

# Erewash Core Strategy Review

Examination Hearing Statement

Matter 4

Representations prepared by Fisher German LLP  
on behalf of Stanton Estates



**Project Title:**

Stanton Breaston

**Contact Details:**

The Estates Office

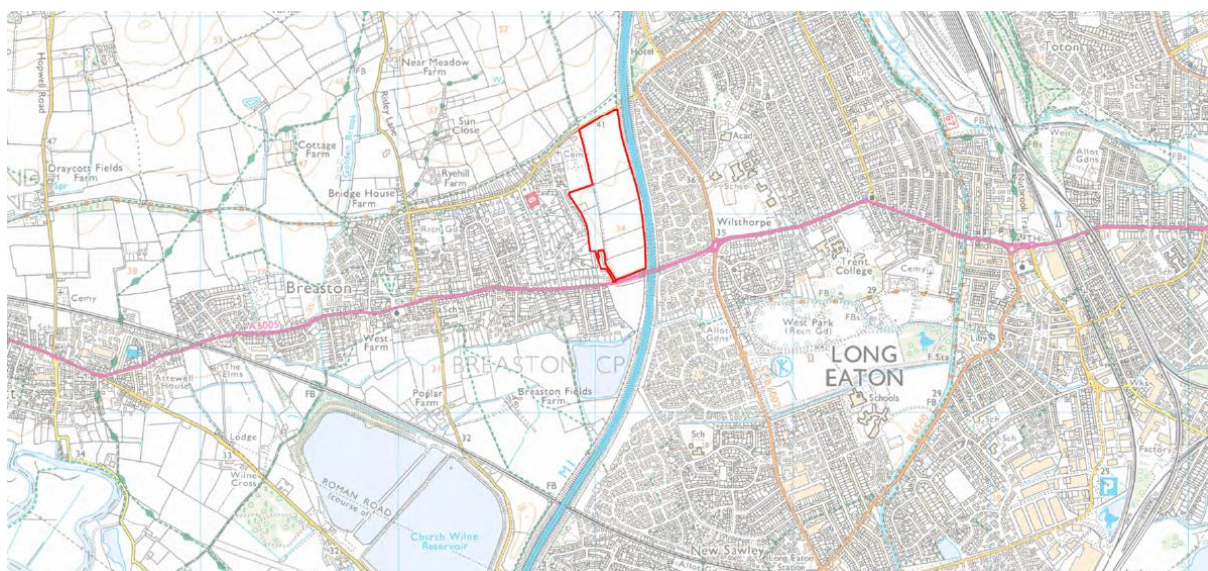
Norman Court

Ashby de la Zouch

LE65 2UZ

# 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.



**Site Location Plan**

- 1.3 The site falls within the Green Belt but is considered suitable for release in the scenario that additional sites are assessed to be required for soundness through the Examination in Public process.

## 02 Matter 4: The Green Belt

**Issue: Whether the approach to the alteration of the Green Belt and development within it is justified and consistent with national policy.**

**11. Are there exceptional circumstances to alter the Green Belt in the Borough in principle? If so what are they? If not, how could housing and employment needs be met in other ways?**

- 2.1 Yes, it is evident that there are exceptional circumstances to alter the Green Belt. Whilst the NPPF clearly affords strong weight to the protection of the Green Belt, it also confirms that there is a requirement to significantly boost the supply of homes (Paragraph 60). Further, whilst the NPPF in principle seeks to retain the Green Belt, it does however provide routes for Green Belt boundaries to be redrawn through Development Plans where exceptional circumstances exist. Moreover, it provides for development on Green Belt land where very special circumstances exist. It was clearly anticipated by the NPPF that circumstances may exist which justify release of Green Belt land where appropriately evidenced. Therefore, as a matter of principle there is not a conflict with the NPPF if exceptional circumstances exist.
- 2.2 Erewash is highly constrained by the Green Belt, with over 70% of the Borough covered by the designation. The evidence to support the Core Strategy Review demonstrates the lack of availability of non-Green Belt sites or even other Green Belt sites which are preferable (in Green Belt terms). Further, delivery of homes through the limited non-Green Belt sites has actually diminished due to the amendments to the Stanton Ironworks proposals, reducing the number of dwellings by 1,000, in lieu of employment provision.
- 2.3 There is currently a substantive and worsening shortfall of land supply. The Council recently (June 2023) concluded that the supply is just 2.65 years (PINS Appeal Ref: APP/N1025/W/23/3319160), a reduction from the 3.43 years set out in the 2019 housing land supply position. This position has been created by the lack of availability of deliverable non-Green Belt sites and the complexity of bringing forward the available brown field sites in the Borough. It is clear without significant intervention the position is not likely to improve. To demonstrate a five-year housing land supply, the Council's evidence requires the approval of emerging allocations in the Core Strategy Review which are located within the Green Belt. Due to lack of monitoring information, it is unclear for how

long the Council have been unable to demonstrate a housing land supply, but it is evidently a persistent issue.

- 2.4 Similarly, with regard to the housing delivery test, there has been persistent failure to satisfy the housing delivery test, having achieved 66%, 62%, 69% and 79% from 2018 to 2021 respectively. Whilst the recent increase to 79% does show an improvement, it is still over a 20% shortfall from that required and the current housing land supply position does not suggest further improvement should be expected to persist without additional permissions in the short term.
- 2.5 With regards to affordable housing, the Greater Nottingham Housing Needs Assessment 2021 report concludes that Erewash has a significant affordable housing need equating to 271 dwellings per annum. It is clear that with the viability issues associated with the Borough's brownfield sites, that they are highly unlikely to make a significant contribution to affordable housing, if any at all. Greenfield sites however on the whole do not suffer from the same viability constraints due to the lack of contamination and remediation required to bring them forward, and this allows them to make significant S106 contributions, including policy compliant levels of affordable housing. To deliver any quantum of affordable housing some greenfield development is required; the majority of which is located in the Green Belt.
- 2.6 The Statement of Consultation (Page 25) sets out the approach adopted by Erewash in respect of meeting housing needs in the Plan and refers to "*Erewash's notably deficient current housing land supply*". The Statement of Consultation confirms that detailed work over several years was undertaken to "*firstly identify and then encourage development to take place on brownfield land opportunities across Erewash*". However, despite a clear drive to deliver as much development needs on brownfield land as possible, the reality is that there is simply not sufficient deliverable land using brownfield land only to meet identified needs. The council confirmed that many sites suffered from significant issues with contamination and remediation which rendered sites undeliverable or unviable. The Council recognised as there was a need to increase delivery in the short term, sites with quicker delivery trajectories would be needed to ensure a 5-year housing land supply could be demonstrated. As such, the release of Green Belt land is considered to be entirely justified.
- 2.7 A chronic shortfall in housing delivery, including affordable housing delivery, combined with no realistic strategy for delivery that avoids Green Belt release demonstrates that very special

circumstances exist in Erewash for Green Belt release. It is noted similar conclusions have been found in the wider HMA.

- 2.8 Approximately 60% of the proposed housing need will be delivered on non-Green Belt land. The Council has confirmed it has exhausted all non-Green Belt sources of supply through the development of the Plan. The Council's adopted strategy clearly prioritises the delivery of non-Green Belt sites to sites within the Green Belt sites and had more non-Green Belt sites have been available, suitable and deliverable, then the split could have been increase beyond 60%. The Council's site assessment evidence and SA demonstrates the sites considered and the conclusion for each. It is however apparent that there simply is not a sufficient quantum of non-Green Belt land available to deliver a suitable development strategy that will meet Erewash's needs in full.
- 2.9 Given the unmet need scenarios for both Nottingham City, and its wider HMA, as well as Derby City, and the constraints both authorities are also working within, e.g. their own Green Belt restrictions it is clear that Erewash's neighbours do not have latent capacity to take on unmet need.
- 2.10 Derby City and its HMA authorities including Amber Valley and South Derbyshire are already dealing with significant development needs due to Derby City's inability to meet its own housing needs. Those authorities are already having to consider release of their own Green Belt land and it would not be reasonable that an additional burden is placed on those authorities to release more Green Belt, simply to negate any Green Belt release in Erewash.
- 2.11 Similarly for the neighbouring authorities of Broxtowe and Nottingham City which also constrained by Green Belt and land availability issues.
- 2.12 North West Leicestershire is accommodating a significant unmet need from Leicester City, and the functional and physical connections with Erewash are not sufficiently strong to justify this being a reasonable approach in this context.
- 2.13 It is clear therefore that there are no reasonable alternatives for Erewash to address its housing need beyond them being met within Erewash itself. Having regard to this, the significant shortfall in housing land supply in Erewash and the need to boost immediately the supply of much needed market and affordable homes, exceptional circumstances exist to release Green Belt land for

homes.

- 2.14 Our client's land at Breaston is considered suitable for release in the scenario that additional housing sites are required through this examination.