



Erewash Borough Council: Examination in Public into  
the Core Strategy Review

Hearing Statement of Varsity Town Planning on behalf  
of Green 4 Developments

Matter 3: Spatial Strategy

7<sup>th</sup> December 2023

## Issue

### **Whether the Core Strategy Review is justified, effective and consistent with national policy in relation to the Spatial Strategy.**

#### *1. Does the Core Strategy Review have a vision, strategic objectives and provide a clear and cohesive framework for the future growth and development of Erewash?*

The vision and objectives are not set out. The Core Strategy Review jumps from a factual, geographical description of the Borough straight to the objectively assessed need and settlement hierarchy and then onto housing allocations. There is mention of a 'spatial strategy' – which is not easy to identify within the document, and to a 'spatial portrait', which seems to refer to the main heading at the beginning of the strategy. However, this only provides a description of the Borough as it exists today, and hence there is absolutely no visionary material or aspiration here, and no explicit, or even implicit objectives are set.

One would normally expect to see clear connections between the Council's corporate priorities and vision and an explanation as to how these will be realised through the Local Plan. This is not present in the Erewash Core Strategy Review, and this leaves a disconnect and a gap between the way that planning will be undertaken in the Borough in the context of the corporate vision. This is likely to impact economic development, housing need, town centre regeneration and support and environmental objectives – all of which are disconnected from the proposed planning strategy.

Erewash Borough Council cannot rely on the 2014 Core Strategy to provide a spatial framework or to set a vision because the Housing Delivery Action Plan (EBH11) is clear that the 2014 spatial strategy is flawed. Hence, this must necessarily be reviewed and recast for the Core Strategy Review.

A 'Vision' should anchor the growth strategy in a local and regional context to reflect on the opportunities created around regionally important projects and programmes such as the East Midlands Freeport or the Devolution Deal. The consequence of there being no vision or objectives is serious, as it creates the impression that the Core Strategy Review and hence planning policy generally will be applied in a vacuum without relevance or reference to these wider drivers of growth.

#### *2. Will the spatial strategy contribute to achieving sustainable development, including a sustainable pattern of development, as set out in paragraph 11a of the National Planning Policy Framework and if so, how?*

No. The spatial strategy is reliant upon very high-density development on brownfield sites that are difficult to remediate. The other sites that could contribute to growth appear to have been opportunistically chosen for their proximate location to settlements on the edge of the Borough. This means they rely to a great extent on amenities that lie outside of Erewash, and with no clear Statements of Common Ground to outline how the Duty to

Cooperate has been met, it is unclear whether the adjoining authorities consider that the amenity needs of these houses can be met within their areas.

The spatial strategy has not been informed by a reasonable approach to Sustainability Appraisal (please refer to our Matter 1 Hearing Statement) or because of their proximity to strategic transport links. Neither has the Green Belt Review informed the distribution of growth with any reasonable review of Green Belt that is not meeting its intended goals (please refer to our Matter 4 Hearing Statement).

Erewash Borough Council themselves are clearly uncertain about whether the proposed spatial strategy is the best option for the Borough. Their attempts to withdraw the Core Strategy Review and start afresh are well documented. Green 4 Developments are strongly supportive of a fresh start for two reasons:

1. The submitted Core Strategy Review is advancing a similar strategy to the Core Strategy which failed to deliver growth for the Borough.
2. The current proposed Green Belt releases bring about no additional benefits beyond meeting housing need, and this is in stark contrast to other locations and proposals that have been submitted to the Council (Hopwell Village / Land around Hopwell Hall), and which were not assessed in the SA.

The Government's intervention in this regard is unwelcome and pre-supposes that the Core Strategy Review will be found sound and proceed to adoption.

The housing needs assessment only looks inwards as the Duty to Co-operate appears to have failed to reach any consensus with any of Erewash Borough Council's neighbours.

*3. What were the options for accommodating growth and how were they considered? Have all reasonable alternatives been considered?*

Alternative, sustainable growth options were presented to Erewash Borough Council and were ignored. One such example is Green 4 Development's proposal for the Land Around Hopwell Hall (SGA 27). This was tested incorrectly through the Strategic Growth Area Assessments at a capacity some 300% higher than the landowners believe to be both appropriate and sustainable and, as such, it was discounted from further growth assessments and the Council chose not to engage to discuss it despite being the opportunity to do so.

Accordingly, the timeline of consultations, submissions and the published evidence make clear that alternative sustainable growth options were ignored and were not assessed. Therefore, the Council has not fully examined all reasonable alternatives.

*4. What is the basis for the conclusions on each of the growth options and are these justified?*

The conclusions in respect of the Land Around Hopwell Hall (SGA 27) were not based on proportionate evidence. This site was discounted on the basis of the scale which was interpreted by the Council in the absence of seeking any clarification from the promoter or landowners. The Council's erroneous methodology meant the proposals were incorrectly assessed by a factor of more than 300%. The more sensible and truer capacity of the site is closer to 2,080 dwellings, which was evidenced to Erewash Borough Council in response to their Revised Options for Growth consultation. This was never acknowledged and offers to discuss this significant correction were ignored.

The Land Around Hopwell Hall would represent a different but sustainable growth strategy for one third of the identified housing need. It is readily available and would be a self-sustaining and sustainably connected settlement. Like the options included in the draft Core Strategy Review, it requires a release of Green Belt land, but this also brings about a significant range of additional environmental, energy, community and transport benefits in addition to meeting the housing need.

The Council's failure to properly consider the true potential of the site has resulted in them discounting a false proposition and a failure to properly assess all reasonable growth options as the Core Strategy Review progressed.

*5. How was the settlement hierarchy in Strategic Policy 1 derived? Is the methodology used to determine the hierarchy appropriate and sufficiently robust?*

Green 4 Developments will rely on Erewash Borough Council to respond to the first part of this question.

The methodology is a further point of confusion for readers of the Core Strategy Review. Table 7 of the Green Belt Technical Paper (EBC05) apportions a percentage of new housing to a Strategic Growth Strategy Area (also referred to as a Spatial Growth Strategy in other parts of EBC05). It has been assumed that this relates directly to the settlement hierarchy as set out in section 2a-2f of Strategic Policy 1, despite there being inconsistencies in the terminology.

Green 4 Developments acknowledge that the settlement hierarchy has evolved since 2014 and is in conformity with the broad provisions of the NPPF.

*6. How has the level of development anticipated in different settlement categories in Strategic Policy 1 been arrived at? Does the settlement hierarchy appropriately reflect the role and function of these settlements?*

Green 4 Developments will rely on Erewash Borough Council to respond to this question.

*7. Has the potential for development in the urban area, the use of previously developed land and increased densities been optimised?*

Table 4.1.4 of the SHLAA Summary Report (EBH4) suggests that 1,916 homes will be provided on brownfield sites within Ilkeston, Long Eaton and the rural area and Table 4.1.5 suggests that these will be delivered at an average density of 71.4 dph. In their response to Matter 6, Green 4 Developments set out their concerns about the deliverability of all 1,000 homes at South Stanton. In summary, the former ironworks site would require expensive and significant remediation to make it suitable for development, and, in addition, the current commercial occupier of much of this site has confirmed that the site is operational and that they have no plans in the foreseeable future to dispose of it. The particular use means that it would most likely be a very poor neighbour to residential development on the remainder of the site, and it seems unlikely that a housebuilder would see this as a viable prospect in this context.

We contend that Erewash Borough Council are over-reliant on brownfield sites to deliver one third of their housing requirement. This represents an over-reliance because it reflects the same strategy advanced in 2014 which failed to deliver the required housing. This failure was explained in Erewash's Housing Delivery Action Plan of August 2019, but the Core Strategy Review and the evidence that supports it provides no indication of what circumstances have changed to now make the failed 2014 approach once again the preferred, and, presumably in the Council's view, deliverable approach.

The NPPF test is to "optimise" not 'maximise'. Erewash Borough Council have not been transparent about their assumptions regarding the application of site densities in their SHLAA. As stated above, this averages out at 71.4 dph, which we would contend is an unrealistically high figure.

*8. On a strategic, Boroughwide level, does the scale of housing growth required and the limited opportunities within existing built-up areas provide the exceptional circumstances to justify altering the Green Belt?*

Paragraph 140 of the NPPF tells us that exceptional circumstances needed to be "fully evidenced and justified", and this is where the Erewash Core Strategy Review falls down.

The majority of Erewash is covered by Green Belt, and the Housing Delivery Action Plan of August 2019 is clear about the failures and fundamental unreliability of relying on a strategy of infilling areas around the existing towns and villages.

It follows that Erewash will need to alter the Green Belt boundary in order to meet their housing need. What remains unclear is the extent of housing need given the lack of agreement with the neighbouring authorities regarding the distribution of growth. The spatial distribution of this target has not been fixed in a context of evaluating Green Belt releases. Instead, there has been a post hoc Green Belt analysis of the sites that Erewash think might be deliverable in the plan period.

This approach does not meet the requirements of the NPPF. Green Belt will need to be released in Erewash Borough but the evaluation of Green Belt quality should be a significant part of the evidence supporting the spatial strategy and this has not occurred. Similarly, if Green Belt release is inevitable, then sites should also be evaluated on the basis of maximising the additional benefits that they can realise compared to others.

*9. What factors were taken into account regarding the suitability of each of the rural villages/settlements to accommodate growth? What is the basis for the conclusions in each case and are these justified?*

Green 4 Developments will rely on Erewash Borough Council to respond to this question.

The only point that needs to be made is that planned large, scale growth would deliver its own infrastructure and create new communities that could support, but not rely upon, facilities within existing settlements.

*10. How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?*

The decision-making process is unclear and so we rely on Erewash Borough Council to respond to this question.

Green 4 Developments remains very concerned that the submissions made in respect of Land around Hopwell Hall (Hopwell Village) in respect of the Revised Options for Growth consultation seem to have been ignored, and no acknowledgment was received from the Council. There is no evidence that these submissions were ever evaluated by the Council at all, and no response was received from them in response to offers to meet to discuss the proposals at the time. We are left to wonder if this was unique to the Hopwell Hall land, or whether other sites and proposals were also ignored by the Council as part of the preparation of the Core Strategy Review.

*11. How did the Council consider the viability and deliverability of sites in deciding where to allocate development?*

The viability report was only made available in 2023, and appears to be contemporary to this date, and so we must assume that it did not influence the allocation of sites. Green 4 Developments are satisfied that the PPG only requires Local Plans as a whole to consider whether their proposed allocations are viable and does not mandate that site-by-site viability is an influencing factor in making an allocation.

*12. How did the Council consider the infrastructure requirements of the proposed development in the Strategy and how did this inform the site selection process?*

Green 4 Developments will rely on Erewash Borough Council to respond to this question.

*13. In overall terms, is the Spatial Strategy appropriate and justified, particularly in terms of the range and mix of locations identified for growth? Is it effective and consistent with national policy?*

Green 4 Development do not consider that the Spatial Strategy is justified. The evidence base, particularly the Strategic Growth Area Assessments and subsequent Sustainability Appraisals is flawed. This goes to the heart of the Plan and the consideration of growth options.

The Core Strategy Review advances a failed spatial strategy approach which began with the 2014 Core Strategy. The 2019 Housing Delivery Action Plan acknowledges these failings yet the Core Strategy Review pursues the exact same approach of high-density brownfield site development and a reliance on small-scale Green Belt releases.

Further, Erewash Borough Council have also expressed an intent to re-consider the growth strategy by withdrawing this Core Strategy Review.