protected open land were essentially the same. Having all of the land subject to the same policies made the plan less confusing. In light of PPG2 from 1995, and subsequent government guidance, it was also considered that it would be inappropriate to limit development so strictly on land if it was not green belt.

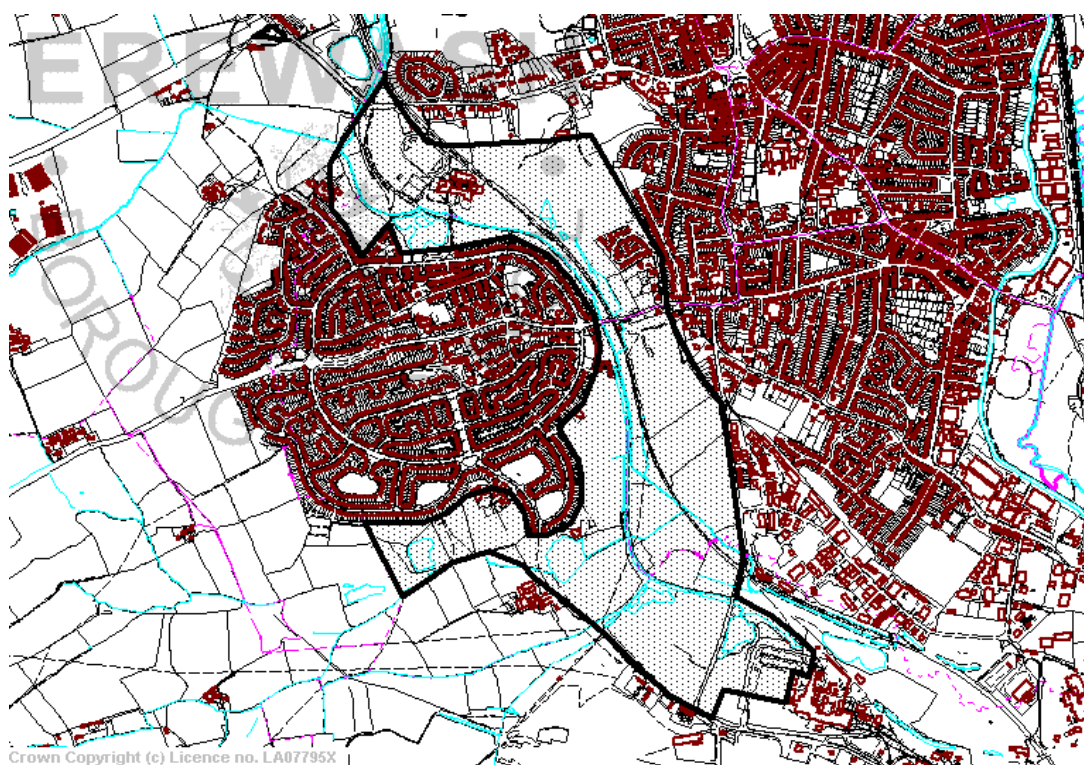
7.4 The House Builders Federation has objected to the identification of the former 'green wedge' land as green belt. The general location of this is shown in Map 1. Their objection seems to indicate that they did not believe the land was protected from development in the 1994 Local Plan. They consider that the land should be safeguarded so that it can be used beyond the current planning period for development. This is essentially the same argument on the same land as put forward by the House Builders Federation in respect of the 1994 Local Plan. The argument was at that time dismissed by the inspector who agreed with the Council seeking to maintain the open character between Ilkeston and Kirk Hallam. The sole change that the Council has made in this local plan is to amend the policies relating to the land by including it in the green belt.

7.5 The Council in 2001 initially proposed to identify a small part of the former 'green wedge' land for housing. This site adjoined the former Oakwell Brickworks site, and it was anticipated that it would be developed in conjunction with that land. In response to a number of objections however, the allocation of the Oakwell Brickworks for housing was deleted in the second deposit. The land which had been identified for housing since 1994 remains in the urban area, but the additional land proposed in 2001 became part of the green belt. A number of objectors seek reinstatement of the Oakwell Brickworks site for housing, including the now green belt land. The arguments concerning the Oakwell Brickworks site are dealt with in the *Population and Housing Topic Paper*.

Land between Ilkeston and Kirk Hallam

Map 1

390/1012

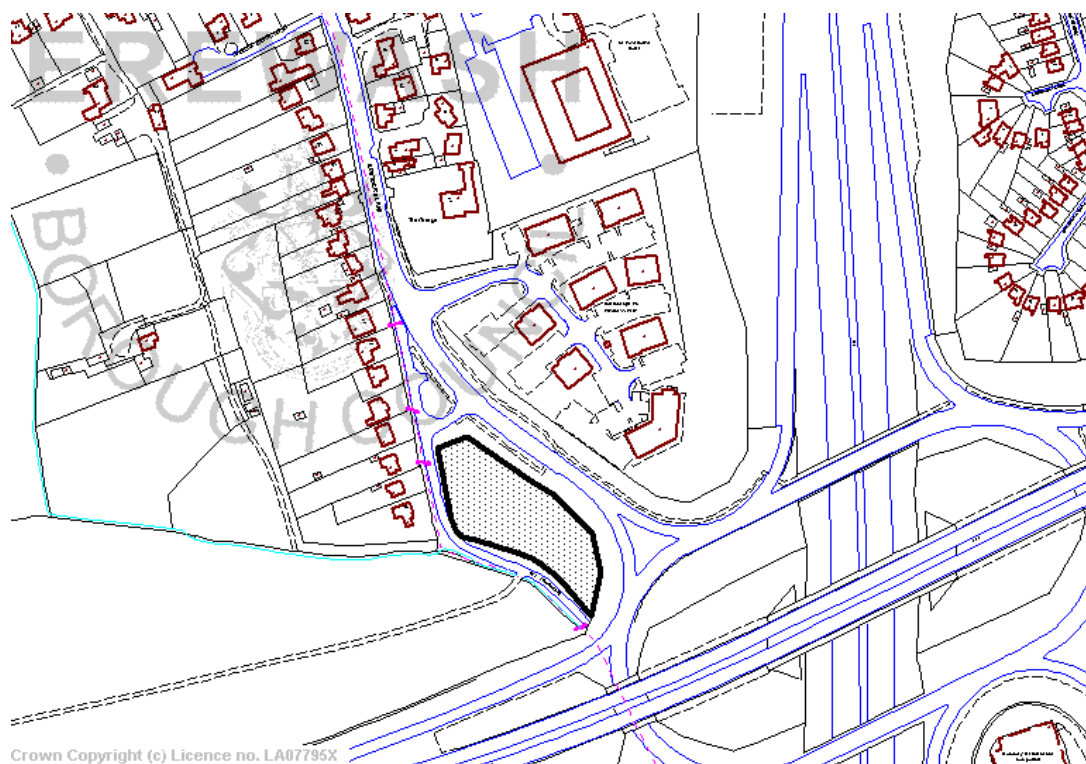


7.6 The only other site to change from protected open land to green belt and attract objection, is a small site at Bostocks Lane Sandiacre. The location is shown on Map 2. The objector seeks to develop the land for business use. The site is close to the M1 and A52 intersection and there is recent business development across the road. However, the site could only gain access by way of the road intended only for the local houses. The objection does not detail how business development might affect the nearby residences. The situation is quite different from the business park across the road which is set back from the road behind a vegetative screen. That land was reallocated for business in the now adopted local plan after a number of applications and consideration of the appropriate settlement boundary. Further discussion about the Council's business land strategy is contained in the *Employment Topic Paper*. The Council considers that the current definition of the 'edge' to the settlement from the existing development is appropriate and that there is no need to allocate further business land. This land is appropriately green belt as it forms an integral part of the open countryside landscape to the west when viewed from the A52.

Bostocks Lane

Map 2

218/501



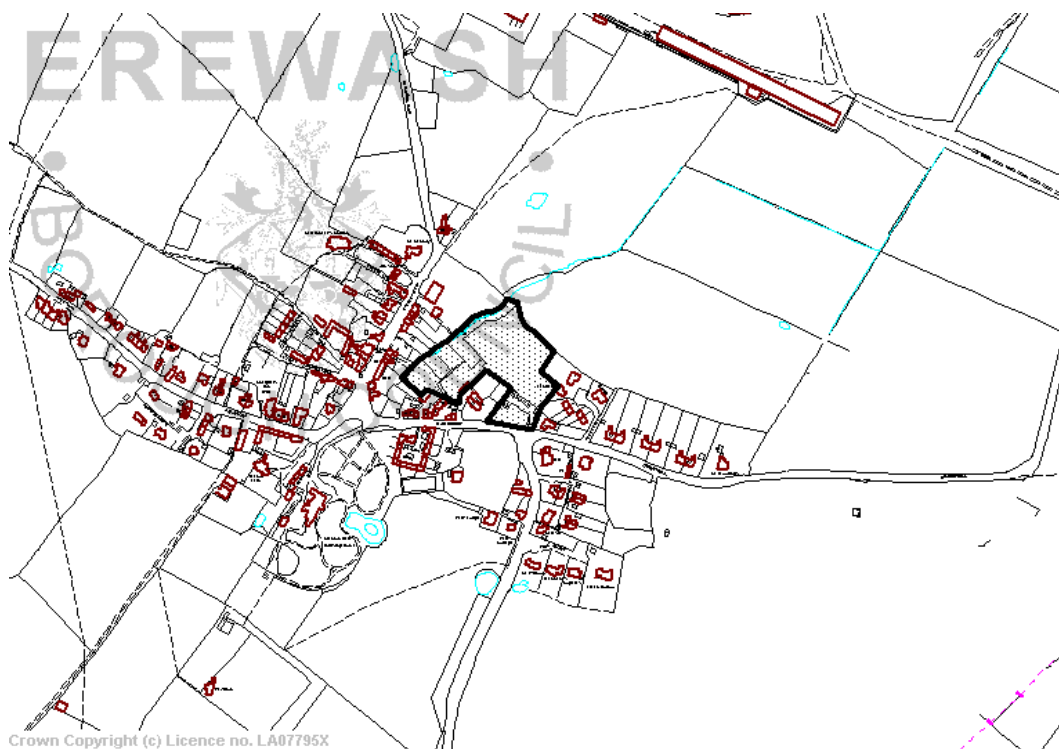
8. Other amendments from the 1994 Local Plan green belt

8.1 A few minor amendments have been made to the definition of the edge of villages, and two of these have attracted objection. In making the amendments in 2001, the Council was aware of PPG2 and the purposes of including land in green belts identified in that guidance and repeated in the Local Plan. The Council considers that the amendments were correctly made and does not propose to revert to the earlier green belt boundaries in response to these representations.

8.2 Map 3 shows Stanton-by-Dale. The green belt defined in 1994 did not include some of the undeveloped land in the village, a situation changed in the new local plan. A developer has objected to the inclusion of one area of land north of Main Street. An application to develop the land for housing was lodged a few years ago, but has not been proceeded with. The land has access constraints, contains many significant trees, borders a drain and adjoins a conservation area. While initially in 1983 the green belt line was drawn at the edge of the trees, the Council now considers that it is not appropriate to locate additional housing here, and that the land is most appropriately identified as green belt.

Stanton-by-Dale

Map 3 282/688



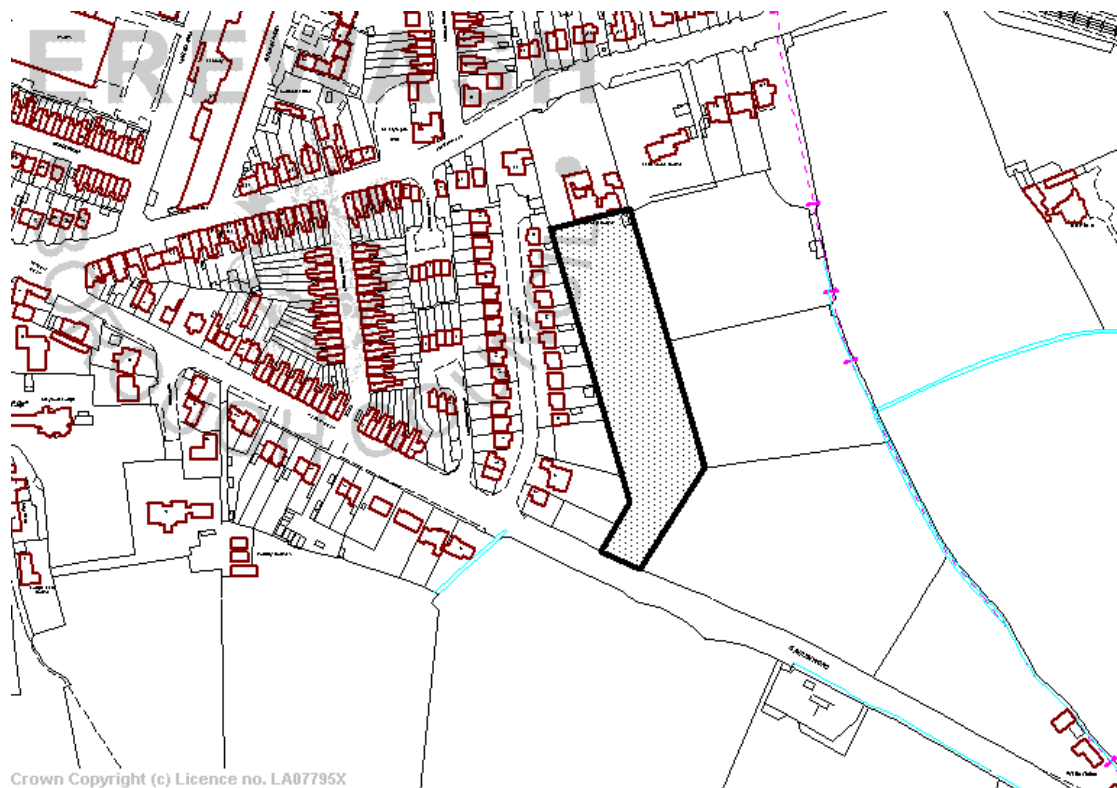
8.3 The other change to attract objection is the inclusion of the garden of Attewell House on Sawley Road in Draycott within the green belt. The general location is shown on Map 4. This garden, together with the gardens of adjoining properties have been included in the green belt as they are not considered appropriate locations for further housing. A few years ago there was an application for new housing on this land which was refused, and the appeal subsequently dismissed by an inspector who considered that the rear of properties in Attewell Close clearly defined the edge of the built up part of the village. While the land now contains a driveway up to the house, it still appears more as part of the adjoining rural area, than part of the village. The objector's representation refers only to the continued use of the garden as a private garden. If the objector seeks

only to continue using the land as a garden and does not seek to change the use of the land, then the green belt should impose no extra restrictions.

Draycott

Map 4

504/1328



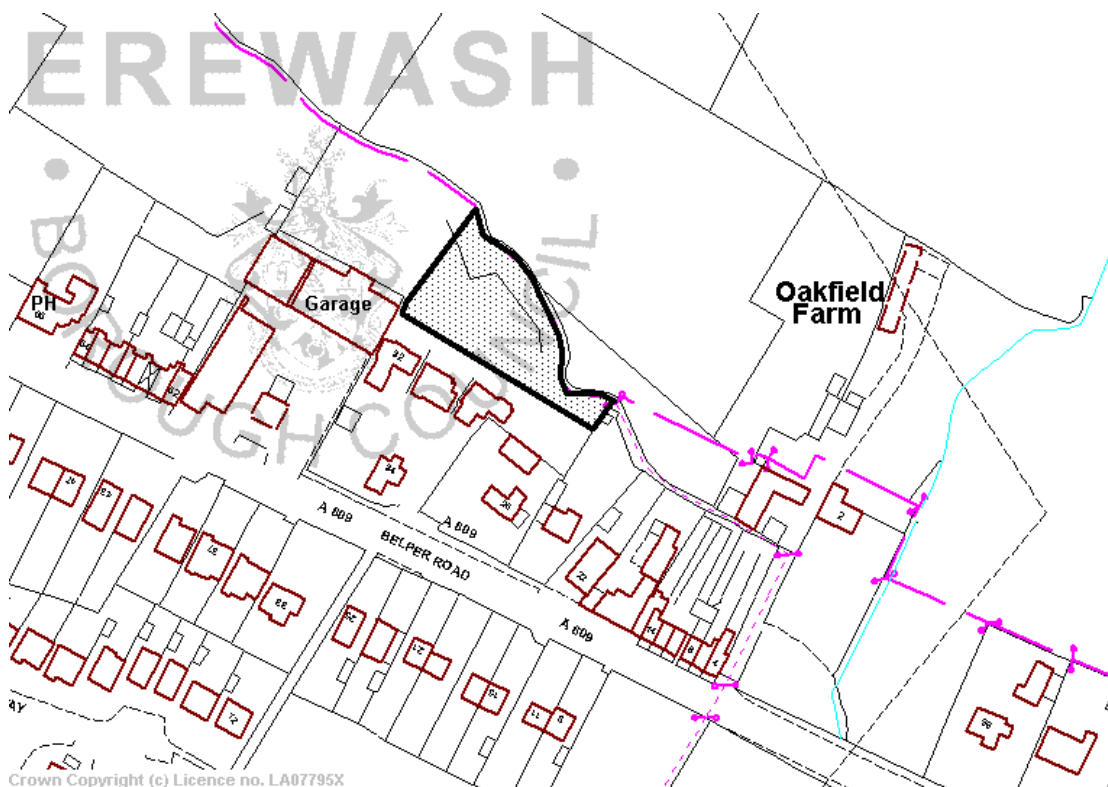
9. Minor changes now sought

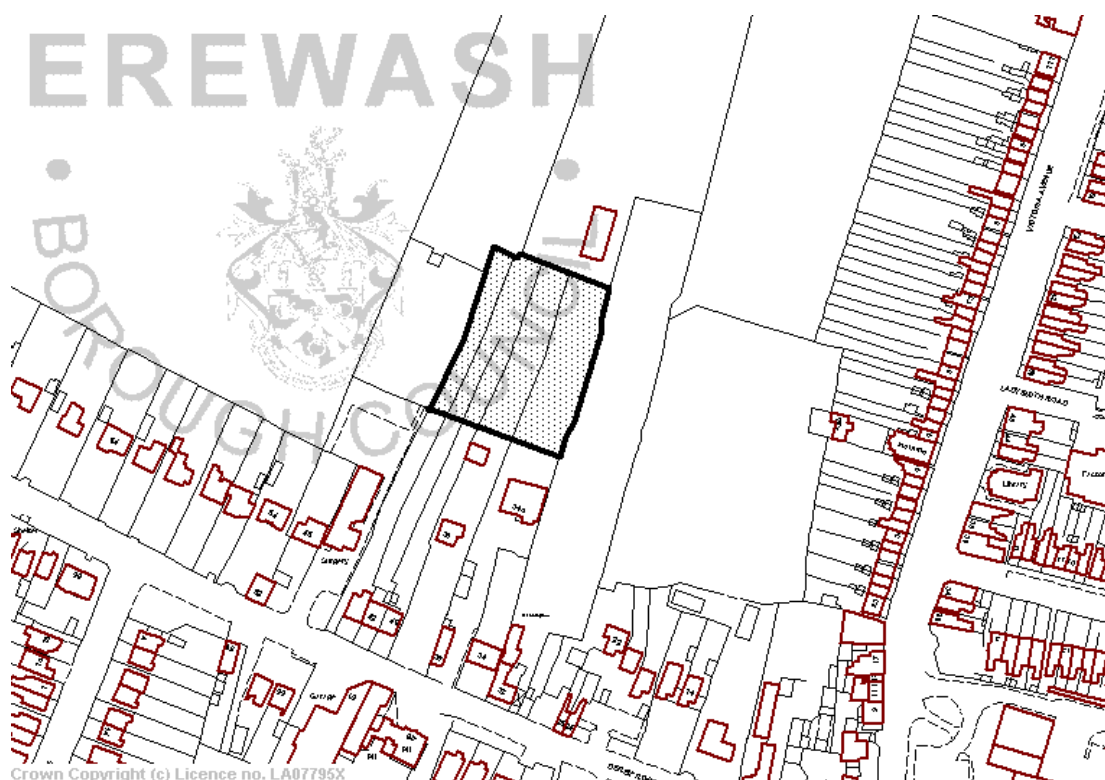
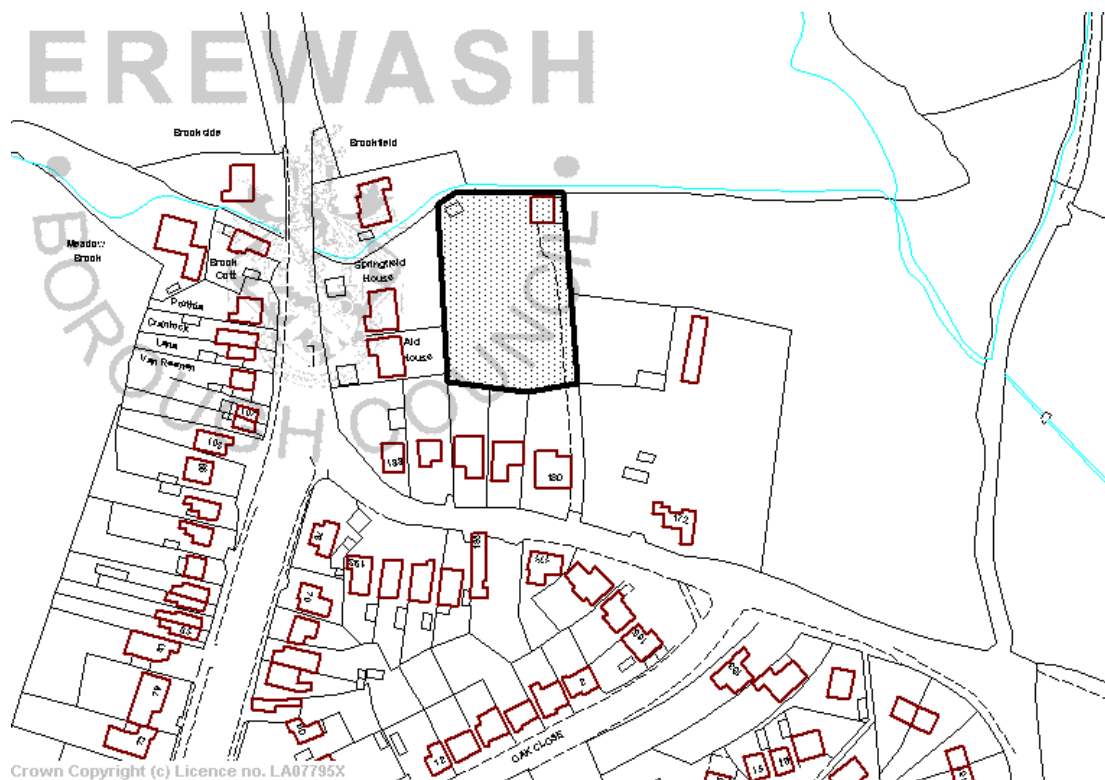
9.1 Three objectors are concerned because the green belt includes their private gardens. The Council has not amended the green belt boundary in these locations, which remains unchanged from the 1983 *South and South East Derbyshire Green Belts Local Plan* and the 1994 local plan. The houses of the objectors are not in the green belt, only their gardens and the green belt should not impose restrictions on continued garden use. The relevant parts of the villages affected are shown on Maps 5, 6 and 7. The Council considers that the green belt boundary should not be amended because none of the sites are suitable for additional housing.

Stanley Common

Map 5

72/152



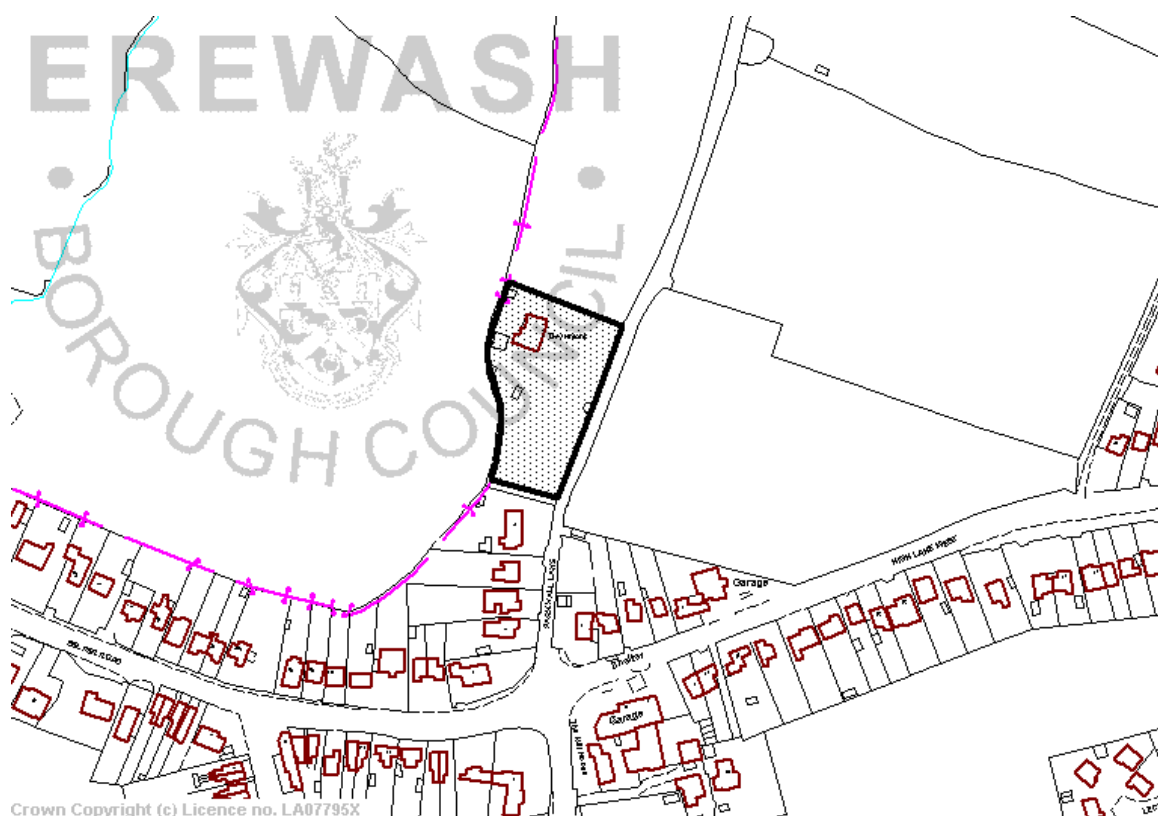


9.2 Another objector is concerned about their entire property being in the green belt. The property, known as 'Beaumont' is on the edge of the West Hallam and Stanley Common as shown on Map 8. The house is set back from Park Hall Lane, some distance from its nearest neighbours in a rural as opposed to village setting. The Council considers that the village boundary has been appropriately identified, and changing the boundary to accommodate this site could lead to an inappropriate extension of the village. While the green belt will impose some additional restrictions on the property, it is noted that Proposals GB3 and GB3a allow for replacement dwellings, and extensions and alterations to existing dwellings.

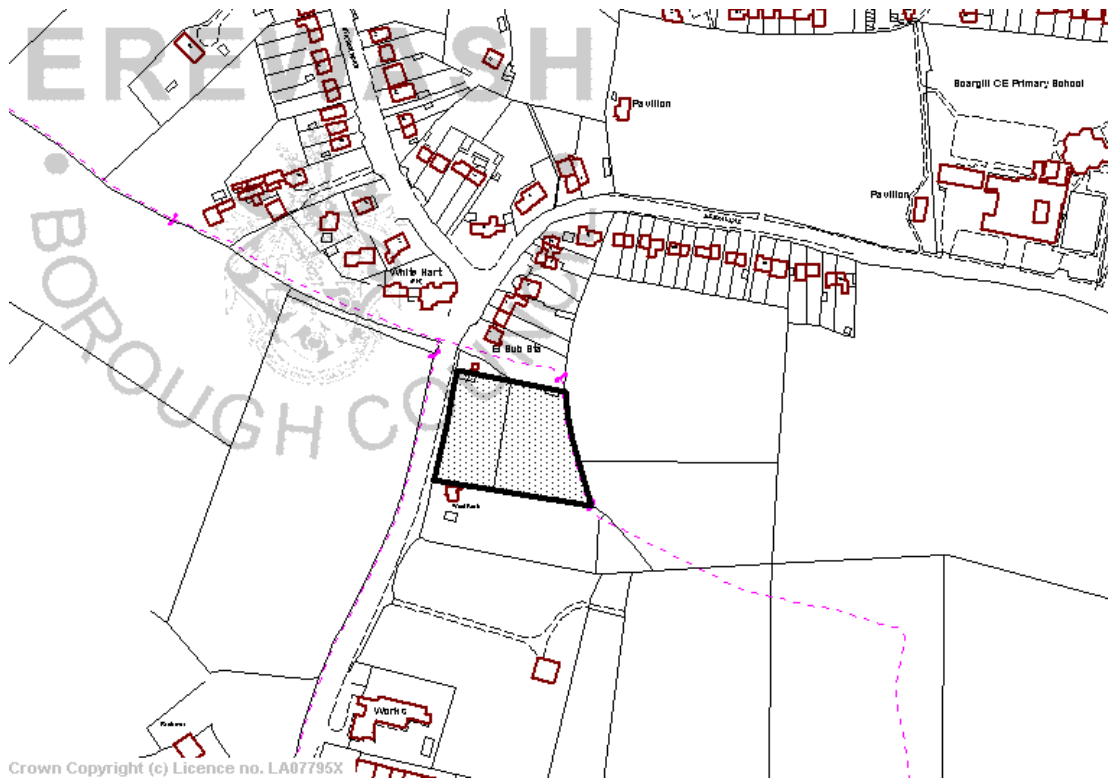
West Hallam (north)

Map 8

1236/3500



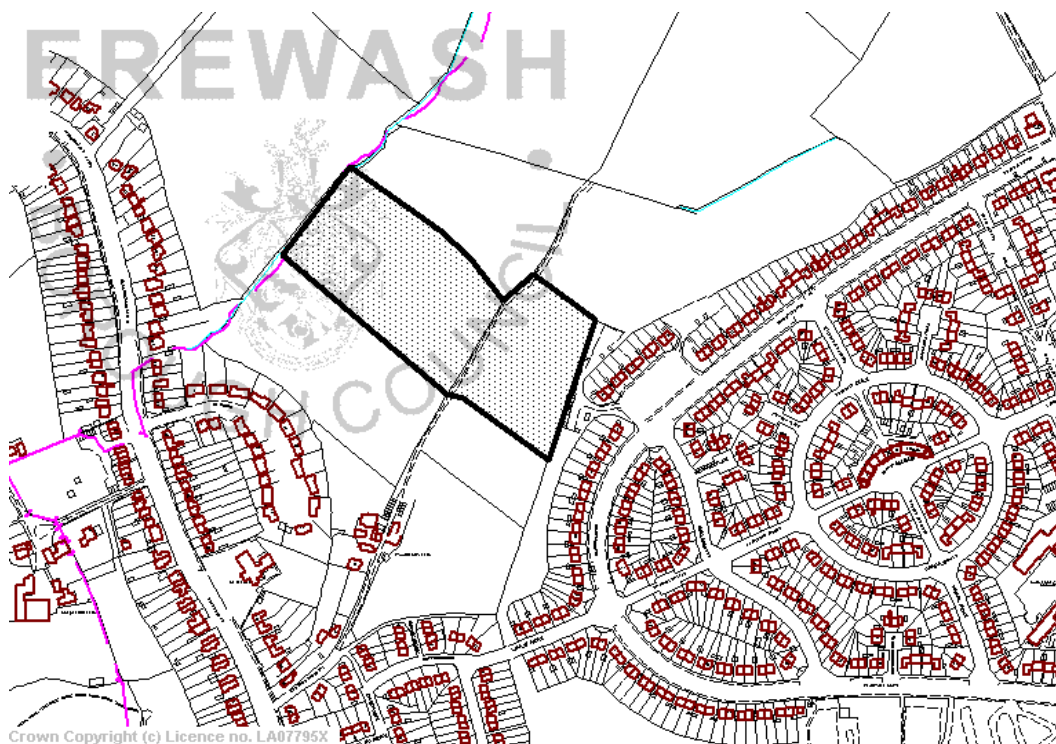
9.3 One objector seeks that a vacant rural property on the southern edge of West Hallam be included within the village, rather than being in the green belt. The site shown on Map 9 is about half a hectare in size. This would provide for some additional housing at the edge of the village. The representation does not contain an analysis of the effects of allowing additional development in this location, for example on highways, or on the potential for neighbouring landowners to also seek to have their properties excluded from the green belt. The Council has not promoted small extensions to villages (and consequent deletions from the green belt) anywhere in the borough, and there are no compelling reasons to do so here. Although only a relatively small area of land, the land can be farmed in conjunction with neighbouring open land and is appropriately part of the green belt.



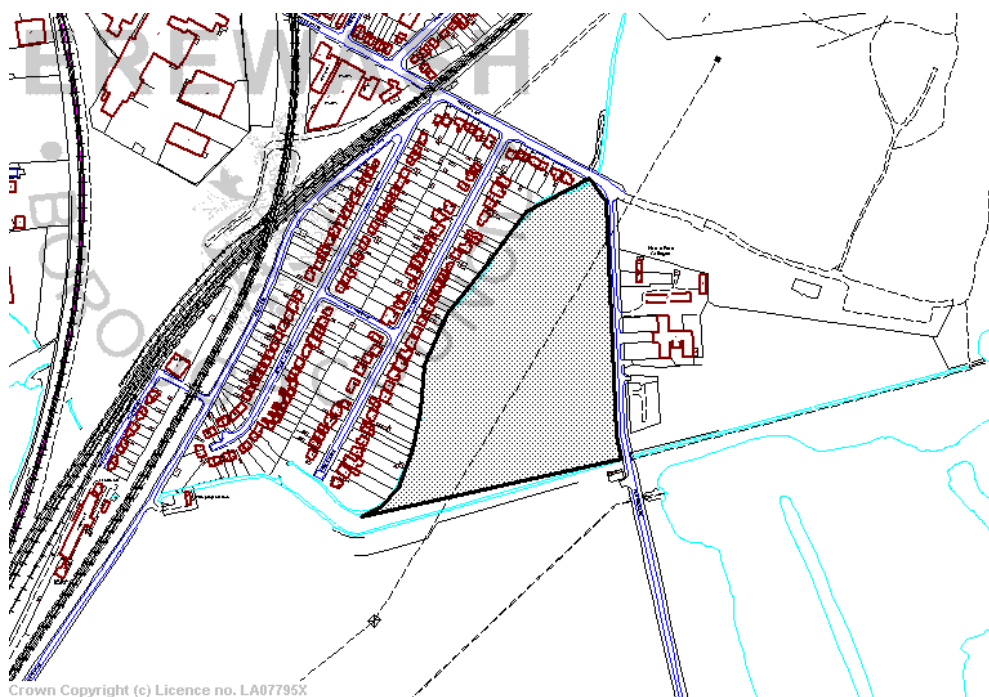
10. Potentially significant changes for additional housing

10.1 There is an objection from the owner of Woodlands Farm at the northern edge of Cotmanhay about the inclusion of that land in the green belt, upon Council's decision in response to objections on the first deposit to delete the identification of that land for future housing. The arguments about that housing allocation are dealt with in the *Population and Housing Topic Paper*. It is noted here that in making all of the land green belt, the Council has amended the boundary from the 1994 local plan which showed some of the land as being within the Ilkeston urban area. The Council's decision to make all of the land green belt is to ensure that there is no change from the current extent of the urban area in that location. In doing so, it is maintaining a green belt separation between Ilkeston and Heanor to the north in Amber Valley.

10.2 An objector on the first deposit sought the addition of further land for housing between Woodlands Farm and Cotmanhay Wood to the north as shown on Map 10. In the representation, the objector notes that if Woodlands Farm is to be developed, then it is appropriate to develop all of the land up to Cotmanhay Wood. These arguments need not be scrutinised in detail because the Council no longer wishes to pursue the allocation of Woodlands Farm for housing. Clearly, developing the further area of land is contingent on developing the land with access to Heanor Road. Even if Woodlands Farm is reallocated for housing in the future however, it does not necessarily follow that all of the land up to Cotmanhay Wood should be developed. Development hard up to the boundary of the woodland may not be acceptable in urban design or environmental terms, and would need to be investigated further.



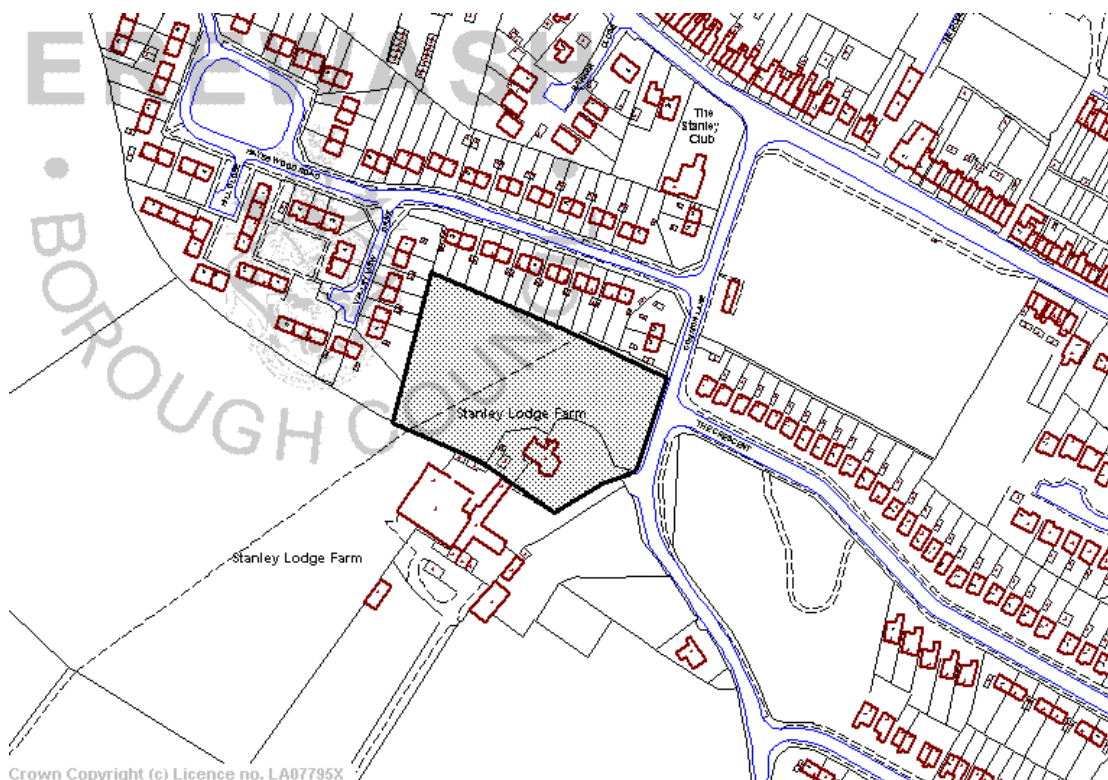
10.3 One company promotes an area of rural land on the edge of Long Eaton to meet the housing need in that area. The area is shown on Map 11 and has its main frontage to Pasture Lane. There is existing housing to the west and the Trent Meadows area to the south. The Council does not consider that additional greenfield land is needed for housing in this area and therefore arguments regarding whether this site is suitable for future housing have not been considered in detail. It is noted however, that the site is close to a level railway crossing which is disruptive to traffic, and recreational activities to the south might be noisy. The site is also crossed by a high voltage overhead electricity line which makes designing a residential layout problematic.



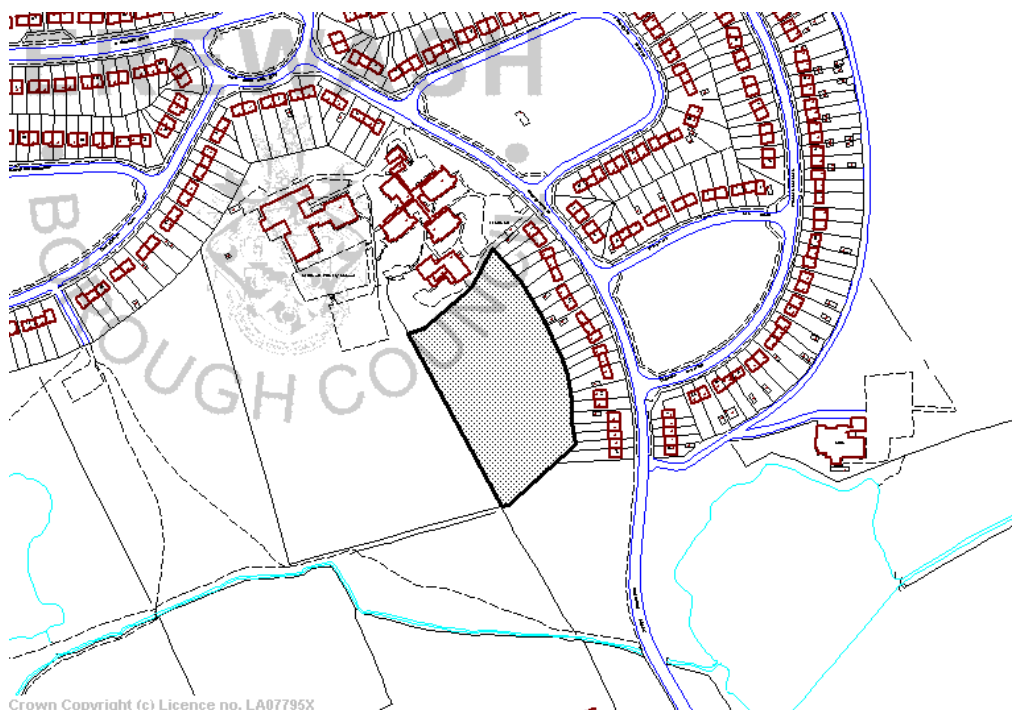
10.4 At the second deposit stage, one landowner objected to the inclusion of several new allocations in Ilkeston for housing and suggested instead that vacant land north of Stanley Lodge Farm in Stanley Common be allocated. The site, shown on Map 12, is contiguous with the village and within walking distance of facilities in Stanley Common. It may be argued that housing development here, in conjunction with the existing farm buildings to the south will result in a logical boundary for the village. The Council is however, not promoting any extensions to the villages and does not consider that there is a need to allocate this land for housing.

Stanley Common

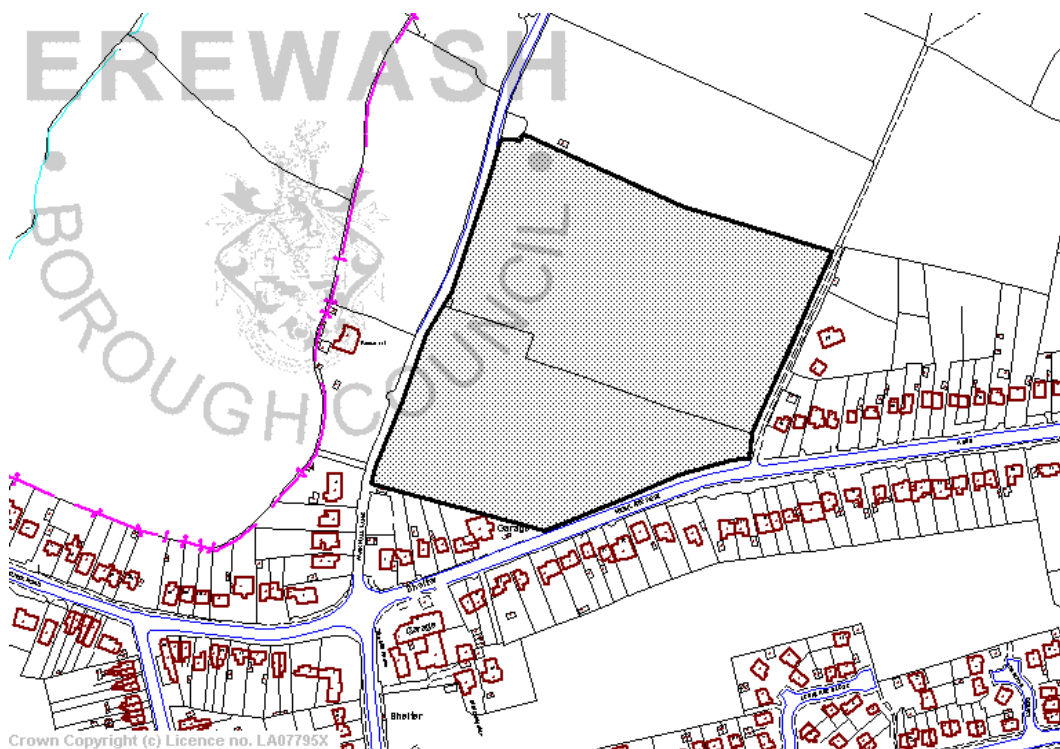
Map 12 1407/3747



10.5 Consultants for option holders of unused land at Dallimore School, Kirk Hallam, have asked that the land be allocated for housing. The area of land is shown on Map 13. No detail is included in the objection as to why this land should be taken out of the green belt. There is housing to the east of the site and the primary school to the north, but other green belt land to the west and south. There is no anticipated need for an additional greenfield site for housing in Kirk Hallam and Council considers that the land should remain in the green belt.



10.6 One objector seeks a northwards extension as shown on Map 14, to the village of West Hallam close to the Borough boundary. In favour of the site the objector notes that there are facilities in the village and close by, and an established public transport route along High Lane West passes what would be the access to the site. The extension to the village would be quite large however, and could set a precedent for further expansion. The land is currently in two large farm blocks and it is considered appropriate that it remains in the green belt.

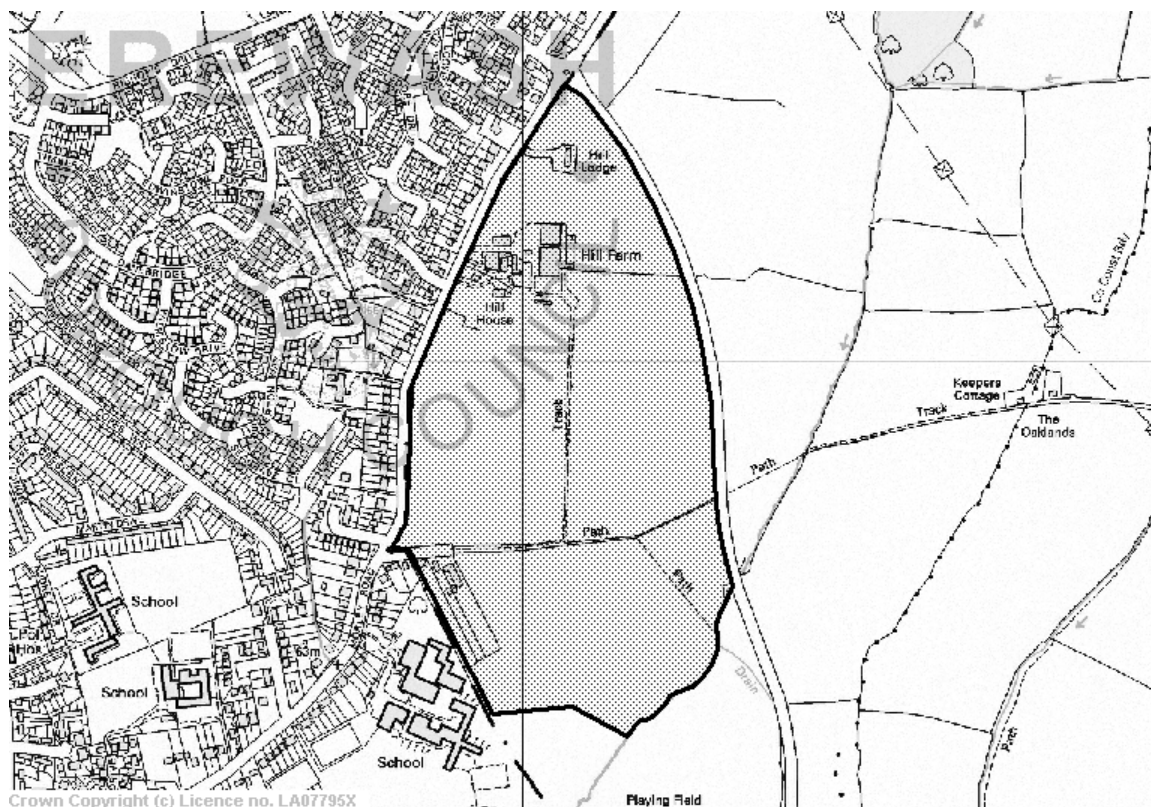


10.7 Morley Road forms part of the western boundary of the Borough and also is a boundary of Nottingham-Derby green belt. Within Derby City on the other side of the boundary the land is used for residential purposes with the suburbs of Chaddesden and Oakwood. One objector asks that the land known as Hill Farm and Clarks Field on the eastern side of Morley Road be made available for residential development. The objector considers that the green belt boundary should be moved down Acorn Way as shown on Map 15 to give a more natural boundary to the green belt from Morley Road. Any residential development in this area would clearly rely on facilities within Derby City and could call into question the city/borough boundary. The green belt boundary has been seen as a permanent demarcation between the city and rural areas to date, and Council does not consider that a case has been made to change that.

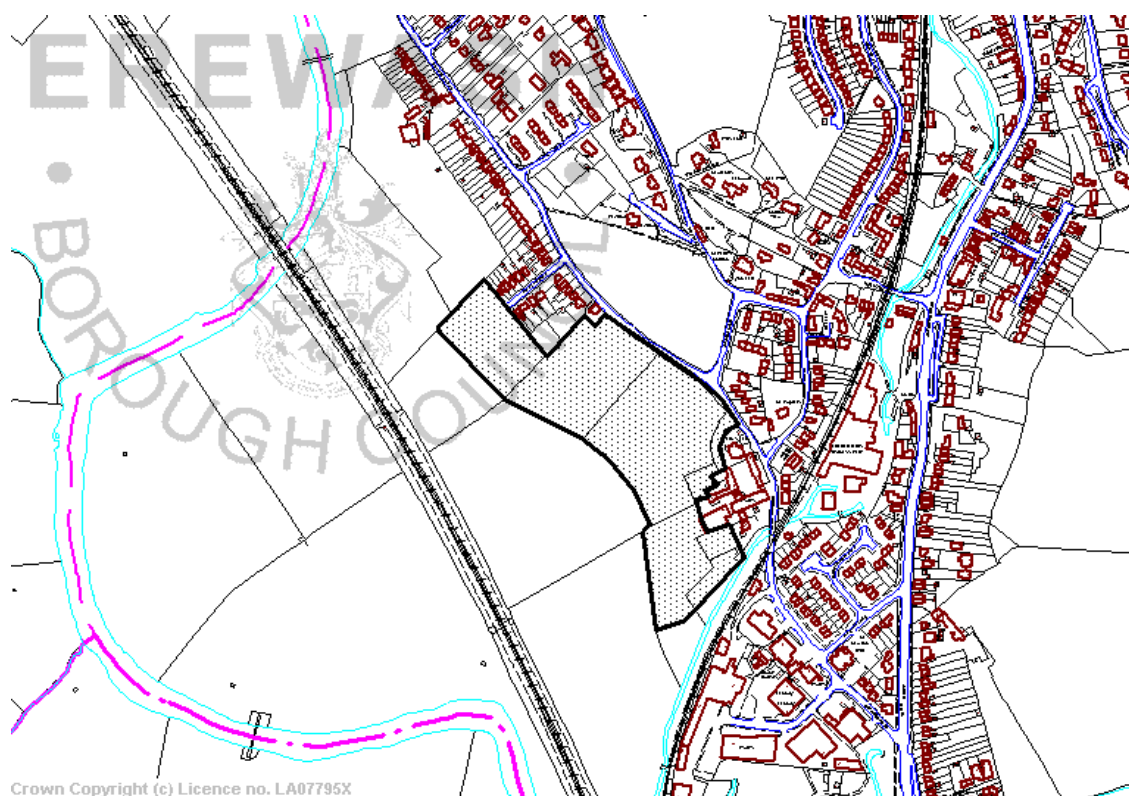
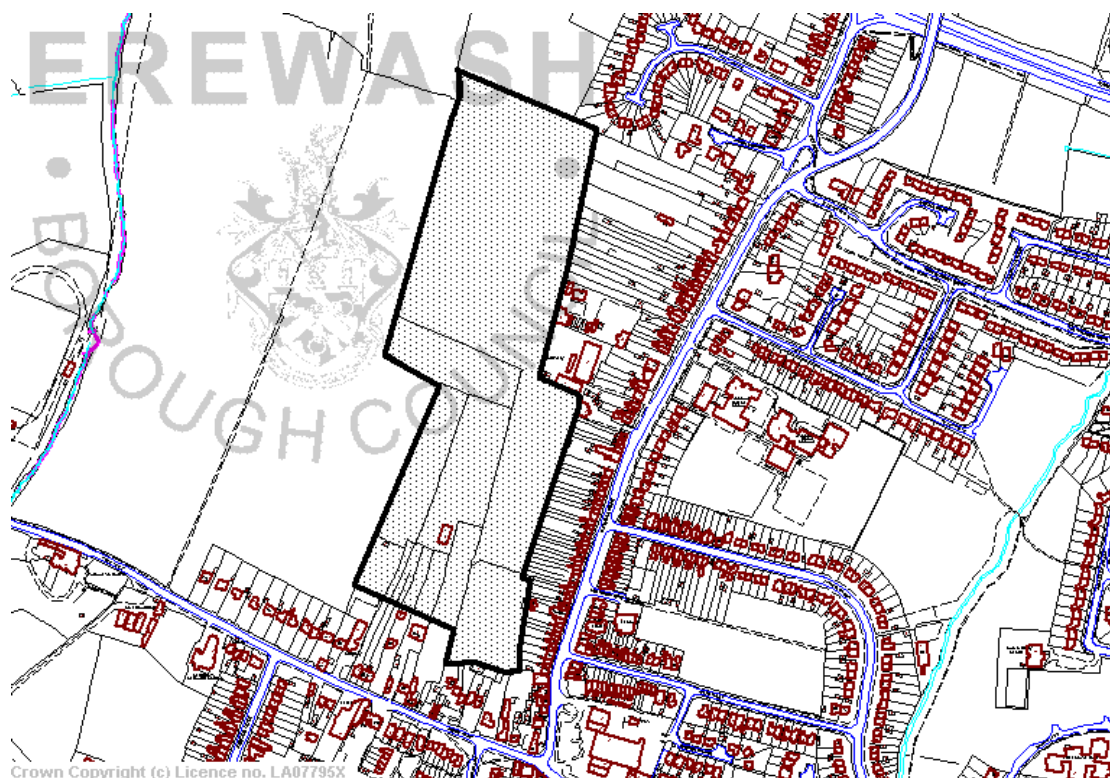
Morley Road

Map 15

1334/3411



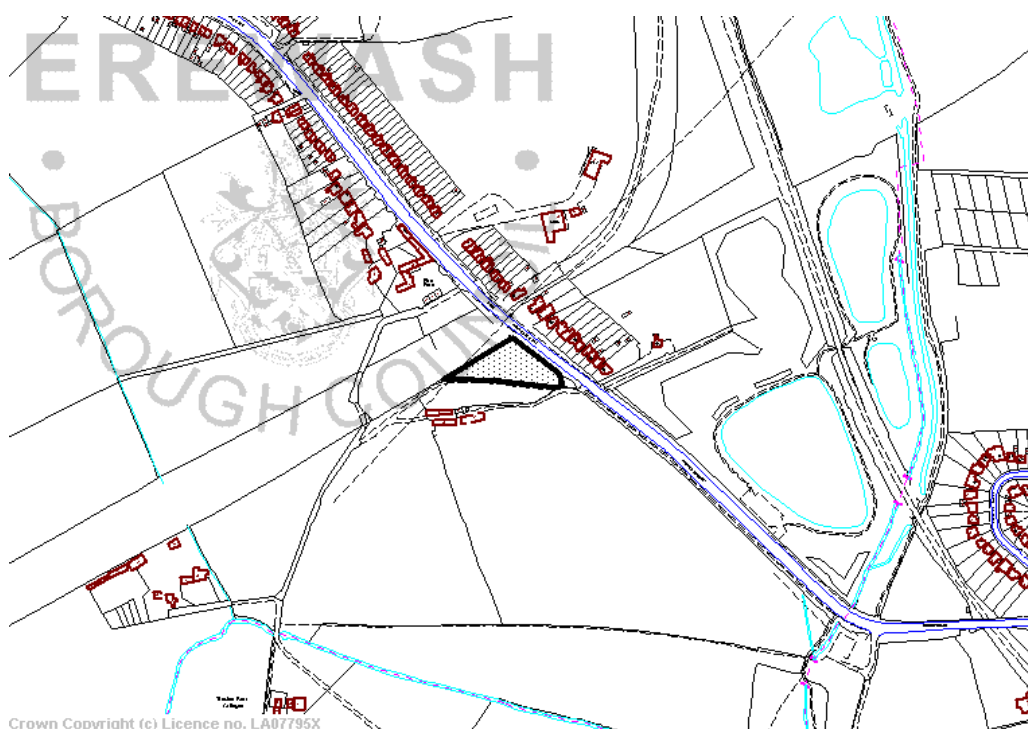
10.8 Two companies have identified large areas on the edge of villages shown on Maps 16 and 17 to potentially cater for longer term development needs i.e. for the period between 2011 and 2021. As discussed in Part 5 of this paper, the local plan does not include any safeguarded land for outside of the current planning period, and intends only to look at the longer term at the next review of the local plan in accordance with the direction from the regional planning authority. The extensions to Borrowash and Little Eaton proposed by the objectors would be a significant change and many factors would need to be considered prior to indicating whether these greenfield sites which have been consistently identified as part of the green belt to date, could provide for housing in the longer term. At this stage it is noted that they are areas of flat open land that may be able to be accessed adequately, but the suitability of these sites would need to be compared with others, in response to whatever housing need is identified in the next planning period.



10.9 One objector asks for a small area of land shown on Map 18 in High Lane East to be allocated for residential use. The vacant land is across the road from an existing row of houses and next to a disused rail line. All of the existing houses in this area along High Lane East are currently in the green belt and the site is not contiguous with any area of land not in the green belt. It would not make any sense in relation to the policies of the local plan to exclude this area alone from the green belt. Having the general area, including the existing housing, 'washed over' by the green belt is appropriate as it limits future ribbon development along this road between Kirk Hallam and West Hallam. Any application for development on the site would need to be treated on its merits in relation to the policies of the green belt.

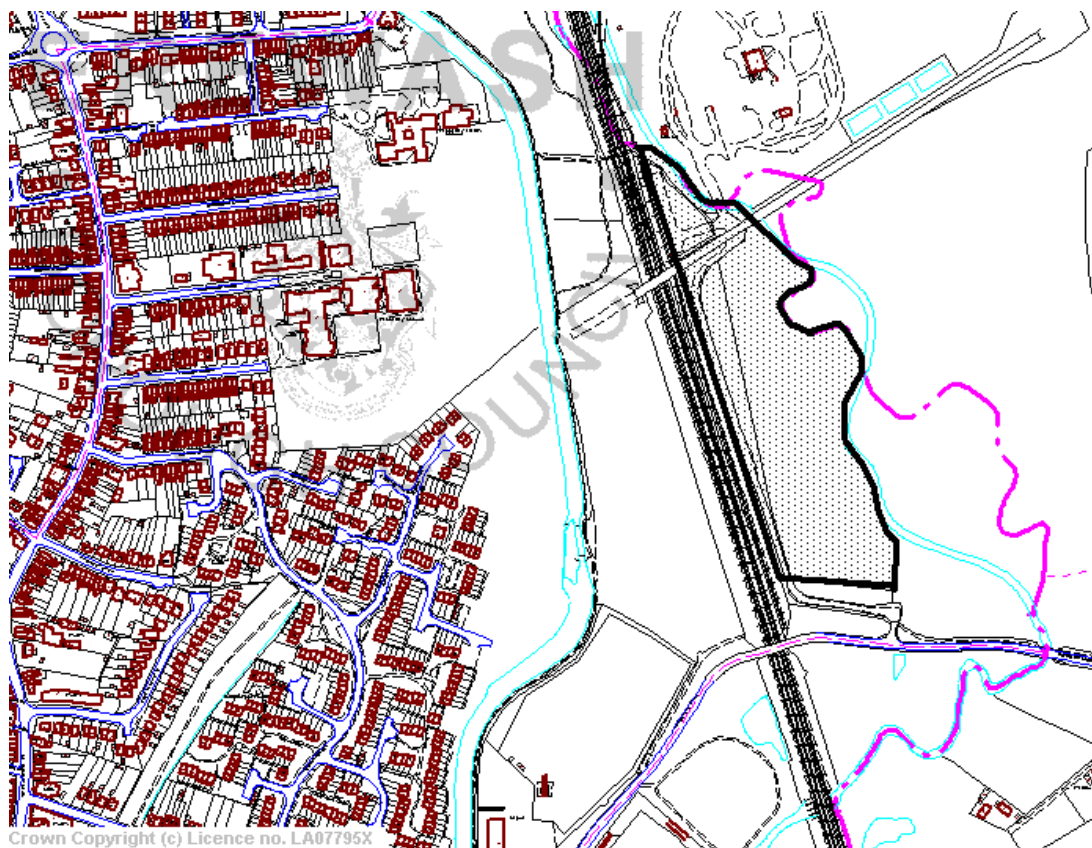
High Lane East

Map 18 227/2752

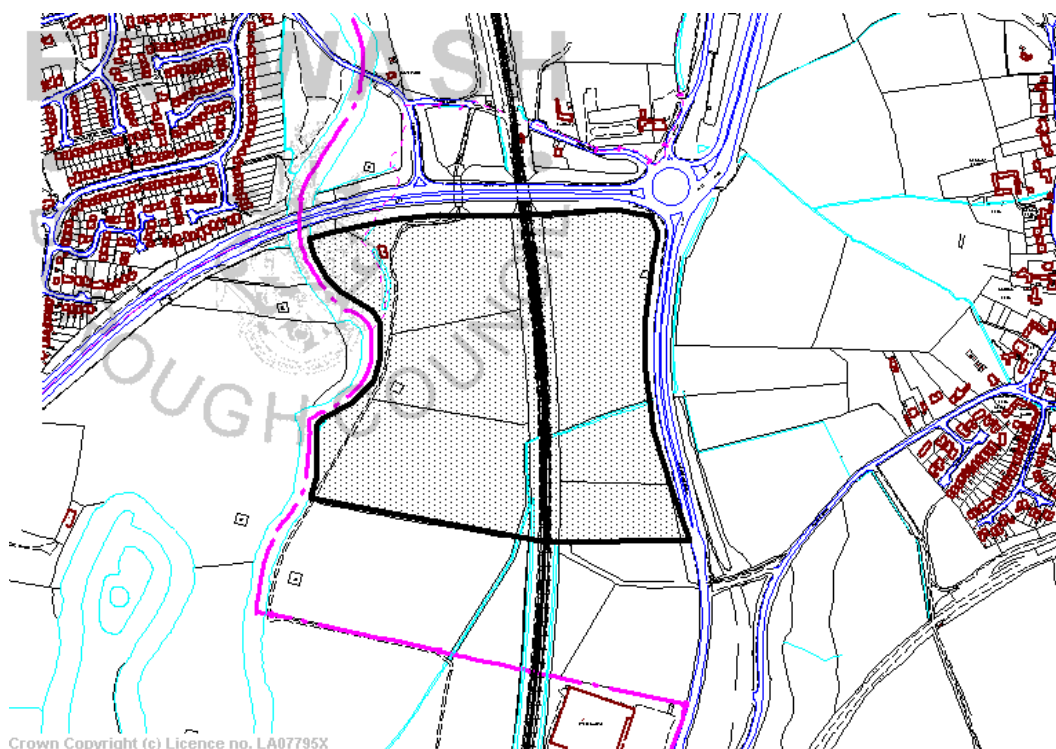


11. Potentially significant changes for additional business land

11.1 The owner of vacant land between the railway line and the Council boundary with Broxtowe Borough, north of Awworth Road, wants to see the land excluded from the green belt so that it can be used as a rail freight facility. The site shown on Map 19 is known as the Bennerley Disposal Point and was formerly used in conjunction with coal mining. The historic Bennerley Viaduct exists over the northern edge of the site. The land is currently open rural land and any proposal to remove this land from the green belt and allocate it for business use would be a major change that would need to be carefully considered as part of a comprehensive review considering other land alternatives. It may not be impossible to establish a rail freight facility on this site even though it is in the green belt however, that issue is discussed further in the Transportation topic paper. It is however noted that the owner has indicated in its representation that a rail freight facility on this site is anticipated only in conjunction with a business use on adjoining land in Broxtowe Borough. Broxtowe Borough has not supported reallocating green belt land on their side of the boundary, and the inspector's report on their local plan released in July 2003 recommends dismissing the objection seeking business use. It is therefore considered unlikely that such a use will establish in Broxtowe.



11.2 Two objectors seek that a large area of open rural land at the edge of the borough west of Breadsall is identified for business use. The land shown on Map 20 is at the corner of dual carriageways by the A38 roundabout and is bisected by the railway line. The western edge is the River Derwent. The boundary between Erewash and Derby City follows the river and a line just south of the site. To the south within Derby City next to the A61 is a large warehouse sales building, but most of the surrounding land uses are rural. Clearly, to exclude this land from the green belt and allocate it for business use would be a major change to the local plan and would require considerable investigation and discussion with Derby City and the highways authority. The Council does not consider that such investigation is warranted at this point in time as it does not perceive a need for business land such as this which is not part of any centre. There is also no allocation in the structure plan for employment land in the Derby sub-area. It is noted that a large part of the site is currently identified as being within the buffer for the Derwent Valley Mills World Heritage Site and the buffer is intended to maintain the rural setting of the Derwent River. The land currently forms part of the important break between Derby, Breadsall and Little Eaton. The current allocation of the land within the green belt is therefore appropriate.



Documents mentioned in this paper:

South and South East Derbyshire Green Belts Local Plan	Derbyshire County Council	1983
Erewash Borough Local Plan - Report on Inquiry into Objections	W A Wood, Inspector	1993
Strategic Sustainability Assessment of the Nottingham-Derby Green Belt	Baker Associates	2002
Planning Policy Guidance: Green Belts (PPG2)	Office of the Deputy Prime Minister	1995
Derby and Derbyshire Joint Structure Plan	Derby City Council and Derbyshire County Council	2001
Draft Regional Planning Guidance for the East Midlands to 2021	East Midlands Regional Local Government Association	2003
Regional Planning Guidance for the East Midlands to 2021	Government Office for the East Midlands	2002
Planning and Compulsory Purchase Bill	United Kingdom Parliament	2002