

CHAPTER 2: STRATEGY, VISION, AND GUIDING PRINCIPLES

Objections

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598	2659		Mr I Brown	CPRE - Broxtowe Group
601	2554		Mr S Rufus	Nottinghamshire Wildlife Trust
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601	4535	R16	Mr S Rufus	Nottinghamshire Wildlife Trust
2.04	R17		Guiding Principles for the Plan - Addition of reference to transport infrastructure and services	
1589	5504	R17	Mr C Barson	SABRHE
2.04	R18		Guiding Principles for the Plan - Rephrasing of reference to infrastructure and facilities	
601	4536	R18	Mr S Rufus	Nottinghamshire Wildlife Trust
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601	4537	R19	Mr S Rufus	Nottinghamshire Wildlife Trust
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2.07			Town Centres	
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1135	2382		Mr I Moss	House Builders` Federation
601	2548		Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection issues

2.4 Guiding Principles for the Plan

598/2659: CPRE - Broxtowe Group

1. Support the statement in the plan applying the principles of sustainability to all land use proposals. However, the concept of sustainability is often seen as a theoretical consideration and far more can be done in practical terms. These can be set out as follows: Environmentally led plans; Methods of plan preparation that emphasise environmental interests; Guidance which will influence the nature of the development. In addition to the statement about applying the principles of sustainability to all land use proposals this statement should be supported by the environmental rationale upon which it is based and the environmental and other objectives which the plan seeks to meet. As part of the statement there should be an environmental keynote policy setting out the general environmental criteria against which new development proposal will be judged. The Technical Report - Environmental Appraisal details a number of criteria used to examine all potential development allocations and policies in order to determine whether sufficient attention has been paid to environmental concerns. However there is no cross-reference in the Deposit Draft to the Technical

Report and additional factors should be taken into consideration. Particular emphasis should be placed on the following: Preparing State of the Environment Reports; Examining environmental capacity and defining key environmental resources; assessing policies, policy options and proposals for their environmental consequences. State of the Environment Reports should set out the following:- The present state of knowledge and any gaps in the information to form a detailed census of all SINCs and their characteristics; trends in environmental quality; indicators of environmental quality that can be used in monitoring. Such a report should identify, characterise and evaluate as appropriate, landscape, wildlife habitats, and earth science interests, archaeological, historical and cultural features (including areas of potential interest where further survey is necessary), and the range of opportunities for access and enjoyment. This should include an assessment of the pressures affecting these resources, and their vulnerability to change. With regard to Environmental Capacity and Key Environmental Resources, we support the Policy Statement statements E13 through to E22 relating to protecting a range of environmental issues. But would add that an environmentally led approach should include a clear definition of both the key environmental resources that will be firmly protected from development, and the character and quality of the wider environment, which will be maintained and enhanced. With regard to Environmental Benefits and Planning Obligations we feel that there should be a policy to provide appropriate compensation for environmental loss by the creation of new environmental resources so that the overall character and quality of the environment are maintained in the long term. However under no circumstance should development be justified solely by this potential.

Council's Response:

2. Paragraph 2.XX (R21) has been inserted in the Revised Deposit Draft. This paragraph refers to the Environmental Appraisal and clarifies the link between the Appraisal and the Local Plan itself. The Council considers the Environmental Appraisal itself was comprehensive and systematic, and as such has helped to inform the choice of sites and the wording of policies. The Council does not consider there is a need for a keynote policy setting out general environmental criteria against which new development will be judged, as this is covered by other policies within the Local Plan - in particular Chapter 3: The Environment.

601/2554: Nottinghamshire Wildlife Trust

3. Broadly support this paragraph, as it identifies sustainable development as occupying a position at the core of the Local Plan development. However, they feel that revisions are required to more fully account for the needs of the urban and rural environment and to accommodate the needs of the population according to these principles.

Council's Response:

4. General support noted. Further amendments have been made to this section and an additional guiding principle has been inserted covering transport infrastructure and services. Emphasis has also been drawn to the need to promote the regeneration of deprived areas, respect local environments and communities, and the need to provide opportunities for cultural development.

2.4 R16 Guiding Principles for the Plan – Addition of reference.

601/4535: Nottinghamshire Wildlife Trust

5. While fully supporting the principle of efficient land use in the borough, through reusing land and buildings, they feel that there should be an explicit reference in the 'Guiding Principles' to the need to protect semi natural habitats and provide sufficient access to public open space for all residents of the borough.
6. We recommend that the plan be amended so that this paragraph reads as follows: 'Encouraging the most efficient use of land within already developed areas through redevelopment and reuse of land or buildings – while ensuring that this is not to the detriment of other appropriate land uses – and in new development locations'.

Council's Response:

7. They consider that the principle of encouraging the most efficient use of land and buildings is important in its own right and needs no further elaboration. The need to provide opportunities for recreation and to conserve wildlife and landscape are covered by other Guiding Principles within this section.

2.4 R17 Guiding Principles of the Plan – Addition of reference to transport infrastructure and services.

1589/5504: Mr C Barson SABRHE

8. The Local Plan lists existing and proposed greenways linking urban and rural areas including routes through new development. Broxtowe has included plans for a greenway associated with the employment site EM3d which is supported. However SABRHE would like to see a further greenway from Eastwood to Brinsley.

Council's Response:

9. The objection does not relate directly to the revision R17, but rather relates to policy RC17 - Greenways. It is not considered reasonable to require the developers of the site EM3d to extend the links through to Brinsley and other villages (refer to Proof 037).

2.4 R18 Guiding Principles for the plan - rephrasing of reference to infrastructure and facilities

601/4536: Nottinghamshire Wildlife Trust

10. We recognise that the previous version of this bullet point may have lead to an undue focus of development activity in a limited number of locations, but feel that it is important to stress the opportunity for improvements to the borough that may come forward as a result of appropriate development. We feel that the Council should amend this bullet point to ensure that reference is made to these potential gains.
11. We recommend that the plan be amended to read making the best use of infrastructure and community facilities through appropriate development design and location.

Council's Response:

12. The phrase “by focusing development in particular areas” has been deleted as there is a separate section relating to locational principles starting at paragraph 2.11. Furthermore, it is important that we make the best use of existing infrastructure and community facilities throughout the borough.
13. The importance of attractive and appropriate design and layout is referred to repeatedly in later sections of the plan.

2.4 R19 Guiding Principles for the Plan - Rephrasing of references to economic development.

601/4537: Nottinghamshire Wildlife Trust

14. This point has had favourable amendments from the deposit draft but there is still scope for further improvement by including reference to the quality of the environment.

15. We recommend that the plan be amended such that this paragraph reads 'promote development of vibrant communities and a health and diverse natural environment'.

Council's Response:

16. This principle focuses on the need to bring forward opportunities for economic development. The Council does not consider it would be logical to include reference to a diverse natural environment within this point. The importance of wildlife and landscape is referred to in the preceding principle.

Inspector's conclusions

1. Paragraph 2.4 describes the Guiding Principles for the Plan. These provide the broad framework to which detailed objectives, policies and proposals in later sections can be related. It would confuse the structure of the Plan and overburden paragraph 2.4 to include details of more specific objectives as requested by some objectors. Similarly, this is not the place for a keynote environmental policy, even if one was appropriate. The Plan contains a range of policies and criteria relating to different aspects of the environment. A single keynote policy covering all these is impracticable and unnecessary. It would, at best, be unwieldy but it would be more likely to introduce potential conflict with more detailed policies and thus a lack of clarity. Any uncertainty in application could then be exploited. R12 included a reference to the Technical Reports and R21 specifically referred to the Environmental Appraisal (Technical Report CD21) which sought to assess the environmental consequences of policies and proposals. The preparation of State of the Environment Reports is a matter for the Borough Council outside this Local Plan Review. The NBGRC is completing a review of SINC's, the results of which have been fed into the inquiry where appropriate. Trends in environmental quality and indicators for monitoring is another matter for the Council and should be addressed through IC96. The Plan has been informed by a number of survey documents covering other environmental resources mentioned by the CPRE. The Plan itself and future monitoring reports should identify the main pressures upon these resources. I see no good reason to burden paragraph 2.4 with such detail. This is covered in more appropriate sections elsewhere in the Plan.
2. It is unclear what the CPRE has in mind for an environmental led Plan. However, a sustainable development approach, which they apparently support, should, as PPG1 makes clear, deliver the objective of achieving, now and in the future, economic development to secure higher living standards on the one hand while protecting and enhancing the environment on the other. The role of the Plan is to balance and resolve areas of conflicts. Given the requirements upon it, the Plan cannot commit itself, in advance, to an overriding priority for environmental interests. It includes a range of individual policies that seek to protect environmental resources from damaging impacts and, as the CPRE suggest, provide for mitigating or compensatory measures. Again this is dealt with in other appropriate sections of the Plan.
3. R15 to R20 included a number of changes to amplify and extend the Guiding Principles including respect for local communities (R15), redevelopment/re-use of land and buildings (R16), improving transport infrastructure (R17), regeneration of

deprived areas and promotion of vibrant communities (R19) and cultural development (R20) wherever they arise in urban or rural areas. These should have satisfied a number of objections to the FDDP, including GOEM, EH and most of those of the Nottinghamshire Wildlife Trust. The avoidance of coalescence and maintenance of open corridors is a policy choice, not a Guiding Principle.

4. The Guiding Principles include the conservation of wildlife and nature conservation interests in towns, villages and the countryside whether natural or semi-natural and it is unnecessary to pick out the latter for special mention. Public open space provides access to all, whether residents or visitors, and this is, in any case, more of an issue for Chapter 8. R16 covered the first part of the Trust's suggested amendment. The claims of other land uses are dealt with in other Guiding Principles and it is for the Plan and the decision maker to resolve any conflicts that may arise in any particular circumstances. The T&CP Act requires that planning applications be determined in accordance with the development plan unless material considerations dictate otherwise. The latter will vary from one site to another and it is not possible to anticipate in some broad policy or guiding principle how the balance should be struck in advance. R16 does not need to be qualified in the terms suggested by the Trust. It is in itself a laudable aim that accords with government policy for the development of brownfield land
5. SABRHE's suggestion relates more to Policy RC17. However, I have had no obvious opportunities pointed out to me for providing a greenway from Eastwood to Brinsley. The footway along Mansfield Road already link Eastwood Town Centre, Durban House, Brinsley Headstocks and Brinsley, although it is affected by traffic.
6. Making the best use of existing infrastructure and community facilities is an entirely appropriate aim in accord with the principles of sustainable development. R18 needs no further elaboration or qualification. The introduction to paragraph 2.4 already refers to land use and development and this applies to all the following Principles. It needs no special mention in individual Principles. The term "appropriate" is unnecessary. It goes without saying, as such principles could hardly be served by inappropriate development. Questions of design and location are for other sections of the Plan and are too detailed to be included here.
7. R19 is concerned with economic development promoting the regeneration of deprived areas and the development of vibrant communities. I cannot see how in this context it is appropriate to add the phrase "the creation of a healthy and diverse environment". Other Principles cover such aims more directly.

Recommendations

8. I recommend that no modification be made to the Revised Deposit Plan in respect of the above objections.

2.6 R22 Urban and New Development Areas – Rephrasing of reference to future needs.

598/4366: CPRE – Broxtowe Group

1. We object to the insertion of the word 'largely'.

Council's Response:

2. The word 'largely' has been inserted in recognition of the fact that people live and work outside the urban areas and it is important that their needs are also met. Furthermore, much of the population's need for leisure and recreation will be met in the countryside.

Inspector's conclusions

1. The CPRE may wish that all future needs could be met in urban areas. However, I am satisfied that this is not practicable. Thus the term "largely" simply reflects the reality of the situation where most, but not all, future needs will be met in urban and new development areas. The First Deposit Draft Plan was thus misleading in this respect and warranted the change introduced by R22.
2. Greasley Parish Council (3943) objects to paragraph 2.6; in particular the strategy of selecting a small number of large sites. Although this reflects the proposals of the RDDP, it does not reflect my conclusions and recommendations both in terms of a small number of new large sites and mixed development. This bullet point will need re-drafting accordingly.
3. In my consideration of objections to R29-R32 below, I also express reservations about a strategy of focussing on a small number of large development sites outside existing urban areas. Where these areas lie in the adopted Green Belt, my consideration of objections to proposed allocations and omission sites alike has focussed upon the extent to which their development would compromise Green Belt purposes as well accessibility to essential services and facilities and other sustainability factors such as transport. This is in accordance with the 1st Guiding Principle under paragraph 2.8, which should apply on the edge of existing urban areas as well as in rural areas. Although this must be assessed on a site by site basis, larger sites will tend to compromise the purposes of Green Belts to a greater extent than smaller sites. I have, in accordance with the Guiding Principles and the policy advice of PPG2, preferred land outside to land inside the Green Belt where this would result in sustainable development.
4. A larger number of smaller sites may expose more communities to change and a wider range of objections facing the Council. However, my concerns are with land use planning matters and in particular the integrity of the Green Belt in Broxtowe. I do not regard small deletions as nibbling away at the Green Belt given a formal plan review and this should not have the same impact upon the concept of Green Belt permanency as might arise with planning permissions for inappropriate development in the Green Belt.
5. I have not accorded such a high priority to the introduction of mixed employment and housing development within separate new development areas as I have not seen the case for such a strategy clearly established in Broxtowe's circumstances.

6. New employment provision should be located to meet the needs of the existing population, particularly those disadvantaged areas, as identified in the 7th Guiding Principle ((R19). It should also seek to meet the needs of employers.
7. There was no convincing evidence that large mixed housing/employment developments such as at Watnall/Nuthall lead to any reduction in the overall need to travel. The calculation of travel rates for W/N was based upon a series of assumptions and rates drawn from a small number of individual developments rather than from "new settlements", although some examples of these exist. Furthermore, I can see little difference in locating new employment alongside existing housing compared to locating it alongside new housing areas, except that in the former case it could address known problems in accordance with the 7th Guiding Principle. BBC's reliance upon some statements of government's policy towards mixed development fails to appreciate the caveats and that the main enthusiasm is for the introduction of housing into town and city centres. These locations with their great range and number of jobs could be expected to meet many of the needs of any local population and reduce commuting.
8. By contrast, government sponsored research (Controlling Transport Emissions Through Planning) shows that people select the location of their homes and their jobs with many factors in mind; commuting being only one. Many households contain more than one worker with often differing requirements. People change jobs more frequently and may not wish to change their home. People are prepared to travel some distance to secure a job. People change their home for reasons other than employment. Thus, even the once relatively self-contained new towns now experience an increased scale of in and out commuting. Furthermore, as I conclude in Chapter 5, Business Parks, in particular, with their range of skills, tend to draw many of their employees from a wide rather than a local area. Although some jobs may suit some local people, there is no good reason why these cannot be filled from existing rather than new housing areas. This is not to say that new developments should not provide, as government advises, for all the local facilities and services that they need such as local shops, recreation facilities, schools and appropriate employment.
9. It may be that, in principle, new services and facilities could be more easily provided for on large sites where some economies of scale could be obtained but this will depend upon local circumstances and the facilities/services involved. However, it is more likely that large sites will require a greater range of new facilities/services whereas small sites may make more use of existing facilities. The 5th Guiding Principle (R18) and the 8th Locational Principle seek to make the best use of existing infrastructure and community facilities in accordance with the principles of sustainable development. I have these principles in mind later when considering individual proposals as well as questions of economy of scale.
10. The last bullet point of paragraph 2.6 applies almost exclusively to the proposed housing, employment and business park development at Watnall/Nuthall. I agree later with some objectors, that the evidence suggests that the main reason for this large mixed development proposal was the support it could afford to the provision and maintenance of the large scale new infrastructure and services involved. Furthermore, it appears that the selection of this location for a Broxtowe Business Park some years ago in the informal study (CD88) was the forerunner of the

proposal for a large mixed use development proposal. As I recommend later the deletion of most elements of the Watnall/Nuthall Proposals, this last bullet point of paragraph 2.6 should be modified to read:

"Beyond the existing urban areas, new development has had regard to the existing infrastructure and facilities, including sustainable forms of transport; to agricultural land value and other environmental resources and in Green Belts to the purposes of Green Belts set out in PPG2."

Recommendations

11. I recommend that the last point of paragraph 2.6 be modified as above. Otherwise no modification be made to this part of the Revised Deposit Plan.

2.7 Town Centres

601/2556: Nottinghamshire Wildlife Trust

1. Support the Council's intention of promoting existing centres of commerce in town centres. With vibrant local centres the need to travel to out of town complexes and neighbouring towns is reduced, which is in accord with the principles of sustainable development. However we feel that bullet point 3 which refers to parking provision should be reworded to clearly state that the priority for travel schemes will be to provide for public transport, and a safe accessible environment for cyclists, pedestrians and those with physical disabilities.

Council's Response:

2. General support noted. The Council does not feel the reference to parking needs any revision. The appropriateness of the provision will be assessed on a site specific basis. Agreed parking guidelines are included in the appendices to the Plan.

Inspector's conclusions

1. The third point provides for measures that encourage easy access by a variety of modes of transport; by pedestrians and by people with disabilities as well as by the provision of parking. As all measures are promoted and no choice between them is implied, I see no reason to afford priority to some over others at this stage. The emphasis in practice may vary between different centres, but this is an issue for a later Chapter.
2. The renovation and re-use of historic buildings and their contribution to economic and social regeneration extends beyond town centres and is best dealt with elsewhere in the Plan.

Recommendations

3. I recommend that no modification be made to the Revised Deposit Plan.

2.8 Rural Areas

598/2669: CPRE – Broxtowe Group

1. We support the points in paragraph 2.8 but the final paragraph should be rephrased in order to prevent it being quoted as an economic justification for unsympathetic and damaging activities in rural areas.

Council's Response:

2. General support noted, however the Council is keen to ensure rural areas can sustain local communities as required by PPG7 (para 1.3-1.5). As such no change is proposed to this text. Policies in the Plan protect the rural environment from inappropriate development.

Inspector's conclusions

1. The last sentence of the introduction to paragraph 2.8 emphasizes the careful balance that is necessary between the need for development and the need to conserve all that is best in the countryside. This again reflects the reality of the situation where some of the borough's future development needs have to be met outside urban areas. However, it implies no encouragement for unsympathetic or damaging activities and seeks protection of the countryside in its own right.
2. Although Greasley Parish Council (3943) objected to this paragraph later, I can see no conflict between it and government policy, RPG8 or the Structure Plan.

Recommendations

3. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections.

2.9 Throughout the Plan Area

598/2668: CPRE - Broxtowe Group

1. To ensure that developers are in no doubt that promises made by them are enforced the first sentence should be re-worded to read. "Where development occurs it will be expected to accord to the highest standards of design; developers will be required to undertake binding legal agreements when permission is granted and can expect enforcement proceedings and penalties when such undertakings are not fulfilled".

Council's Response:

2. Legal agreements are only required in certain circumstances - for example where communal landscaping needs to be maintained. The suggested wording would be misleading in that it incorrectly indicates there is some link between high standards of design and the need for a legal agreement. Furthermore this paragraph is intended to act as a guiding principle rather than giving detailed advice as to how applications will be dealt with.

1135/2382: House Builders' Federation

3. The third sub-paragraph misconstrues the advice in Circular 1/97 on planning obligations.

Council's Response:

4. Accept that the paragraph requires some amendment to avoid misunderstanding. It is considered that the following text would be in accordance with Circular 1/97.

Inquiry Change

IC1

5. **The Council has recommended that bullet point three of paragraph 2.9 is amended to read:**

“Planning obligations have a positive role to play and will be pursued in order to reconcile the aims and interests of developers with the need to safeguard the local environment or to meet the costs imposed as a result of development”.

601/2548: Nottinghamshire Wildlife Trust

6. Amendments are needed to the text in this section in order to strengthen planning control and further emphasise the Local Plan commitment to sustainable development and nature conservation. The Nottinghamshire Wildlife Trust suggest the following:

Bullet point 1 - Wherever development occurs it will be expected to accord with the highest standards of design and adhere strictly to planning conditions imposed at granting of permission. These obligations will be subject to strict enforcement and penalties for non-compliance. The previously mentioned need for efficiency in the use of land should be seen as a design challenge rather than a reason for compromise.

Bullet point 3 - During times when public sector provision of community facilities is severely constrained, it will be expected that some of the considerable gains from the development process will be contributed towards public benefit. Such contributions will be in addition to any other compensatory requirements for lost habitat etc, so that all appropriate local plan policies are adhered to.

Additional bullet point - Where new development, even those on allocated areas, is likely to have an adverse effect on a protected species, no permission will be given until compensation and/or mitigation is agreed, to avoid there being a legal justification for undertaking operations that would harm a protected species.

Additional bullet point - New development within the borough will be designed to ensure that there is access to areas of wildlife rich open space.

Council's Response:

7. The Council does not consider that planning control needs to be further strengthened; existing control is strong and is based on legislation. The commitment to sustainable development and nature conservation is stated throughout this chapter and reflected in policies throughout the Plan. This section is not intended to set out the detail of Council policy or to reiterate the content of specific policies.

Inspector's conclusions

1. The 1st bullet point simply seeks the highest standards of design and efficient use of land. It is unnecessary to indicate the means of achieving these in this brief Guiding Principle, as the Wildlife Trust and the CPRE seek. Furthermore, the 3rd

point deals with planning obligations and there is no good reason to duplicate it in the 1st point.

2. In any case, government policy advises that planning conditions are to be preferred wherever possible to legal agreements. The latter should not be sought because of any immunity from appeal. Planning conditions can be subject to variation to meet changing circumstances with the agreement of the Council, which should not be withheld without good reasons. There is also a right of appeal to the SoS against refusal to vary. Enforcement against any unapproved breach of conditions should not, according to government advice, follow automatically, as implied by CPRE and the Wildlife Trust, but should be pursued only when it is in the public interest to do so. Again, it is the Council's responsibility to determine this in the light of individual circumstances.
3. The 3rd bullet point relates to the contribution, which the Council expect development to make to towards public benefit. It does not cover the mitigation, which may be required of particular development proposals to overcome planning objections. Such measures will vary according to the circumstances of individual sites and proposals. Mitigation will also extend beyond lost habitats and include measures such as off site highway improvements and capacity deficiencies in other local facilities. These should be the main concern of this point rather than vaguer contributions to other public benefits. In this respect the 3rd point does not accurately reflect the advice of Circ 1/97, as identified by the HBF and conceded by the Council. IC1 better reflects this advice and refers to the costs imposed by a development, whatever these might be, as well as the need to safeguard the local environment. It would be misleading to quote some detailed measures and not others and it is undesirable to overcomplicate the clear intention of this point by giving examples, as sought by some objectors.
4. The two additional points promoted by the Trust amount to new policies related to protected species and wildlife rich open space. Both aspects are dealt with by policies in later Chapters. They require no duplication here in a section that deals with Guiding Principles not detailed policies. The Council has made it clear in IC118 that the Plan should be read as a whole. Thus policies from a number of different Chapters may apply to a particular proposal.

Recommendations

5. I recommend that the Revised Deposit Plan be modified as set out in IC1 but that no other modification be made to this part of the Plan in respect of these objections.

STRATEGY AND STRATEGIC AIMS

Objections

2.10

1178 2746

Strategic aims of the Plan

601 2557

Mr S Rufus

Metropolitan & District Developments Ltd.
c/o Shoosmiths Solicitors
Nottinghamshire Wildlife Trust

2.10 R27 Strategic aims of the Plan - Addition of Reference to Promoting town centres

598 4403 R27 Mr I Brown CPRE - Broxtowe Group

2.10 R28 Strategic aims of the Plan - Addition of Reference to recreation and leisure opportunities

1155 5082 R28 Greasley Parish Council
c/o Andrew Thomas Planning
601 4540 R28 Mr S Rufus Nottinghamshire Wildlife Trust

2.11 Locational Principles

1178 2748 Metropolitan & District Developments Ltd.
c/o Shoosmiths Solicitors
598 2666 Mr I Brown CPRE - Broxtowe Group
1468 3903 Miss A Plackett English Heritage East Midlands Region
601 2558 Mr S Rufus Nottinghamshire Wildlife Trust

2.XX R29 Locational Principles - Addition of references to PPG3 guidance

598 4405 R29 Mr I Brown CPRE - Broxtowe Group

2.XX R30 Locational Principles - Addition of Reference to meeting PPG3 guidance

1155 5083 R30 Greasley Parish Council
c/o Andrew Thomas Planning
1108 4947 R30 Mr M Bagshaw Stamford Homes Limited
c/o Barton Willmore Planning Partnership
598 4406 R30 Mr I Brown CPRE - Broxtowe Group
2135 6704 R30 Dr N Palmer, MP n/a
601 4541 R30 Mr S Rufus Nottinghamshire Wildlife Trust
112 4092 R30 Mr PR Tame National Farmers Union

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2.XX R31 Locational Principles - Addition of Reference to phasing

601 4542 R31 Mr S Rufus Nottinghamshire Wildlife Trust

Summary of Objection issues

2.10 Strategic Aims of the Plan

1178/2746: Metropolitan & District Developments Ltd

1. It is considered that it should be a strategic aim of the Plan to facilitate the provision of leisure and recreation facilities within the Plan area and this should be an additional bullet point to those listed under paragraph 2.10.

Council's Response:

2. The Revised Deposit Draft now includes a strategic aim relating to “the enhancement of existing and provision of new recreational and leisure opportunities across the borough”.

601/2557: Nottinghamshire Wildlife Trust

3. Broadly support this paragraph, as the text is positive in establishing good principles for the Local Plan. However we feel that some changes in the wording of this paragraph will be needed to ensure that the overall strategy of the plan clearly gives due weight to sustainable development.

Council's Response:

4. This section already refers to the principles of sustainability. The Council considers that the plan does give due weight to sustainable development.

2.10 R27 Strategic Aims of the Plan - Addition of reference to promoting town centres

598/4403: CPRE

5. We agree with recognising and promoting the continued importance of town centres but feel that town centres should be 'viable'.

Council's Response:

6. The Council agree that town centres should be viable but does not consider that any further changes are required to the text. The Revised Deposit Draft inserted the words "and promoting" to indicate the Council's pro-active role in the continued importance of town centres. Necessarily a town centre that is the focus for shopping, commerce and community use will be a viable town centre.

2.10 R28 Strategic Aims of the Plan - Addition of reference to recreation and leisure opportunities

1155/5082: Greasley Parish Council

7. Should be revised again to include the following words after "leisure"; "facilities to meet the needs arising from planned new development across the borough".

Council's Response:

8. The Council does not consider the text of this strategic aim needs any further amendment. The aim is clear and reflects the Council's desire to encourage the enhancement of existing and provision of new recreation and leisure opportunities across the borough, for whatever reason the needs arise.

601/4540: Nottinghamshire Wildlife Trust

9. We support this aim in principle, but our view is that access to wildlife rich open space is an important aspect of recreation and leisure opportunities, and we feel this needs to be reflected in the text here.
10. We recommend the text be amended to read 'Encouraging the enhancement of existing, and provision of new, recreation and leisure opportunities of all types across the borough'.

Council's Response:

11. The Council does not consider the addition of the phrase "of all types" would aid in understanding the strategic aim. A preceding point aims to protect and enhance the rural environment including their cultural, historic and natural heritage.

Inspector's Conclusions

1. R28 introduced the aim of providing recreation and leisure opportunities across the borough and appears to meet Metropolitan's original objection. Such provision will relate to existing communities as well as planned new developments and the latter does not merit any special mention. The policies and standards in later Chapters make more specific open space provision for

new developments rather than for existing neighbourhoods. The inclusion of the term "all types" is unnecessary, there being no suggestion that the aim is restricted to any particular type of provision. It is also unnecessary and inappropriate to identify any particular form of opportunity in these Strategic Aims, as the Trust suggest. R26, in any case, identifies the importance of the natural heritage and should also meet English Heritage's earlier objection.

2. The last aim adopts the principle of sustainability and I cannot see a need for any changes of wording. It is inappropriate to give weight to individual aims; they are all important. The weight to be given to each in the final strategy depends upon individual circumstances. Matters are rarely so absolute as the Wildlife's Trust's objections appear to indicate.
3. I can see no purpose in qualifying the 5th aim by including the term "viable". There is no evidence that any town centre in the borough is not viable or any evidence that the aim should be to abandon such town centres, even if they existed.
4. The other rewording of these Strategic Aims suggested by the Wildlife Trust are inappropriate. There is no need to qualify the 1st aim; protection of the environment is covered by the 4th aim. It is unnecessary to elaborate on one of the means of implementing the 2nd aim. There is no need to qualify the 3rd aim; the 7th aim adopts the principles of sustainable development.

Recommendations

5. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections.

2.11 Locational Principles

1178/2748: Metropolitan & District Developments Ltd

1. The locational principles identified in paragraph 2.11 should either include as a specific individual locational principle, ie the use of previously developed and derelict land to meet development needs. Alternatively, reference should be made to previously developed and degraded land both in relating new development to existing built-up areas and locating development in proximity to transport corridors. The principle of ensuring good road access to new development in paragraph 2.11 is questioned as this might be interpreted as conflicting with the objective of reducing car and where possible, road borne transport use.

Council's Response

2. Three new paragraphs have been inserted in this section which describe the search sequence followed in identifying sites for development.
3. The Council considers ensuring good road access for new development is an important principle. However, this does not belittle in any way the importance of ensuring good public transport for new development. There is often conflict between planning objectives and the Council must make a fair and reasoned judgement in light of all the factors.

598/2666: CPRE

4. The bullet point 'whenever possible' avoid harm to recognised nature sites "should be made stronger by 'whenever possible' avoiding direct or indirect harm to sites of interest for nature conservation"

Council's Response

5. The Council does not consider the phrase "avoiding direct or indirect harm" is warranted. The existing principle is clear and strong.

1468/3903: English Heritage East Midlands Region

6. In the seventh bullet point, after 'landscape sites' add 'cultural and historic assets including the setting of historic towns and sites' ...

Council's Response

7. The phrase suggested has been added to the fourth Strategic Aim of the Local Plan. However, it is not considered that any amendment is needed to the seventh bullet point which relates to a general locational principle.

601/2558: Nottingham Wildlife Trust

8. Broadly support the tone of this paragraph, but believe that the wording should be amended in order to reduce the potential for loose interpretation of the principles. Support points 3, 4 and 6.

Council's Response

9. The locational principles themselves are not considered to need any amendment, especially in light of the policies throughout the Local Plan that provide additional certainty regarding the location of development. However, note that three additional paragraphs have been inserted in this section to give details regarding the search sequence for sites.

Inspector's Conclusions

1. The 1st principle relates new development where possible to existing built up areas and on previously developed land in accordance with the priorities of Policy 1 of RPG8. Derelict land deserves no special mention, although some categories will be previously developed, according to the criteria of PPG3. The 4th principle seeks to locate development proximate to the public transport corridors defined in the Structure Plan or in other locations with good public transport. The latter does not obviate the need for good road access to new development, nor does the 5th aim imply encouragement of car usage. I have seen little evidence that the latter is influenced by the nature of road access to new developments compared to other factors such as car parking and public transport availability. I can thus see little basis in Metropolitan's objection.
2. The harm identified in the 7th principle covers indirect as well as direct effect and does not need to be mentioned separately.
3. R26 introduced the protection of cultural, historic and natural heritage to the 4th Aim but the former get no mention in the 7th Locational Principle. Although, their influence may be more limited than other resources due to their more restricted geographical spread, they should, nevertheless be taken into account in locating new development. The terms "cultural and historic assets" should be

included in the 7th Principle after the words "landscape sites". The new terms should embrace the protection of the setting of historic towns and sites without any special mention here and it is desirable to avoid excessive detail in these broad Principles. This aspect is also covered by policies later in the Plan.

4. The Wildlife Trust's suggested qualification of the 1st Principle is unnecessary; other Principles cover environmental factors. The Principles are intended to guide the location of new development. It is unnecessary in this context to mention the provision of new open space, which is, in any case, covered by the 8th Principle. The 5th Principle covers existing and if necessary new road access; elaboration is unnecessary. The 4th Principle covers public transport. The suggested amendment to the 7th Principle is a policy statement and inappropriate. I prefer the wider terms of the 8th Principle than that suggested by the Trust. I see no need to add density to the 9th Principle in this context, or to include the difficult to define term "viable communities".
5. The term "wherever possible" in the 1st Principle reflects the circumstances across the borough and demonstrates that Principles are subject to interpretation in particular circumstances. Principles should be a guide and not be over prescriptive.
6. Greasley Parish Council object to paragraph 2.11 later. However, I cannot see that the Locational Principles expounded here conflict with government policy, RPG8 or the Structure Plan. The 9th Principle does not say that new infrastructure, services and facilities have to be provided on site, as the Parish Council may fear and BBC may intend. Nor does it apply to the Watnall/Nuthall proposals alone. As the 8th point emphasises the importance of existing facilities and services, I see no reason to modify paragraph 2.11 on this account.

Recommendations

7. I recommend that the 7th Principle be modified by including the terms "cultural and historic assets" after the words "landscape sites". Otherwise no modification should be made in respect of these objections.

2.XX R29 Locational Principles - Addition of references to PPG3 guidance

598/4405: CPRE

1. This paragraph should make it clear that land will be released for development in sequential order.

Council's Response:

2. The paragraph immediately following this one describes the phasing policy which is "designed to limit the release of greenfield sites and to allow for development on previously developed sites to take precedence". The Council does not consider any further changes are needed to these paragraphs.

2.XX R30 Locational Principles - Addition of reference to meeting PPG3 guidance

Objectors Raising Similar Issues:

3. The following objections relate generally to references to the Watnall/Nuthall site as a Node. The Council has grouped them with a single response.

1155/5083: Greasley Parish Council

4. Proper regard does not appear to have been paid to the objectives of the Green Belt in identifying sites referred to as 'urban extensions'. Reference to the Watnall/Nuthall development as a new node within a good public transport corridor should be deleted as the present service is not good.

1108/4947: Stamford Homes Limited

5. Reference to the Watnall development proposal as a new node, has no basis in fact. Objected originally to the housing and employment at Watnall because the site was not located within or adjoining the main urban areas or at a location along a public transport corridor. Paragraph 67 of PPG3 advises that urban extensions to existing urban areas are likely to prove the next most sustainable option after building on appropriate sites within urban areas. Sites H21 and EM3f do not meet the criteria. It is dependent on the NET which is not guaranteed, funding has not been agreed for infrastructure and a final route yet to be decided. Thus the site cannot be considered a new node in its own right.

598/4406: CPRE

6. The Watnall/Nuthall development should not be referred to in this paragraph.

2135/6704: Dr N Palmer

7. Object to the reference to the Watnall/Nuthall as a new node in a public transport corridor because it is vague and speculative. A possible NET extension is only in the indefinite future, and bus service frequency and consistency cannot be relied upon. Delete the Watnall/Nuthall site.

601/4541: Nottinghamshire Wildlife Trust

8. While we support the sequential approach that has been adopted by the council in the selection of suitable development sites, we feel strongly that the assertion that the Watnall site forms 'a new node in its own right' is misguided in the extreme. The sequential approach applies to examining existing development and infrastructure patterns and should not be applied to the proposed pattern of development, as by this approach the most unsustainably located developments could be given consideration under sequential tests. We are very concerned by the implied approach that the council has adopted in this respect.
9. We strongly recommend that the Council remove the reference to the Watnall development in the present form.

Council's Joint Response:

10. In respect of objection 1155/5083 (Greasley Parish Council), the Council considers proper regard has been paid to the objectives of the Green Belt. The site at Watnall is considered to be the most suitable site to meet Structure Plan housing and employment/business park requirements, whilst not undermining the strategic objectives of the Green Belt.

Inquiry Change

With regard to the reference to the Watnall/Nuthall site as a transport node, the Council proposes an inquiry change.

IC2

11. **The Council has recommended that the words “although the large Watnall/Nuthall development proposal could be considered as a new node in its own right” should be deleted from the last sentence of paragraph 2.XX (R30), so that this sentence would read “No development is associated with existing nodes in public transport corridors due to the absence of such nodes in the borough.”**

It is considered that this amendment overcomes the objections made.

112/4092: National Farm Union

12. Paragraph 9.4 of PPG11 should be referred to here, as it makes allowance for farm and rural diversification development to go ahead, notwithstanding the dictates of sustainability being fulfilled by public transport.

Council's Response:

13. The Council does not consider reference to farm and rural diversification is required in this paragraph which looks at broad locational principles. Specific reference to principles important in Rural Areas is made in paragraph 2.8. Policies regarding farm and rural diversification are covered in Chapter 3: The Environment.

R31 2.XX Locational Principles - Addition of reference to phasing

601/4542: Nottinghamshire Wildlife Trust

14. We support the inclusion of a phasing policy to control the release of Greenfield sites However we feel that the wording of this paragraph needs to be more precise and indicate that no greenfield land will be released until all the available brownfield land has been taken up.

Council's Response:

15. The detailed phasing policy (HX) is given in Chapter 4: Housing. It is proposed to release a small area of greenfield land in phase one; in particular an area at the Watnall/Nuthall site will be released to help implement the associated business park and transport infrastructure. As such the existing wording of this paragraph is considered appropriate.

Inspector's Conclusions

1. R31 should meet the CPRE's objection for the sequential release of housing land. It needs no duplication in R29, which describes the search sequence for identifying housing sites put forward in the Plan, but not the order of their release.
2. In considering objections in respect of housing allocations and omission sites that lie in the current adopted Green Belt, I have had regard to the extent to which their development would conflict with Green Belt purposes.
3. IC2 proposes the deletion of the phrase in R30 that refers to the proposed Watnall/Nuthall development. It is an accurate reflection of the current position and would appear to meet most objectors concerns about R30 itself. Furthermore, I recommend later the deletion of the Watnall/Nuthall proposals. For all these reasons IC2 should be supported.

4. The NFU draw attention to PPG11. Para 9.04 advises that it would be inappropriate to apply a public transport accessibility criterion for new development that does not discriminate between rural and urban areas rather than any specific advocacy of farm diversification. The latter is likely to involve fairly small scale specialised forms of development that are too detailed to be mentioned here in a section dealing with major new development and in particular new housing development. The 6th point in paragraph 2.11 of the Plan only seeks to avoid isolated development in the countryside and does not preclude farm diversification, particularly that involving re-use of existing farm buildings.
5. Some confusion arose during the inquiry regarding the search sequence advocated in PPG3 para 30. Despite the statement of government objectives in PPG3 para 1 that the focus for additional housing should be existing towns and cities and, as part of the commitment towards more sustainable patterns of development in para 21, to concentrate most additional housing within urban areas and despite the advice in para 42 to consider re-allocating employment land for housing, BBC originally maintained that para 30 implied that after considering previously developed land within urban areas, the next preferred location was urban extensions rather than greenfield land within urban areas, although they were unprepared to say in these circumstances whether they preferred taking Green Belt land to greenfield urban land. I am in no doubt that despite the omission from para 30, the advice of those broader statements of policy in PPG3 and in PPG2 and the advice in PPG17 regarding under-used land, the most logical search sequence for new housing land should start with previously developed land within urban areas, then consider other land within urban areas, not specifically protected by policies in the plan, before considering urban extensions. This avoids the illogicality of taking Green Belt land before other undeveloped land in urban areas. Furthermore, it respects the more detailed advice on the conduct of urban capacity studies and it better reflects the actual practice of the Plan in respect of certain urban sites such as H2f.
6. Fortunately, RPG8, which was approved during the course of the inquiry, helped to resolve this issue. Like PPG3 para 30, Policy 1 of RPG8 identifies, as the 1st priority, suitable previously developed land within urban areas well served by public transport. As 2nd priority, it introduces other suitable locations within urban areas not identified as land to be protected for amenity purposes. This takes precedence over the 3rd priority location: suitable sites adjoining urban areas well served by public transport, particularly where this involves the use of previously developed land. This later advice in RPG8 helps to correct a confusing and I am sure an unintended omission from PPG3 para 30. I consider that reference should now be made in paragraph R29 to RPG8 Policy 1 and its locational priorities for development of all types. This will clearly require some rewording of R29. I leave the precise form of this to the BBC but I suggest the substitution of a reference to RPG8 and a description of its Policy 1 for the second sentence of R29 and deleting the last sentence. The terms “and other suitable sites” should also be included after the words “previously developed sites” in the 1st sentence of R30, to reflect my conclusions on new development sites.
8. My own consideration of proposed development sites has, other factors permitting, preferred the development of non Green Belt land within and adjoining

urban areas to reflect the advice of PPG2. When considering the case for developing Green Belt land, which is necessary in Broxtowe's situation, as recognised by the Structure Plan, I have had regard to the purposes of Green Belts as set out in PPG2 para 1.5. The term "purposes" is a more accurate reflection of PPG2 than the term "objectives" referred to in R30 and is to be preferred. I have seen no evidence to support BBC's one time view that fewer larger deletions are preferable to smaller deletions from the Green Belt.

9. It is unclear what the Trust mean by the term "has been taken up". Whilst BBC should clearly seek, as in R31, to limit the release of greenfield sites to give precedence for the development of brownfield sites, they also have a responsibility to ensure an adequate supply of land for housing development. This will clearly require some greenfield land to be permitted whilst some brownfield land is still being developed and perhaps in advance of other brownfield land that is subject to delays. They have a responsibility to provide enough land to achieve adequate continuity in new house building. I have seen no convincing evidence that the availability of greenfield land deters developers' interest in brownfield sites. Indeed the high rate of building on the latter sites over a number of years serves to undermine this contention. That is not to say that some brownfield sites may be unattractive to developers at a particular time for a variety of special factors. This is insufficient reason to attempt to starve developers onto such sites.
10. Some objectors, in their interpretation of the Plan, Monitor and Manage approach, overlook the government's first stated objective in PPG3 para 1 that everyone should have the opportunity of a decent home. Sadly, this is not the case yet for many. I share the concern of some objectors about the implications of the record low national house building rate during a period of high demand and high house price inflation. I have seen little evidence that successful house builders build in the absence of a genuine demand that usually expresses households individual needs. R224 put forward a phasing policy for housing sites in Chapter 4 where I consider this issue in more detail. I see no merit in duplicating this in R31.

Recommendation

11. I recommend that the Revised Deposit Plan be modified as set out in IC2. Also by the deletion of the second and last sentences of R29 and by substituting for the former a reference to RPG8 and a description of its Policy 1. I also recommend the inclusion of the phrase "and other suitable sites" after "previously developed sites" in the first sentence of R30 and the substitution of the term "purposes" for "objectives" in the 2nd sentence of R30. Otherwise I recommend no other modifications to R29, R30, R31 and R32.

K1 - SUSTAINABLE DEVELOPMENT

Objections

2.13 Sustainable Development

1468 3904

Miss A Plackett

English Heritage East Midlands Region

2.13 R33 Sustainable Development – Rephrasing of reference to social and economic objectives

1468 5390 R33 Miss A Plackett

English Heritage East Midlands Region

601 4543 R33 Mr S Rufus

Nottinghamshire Wildlife Trust

2.15 Sustainable Development

598 2665 Mr I Brown

CPRE - Broxtowe Group

1135 2385 Mr I Moss

House Builders` Federation

K1 Sustainable Development

1178 2749

Metropolitan & District Developments Ltd.

c/o Shoosmiths Solicitors

1155 2502

Greasley Parish Council

c/o Andrew Thomas Planning

1108 2148 Mr M Bagshaw

Stamford Homes Limited

c/o Barton Willmore Planning Partnership

1106 2766 Mr R Hepwood

Miller Homes East Midlands

601 2549

Mr S Rufus Nottinghamshire Wildlife Trust

Summary of Objection issues**Objectors Raising Similar Issues**

The following three objectors have all raised similar concerns regarding the wording of paragraph 2.13.

2.13 Sustainable Development1468/3904: English Heritage East Midlands Region

1. Strictly speaking sustainable development is not about “balancing” social, economic and environmental objectives, but recognises the inter-relationship between them, such that unacceptable impacts are avoided. Amend wording.

R33 2.13 Sustainable Development - Rephrasing of reference to social and economic objectives**Objectors Raising Similar Issues**

The following two objectors raised similar concerns regarding the phrasing of paragraph 2.13.

1468/5390: English Heritage East Midlands Region

2. Whilst we welcome the change of wording from ‘balance conflicting’, we would suggest that ‘reconcile’ would be a better alternative to ‘correlate’. The aim of policy integration should be an underlying premise of the plan, in seeking to allow change and development, but not at the expense of the area’s natural and historic environment.

601/4543: Nottinghamshire Wildlife Trust

3. We recognise the efforts that have been made on the Council’s part to ensure that the potentially conflicting elements of sustainable development are balanced in its planning decision. However, we feel that this proposed revision is less clear than the original. We would be pleased if the original statement were reinstated, but indeed, feel that it would be more suitable if the term ‘integrate’ were employed in this context.

We recommend that the paragraph be amended to the following 'Through its planning decisions the Council has long sought to integrate the demands'.

Council's Joint Response:

4. Following further consideration the Council agrees that this paragraph should be amended to ensure clarity. It is proposed to change the wording from 'correlate the demands' to 'reconcile the demands'.

Inquiry Change

- IC3**
5. **The Council has recommended the replacement of the word 'correlate' with the word 'reconcile' in paragraph 2.13.**

Inspector's Conclusions

1. Strictly speaking the 2nd sentence of paragraph 2.13, to which English Heritage object, describes the Council's long term practice in taking its planning decisions rather than the concept of sustainability to which it is committed in the 1st sentence. Thus, it does not seek to describe "sustainable development", which the last sentence of para 2.13 emphasises has been given a more explicit role in this Plan Review. I can see little difference between the terms "balance", "correlate", "integrate" and "reconcile" but the Council should know what best describes their previous practice. I therefore support their latest thoughts in IC3.

Recommendation

2. I recommend that the Revised Deposit Plan be modified as set out in IC3.

2.15 Sustainable Development

598/2665: CPRE

1. Following the sentence, "this framework requires the planning system to", additional bullet points relating to policy K1 should be included:
 - Integration of conservation and development issues;
 - In assessing the potential effects of development policies and proposals, the implications for all conservation interests (including landscape, wildlife, earth science, and archaeological, historical and cultural features) need to be covered and given equal weight;
 - Environmental capacity;
 - Identify and protect the key environmental resources of the plan area;
 - The precautionary principle: where there is uncertainty surrounding environmental impacts of particular actions then action should be avoided unless the effects are clearly understood;
 - Replacement value for environmental loss;
 - Where essential development results in environmental loss, there should be appropriate mitigation and equivalent compensation by creation of new environmental resources;
 - The individual and distinctive character of our towns and villages will be maintained."

The third existing bullet point should also be amended to: "to conserve our cultural heritage and the natural resources of landscape and wildlife".

Council's Response:

2. The Council does not consider the bullet points referring to sustainable development require any expansion. The Council has emphasised the importance of sustainability throughout the Local Plan and within the wording of many of its policies. The guiding principles for the Plan emphasise the integration between development and conservation, and Sustainable Development is the first key policy in recognition of its importance.

1135/2385: House Builders' Federation

3. The paragraph does not refer to the latest re-statement of government policy on sustainable development, which is contained in PPG12 Development Plans.

Council's Response:

4. PPG12 is now referred to in Chapter 3 under the section Background to the Plan's Policies. It is not considered appropriate to refer to PPG12 in this paragraph.

Inspector's Conclusions

1. I recognise the reference in the later PPG12 to the four broad objectives of the 1999 UK Strategy for Sustainable Development and consider that a brief reference should be made in paragraph 2.15 as well as in Chapter 3. The inclusion of the phrase "as summarised in PPG12 paragraph 4.1" after "The strategy" at the beginning of the second sentence should suffice. However, PPG1 is still extant and it's more specific terms are, I believe, more helpful here. I therefor support the Plan's reference to them. It would only serve to lengthen an already large document and confuse matters to repeat in detail the points of PPG12 paragraph 4.1.
2. This part of paragraph 2.15 attempts to paraphrase para 5 of PPG1. However, the 2nd point fails to reflect this with its reference to "previously developed land" rather than to the different and wider "already developed areas" and its omission of making them more attractive places to live and work. The 3rd point also omits reference to wildlife, landscape, water, soil and air quality and also the importance of safeguarding designations of national and international importance. I consider that all four points should be reworded to accord more with the advice of PPG1, although I accept the use of the local term "community" instead of "nation". This would also meet one of the CPRE's objections.
3. The CPRE's additional points go beyond the terms of PPG1 para 5, which this paragraph of the Plan simply attempts to reflect. It is not for the CPRE, the Council or others to rewrite these. The planning process should consider conservation alongside development issues as in the 1st bullet point. It is a long established point of law that it is for the decision maker to determine the weight to be accorded to any particular factor. This will vary from one area to another and from site to site depending on the circumstances. It is neither practicable nor desirable to specify in advance that one interest should always have equal or a particular weight with another irrespective of the circumstances. It may be that conservation interests should be accorded the greater weight in some cases, particularly where there are interests of national importance involved.
4. I am unsure what the CPRE mean by environmental capacity or how they feel it relates to this paragraph, which reflects PPG1. It is a point that is best put

forward in respect of proposals for particular sites. I have seen little evidence of any attempt to define the environmental capacity of particular areas or routes. The plan already identifies the key environmental resources of the plan area and the 3rd point of PPG1 para 5 advocates their conservation. The precautionary principle may be applied in particular cases but I see no good reason to compromise this reference to PPG1 by including it here. Mitigation, replacement or compensation for unavoidable environmental loss is one detailed aspect of the conservation of resources identified in PPG1. It is also incorporated in appropriate plan policies in later sections. It merits no specific mention in paragraph 2.15. Maintaining the individual and distinctive character of towns and villages is clearly important but it is encapsulated in the broader 3rd bullet point and the statements of PPG1 para 5.

Recommendation

5. I recommend that paragraph 2.15 be modified by the inclusion of the phrase "as summarised in PPG12 paragraph 4.1" after "The strategy" at the beginning of the second sentence. I also recommend that the four points under the "framework requires the planning system to:" in paragraph 2.15 be modified by more accurately quoting PPG1 para 5, except that the term "community's" be substituted for "nation's" in the 1st point.

K1 - Sustainable Development

1178/2749: Metropolitan & District Developments Ltd

1. Policy K1 is considered to be vague and uncertain in its wording and as the first of the k policies should provide a clear statement of the intention for the Plan's strategy to conform with the principles of sustainable development.

Council's Response:

2. The Council has given a clear statement within policy K1 that development will conform with the principles of sustainable development.

1155/2502: Greasley Parish Council

3. The present wording of the policy is too general.

Council's Response:

4. Policy K1 is broad and overarching and relates to all new development. The Council does not consider the policy is too general.

1108/2148: Stamford Homes Limited

5. Policy is vague and unclear. It does not explain what the principles of sustainable development are. It is not clear how these principles have been formulated or whether they are an agreed part of approved national planning policy.

Council's Response:

6. An additional paragraph has been inserted in the Revised Deposit Draft (R34), which gives additional background to Policy K1. The principles of sustainability are clearly stated and accord with national policy guidance. The specifics of sustainable development are developed further in Chapter 3: The Environment.

1106/2766: Miller Homes East Midlands

7. Policy K1 is too broad and all encompassing to have any meaningful use. Consequently Birch regard it more as a supporting statement than as a Policy.

Council's Response:

8. Whilst this policy is broad and overarching, it is key to ensuring all new development accords with the principles of sustainable development.

601/2549: Nottingham Wildlife Trust

9. Strongly welcome this policy but suggest that there be a slight alteration to the wording, with the addition of the word "all".

Council's Response:

10. The policy is already phrased so that it will apply to any development proposal; no change to the wording is considered necessary.

Inspector's Conclusions

1. It is surprising that the developers should fail to recognise the context into which Policy K1 sits. Thus the last part of paragraph 2.15 clearly states that the "above" framework has been applied to the Plan's policies and proposals", which should meet Metropolitan's point. It goes on to state that "the Council will take account of the above principles of sustainability", which have a national policy basis, "in determining future development proposals", which is the focus of Policy K1. This should meet Stamford Homes' and part of Miller Homes' point. As K1 will be used to determine planning applications it should, according to the advice of PPG12 para 3.14, be included as a policy of the plan not as some supporting statement. In view of its clear context, I see no need to duplicate within Policy K1 the details of the principles, which are set out in the preceding paragraph 2.15. This would as PPG12 warns be excessive detail and simply serve to lengthen the document without any useful purpose.
2. I can no reason to include the term "all" in Policy K1. There is no suggestion of which I am aware that it will apply to only selective development proposals. It is an attempt at undue elaboration.

Recommendation

3. I recommend that no modification be made to Policy K1 in respect of these objections.

K2 - THE ECONOMY

Objections

2.16		The Economy		
1164	2491	Ms T Gray		Railtrack PLC
601	2559	Mr S Rufus		Nottinghamshire Wildlife Trust
K2		The Economy		
1155	3943			Greasley Parish Council c/o Andrew Thomas Planning
1476	3936	Mr G Barksby		
1381	3554	Mr M Gorman		Government Office for the East Midlands
1471	3923	Mrs M Heaney		
1475	3931	Mr W O'Connor		
1468	3907	Miss A Plackett		English Heritage East Midlands Region
601	2561	Mr S Rufus		Nottinghamshire Wildlife Trust
K2	R36	The Economy - Rephasing of reference to a thriving economy		
598	4408	R36	Mr I Brown	CPRE - Broxtowe Group

Summary of Objection issues

2.16 The Economy

1164/2491: Railtrack Plc

1. Rail travel plays an important role in terms of the movement of both people and goods and this is not reflected within this text, K2 itself nor the Employment Chapter of the Plan. The failure to recognise the role rail can play, particularly in terms of the distribution of goods by non-road based means, does not reflect the Nottinghamshire Structure Plan or Government guidance.

Council's Response:

2. This key policy relates to the efforts the Council will make to provide a thriving economy - the policy does not refer to the specifics but is phrased in broad terms. Section (c) states that the Council will ensure the provision of adequate transportation, infrastructure and services to support new development. Objectives and specific policies within Chapter 6: Transport, relate to the use of rail and the provision of future facilities.

601/2559: Nottinghamshire Wildlife Trust

3. Support the Council in its efforts to encourage economic development in those areas of the borough which have suffered from high unemployment and economic deprivation. We feel that the tone of this policy is commendable but greater clarity is needed to ensure that the progress of this development will be made according to the principles of sustainable development. The supply of land and floor space for employment development should be focused in or immediately adjacent to areas of unemployment, to provide the local population with employment opportunities which do not require travelling to out of town centres of employment such as retail parks and industrial estates. Areas of mixed land use combining residential and employment facilities are more truly sustainable.

Council's Response:

4. K1 relates to Sustainable Development; Policy K2 outlines what the Council will do to provide for the development of a thriving economy. Neither policy will be viewed in isolation. With regard to

the location of employment development, the Locational Principles (Para 2.11) guide how sites are chosen.

Inspector's Conclusions

1. Paragraph 2.16 is an appropriately brief summary of the local economy and the Council's economic development strategy; in particular the part to be played by ensuring an adequate supply of land for employment developments. It also refers to the maintenance of an efficient communications network, which would clearly include rail, although I see no reason to mention this mode specifically or to go into excessive detail. However, the strategy involves not simply the maintenance but the development of an efficient network and this term could be usefully included. Similarly Policy K2 (c) should apply to existing as well as to support new development and this term should be deleted.
2. Paragraph 2.15 which immediately precedes paragraph 2.16 makes it quite clear that the framework of sustainability principles will be applied to plan allocations and to consideration of future development proposals for whatever use. I therefore see no need to duplicate this clear statement in paragraph 2.16 or in subsequent paragraphs. The Wildlife Trust as others should read the Plan as a whole. It is unreasonable to expect each paragraph or policy to be entirely self contained or qualified as the Trust often seeks. Applying the Trust's approach would mean that each Policy would need to incorporate every aspect of others. Thus a policy seeking to conserve wildlife habitats would need to be qualified by reference to meeting housing and employment land needs. This is clearly impracticable. It is not possible to identify every Policy that might apply to a particular proposal on a particular site and it would be misleading to identify a selected few. Such duplication would overcomplicate and confuse each Policy and add to an already lengthy document.
3. The focus for new employment development should have regard to areas of high unemployment as in SP Policy 1/ 4 and RPG8 Policy 3, but all areas have some unemployment. This factor is covered in para 2.22 of the RDDP, although Policy K8 is somewhat more limited. However, the requirements of modern industry have also to be taken into account as has the need to consider locations that provide a choice of employment to a wide population. A highly dispersed pattern of employment might seem superficially to offer the prospects of reduced journeys to work. However, people choose their homes and jobs with other factors more in mind. Many households have more than one worker and people wish to change jobs without the expense of moving house. A more concentrated pattern of employment will often meet the widest needs. The main thrust of government enthusiasm for mixed land uses is focused upon town and city centres which already contain very large concentrations and ranges of employment and where the encouragement of new housing would be expected to foster a high likelihood of living and working locally. By contrast the new towns, which commenced with the aim of balancing local employment and housing are now very much less contained with high levels of in and out commuting as people seek wider job opportunities. The government policy is to accommodate retail development within town centres; failing this on the edge of centres and failing this within urban

areas. I see no need to elaborate on the brief summary in paragraph 2.16 except as concluded above.

Recommendation

4. I recommend that the last sentence of paragraph 2.16 be modified by including the term " and developing" after "maintaining". Otherwise I recommend no further modification to this paragraph.

K2 The Economy

1155/3943: Greasley Parish Council

1. The objection relates to paragraphs 2.1-2.12 and in particular paragraphs 2.6, 2.8 and 2.11. Disagree with strategy of small number of large sites. Insufficient exploration of alternatives to Green Belt sites. Selection of new sites has not followed government's strategic advice, the Structure Plan or emerging RPG. There should therefore be a re-appraisal of the locational principles.

Council's Response:

2. The site selection procedure is in accordance with government guidance, the Nottinghamshire Structure Plan and emerging RPG. The objective is to provide a range of suitably located housing and employment sites. This matter was fully aired in Round Table Discussions.

1476/3936: G Barksby

3. Object to full plan; increased traffic from the scale of development proposed. No recognition of the effect of Chilwell Dam Farm development.

Council's Response:

4. The Council is obliged, under the Town and Country Planning Act 1990 to prepare and maintain an up-to-date development plan for its area. This policy and other policies in Chapter 5: Employment, are in full accordance with government guidance. Whilst some traffic increase is inevitable the careful choice of sites aims to keep this to a minimum.

1381/3554: GOEM

5. This policy is a statement of intent rather than a land use policy and it seems more appropriate for it to be an aim or objective of the plan.

Council's Response:

6. This policy states the Council's commitment to providing a thriving economy and provides a link to Chapter 5: Employment (1381). The Council considers the policy does have land use implications and could be used to assist with the determination of planning applications.

1471/3923: M Heaney

7. Level of proposed development too high. Extra traffic on already congested roads unacceptable. Loss of Greenfield sites, loss of wildlife unacceptable. Extra burden on existing facilities.

Council's Response:

8. The Council is obliged, under the Town and Country Planning Act 1990, to prepare and maintain an up-to-date development plan for its area. Whilst some traffic increase is inevitable the careful choice of sites aims to keep this to a minimum. The burden on existing facilities has been assessed and where appropriate new facilities have been proposed. In undertaking the site search process every effort was made to avoid sites designated for their wildlife interest.

1475/3931: W O'Connor

9. Object to whole plan.

Council's Response:

10. The Council is obliged, under the Town and Country Planning Act 1990, to prepare and maintain an up-to-date development plan for its area.

1468/3907: English Heritage East Midlands Region

11. In respect of part d: Whilst the protection of the environment is not always consistent with economic regeneration, the enhancement and reuse of historic buildings can contribute positively to economic regeneration.

Council's Response:

12. The Council agrees that the enhancement and reuse of historic buildings can contribute positively to economic regeneration, and the wording used in part (d) is not intended to preclude this. Other policies within Chapter 3: The Environment, deal in more detail with the reuse of historic buildings.

601/2561: Nottinghamshire Wildlife Trust

13. Needs to be revised to indicate the manner in which economic development can be achieved in a manner consistent with the principles of sustainable development. There is a risk of unacceptable impacts on the environment, and people's quality of life in the borough, without meeting the genuine economic needs of the borough's population. Danger that proximity to the M1 is still considered as critical to providing a desirable business location, when other major roads also make jobs accessible to people from a wide area.

Council's Response:

14. Policy K2 explains how the Council will make provision for the development of a thriving economy. The need to reconcile this aim with the requirement to protect the environment is stressed by part (d) of policy K2. Policy K1 - Sustainable Development, focuses on the need to assess new development within the context of the principles of sustainable development. One of these principles is to "provide for the community's employment respecting environmental objectives". Therefore the links between policy K1 and K2 are clear in both policies - it is not considered that further explanation is required.
15. The site search process has been undertaken taking account the Aims and Objectives given in Chapter 5: Employment. Again, the importance of sustainability is stressed.
16. It should be noted that the requirement for employment land is set by the Structure Plan, which also identified the requirement for a new business park or other prestige employment development of 50 hectares to be provided in the vicinity of junction 26 of the M1. Although the site at Watnall is

currently situated in the Green Belt, it is considered to be the most suitable site to meet the Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt.

R36 K2 The Economy - Rephrasing of reference to a thriving economy

598/4408: CPRE

17. We object to 'in partnership with others' being deleted from this paragraph as it is important that other agencies are involved in the development of a thriving economy in the borough - not just the Council.

Council's Response:

18. It is important that the Council states what it intends to do within its own powers. Policy K2 has been amended to strengthen the Council's commitment to providing a thriving economy. However, the reasoned justification indicates that there is also an important role for others to play.

Inspector's Conclusions

1. G Barksby's, W O'Connor's and to some extent M Heaney's objections are too vague to justify any change. The general level of employment land provision is largely established in the Structure Plan. The traffic and environmental effects of new development proposals can only be assessed on a site by site basis. Paragraph 5.59 refers to the 25 ha allocated to a Business Park in Nottingham (Chilwell Dam Farm). I deal with the Parish Council's objections earlier.
2. R36 expresses the introduction to Policy K2 more in land use terms and, appropriately, more specifically as regards the Council's own actions. This does not, however, imply that BBC will not work with others in pursuit of Policy K2 as paragraph 2.16 makes clear, but I see no need to repeat this purely private intention in Policy K2. The Council may work with whomever they choose; it is not for me to advise them. Items (a) to (d) have a clear land use basis and are worthy of inclusion in a Plan Policy. They form the basis for subsequent Plan proposals and may be used in determining planning applications. The term "encouraging" is appropriate as for completeness it embraces other Council actions as well as deciding planning permissions.
3. Enhancement and re-use of historic buildings may, along with other initiatives such as land reclamation, contribute to economic regeneration. However, English Heritage's promotional point is already embraced by Policy K2 (d) and Policy K3 (a) and (c) and later Policies. It would be misleading to include some detailed examples in Policy K2 and not others and unduly elaborate and cumbersome to include them all.
4. The 1st Guiding Principle in paragraph 2.4 commits the Plan to applying the principles of sustainable development. It is for the Plan as a whole to demonstrate this not some individual policy such as K2. The evidence at the inquiry indicates that off peak travel times of up to 5 to 7 minutes from the M1 are acceptable to Business Park occupiers and that prominence from the motorway is not necessarily sought. I consider the scale and locational issues of new employment proposals later in Chapter 5.

5. Criterion (a) already refers to compliance with other relevant Plan Policies; it is unnecessary and inappropriate to single out environmental constraints, as the Trust suggests. Policy K6 and others are concerned with the environmental quality of the Borough. It deserves no additional mention in K1 (a). Promotion of mixed use settlements is inappropriate here and I recommend deletion of the only one promoted in the RDDP at Watnall/Nuthall, to which the Trust were opposed. Policy K1 already seeks the use of previously developed land and it is unnecessary to duplicate in Policy K2, although I note some duplication in Policy K3. Training is for other organisations and is too detailed a matter to be mentioned here. I see no evidence to support high-density developments or those with little footprint. The purpose of the employment land allocations is to meet the needs, principally, of local employers to expand and re-locate. Discrimination among these would be inappropriate. Policy K2 (c) covers all forms of transport; it is unnecessary to highlight one form favoured by the Wildlife Trust. Policy K6 relates to the Borough's environment. The Trust's item (f) is not a Policy Statement but an opinion, albeit one that I share.
6. Earlier, I concluded that Policy K2 (c) should apply to all not just new development and that the term "new" should be deleted.

Recommendation

7. I recommend that the term "new" should be deleted from K2 (c) but that no other modification be made to the Revised Deposit Plan in respect of the above objections.

K3 HOUSING

Objections

2.17			Housing	
601	2560		Mr S Rufus	Nottinghamshire Wildlife Trust
2.17 R37			Housing - Addition of reference to high densities	
598	4409	R37	Mr I Brown	CPRE - Broxtowe Group
2104	6655	R37	Mr MG Colton	
K3			Housing	
1155	3944			Greasley Parish Council Andrew Thomas Planning
1476	3938		Mr G Barksby	
598	2664		Mr I Brown	CPRE - Broxtowe Group
1471	3924		Mrs M Heaney	
1222	2916		Mr JR Holmes	Holmes Antill
1135	2437		Mr I Moss	House Builders` Federation
1475	3932		Mr W O'Connor	
601	2550		Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection issues

2.17 Housing

601/2560: Nottinghamshire Wildlife Trust

1. Recognise the pressures that have been placed on the Council in their obligation to meet Structure Plan requirements. Support the stated intention to ensure that new housing development should include a proportion of affordable housing but would like to draw attention to the recommendations of the Urban Task Force. The document talks of densities as high as 100-200 per ha, whilst densities of 40-60 per ha are described as 'moderate'. Indeed densities for developable area of 40-50 dwellings per ha are required for settlements to be sufficiently compact as to be sustainable according to the Local Government Management Board and University of the West of England report Sustainable Settlements (April 1995). By adopting these guidelines, the Council will be able to drastically reduce the amount of land required now and in the future to meet its requirement.

Council's Response:

2. The Revised Deposit Draft inserts the phrase "encouraging high densities" within the reasoned justification, and amends section (d) of the policy to read "promoting high quality layout and design at higher densities of development". (R37, R38) The specific requirements for density are given in Policy H6 - also amended in the Revised Deposit Draft. The issue of density was covered in the Round Table sessions at the inquiry and included in the Council's Round Table Papers.

R37 2.17 Housing - Addition of reference to high densities

598/4409: CPRE - Broxtowe Group

3. The word 'encouraging' weakens the context of the paragraph regarding high density. High densities should be a definite provision of the plan.

Council's Response:

4. The revision inserted the phrase 'encouraging high densities' (R37); previously there was no reference to high density. The Council consider the wording used in the reasoned justification is appropriate; policy K3 itself states "(d) promoting high quality layout and design at higher densities of development"; and policy H6 in Chapter 4: Housing states the requirements for density on new housing sites.

2014/6655: Mr M G Colton

5. High-density housing proven not to work as it encourages over-development. Security fears. Housing out of character. Return to deposit draft text - delete 'encourage high densities'.

Council's Response:

6. The Council is required to encourage higher densities in line with national guidance in PPG3. The Council is keen to promote high quality layout and design at higher densities of development. All future layout proposals will of course be considered in relation to the issues of security and housing character as part of any wider consideration in line with policy E1.

1155/3944: Greasley Parish Council

7. Doubt the wisdom of the strategy of seeking to concentrate development on a small number of large sites. Insufficient exploration of alternatives to Green Belt sites. Selection of new sites has not followed government's strategic advice.

Council's Response:

8. In the Revised Deposit Draft the 'Locational Principles' section of Chapter 2 includes an additional two paragraphs (R29, R30) that explain the process that has been followed in selecting sites. The process and the locational principles adopted conform closely to the guidance contained in PPG3: Housing.

1476/3938: Mr G Barksby

9. Object to full plan; increased traffic from the scale of development proposed. No recognition of the effect of Chilwell Dam Farm development.

Council's Response:

10. The Council is obliged, under the Town and Country Planning Act 1990 to prepare and maintain an up-to-date development plan for its area. This policy and other policies in Chapter 5: Employment, are in full accordance with government guidance. Whilst some traffic increase is inevitable the careful choice of sites aims to keep this to a minimum. The effect of the Chilwell Dam Farm development has been taken into account when assessing traffic impacts in the locality.

598/2664: CPRE

11. Point (f) - Whilst we support the initiative towards greater energy efficiency we would like it to be quantified.

Council's Response:

12. General support noted. However, the Council does not consider that the setting of targets in a Local Plan is practicable or appropriate. The Council assesses all new development against approved document L of the Building Regulations, concerning the conservation of fuel and power in buildings. This will operate in a revised form from April 2002.

1471/3924: Mrs M Heaney

13. Level of proposed development too high. Extra traffic on already congested roads unacceptable. Loss of Greenfield sites, loss of wildlife unacceptable. Extra burden on existing facilities.

Council's Response:

14. The amount of land allocated for housing reflects the requirements made by the Structure Plan. Whilst some increase in traffic is inevitable the careful choice of sites aims to keep this to a minimum. The burden on existing facilities has been assessed and where appropriate new facilities have been proposed. In undertaking the site search process every effort was made to avoid sites designated for their wildlife interest.

1222/2916: Holmes Antill

15. The Plan fails to recognise the strategic relevance of the A609 transport corridor as an appropriate location for development.

Council's Response:

16. The Plan does not fail to recognise the A609 transport corridor, but the site selection process identified preferable sites elsewhere. Specific issues relating to this transport corridor were discussed in the Round Table sessions at the Inquiry (refer to CD83).

1475/3932: Mr W O'Connor

17. Object to the whole plan.

Council's Response:

18. The Council is obliged, under the Town and Country Planning Act 1990, to prepare and maintain an up-to-date development plan for its area.

601/2550: Nottinghamshire Wildlife Trust

19. Support this policy in principle, with most clauses requiring no amendment in our view. However we would like to suggest some text changes in order for this policy to accommodate the comments made with regard to para 2.17, particularly the issue of high-density housing, which if incorporated will assist the Council in meeting its housing needs with less land take.

Council's Response:

20. General support noted. The Revised Deposit Draft inserts two new references to high density development (R37, R38). Broader issues of appropriate density levels were discussed at the Inquiry Round Table sessions.

Inspectors Conclusions

1. It is clear that higher densities for new housing developments will require less land take. However, as Mr Colton fears, very high densities can bring problems for occupiers who are entitled to a decent home in a decent environment. This is an issue that I address later in Chapter 4. R37 introduced encouragement of high densities, which should go some way to meeting the Trust's concern. The term "higher" in K3 (d) relates to previously lower densities rather than to those of 100-200 dph that might be appropriate in some locations but none in Broxtowe to which my attention has been drawn. Policy H6 in Chapter 4 specifies minimum densities for particular types of site based upon accessibility to public transport. These should meet the needs of occupiers as well as the community, and in this case I see no objection to the term "encouraging" in R37; it in no way weakens subsequent policies. In view of these conclusions, I see no good reason to modify paragraph 2.17 which simply deals with the broad aim of encouraging high densities, as well as affordable housing and diversity and quality. This is not the appropriate place to be more specific about any of these aspects.
2. The RDDP deals for the most part with modest additions to existing communities whose viability and sustainable character is very largely well established. The impact of new development, even at very high densities is unlikely to change their situation significantly, except perhaps at Watnall/Nuthall. However, I recommend deletion of the latter proposals. The Wildlife Trust's suggested additions to para 2.17 are therefore not appropriate.
3. I have dealt previously with Greasley Parish Council's and with the substance of Mr O'Connor's, Mr Barksby's and Mrs Heaney's objections and Mr Colton's one time objection and see no basis in them to modify this part of the Plan.
4. Policy K3 (f) seeks to maximise energy efficiency; it is unclear what further quantification is possible or necessary. It is not for this LP to set standards.

Sustainable systems are one element of energy efficiency, which need no elaboration.

5. The Local Plan's proposals do not generally emphasise the A609 transport corridor identified in the Structure Plan. This is principally due to the sensitive nature of the Green Belt in this location and the lack of major public transport provision except in Erewash beyond the Plan boundary. These are factors that the Structure Plan might have been expected to recognise in advance when selecting major transport corridors. However, I consider individual site objections within this corridor later.
6. R39 met the HBF's original objection.

Recommendations

7. I recommend that no modification be made to this part of the Revised Deposit Plan in respect of these objections.

K5 - THE ENVIRONMENT - Green Belt

Objections

2.19 The Environment - Green Belt

1468	3908		Miss A Plackett	English Heritage East Midlands Region
1169	2579		Cllr M Rich	
601	2571		Mr S Rufus	Nottinghamshire Wildlife Trust

2.19 R42 The Environment - Green Belt - Deletion of references to Green Belt policies and boundaries

598	4412	R42	Mr I Brown	CPRE - Broxtowe Group
1155	5077	R42		Greasley Parish Council c/o Andrew Thomas Planning

2.XX R43 The Environment - Green Belt - Relocation of Paragraph from Chapter 3

1155	5078	R43		Greasley Parish Council c/o Andrew Thomas Planning
1154	5050	R43		W. Westerman Ltd c/o DPDS Consulting Group

K5 The Environment - Green Belt

1155	5079	R44		Greasley Parish Council c/o Andrew Thomas Planning
1154	5051	R44		W. Westerman Ltd c/o DPDS Consulting Group
1123	3633			Pickering Developments Ltd c/o Freeth Cartwright Hunt Dickins
1178	2727			Metropolitan & District Developments Ltd. c/o Shoosmiths Solicitors
1185	2782			Simms & Co c/o Shoosmiths Solicitors
1124	2211			Granada Hospitality Limited c/o Weatherall Green & Smith
1181	2767			Beazer Homes Limited c/o Shoosmiths Solicitors
1006	2069			Nuthall Parish Council c/o Browne Jacobson Planning Unit

1420	3738		Bellway Estates & Giltbrook Landowners Consortium c/o Shoosmiths Solicitors
1384	3543		EWS Railway c/o Lambert Smith Hampton
748	2392		David Wilson Homes North Midlands c/o David Wilson Estates
1218	3645		Nuthall Action Group c/o Antony Aspbury Associates
1155	2501		Greasley Parish Council c/o Andrew Thomas Planning
1366	3503	Mr A Adams	Ministry of Agriculture, Fisheries & Food c/o Farming & Rural Conservation Agency
1221	2908	Mr JP Allen	Trustees of the Barnes Settlement & Estates c/o Walter Scott & Ross Solicitors
1108	2151	Mr M Bagshaw	Stamford Homes Limited c/o Barton Willmore Planning Partnership
807	1470	Mrs E Benton	
1216	2892	Mr RJ Dawson	
1196	2820	Ms AA Eaton	
1439	3786	Mr P Geldart	Country Landowners Association
1381	3555	Mr M Gorman	Government Office for the East Midlands
1106	4918	R44 Mr R Hepwood	Miller Homes East Midlands
1363	3404	Mr D Herd	Countryside Agency - East Midlands Region
1093	3658	Mrs J Naylor	
601	2576	Mr S Rufus	Nottinghamshire Wildlife Trust
1087	2036	Mr A Taylor	Stansgate Planning Consultants
K5A			
		Green Belt: Awworth	
1131	2358		Allen Homes (East Midlands) Ltd c/o Steedman Planning & Land
1106	2237	Mr R Hepwood	Miller Homes East Midlands
1128	2356	Mr D March	Harvey Ingram Owston
338	2182	Mr K Sault	P. Gaughan Building Consultant

K5B - Brinsley
K5Br - Bramcote

K5E		Green Belt: Eastwood	
823	1492		Brinsley Parish Council
552	1031	Mrs CA Barson	SABRHE
553	1032	Mr CC Barson	SABRHE
865	1714	Ms H Clough	
828	1615	Mr GEM Coubrough	SABRHE
827	1614	Mrs YP Coubrough	SABRHE
1102	2113	Mrs J Eaton	
1104	2119	Mr T Egglestone	SABRHE
1103	2118	Mrs JP Egglestone	SABRHE
548	1020	Mr J Faulconbridge	
921	1706	Mrs N Harper	
75	1704	Mr D Harper	
20	1613	Mr J Harwick	SABRHE
1106	2234	Mr R Hepwood	Miller Homes East Midlands
860	1596	Mr M Jeffery	
824	1496	Miss ML Jeffery	
861	1601	Mrs JL Jeffery	
922	1712	Mr KG Jones	
569	1072	Mr J Kinsey	
570	1073	Mrs AG Kinsey	
568	1071	Miss HS Kinsey	
566	1068	Mr DJ Kinsey	

1101	2088	Mrs CE Melbourne	
551	1028	Mrs J Savage	
1085	2257	Mr JM Tebbs	SABRHE
885	2117	Mr NL Topliss	
1061	2097	Mr MA Topliss	
102	2123	Mrs A Turner	
845	1583	Mr DA Weir	SABRHE
843	1582	Mrs R Weir	SABRHE
825	1497	Mrs DE West	
826	1571	Mr RM West	

K5N Green Belt: Nuthall

1133	2363		William Davis Ltd.
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K5T Green Belt: Trowell

1116	2180		Wimpey Homes c/o Stoneleigh Planning Partnership Miller Homes East Midlands
1106	2236	Mr R Hepwood	

K5W Green Belt: Watnall

1420	3736		Bellway Estates & Giltbrook Landowners Consortium c/o Shoosmiths Solicitors Hallam Land Management
1130	2339	Mr R Walters	

Summary of Objection issues**2.19 The Environment - Green Belt**1468/3908: English Heritage East Midlands Region

1. This paragraph makes no reference to the historic environment.

Council's Response:

2. The Council acknowledges the five purposes of including land in Green Belt as per PPG2 and refers to these in paragraph 2.xx which states "A major aim of the Green Belt is to help prevent coalescence of urban areas, so as to maintain the distinctiveness of local communities. In addition, the Green Belt will help to protect the countryside from the uncontrolled spread of development and assist in the regeneration of land within urban areas." However it should be noted that within Broxtowe the Green Belt does not serve the purpose of preserving historic towns, and therefore specific reference is not made to this purpose.
3. Policies specifically relating to the historic environment are included within Chapter 3: The Environment.

1169/2579: Councillor M Rich

4. The plan was difficult to read and would be difficult for a member of the public to fully absorb it at a single reading.

Council's Response:

5. The information contained within the plan is not intended to be absorbed at a single reading. The Council has ensured that the layout of the text, and the form of the Proposals Map is such that it aids interpretation. The proposals map is required to show proposals, not to identify changes from previous documents. However, additional information concerning changes to the Green Belt

boundaries is provided within Technical Report No.3 which was issued as a companion document to the Local Plan Deposit Draft in January 2000.

601/2571: Nottinghamshire Wildlife Trust

6. Object to the redesignation of Green Belt land for allocation for development. It is vital that new development is confined to areas within the current built environment. This will prevent the loss of valuable open countryside - as a wildlife resource, recreation area and boundary. Loss of all these aspects if Green Belt eroded and see settlements merging. The Green Belt should be permanent protection of the value of Green Belt land for high quality agriculture and the potential that exists for habitat creation for nature conservation is a vital consideration in assessing this position. In areas which are currently of low value for either agriculture or nature conservation, the potential that exists will be permanently lost if development is allowed to proceed.

Council's Response:

7. The purposes of Green Belt as established by PPG2 do not include the protection of wildlife habitats. These issues are covered by other policies and guidance. It is hoped that the round table session on Green Belts gave an adequate forum for discussion of these. In addition the following site specific references show the Council's interest in conserving Green Belt and green field sites whilst meeting the Structure Plan requirements for land allocations.
8. An urban capacity study undertaken by this Council concluded that all of the new development required could not be accommodated within the urban area. The search process is described under the section entitled 'Locational Principles'. The pre-inquiry changes have responded to the announcement that Nottingham City Council can accommodate more development than expected and this matter has been fully explored at the Round Table sessions. The housing sites H2c Main Street, Awsworth, H2d Newtons Lane, Awsworth, and H2j Ilkeston Road, Stapleford/Trowell are proposed to be deleted from the plan. However, it remains necessary to amend the Green Belt boundary around site H2(l) Main Road, Watnall.

R42 2.19 The Environment - Green Belt - Deletion of references to Green Belt policy and boundaries

598/4412: CPRE - Broxtowe Group

9. The sentence regarding Green Belt boundaries should remain in the paragraph. We would object to any new boundaries creating a reduction of Green Belt land. We also object to the sentence regarding the primary aims of the policy being taken out, as this refers to the prevention of urban sprawl and the merging of settlements, safeguarding the character and identity of existing settlements and to protecting the countryside.

Council's Response:

10. Whilst paragraph 2.19 has been deleted, the contents of this paragraph remain in the Revised Deposit Draft in the two newly inserted paragraphs that follow the deletion (refer to R43 below). The inserted paragraphs refer to Green Belt boundaries and the aims of Green Belt policy. This section has been amended in order to avoid repetition, and present clearly information regarding the Green Belt and the proposed changes - no information has been excluded, but text has been transferred from Chapter 3.

1155/5077: Greasley Parish Council

11. Object to deletion of reference to Green Belt boundary changes.

Council's Response:

12. The reference to Green Belt boundary changes has not been deleted but has been rephrased in the following two paragraphs. This section has been amended in order to present clearly additional information regarding the Green Belt and the proposed changes - no information has been excluded, but text has been transferred from Chapter 3.

R43 2.XX The Environment - Green Belt - Relocation of paragraph from Chapter 3

1155/5078 - Greasley Parish Council

13. Specific reason for objection to R43 is not given. However, the overall effect of revisions R42-44 is "to confuse the reader and make it difficult to identify where changes are proposed".

Council's Response:

14. Revision R43 transfers paragraphs from Chapter 3: The Environment in order to present clearly information regarding the Green Belt and proposed changes.

1154/5050 - W Westerman Ltd

15. The Deposit Draft rolled back the Green Belt boundary to the railway line that runs to the north of the site H2j and is part of the SNRN Network. This new boundary was in accordance with the advice in para 2.9 of PPG2 where it states boundaries should be 'readily recognisable features such as roads, streams, belts of trees or woodland edges where possible'. The latest change does not comply with para. 2.9 of PPG2. The eastern Green Belt boundary immediately adjacent to the proposed area of development around the junction of Trowell Road and Ilkeston Road endeavours to use a field boundary ditch without any hedge and cannot be described as a 'readily recognisable feature'.
16. Reversion to principally the policies contained in the Deposit Draft Local Plan (January 2000) i.e. as the proposed Green Belt boundary in Appendix 1 of the enclosed report.

Council's Response:

17. R43 transfers paragraphs from Chapter 3: The Environment to Chapter 2: Strategy. The revision makes no changes to Green Belt boundaries. Issues specific to site H2j are responded to under R168.

Inspector's Conclusions

1. Paragraph 2.19 places emphasis on protecting the borough's environment in all its respects, its key features and habitats. This includes its historic environment, but I see no good reason to spell this out here as this is covered by the specific policies later. It is generally agreed that the Green Belt purpose of protecting the setting of historic towns does not apply within Broxtowe.
2. The Plan is intended to guide the decisions of the LPA on development and to inform others of this. It is principally a Policy reference document. It is not intended to be read or absorbed in a single sitting. It is necessarily somewhat complex because of the range of inter-related issues involved. In my conclusions, I have resisted attempts by objectors to include superfluous detail and qualifications and numerous cross-references in order to keep the document reasonably concise.

3. R43 moved 4 paragraphs from Chapter 3 to this Strategy Chapter, which met some objections to the FDDP. These paragraphs outline some of the major changes the Revised Plan makes to the adopted Green Belt and provide a useful introduction to Policy K5. Most readers will, I believe, find this useful. I cannot see how this transfer, in itself, should confuse the reader or make the major changes more obscure. The convention adopted by the Revised Plan to illustrate changes from the 1st Deposit Plan may be confusing to some, but it is a standard way of informing the reader without the tedium of comparing the two plans alongside each other. However, the adopted version of the Plan should be much clearer. Cllr Rich's suggestion of quantifying Green Belt land take and additions has much to commend it. It would help to provide a more reliable perspective on claims of Green Belt loss.
4. The 4th sentence of paragraph 2.19, deleted by R42, is superfluous with the transfer of 4 paragraphs from Chapter 3 and with the reference in the 1st para of R43, to the definition of new boundaries. The last sentence is also unnecessary with the import of the 2nd of the new paragraphs, which describe the major aims of the Nottinghamshire Green Belt. I see no objection to R42; it shortens a long document. The purposes of Green Belts, as set out in PPG2 para 1.5, apply to all proposals to revise the Green Belt boundaries.
5. In Broxtowe's situation it is not possible, whatever the Trust, the CPRE, others and Mrs Benson later, might wish, to confine all new development to currently built up areas. As the Structure Plan made quite clear, and the Country Landowners Association and others later recognise, some review of Green Belt boundaries is necessary to meet essential development needs; a position also recognised in the recently reviewed RPG8. The need for some revision of boundaries is clearly attributable to the unduly tight approved Green Belt boundaries in Nottinghamshire. These, contrary to the advice of PPG2, failed to make adequate provision for the longer -term development needs outside the Green Belt. As PPG2 para 2.8 warns, if Green Belt boundaries are drawn excessively tightly around built up areas, it may not be possible to maintain the degree of permanence that Green Belts should have and which the Trust and the CPRE desire. Paragraph 2.12 of PPG2 also advocates safeguarding land between the urban area and Green Belt to meet longer-term development needs. Thus, the need for revision of Green Belt boundaries in this Local Plan Review is in part due to the adoption in the past of the approach advanced now by the Trust and the CPRE. By contrast, the evidence was that the SE Derbyshire Green Belt made greater provision for longer-term development needs. The danger is that Derbyshire might have to meet development needs diverted from Nottinghamshire due to a lack of development opportunities there.
6. The new developments that need to be provided for in this Local Plan, are, for the most part, required by the approved Structure Plan. The Plan, Monitor and Manage approach still has the aim, expressed in PPG3, to provide everyone with the opportunity of a decent home. This involves, as revised RPG8 itself incorporates, the use of some forecasts of housing need in order to plan ahead. Similarly, PPG4 para 3 advises that up to date development plans are essential if the needs of commerce and industry are to be met and reconciled with demands for other forms of development and for the protection of the environment. PPG4 Para 6 advises that the aim should be to ensure that sufficient land is available

which is readily capable of development and well served by infrastructure and that a variety of sites are available to meet differing needs. This land and these sites are needed not only to provide for incoming firms to the area, but more commonly to allow existing firms to expand and relocate and to allow new local firms to emerge. Often this is in response to needs for improved efficiencies without which the future prospects of local firms in the face of outside competition may be seriously jeopardized. These factors are according to PPG1 para 4 just as much a part of sustainable development as protection of the environment.

7. I deal with Westerman's objection later.

Recommendation

8. I recommend that no modification be made to the Revised Deposit Plan except that the Council should give consideration to including figures for land lost from and land gained to the Green Belt in respect of the final adopted Plan Review.

K5 The Environment - Green Belt

1123/3633 - Pickering Developments Ltd

1. Object to the Green Belt boundaries and specifically the inclusion of the site Ea5 within the Green Belt. This site was recommended for exclusion from the Green Belt by the Inspector who considered objections to the Nottinghamshire Green Belt Local Plan. The site could be released for housing development without any harm to the aims of Green Belt in the event of the Council identifying a need to release Green Belt land to meet strategic housing need. There are no grounds for precluding the release and development of this site for residential purposes.

Council's Response:

2. As this objection is site specific it is responded to on a site specific basis under the reference Ea5 - Land north of Mill Road, Beauvale, Eastwood (Proof 099).

1155/2501 - Greasley Parish Council

3. This policy and the Proposals Map are deficient in that they fail to identify the specific proposals for alterations to Green Belt boundaries. There is no way of identifying the extent of proposed alterations as there is no reference to existing Green Belt boundaries on the Proposals Map. One of the most important characteristics of the Green Belt is its permanence. The meaningful assessment of the implications of proposed Green Belt alterations can be made in the absence of their inclusion on the Proposals Map. Our clients interests, along with those of all other people either living within or having an interest in the Plan area have been seriously prejudiced by the local planning authority's failure to identify the extent of Green Belt alterations in the Local Plan. Their right to object has been denied.

Council's Response:

4. The purpose of a proposals map is to indicate the location of all land use based proposals within the plan not to detail changes from earlier plans. The map properly indicates the proposed extent of Green Belt as a whole. Details concerning specific proposals for alterations are given within Technical Report No.3 - Green Belt; this document was issued as a companion document to the Local Plan Deposit Draft in January 2000. The existing Green Belt boundary is shown in the

adopted Local Plan 1994. The Council does not consider that residents' interests have been prejudiced, or that anyone's right to object has been denied.

1384/3543 - EWS Railway

5. The Toton Sidings should be excluded from the Green Belt and suitably annotated to spatially define an appropriate form of policy for the rail freight facility proposed in the Structure Plan to create clarity and certainty and to avoid the necessity for departure procedures.

Council's Response:

6. This objection is responded to on a site specific basis under the reference EM6 (Proof 137).

1124/2211 - Granada Hospitality Limited

7. MSAs are by their very nature, enclaves of intense commercial activity and therefore Trowell Motorway Service Areas should be removed from the Green Belt. Alternatively, "at the very least", they should be recognised as a major developed site within the Green Belt, within which "reasonable development" should be permitted.

Council's Response

8. Trowell Motorway Services is centrally located within the Nottinghamshire Green Belt and the whole area is viewed as an integral part of the Green Belt. Furthermore the amount of built development within the site has been limited by the Green Belt designation, and the open character of the area generally retained.
9. As such the Council considers there is no justification for removing the Motorway Service Area (MSA) site from the Green Belt, and there is no justification for this course of action within PPG2 - Green Belts.
10. Motorway service areas are not referred to in Annex C of PPG2 as being potential candidates for designation as "major developed sites" and the Council does not consider that it would be appropriate to designate the Trowell service areas in this way. Section 3.0 of the objectors' proof demonstrates that reasonable development has not been prevented by the Green Belt designation at Trowell. The appeal cases referred to by the objectors do not support the suggestions that motorway service areas should be omitted from Green Belts or designated as major developed sites. On the contrary, paragraph 8 of the objectors' appendix 1 specifically rejects the suggestion that "once an MSA is built it assumes a cloak of Green Belt respectability, so that subsequent development on the site should not have to observe the full rigor of the usual Green Belt tests". Instead, the objectors' appendices confirm that the appropriate test of a proposed development at a service area within the Green Belt is whether "very special circumstances" justify an exception to normal Green Belt policy.

1185/2782 - Simms & Co

11. Policy should recognise significant existing uses in the Green Belt and the potential for redevelopment to assist in meeting Green Belt and environmental objectives.

Council's Response:

12. The approach taken by the Local Plan is fully in accordance with PPG2 - Green Belts. Certain forms of development are appropriate within the Green Belt and these are listed in policy E8 in Chapter 3: The Environment. However, it should be noted that the Council does not consider that, within Broxtowe Borough, there are any major existing developed sites that merit designation. As such redevelopment of existing uses will be restricted to development considered appropriate within the Green Belt.

748/2392 - David Wilson Homes North Midlands

13. Site AC4, West of Awsworth Lane/south of Newton's Lane, Cossall; Site Ea4; Nether Green, East of Mansfield Road, Eastwood; Site Ki2; South of A610/east of Awsworth Lane, Kimberley; Site ST7: South of Nottingham Road, Trowell Moor and Wa8: North of Gilt Hill, Kimberley/south of Main Road, Watnall should be allocated for housing.

Council's Response:

14. These objections are responded to on a site specific basis under the references AC4, Ea4, Ki2, ST7 and Wa8. (Proofs 029, 098, 101, 113 and 117)

1006/2069 - Nuthall Parish Council

15. The removal of this area from the Green Belt would not accord with four of the main purposes of the Green Belt as set out in PPG2, namely the check on unrestricted sprawl of large areas, the prevention of neighbouring towns merging into one another, the safeguarding of the countryside from encroachment and the assistance of regeneration. The Parish Council are also aware of the Baker Study into the Green Belt review for Regional Planning Guidance. They do not regard this study as giving support to release of this land from Green Belt.
16. The Parish Council have always regarded policy 13/3 of the Structure Plan as fundamentally flawed and would therefore urge a precautionary approach to any Green Belt releases in this area led by this Policy, pending new Regional Planning Guidance and the review of the Nottinghamshire Structure Plan.

Council's Response:

17. The detailed response to the objection relating to the site at Watnall is given under the reference H2(l) (Proof 014).
18. Urban Capacity Studies found that all the housing requirement could not be accommodated within the existing urban areas. The Council considers that this is the most suitable site to meet Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt for the reasons stated in its site specific proof.

1178/2727 - Metropolitan & District Developments Ltd

19. The inclusion of policy K5 under the heading "The Environment" is inappropriate. The plan should therefore be amended to make it clear that the designation of the Green Belt boundary is a matter of strategic planning significance and part of the strategy of the Local Plan. The paraphrasing of the stated purposes in PPG2 is misleading and the final sentence of paragraph 2.19 should therefore be replaced with: "The primary aims of the policy remain to prevent the unrestricted sprawl of large built up areas and the merging of settlements into one another to safeguard their character and identify, to safeguard the countryside from encroachment and to assist in urban regeneration by encouraging the recycling of derelict and other urban land".
20. Object to boundary of the Green Belt define by Policy K5 through the proposals map in that it excludes a large area of land at Watnall/Nuthall currently statutory Green Belt. The exclusion of this land from the Green Belt is contrary to the stated purposes of Green Belts set out in PPG2, in particular in that it involves and facilitates the unrestricted sprawl of a large built up area, fails to safeguard the countryside from encroachment and fails to assist urban regeneration by utilising Greenfield land. This section of the Green Belt is of great strategic significance being the narrowest section in the Nottingham to Eastwood transport corridor. By eroding this narrow section of Green Belt the proposed boundary would promote unrestricted sprawl of Nottingham thus merging the smaller settlements of Nuthall, Watnall and Kimberley with each other and the

City. This approach fails to comply with the Guidance for Green Belt revision and safeguarded land contained at Policy 1/5 of the Structure Plan.

Council's Response:

21. The Council consider Policy K5 is correctly located within Chapter 2: Strategy under the heading 'The Environment'. The Council is aware of the intentions of Green Belt policy, and the purposes of including land in Green Belts - as stated in paragraphs 1.4 and 1.5 of PPG2. Paragraph 2.19 has been amended in the Revised Deposit Draft, and four additional paragraphs have been inserted. PPG2 is not quoted in the explanatory text, but attention is drawn to pertinent points.
22. A detailed response to comments relating to the site at Watnall is given under the reference H2(l). However, it should be noted that the housing requirement could not all be accommodated within the existing urban areas. The Council considers that H2(l) is the most suitable site to meet Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt.

1420/3738 - Giltbrook Landowners Consortium

23. Object that site Ea8 has been retained within the Green Belt boundary.

Council's Response:

24. This objection is responded to on a site specific basis under the reference Ea8: land east of Baker Road/North of Nottingham Road, Giltbrook. (Proof 018)

1181/2767 - Beazer Homes Limited

25. Objection is made to the boundary of the Green Belt defined by Policy K5 through the proposals map in that it excludes a large area of land at Watnall/Nuthall, currently within the statutory Green Belt. The exclusion of this land from the Green Belt is considered contrary to the stated purposes of Green Belts set out in PPG2, in particular in that it involves and facilitates the unrestricted sprawl of a large built up area, would result in the virtual merging of two currently separate settlements, would fail to assist in safeguarding the countryside from encroachment and would fail to assist urban regeneration by utilising high quality Greenfield land where derelict Brownfield land exists elsewhere to accommodate this development. The section of Green Belt proposed for exclusion on the proposal maps at Nuthall/Watnall is of great strategic significance being the narrowest section of the Green Belt in the Nottingham to Eastwood Transport corridor. By eroding this narrow Green Belt, the proposed boundary would fail to check and would in fact promote the unrestricted sprawl of the large built up area of Nottingham by merging the smaller but still significant settlements of Nuthall and Watnall/Kimberley with themselves and virtually with the City itself. This approach fails to comply with the Guidance for Green Belt revision and for safeguarded land contained at Policy 1/5 of the Nottinghamshire County Structure Plan in that:- The proposal does not protect land which fulfils the essential Green Belt purposes of checking urban sprawl and preventing coalition and protection of surrounding countryside from urban encroachment in this area. The proposed boundary to the north of the proposed development does not follow any long-term readily recognisable and defensible feature on the ground. It does not respect the Structure Plan guidance in Policy 1/5 that major ridgelines, hills and open breaks between distinct settlements, particularly along the main transport corridors, should remain in the Green Belt and identified for this purpose in Local Plans.
26. Land north of Cordy Lane, Brinsley: The site does not contain any designated wildlife or ecological interests and the opportunity exists to create a strategic landscape feature and woodland along the eastern boundary of the site to screen some of the existing, unsightly uses on Winter Close, provide a woodland framework that would accord with the objectives of the Greenwood Community Forest and appropriate visual and physical separation between the villages of Brinsley and Underwood. This would also provide a long-term defensible Green Belt boundary thus also achieving strategic Green Belt objectives. This site does not perform any particular important

strategic Green Belt function and indeed many respects of development would be seen as “rounding off” the existing settlement boundary.

Council's Response:

27. The detailed response to the objection relating to the site at Watnall is given under reference H2(I) (Proof 014).
28. Urban capacity studies found that all the housing requirement could not be accommodated within the existing urban areas. The Council considers that this is the most suitable site to meet Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt.
29. The detailed response to the objection relating to Cordy Lane, Brinsley is given under reference By1 (Proof 094).

1218/3645 - Nuthall Action Group

30. It is difficult to reconcile the residential and employment proposals at Watnall in relation to the release of Green Belt, since the Green Belt status has been vigorously defended by the Council because of its value and its recognised vulnerability. The area proposed for the development is a sensitive open gap that is an exceptionally good candidate for continued Green Belt protection, entirely in accordance with established Green Belt principles and purposes. The loss of so substantial a section of the relatively narrow Green Belt wedge here, seriously undermines its function in this part of Nottingham and renders the residue even more vulnerable to future erosion.

Council's Response:

31. The detailed response to the objection relating to the site at Watnall is given under reference H2(I) (Proof 014).
32. Urban capacity studies undertaken by the Council found that all the housing requirements could not be accommodated within the existing urban areas. The Council considers that this is the most suitable site to meet Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt.

1366/3503 - Ministry of Agriculture, Fisheries and Food

33. Concerned that to ensure that the future housing, employment and other land use requirements in the borough are to be met the necessary weight should be given to protecting best and most versatile land and that development involving such only occurs exceptionally. The development of housing, employment, park and ride, school, shopping area and associated infrastructure together with the identification of white land will result in the long term loss of 99.9 ha of best and most versatile agricultural land. Estimate that just under 100ha of best and most versatile quality agricultural land is affected by the current proposal. Total Grade 2 at long-term risk = 64.8 ha and Grade 3a is 35.10 ha. After much survey work forwarded to the borough in 1999 there is potential to develop alternative sites on lower quality land. Any review of Green Belt should not only look at the need to ensure that current boundaries are soundly based in accordance with the guidance for Green Belts - PPG2 but also to consider the implications for other interests of acknowledged importance such as the best and most versatile land.

Council's Response:

34. The detailed response to the objection relating to the site at Watnall is given under reference H2(I) (Proof 014).

35. The Revised Deposit Draft deletes the white land allocation and reduces the land allocated for development. However, the proposed development would still involve the loss of about 85 ha of the best and most versatile land. The Council considers this loss is unavoidable as the site chosen represents the most suitable site to meet structure plan requirements whilst not undermining the strategic objectives of the Green Belt.

1221/2908 - Trustees of the Barnes Settlement and Estates

36. The site AC6 - land to north of Coronation Road, Cossall should not be retained in the Green Belt. It is surrounded on all sides by urbanising influences to the south by Solomon Road industrial site and washes over Coronation Road to the west and northwest by the new Awsworth By-pass. To the west by an old canal with its banking. The defensible Green Belt boundary applicable is the new Awsworth By-pass Road.

Council's Response:

37. The detailed response to the objection relating to Coronation Road, Cossall is given under reference AC6 (Proof 092).

1108/2151 - Stamford Homes Limited

38. The Green Belt boundary around Wheatgrass Farm, Chilwell should be amended to exclude the land for housing development.

Council's Response:

39. The detailed response to the objection relating to Wheatgrass Farm, Chilwell is given under reference Ch1 (Proof 096).

807/1470 - Mrs E Benton

40. No development in the Green Belt.

Council's Response:

41. Urban capacity studies undertaken by the Council found that all the borough's housing requirement could not be accommodated within the existing urban areas. Therefore some development within the Green Belt will be required.

1381/3555 - Mr R J Dawson

42. Object to the village of Trowell being removed from the Green Belt. We are dairy farmers who have been farming at Rectory Farm, which is at the centre of Trowell, for the last 58 years and believe that any further development is not desirable. We also feel that there are several listed buildings in the village. (Rectory Farm included) and any major developments would spoil the character of the village and the area as a whole.

Council's Response:

43. The Council considers that as Trowell village is a substantial built-up area it should be removed from the Green Belt. No new development sites are proposed, but the change would give individuals more freedom to extend their properties and in certain circumstances infill development may be permitted. Listed buildings and their settings are specifically protected by policies in Chapter 3: The Environment, and this protection would remain unchanged.

1196/2820 - m A A Eaton

44. Object to the area of land to the northeast of Beauvale Infants (Greasley) being returned to the Green Belt.

Council's Response:

45. Nottinghamshire County Council no longer requires this site to be safeguarded for a new school. As the site relates visually to the open countryside it has been returned to the Green Belt. The proposed designation of this land will give the Green Belt a clear and defensible boundary.

1439/3786 - Country Landowners Association

46. CLA recommends that some adjustments to the current Green Belt boundaries will be required to take the pressure for development off more environmentally important sites in the countryside. This will, in some cases, be a more appropriate approach than releasing land in open country. It could be argued that the current rigid Green Belt policy acts against the provision of sustainable development. Whilst the policy has been successful in reducing urban sprawl, it has led to increased commuting as people seek to 'leap frog' the Green Belt from their homes to reach their places of work in cities. Furthermore the designation should not be used only as a negative instrument. Farmers and landowners need to find new uses for agricultural land and buildings. Policies should allow small-scale development within the Green Belt enabling existing rural businesses to expand or develop, as well as social housing and tourist and recreation facilities.

Council's Response:

47. Policy K5 does propose some changes to the Green Belt boundaries in order to accommodate new housing and employment development. The Green Belt releases proposed will allow for urban expansion; this is the most sustainable option following the re-use of previously developed land.
48. Development within the Green Belt itself will continue to be governed by PPG2 - Green Belts. Policies within Chapter 3: The Environment indicate those types of development considered appropriate within the Green Belt. The re-use of agricultural buildings for employment and tourism uses is generally regarded as appropriate development.

1439/3786 - GOEM

49. Policy K5 is unclear as there is no specific policy following paragraph 3.85 of the plan as referred to in the policy. The policy should be re-worded and placed more logically after paragraph 3.87 of the plan.

Council's Response:

50. The reference to paragraph 3.85 has been deleted from the plan.

1363/3404 - Countryside Agency - East Midlands Region

51. The Agency considers that environmentally led plans tend to lead to the most sustainable outcomes. This is reflected in the publication of its predecessor body, the Countryside Commission: Conservation Issues in Local Plans (CCP485). Further, the Agency considers that plans should aim to raise standards of development. The question when considering development proposals should be: 'Is it good enough to permit?', rather than: 'Is it bad enough to refuse?' It is considered that, whilst Green Belt policies go a long way towards protecting the countryside, the environmental area of sustainability is not given sufficient emphasis in the Strategy chapter. Developers should expect that all environmental harm should be balanced by mitigation and compensation measures. The policy is not sufficient in this respect.

Council's Response:

52. The Council also considers the Local Plan should have environment and sustainability issues at its heart. The Introduction and Strategy chapters both emphasise the central importance of sustainability and the first key policy concerns sustainable development.
52. In the revised Deposit Draft the explanatory text to policy K6 has been expanded to include reference to the need to compensate for damage to environmental assets.
53. The Council also aims to raise standards of development; Policy E1 focuses on improving design and Policy E2 requires energy efficient design and layout.

1093/3658 - Mrs J Naylor

54. Land between 74 and 80 Cordy Lane, Brinsley should be released from Green Belt. The land was originally a pond and piped and filled in, in the 60's and therefore should be classed as a Brownfield site.

Council's Response:

55. The detailed response to the objection relating to Cordy Lane, Brinsley is given under reference H2 new (Proposed New Housing Sites) (Proof 031).

601/2576 - Nottinghamshire Wildlife Trust

56. Object to redrawing the Green Belt. The reference in this policy to paragraph 3.85 is inappropriate as this paragraph states that the Green Belt will help to protect the countryside from uncontrolled spread of development but implicitly allows for the controlled spread and coalescence of urban areas. In addition, it will see the permanent loss of land, which has potential for agricultural use, or for habitat creation. This situation must be avoided while alternatives to land take in the Green Belt and countryside exist. If Green Belt land remains unavailable development of Brownfield sites becomes more economically viable, thus increasing the ability of such sites to meet the land needs of the borough.

Council's Response:

57. Urban capacity studies undertaken by the Council found that all the housing and employment requirements could not be met within the existing urban areas. The main Green Belt release proposed (at Watnall) will allow for the expansion of an urban area; this is the most sustainable option following the re-use of previously developed land. The phasing policy should ensure that the bulk of development in phase 1 takes place on previously developed land. The proposed pre-inquiry changes result in the protection of additional Green Belt and green field land.
58. The erroneous reference to paragraph 3.85 has been removed in the Revised Deposit Draft.

1087/2036 - Mr A Taylor

59. The Green Belt boundary should be amended to exclude the area of land south of Hall Lane, Brinsley to allow either the allocation of the site for housing development within the plan period or its designation as white land under policy E11.

Council's Response:

60. The detailed response to the objection relating to Hall Lane, Brinsley is given under reference H2 new (Proposed New Housing Sites) (Proof 031).

R44 K5 The Environment - Green Belt - Deletion of erroneous reference to Green Belt Policy.

1155/5079 - Greasley Parish Council

61. Object to deletion of words from policy “in pursuit of specific policy”.

Council's Response:

62. The erroneous reference to paragraph 3.85 has been removed from this policy. The Green Belt area defined on the proposals map has not been drawn in pursuit of any other specific policy.

1106/4918 - Miller Homes East Midlands

63. Miller Homes object to the extent of the Green Belt as set out on the proposals map.
64. Miller Homes believe that the Green Belt around Trowell should be amended to exclude that land edged red on the attached plan. Miller Homes believe that a more logical long term defensible boundary would be the M1 motorway and the Nottingham canal.

Council's Response:

65. Revision R44 deletes reference to paragraph 3.85; this revision makes no change to the Green Belt boundary. Objections relating to site ST3: Land North-east of Smithfield Avenue, Trowell, are responded to under that reference (Proof 030).

1154/5051 - W Westerman Ltd

66. Paragraph 1.5 of PPG2 lists five reasons why Green Belts are required. The proposed changes from the deposit draft in the vicinity of Field Farm do not meet these requirements. The site is already surrounded on three sides by residential development. There has already been significant coalescence between Trowell and Stapleford, which are not defined in any event as neighbouring ‘towns’. This is supported by the deletion from the published site development brief in the Revised deposit the words “to retain the physical separation of built development in Stapleford and Trowell”. The Structure Plan points out that iv) is not relevant to any location in Nottinghamshire. It is agreed through the development plan processes that have so far been undertaken that all the residential development required in the Local Plan period cannot be accommodated on previously-developed sites and that it is necessary to modify Green Belt boundaries.
67. Reversion to the policies contained in the Deposit Draft (Jan 2000) i.e. as the proposed Green Belt boundary in Appendix 1 of the enclosed report (Site H2j).

Council's Response:

68. Revision R44 deletes the erroneous reference to paragraph 3.85. Objections to relating to site H2j are responded under that reference (Proof 027).

Inspector's Conclusion

1. Metropolitan's suggested paraphrasing of Green Belt purposes is, like para 2.19, also inaccurate and there is merit in R42 which removed this text. However, I see

nothing wrong in including the rest of para 2.19 and Policy K5 in this Chapter on "The Strategy" under the sub-headings "Key Policies" and "The Environment". It is clearly a key policy and is recognised by many as an important element of the environment.

2. As I conclude earlier, I am unclear, despite Countryside Agency's publications and assertions, what is meant by an environmentally led plan. In my experience, it is necessary to start with some idea of the scale of development needs to be met, as provided by the Structure Plan in this case, and an inventory of the key environmental resources and constraints and infrastructure of the area. Government policy makes clear the need to balance the needs of development with the protection of the environment and this is embodied in the description of sustainable development in PPG1 para1. The most sustainable outcome will depend upon the criteria adopted and their application to local areas. Sustainability clearly covers more than conservation of natural resources, which may be of greater importance in some areas than others. General conclusions or lessons from one area do not necessarily fit others. The Agency's main concern is the countryside and it is perhaps natural that they should approach issues from this perspective. The LPA and I however, have to take a wider view and one that best reflects the local situation.
3. The Agency was not forthcoming on measures to strengthen this Chapter with regard to environmental sustainability. However, given the emphasis in the Guiding Principles, the Strategic Aims, the Locational Principles and Policies K1, K3 and K6 (R46) towards sustainable development and the protection of the environment, I can see few shortcomings in this Strategy Chapter. These key policies are supported by detailed policies in subsequent Chapters, which seek appropriate mitigation and compensatory measures for any environmental harm caused by development. Policy K3 seeks to raise standards by promoting high quality layout and design as apparently desired by the Agency. I can see little difference in practice between the questions posed by the Agency on the design of development, although there is a statutory duty to give reasons for the refusal of planning permission. This normally involves identifying the deficiencies of proposals in reasonably specific terms. However, the Agency suggests no specific changes in this regard.
4. The Wildlife Trust and the CPRE are seemingly not content with the protection of good quality agricultural land and important habitats, but wish to protect the potential of lower value areas as well. I reject as extreme and unrealistic any view that all greenfield sites in the region are important and worthy of protection. Such an indiscriminate approach ignores the reality of the position where some development has to be provided and planned for and where difficult choices have to be made. Whilst it is clearly desirable for development to take place on previously developed land and within urban areas, this only possible for a proportion of future development needs in Broxtowe; even the government's national targets envisaged about 40% of new housing on greenfield land. It is prudent to take, where possible, lower rather than higher value resources for development as advised in PPG7. However, this may involve a choice between the claims of one resource and another.

5. Westerman's, Pickering's, EWS's, Giltbrook Landowners, Beazers, the Trustees, Stamford Homes, Miller Homes, Mr Eaton's, Mrs Naylor's, Mr Taylors's, Mr Welsh's, Davis's, Wimpey's, Birch's, Sims and Hallam's objections are related to sites H2j, Ea5, EM6, Ea8, By1, AC6, Ch1, ST3, DD1, DD3, DD4 (H2new), AC6, NU1 and NU6, ST2, ST3 and NU8 respectively. David Wilson's objections relate to sites AC4, Ea4, Ki2, ST7, Acb, WA8. I deal with all these in later Chapters. I deal with Greasley Parish Council's, Nuthall Action Group's, Metropolitan's, Beazer's and others objections to allocations H2l, EM2 and EM3f later in Chapters 4 and 5 where I recommend their deletion from the Plan.
6. The purpose of the Proposals Map, as PPG12 makes clear, is to show the areas to which the policies and proposals of the Plan relate. It is not, as the Parish Council's consultants should know, to provide an information or briefing map. This would compromise its essential function and cause confusion. As the Revised Deposit Plan makes clear, the only basis for significant deletions from the Green Belt is to allocate new development sites, which are clearly identified on the PM. These are not so numerous that comparison with the adopted Green Belt in the 1994 Local Plan should be difficult. In any case, CD21b issued in January 2000 and referred to in paragraph 2.xx identifies proposed alterations. Paragraph 2xx also mentions certain additions. CD21 and the relevant sections of the Plan made clear the former Green Belt status of development proposals. CD14 and CD14a identified the Green Belt status of a wider range of "potential development sites" at the early Consultation Draft Plan stage. Failing all this, it was open to all potential objectors to seek advice from the LPA and I saw no evidence that this had been denied. In all these circumstances, I find no foundation in the claims that the interests of the Parish Council or others were prejudiced by the form of the Proposals Map.

Trowell MSA

7. The Trowell MSA is a large well-established development within the Green Belt with seemingly a long life. It has developed over the years and each proposal has apparently been dealt with as an exception to Policy, sometimes on appeal. Whilst this approach may appear to provide the LPA with strict control over development, alternatives need offer nothing less. Furthermore, it does no credit to the concept of the Green Belt for inappropriate development to be continually approved as exceptions to policy. It is difficult to square the Council's claims that Green Belt policy has limited development at the MSA to judge from the scale of development there or with their belief that Policy has not prevented reasonable development taking place. I agree with the S78 Inspector that the Trowell MSA is contained within well-defined boundaries in land use, landscape and topographical terms. Whilst these may not afford scope for much further development, there is potential for redevelopment, intensification and possibly infilling for MSA associated uses.
8. Annex C of PPG2 may not mention MSAs specifically, but it is clear that the developments identified in para C1 are only examples and are not exclusive. They do preclude other uses with similar characteristics. Trowell MSA is clearly a substantial developed site comparable to some of those mentioned. Identification of the MSA as a major developed site within the Green Belt would allow the LPA to consider infilling and re-development proposals which accord with paras C3 and

C4 as not inappropriate development. It would free them of any administrative burden of referring proposals to the GOEM and allow them more control over local matters. It would help to prevent delays in determining planning applications and improve performance. It would still allow proposals to be subject to development control policies for Green Belts, as para C2 makes clear. In addition there would be the specific policy guidelines set out in paras C3 and C4 of Annex C as well as paras C5 to C10.

9. BBC's resistance to defining major developed sites in the Green Belt seems perverse, since R79 to Policy E8e regarded limited infilling or redevelopment of all existing, but not major, developed sites in the Green Belt as appropriate development. This could in practice apply to very small existing developments, much smaller than the Trowell MSA, as well as to villages. IC112 belatedly recognised this problem and proposed restricting E8e to major developed sites. However, in neither case, are these identified on the PM, contrary to the advice of PPG2. The last part of E8 e) was also defective as it is difficult to visualise any infilling development that does not lead to a more intensive development or additional building area. It seems this qualification should have applied to redevelopment rather than to infilling as para C3 of PPG2 refers to a major increase in the built proportion of the site.
10. IC112, which I support in Chapter 3, resolves these issues. I also recommend that it be supported by reference to the relevant criteria of Annex C of PPG2 in the text and to the 3 existing major developed sites identified and supported by my recommendations. Development that accorded with these criteria would be not inappropriate development. The Council take the view that none of their villages should be identified for infilling.
11. An approach, in accordance with the advice of PPG2 Annex C, would be a more appropriate than removing this MSA site from the Green Belt to create a relatively small isolated envelope. Controls similar to those in Annex C would still be needed in that case to protect the openness and character of the sensitive surrounding Green Belt. MSAs may have a built up character but most are clearly not urban in form according to the common meaning of that term, whatever the views of some other Inspectors. MSAs and their subsequent development have for the most part been allowed in Green Belt areas as exceptions to national Green Belt policy on strategic transport grounds. As small enclaves in the Green Belt they do not fundamentally detract from Green Belt purposes. As PPG2 para 1.7 makes clear the landscape value of land is not a material consideration in its inclusion within the Green Belt or its continued protection. It is only the purposes of Green Belts set out in para 1.5 that are relevant. Also whilst the issue of harm is clearly material, case law has ruled that this includes harm to the interests of Policy and its objectives.
12. PPG2 makes it clear that it is for Local Plans to identify major developed sites in the Green Belt. I would not expect individual planning appeals to reach conclusions on such issues. I conclude that in this particular case such a course is justified and the Plan should identify the Trowell MSA as a major developed site on the Proposals Map. The boundaries of this should be easily identified. Elsewhere, I also conclude that Bramcote Hills School and Toton sidings should be identified as major developed sites on the PM.

13. I note the proposals of the M1 Multi Modal study for a proposed link from Trowell MSA to a Park and Ride site near Trowell Junction. However, there are no details of this yet and its timing is likely to reflect the relative priorities of a seemingly competitive scheme for a Park and Ride site served by the NET close to the nearby M1 junction 26.
14. I consider, but reject, Simms' site specific objection in respect of site Acb in a later Chapter. No other existing major developed sites in the Green Belt have been put before me.
15. The Trust and the GOEM objected quite rightly to the erroneous reference in Policy K5 to the policy following Paragraph 3.85, which did not exist. R44 corrects this error. As I conclude earlier, I see no cause for further re-wording or any justification for transferring Policy K5 to Chapter 3. The terms "in pursuit of specific policy", advocated by the Parish Council, add nothing and are more likely to cause confusion.

Trowell Village

16. I recognise the concerns of Mr Dawson and others over the removal of Trowell village from the Green Belt. However, Trowell village is clearly a sizeable built up area where the application of Green Belt policies is not appropriate. Extensions to existing buildings and minor infilling within the village is unlikely to have any impact upon the purposes of the open Green Belt surrounding the village and it devalues the Green Belt concept for the LPA to treat such developments as exceptions to Green Belt policy. There are other more specific powers to control the settings of listed buildings. There is little scope for any major development within the envelope defined on the Proposals Map, although I deal with certain objection sites outside the envelope later. I conclude that the exclusion of the built up part of Trowell village is justified.
17. More detailed policies in Chapter 3 deal with developments within the Green Belt, including issues related to farm diversification.

Eastwood Hall and Hall Park

18. I deal with this below.

Recommendation

21. I recommend that the Plan be modified by identifying Trowell MSA as a major developed site within the Green Belt on the Proposals Map and in Chapter 3 under Policy E8. I recommend elsewhere, similar definitions for Toton Sidings and for Bramcote Hills School. I recommend in Chapter 3 support for IC112 and for the inclusion in the supporting text of criteria from Annex C of PPG2. Otherwise I recommend no other modifications to the RDDP in respect of the above objections.

K5A - Green Belt - Awsworth

338/2182 - Mr K Sault

1131/2358 - Allen Homes (East Midlands) Ltd

1106/2237 - Miller Homes East Midlands

1128/2356 - Mr D March

1. The objections to the Green Belt boundary around Awsworth can be summarised as follows. Allen Homes suggest that the Awsworth by-pass should form the Green Belt boundary (in conjunction with the development of AC1), Miller Homes object to the link road forming the new Green Belt boundary, (in conjunction with the development of H2(d)), and Mr D March proposes new Green Belt boundaries in conjunction with the development of AC4 and AC5. Mr K Sault proposes a change in the Green Belt boundary to the north of Park Hill.

Council's Response:

2. Pre-Inquiry changes have deleted site H2(d) North of Newtons Lane, Awsworth from the Local Plan. No changes to the Green Belt are now proposed in the Awsworth area. It is considered that the existing boundary is logical and defensible. Issues relating to the development of particular sites are discussed under their own reference.

Inspector's Conclusion

1. I consider in other Chapters the issue of Green Belt boundaries at Awsworth and Cossall in connection with a number of sites including AC1, AC2, H1b, Hd (d), AC4, AC5, AC6, Ki2 and H2c. I support the housing allocation on the latter site and thus I cannot endorse IC83.

Recommendation

2. I recommend that the Green Belt boundary on the Proposals Map be amended to accord with my recommendations in respect of the objection sites at Awsworth which are contained in later Chapters of this Report. I recommend the allocation of AC1 and H2c for housing and former site H2d with RC8b as safeguarded land and thus their exclusion from the Green Belt.

K5E - Green Belt: Eastwood

Objectors Raising Similar Issues:

1. The objections to the Green Belt boundary around Eastwood all focus on one location. Thirty one individuals (listed at the front of this proof) together with Brinsley Parish Council objected that Eastwood Hall and Hall Park are to be removed from the Green Belt.

Council's Joint Response:

2. Employment development is allocated on 14.8 hectares of land east of the A610 Langley Mill by-pass and west of Eastwood Hall. The new Green Belt boundary is required to be firm, recognisable and defensible. As such, and given that Eastwood Hall comprises extensive built development, it is proposed that the Green Belt boundary skirts along the northern boundary of Eastwood Hall and then returns along Mansfield Road to its existing line. This boundary follows the dismantled railway line and Cockerhouse Road, and is therefore recognisable and defensible. The setting of Eastwood Hall will remain protected by its listed building status and the large area of

Tree Preservation Orders within its grounds. Hall Park will also be removed from the Green Belt, but will continue to be protected by open space policies.

3. Refer also to the Addendum to Proof 003.

Inspector's Conclusion

1. I deal with objections to employment allocation EM3d later in Chapter 5, where I support the allocation and a modest extension of some 2.5 ha northwards as put forward in IC85. EM3d on the northern edge of Eastwood is well contained to the west by the A610 and by development in Derbyshire, to the north by a substantial hill which serves to separate and screen the development from the more extensive stretch of open countryside further north. I have no reason to doubt, from the evidence, its future development.
2. The objections of SABRHE criticising the lack of clear reasons for the removal of Eastwood Hall and its grounds from the Green Belt had some force. Whilst the Plan at paragraph 5.68 and the accompanying technical documents (CD21) explained the reasons for the allocation of EM3d and its removal from the Green Belt, neither sought to explain the basis for the deletion from the Green Belt of Eastwood Hall and grounds or of Hall Park to the south.
3. Whatever, the situation in the 1994 or earlier Local Plans, the situation now is that the grounds to the north and west of Eastwood Hall itself have seen extensive modern development for conference and leisure uses. These developments have apparently been and are still being permitted by the LPA as exceptions to adopted Green Belt policy. Although, no development allocation is put forward in the RDDP, there is clearly the possibility that ad-hoc development at Eastwood Hall might continue. I note the objections of SABRHE, the Parish Council and others, but maintenance of Green Belt status in these circumstances is not very satisfactory. It has not protected the site from extensive inappropriate development in the past. Any new proposals, as in the past, would most likely be referred to GOEM, with its attendant delays. However, more important is the harm that the previous approach does to the concept of Green Belts generally. Not only does it create a false impression of Green Belt policy, it could be used, with some force, to support the case for similar developments in the grounds of large houses elsewhere in the Green Belt. It sends the wrong message to developers elsewhere rather than any at Eastwood Hall.
4. Notwithstanding the deletion of the link road from the RDDP, the proposed new Green Belt boundary is, even with the proposed extension of EM3d, quite clear and defensible on the ground. However, SABRHE's alternative Green Belt boundary along the edge of a car park to the east of the Hall would divide the curtilage somewhat arbitrarily without any obvious benefits. The parkland area to the east of the Hall is clearly observed against the background of the Hall, of modern development nearby and extensive car parking in the middle ground. It has largely lost any open Green Belt character that it might once have had. It is also difficult to identify a clear boundary to the south of the Hall.
5. Despite the well-treed frontage to Mansfield Road, the grounds of Eastwood Hall are not seen as part of the open countryside. Their exclusion would not

compromise the 3rd purpose of Green Belts in para 1.5 of PPG2. Travelling both north and south, Eastwood Hall and grounds are seen as part of the built up area of Eastwood. There is a strong sense of entering Eastwood from the north on Mansfield Road in the vicinity of Cockerhouse Road and the speed restriction sign, whatever impression is given by the adopted Local Plan.

6. The Hall and grounds are contained to the west by the proposed major new employment estate EM3d, which I endorse. To the east they are contained very largely by the Park Crescent housing development. To the south they are contained along the western frontage of Mansfield Road by a ribbon of housing development. To the north they are contained by planting and Hall Farm and beyond by rising ground, which separates this part of Eastwood visually from Brinsley. Being so well contained, Eastwood Hall and its grounds play little part in preventing urban sprawl and the 1st Green Belt purpose in PPG2. A Green Belt gap of about 800 m would remain between Eastwood Hall and grounds and the end of the ribbon of development at Brinsley and about 1000 m to the edge of the main village. This provides a good degree of separation between Eastwood and Brinsley, which is enhanced by the topography to the north. The exclusion of Eastwood Hall and grounds from the Green Belt would not reduce the effective open gap between Eastwood and Brinsley on the ground or lead to any enhanced degree of coalescence between them. It would not compromise the 2nd Green Belt purpose in PPG2. Given its specialised uses, it is unlikely to prejudice urban regeneration elsewhere and the 5th Green Belt purpose. Eastwood Hall and grounds now fulfill little Green Belt purpose.
7. Although Hall Park and the school playing fields beyond are open, they in turn are contained to the south and east by housing development, to the west by an existing industrial estate and to the north by the proposed new employment area EM3d and by the large extensive conference centre at Eastwood Hall. Whatever, its historic character, Hall Park will increasingly assume the character of a town park, surrounded by built development. It is clearly part of the town not of the countryside and fulfills no recognisable Green Belt purpose in terms of PPG2. Whilst outward views of the open countryside to the north can be obtained from and over the park, these will in future be partially curtailed by development on allocation EM3d.
8. I recognise the important legacy of D H Lawrence to the area and worldwide. I also recognise the importance of those sites associated with the author and of the route from Eastwood Town Centre, past Durban House and Eastwood Hall to Brinsley Headstocks and to other notable places. However, Durban House does not mark the edge of modern Eastwood. It is clearly part of the town not a rural environment. It and its grounds are surrounded by modern development extending some distance to the north. However, its historical and heritage importance is not diminished as a result. That of the perhaps less notable Eastwood Hall should similarly not be damaged by its exclusion from the Green Belt. The development at Eastwood Hall is not obtrusive when viewed from the route itself and from other important sites, indeed it can hardly be seen even in winter. Views from the Town Centre towards Crich and Derbyshire may be affected to a small degree by EM3d, but such views are already compromised by other modern industrial developments.

9. There have been many changes since the author's time; not least the demise of the local coal industry. Those who cherish Lawrence's roots might recognise the need of his local community to revive its economic fortunes and to develop replacement industries. It is undesirable to attempt to freeze the development of the area. D H Lawrence came from a mining family. He would surely have appreciated the need for new jobs. Most of the employment allocations in the Plan are conveniently located for future workers and employers whilst seeking to protect the more important parts of the Green Belt. In any case, a site's historical and or heritage value provides no basis, in itself, for including or retaining sites within the Green Belt, as PPG2 makes clear at para 1.7.
10. Control of development on the grounds to the east and south of the Hall would be best achieved by policies designed to protect the setting of the listed building and to a lesser extent by TPOs, rather than the application of inappropriate Green Belt policies. There is no reason why the former should not be effective in maintaining these grounds as a green gateway to Eastwood. Hall Park is protected by open space policies. It is mistaken to seek the Green Belt policies simply for the strict control they may appear to afford. I note the wildlife value of some fringe areas of site EM2d, of parts of Hall Park and its fringes and of the parts of the grounds of Eastwood Hall. The Nottinghamshire Biological and Geological Records Centre is responsible for the identification of Sites of Nature Conservation Interest and it is not for me to recommend designation. In any case, the necessary surveys have not been undertaken to my knowledge. The NBGRC has not designated any part of Eastwood Hall and grounds or Hall Park, although SINC 5/17 falls on the southern boundary of EM2d. However, a site's wildlife value provides no basis for inclusion or retention within the Green Belt, as PPG2 para 1.7 makes clear. Most of the more important existing habitats should be maintained and potentially enhanced. I do not see that development of EM3d or the removal of Eastwood Hall from the Green Belt would harm the wildlife of the adjoining Brinsley Parish, to which the objectors drew attention.
11. The grounds to the east and south of Eastwood Hall have some of the characteristics of Mature Landscape Areas but are much too small to merit this designation.
12. All the above reasons provide the exceptional circumstances to justify altering approved Green Belt boundaries. In the face of these, it matters little whether this is the only site to be removed from the Green Belt that is not subject to specific development proposals at this time. PPG2 does not restrict alterations to Green Belt boundaries solely to allow for current development proposals. Indeed, it advises on the need for safeguarded land outside the Green Belt and I have elsewhere recommended the designation of three such sites. However, this designation would not be appropriate for Eastwood Hall since it is unnecessary to safeguard it for allocation at some future Plan Review. I also recommend that some other objection sites be removed from the Green Belt but shown without notation, since they now fulfill little Green Belt purpose.

Recommendation

13. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections and that Eastwood Hall and grounds and Hall Park be excluded from the Green Belt. Elsewhere I support IC85.

K5N - Green Belt: Nuthall

1133/2363: William Davis Ltd

1. Land adjacent to Blenheim Industrial Estate, Nuthall and a site west of Woodhouse Way, Nuthall do not perform a significant Green Belt function.

Council's Response:

2. Detailed responses to the objections relating to these sites are given under references Nu1 and Nu6 respectively (Proof 036 and 017).

Inspector's Conclusion

1. I deal with objections sites Nu1 and Nu6 in later Chapters of this Report where I recommend the allocation of NU1 (as amended) for employment purposes and its consequent removal from the Green Belt.

Recommendation

2. I recommend in a later Chapter that the RDDP be modified by excluding site NU1 from the Green Belt.

K5T - Green Belt: Trowell

1116/2180: Wimpey Homes

1. We note that the new Green Belt boundary has been tightly drawn around what the Borough Council considers to be the main urban area and that some residential properties are still to be included within the Green Belt. The boundary is drawn around only part of the village, with no opportunity for further development to take place. Major new development is appropriate in this area because it is in a public transport corridor. Major development however is considered as sites of 5 ha or more, the current boundary would not allow for this. The Forge, Trowell is an ideal site to be used for park and ride conjunction with the proposed railway station on Ilkeston Road. Site ST2, east of Cossall Road, Trowell should therefore be allocated for housing.

Council's Response:

2. The detailed response to the objection relating to the site is given under reference ST2 (Proof 112).

1106/2236: Miller Homes East Midlands (formerly Birch plc)

3. Object to the revised Green Belt boundary around the village of Trowell. Site ST3, north-west of Smithfield Avenue, Trowell, should therefore be allocated for housing.

Council's Response:

4. The detailed response to the objection relating to the site is given under reference ST3 (Proof 030).

Inspector's Conclusion

1. I consider these objections in later Chapters in relation to sites ST2 and ST3 and others. I find that the proposed Green Belt boundaries to the north of the village to be well founded and see no basis to remove site ST2 from the Green Belt. However, I find that site ST3 fulfils little Green Belt purpose and I recommend its deletion from the Green Belt and consideration of the deletion of an adjoining area.

Recommendation

2. I recommend in a later Chapter that the Revised Deposit Plan be modified by the deletion of site ST3 from the Green Belt.

K5W - Green Belt: Watnall

1420/3736: Giltbrook Landowners Consortium

1. Object to the review of the Green Belt excluding the land at Watnall and Nuthall (site Ea8) from the Green Belt.

Council's Response:

2. The detailed response to the objection relating to this site is given under reference Ea8 (Proof 018).

1130/2339: Hallam Land Management

3. Object that site Nu8 and its continuation to New Farm Lane - land north of Back Lane, Nuthall is included in the Green Belt and not released for development.

Council's Response:

4. The detailed response to the objection relating to this site is given under reference Nu8 (Proof 108).

Inspector's Conclusion

1. I consider these objections in later Chapters in respect of objections sites Ea8 and Nu8 where I conclude that proposed Green Belt boundaries are well founded and should not be modified.

Recommendation

2. I recommend in later Chapters that no modification be made to the Revised Deposit Plan in respect of these objections.

K6 - THE ENVIRONMENT - AMENITY

Objections

2.20 *The Environment - Amenity*

1178	2728			Metropolitan & District Developments Ltd. Shoosmiths Solicitors
1468	3909		Miss A Plackett	English Heritage East Midlands Region

2.XX R45 *The Environment - Amenity - Addition of references to economic and social needs and environmental assets*

1155	5081	R45		Greasley Parish Council Andrew Thomas Planning CPRE - Broxtowe Group
598	4413	R45	Mr I Brown	English Heritage East Midlands Region
1468	5391	R45	Miss A Plackett	Nottinghamshire Wildlife Trust
601	4546	R45	Mr S Rufus	

K6 *The Environment - Amenity*

1006	2103			Nuthall Parish Council Browne Jacobson Planning Unit
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Summary of Objection issues

2.20 The Environment - Amenity

1178/2728: Metropolitan & District Developments Ltd

1. The inclusion of policy K5 under the heading “The Environment” is inappropriate. The plan should therefore be amended to make it clear that the designation of the Green Belt boundary is a matter of strategic planning significance and part of the strategy of the Local Plan. The paraphrasing of the stated purposes in PPG2 is misleading and the final sentence of paragraph 2.19 should therefore be replaced with: “The primary aims of the policy remain to prevent the unrestricted sprawl of large built up areas and the merging of settlements into one another to safeguard their character and identify, to safeguard the countryside from encroachment and to assist in urban regeneration by encouraging the recycling of derelict and other urban land”.

Object to boundary of the Green Belt defined by Policy K5 through the proposals map in that it excludes a large area of land at Watnall/Nuthall currently statutory Green Belt. The exclusion of this land from the Green Belt is contrary to the stated purposes of Green Belts set out in PPG2, in particular in that it involves and facilitates the unrestricted sprawl of a large built up area, fails to safeguard the countryside from encroachment and fails to assist urban regeneration by utilising Greenfield land. This section of the Green Belt is of great strategic significance being the narrowest section in the Nottingham to Eastwood transport corridor. By eroding this narrow section of Green Belt the proposed boundary would promote unrestricted sprawl of Nottingham thus merging the smaller settlements of Nuthall, Watnall and Kimberley with each other and the City. This approach fails to comply with the Guidance for Green Belt revision and safeguarded land contained at Policy 1/5 of the Structure Plan.

Council's Response:

2. The Council's responses to objections to paragraph 2.19/Policy K5 are provided in Proof 003 (1178/2727).
3. The Council consider Policy K5 is correctly located within Chapter 2: Strategy under the heading 'The Environment'. The Council is aware of the intentions of Green Belt policy, and the purposes of including land in Green Belts - as stated in paragraphs 1.4 and 1.5 of PPG2. Paragraph 2.19 has been amended in the Revised Deposit Draft, and four additional paragraphs have been inserted. PPG2 is not quoted in the explanatory text, but attention is drawn to pertinent points.
4. A detailed response to comments relating to the site at Watnall is given under the reference H2(l). However, it should be noted that the housing requirement could not all be accommodated within the existing urban areas. The Council considers that H2(l) is the most suitable site to meet Structure Plan requirements whilst not undermining the strategic objectives of the Green Belt.

1468/3909: English Heritage East Midlands Region

5. The use of the planning tool of defining visual envelopes might be considered with reference to policy K5. The visual impact of development in long views and the impact of topography in influencing visibility is frequently overlooked or underestimated.

Council's Response:

6. The Council has chosen not to define visual envelopes. However, the visual impact of new development has and will continue to be carefully assessed, and is covered by various policies including E1 - Good Design in the Built Environment and E9 - Visual Impact of development on Green Belt.

2.XX R45 The Environment - Amenity - Addition of reference to economic and social needs and Environmental assets

1468/5391: English Heritage East Midlands Region

7. Whilst we welcome the principle that 'Where development is permitted which would lead to unavoidable damage to environmental assets the Borough Council would expect provision to be made to compensate for this harm', historic assets are irreplaceable and therefore compensation for its loss will not be appropriate. Therefore, a different approach is needed based upon an understanding of historic assets and their contribution to local character and the avoidance of potentially harmful development.

Council's Response:

8. The Council has a clear understanding of the importance of historic assets and their contribution to local character. Chapter 3: The Environment, includes specific policies that protect historic assets. However, Policy K6 is an overarching policy that refers more generally to the character and quality of the environment. Policy K6 states that planning permission will not be granted where the character and quality of the environment would be unreasonably harmed. The reasoned justification states that where development would lead to harm to environmental assets compensation will be expected - this is more likely to apply to harm to natural assets and relates specifically to policies E17 and E18 of Chapter 3.

1155/5081: Greasley Parish Council

9. Should be policy (or partly incorporated in K6) rather than accompanying text.

Council's Response:

10. The Council considers this text should remain. There are specific policies later in the plan that identify where compensation may be appropriate.

Objectors Raising Similar Issues

11. The following two objectors have raised similar concerns regarding the phrasing of paragraph 2.XX.

601/4546: Nottinghamshire Wildlife Trust

12. Support the tone and content of this paragraph as it places environmental protection at the heart of considering development proposals. However, we feel that the purpose of the compensation for any unavoidable environmental loss should be more explicitly described. We feel that where development leads to environmental harm, compensation would be required to lead to an overall increase to the biodiversity of an area.
13. Recommend the following wording be added to the last sentence 'to compensate for this harm such that no net loss of biodiversity results from the development'.

598/4413: CPRE

14. We object to the inclusion of the word 'unavoidable' in relation to development leading to damage to the environmental assets as this could provide a loophole for developers.

Council's Joint Response:

15. Following further consideration it is proposed to amend this sentence as follows.

Inquiry Change

16. **The inspector is invited to recommend that the last sentence of this paragraph is amended to read:**
IC5 "Where there is an overriding need for development which would result in damage to environmental assets the Borough Council would expect provision to be made to compensate for this harm".
17. This text is considered appropriate and does not provide a 'loophole' for developers. Further explanation with regard to specific policies is given in Chapter 3: The Environment.

Inspector's Conclusions

1. I have dealt with Metropolitan's objections earlier in this Chapter.
2. BBC chose not to define visual envelopes and it is impracticable to press these upon them at this stage. They, objectors and myself have, in considering sites for development, had regard to the visual impact of development in a variety of views, long, medium and short as well as when travelling around and through the area.
3. English Heritage's one time objection assumed that damage to historical assets meant their loss. This may not be the case and where damage is unavoidable, I see no good reason not to seek appropriate compensation. In the absence of this and in other circumstances, it may be more appropriate for the LPA to reject the

proposed development. Policies in Chapter 3 seek to protect historical and other assets.

4. The terms "compensate for this harm" are appropriate and proportionate and do not justify any elaboration and there is no reason to highlight bio-diversity over other environmental assets. An increase in the bio-diversity of an area rather than its maintenance might be judged as too onerous a requirement on developers having regard to the advice of Circ 1/97, although some may volunteer such provision.
5. I would not expect damage to environmental assets to be accepted unless it was unavoidable and there were other overriding reasons justifying the proposed development. IC5 now includes this proviso and is worthy of support. It will be for the LPA to judge whether there is an overriding need for a particular development at the time. Thus I do not see the text providing a loophole for developers, as the CPRE's one time objection feared. Even without this, it is always open to developers to seek to demonstrate special circumstances to justify their proposals contrary to the provisions of the development plan.
6. R45 provides the basis for Policy K6 and as such should remain. However, the Parish Council is correct that the last sentence of R45 is a statement of Policy. IC5 should therefore also be added to the end of Policy K6. This would also help to meet the one time objection of the Wildlife Trust.

Recommendation

7. I recommend that R45 be modified as set out in IC5 which should also be added to Policy K6.

K6 - The Environment - Amenity

1006/2103: Nuthall Parish Council

1. The Parish Council supports the environmental criteria set out in policy K6 as being appropriate tests for judging development proposals. However, they would wish to see significant development proposals in the Plan being subject to an Environmental Assessment prior to the Local Plan Inquiry and not at the normal planning application stage after decisions concerning allocations have already been made, so that there can be full examination of the Environment Assessment evidence at the Local Plan Inquiry. The Parish Council consider the present legal arrangements for Environment Assessment after the Local Plan as unreasonable and unfair.

Council's Response:

2. This is a general policy that indicates the Council's commitment to maintaining the quality of the environment, and protecting amenity. The policy does not refer to the requirements for Environment Assessment which is governed by separate legislation. It is beyond the Council's powers to change the national legislation covering Environment Assessment. However, Nuthall Parish Council should be aware that an Environmental Appraisal has been undertaken on the whole Local Plan and the results of this are presented in Technical Report 1 (CD21).

Inspector's Conclusions

1. It is a matter of history now that major development proposals in the Plan were subject only to broad assessment in CD21 rather than a full Environmental Statement that might be required in the case of a subsequent planning application. As the Council observe, this reflects the government's prevailing policy. However, in the course of this inquiry and my considerations I have been presented with a great deal of evidence that enables me to consider the major environmental and other impacts of development proposals.

Recommendation

2. I recommend that no modification be made to the Revised Deposit Plan in respect of this objection.

K7 - ACCESS AND TRANSPORT

Objections

2.21	Access and Transport			
1468	3912	Miss A Plackett		English Heritage East Midlands Region
K7	Access and Transport			
1155	2500			Greasley Parish Council c/o Andrew Thomas Planning
598	2660	Mr I Brown		CPRE - Broxtowe Group
K7 R47	Access and Transport - Rephrasing of reference to location and design			
1108	4948	R47 Mr M Bagshaw		Stamford Homes Limited c/o Barton Willmore Planning Partnership
598	4394	R47 Mr I Brown		CPRE - Broxtowe Group

Summary of Objection issues

2.21 Access and Transport

1468/3912: English Heritage East Midlands Region

1. The impact of the "school run" in contributing to traffic flows should not be overlooked.

Council's Response:

2. The impact of the "school run" is recognised and will not be overlooked since such traffic already influences morning peak traffic flows. However, this is a general policy and therefore it is not thought appropriate to refer to this particular factor in the policy text.

Inspector's Conclusions

1. Schools are now major generators of traffic, often over 30% of the total in the am peak period. This traffic is accounted for in base traffic flows and traffic generation forecasts from new housing proposals. Measures of restraint are however, problematical and await government initiatives. Highway Authorities are probably limited at present to traffic calming and management measures around schools. I see no need for any special mention in paragraph 2.21.

Recommendation

2. I recommend that no modification be made to the Revised Deposit Plan in respect of this objection.

K7 - Access and Transport

1155/2500: Greasley Parish Council

1. There needs to be an acceptance and an obligation placed on the development industry to ensure that proper funding for road improvements and improvements to public transport infrastructure is secured through the planning process.

Council's Response:

2. Policy K7 requires new development to be located and designed so as to minimise the need for travel and to encourage accessibility by public transport, cycling and on foot. Furthermore, Policy T1 of Chapter 6: Transport, requires contributions where development would generate a demand for travel.

598/2660: CPRE - Broxtowe Group

3. New development needs to plan for an integrated transport system rather than this be introduced later as a retrograde step.

Council's Response:

4. This policy requires new development to be located and designed so as to minimise the need for travel and to encourage accessibility. Hence it is important that these issues are considered from the start; there is nothing in the policy or supporting text to suggest that transport issues should be introduced later as a retrograde step. The Council agrees that new development needs to plan for an integrated transport system.

K7 R47- Access and Transport - Rephrasing of reference to location and design

Objectors Raising Similar Issues

The following two objectors have raised similar concerns regarding the amended wording of policy K7.

598/4394: CPRE

5. The use of the word “require” in relation to new developments being located and designed so as to minimise the need for travel and to encourage accessibility by public transport, cycling and on foot weakens the context of the paragraph and should read “ensure that new development is located and designed etc”, as this places a much stronger emphasis on the provision of the plan.

1108/4948: Stamford Homes Limited

6. The use of the word ‘require’ is inappropriate because it does not allow for flexibility in the interpretation or application of the policy. The word ‘require’ should be replaced with ‘seek to ensure’.

Council's Joint Response:

7. The Council considers the revised wording is clear and appropriate and that the amended wording strengthens the policy satisfying objections made by the Government Office. The Council does not consider this is an area where there should be scope for flexibility. All developers will need to adopt the guidance in PPG3 and PPG13 and it is considered that policy K7 complies with this guidance.

Inspector’s Conclusions

1. Policies in later Chapters deal with the requirements for new development to fund necessary and related improvements to transport infrastructure and measures to provide safety and priority to non car users; in particular Policy T1 and T3, T7 and T9. Policy K7 is simply concerned with the location of new development to achieve sustainable transport objectives. It would be inappropriate and misleading to duplicate the provisions of these other Policies in Policy K7, as the Parish Council and the CPRE requested. As IC118 makes clear the Plan should be read as a whole.
2. An integrated transport system is clearly desirable for existing as well as new developments and should be the focus of the Highway Authority's Local Transport Plan. Many new developments also require the submission of a Transport Assessment, which should help to ensure integrated transport provision. Many of the major proposals put forward for this Local Plan have been the subject of detailed Transport Assessments. However, I see no basis to modify Policy K7 on this account. It seeks, in accordance with government policy, to minimise the need to travel and accessibility by none car modes.
3. The term “require” is preferred in the RDDP to the earlier term “ensure” largely to meet the objections of the GOEM. I see little difference in practice between this and the term “seek to ensure” and the Council’s is entitled in that case to adopt the terms that it prefers.

Recommendation

4. I recommend that no modification be made to the Revised Deposit Plan in respect of this objection.

K8 THE NEEDS OF THE DISADVANTAGED

Objections

2.22 ***The needs of the disadvantaged***
 1468 3915 Miss A Plackett English Heritage East Midlands Region

K8 R49 ***The needs of the disadvantaged - Rephrasing of reference to provision for people with special needs***
 598 4395 R49 Mr I Brown CPRE - Broxtowe Group

Summary of Objection issues

2.22 The needs of the disadvantaged

1468/3915 - English Heritage East Midlands Region

1. There may be opportunities within the plan to promote measures e.g. through design or employment policies, that benefit women and are “family-friendly”. English Heritage is aware that sometimes there may be conflicts between the conservation of the historic environment and the provision of facilities for people with disabilities etc, e.g. the provision of ramps for listed buildings, but would wish to work with local authorities to try and find solutions where such conflicts exist.

Council's Response:

2. This is a general policy that will require development to make provision for people or groups with special needs. The Council also recognise there may be conflict between the protection of the historic environment, and the provision of facilities for people with special needs. The positive stance of English Heritage is welcomed.

K8 R49 The Needs of the Disadvantaged - rephrasing of reference to provision for people with special needs

598/4395 - CPRE - Broxtowe Group

3. The use of the word “require” weakens the context of this paragraph as the Council should ensure developments make provision for people with special needs.

Council's Response:

4. The Council considers that the amended wording strengthens the policy. The Council can now require development proposals to make provision for people with special needs; if applications do not make appropriate provision they can be refused. It is not intended to make any further amendments to the policy.

Inspector's Conclusions

1. The approach of English Heritage towards provision for the disabled is commendable as a practice but it needs no special mention here.

2. I can see no weakness in the term "require". I see little difference between this and "ensure" in practice. The Council who have to deliver on this policy are entitled to prefer their own latest wording.
3. Policy K8 is concerned with requirements of new developments not with the wider aims of deprivation and social exclusion in rural areas, which was the one time concern of the Countryside Agency. These aims are addressed by a number of other Policies in the Plan including Policy K2, Policy K3, K7 as well as other initiatives which lie outside the scope of land use Policies. However, these, rightly, extend over the whole Borough and cover urban as well as rural areas. Indeed, Broxtowe, unlike more rural parts of the region, is highly urbanised and even its limited rural areas are close to and mostly well served by its urban centres.

Recommendations

4. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections.

KX – STRATEGY – ADDITIONAL PARAGRAPHS AND POLICIES

Objections

1383	3533	Mr S Clifton	English Nature East Midlands Team
1383	3522	Mr S Clifton	English Nature East Midlands Team
601	2779	Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection issues

1383/3533: English Nature – East Midlands Team

1. English Nature is of the opinion that environmentally lead local plans are most likely to deliver sustainable development. The general definition of sustainability given in the text is translated into Guiding Principles, which include the conservation and enhancement of wildlife resources. The 'Sustainable Planning Framework' also features the conservation of natural resources and respecting environmental objectives. This is most welcome. However, protection of the environment, in terms of the principles assets and limits in the borough, is not made a key priority. The only Key Policy for the environment appears to be that for Green Belt. As the key policies are those from which the more detailed policies in each subsequent chapter are derived, this is a serious omission. The fundamental aim of Green Belt policy is to preserve its openness. Environmental protection and enhancement in their broadest sense can be assisted by Green Belt policies, but the two policy areas are not one and the same.

Council's Response:

2. This objection was made at deposit stage. An additional paragraph (2.XX R45) has been inserted in the revised deposit draft that refers to the environmental assets of the borough. Policy K6 has also been amended and now refers to the quality of the environment (R46).

1383/3522: English Nature – East Midlands Team

3. Concern that the plan makes no commitment to monitoring the implementation and effectiveness of its policies. This is contrary to PPG12 paragraph 2.17 – 2.19. The consultation letter states that a systematic environmental appraisal has been carried out, and is available separately. This is welcome but, there appears to be no mention of this in the plan itself, and there is no indication in the sections on the plan-making process or the form of the plan as to this exercise has influenced the plan.

Council's Response:

4. This objection was made at deposit stage. A new paragraph has been inserted at the end of Chapter 1, which refers to the Environmental Appraisal - 1.XX R12. Inquiry Change IC96 has been proposed by Proof 044, consisting of a further paragraph on monitoring the plan's policies and the progress of development.
5. The Council already undertakes annual monitoring, and this will be continued. This will be supplemented by other monitoring as required by PPG12.
6. It should also be noted that a new section 'Phasing of Housing' (R221-224) states that monitoring will take place to establish the rate of housing development. Also policy EM3 of the Employment Chapter requires specific monitoring.

601/2779: Nottinghamshire Wildlife Trust

7. The plan should make explicit recognition of the importance of the concept of environmental capacity in planning for sustainable development.

Council's Response:

8. The concept of environmental capacity, whilst useful in formulating the local plan, is not easily incorporated into policy text. The Plan is the product of wide consideration including that of environmental capacity and it is unnecessary to make specific reference. Policies are required to be clear and exact – reference to underlying concepts is not readily understood, or readily assessed, and therefore are not explicitly mentioned.

Inspector's Conclusion

1. I have dealt with the substance of English Nature's objections earlier in this Chapter. In responding to a similar point made by the Countryside Agency, I do not understand what is meant by environmentally led local plans, except that it suggests precedence for environmental factors above all others. In my experience, well-founded local plans need to start with some knowledge of the scale of development to be provided for as well as an inventory of environmental and infrastructure constraints and resources. The former and much of the latter is provided in this case by the approved Structure Plan. RPG8 includes policies for new housing development in the region based upon future projections of housing needs. It also commends studies of employment land needs in various categories. Its policies provide a sequential approach to new development sites but place no embargo upon all environmental impacts. Neither could be described as being environment or development led.

2. It is perhaps not surprising that EN and the Countryside Agency should seek to elevate environmental interests. However, they need to recognise that LPAs and others have to take a comprehensive view. PPG1 makes it clear that sustainable development embraces the need to provide new houses and employment and other facilities for modern living as well as conservation of the environment. Policy K5 is not the only Policy concerned with the environment, as EN, once contended. Indeed it is concerned with only one aspect; Green Belt. Policy K6, one of the other key LP policies, now seeks to protect the quality of the wider environment when assessing development proposals. It is unclear what either EN or the CA seek further.
3. R12, IC96, and R221-224 include commitments to monitoring the Plan to reflect existing practice.
4. The Wildlife Trust's definition of "environmental capacity" rests upon agreement over the stock of critical environmental resources within the Borough. Without this its application is not practicable. Even so the approach has its limitations as even with critical resources, such as National Parks, it is not possible to afford the absolute protection that the Wildlife Trust seeks. Most of the environmental resources of Broxtowe are of local importance and SINCs, Prominent and Mature Landscapes do not have the same status as national designations and in the latter context could not be regarded as critical resources; indeed the Countryside Agency object to some local designations. Even national policies towards Green Belts, B&MV agricultural land and SSSIs do not preclude some development. With such fundamental problems it is not appropriate for the Plan to recognise or even mention the concept of environmental capacity. In any case, its proposals and my conclusions upon these have been based upon a somewhat more pragmatic approach. However, it is noticeable that the Wildlife Trust, having commended the environmental capacity approach, objected to most development proposals even on land unprotected by any designation, including some derelict and degraded land. This begs the question of where legitimate development needs are then to be met.

Recommendation

5. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections.