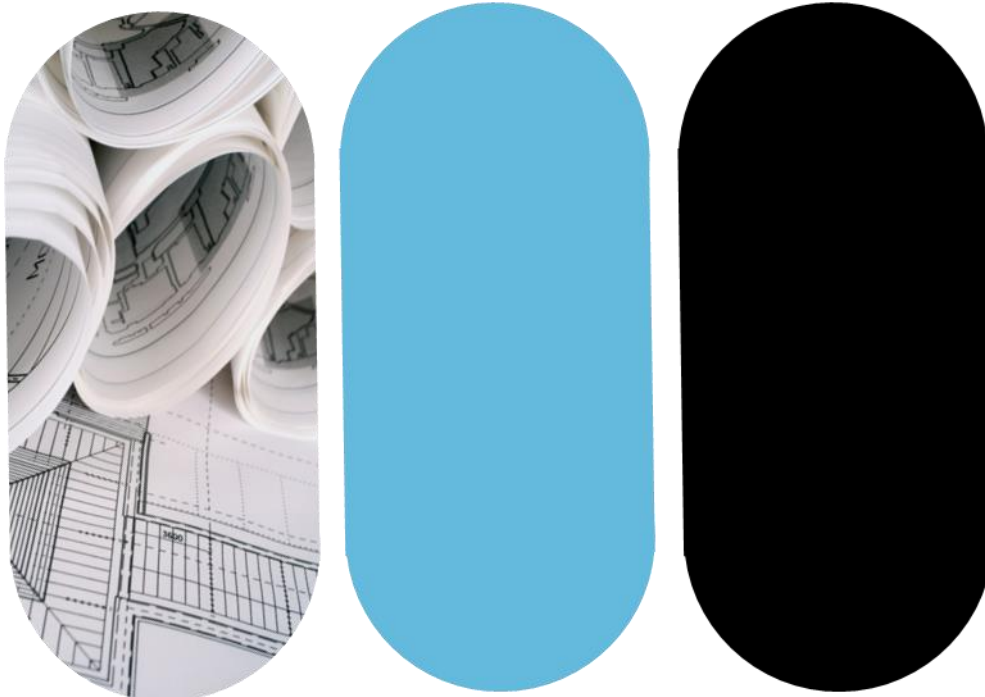




MATTER 3 HEARING STATEMENT THE SPATIAL STRATEGY

On behalf of William Davis Homes



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ISSUE 1 – Whether the Core Strategy Review is justified, effective and consistent with national policy in relation to the Spatial Strategy.

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

1. The CSR lacks a vision or any clearly articulated strategic objectives. The broad philosophy and approach of the CSR is difficult to infer from reading the document nor does it set out a clearly articulated overview of the current planning issues it is seeking to address, and how those relate to the wider conurbations which Erewash is related to.
2. It is evident from reading the Council's response to the Inspector's Initial Questions that Erewash is seeking to break with the approach of previous local plans which had seen a core focus on the urban areas and previously developed land. However, the inability of these areas to yield sufficient completions to meet ongoing needs have triggered a different approach, one which is based upon the large-scale release of Green Belt, albeit still with a heavy focus delivering growth within the urban areas. Acknowledging and contextualising these wider strategic issues is a key part of the plan-making exercise and one that is necessary to inform the plan objectives of which, in our view, should revolve around the delivery of sufficient housing to meet needs over the plan period on the most appropriate sites. Deliverability of identified sites for housing, urban capacity, realistic options for Green Belt release and the accommodation of unmet needs from adjacent authorities are all key issues that should play a part in formulating the CSR's vision and objectives.
3. The CSR does provide a spatial portrait which is somewhat helpful but fails to define the role and function of each area in terms of the capacity or otherwise to deliver growth and the CSR's strategy. There is no high-level strategic picture of why certain locations have been selected for development over others which is particularly important considering the lop-sided approach to growth exhibited by the CSR, which essentially focuses most strategic-level development to the north of the Borough around Ilkeston and to the west of the Borough around Derby. Long Eaton, despite residing at the top of the settlement hierarchy as being one of the most sustainable locations for growth has a very muted role when compared to other locations and again a clear lack of a vision and plan objectives which set out the role and function of each other makes the basis for such an important choice difficult to discern.

Question 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?

4. Strategic Policy 1 which sets out the settlement hierarchy and the apportionment of growth between different locations in the Borough also fails to describe the role and function of each settlement and how this is reflected in the apportionment of growth to each. For example, Long Eaton is appropriately placed at the top of the settlement hierarchy given its functional links with the Nottingham conurbation, which provides the greatest number of services, facilities and infrastructure to support housing growth. However, Long Eaton itself does not play a significant role in delivering the growth strategy outside of the assumed contribution of its urban area in the form of windfall sites. Of the overall level of housing provision made within the CSR, Long Eaton will accommodate some 12% of growth despite being home to around 33% of the Borough's population. The purpose of a settlement hierarchy is to promote sustainable patterns of growth and so the most sustainable location within the Borough playing such a limited role in the growth strategy calls into question just how sustainable and, indeed, deliverable the growth strategy is.
5. Most strategic growth is clustered towards the northern end of the Borough with more limited growth directed towards the westernmost extremity of Erewash's geography, adjacent to Derby. The Proposed Core Strategy Review Policies Map shows a significant concentration of employment and housing growth to the south of Ilkeston whereas other parts of the Borough, including those such as Long Eaton which have the strongest functional link to the Nottingham conurbation, are excluded from growth.

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

6. For the reasons set out in our response to Matter 1 in respect to the general robustness of the Sustainability Appraisal (SA) process, there has been inadequate consideration of the options for strategic growth with the consequence that all reasonable alternatives have not been considered. The SA process commenced with a generally high level consideration of a number of growth typologies which indicated that Option D was the most sustainable option that was essentially a continuation of the 2014 Core Strategy's approach of delivering large-scale residential development previously developed land. As the Council appropriately acknowledges, a continuation of this strategy would simply not be deliverable to meet growth needs, and so it appears the CSR has settled on a particular contribution of all the initial eight growth options of the Strategic Growth Options consultation of 2020. Nowhere has this been expressly acknowledged or any reasonable alternatives considered to the preferred growth strategy throughout the rest of the plan-making process. Subsequent to the Strategic Growth Options consultation, the SA process subsequently considered 25 Strategic Growth Areas (SGAs) in 2021 but there is no clear link weighing up of how this process fed into the section of the preferred sites and, more specifically,

no consideration of how these could play into potential alternative spatial and strategic options which also should have explored differing level of housing requirement, which was also not undertaken.

7. There is also the question of the treatment of urban areas. There has been no particular consideration of alternatives to the level of growth apportioned to the urban and built up areas and there is little reference within the CSR or its evidence base of the particular combination of sites that will come forward to meet this apportionment. Are these comprised sites identified within the Strategic Housing Land Availability Assessment (SHLAA) as deliverable? Are they part of an urban windfall allowance? Should all of these sites remain consistent across all strategic growth options? The lack of consideration and explanation in this regard is similarly problematic. We note this issue was touched upon within the Inspector's Initial Questions where it was observed that the CSR identifies material of levels of housing provision within the urban areas of Long Eaton, Ilkeston and the rural area yet there are no allocations presented to support these numbers. In the absence of any particular allocations, the question was put to the Council as to whether the CSR would be effective in meeting the housing requirement and the spatial strategy.
8. The Council has responded that no "non-strategic" allocations are planned that would contribute towards the housing requirement set out by the proposed distribution within the CSR's spatial growth strategy. It then goes onto explain that it expects the numbers planned for within the urban area to come forward via urban windfall owing to the permissive policy framework within the urban areas articulated within the development plan taken as a whole. That approach, when considering the quantity of such sites relied upon to deliver the CSR's strategy amounting to slightly under half of the overall housing provision, presents a significant threat to the CSR's delivery recognising the urban windfall is an inherently uncertain source of supply. That is demonstrated by the fact that the entire purpose of the CSR to begin with is to address the significant under-delivery of housing that has arisen from the reliance of successive local plans on sites within the built-up area which have not come forward at all or in the amount or rate anticipated.

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

9. The eight growth options considered are presented in the SA Testing of Strategic Growth Options document [CD9]. We have provided comments on this topic within our Matter 1 statement from a Sustainability Appraisal perspective.

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

10. There is little explanatory text or evidence base underpinning the selection of the settlement hierarchy so it is unclear how it was derived. The settlement hierarchy set out in Strategic Policy 1 is also confusing in that it conflates the settlement hierarchy with the growth strategy. Whilst there is inevitably a relationship between the two, in this case it appears the growth strategy has been formulated first and the settlement hierarchy amended to suit whereas this is the opposite of the process that should have been undertaken to secure sustainable patterns of growth that make best use of the available services, infrastructure and facilities.
11. As an example, the Long Eaton Urban Area has a position at the top of the settlement hierarchy which is appropriate given that it forms part of the wider Nottingham conurbation. However, the fringes of Long Eaton/Sandiacre which are still spatially part the Nottingham conurbation (albeit constrained by Green Belt), sit near the bottom of the settlement hierarchy. A similar phenomenon has also occurred in respect of Ilkeston where its urban area has been ranked as being more sustainable and able to accommodate growth than the land which adjoins it which from a spatial perspective makes little sense. Whilst the fringes of Long Eaton and Ilkeston are in the Green Belt, this does not mean that they are unsustainable from a settlement hierarchy.

Question 6: How as 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?

12. As with the settlement hierarchy itself, it is hard to know how the apportionment of strategic growth between different locations has been arrived at not in the least because, as set out above and in our Matter 1 statement, the selected growth strategy has not been subject to SA testing against reasonable alternatives in tandem with overall options for the amount of housing required.
13. As set out above Long Eaton plays a minimal role in accommodating growth despite being at the top of the settlement hierarchy. The fringes of the Nottingham conurbation (which are the fringes of Long Eaton) have been disaggregated from the main urban area of Long Eaton with the fringes of the Nottingham conurbation effectively accommodating zero growth, in contrast with the fringes of Ilkeston and those of Derby. That is despite the fact the fringes of Ilkeston will play a significant part in accommodating growth over the CSR plan period, but this location is notably at the bottom of the settlement hierarchy presented in Strategic Policy 1.

14. In order to understand the role and function of each settlement and the amount of housing directed thereto, the reader is obliged to read the adopted 2014 Core Strategy which is helpful in that it clearly articulates a settlement hierarchy and apportions growth in line with that hierarchy, albeit with a significant focus on Ilkeston given the availability of a large-scale brownfield site and the need to regenerate the town more generally. Long Eaton, both land within and adjoining, is also recognised as being at least as sustainable as Ilkeston given its relationship to the Nottingham conurbation. Because of the urban focus of the current Core Strategy no sites were allocated within the Green Belt around Long Eaton, despite its obvious sustainability credentials, but the exercise to be undertaken as part of the CSR is fundamentally different, as the Council has recognised the need to make allocations within the Green Belt adjacent to the conurbations in order to meet housing requirements. That exercise should necessarily be informed by the sustainability credentials of the settlements which these allocations adjoin or are functionally related to yet the hierarchy of settlements in the District bear little relationship to the level of growth apportioned to each tier.

Question 8: On a strategic, Borough-wide 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?

15. Yes. For the reasons set out in our Matter 5 statement, the scale of housing growth required is very likely to have been understated and the CSR and its evidence base provides little confidence that the amount of urban windfall planned for will come forward at the quantities and at the rate required to underpin sufficient housing delivery. That the housing requirement has been understated and the urban capacity very likely overstated is of significant concern in the context of the CSR, and so the case for exceptional circumstances to amend the extent of the Green Belt is even more overwhelming at a Borough-wide level than would appear to be the case from the CSR or its evidence base.
16. With respect to the Council, whilst it is clear that Green Belt release will be necessary to realistically meet housing needs, the case for exceptional circumstances at a Borough-wide level has not been made as cogently as it could have been as key parts of the evidence base to make this assessment are missing such as a comprehensive understanding of the housing requirement and a strategic Green Belt review. That said, it is plain on its face that insufficient urban land exists to accommodate all growth needs and accordingly in order to meet housing needs adjustments must be made to the Green Belt. Our view is that such adjustments should be made where, amongst other things, growth can be most appropriately accommodated near the most sustainable settlements such as at Long Eaton.

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

17. The Council has confirmed in its response to the Inspector's Initial Questions that it has not made what it considers to be "non-strategic" allocations within the urban areas. Rather, the assumed contribution from sites within the urban area is based on the relatively high-level assessments contained within the Strategic Housing Land Availability Assessment (SHLAA). The strategic sites (mainly those within the Green Belt) have been distilled from the SHLAA and identified as Strategic Growth Areas (SGAs) which have been subject to assessment within the Strategic Growth Areas Assessment 2021 and have separately been subject to Sustainability Appraisal (SA).
18. The SGA Assessments and the SA process which underpins them explore a variety of issues but regrettably in respect of many topics fail to do so robustly. We have highlighted our concerns in respect of Green Belt assessment within our Matter 4 statement and would repeat these in the context of the assessment on landscape impact, the conclusions on which have not been supported by a Borough-wide landscape assessment undertaken in accordance with industry-recognised methods. As set out in our Regulation 19 representations there has also been questionable methods employed to assess matters such as agricultural land quality and the SGA assessments have also ignored important facts on the ground such as, in the case of Site SGA28, part of the site comprising previously developed land.

Question 11: Did the Council consider the viability and deliverability of sites in deciding where to allocate development?

19. It is plain that in deciding where to allocate development the Council has not paid regard to viability or deliverability. This is confirmed in the Council's response to the Inspector's Initial Questions [EBC01] which indicates that in developing the CSR, the Council has not carried out a whole plan viability assessment. The Local Plan Viability Report dated September 2023 [EBC04] and clearly produced after formulation of the CSR assesses the "significant aspects of viability" and tests five "key sites" which represent the CSR's larger-scale strategic allocations.
20. Despite the CSR's substantial reliance on urban windfall, there is little analysis within the Viability Report in respect of these site typologies apart from the observation at paragraph 6.14 which states "Erewash is not a location where higher density is likely work very well" indicating that such urban sites may in fact struggle to come forward, which would be consistent with recent experience. The following statement within the Council's response to the Inspector's initial questions is also noteworthy in the overall context of deliverability:

“Whilst the Erewash Core Strategy’s Spatial Strategy was supported by evidence which demonstrated its achievability, it emerged that the redevelopment of brownfield land within the existing settlements and at the Stanton Regeneration Site had in many instances become largely unviable and particularly within the Ilkeston sub-area.”

21. Despite this statement, the CSR’s spatial strategy continues to overwhelmingly focus growth in and around the Ilkeston sub-area including at the Stanton Regeneration Site despite recent experience which suggests that this approach is likely to be unviable and undeliverable.
22. Given that so much strategic growth is focused in and around a poor market location, there is also no consideration within the Viability Report or its wider evidence base of market absorption rates, despite the findings of the Independent Review of Build Out (the Letwin Review) that overall absorption rates are critical to the rate at which sites deliver housing.

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?

23. For the reasons discussed above, growth within Erewash has not been apportioned in accordance with the settlement hierarchy with the main settlement of Long Eaton (which is part of the Nottingham principal urban area) playing very little role in the growth strategy and with Ilkeston playing a disproportionately large role, particularly having regard to its viability issues. There is very little analysis as to whether the significant number of urban sites relied upon can viably come forward and overall, the spatial strategy is undeliverable and will not result in sustainable patterns of growth.

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