

CHAPTER 4: HOUSING

Introduction

1. I deal at page 11 with general housing issues: overall need and dwelling requirements 1991 – 2011, the contribution of existing commitments, windfalls, vacancy rates, flexibility allowances and the Plan period. I put forward the basis for a new Table 4.2 that result from my conclusions. I then at page 27 deal with the housing requirement, the scale of housing provision and the Council's proposed Pre-Inquiry Change 11 to housing allocations. I put forward a new version of Policy H2 based upon my recommendations on allocations/sites in this Chapter and in Chapter 10. This order varies from that in the Skeleton Report supplied by the Council, but I hope that it provides a helpful sequence for the reader. I deal at page 42 with the general distribution of new housing allocations, general density issues and Policies H1 and T1 issues. I deal with a new Phasing Policy at page 296.

4.7 R124 Government Guidance - Deletion of references to 1992 PPG3 replaced by 2000 PPG3

Objections

4.07 R124 Government Guidance – Deletion of references to 1992 PPG3 replaced by 2000 PPG3

1213	5168	R124	Ms F Forgham	Government Office for the East Midlands
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4.09 Government Guidance

1135	2409		Mr I Moss	House Builders` Federation
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4.09 R128 Government Guidance – Amendment of references to relevant circular

1108	4951	R128	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
598	4438	R128	Mr I Brown	CPRE - Broxtowe Group

4.10 Government Guidance

1135	2414		Mr I Moss	House Builders` Federation
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4.18 1996 Nottinghamshire Structure Plan Review

598	2608		Mr I Brown	CPRE - Broxtowe Group
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4.XX R130 Urban Capacity Study – Explanation of government requirement for study

1155	5089	R130		Greasley Parish Council
				Andrew Thomas Planning
1213	5166	R130	Ms F Forgham	Government Office for the East Midlands

4.XX R131 Urban Capacity Study – Explanation of council's approach to urban capacity

1155	5090	R131		Greasley Parish Council
				Andrew Thomas Planning
1213	5167	R131	Ms F Forgham	Government Office for the East Midlands
2206	6785	R131	Mr J Sullivan	Chantry 27
				Ken Mafham Associates

4.XX R132 Urban Capacity Study – Explanation of council's approach to urban capacity

1213	5169	R132	Ms F Forgham	Government Office for the East Midlands
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Summary of Objection Issues

1212/5168 - Government Office for the East Midlands

1. While the inclusion of further information in the reasoned justification is acknowledged, it is considered that the justification for exclusion of land from the Green Belt for housing, employment and associated purposes remains insufficiently clear. The justification should explain precisely how PPG2, Structure Plan, the extent of the Green Belt, and PPG3 issues (including UCS, sequential selection, accessibility, sustainability etc) combine to persuade the Council that the exclusions are necessary.

Council's Response:

2. Refer to the Round Table Session Notes (CD83).

Inspector's Conclusions

1. R130, R131 and R132 introduced a new section on Urban Capacity Studies to the RDDP. Three of the housing sites put forward in the RDDP were in the Green Belt but whilst the Plan described their status it contained, as the GOEM observed, no explanation of the process by which it was considered necessary to make incursions into the Green Belt. Subsequently, the PICs in putting forward a lower total housing capacity proposed the deletion of two of these sites. The remaining allocation in the Green Belt, H2I at W/N, forms part of a large mixed use development comprising a Business Park, employment estates and housing. The BP was the origin of these proposals and the Plan relies upon the SP to justify this location in the Green Belt. It justifies the housing and other employment allocations as parts of a mixed development for which they cite PPG1.
2. In Chapter 5, I find no requirement at this time to allocate another BP in the Green Belt, both in terms of the current level of supply and SP policies/advice. I also find the benefits of a large mixed use development in this location to be unproven and, in any case, of insufficient merit to justify the loss of such a large amount of important Green Belt and B&MV agricultural land as well as the other environmental costs involved.
3. I have also identified sufficient land to meet what I regard as an appropriate level of housing provision in this LP Review on other sites mainly outside the Green Belt. Where I support some alterations to Green Belt boundaries, I justify these by the need for development land to meet SP requirements and in terms of their limited function in terms meeting of Green Belt purposes. The issue raised by the GOEM, although valid at the time, is more a matter of history now. However, the text of the modified RDDP could include a brief summary of my conclusions on the sites that I recommend be deleted from the Green Belt if the Council so wish.

Recommendation

4. I recommend that no modification be made to the RDDP in respect of this objection except that the Council could consider whether the text of the modified RDDP should include a summary of my conclusions on the sites that I recommend be deleted from the Green Belt.

4.9 Government Guidance

1135/2409 - House Builders' Federation

1. Circular 13/96 has been replaced by Circular 6/98 and reference to the former should be deleted.

Council's Response:

2. The Revised Deposit Draft deleted the reference to Circular 13/96 (R127), and replaced it with the reference to Circular 06/98.

4.9 R128 Government Guidance - Amendment of references to relevant circular

1108/4951 - Stamford Homes Limited

3. The revision should include the following wording: 'the circular also advises that local planning authorities should indicate their intention to negotiate for a proportion of affordable housing'.

Council's Response:

4. The Council does not consider this paragraph needs any further amendment. More detailed information regarding affordable housing is given in Policy H5 and its accompanying text.

598/4438 - CPRE - Broxtowe Group

5. We object to the word 'specific' being used as affordable housing should be on all sites not specific housing sites. Suggest replacing 'specific' with 'all'.

Council's Response:

6. The wording used reflects the approach taken by Circular 6/98. The use of the word 'all' would not reflect this government guidance.

Inspector's Conclusions

1. R128 should have met the HBF's objection to the FDDP. I can see no good purpose in extending this very brief reference to Circ 6/98 as suggested by Stamford Homes; a later section in this Chapter explains the LPA's approach in more detail. R128 describes government advice to LPAs, which is to identify specific sites for affordable housing. It is not for the Council or myself to re-write this. However, in Policy H5 the RDDP specifies all sites over 1 ha/25 dwellings.

Recommendation

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

4.10 Government Guidance

1135/2414 - House Builders' Federation

1. The statement in paragraph 4.10 'with regard to housing, the PPG advises local authorities to allocate the maximum amount of housing to any available previously developed sites within urban areas' does not reflect the guidance in PPG1 or subsequent government guidance.

Council's Response:

2. The Revised Deposit Draft adjusted the wording in paragraph 4.10 - revision R129, by deleting the words 'any available'. This more accurately reflects government guidance.

Inspector's Conclusions

1. R129 provided a more accurate quote from PPG1 para 24 and should have met the HBF's objection to the FDDP.

Recommendation

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

4.18 1996 Nottinghamshire Structure Plan Review

598/2608 - CPRE - Broxtowe Group

1. The issue of demonstrable need can be a contentious one - especially where the data comes from a potential developer. The criteria for demonstrating such an exceptional need should be laid down to make it clear that the need arises from the local communities' requirements, as paragraph 4/2(b) of the Structure Plan makes clear. Further, such development can easily move out of the "affordable housing" bracket if owners extend and develop such properties. Again this point is clearly made in the same paragraph and will need to be borne in mind when classifying a future development as "affordable housing".

Council's Response:

2. The Structure Plan forms part of the Development Plan for Broxtowe Borough Council, and therefore its contents has been, and will be, referred to with regard to affordable housing. There is no need to make direct and lengthy quotes from the Structure Plan.

Inspector's Conclusions

1. Paragraph 4.18 was a summary of SP Policy 4/2 and I see no need for any modification. Paragraph 4.57 explains that affordable housing needs have been assessed through the South Nottinghamshire Study, not by developers. There are various means by which affordable housing is kept affordable, but it would be inappropriate to prevent homeowners from extending and improving their properties if this is acceptable on other grounds.

Recommendation

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

4.XX R130 Urban Capacity Study - Explanation of Government requirement for study

1155/5089 and 5090 - Greasley Parish Council

1. This section should refer to relevant guidance in RPG8 and Tapping the Potential and demonstrate how these have been taken account of.

Council's Response:

2. The Council agrees that Tapping the Potential should be referred to in this paragraph and therefore propose an inquiry change in order to ensure factual accuracy and completeness.

Inquiry Change

3. **The Council has recommended that the second sentence of paragraph 4.XX be amended to read; "This approach was reaffirmed in PPG3 Housing issued in March 2000, and the guide to good practice entitled 'Tapping the Potential' issued in December 2000".**
4. The Council does not however consider it is necessary to refer specifically to RPG8 within this paragraph.

1213/5166 and 5167 - Government Office for the East Midlands

5. While the inclusion of further information in the reasoned justification is acknowledged, it is considered that the justification for exclusion of land from the Green Belt for housing, employment and associated purposes remains insufficiently clear. The justification should explain precisely how PPG2, Structure Plan, the extent of the Green Belt, and PPG3 issues (including UCS, sequential selection, accessibility, sustainability etc) combine to persuade the Council that the exclusions are necessary.

Council's Response:

6. Refer to Housing Round Table Session Notes (CD83).

4.XX R131 Urban Capacity Study - Explanation of Council's approach to urban capacity

2206/6785 - Chantry 27

7. Government target for proportion of housing of brownfield sites is 60%. Broxtowe will be well below that figure not least because of the allocation of greenfield land at Watnall. The true justification for that allocation is the high infrastructure costs associated with the related employment allocations. There is no inherent reason why the government target should not be met. The reason why so few brownfield sites have been identified is that Broxtowe have not carried out an urban capacity study according to government advice. In particular the methodology used fails to properly assess the

potential to redevelop and convert industrial buildings. Nor has there been a comprehensive review of employment sites as recommended by PPG3. In particular the potential for housing at Watnall Brickworks has not been properly considered. Previous objection to exclusion of this site is maintained.

8. Suggest carrying out a fresh urban capacity study.

Council's Response:

9. The Council has carried out a study into urban capacity, as recommended by the government (CD21/a). The result of this work is that 59% of new dwellings are proposed to be allocated on previously developed land (refer to the Council's Round Table Paper on Housing).
10. Refer also to response to objection to site Wa3, Proof 016.

4.XX R132 Urban Capacity Study - Explanation of the Council's approach to urban capacity

1213/5169 - Government Office for the East Midlands

11. While the inclusion of further information in the reasoned justification is acknowledged, it is considered that the justification for exclusion of land from the Green Belt for housing, employment and associated purposes remains insufficiently clear. The justification should explain precisely how PPG2, Structure Plan, the extent of the Green Belt, and PPG3 issues (including UCS, sequential selection, accessibility, sustainability etc) combine to persuade the Council that the exclusions are necessary.

Council's Response:

12. Refer to Housing Round Table Session Notes (CD83).

Inspector's Conclusions

1. IC108 is advanced to make reference to "Tapping the Potential" and should be endorsed. RPG8 refers in para 4.39 to the EM Housing Urban Capacity Study but I see no particular need to repeat this in the RDDP
2. This section on Urban Capacity Studies is not the appropriate place to explain the search sequence employed and I have already dealt with GOEM's comments above.
3. Chantry 27 does not explain the weaknesses of BBC's Urban Capacity Study, other than to criticise its timing. However, the study produced a high proportion of housing allocations on brownfield sites. All this is a matter of history now and it is quite impracticable to require another Study, although the Council is committed to keeping matters up to date. My recommendations increase the proportion of brownfield land allocated, in particular by the deletion of the greenfield allocation H2I at W/N and the substitution of other brownfield sites. Watnall brickworks is an isolated site (Wa3) in the Green Belt that is not well served by PT and I have no criticism of its exclusion from BBC's Urban Capacity Study. I reject objections seeking its allocation for housing in a later Chapter. I recommend housing allocations on two previously developed employment sites; The Maltings, Beeston

and a builders yard at Kimberley. Land for employment provision is in equally short supply and after considering objections on some of these, I support, with the exception of EM2 and part of EM3f, most of the RDDP's allocations. It is difficult to identify other currently used employment sites for redevelopment without the owners/occupiers assistance.

Recommendation

- I recommend that the RDDP be modified as set out in IC108 but that no other modification be made in respect of these objections.

AIMS AND OBJECTIVES

Objections

4.24	<i>Aims and Objectives</i>		
598	2605	Mr I Brown	CPRE - Broxtowe Group
4.25	<i>Aims and Objectives</i>		
1181	2770		Beazer Homes Limited Shoosmiths Solicitors
1181	2768		Beazer Homes Limited Shoosmiths Solicitors
1163	2458		CPRE CPRE (Broxtowe District Group)
601	2781	Mr S Rufus	Nottinghamshire Wildlife Trust
4.25h/f R134	<i>Aims and Objectives – Clarification of need for affordable housing</i>		
1108	4952	R134 Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
4.26	<i>Objectives</i>		
601	2783	Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection Issues

4.24 Aims and Objectives

598/2605 - CPRE - Broxtowe Group

- These paragraphs relate to the strategic aims of particular relevance to housing. It is our opinion that Chapter 4 should reiterate the sustainable development issues detailed in Chapter 2 and 3.

Council's Response:

- Chapters 2 and 3 provide general objectives for built development which relate to all land uses. It is not necessary to reiterate them in subsequent chapters for each land use.

Inspector's Conclusions

- These aims and objectives apply specifically to housing as para 4.25 explains. It is unnecessary to repeat those aims from Chapters 2 and 3 that apply to all

proposals anyway. This would simply add to an already lengthy document and by being selective could cause confusion. Other aims, objectives and policies cover conservation interests and need no repeating here. It is for the decision taker to ascribe weight to particular interests and it cannot be judged in advance.

Recommendation

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

4.25 Aims and Objectives

1181/2768, 2770 - Beazer Homes Limited

1. It should be an objective of the Plan to comply with National, Regional and Structure Plan Policy in terms of the use of the best and most versatile agricultural land, ie Grades 1, 2 and 3a. There is no reason or justification for not complying with this Policy objectives, given the availability of land within the Borough that does not fall within these categories. It is considered the aims and objectives of the Plan set out in paragraph 4.25 do not fully reflect the locational principle set out as the strategic aims of the Plan or the principles of sustainable development. They also fail to address one of the primary aims of current Government Housing Policy in seeking to provide 60% of new housing land on Brownfield sites. It is considered that additional objectives should be included to promote the use of Brownfield sites ahead of Greenfield sites. The aims and objectives in the Housing Policy Chapter of the Local Plan Deposit Draft would also appear to omit to make reference to locating new housing in proximity to existing employment, educational and social facilities wherever possible. This would assist in supporting such facilities in existing settlements and conform with Structure Plan locational policies. The Structure Plan, in addition to identifying locations within and adjoining the main urban areas and along public transport corridors, also provides for limited development provision in villages identified in Local Plans. It is clear that the Plan does make provision for development in some villages in accordance with this Structure Plan and it is considered that the aims and objectives of the Plan should reflect this approach and its social and sustainability advantages.

Council's Response:

2. The Revised Deposit Draft has modified the objectives to take into account the need to maximise new housing on previously-developed land, R135. The protection of higher-graded agricultural land is not a specific objective of the Local Plan, but this factor is reflected in "to protect and enhance urban and rural environments", and objective e/t: "protect the countryside from inappropriate development". The locating of new housing in areas accessible to employment opportunities, shops and services is reflected in Policy K3(b).

1163/2458 - CPRE

3. Whilst supporting the three aims and nine objectives listed in para. 4.25, Nottingham CPRE urges the inclusion of additional objectives to support sequential development.

Council's Response:

4. Objective h/g, which was amended by Revision R135, supports the sequential approach to development. It is not considered that any further objectives are required as more general objectives covering sustainable development are given in Chapters 2 and 3.

601/2781 - Nottinghamshire Wildlife Trust

5. Important to stress in the section, which relates to the aims of the council's housing policies, that sustainable development will define the approach to be taken. While we recognise that many of the points in this section address sustainable development issues, we believe that there should be specific reference to this in a separate point.

601/2783 - Nottinghamshire Wildlife Trust

6. The objectives described here to meet the housing needs of the Borough through the next Local Plan period require amendments to ensure that this will be achieved sustainably, and with the minimum loss of previously undeveloped land to new development.

Council's Response:

7. Chapters 2 and 3 provide general objectives for built development which relate to all land uses. It is not necessary to reiterate the sustainable development issues detailed in Chapters 2 and 3. The Revised Deposit Draft has modified the objectives to take into account the need to maximise new housing on previously-developed land (R135) and to ensure 'sufficient' housing land is provided rather than 'enough'. (R133) Objective h/h also requires measures to maximise energy efficiency in the design of housing. More general objectives concerning sustainability are covered in Chapters 2 and 3. As such it is not considered that any further amendments are required.

R134 4.25 h/f Aims and Objectives - Clarification of need for affordable housing

1108/4952 - Stamford Homes Limited

8. The revised wording should be deleted and the original wording reinstated. The draft local plan does not justify the need for affordable housing in all parts of the Borough. Affordable housing need is usually spread throughout a district. A more refined analysis is required.

Council's Response:

9. The South Nottinghamshire Study identified need throughout Broxtowe Borough, and indicated that approximately 25% of new housing should be affordable. As such the Council wish to retain the proposed wording for objective h/f.

Inspector's Conclusions

1. As PPG12 makes clear LPAs in formulating their LPs are required to have regard to government and regional policy unless sound reasons can be advanced that justify some departure from these locally. However, this goes without saying and needs no objective of its own in the RDDP. It is in my mind when considering all objections to the RDDP.
2. I accept the need in Chapter 3 for an objective seeking to protect B&MV agricultural land. This applies to all forms of development and does not need to be repeated in these objectives in Chapter 4, which are specific to housing. R135 introduces an objective to locate as much housing as possible on previously developed sites in the existing urban areas which should meet one of Beazer's points. However, in doing so it distorts the original objective of seeking to locate

new housing in the existing urban area. The Council, relying solely upon para 30 of PPG3, sought to exclude none brownfield sites in urban areas from consideration despite the advice in paras 21, 24, 42 and 43 of PPG3 and that in PPG 17 and PPG11 para 5.08 and despite the obvious implications of their approach for Green Belt land. Fortunately, RPG8 corrected what I regard as an inadvertent omission from para 30. Policy 1 of RPG8 puts forward the locational priorities for development and lists b) other suitable locations in urban areas not protected for amenity purposes ahead of c) suitable sites adjoining urban areas. To make matters clear some further adjustment of objective h/g is merited. It should read: "on previously developed sites and then on other sites not protected for amenity purposes in the existing urban area". This should go some way to meeting the CPRE's objection, although this is not the place to describe the search sequence in any detail. I see no reason to encapsulate an aim of 60% of new allocations on previously developed or degraded land, wherever it is located. RPG8 Policy 23 requires that selected sites should achieve a target of 60% of additional dwellings on previously developed land and through conversions by 2021 at the regional level, sometime after the end of this LP period.

3. Objective h/g should ensure good accessibility to jobs, shops, education and other facilities. However, this is covered more specifically by Policy K3 (b) in Chapter 2 and I see no need to repeat its provisions here. It is difficult to know what Beazer mean by threshold levels of schools. The LEA has more direct means of dealing with capacity issues. It is even more difficult to define the thresholds of shops, which are likely to vary from one to another and over time. It is unclear what Beazer seek by way of an objective providing housing in villages, but as this is not a significant part of the strategy of the RDDP, the PICs or of my recommended modifications, I cannot see that one is justified.
4. The RDDP's allocations at W/N take a large amount of B&MV agricultural land. The Plan justifies this on the basis of the SP's policies for a BP in the vicinity of Jct 26 and an associated mixed-use housing and employment development. I recommend deletion of all three allocations at W/N on the basis of a lack of current need and on Green Belt, agricultural and other grounds.
5. The NWT's objections regarding sustainability are similar to those of the CPRE's, which I deal with earlier. Sustainable development objectives and a specific Policy are contained in Chapter 2. These apply to all forms of development not just housing. It is unnecessary and inappropriate to repeat them here and in later Chapters on employment, shopping etc. R135 now encapsulates Beazer's and NWT's aim of minimising the loss of "greenfield" land.
6. As the South Nottinghamshire Study identified a need for affordable housing in all parts of the borough, R134 provides a more specific objective, which should be supported in the interests of clarity.

Recommendation

7. I recommend that objective h/g of the RDDP be modified to read "To locate as much new housing as possible without detriment to amenity on previously developed sites and then on other sites not protected for amenity purposes in the existing urban area". Otherwise, I recommend that no modification be made.

HOUSING (General issues)

Objections

4.27		Overall Need	
1163	2459		CPRE
			CPRE (Broxtowe District Group)
1116	2367		Wimpey Homes
			Stoneleigh Planning Partnership
748	2387		David Wilson Homes North Midlands
			David Wilson Estates
1108	2159	Mr M Bagshaw	Stamford Homes Limited
			Barton Willmore Planning Partnership
1106	2140	Mr R Hepwood	Miller Homes East Midlands
1135	2254	Mr I Moss	House Builders` Federation
601	2788	Mr S Rufus	Nottinghamshire Wildlife Trust

4.27 R137 Overall Need - Updating of 'base date' and clarification of components of Table 4.2

1213	5164	R137	Ms F Forgham	Government Office for the East Midlands
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Table 4.2 Dwelling requirements 1991-2011 - PC1 - Change to windfall site assumptions

1167	7020	PC1		Bryant Homes (East Midlands)
				Antony Aspbury Associates
2270	7001	PC1		Bloor Homes
				Shoosmiths Solicitors
748	6981	PC1		David Wilson Homes North Midlands
595	7017	PC1		Beeston Lads Club c/o agents
				Antony Aspbury Associates
1154	6993	PC1		W. Westerman Ltd
				DPDS Consulting Group
572	7011	PC1		The Catesby Property Group
				Antony Aspbury Associates
1420	6992	PC1		Bellway Estates & Giltbrook Landowners Consortium
1108	6980	PC1	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1106	7009	PC1	Mr R Hepwood	Miller Homes East Midlands
2273	7057	PC1	Mr IR Seymour	Freeth Cartwright Solicitors
1130	7033	PC1	Mr R Walters	Hallam Land Management
1135	7067	PC1	Mr I Moss	House Builders` Federation
2272	7005	PC1	Mr T Brown	
				Walter Scott & Ross Solicitors
248	6825	PC1	Mrs PM Hanson	
1199	7014	PC1	Mr R Reynolds	
				Antony Aspbury Associates
2267	6975	PC1	Mr MH Hodgkinson	
1323	7039	PC1	Mr M Hodgkinson	
				Alexander Bruce - Property Consultants
2271	7003	PC1	Mr J Logan	
				Walter Scott & Ross Solicitors

Table 4.2 R138 Dwelling requirements 1991-2011 - Deletion of previous Table

1420	5370	R138		Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors

Table 4.2 R139 Dwelling requirements 1991-2011 - Replacement of Table with updated figures and clearer presentation

1006	4859	R139		Nuthall Parish Council
1123	5000	R139		Browne Jacobson Planning Unit
				Pickering Developments Ltd
1155	5084	R139		Freeth Cartwright Hunt Dickins
				Greasley Parish Council
1644	5567	R139		Andrew Thomas Planning
				Beazer Strategic Land
1420	5371	R139		Stoneleigh Planning Partnership
				Bellway Estates & Giltbrook Landowners Consortium
1108	4953	R139	Mr M Bagshaw	Shoosmiths Solicitors
				Stamford Homes Limited
1213	5165	R139	Ms F Forgham	Barton Willmore Planning Partnership
1106	4914	R139	Mr R Hepwood	Government Office for the East Midlands
601	4534	R139	Mr S Rufus	Miller Homes East Midlands
				Nottinghamshire Wildlife Trust

Summary of Objection Issues

4.27 Overall Need

1. The following objectors all raise similar issues. Their objections and a joint response is presented below.

1163/2459 CPRE

2. Nottingham CPRE believes that over-cautious allowances have been made for windfall sites and conversions/changes of use and that the figures in table 4.2 should be modified accordingly. The estimates for annual windfall sites are derived in part from the rather low estimates in the Structure Plan. Bearing in mind that the new housing need, as distinct from what developers might like to provide, are now overwhelmingly for single person dwellings, past estimates are likely to underestimate. Unimplemented permissions on sites over 10 dwellings assume a density of 30 dwellings/ha. Based on our observations in this and other District Council areas in the County, we believe that in fact many more windfall developments take place than are allowed for. Accordingly a better but still conservative estimate for the number of windfall site developments would be 70 per year. Accordingly a better but still conservative estimate for changes in use to dwellings would be 35 per year. Overall these adjustments reduce the requirements to 1661 dwellings on new allocated sites compared to 2028, a reduction of 367 dwellings.

1116/2367 Wimpey Homes

3. The Plan's calculation of dwelling requirements in Table 4.2 adopts a precise calculation of the requirement and the housing supply. It assumes that all commitments and allocations will be built during the Plan period. No allowance has been made for non-completion of the sites, for service constraints, or delays in sites coming forward for development, for land ownership constraints or any problems, which might limit or influence the speed of housing land coming forward to the market.

748/2387 David Wilson Homes, North Midlands

4. Concern over 4.27 and Table 4.2 – Dwelling requirement – regarding the 'expectations' over re-use of urban land, conversions and changes of use and the Councils 'more flexible policy applications' in adapting the existing housing stock and in relation to private open space and car parking. Concern also over the numerical requirements indicated in the table and in particular 'dwellings on new allocation sites', which is too low. The residual requirement in this regard should be approx. 3000 dwellings.

1108/2159 Stamford Homes Limited

5. Inadequate provision for housing, requiring further allocations to be made (shortfall of 544). No allowance is made for non-implementation of either allocations carried forward or new allocations. Some allocations under policy H1 bear testament to the reality of non-implementation. Paragraph 8 of Annex B, PPG3 recommends a 10% discount be applied to take account of the uncertainties of ownership & marketability factors of allocation sites and sites with planning permission. The inclusion of a flexibility allowance is now widely accepted by Local Plan inspectors.

1106/2140 Miller Homes East Midlands (formerly Birch Plc)

6. Figures set out in Table 4.2 are too low. The number of completions is accepted. A number of the unimplemented permissions on large sites are unlikely to come forward or will not deliver the anticipated number of dwellings during the plan period. Thus proposed a figure of 575. A proportion of the unimplemented permissions on small sites will not be taken up; a 10% flexibility allowance should be applied to the figure. Thus propose a figure of 75. Cannot assume that past windfall rates will continue – are a diminishing supply. Decrease in past rates from 55 to 35 per annum, thus a new figure of 420. The figure for conversions and change of use may be optimistic, even though encouraged by policy H4. Demonstrating that the housing requirement for the district is at least 500 houses short.

1135/2254 House Builders' Federation

7. The objection is to paragraph 4.27 and table 4.2. No allowance is made for unimplemented permissions/allocations; the allowances for small sites and conversions are too high; the requirement for dwellings on new allocated sites is therefore too low.

601/2788 Nottinghamshire Wildlife Trust

8. The requirement for dwellings on new allocated sites can be significantly reduced. Densities should be raised on developable areas to 40-50 dwellings per ha so as to be sufficiently compact as to be sustainable. The Council is underestimating the number of dwellings to be derived from windfall applications on acceptable sites. It is generally agreed that there is a large pool of potential unidentified sites, which come forward according to market conditions. Firmly believe that if more windfall sites are allowed for, more will come forward, whilst each site can make a greater contribution in terms of numbers dwellings as a result of higher density standards than would have been the case in the past. The Council should be aspiring to a high level of provision from conversions and the change of use of a wide range of buildings. Believe that the Overall Need for housing should be aiming to meet the figure of 4950 dwellings, taking advantage of the County's reported willingness to avoid raising conformity issues if the Local Plan aims to meet just 90% of the Structure Plan target (5500 dwellings).

Council's Response:

9. Refer to the Council's Housing Round Table Paper.

4.27 R137 Overall Need – Updating of 'base date' and clarification of components of Table 4.21213/5164 Government Office for the East Midlands

10. The Plan should make clear that only previously developed sites could be developed as windfall sites. PPG3 paragraphs 35-36 state that 'Windfall sites comprise previously developed sites that

have unexpectedly become available', 'No allowance should be made for green field windfalls'. Suggest define windfall sites more precisely.

Council's Response:

11. The Council acknowledges that a clear definition of windfalls is needed. The addition of a footnote should aid understanding.

Inquiry Change

- IC32 12. **The Council has recommended that the following footnote should be added to Table 4.2. Dwelling Requirement for the Plan Period 1991-2011, "Windfalls' are previously-developed sites of any size which are not allocated for housing and which obtain permission for this use".**

Table 4.2 Dwelling Requirements 1991-2011

PC1 – Change to windfall site assumptions

1. The following objectors all raise similar issues. Their objections and a joint response is presented below.

2270/7001 Bloor Homes

2. The Structure Plan on which the Local Plan should be based identifies a lower windfall allowance figure and thus in the absence of any alternative strategic guidance there is no evidence that a further increase in windfall housing can be justified. The proposed increase is considered inappropriate on the basis that it is too optimistic and unrealistic particularly in light of the actual performance in the first part of the plan period (1991/2000) where the actual rate of dwellings provided for on windfall sites was only 58 per year. Refer to paragraph 36 PPG3. In the absence of any alternative strategic guidance it is considered that the currently adopted Structure Plan assumption of 55 dwellings per year should be the figure provided for within the Local Plan. In the event of such a change there would be an immediate shortfall in the total number of dwellings to be provided for within the Plan period of 330. That shortfall should be provided on newly allocated sites, with allocation of land north of Cordy Lane, Brinsley.

748/6981 David Wilson Homes North Midlands

3. Concern about achievability of 935 windfalls over the plan period, should be identified in Urban Capacity Study.

1167/7020 Bryant Homes (East Midlands)

595/7017 Beeston Lads Club

572/7011 The Catesby Property Group

1199/7014 Mr R Reynolds

4. The justification for increasing the allowance for windfalls is flawed. There is no reason to expect that the number of dwellings delivered by windfalls will increase in future. There is no evidence that prevailing planning policy significantly affects the bringing forward of windfall sites in a positive way. Indeed so far as windfall sites are concerned, the number of sites being brought forward is likely to fall since, under the terms of PPG3, paragraph 36, no allowance may be made in future for Greenfield windfalls, which have of course admitted in the past and have therefore contributed to past completion rates. Furthermore, paragraph 36 of the PPG makes clear that prediction of future

windfall delivery should be based on past trends and on future potential as assessed in a capacity study. Windfall sites have probably always been developed to the limit of their natural capacity because of the higher marginal costs of bringing them forward for development. The lifting of the national limit on the size of windfalls will have a less significant impact on the supply of larger windfall sites than the PIC assumes. Thus a through capacity study should identify potential large sites at the outset and proper investigation of the likely availability of such sites when owners will reveal whether they may become available during the plan period. Where that can be established to be at least probable, large sites such as this should positively allocated and not left to be brought forward as windfalls.

1154/6993 W. Westerman Ltd

5. There are no calculations indicating how exactly the latest increase of 20 dwellings per annum is substantiated (From 65 to 85 dwellings per year). In the past windfalls have taken place on both previously land and Greenfield sites. Paragraph 36 of PPG3 now only allows windfalls to take place on previously developed sites. In predicting windfalls the plan does not make it clear if past rates were examined to provide separate information on previously developed and Greenfield sites. Past rates, as a whole cannot be used as a basis for any predictions if they include figures for Greenfield windfalls. It is apparent that the guidance in PPG3 indicates that any windfall allowance needs to be based on firm evidence. As well as issues surrounding the number of windfalls per year there is also a question over the period windfalls should cover. The windfall assumptions for the first year have already been included as commitments from the previous year and as a result double counting occurs. Therefore any windfalls allowance should be reduced by one year.

1420/6992 Bellway Estates & Giltbrook Landowners Consortium

6. The Structure Plan on which the Local Plan should be based identifies a lower windfall allowance figure and thus in the absence of any alternative strategic guidance there is no evidence to suggest that a further increase in windfall housing can be justified. The proposed increase is considered inappropriate on the basis that it is too optimistic and unrealistic particularly in light of the actual performance in the first part of the plan period (1991/2000) where the actual rate of dwellings provided for on windfalls sites was only 58 per year. In the absence of any alternative strategic guidance it is considered that the currently adopted Structure Plan assumption of 55 dwellings per year should be the figure provided for within the Local Plan. In the event of such a change there would be an immediate shortfall in the total number of dwellings to be provided for within the Plan period of 330. That shortfall should be provided on newly allocated sites under Policy H2 and specific reference made to the site EA8.

1108/6980 Stamford Homes Limited

7. The increase in the windfall allowance is based on assumptions, not actual data. Through the Plan Monitor and Manage System any increase in windfalls can be taken into account when deciding on the need to release sites in the later phases of the plan. If, however the higher rate of windfalls is not achieved, and given that the Council are proposing to reduce provision below the Structure Plan requirement, there would be no additional allocations available to make good any shortfall. The windfall figure of 65 dwellings per annum at least gives some flexibility, the 85 figure does not.

1106/7009 Miller Homes East Midlands (formerly Birch Plc)

8. Object to the revised windfall rate. This proposed change is not supported by any reasoned justification of assessment of the Borough other than the statement that it is considered reasonable in light of increased densities, higher levels of development on previously developed land and larger windfall sites. Miller Homes believe that the number of windfalls are likely to fall for the reasons set out in the original objections to the first and second deposit plans.

2273/7057 Freeth Cartwright Solicitors

9. It is acceptable that there may be some scope for increasing the density of development on larger windfall sites as a result of the latest guidance in PPG3, however this and the other considerations referred to in paragraph 5.5 of the Pre-Inquiry changes Document will be more compensated for by other matters. Firstly, the majority of windfall sites likely to come forward will be small sites, accommodating small groups of houses where the scope to increase density will be limited if it exists at all. Secondly the more detailed appraisal of urban capacity, which will have been carried out in producing the Draft Local Plan, will mean that the potential for additional sites to come forward, which would not have been considered at the Local Plan allocation stage, will have reduced. In the absence of evidence resulting from assessment of past trends to justify such a significant increase in windfall allowances the figure of 65 per year should be retained as an absolute maximum, subject to any future reconsideration as part of the next Local Plan Review.

1130/7033 Hallam Land Management

10. Lack of justification.

1135/7067 House Builders' Federation

11. There is no justification for changing the windfall assumption. The original figure should be re-instated.

2272/7005 Mr T Brown

12. There is no reason to suppose the calculations referred to will be the final figures or ultimately supported.

248/6825 Mrs P M Hanson

13. There are only assumptions and have no relation to the actual numbers.

2267/6979 Mr M H Hodgkinson

14. Nottingham town houses are suitable for single people and first time buyers not families.

1323/7039 Mr M Hodgkinson

15. Unsubstantial assumptions that windfall sites will come on stream, leaving to a shortfall in housing allocations.

2271/7003 Mr J Logan

16. There is no reason to suppose the calculations referred to will be the final figures or ultimately supported.

Council's Joint Response:

17. Refer to the Council's Housing Round Table Paper.

Table 4.2 R138 – Dwelling Requirements 1991-2011 – Deletion of previous Table

1420/5370/5371 Bellway Estates & Giltbrook Landowners Consortium

18. Amendment R139 seeks to revise Table 4.2 and in particular objection is raised to the increase in windfall allowance from 660 units to 715 units. This increase is not justified. The figure in the

Structure Plan should be used, as there is no evidence to suggest a higher figure is justified.

Council's Response:

19. Refer to the Council's Housing Round Table Paper.

Table 4.2 R139 Dwelling Requirements 1991-2011 – Replacement of Table with updated figures and clearer presentation

1006/4859 Nuthall Parish Council

20. The justification of the table fails to give sufficient weight to PPG3 and plan, monitor manage. There is no need to come to a conclusion concerning the number of dwellings to be provided on newly allocated sites up to 2011 as a plan monitor manage system would only envisage identifying what is required for the next 5 years (with possibly a two year reserve). The result of a 'tighter' land supply should be a further increase in windfalls and we believe that the council should now have a target of 1000 dwellings to be provided by windfalls within the period rather than a past trends approach. Identify a 5-year housing target and 5 year targets for windfall development.

1123/5000 Pickering Developments Ltd

21. The allowance for windfall sites in the table is too generous. It is accepted that the council's policies on densities supported by advice in PPG3, should mean that each windfall site might bring forward more dwellings than has been the case previously. However, this possible increase needs to be balanced against the likely decrease in windfall sites coming forward compared with past rates. This decrease is expected to come about as a result of a number of influences. The windfall allowance set out in the table should be reduced to provide a more realistic figure, taking account of the findings of the capacity studies. In the absence of substantial evidence to the contrary it is suggested that the windfall allowance should be based on previous trends. This amendment will have a knock-on effect requiring further land to be identified to meet the shortfall against the strategic requirement in Policy H2.

1155/5084 Greasley Parish Council

22. Object to the revised table 4.2 as insufficient information has been provided, particularly about the different types of windfall sites that may come forward.

1644/5567 Beazer Strategic Land

23. The Plan should incorporate a flexibility allowance of 10% on the new allocations figure, i.e. 2210 should be minus 10% to allow for non-completions within the Plan period (=1989). Windfall sites will only come forward at the Structure Plan rate, not increased, of 55 dwellings a year. To meet the shortfall caused by these two factors, it is suggested that 355 additional dwelling plots need to be allocated in the Plan.

1108/4953 Stamford Homes Limited

24. The plan makes inadequate provision for housing, requiring further allocations to be made. In particular, the revisions introduced to the Revised Deposit assume a level of provision of housing on allocated sites, which relies on increased density of development, which cannot be assured to materialise. The achievement of higher density of development can only be realised through detailed design for each site which has not been carried out. In particular, in the absence of detailed designs for sites, the allowance for development on windfall sites cannot be assumed to increase.

1213/5165 Government Office for the East Midlands

25. The plan should make clear that only previously developed sites could be developed as windfall sites. PPG3 paragraph 35-36 state that 'Windfall sites. Comprise previously developed sites that have unexpectedly become available'. 'No allowance should be made for Greenfield windfalls'. Suggest define windfall sites more precisely.

Council's Joint Response:

26. The Council acknowledges that a clear definition of windfalls is appropriate. An Inquiry change is therefore proposed, as detailed above in response to GOEM's objection 1213/5164 (paragraph 12).

1106/4914 Miller Homes East Midlands

27. Miller Homes object to the revision relating to table 4.2. Whilst Miller Homes welcome the use of more up to date figures it maintains its previous objection that the proposed housing need figures are too low. We believe that a number of unimplemented permissions on large sites are unlikely to be delivered during the Plan period. Many sites are not genuinely readily available for development. A number have technical or ownership constraints or are required for other uses. Similarly a proportion of the unimplemented planning permissions on small sites will not be converted into development. Miller Homes are surprised that the number of windfall has been increased. Windfall sites by their very nature are a diminishing supply. Paragraph 36 of PPG3 acknowledges that no allowances should be made for Greenfield windfalls. This coupled with the shift towards environmental quality means that the quantity of land that could previously be expected to deliver windfall dwellings has decreased substantially. Miller Homes believe that the figure should be in order of 35 dwellings per annum or 385 dwellings. Miller Homes welcome the Council's decision to reduce the number of dwellings expected to arise from conversion and changes of use by using more realistic and up to date figures. The company maintain that a flexibility allowance should be applied to both unimplemented planning permissions and to the residential housing requirement. Miller Home believes that the flexibility allowance should be 10%.

601/4534 Nottinghamshire Wildlife Trust

28. We are concerned that the housing figures given in table 4.2 appear to be indicating a rise in overall housing need despite the passage of time and the number of completions having risen since the Deposit draft was published. We have been assured that this arises from a reassessment of how the figures were compiled in the first instance, which identified an area where double counting has occurred. The presentation of this information, and the resulting changes to the table are extremely opaque, with the result that detailed comment on this section is hard to present. However we feel that the account of double counting is not a valid one and that it is important that the table be amended to ensure that the full picture is given of the housing in the borough. Our interpretation of the figures is that there is clear distinction between unimplemented existing permissions, and sites which have not yet been identified. While unimplemented permissions may well be counted as windfalls, the figure of 83 dwellings this accounts for relates to the period 1/4/99. The allowance for windfall sites presently unidentified anticipates new sites from the 1/4/99 until 1/4/2011. Clearly there is no overlap between the two, and the distinction between them should remain. If the 83 dwellings are to be considered in the future windfall sites, we feel that it therefore disingenuous of the Council to claim that the reliance on windfall sites is to increase. The new figure (715) does not compare with the old (83+660=743), and therefore there has been an overall decrease in the windfall allowance. For the reasons we have set out in detail elsewhere in our response, we firmly believe that the Council should be significantly increasing the windfall allowance in the Local Plan. In general however our position from the first deposit draft remains as it was. We feel strongly that assumptions made by the council with regard to certain sources of dwellings are inappropriate. We particularly disagree with the lower figure given for the conversions. We stress the need to encourage such opportunities to come forward by creating the economic conditions in which such development becomes more economically attractive to exploit. Without this approach, the council will be undermining the progress of sustainable development and urban regeneration.
29. We recommend that the council include text in the plan explaining the manner in which the figures

in this table have been derived. We also recommend that the council present a more accurate figure for windfall allocations, accounting for the missing figure of 83 dwellings, and otherwise increase the windfall allowance. We further recommend that the council reconsider its position on the rate at which conversions are expected to come forward, and increase the anticipated rate such that it will encourage more efficient use of land.

Council's Response:

30. Refer to the Council's Housing Round Table Paper.

Inspector's Conclusions

Introduction

1. Generally, the house building industry sought reductions in the provision arising from windfalls and conversions, committed sites and Plan allocations and a compensatory increase in new allocations. The CPRE, NWT, Nuthall Parish Council and others sought an increased provision from the first three sources and a resulting reduction in Plan allocations. I examine these opposite positions below, where I find that some of the points made were based upon broad generalisations rather than supportive local evidence. I appreciate that the successive changes to Table 4.2 may have been confusing and lacking in clarity. However, I am satisfied that the Round Table sessions served to explain many matters, to resolve doubt about double counting and to provide me with a satisfactory account. I see no need for further explanatory text to explain the basis of the figures other than that contained in the RDDP, the PICs and IC32.

Existing Commitments

2. As I observe below, most of the sites already committed under the former Policy H1 have, contrary to the broad premature assertions of some objectors, been or are being developed. Only three of the sites (H1b, H1d and H1f) out of 13 have shown little sign of a start. However, there was still some 9 years left in the Local Plan period and there is no evidence of any insuperable constraints on these remaining sites, as I conclude later. I have no reason to doubt the assurances of the Council that, if H1d were not released, another similar site would be made available by MoD Estates. There is normally little scope for increasing densities on sites with planning permission to meet the CPRE's concern. The experience so far bears testament to the reality of implementation, contrary to Stamford Homes assertions.

Windfalls

3. The Council increased the allowance for windfalls from 55 dpa in the FDDP to 65 dpa in the RDDP and to 85 dpa in the PICs; the latter providing some 935 dwellings from 1/4/2000 to 1/4/2011. I see no objection to this on the grounds that it resulted from second thoughts, as the HBF imply. Excluding greenfield windfalls (8 dpa) the rate over the period 1991-2001 had been about 58 dpa. The PIC figure is higher than that suggested by the CPRE at the FDDP stage. I see no evidence of double counting between windfalls and commitments; they are separate categories. Similarly, completions to 1/4/2000 are separate from commitments

and windfalls in the period after this. As I observe below, the Plan, Monitor and Manage approach and timely reviews should ensure that the current Plan does not reach the end of its plan period unchanged. Future reviews should be quite capable of providing new allocations as well as bringing Phase 2 sites forward for development as appropriate.

4. In response to an objection from the GOEM, the Council put forward IC32 in an attempt to clarify that no allowance is made for greenfield windfalls. However, they, DPDS and others went too far in suggesting that only previously developed windfall sites will receive planning permission or be allowed for windfall development. PPG3 para 36 simply says that no allowance should be made for greenfield windfalls; it does not say that development of these would not be permitted. This is too restrictive. Some small sites may emerge in the urban areas that might be classed as greenfield sites according to the definitions in PPG3. Whilst it would be wrong to allow for these in Table 4.2, as PPG3 advises, it would be short sighted to reject them in principle at some future date simply because of their definition, when on all other counts they are acceptable. The more recently revised RPG8, which I believe corrects an obvious omission from PPG3 Para 30, endorses this approach by including other suitable sites in urban areas in category b) of the site search sequence in advance of greenfield sites on the urban edge. It would be illogical to eschew suitable sites higher in the site search sequence in preference to others lower down on a particular interpretation of PPG3. The terms of Para 35 of PPG3 do not, in my view, exclude "greenfield" windfall sites and also RDDP Policy H8 does not discriminate against them. It would therefore be better to include the terms "Allowance is made only for" before "previously developed sites". However, I would anticipate that previously developed windfall sites would provide the great majority of future windfall capacity in Broxtowe's situation.
5. PPG3 para 36 advises, contrary to some objectors claims, that allowance for windfalls should be based not only upon an examination of past trends but on the likely future windfall potential as assessed in a Capacity Study. The revised figures may be higher than the SP assumptions but the latter are now somewhat dated, did not reflect local conditions in Broxtowe and have been exceeded over the period up to 1/4/2000. I see no sound basis to prefer the SP assumptions.
6. The Council believes that most windfalls will arise on larger sites over 10 units and that lower parking standards would increase the number of windfall dwellings. Some objectors consider that the NLUD Study should have picked up such potential sites. Mr Woodhouse, on the other hand, pointed to the large amount of potential development land that had been excluded/discounted in CD21a for unclear reasons and believed that true urban capacity could be considerably higher than assumed in the Study. The Council in response to the former pointed to the potential for some redundant school sites to come forward. These had not been allocated due to uncertainties of availability. They also identified the potential for conversion of an old mill in Beeston town centre.
7. I am less confident than PPG3 at the prospects of an Urban Capacity Study identifying the full potential for windfalls particularly over the period of the Plan. Such studies are generally snap shots at one point in time and are restricted to currently known possibilities and current policies. It is simply not possible to identify in advance all the activities and uses that will cease and close within the

Plan period. These are in some cases the result of “immediate” decisions responding to changing and unforeseen circumstances sometimes taken outside the locality. In terms of Table 4.2, I take windfalls to be acceptable unallocated previously developed sites that could come forward for housing development in the Plan period, irrespective of their size. I sympathise with those objectors who argue that larger sites should be identified and positively allocated rather than being left to windfalls. This accords with the plan led system. Unfortunately, actual practice falls short of this ideal.

8. A case in point concerns the potential of the Eastwood Lower Comprehensive School, a site of 7 ha in total. This potential arises from a relocation to the modern Upper School site, which the Education Authority’s letter of 26/3/02 confirms and also that there would be no requirement to retain its playing fields for comprehensive school use, although it assumes that a portion of the site earmarked for the Lyncroft PS would be retained. It was disappointing that, despite my promptings, neither the Borough Council nor the County Council felt able, for whatever reasons, to come forward with even broad redevelopment proposals, although the transfer was imminent. If playing fields were to be retained for public use, the Borough Council would presumably need to acquire and maintain them, although they gave no indication of any such intentions. Furthermore, the Borough Council has taken no steps, despite ample opportunity, to designate these playing fields as open spaces that need to be protected as advised by the former PPG17 para 26. This implies that they do not consider that they justify protection. There is also no evidence that the Borough Council has sought to achieve a reasonable balance between the need to make adequate provision for development in urban areas and the need to protect open space again as advised by the former PPG17 para 27. This is particularly important when the RDDP attempts to justify taking a large amount of Green Belt land for housing development.
9. Although PPG17 normally protects playing fields, it provides for certain exceptions. CD21d shows some 26.63 ha are available for open space and outdoor sport in Eastwood; about 2.29 ha per 1000 population. This rises to about 2.48 ha per 1000 population just above the NPFA minimum standard for outdoor playing space if the 2.23 ha at Hall Park is on the edge of the built up area is included and I fail to see the logic of excluding 50% of this Park. Deficiencies in its drainage would be better addressed before other playing fields are taken on. This is the sustainable approach to land management.
10. Retention of say about 2ha of the Lower School PFs would provide good local open space provision and an appropriate distribution of open space given that Coronation Park is only 300 m to the south and Hall Park and School PFs are 400 m to the west; not such an isolated location for playing fields. Furthermore, I support the provision of substantial new playing fields and open space on the Hall Lane Tip, site Ea9, which is well placed to serve the south-eastern part of the town.
11. However, given the Borough and the County Councils’ attitude, there is too much uncertainty to recommend the allocation of specific areas of land for housing and open space at the Lower school. Nevertheless, I am confident that something of the order of about 5 ha should become available for housing development as a

windfall site within the Plan period. I cannot foresee that a Council so committed to the development of previously developed land would be content to let a site with such clear potential lie idle for long, even in the face of any local objections. The site could have a capacity of about 200 dwellings bearing in mind its highly sustainable location within 200 m of the town centre and the main public transport corridor. Walker Street appears adequate to accommodate the traffic likely to be generated. The restricted visibility at its junction with Nottingham Road could be addressed by various means and should present no serious constraint to a development of this scale. The County Council identified, in a letter dated 10/10/2001, some windfall potential on replaced Primary Schools, reserved playing field extensions and Old Persons home sites. These again might present realistic windfall possibilities in the Plan period.

12. In addition, I have identified a number of other potential housing sites raised by objectors, which might be suitable for housing development: Nua, Nu9, Ea1, EM1g part, Bea, Kia. However, due to some uncertainties, which I describe when dealing with them in this and Chapter 10, I am again reluctant to recommend their allocation for housing in this Plan.
13. I have also identified a number of other possible windfall sites in the course of my investigations: Ea2, By4, DH2, Ki3, Wa7, Wa9, Eac but I am not in a position to consider their allocation.
14. From my limited current knowledge, I have identified possible windfall sites with a capacity of over 700 dwellings. Other sites will materialise as a result of the natural churning of current land uses and it is largely on this that the Council's estimates are based, but it is not possible to identify such sites in advance. There is no evidence to support the contention that windfall sites are by their nature finite or are as yet diminishing in supply. This has been the housebuilding industry's claim for many years now and there is no sight of it yet being fulfilled. Such opinions demonstrate some ignorance of the factors that bring forward windfall sites. Economic forces throw up a ready supply of redundant uses and thus new redevelopment opportunities for housing and other uses.
15. Furthermore, the support of PPG3 for higher densities gives some expectation that sites that do emerge should produce more dwellings per ha than might have been the case with those that were developed in the 1990s and on which the calculation of past rates and previous future estimates were based. The Council has already shown on sites such as H2b their commitment to higher densities in the face of local opposition. It is understandable that the housebuilding industry has taken some time to embrace the change in government density policy. However, they will have to adjust to this as LPAs reflect it in their planning decisions. There is no evidence to support the assertion that previous windfall sites have probably been developed to the limit of their natural capacity, whatever that might mean. There is no evidence that the higher development costs on such sites are not offset by lower land values. However, the sort of densities advocated by the CPRE, the NWT and others may be less realistic if appropriate space standards are to be achieved on small sites. The scope for high densities may be lower on some, but not on all smaller sites. There is no evidence that larger windfall sites will not emerge and I reject the view that such sites are in the minority in terms of capacity, particularly in view of some of the possibilities that I mention above. A

large proportion of the additional housing requirement arises from single people and couples who may find town houses more attractive than families, although the former also seek good space standards.

16. As a consequence of all these factors, I am reasonably assured that the total of about 935 windfalls, as put forward in the PICs, should be capable of being reached in remainder of the Plan period. However, I see no basis at present to increase this further as suggested by the NWT, Nuthall Parish Council and others. I see no evidence to support claims that easily developed greenfield sites deter windfall or brownfield developments; indeed the latter have both been running at high levels for some years and there are many brownfield developments taking place locally whilst "greenfield" sites such as H1b and H1f have remained undeveloped. I deal with the Parish Council's suggestion of a 5-year period for allocations below.
17. The figure for conversions and cou was reduced from 25 dpa in the FDDP to 15 dpa in the RDDP against an average of 8 dpa between 1991 and 2001; a total of 165 dwellings up to the end of the Plan period. This is less than the figure of 35 dpa suggested by the CPRE at the FDDP stage. I find their unsupported figure optimistic, rather than conservative, in the light of experience and identified prospects. There is no reason why the assumption of a lower figure should, as the NWT fear, undermine this source of future dwellings in practice. The two are hardly dependent and the Council remains committed to this type of development in appropriate circumstances. Conversion of a mill in Beeston could account for 30 dwellings and initiatives such as development above shops should provide scope for attainment of the Council's figure. I exclude the specific allocation of The Maltings from this category.
18. Overall, whilst challenging, I find sufficient evidence to support the latest assumptions in the PICs regarding the levels of windfall developments, conversions and cou within the Plan period. However, these assumptions are to be monitored year by year and there is time to take corrective actions if a significant shortfall seems likely, either by bringing forward Phase 2 sites and/or through a Review of the Plan, which could bring in new allocations. Thus Stamford Homes are incorrect to assume that there would be no additional allocations to make good any shortfall. With timely review, the Plan end should be successively rolled forward. The LPA can also help to realise some of the windfall possibilities that have been identified by taking some pro-active steps.

Vacancy Rates

19. The NWT accepted that the LP has no means of directly influencing vacancy rates and that a reduction in rates is built into the SP housing provision. The Council suggested, at the Round Table, an extension of paragraph 4.6 to explain the situation, which commits the Council to pursue its Empty Homes Strategy, to monitor the changes in the rate and to take corrective action at the next review. For some reason this statement did not seem to be carried forward into an IC. However, it is a useful account and should be endorsed.

Flexibility

20. The latest version of PPG3 published in March 2000 no longer contains an Annex B, nor any reference to a 10% discount to allow for uncertainties of marketability and ownership factors for committed and allocated sites. This version advises, in para 30, that in the preparation of LPs, LPAs should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and the strategic planning process. One objector is correct to say that if the housing requirement can be met on brownfield sites within urban areas then urban extensions did not need to be looked at. However, this is a quite different point and, in any case, is not the position in Broxtowe. PPG3 is also modified by the Revised RPG8 which in Policy 1 identifies the site search sequence that should be adopted for new development. Previously developed sites in urban areas fall into category a); other suitable sites in urban areas not identified as land to be protected for amenity purposes fall into category b) ahead of suitable sites adjoining urban areas, which fall into category c).
21. PPG3 also stresses in para 8 that an essential feature of the Plan, Monitor and Manage approach is that housing requirements and the ways in which they are met should be kept under regular review, which should occur at least every 5 years or sooner if there are signs of either an under or an overprovision of housing land.
22. A 10% allowance based upon all commitments and allocations would depending on the plan period in question amount to between another 6 or 12 months supply. A timely review, to which the Council is apparently committed, which PPG3 advises and the government's latest initiatives require, would roll the Plan provision on in about 4 years time for another 10 to 15 years. This would provide a much more substantial provision for any slippage than some arbitrary 10% allowance drawn from former land availability studies used when considering planning applications for housing rather than LP allocations.
23. I note the conclusions of inspectors in some other LP inquiries but I am unaware of the precise circumstances facing them; they may have been dealing with short plan periods in which case I might have reached similar conclusions. The inspector conducting the inquiry into the 1994 Broxtowe LP was justified in his view that a small percentage of sites may not be implemented by 2001, as experience on HO1a demonstrates; HO1h has been brought forward in part. However, he was faced with only a short remaining plan period with limited scope to roll the 1994 Plan forward.
24. I have consistently taken the view that a longer plan horizon and in particular regular monitoring and timely reviews best serves the interests of the house building industry as well as the plan led system to which the government is committed. Year by year monitoring should identify any constraints on committed and allocated sites. I find little genuine concern about the former and I would expect the Council to use their resources to progress the few remaining commitments and also help to realise the Plan's allocations. I am confident that the allocations that I now recommend should be capable of development within the Plan period. Objectors from the building industry should recognise that their fellow builders are usually highly confident of developing their own sites within the Plan period. Should they turn out to be over optimistic, the LPA will be in a position to take any corrective action at the next review. Thus as the Plan is rolled

forward there should always be about a 5 to 10 year supply of potential housing land. In these circumstances, the end of the Plan period should never be reached. In consequence, I see no necessity for an arbitrary "flexibility" allowance.

25. Nor do I see any justification for the NWT's suggestion of a deliberate 10% under provision, irrespective of any possible reaction of the County Council. The Plan Monitor and Manage approach does not imply rejecting forecasts of future housing requirements as RPG8 clearly demonstrates. The latter might include a lowering in the annual rate of housing requirements but additional dwellings continue to be needed as far as can be foreseen. Plan reviews will roll the Plan forward but adequate time is needed for this. The Phasing Policy that I support would seek to ensure no premature development of most greenfield sites, which is another important facet of the PMM approach.

Plan Period

26. PPG3 advises that sufficient sites should be shown on the Proposals Map to accommodate at **least** the first 5 years or the first two phases of housing development proposed in the Plan and that site allocations should be reviewed and updated and rolled forward at least every 5 years. It does not restrict PMs to a 5 year period. The Council has effectively chosen a 10 year remaining period for allocations split into two phases.
27. I support this as more in keeping with the practicalities of a Plan, Monitor and Manage approach, which PPG3 advocates. Even the most efficient LPs take at least 2 years from review to adoption. With a two-stage deposit, public inquiries and subsequent modifications many have taken a good deal longer. I believe that PPG3 has been unduly optimistic about LPAs' performance, despite ample contrary evidence. The Broxtowe LP review was started early in 1997 following adoption of the previous Plan in 1994. A 5 or 7 year period of allocations would not have provided the necessary continuity of housing land. It would have run out by now. It would again provide insufficient time to take any corrective action that might be required. The Phasing Policy with its two phases should protect greenfield sites from any premature release. The government's proposals for review of the planning system should hopefully improve plan preparation times, but the extent of this is uncertain.
28. A number of new planning permissions, of which I was made aware, have been granted since the base date in the PICs, which are otherwise unaccounted for and need to be reflected in Table 4.2 in some way, as because of their nature, I do not categorise them as windfalls. They can either be included as new planning permissions or by altering the base date and including them in the general category of planning permissions. I leave the choice to the Council as there may be other planning permissions issued since the close of the Inquiry, which they need to include in some form.
29. I set out my understanding of a revised Table 4.2 on the basis of information supplied before the Inquiry closed. The Council may need to update it further.

30. HOUSING PROVISION - TABLE 4.2**RDDP (PICs)**

Dwellings Completed 1/4/91 - 1/4/00	2005
Planning Permissions not completed @ 1/4/00 (Not including conversions)	423
Allowance for windfalls from 1/4/00 @ 85 pa (65pa)	935
Allowance for conversions & CoU from 1/4/00 (15pa)	165

Sub Total **3528**

New PP since 1/4/00

H1a Barlow Cottages, Awsworth - 24 dwells.
 E28a, Westbury Homes, Main Road, Watnall - 38 dwells
 Br1, Bramcote - 5 dwells
 DD8 addition to H1m, Main Road Watnall - 6 dwells
 DD7 addition to H1m, Main Road Watnall, PH site - 15 dwells
 Station Road, Kimberley, extension to previous pp, - 15 dwells

Sub Total **103**

Allocations Sites in Insp Report: **1889**

Total **5520**

Structure Plan Requirement 1991 - 2011 5,500

Recommendation

31. I recommend that Table 4.2 of the RDDP be modified as set out in PIC1 in respect of windfalls and in respect of recent planning permissions and the allocations that I recommend. I recommend that paragraph 4.6 of the RDDP be modified by adding the following: "Proposals which bring vacant housing back into use are supported by the Council, in accordance with its Empty Homes Strategy. A reduction in vacancy rate is already assumed in the calculation of the Structure Plan housing provision figures. If monitoring shows that the rate of reduction has in practice varied significantly from that predicted, then an adjustment will be made at the next review when a fresh calculation of local housing need is made". I further recommend that the footnote to Table 4.2 be modified as set out in IC32 with the inclusion of the terms "Allowance is made only for" before "previously developed sites".

HOUSING REQUIREMENT

Scale of Housing Provision

PIC11

Change in dwelling number

1167	7022	PC11		Bryant Homes (East Midlands)
595	7019	PC11		Antony Aspbury Associates
				Beeston Lads Club c/o agents
2270	7002	PC11		Antony Aspbury Associates
572	7013	PC11		Bloor Homes
				The Catesby Property Group
1420	6989	PC11		Antony Aspbury Associates
				Bellway Estates & Giltbrook Landowners Consortium
748	6984	PC11		David Wilson Homes North Midlands
1154	6996	PC11		W. Westerman Ltd
				DPDS Consulting Group
1108	6982	PC11	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1106	7007	PC11	Mr R Hepwood	Miller Homes East Midlands
2267	6979	PC11	Mr MH Hodgkinson	
1135	7066	PC11	Mr I Moss	House Builders` Federation
228	6824	PC11	Ms SE Page	
1199	7016	PC11	Mr R Reynolds	
				Antony Aspbury Associates
601	7064	PC11	Mr S Rufus	Nottinghamshire Wildlife Trust
2273	7058	PC11	Mr IR Seymour	Freeth Cartwright Solicitors
1323	7040	PC11	Mr M Hodgkinson	Alexander Bruce - Property Consultants

PIC11: Change in dwelling number

1. The following objectors all raise similar issues. Their objections and a joint response is presented below.

1167/7022 Bryant Homes (East Midlands)
595/7019 Beeston Lads Club
572/7013 The Catesby Property Group
1199/7016 Mr Reynolds

2. This change is entirely arbitrary and amounts to an improper premature and pre-emptive review of the Structure Plan outwith the wider strategic context within which such an exercise should properly be carried out. Thus the decision in question is an ad hoc one, largely based on the demonstrably incomplete and untested evidence – the City's Urban Capacity Study. Implications from this regarding the housing requirements in the suburban areas have yet to be established through a review and replacement of the existing Structure Plan. The Council is effectively gambling on the outcome of a future review of the Structure Plan, which is clearly at odds with Government Guidance and with reasonable practice. If as a result of the analysis the Council had concluded that, on their individual merits, the sites in PICs 2 to 6 should no longer be promoted then replacement sites are necessary and the land at Stapleford Lane, Toton which has been promoted for housing allocation could accommodate part of the residual housing requirement.

2270/7002 Bloor Homes
1420/6989 Bellway Estates & Giltbrook Landowners

3. Nottingham City Urban Capacity was published in March 2001 and has not yet been subject to public consultation. The accuracy and validity of the study has not yet been tested and therefore only very limited weight can be attached to the findings of the study. It is likely that the findings of the study will be the subject of serious and extensive debate through the review of the Structure Plan and the review of the local plan in forthcoming years. It is therefore reasonable to assume that the accuracy of the study is questionable. The City Council has not yet agreed the standards with the Regional Planning body or other Local Authorities to ensure there is a consistent approach, and have carried out the Urban Capacity study adopting their own methodology and standards. (Paragraph 25, PPG3). It is therefore inappropriate at this stage to adopt the findings of the City's Urban Capacity Study and to reduce the dwelling provision within the Local Plan on the basis of that study. The review of the Structure Plan will be the next appropriate forum where the urban capacity study can be considered. Furthermore, if the Local Plan is to rely on the Nottingham City Urban Capacity Study as a basis for reducing the provision in the local plan, the plan should make provision for a flexibility allowance. The plan should allocate land for an additional 550 dwellings, which would represent a 10% flexibility allowance.

748/6984 David Wilson Homes North Midlands

4. The Structure Plan housing requirement is not being met. Concerns expressed over the "Technical shortfall in provision" and "conformity with the Structure Plan".

1154/6996 W Westerman Ltd

5. The County Council having considered the City's Urban Capacity Study resolved that a phasing policy should be introduced but that the Structure Plan housing requirement remains unchanged. Although Broxtowe and Nottingham are both in the South Nottinghamshire Sub-area the Structure Plan explicitly requires each local authority to meet a specific housing requirement. Refer to paragraph 3.8 of PPG12, where it is evident that it is each district or borough not sub-area that is allocated a housing number. Paragraph 6.1 of PPG12 states that a local plan must be in general conformity with the structure plan. Once allocated in a Structure Plan, housing numbers cannot be transferred from one local authority to another unless the Structure Plan is reviewed.

1108/6982 Stamford Homes Limited

6. The housing provision figures in the Structure Plan were arrived at after the public participation process referred to in paragraph 1.1 of PPG12. The proposal not to meet the Structure Plan requirement effectively overrides this public participation process in an arbitrary and undemocratic way. The Council's proposal to rely on urban capacity in Nottingham City is contrary to guidance in PPG3 (paragraphs 6, 25 and 26). It is clear that decisions about the apportionment of 'Brownfield' capacity should take place at a strategic level, in a process which involves all relevant authorities. There is no certainty that the housing provision being 'diverted' into the City district can be accommodated either in terms of site availability or timescale. In view of the uncertainty surrounding the City's urban capacity study it cannot be relied upon to support a reduction in Broxtowe Borough Council's housing requirement. The Local Plan must allocate adequate housing land to satisfy the Structure Plan requirement to meet housing needs of the Borough.

1106/7007 Miller Homes East Midlands

7. The Urban Capacity Study published by the City council has not yet been subject to any public consultation and the capacity figures may well reduce (a point acknowledged at paragraph 16 of Agenda Item 9 of Nottingham City Council's Report to Policy Committee dated 23 April 2001). Even if the figures are confirmed as legitimate, Miller Homes question the lawfulness of Broxtowe to unilaterally reduce their housing supply. The housing allocations set out in the 1996 Structure Plan will remain as the valid housing figures until it is reviewed. It is understood that if the proposed Pre-Inquiry changes take effect, the Council will fall short of its Structure Plan requirement. It is therefore a possibility that County will not recognise the Plan as remaining in conformity with the Structure Plan.

1135/7066 House Builders' Federation

8. This objection is not based on the merits of the individual sites but rather on the principle of deleting the equivalent of 488 houses from the Plan. This is based on an Urban Capacity Study carried out by Nottingham City Council indicating a revised estimated potential capacity of an additional 5,000 houses. This cannot be the basis for deleting housing allocations for the following reasons:
- a) The Urban Capacity Study is untested. Tapping the Potential makes quite clear that these studies should be considered in partnership "with land owners, housing developers, or representative bodies".
 - b) The study itself states, "identifying capacity does not guarantee that extra housing will be built". It appears to describe potential capacity and this needs to be examined to determine whether it will be genuinely available during the plan period.
 - c) Even if the capacity can be achieved, it is not for a Local Plan to determine either the proposed level or distribution of housing. The current review of the Local Plan must be based on the adopted Structure Plan. The Local Plan should be in accordance with the adopted Structure Plan and allocations should be made accordingly.

228/6824 m S E Page

9. Whilst I welcome reduction in numbers I think these figures for required housing need a re-think.

601/7064 Nottinghamshire Wildlife Trust

10. We feel that the council has taken the correct approach in determining to under allocate new dwelling land from the Structure Plan requirement, as this will preserve previously undeveloped land from unnecessary loss. However, we do not feel that the Council has made the correct decisions as to the manner of sites which should be retained, and those which should be deleted. It is important to use this reduction in the dwelling provision of the Local Plan to ensure that the distribution and location of new development sites accords to the highest standards of sustainability. The NWT have not yet had the opportunity to determine the 'ranking' of the least/most sustainable sites of those that remain, but it is essential that this be thoroughly explored. In the absence of such an assessment, we do not feel that the local Plan can be agreed as being the most sustainable future for the Borough.

2273/7058 Freeth Cartwright Solicitors

11. The grounds put forward by the Council are not sufficient to justify a variation from the Adopted Structure Plan Policy without detailed scrutiny of the City council's latest figures and of any proposals to reallocate housing requirements within the County as a result of those figures. The latest figures on capacity produced by the City Council may be a material consideration in looking at housing distribution in the County, but these decisions cannot be made on a purely ad hoc basis. The review of Regional Planning Guidance is approaching completion, and the new housing requirements for Nottinghamshire will be set through that document. These will feed into a review of the Structure Plan, which is the proper vehicle for considering the implications of the findings of the City's Capacity Study. Until the process of review of the Structure Plan has been concluded there can be no guarantee that the claimed additional capacity in the City will give rise to such a level of supply that requirements for neighbouring authorities can be reduced, or if so in what proportion. The phasing policies recommended by the County Council would be in accordance with National Guidance on this matter and would provide adequate protection for sites in the later phase, which are not needed to be released prior to the completion of the Structure Plan Review. The overall provision should be increased to ensure that there is no shortfall of provision against the current Structure Plan requirement, including a flexibility allowance in the event of allocated sites or windfall not coming forward at the rate anticipated.

Council's Joint Response:

12. Please refer to the Council's Housing Round Table Paper.

1323/7040 Mr M Hodgkinson

- 13.a) The Local Plan and structure plan should provide a 'mix' of housing supply to include family housing rather than a focus being placed purely on city living outside the borough, which may or may not be a 'fad'. The structure plan should provide housing in sustainable and varied locations.
- b) The allocation for substantial housing development on 'The Clifton Site' is a major allocation within the city boundary and is 'greenfield'. This site will therefore fall foul to the guidance set out in PPG3 and is therefore unlikely to succeed during the life of the Structure Plan. This will leave a shortfall in housing allocations.
- c) The subject land (Ea13/H2x) was previously developed as part of a mine and is therefore considered to be Brownfield.
- d) The site is too small a land holding to be commercially viable or sustainable for agricultural purposes.

Council's Response:

14. With regard to points (a) and (b), please refer to the Council's Housing Round Table Paper. Site Ea13/H2x is dealt with in the Council's response to objections to that site (Proof 012).

Background

1. In PIC11, BBC sought to reduce housing allocations in the RDDP to some 250 dwellings below the SP requirement. This was in response to a higher expected level of completions on windfall sites and the increased potential of brownfield urban sites in Nottingham City as revealed by that authority's Urban Capacity Study (CD17). This reduction attracted objections particularly from developer interests but it also excited others to question why a greater reduction in allocations had not been made. It was generally agreed that the SP provision is not met until the necessary completions meet the "requirement"

Inspector's Conclusions

2. The Nottingham City Urban Capacity Study is still to be examined in depth at a future inquiry into the current LP Review. Whilst it has revealed significant new potential, the precise extent to which the City might exceed its SP housing requirement is still not yet known.
3. Although progress has been made in realising some of the extra housing capacity identified, much remains to be done. In particular, as Shoesmith's point out, the major growth point "The Riverside" is densely developed with a range of industrial and commercial enterprises. With one or two exceptions, notably British Waterways warehouses, the rate of occupancy is high with few vacant premises. Extensive relocation of existing businesses would be necessary before sites can be re-used for housing. The strategy for The Riverside is a matter for Nottingham City and may be considered at the inquiry into the City's Local Plan review. I am unsure at this stage as to the scale of housing which might be accommodated in this area up to 2011; the period of the Broxtowe RDDP. The other two major development areas to the south and east of the City Centre are also partly

occupied by existing buildings but to a lesser extent. Their redevelopment/re-use may be less constrained but there is still some uncertainty over timing.

4. The type of dwellings and the type of future occupiers of these and other brownfield sites in the City areas are clearly not known but there is no reason to suppose that they would exclude family type dwellings and simply reflect a continuation of recent city centre developments. The evidence from the work for the North West RPG showed little correlation between household and dwellings sizes. There is also no reason why future residents of these areas should necessarily seek jobs in Broxtowe; indeed many of the latter's residents probably work in and around the City Centre.
5. Whilst the scale remains unclear, there seems no doubt that the City's provision will exceed their current SP housing requirement by at least 3442, according to the March 2002 Monitoring Report. However, it is as yet unknown how much of any "excess supply " would be available to meet any shortfall of provision in Broxtowe.
6. Firstly, it is unclear how much of any extra capacity in Nottingham would be taken up by a reduced level of outward migration and its own affordable housing provision. The latter was reduced in the South Notts Study due to the City's perceived housing capacity problems at that time. As those problems no longer exist, the City should be in a position to meet more of its own needs. The extent to which some of the City's sites would be developed for employment/mixed uses is also not clear nor is the impact of the City's Universities on the local housing stock. There is also an issue of the extent to which brownfield sites in Nottingham should be developed before any greenfield allocations in the City. The effect of all these factors could be to reduce the capacity of brownfield sites in Nottingham to meet some of the housing requirements of other Districts such as Broxtowe.
7. Secondly, there are the difficulties that appear to be facing Rushcliffe District in bringing major housing sites forward at the present time, which BBC did not take into account in PIC11. Rushcliffe with a SP requirement of 14,400 new dwellings accounts for 36% of the total for the Sub Area and exceeds the combined requirement of Nottingham City and Broxtowe. With a potential underprovision of 4,000 – 5,000 dwellings and less than one year supply, Rushcliffe's needs are more pressing than Broxtowe's at least in the short term. Its position is likely to have a negative impact on the already low rate of housing completions in the sub area (1663 dpa), even if market demand is one factor. Achievement of a higher rate to meet the remaining SP requirements (2020 dpa) would seem to depend in the immediate future on the supply of sites in other districts outside Rushcliffe, including Broxtowe and the City. It would be reasonable however, to expect some resolution of Rushcliffe's problems later in the Plan period. Broxtowe's completions rate (223 pa) has been lower than the annual SP requirement rate (275 pa). This implies a rate of 317 pa for the remainder of the Plan period.
8. Thirdly, the SP housing requirement for South Notts and for Broxtowe was apparently reduced from the perceived level of need because of the constraints across the sub area; in the latter case by 300 dwellings.
9. Objectors from the development industry drew particular attention to PPG3 para 7 and also PPG11 para 5.19, which advise against re-opening consideration of the

SP housing strategy including the annual rates of provision. These and “Planning To Deliver” advocate revision of the RPG before development plans are reviewed. RPG8 Revised published in January 2002 provides new housing requirements for each County and the context for the review of the Nottinghamshire SP, which is now underway. Until the latter is complete with a new distribution of housing requirements throughout Nottinghamshire, there is little option but to work to the approved SP housing requirements for individual District Authorities.

10. However, PIC11 itself does not seek to alter the SP housing requirement at this stage. Rather it fails, by some 250 dwellings, to provide sufficient sites to meet this level of provision over the whole plan period. This is not in itself contrary to the advice of PPG3 but could fall within the advice of PPG3 para 34 as a means of managing housing land provision by leaving the identification of further sites to meet the approved SP requirement to the next LP review in 3 or 4 years time.
11. RPG8 Revised includes an annual housing provision for Nottinghamshire and Nottingham of 2,450 dpa between 2001 and 2021. This is a reduction of about 29% from that of 3,462 between 1991 and 2011 in the approved SP, albeit that the former is weighted towards the later part of the RPG period.
12. In terms of distribution, RPG8 revised (para 4.56) establishes as a first priority the location of new houses in urban areas. It advises LPAs to carry out studies to maximise urban capacity working across administrative boundaries. Policy 21 states that the location of new housing sites should reflect the sequential approach in Policy 1 and PPG3 and that opportunities should be taken to focus housing in urban areas, especially to assist regeneration areas in Policy 3 (Nottingham City). It emphasises in para 4.59 that policies need to ensure that land allocated in development plans is brought forward in a manner, which encourages re-use of urban land, whilst ensuring provision of sufficient land for housing from all sources. Although PPG3 advocates provision of wider housing opportunity and choice, it also advises that the focus for additional housing should be existing towns and cities. RPG8 Policy 5 advises LPAs to make provision for most development needs within existing urban areas and Policy 23 seeks a target of 60% of additional dwellings on previously developed land.
13. BBC's regard in PIC11 to the increased potential for brownfield development in a neighbouring authority reflects the specific advice of RPG8 and the more general advice of PPG3, particularly when the RDDP envisages major development on greenfield and Green Belt land. I can see nothing unlawful or illegitimate in seeking to take account of this relatively new situation in the sub-area. Rather than being an abrogation of planning it would be imprudent for the RDDP, even at this late stage, to ignore the implications of the City's UCS and simply leave matters until the next LP review, even though the City's Study has yet to be subject to public inquiry. That could lead to unnecessary and undesirable commitments and developments on greenfield sites in the South Notts sub area.
14. The shortfall of allocated sites for about 250 dwellings resulting from PICs reflected the deletion of some green field and Green Belt housing allocations rather than any assessment of the extent to which Broxtowe might gain from the City's extra housing sites. It is a very small shortfall, amounting to only 4.5% of the total requirement of 5,500. This is less than 1 year's provision and is

significantly less than the flexibility allowance of 10% sought by some objectors. However, the PICs still envisage substantial allocations on greenfield and Green Belt land; about 51%. Most of this is in one allocation H2I at Watnall/Nuthall.

15. The current position is that the premature development of some greenfield land for housing in Broxtowe might be avoided due to the availability of suitable brownfield sites in the neighbouring City. However, the extent to which Broxtowe itself might benefit is currently unknown. It could be to a lesser or greater extent than the 250 dwellings envisaged in PIC11. This will depend not only on the amount of land in the City available to meet the needs of other districts in the sub area but also on the apportionment of this between them. Redistribution of housing provision between Districts would normally be a matter for the current Structure Plan Review. However, with the proposed abandonment of Structure Plans, the proposed changes to Local Plans and the greater emphasis on regional and sub regional working there is, notwithstanding the good intentions of BBC, some uncertainty over the timing of a future Plan review. There is also the time involved in producing an adopted replacement plan. These factors are important in Broxtowe's case given the extent of its reliance upon greenfield and Green Belt land to meet its housing provision.
16. This could mean that the RDDP might have to suffice for longer than expected. As well as seeking the re-use of urban land, the RDDP also has a responsibility to ensure the provision of sufficient housing land from all sources meet the SP requirement over the rest of the RDDP period. "Planning To Deliver" emphasises the importance of avoiding any interruption in supply. As the first sentence of PPG3 stresses everyone should have the opportunity of a decent home.
17. I note that NCC did not raise any question of conformity as a result of the PICs. However, that is a largely a matter of history and I have to address the issues raised in the prevailing circumstances. NCC and many, but not all, developer interests favour a phasing policy as a means of addressing this situation and BBC's concern. This would identify sufficient allocated sites to generally meet the SP requirement so that continuity of supply is maintained but it would manage supply to achieve sustainable development and the re-use of brownfield and urban land on a sub regional basis across administrative boundaries as envisaged in RPG8, paras 4.59 to 4.61. This identifies Nottingham and parts of East Derbyshire as one of the areas most likely to require this approach. However, as the Plan will be reviewed and rolled forward, a small surplus or shortfall in the total scale of allocations in the modified RDDP should be of little importance. It will reflect the sum of the individual capacities of preferred allocations.
18. Although RPG8 advocates a study of phasing as a means of managing the release of housing sites for development, the Broxtowe RDDP cannot await its findings. It should instead try to anticipate and provide for these.
19. The most responsive and flexible approach in the current situation would be to include the housing allocations in the Plan in two phases related to the type of site rather than particular time periods. Thus it would not be redundant soon after adoption of this Review LP, as some feared. Phase 1 should include sustainable previously developed sites within the urban area and certain other special sites. The second Phase should include suitable greenfield sites within and adjoining

urban areas. I deal with these issues and objections to Phasing Policy HX later in this Chapter at page 297.

20. The revised Phasing Policy advocated by NCC, which I largely accept, allows for the release of greenfield sites as necessary to meet SP housing requirements and thus to ensure the continuity of supply that “Planning To Deliver” stresses. There is no evidence that the identification of greenfield sites in Phase 2 would deter the development of brownfield land. The Phasing Policy however, would also allow the deferment of greenfield sites in Phase 2 and their review in the light of an annual monitoring of rates of housing completions and the housing land supply position in Broxtowe, Nottingham City and the rest of the South Notts Sub Area. This provides the clear reason for this type of Phasing Policy, whether or not Ashfield and the City saw any need. This Phasing Policy is also consistent with the government’s current application of policy relating to the “premature” development of greenfield land. The extent of the City’s extra capacity and potential and the scale of any resulting benefits to Broxtowe should be identified by the City’s LP inquiry and by the joint working envisaged by RPG8 before the “scheduled” review of this RDDP. However, the Phasing Policy suggested by NCC prudently makes provision for unforeseen delays.
21. For the Plan, Monitor Manage approach to be effective monitoring will need to be sophisticated, rigorous and responsive to the changing position and prospects across administrative boundaries. There is clearly a need to develop the mechanics of the Phasing approach and the detailed criteria to be used for the sub-area at least. It should be published in SPG to provide the clarity and fairness that is required. Diagram Three in CD28b may provide a useful starting point, although a biennial monitoring process is unlikely to be sufficiently responsive and a 7 year supply might lack the necessary degree of control and would by adoption cover most of the remaining Plan period, as Mr Plumb surmised. Three Phases advocated by some would be too difficult to operate.
22. It is clear in my conclusions elsewhere in this Chapter, that the scale and nature of allocation H2I is incompatible with the Phasing Policy envisaged or for that matter any effective Phasing Policy. It allows no deferment or review of this greenfield and Green Belt site in the light of the availability of brownfield land elsewhere and thus fails to respond to latest optimistic results from the City’s Monitoring Report of March 2002. It fails to allow for the managed release of sites for housing in accordance with the sequential approach set out in RPG8 Policies 1 and 2 within the sub regional housing market area. It reduces the flexibility of the LP. As the Council conceded, the Phasing Policy had a better balance prior to the PICs. For these and other reasons I prefer the allocation of other sites for housing and recommend the deletion of allocation H2I from the Plan.
23. I deal above with issues and objections to the revised estimated windfalls and conversions, to housing commitments and a flexibility allowance, where I support the Council’s latest estimates. I then set out my conclusions and recommendations on the sources of housing supply to meet the SP requirement. I recommend the allocation of about sufficient land to meet the residual SP housing requirement for the Plan period rather than any rather arbitrary reduced level as in PIC11. Even though there may be time to allocate further land at the next LP

Review, these allocations should provide more certainty and security of housing supply.

24. I include my recommended schedule of allocated sites for inclusion in Policy H2 (R147). These also include my estimates of site area and my conclusions of their minimum net density. This schedule is derived from my recommendations on individual sites elsewhere in Chapter 4 and in Chapter 10 “Potential New Development Sites”. I recommend the inclusion of these sites within two phases of Phasing Policy HX later in this Chapter. The terms of Policy H2 should be modified to clarify the operation of this Phasing Policy.

Recommendation

25. I recommend that Table H2 of the RDDP (R147) be modified as set out below:

H2 Planning Permission will be granted for residential development on the following sites subject to the provisions of Phasing Policy HX.

Site	Size ha	Min Dph	Min Dwells
H2a Ordnance Depot Swiney Way	7.7	40	308
H2b TA Centre, Ranson Road, Attenborough	2.3	43	99
H2e South Queens Road, Beeston	3.2	45	144
H2f Chilwell Lane, Bramcote	1.4	35	50
H2x Field Lane, Chilwell	1.4	35	50
H2h Dyers&Cleaners, Giltbrook	1.3	40	52
H2k Bilborough College	3.5	40	140
Ea7 East Pinfold Lane, Giltbrook	.7	40	28
Ki6 Builders Yard, Eastwood Road, Kimberley	1.1	40	44
Ki7 South of Eastwood Road, Kimberley	1	40	40
H2e Maltings, Beeston	1.4	45	85
Ea9 East, Newmanleys Road, Giltbrook	9	40	360
H2x Halls Lane, Giltbrook	2.2	40	88
H2c East of Main Street, Awsworth	.7	30	21
H2 i Smithhurst Road, Giltbrook	2.3	40	92
H2g Church Lane, Eastwood	.6	40	24
Ki5 North West, Hardy Road, Kimberley	.64	40	25
Ki (c) West of Church Hill, Kimberley	1.6	40	64
AC1 North Barlow Cottages, Awsworth	1.4	40	56
Ki1 Alma Hill, Kimberley	3.4	35	119
Total			1889

H1 EXISTING COMMITMENTS

Objections

H1		Existing commitments	
748	2389		David Wilson Homes North Midlands David Wilson Estates
595	1138		Beeston Lads Club Antony Aspbury Associates
1167	2539		Bryant Homes (East Midlands) Antony Aspbury Associates
1199	2839	Mr R Reynolds	Antony Aspbury Associates
1123	2205		Pickering Developments Ltd
1206	2865	Mr JL Revill	Freeth Cartwright Hunt Dickins
1087	2049	Mr A Taylor	Stansgate Planning Consultants
1131	2359		Allen Homes (East Midlands) Ltd Steedman Planning & Land
1108	2160	Mr M Bagshaw	Stamford Homes Limited
1159	2419	Mr C Welsh	Barton Willmore Planning Partnership
H1 R141 Existing Commitments – Deletion of policy including site descriptions			
601	4558	R141 Mr S Rufus	Nottinghamshire Wildlife Trust
H1a Existing commitments - Meadow Road, Awsworth			
1155	2398		Greasley Parish Council Andrew Thomas Planning
601	2798	Mr S Rufus	Nottinghamshire Wildlife Trust
H1b Existing commitments - Gin Close Way, Awsworth			
1155	2400		Greasley Parish Council Andrew Thomas Planning
1222	2919	Mr JR Holmes	Holmes Antill
601	2806	Mr S Rufus	Nottinghamshire Wildlife Trust
H1e Existing commitments - Smithurst Road, Giltbrook			
1160	2446	Mr MH Hodgkinson	Cleggs Solicitors
H1m Existing commitments - Holly Road, Watnall			
1383	3535	Mr S Clifton	English Nature East Midlands Team

Summary of Objection Issues

H1 Existing Commitments

1. The following objectors are all concerned with similar issues. Their objections and a joint response is presented below.

748/2389: David Wilson Homes North Midlands

2. Some sites, including sites a, e, g and m may not be suitable and genuinely available. There should therefore be a 'flexibility allowance' and (unspecified) alternative sites should be considered as new allocations.

595/1138 : Beeston Lads Club
1167/2539: Bryant Homes (East Midlands)
1199/2839: Mr R Reynolds

3. Over-optimistic assumptions have been made regarding the contribution of allocations carried forward from the existing Local Plan. Some sites, including sites b, c, e and m, may not be genuinely available. Adjustments should therefore be made to Table 4.2 and the total of allocations in policy H2 should be increased.

1123/2205: Pickering Developments Ltd.

4. Significant constraints exist on several sites, including sites a, b, c and e, which are preventing them from coming forward for development. Sites should only be included which have a realistic likelihood of development within the plan period.

1206/2865: Mr J L Revill

5. Significant constraints exist on several sites, including sites a, b, c and e, which are preventing them from coming forward for development. Sites should only be included which have a realistic likelihood of development within the plan period.

1087/2049 Mr A Taylor

6. There is doubt about the availability of the sites and the number of sites allocated should be increased to make up for any shortfall.

Council's Joint Response:

7. Policies H1 and H2 have been amalgamated in the Revised Deposit Draft. Sites on which development has started and permission therefore cannot lapse (sites b, c, e-m) have been deleted from policy at the suggestion of the Government Office and instead incorporated in the revised Table 4.2 as "dwellings with planning permission", or "dwellings already completed". Sites on which development has not been started (sites a and d) have been transferred to policy H2 (site a via the pre-inquiry changes). Objections relating to these sites are dealt with in the Council's responses to the relevant sections of policy H2. Points relating to Table 4.2 (paragraph 4.27) and the total of allocations in policy H2 are also dealt with separately in the housing round table paper. However, in all cases the Council has no reason to doubt that the sites are genuinely available and annual monitoring of landowners' and developers' intentions for the Council's Residential Land Availability Report has confirmed that they are all likely to be developed during the Plan period. Work has recently been in progress on several of the sites, including sites c, e and m.

1131/2359: Allen Homes (East Midlands) Ltd

8. The total amount of housing allocations should be increased in order to allow "flexibility" and "scope for slippage". Additional small sites should therefore be allocated including a site at Barlow Cottages, Awwsworth (site AC1).

Council's Response:

9. These points relate principally to Table 4.2 (paragraph 4.27) and the total allocated in policy H2 and are therefore dealt with in the housing round table paper. However, PPG3 (paragraph 30) states that authorities should seek only to identify sufficient land to meet the housing requirement and a surplus to allow "flexibility" would therefore be inappropriate. The site at Barlows Cottages is dealt with in the Council's response to objection 1131/2233, which proposes this site for development.

1108/2160: Stamford Homes Ltd

10. "There is doubt whether all of the sites will be developed in the Plan period given that many have been allocated since before 1994 and remain undeveloped".

Council's Response:

11. See the response to the similar objection by Bryant Homes, above. The only sites which have been allocated since before 1994 are site b, where development has started and completion is anticipated within the plan period, site c, which is now nearly complete, and sites e, f, h and i, which represent the final stages of major developments which are otherwise complete.

1159/2419 Mr C Welsh

12. Existing commitments should be "re-examined" and housing allocations should be made at nine inter-related sites associated with sites AC5 and AC6 (including sites DD11 and DD12).

Council's Response:

13. No reasons have been given for the need to re-examine the sites in policy H1. They have however been re-examined in accordance with Government Office advice and, where relevant, have been incorporated in policy H2 in the Revised Deposit Draft. The proposed housing allocations are dealt with in the Council's response to objection 1159/2425 regarding site AC6 (Proof 092).

H1 R141 Existing Commitments – Deletion of policy including site descriptions.

601: Nottinghamshire Wildlife Trust

14. The process that has lead to the deletion of this policy, the expanding of policy H2 and the new figures used in table 4.2 is "extremely opaque". "We recognise that there is little opportunity for further explanatory notes at this stage, but recommend that the Council note our comments and ensure that at all stages of local plan development, openness and clarity of process is apparent to ease the consultation process".

Council's Response:

15. The Council acknowledges that the calculation of housing requirements, and the changes between the Deposit Draft and the Revised Deposit Draft, are not always easy to follow. The Council agrees that there is little opportunity for further explanatory notes at this stage, however it will take the Trust's comments into account when carrying out local plan review work in future.

H1a Existing Commitments – Meadow Road, Awsworth

1155/2398 Greasley Parish Council

1. The site should be expanded by including land to the north (site AC1).

Council's Response:

2. This matter is dealt with in the Council's response to objection 1131/2233, which proposes AC1 for development (Proof 091).

601/2798 Nottinghamshire Wildlife Trust

3. The allocation of H1a will lead to the loss of a Site of Importance for Nature Conservation or damage to it.

Council's Response:

4. As a result of the pre-inquiry changes, this site is now proposed to be allocated under policy H2. It is previously-developed land within the built-up area and therefore has high priority for development under PPG3. The site was sold for development purposes by the county council and has had outline permissions for residential development (93/00350/OUT and 96/00465/OUT, granted to the county council) and a detailed permission for a nursing/residential home (99/00605/FUL). The principle of development of this site is therefore well established.

Inspector's Conclusions**Existing Commitments**

1. One of the few benefits of a long plan preparation period is that it provides time to validate earlier observations. Thus of those sites specifically criticised by objectors (H1a,H1b,H1c,H1e,H1g,H1m) only site H1b has seen no development and of the 13 sites originally in Policy H1 only this site, H1d and H1f show no signs of development as yet.
2. I note that the northern smaller part of H1m, which has yet to be developed, has no recognisable means of direct access except over allocated open space and/or over a small unallocated area to the southeast. This should provide no constraint to development but it may suggest some extension of this part of the "allocation" in order to achieve a satisfactory layout and the most effective use of urban land. Its one time identification as a SINC by the Council was subsequently corrected. This small area appears comparable to other previously developed parts of H1m and exhibits little nature conservation value.
3. I can see no reason why H1b should not be developed in the remaining years of the Plan. It has no specific constraints to development that have been brought to my notice and according to the Council, the developers are expected to start on the site in 2003/2004, well within the Plan period. It lies largely within the existing built up framework of the settlement, involves poorer agricultural land and lies outside the Green Belt. It is in many respects an appropriate site for housing development and should be preferred to other sites, which lie within the Green Belt. Although it is a greenfield site, it falls below the threshold of the government's Directive. It is a site that I would expect the Council to actively promote. I deal with it below.
4. Some doubts were raised as to whether MoD Estates would release site H1d, which is again appropriate in planning terms for housing development being an urban site, although it is not without some individual amenity value. However, I have no reason to doubt the Council's assurance that should this relatively small site not come forward, MoD Estates would release another equivalent site.
5. H1f is part of a large new housing development. There are no identified constraints and according to the Council, the builder expects to complete development by about 2005, well within the Plan period.
6. Thus, I have no reasons to doubt the capacity of H1 sites to provide for about 639 dwellings in the Plan period. I deal with the issue of a flexibility allowance above.

7. The deletion of Policy H1 in the RDDP reflects the committed status of most sites. Thus the RDDP simply includes an allowance in Table 4.2 for the outstanding dwelling capacity of these sites updated to 1/4/2000. Dwellings completed on these sites prior to this date are included in a revised figure of 2005 completed dwellings. The sum of these two items in the FDDP and the RDDP Tables 4.2 was the same (almost) at 2429 and 2428. The NWT should therefore have no fears that dwelling provision from these sources was reduced.

Site H1a

8. This site is not only a commitment, its development with houses is almost completed. However, prior to the start of this development I observed little of value to nature conservation; indeed part of the site had already been developed with the foundations for a nursing home. I consider in Chapter 10 objections relating to the adjoining site AC1, where I recommend its allocation for housing.

Recommendation

9. I recommend that no modification be made to the RDDP in respect of these objections.

H1b Existing Commitments – Gin Close Way, Awsworth.

1155/2400 Greasley Parish Council

1. The site should be expanded by including land to the north (site DD10). The density of development on the site should be increased above 25 dwellings per hectare.

Council's Response:

2. This land (site DD10) has not been promoted by any landowner or developer and the Council understands that it is not available for development. A detailed permission for housing development on site H1b has been commenced and is not therefore subject to influence by the Local Plan. Any new application would however be subject to policy H6, which requires a density of at least 30 dwellings per hectare.

1222/2919: Holmes Antill

3. The site should be deleted from the H1 list as it cannot be relied upon.

Council's Response:

4. The site has been deleted from policy, at the suggestion of the Government Office, because it has a detailed permission, which has been commenced and therefore cannot lapse. Annual monitoring of landowners' and developers' intentions for the Council's Residential Land Availability Report has confirmed that it is likely to be developed during the plan period.

601/2806: Nottinghamshire Wildlife Trust

5. Development will adversely affect a Site of Importance for Nature Conservation if the current site boundaries are retained.

Council's Response:

6. A detailed permission for housing development has been commenced and the site has therefore been deleted from policy in the Revised Deposit Draft at the suggestion of the Government Office. However the Council does not consider that development need cause any significant harm to the SINC and any new application would be subject to policy E17, which provides protection for SINC.

Inspector's Conclusions

1. Holmes Antill give no reasons why this site cannot be relied upon and would not be developed within the rest of the Plan period and I can see none myself. It has no specific constraints to development that I am aware of and according to the Council, the developers are expected to start on the site in 2003/2004, well within the Plan period. Its density reflects the current planning permission. If a new application is made this could be increased to 35 dph in accordance with the locational criteria of Policy H6. The site includes SINC 2/140 but has planning permission for housing development. However, its nature conservation value is, from my inspections, low and part of SINC 2/140 to the west has already been developed.
2. The adjoining land to the north is occupied by a haulage depot, a PFS, a garden centre and builders yard. All these are well established and there is no indication that they would be available for housing development in the Plan period or beyond. The landowners/occupiers have lodged no objection to the Plan seeking a housing allocation on this area to the north of H1 b.

Recommendation

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

H1e Existing Commitments – Smithurst Road, Giltbrook

1160/2446: Mr M H Hodgkinson

1. The site should be expanded by including land to the south-west, or this land should be allocated in its own right.

Council's Response:

2. This land was allocated under policy H2 in the Revised Deposit Draft. However, as a result of the pre-inquiry changes it is no longer proposed for development. Issues relating to this site are dealt with in the Council's response to objections to the proposed allocation (revisions R159 and R203-5, Proof 088).

Inspector's Conclusions

1. I deal later in this Chapter with objections relating to the allocation of site H2x to the south west of H1e, where I recommend rejection of the PIC to delete the allocation.

Recommendation

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

H1m Existing Commitments - Holly Road, Watnall

1383/3535: English Nature

1. The buffer strip between the site and the SSSI will have to be rigorously enforced to prevent unauthorised development or construction activity.

Council's Response:

2. This strip is the subject of a condition on the permission for the development of the site and the Council will enforce compliance with the condition if it proves necessary.

Inspector's Conclusions

1. This objection relates to the planning permission for this site rather than the RDDP.

Recommendation

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

H2 New housing sites (general issues)

595	2915		Beeston Lads Club
			Antony Aspbury Associates
1420	3737		Bellway Estates & Giltbrook Landowners Consortium
			Shoosmiths Solicitors
1155	3940		Greasley Parish Council
			Andrew Thomas Planning
1123	2203		Pickering Developments Ltd
			Freeth Cartwright Hunt Dickins
1167	2541		Bryant Homes (East Midlands)
			Antony Aspbury Associates
1154	2348		W. Westerman Ltd
			DPDS Consulting Group
572	3871		The Catesby Property Group
			Antony Aspbury Associates
1131	2360		Allen Homes (East Midlands) Ltd
			Steedman Planning & Land
1108	2161	Mr M Bagshaw	Stamford Homes Limited
			Barton Willmore Planning Partnership
1381	3486	Ms F Forgham	Government Office for the East Midlands

599	3581	Mr G Foster	Nottinghamshire County Council
1206	2913	Mr JL Revill	Freeth Cartwright Hunt Dickins
1199	3876	Mr R Reynolds	Antony Aspbury Associates
601	2542	Mr S Rufus	Nottinghamshire Wildlife Trust
1087	2051	Mr A Taylor	Stansgate Planning Consultants

H2 R147 New Housing Sites: Addition of explanation for density selected for sites

1006	4861	R147	Nuthall Parish Council
			Browne Jacobson Planning Unit
1155	5118	R147	Greasley Parish Council
			Andrew Thomas Planning
1135	5026	R147	Mr I Moss
			House Builders` Federation

H2 R148 New Housing Sites :- Alteration from ‘approximate’ to ‘minimum’ dwelling numbers per site

1006	4862	R148	Nuthall Parish Council
1155	5119	R148	Greasley Parish Council
			Andrew Thomas Planning
1108	4954	R148	Mr M Bagshaw
			Stamford Homes Limited
			Barton Willmore Planning Partnership
1106	4919	R148	Mr R Hepwood
			Miller Homes East Midlands
1135	5027	R148	Mr I Moss
			House Builders` Federation
1130	5002	R148	Mr R Walters
			Hallam Land Management

H2 R163 New Housing Sites - Amendment in table to total number of dwellings

1006	4858	R163	Nuthall Parish Council
			Browne Jacobson Planning Unit
1154	5067	R163	W. Westerman Ltd
			DPDS Consulting Group
1123	4999	R163	Pickering Developments Ltd
			Freeth Cartwright Hunt Dickins
1108	4969	R163	Mr M Bagshaw
			Stamford Homes Limited
			Barton Willmore Planning Partnership
1135	5041	R163	Mr I Moss
			House Builders` Federation

H2 R164 New Housing Sites - Amendments to terminology regarding previously developed land

1155	5134	R164	Greasley Parish Council
			Andrew Thomas Planning
1135	5042	R164	Mr I Moss
			House Builders` Federation

H2 New Housing Sites

Objectors Raising Similar Issues:

The following objectors are all concerned with similar issues. Their objections and a joint response is presented below.

595/2915 Beeston Lads Club

1167/2541 Bryant Homes (East Midlands)

572/3871 The Catesby Property Group

1. The distribution of development, with large amounts in the north and at a single allocation at Watnall/Nuthall, is “fundamentally unsound” and there should be a redistribution towards allocations in the main built-up area in the southern part of the plan area, due to its closer geographical relationship to the city centre and its proximity to established employment areas. Allocation H2e

should be extended (595/2541). Site To2 should be allocated for residential development (1167/2541). Site Br(a) should be allocated for residential development (572/3871).

Council's Joint Response:

2. The Plan contains a reasonable balance between development in the north and south of the borough. Slightly over half of new housing development in the remainder of the plan period will take place in the north of the borough and slightly under half in the south. Substantial development in the north of the borough is supported by policy 1/2 of the Structure Plan, which identifies Nottingham-Eastwood as one of the public transport corridors along which major new development should be concentrated. The proposed development at Watnall/Nuthall is on this corridor. Concentration of a large amount of development at a single site enables necessary infrastructure to be provided and can help to reduce the need to travel by enabling mixed use development. There is support for this approach in PPG3, which proposes "urban extensions" as the second priority for development (paragraph 30). Site H2e is dealt with in the Council's response to objections to that allocation (Proof 023). Site To2 is dealt with in the Council's response to objections to that allocation (Proof 033). Site Br(a) is dealt with in the Council's response to Objection 572/1079 which proposes the site for development (Proof 032).

1420/3737 Bellway Estates & Giltbrook landowners' consortium

3. Site Ea8 should be allocated for residential development.

Council's Response:

4. This objection is dealt with in the Council's response to objection 1420/3722, which proposes site Ea8 for development (land East of Baker Road/North of Nottingham Road, Giltbrook) Proof 018.

1155/3940 Greasley Parish Council

5. A complete review of the housing location strategy based upon consistent, up-to-date and relevant criteria suggested in RPG, PPG and Strategic Guidance is called for. This should include a more thorough assessment of urban capacity based on research methodology suggested in emerging RPG. In particular a sequential approach should be taken to site selection and densities should be increased. The use of minimum net density figures in the Revised Deposit Draft "may serve to reduce the overall scale of development on these allocations - thereby failing to make best use of the sites."

Council's Response:

6. The issue of the housing location strategy is dealt with in the Council's round table paper on housing. However, densities have been increased substantially in the Revised Deposit Draft and, as a result of the Pre-Inquiry Changes, the allocations closely comply with the sequential approach set out in PPG3. Further increases in densities would however risk creating developments which were seriously out of character with their surroundings.
7. The Council disagrees that the use of minimum net density figures can have the effect of reducing the scale of development on a site. The alternatives, of specifying maximum densities or not setting any density requirements, would however seriously risk having this effect.

1123/2203/4999 Pickering Development

8. The overall level of allocations should be increased "slightly" to leave room for "flexibility" to take account of the possibility of sites not coming forward or not being developed at the densities anticipated. More "pragmatic" assessments of site capacity should be provided "rather than relying on a standard formula".

Council's Response:

9. See the response to the similar objection by W. Westerman Ltd below. Application of policies H2 and H6 will ensure that sites are developed at the densities anticipated.
10. The objectors have not explained why they consider the Council's assessments of site capacity not to be "pragmatic". All sites have been carefully assessed and the densities specified would optimise outputs from the sites without resulting in developments which would be significantly out of character with their surroundings.

1154/2348/5067 W. Westerman Ltd

11. The policy should be amended (in unspecified ways) to introduce greater "flexibility" in response to ownership or "procedural" constraints. The distribution of housing on the allocated sites does not comply with the sequential test in PPG3. In particular, previously-developed urban sites and sites that are extensions to urban areas should come forward before any significant residential development in villages. The Plan should therefore revert principally to the policies contained in the first Deposit Draft.

Council's Response:

12. PPG3 states that local planning authorities "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and the strategic planning processes. In doing so they should not extend the search further than required to provide sufficient capacity to meet the agreed housing requirement" (paragraph 30, emphasis added). Therefore, in order to comply with PPG3, no "flexibility" allowance should be made for potential non-implementation of permissions and allocations. The Council has been in close contact with the promoters of all the proposed allocations and is satisfied that there are no significant ownership or "procedural" constraints to their development.

1131/2360 Allen Homes (East Midlands) Ltd

13. The total amount of housing allocations should be increased in order to allow "flexibility" and "scope for slippage". Additional small sites should therefore be allocated including a site at Barlows Cottages, Awsworth (site AC1).

Council's Response:

14. See the response to the similar objection by W. Westerman Ltd in para 53 above. The site at Barlows Cottages is dealt with in the Council's response to objection 1131/2233, which proposes this site for development (proof 091).

1108/2161 Stamford Homes

14. There is no "flexibility" in the figures to allow for the possibility that not all of the dwellings anticipated will be built during the plan period and that assumed densities might not be achieved.

Council's Response:

16. Application of policies H2 and H6 will ensure that sites are developed at the densities anticipated. All sites have been carefully assessed and the densities specified would optimise outputs from the sites without resulting in developments, which would be significantly out of character with their surroundings.

1381/3486 GOEM

17. Consideration should be given to combining policies H1 and H2. The policy should be re-worded in the form “planning permission will be granted ...”

Council's Response:

18. Policies H1 and H2 have been amalgamated and policy H2 has been reworded, as proposed.

599/3581 Nottinghamshire County Council

19. There should be a reference that developers may be expected to contribute towards walking, cycling and public transport measures in accordance with Policy T1.

Council's Response:

20. In accordance with the advice in the Planning Officers' Society's "Better Local Plans" publication (p18), the Council does not favour cross-referencing between policies because it is important that the Plan is read as a whole in all cases, whereas cross-referencing can give the impression that this should only happen in certain specified cases. Inquiry Change IC118 (proof 044) adds an appropriate statement to this effect in the introductory chapter of the plan.

1206/2913 Mr J L Revill

21. The overall level of allocations should be increased “slightly” to leave room for “flexibility” to take account of the possibility of sites not coming forward or not being developed at the densities anticipated. More “pragmatic” assessments of site capacity should be provided “rather than relying on a standard formula.

Council's Response:

22. See the response to the similar objection by W Westerman Ltd above (para 53). Application of policies H2 and H6 will ensure that sites are developed at the densities anticipated.
23. The objectors have not explained why they consider the Council's assessments of site capacity not to be “pragmatic”. All sites have been carefully assessed and the densities specified would optimise outputs from the sites without resulting in developments which would be significantly out of character with their surroundings.

1199/3876 Mr R Reynolds

24. There is insufficient variety of housing sites, with an excessive emphasis on large and/or greenfield sites. There should be greater emphasis on the allocation of “smaller, and/or previously used/urban sites”. Site Nu (a) should be allocated.

Council's Response:

25. Concentration of development in large sites enables necessary infrastructure to be provided and can help to reduce the need to travel by enabling mixed use development. The amount of development on greenfield sites has been minimised by maximising the use of previously developed land outside the Green Belt, as explained in the Council's round table paper on housing. Site Nu (a) specifically is dealt with in the Council's response to objection 1199/2829, which proposes the site for development (Proof 015).

601/2542 Nottinghamshire Wildlife Trust

26. Densities should be increased to at least 40 dph on every site.

Council's Response:

27. Densities have been increased in the Revised Deposit Draft to minima of 35 or 40 dph on every site (except site H2c, which is proposed to be deleted by the Pre-Inquiry Changes). The density appropriate to each site is dealt with in the Council's responses to objections to each site.

1087/2051 Mr A Taylor

28. The extent of provision does not allow any flexibility or contingency allowance to take account of sites that may not come forward in the plan period, nor for any shortfall in the achievements of windfall predictions.

Council's Response:

29. See the response to the similar objection by W. Westerman Ltd in para 53 above.

**H2 R147 New Housing Sites: Addition of explanation for density selected for sites
H2 R148 New Housing Sites: Alteration from 'approximate' to 'minimum' dwelling
numbers per site**

1006/4861, 4862, 4858 Nuthall Parish Council

30. The plan should avoid individual density targets on sites but should have an overall density target of 50 dph, taking regard of paragraph 58 of PPG3. For each planning application the applicant should have to demonstrate that they have made the "best use" of land against the district wide target.

Council's Response:

31. Whilst paragraph 58 of PPG3 is liable to different interpretations, the Council interprets it as indicating that 50 dph is the maximum density that authorities should encourage in any area, including for example city centres, unless there are special circumstances. In any case, the Council considers that densities of as much as 50 dph in Broxtowe would be likely in many cases to result in developments which were significantly out of character with their surroundings. The use of minimum density requirements nevertheless allows the possibility of densities of 50 dph where design and site circumstances are suitable. In the Council's opinion the proposed deletion of individual site density requirements and the introduction of rather vague terms such as "best use" would be likely to have the opposite effect to that desired by the objector, as it would make it harder for the Council to insist that the required densities were met on each site, with the result that overall average densities would drop below the desired level.

1155/5118, 5119, 5134 Greasley Parish Council

32. Welcome increased density but could be increased further where public transport services are good. Object to use of minimum net densities.

Council's Response:

33. The issue of the housing location strategy is dealt with in the Council's round table paper on housing. However, densities have been increased substantially in the Revised Deposit Draft and, as a result of the Pre-Inquiry Changes, the allocations closely comply with the sequential approach

set out in PPG3. Further increases in densities would however risk creating developments which were seriously out of character with their surroundings. The Council disagrees that the use of minimum net density figures can have the effect of reducing the scale of development on a site. The alternatives, of specifying maximum densities or not setting any density requirements, would however seriously risk having this effect.

1135/5026, 5027, 5041, 5042 House Builder's Federation

34. Density should be expressed as a "target" minimum rather than a "mandatory" minimum for various reasons: - Unless the county highways standards are changed "it will be difficult and perhaps impossible to achieve much higher densities" - The district "has a dense urban fabric with a high proportion of small terraced properties". PPG3 lays great emphasis on providing mixed communities with a variety of house types. "This must include providing some lower density development in areas predominated by high density". - The first part of the policy does not conform to Policy 4/3 of the Structure Plan, which states that plans should facilitate development at as high a density as is compatible with the characteristics of a site and its surroundings. The policy may therefore result in, for example, trees needing to be felled in order to meet the density figures.

Council's Response:

35. The minimum densities specified have been carefully considered so as to take account of site-specific characteristics where appropriate. The policy allows for the avoidance of development which would be out of character with its surroundings. PPG3 (paragraph 58) indicates clearly that low densities should be avoided and the use of "targets" would make it less likely that appropriately high densities would be achieved and would therefore increase the likelihood of pressure in future for the release of additional sites to make up the shortfall.
36. The proposed densities of 35 and 40 dph represent significant but not excessive increases on previously achieved densities. County highways standards need not represent any significant constraint on their achievement.
37. According to the 1991 census, 19% of the borough's dwellings are terraced properties, which is not a "high proportion" relative to the county average for terraced properties (25%), or relative to the borough figures for semi-detached and detached properties (36% and 35% respectively). In any case, the emphasis in PPG3 on promoting mixed communities (paragraphs 9-11) is from the point of view of increasing the number of small units at higher densities, rather than promoting lower density development. Lower density development in high-density areas would also be contrary to the Structure Plan policy quoted by the objector.

1108/4954, 4969 Stamford Homes Limited

38. Object to the amended density. The densities are aspirational and there is no evidence produced in the plan to show that they will be achieved in every instance. If the amended densities are not achieved there will be a shortfall in housing provision, as there is no flexibility in the figures.

Council's Response:

39. Application of policies H2 and H6 will ensure that sites are developed at the densities anticipated. All sites have been carefully assessed and the densities specified would optimise outputs from the sites without resulting in developments which would be significantly out of character with their surroundings.

1130/5002 Hallam Land Management

40. The word "appropriate" should be reinstated instead of "minimum" in the column for the number of dwellings because "minimum" "removes flexibility on layout design".

Council's Response:

41. The use of the term “minimum” does not remove flexibility on layout or design, except insofar as it prevents numbers dropping below the levels required to ensure that optimum output is achieved from the sites and therefore that there is no undue pressure in future for the release of additional sites to make up the shortfall.

1106/4919 Miller Homes East Midlands

42. The word “appropriate” should be re-instated instead of “minimum” in the column for the number of dwellings because “minimum” “removes room for flexibility on layouts”. The applied minimum density should be “confirmed as minimum net average density” because currently “it is not clear whether the applied minimum net density is a net ‘average’ density which will be applied rigidly to every developable hectare of the site in question”.

Council's Response:

43. With regard to the words ‘minimum’ and ‘appropriate’, see the response to the similar objection by Hallam Land Management Limited above (para 82). With regard to the insertion of the word ‘average’, it is considered that this would be confusing as any density figure is necessarily an average and there is no suggestion that density should be uniform throughout a site.

Inspector's Conclusions

Distribution of Housing Allocations

1. The distribution of housing in the approved Structure Plan is based upon the Districts within the South Nottinghamshire Sub-Area in accordance with the considerations in para 13.37. The SP makes no provision and proffers no advice relating to the distribution of housing by any subdivision of Broxtowe District such as the North or, as Bryant Homes, Westerman and others favour, the South of the Borough. I thus see little relevance in Mr Aspbury's calculations of dwellings numbers in the two parts of the Borough.
2. The approved Structure Plan contains two main Policies relating to the distribution of development within Districts. Policy 1/ 2 applies to major developments, which for housing means sites of at least 5 ha. This Policy concentrates major development within and adjoining the main urban areas and along 4 Public Transport Corridors. The main urban areas comprise the Greater Nottingham Conurbation. The latter include the Nottingham to Trowell and the Nottingham to Eastwood Corridors.
3. SP Policy 1/3 applies to the distribution of smaller scale development elsewhere and makes limited provision for small-scale development in villages and exceptionally on the edge of suitable villages as identified in LPs.
4. SP Policy 1/ 4 also affords priority in the provision of economic development, services and environmental improvements to three types of location suffering from social problems.

5. The Watnall/Nuthall allocations apart, the RDDP achieves a reasonable spread of sites across the Borough. My recommended modifications, which support an extension of allocation H2e proposed by the Council and the allocation of The Maltings for housing, rather than employment use, increase the amount of new housing in the southern part of the Borough even though I support the reservation of part of H2a for a possible new Primary School. The problem with identifying much more land in the south of the borough is the critical nature of much of the Green Belt in that area, although I support below the removal of site H2j from the Green Belt and its designation as safeguarded land.
6. Sites within and on the edge of the Greater Nottingham Conurbation may be somewhat closer to major employment opportunities in Nottingham but housing sites in Kimberley, Giltbrook and even Eastwood are reasonably conveniently located and should benefit from an extension of the NET to Phoenix Park. As I conclude later in respect of the proposed mixed development at W/N, people select their homes and their jobs with a variety of reasons in mind not simply the proximity one to another and there is little evidence that large mixed use developments help to reduce travel.
7. In considering objections to the Plan allocations and those in respect of "omission sites", I have had regard to SP Policies 1/ 2, 1/3 and 1/ 4 and to the search sequence in PPG3 para 30 and the more detailed sequence put forward by RPG8 in Policies 1 and 2. I have also had regard to the imperative to show exceptional circumstances for incursions into the Green Belt. Where the latter are necessary, I have had regard to the extent to which sites fulfill Green Belt purposes as well as other factors such as sustainable development, particularly access to PT and services/facilities, and the range of environmental considerations that apply to most sites.
8. I recommend below the deletion of allocation H2l at W/N and in Chapter 5 the deletion of Policy E2 for a BP at W/N as well as part of allocation EM3f. This and the substitution of other smaller sites should extend the spread and variety of allocations. The substantial majority of allocations are in or adjoining urban areas in the Public Transport Corridors. Only a few small scale sites are allocated in other settlements for sound local reasons and in accordance with SP Policy 1/3. I deal with objections seeking the allocation of sites To2, Bra, Ea8, AC1, Nua, H2j and others later in this Chapter or in Chapter 10. I deal with criticisms of the Council's Urban Capacity Study (CD21a) and objections seeking additional allocations to provide flexibility earlier in this Chapter. Neither Westerman, Stamford Homes or others provide evidence to support their generalised claims that there could be deliverability constraints with all the allocations in the Plan. It may be the case with some, but I would expect the LPA to utilise their range of powers to ensure the implementation of the allocations that I recommend. The replacement of allocation H2l with others should improve the prospects of the Plan meeting the SP housing requirements by 2011.

Densities

9. Housebuilding interests generally object to the higher densities which reduce the land otherwise required for new allocations, whilst the CPRE, the NWT, Nuthall

and Greasley Parish Councils and others seek even higher densities, which would reduce new allocations further and thus greenfield land take.

10. The RDDP seeks densities of 40 dph for sites within 400 m of frequent Public Transport services and 45 dph where there is a choice of modes. For sites beyond 400 m it seeks densities of 35 dph. All may be reduced where they would be detrimental to the character or appearance of the area but not below 30 dph. The latter follows the advice of PPG3 para 58, which advises that LPAs should avoid developments, which make inefficient use of land (those of less than 30 dph net). I see little difference, in the context of this paragraph, between the term "should" and the term "must"; after all the former is the term used in the Ten Commandments.
11. PPG3 para 58, whilst advocating more efficient use of land, does not advocate an overall density target of 50 dph or more as suggested by Nuthall PC and others. Rather it advises a range of between 30 and 50 dph with a greater intensity in certain locations with very good public transport accessibility. The latter arise only infrequently in Broxtowe. I am unsure how a developer would demonstrate the best use of his land against a district wide target. The RDDP includes minimum densities for each allocation based upon the criteria of Policy H6, which will be applied to subsequent planning applications and to windfall applications. This provides the clarity and certainty which the plan led system requires.
12. The NWT provides little to support a density of 40 dph on every site, irrespective of its accessibility to PT services. This approach does not reflect the emphasis that PPG3 gives to this locational factor. Greasley PC do not say how much densities should increase where PT services are good, nor do they define this term. However, the RDDP increases densities from 35 dph to 40 dph and to 45 dph depending on the standard of PT services which largely reflects the PC's point. The use of minimum net densities is designed to achieve efficient use of land commensurate with good space and amenity standards, accessibility to PT services and respect for, but not necessarily duplication of, the existing character and appearance of the locality. Accessibility to PT may change over time, but the LPA can only apply current standards of accessibility to allocations unless there are firm plans to alter them. There is no case for occupiers of new dwellings to be denied appropriate space standards and other amenities simply to redress any previous imbalance between development needs and the protection of the countryside as the NWT and the CPRE argued. I deal with H2a below but see no case to increase its density from 40 dph to an arbitrary 55 dph; particularly in face of objections even to the lower figure on amenity grounds.
13. I am unsure what is meant by a "target" minimum density suggested by the HBF or how it would operate in practice; the terms are hardly compatible. The minimum densities in Policy H6 would normally apply although there is some limited discretion to reduce them where a detrimental impact on the locality would result. In this particular respect, they could not be regarded as mandatory. Similarly they do not specify a maximum density, which is left to the individual developer. It is always open to a developer to demonstrate any special circumstances where even 30 dph is impracticable or undesirable. This is provided for in the Act and it is unnecessary and normally bad practice to highlight this in LP policies.

14. It is unclear what is meant by oversized roads and excessive visibility splays or in what other way County Highway Authority standards militate against achieving higher densities. However, where they present an unjustifiable obstacle to achieving the aims of PPG3 they should be reviewed if they expect to receive the support of the planning system. Any previous restrictions they might have applied on site capacity should be reviewed in the light of the new parking policies and standards for residential areas. The standards in Policy H6 are an average for each allocation and a development site as a whole. It should allow, as is evident from recent practice, some parts to be developed at lower densities whilst others are developed at above the average density. This should help to increase the variety of housing on site and in the neighbourhood and help to build mixed communities where appropriate. The Council points out that the Borough has a relatively low proportion of terraced dwellings. Thus there may not be a strong need for large detached dwellings, as the HBF surmise, to achieve a wider mix of dwelling types, although this may arise in some specific locations if sites are available.
15. I am satisfied that LP Policy H6 seeks to implement the intentions behind SP Policy 4/3 (b) in that it identifies minimum density standards for various categories of sites depending upon their Public Transport accessibility. It brings clarity and certainty to the terms of the SP Policy. If development takes place at as high a density as is compatible with the characteristics of a site and its surroundings, whatever that might mean, I fail to see how higher densities could then be sought if it lies in a PT corridor.
16. I am satisfied that the housing allocations that I support could be developed at the densities specified in Policy H6 and be compatible with the characteristics of the site and its surroundings. Thus their application is pragmatic not arbitrary, as the HBF allege. I do not accept that densities and house types should simply reflect those prevailing in the neighbourhood, as Mr Woodhouse and others seek; if that were the case the objectives of PPG3 to achieve more efficient use of land and a mix of housing would be frustrated. Rather, it means that the new and the existing should co-exist in reasonable harmony; in particular that new development does not infringe the amenity standards of adjoining dwellings by reason of undue loss of light and sunlight or by dominance. New development is likely to alter some existing views from neighbouring properties. However, there is no entitlement to a particular or an unchanging view. If there were, it would be difficult to locate new dwellings anywhere. Many objectors to new housing development express fears about an enhanced risk of crime and antisocial behavior and of a devaluation in property values, particularly in respect of higher density and affordable housing. However, no evidence was put before me of any direct link in respect of the former and if government policy for affordable housing is to be met all larger sites will have to make a contribution. I am not able to accord weight to potential property values, which are, in any case, influenced more by macro economic factors. Furthermore, simply replicating existing dwelling types may depress rather than raise the values of existing dwellings.
17. I have assessed in respect of each allocation that I support whether their site characteristics militate against the minimum densities ascribed by Policy H6, but have found none of any substance. The protection of some site features such as

important trees could be achieved by excluding them from the net developable area and the caveat relating to the character and appearance of the locality.

18. Densities in Policy H6 are minimum not aspirational. It is correct to say that they will need to rise significantly above those achieved in the 1990s or as Stamford Homes contend, there will be some shortfall in housing provision. However, two recent schemes permitted since publication of PPG3, H1a and H2b, achieved densities of 34 and 47 dph respectively somewhat higher than the average of 28 dph on sites recently under construction. The application of Policy H6 and H2 should ensure that the densities identified in the RDDP are achieved on other allocations and sites in future. This should be monitored as part of the Plan, Monitor and Manage approach and any corrections that are needed should be addressed at the next Plan review. It is timely reviews that provide the necessary continuity in provision rather than arbitrary short term flexibility allowances.
19. The FDDP used the term “approx.” not “appropriate”, referred to by the Council but not some objectors, for the column heading of the number of dwellings on each site. The RDDP substitutes the term “Min”, an abbreviation of “Minimum”. This may reduce some flexibility but it more accurately reflects the terms of Policy H6, which seeks to implement the advice of PPG3 para 58.
20. The use of these minimum density figures may preclude certain layout designs such as one exclusively of large houses on large plots, although some larger plots can be included provided the minimum density standard can be achieved as an average for the site as a whole. What the standards seek is more efficient use of the allocated and permitted land in order to achieve sustainable development and the protection of the Green Belt and other environmental resources. It should be apparent to the housebuilding industry by now that the tide of public opinion has been turning against the development of greenfield land. It damages the industry's case if land is thought to be used wastefully. The Council confirms that the densities specified are averages over the site as a whole. In the light of this, I see no need to include the terms "minimum net average density". Policy H3 provides for a variety of house types and sizes at least on sites over 2 ha and precludes proposals, which include predominantly a single type or size of house. The Plan needs to be read as a whole. I also deal with Policy H6 below.

Policy H1

21. Policy H1 was deleted from the RDDP to meet the GOEM's point on the FDDP and Policy H2 has been reworded in a more positive form.

Reference to Policy T1

22. I support BBC's reluctance to include in Policy H2 references to Policy T1, as requested by the County Council, because as they say the Plan should be read as a whole. Most developers and applicants should be aware of the relevant provisions of the LP and the LPA will be able to advise any that are not. It is unnecessary to include references in each Policy simply for information. This would add to the length of an already large document and deter readers, not help them. Furthermore, selective cross-referencing can be misleading. It can create the false impression that those matters not mentioned do not apply. It would be

cumbersome at best and impracticable in many cases to identify in advance all the relevant policies that might apply to a particular proposal; these will depend upon its nature and its circumstances at the time. However, the Council fails to follow their own advice in this respect in the RDDP. RC3 requires provision of or a contribution towards additional capacity in educational or community facilities that is needed as a result of the development. Yet this requirement is repeated in respect of a number of allocations in Policy H2. This selective mention enjoys little justification since Policy RC3 only applies where additional demands are created, which can only be judged at the time. The duplication of Policy RC3 in the site-specific sections of Policy H2 is unnecessary and confusing. The references should be deleted.

Recommendation

23. I recommend that the RDDP be modified by deleting references to contributions towards additional education capacity from the site-specific sections of Policy H2. Otherwise, I recommend that no modification be made to the RDDP in respect of these objections.

H2(a) HOUSING SITE, SWINEY WAY, ATTENBOROUGH

Objections

4.39 *New housing sites - Swiney Way, Attenborough*

1331	3324			Defence Estates East, MoD GVA Grimley
2104	6668	R165	Mr MG Colton	
599	4479	R165	Mr G Foster	
Nottinghamshire County Council				

H2a *New housing sites - Swiney Way, Attenborough*

1155	2422			Greasley Parish Council Andrew Thomas Planning
1331	3326			Defence Estates East, MoD GVA Grimley
1006	4847	R149		Nuthall Parish Council Browne Jacobson Planning Unit
1154	5054	R149		W. Westerman Ltd DPDS Consulting Group
1155	5120	R149		Greasley Parish Council Andrew Thomas Planning
1737	5761	R149	Mr SH Abbott	
1670	5626	R149	Mr NJ Allcoat	
1989	6356	R149	Miss B Allen	
1936	6260	R149	Mr R Allen	
1671	5628	R149	Miss S Alves	
1682	5649	R149	Mr A Alvey	
1738	5763	R149	Mr R Armstrong	
1683	5651	R149	Mr SR Atkinson	
1108	4970	R166	Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
1108	4955	R149	Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
1684	5654	R149	Mr ST Bailey	

1786	5874	R149	Mr A Baker
1980	6341	R149	Mr A Baker
1942	6271	R149	Mr GJ Barber
1685	5655	R149	Mrs m Bartle
1944	6275	R149	Mr J Bartram
1739	5765	R149	Mr C Bassett
1910	6209	R149	Mr M Baxter
1740	5767	R149	Mr HW Beard
1902	6193	R149	Mr MA Beech
1686	5658	R149	Mrs RH Begley
1679	5645	R149	Mrs LS Billington
1741	5769	R149	Mr LS Blanche
1680	5646	R149	Mr R Bollington
1969	6319	R149	Mr J Bonsall
1970	6321	R149	Mrs EV Bonsall
2038	6452	R149	Bonsall
1687	5659	R149	Mr MC Bosworth
2005	6387	R149	Ms ME Bradford
1956	6299	R149	Ms S Brassington
1961	6307	R149	Mrs J Bridges
1960	6305	R149	Mr J Bridges
1993	6364	R149	Mr AL Brown
1813	5922	R149	Mr DJ Brown
1674	5634	R149	Mrs S Brown
1664	5615	R149	Mr WK Brown
1666	5618	R149	Mr DH Bucknall
1978	6337	R149	Mr EP Burnham
1939	6265	R149	Mr M Burnham
1964	6313	R149	Miss ML Burnham
1979	6339	R149	Mrs SC Burnham
1977	6335	R149	Mr DP Burnham
2009	6395	R149	Mrs RC Callow
2010	6397	R149	Mr JM Callow
1903	6195	R149	Mr R Cartwright
1663	5613	R149	Mrs J Chapman
1662	5611	R149	Mr D Chapman
2032	6442	R149	Dr JS Clark
1804	5905	R149	Mr DJ Clarke
1954	6295	R149	Mr KC Clayton
1805	5907	R149	Mr RD Clifford
1742	5771	R149	Mr NI Cocking
2104	6669	R166	Mr MG Colton
2104	6670	R167	Mr MG Colton
2104	6665	R149	Mr MG Colton
2027	6432	R149	Mr O Corcoran
2028	6434	R149	Dr P Corcoran
852	1538		Mr J Cosslett
1688	5661	R149	Mr PJ Cox
1689	5663	R149	Mrs P Cox
124	150		Mrs JL Cox
2013	6403	R149	Mrs R Crust
1982	6345	R149	Mrs HJ Cunliffe
2024	6427	R149	Mr AC Curzon
2033	6444	R150	Mrs D Dallimore
1948	6283	R149	Mr S Daniels
1963	6311	R149	Mr R Daniels
2039	6454	R149	Mr SP Davies
1809	5915	R149	Mr B Davis
1768	5819	R149	Mr DM Deakin
1803	5903	R149	Mrs A Delacey
1743	5774	R149	Mr FD Dilley

Toton & Chilwell Community Centre Group

1743	5773	R149	Mr FD Dilley	
2043	6462	R149	Mrs M Doughty	
1957	6301	R149	Mrs B Duke	
1678	5642	R149	Mrs IM Eaton	
1971	6323	R149	Mr DR Eberlin	
1744	5775	R149	Mrs E Escott-North	
1690	5665	R149	Mr PR Evans	
1691	5667	R149	Mrs D Fisher	
1745	5777	R149	Mr SA Fisher	
2008	6393	R149	Mrs P Fisher	
2007	6391	R149	Mr M Fisher	
859	1548		Miss D Foster	
599	4476	R149	Mr G Foster	Nottinghamshire County Council
599	1755		Mr G Foster	Nottinghamshire County Council
1925	6239	R149	Mrs BW Fowler	
1924	6237	R149	Mr GV Fowler	
1927	6243	R149	Mr B Fox	
1928	6245	R149	Mrs B Fox	
886	4786	R149	Mr AG Frew	
1909	6207	R149	Mr B Fu	
1904	6197	R149	Mrs BM Gani	
2035	6447	R149	Mrs A Garratt	
1811	5918	R149	Rev PW Gibb	
855	4776	R149	Mrs JE Gibbs	
864	1553		Rev PW Gibbs	St Peter's, Toton
855	1541		Mrs JE Gibbs	
2037	6450	R149	Mr CP Gibson	
1746	5779	R149	Mr GG Gooch	
1949	6285	R149	Dr KC Gough	
2222	6803	R169	Ms G Gray	
1972	6325	R149	Mr DM Green	
1988	6354	R149	Mrs E Green	
1692	5669	R149	Mr J Griffin	
2044	6463	R149	Mr S Hall	
1747	5781	R149	Mr R Hampton	
1983	6347	R149	Mr JM Handbury	
1906	6201	R149	Mrs S Hardwick	
1807	5911	R149	Mr ADG Harvey	
862	1551		Mrs AE Hawksworth	
1998	6374	R149	Mrs LA Heath	
1994	6366	R149	Mrs JE Hellaby	
1693	5671	R149	Mr JW Hemmings	
1695	5675	R149	Mrs R Henshaw	
1694	5673	R149	Mr J Henshaw	
1106	2239		Mr R Hepwood	Miller Homes East Midlands
2001	6380	R149	Miss K Higginbottom	
1996	6370	R149	Mr P Hiles	
1748	5783	R149	Mr SJ Hill	
1915	6219	R149	Mr KR Hodson	
1696	5677	R149	Mr PA Horsnall	
1697	5679	R149	ML Horsnall	
1965	6315	R168	Mr AN Howarth	
1749	5785	R149	Prof SM Howdle	
1698	5681	R149	Mrs JR Hudston	
1673	5631	R149	Mr M Humphreys	
1908	6205	R149	Mrs S Hurley-Hall	
1796	5892	R149	Mr CWA Ireland	
1600	5516	R169	Mr H Jackson	
1665	5617	R149	Ms SE Jackson	
1751	5788	R149	Mr ID James	
1952	6291	R149	Mrs HM Jenkins	

2012	6401	R149	Mrs SI Johnston	
1995	6368	R149	Mr B Juffs	
1921	6231	R149	Mr N Kirk	
1752	5790	R149	Mr LM Kristiansen	
2014	6405	R149	Mrs NG Lamplough	
1914	6217	R149	Mrs JM Larmer	
2036	6448	R149	Mrs J Lawrance	
2042	6459	R149	Mr M Lefrom	
1955	6297	R149	Mr AP Linton-Smith	
1930	6249	R149	Miss A Lister	
1802	5901	R149	Mrs S Long	
1953	6293	R149	Mrs B Lowe	
1753	5792	R149	Mr K Lowther	
1997	6372	R149	Mrs DK Lucking	
943	1758		Mrs M Lyons	
1755	5796	R149	Mr R Marriott	
1754	5794	R149	Mr I Marriott	
1919	6227	R149	Mr SJS Marsh	
1756	5797	R149	Mr AR Marshall	
1973	6327	R149	Mr K Mason	
1920	6229	R149	Mr AP Mather	
1987	6352	R149	Mrs M Matthews	
1794	5889	R149	Mr BR McCarthy	
1757	5799	R149	Mr SM McDonnell	
1992	6362	R149	Mrs YY Mellor	
1947	6281	R149	Mr M Melville	
1700	5684	R149	Mr J Middleton	Attenborough Village Environmental Protection Ass.
1672	5629	R149	Mrs W Mitcheson	
2022	6423	R149	Mrs VM Morgan	
1912	6213	R149	Dr CW Morgan	
1135	5028	R149	Mr I Moss	House Builders` Federation
1135	2423		Mr I Moss	House Builders` Federation
1701	5686	R149	Mr RJ Moss	
1951	6289	R149	Mrs G Mullins	
2040	6456	R149	Mrs JL Murrin	
1962	6309	R149	Mr P Murrin	
1806	5909	R149	Mr MC Neal	
2000	6378	R149	Mr E Newton	
1950	6287	R149	Mrs JE Newton	
1702	5688	R149	Miss E Nilan	
1703	5690	R149	Mr D Noble	
2004	6385	R149	Mr JC Norton	
1917	6223	R149	Ms B Oxley	
1918	6225	R149	K Oxley	
2135	6705	R166	Dr N Palmer, MP	
1704	5692	R149	Mr MK Parker	
1940	6267	R149	Mrs L Parks	
858	1544		Mr AR Pearson	
1705	5694	R149	Mrs AL Pembridge	
1706	5695	R149	Mrs LM Perry	
1938	6263	R149	Cllr TAJ Pettengell	
122	148		Cllr TAJ Pettengell	
1788	5878	R149	Mr GE Pole	
1787	5876	R149	Mrs BA Pole	
1976	6333	R149	Mr S Porter	
1935	6258	R149	Mrs KM Price	
1707	5697	R149	Mrs J Pringle	
1760	5804	R149	Mrs GM Pringle	
1759	5802	R149	Mrs J Pringle	
1708	5699	R149	Mr P Radford	

1916	6221	R149	Mr JE Rampton	
2029	6436	R149	Mr WF Ray	
1709	5701	R149	Mrs RA Richardson	
1911	6211	R149	Mr PR Ridout	
1675	5635	R149	Miss KT Roach	
1676	5637	R149	Mr DW Roberts	
2006	6389	R149	Mrs S Robinson	
1710	5703	R149	Mrs NE Robinson	
1677	5639	R149	Mr C Robson	
1761	5806	R149	Mrs P Rookes	
1999	6376	R149	Mrs M Routledge	
1711	5705	R149	Mr P Rowe	
1668	5621	R149	Mr M Rowson	
601	4572	R167	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4573	R169	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4571	R166	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4560	R149	Mr S Rufus	Nottinghamshire Wildlife Trust
1793	5887	R149	Mrs A Russell-Smith	
1974	6329	R149	Ms S Sayer	
1712	5707	R149	Mr P Scanlon	
1762	5808	R149	Mr GW Sharp	
1713	5709	R149	Mr D Sharples	
1594	5510	R149	Mr GM Shenton	
2003	6384	R149	Dr N Sherkat	
2030	6438	R149	Mr W Sinclair	
1981	6343	R149	Mrs J Small	
1799	5896	R149	Mr GJ Smith	
1990	6358	R149	Miss A Smith	
1945	6277	R149	Mr PN Smith	
1946	6279	R149	Mrs R Smith	
2020	6419	R149	Mr M Speakman	
1991	6360	R149	Mrs S Speight	
1905	6199	R149	Mrs J Spibey	
1763	5810	R149	Mr WJ Spowage	
1789	5880	R149	Mrs J Stabler	
1790	5882	R149	Mr AA Stabler	
1931	6251	R149	Mr M Stafford	
1929	6247	R149	Mr AM Stafford	
1932	6253	R149	Mrs B Stafford	
1801	5899	R149	Dr HM Stapel-Powell	
1907	6203	R149	Miss LS Steinman	
1922	6233	R149	Mr G Stephens	
2026	6431	R149	Mr R Stewart	
2023	6425	R149	Mr A Stiles	
1714	5711	R149	Mr D Stonehouse	
1764	5811	R149	Mr IJ Streets	
1716	5715	R149	Mrs K Stuart	
1717	5717	R149	Mr B Tassi	
1808	5913	R149	Mr CJ Thompson	
2002	6382	R149	Mr B Tinkler	
1669	5624	R149	Mr A Truman	
1812	5920	R149	Mr SW Turnbull	
2034	6445	R149	Mr GD Turner	
1765	5813	R149	Mr G Ward	
1766	5815	R149	Mrs MG Warner	
1767	5817	R149	Mr DF Webb	
863	1552		Mr BV West	
1923	6235	R149	Mr TG West	
863	4779	R149	Mr BV West	
2011	6399	R149	Miss SD Wheatley	
1975	6331	R149	Mr MA White	

1926	6241	R149	Mr H Whittington
1715	5713	R149	Mr PJ Wilkinson
1792	5885	R149	Mr ST Williams
2031	6440	R149	Mr A Williams
1934	6256	R149	Mrs EM Windass
123	4101	R149	Mr D Woodhouse
1941	6269	R149	Mrs S Woodhouse
1943	6274	R149	Mr DP Woolrich
1769	5821	R149	Mrs L Yates
1913	6215	R149	Mr P Yendell
1770	5823	R149	Mr NP Youle

Summary of Objection Issues

1. Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.
 - (a) The density and type/character of housing is inappropriate.
 - (b) There is a lack of community facilities and infrastructure.
 - (c) There would be increased traffic plus access and parking problems.
 - (d) There are fears about security.
 - (e) There would be increased noise and pollution.
 - (f) It is unreasonable to protect all mature trees on the site.
 - (g) The land is not genuinely available.
 - (h) It is unreasonable to seek a contribution for education provision.
 - (i) The site allocation is not in accordance with the sequential test in PPG3.
 - (j) Development would set a precedent for future releases of Ordnance Depot land.
 - (k) The removal from the plan of the buffer strip (at Revised Deposit Draft stage) is inappropriate.
 - (l) There is a perceived risk of flooding.

Council's Response:

- (a) The density and type/character of housing is inappropriate.
2. The proposed density for the site reflects guidance in PPG3 (para. 58) and the site's close proximity to frequent public transport services. The Council intends to apply the minimum density level proposed rigorously and consistently to ensure the Council's commitment to sustainable development is implemented. It is not considered appropriate to designate sites to have a minimum net density of over 40 dwellings per hectare, as there is not a choice of public transport modes within 400 metres.
3. Site H2a is a previously developed site within the urban area and is in close proximity to frequent bus services. Whilst several organisations suggest density should be increased, the Council considers a minimum net density of 40 dwellings per hectare ensures efficient use of land in accordance with PPG3 guidance, whilst allowing schemes/layouts that are not out of keeping with the surrounding area.

4. Housing at higher densities does not mean lower quality housing schemes. Indeed the Council's policies emphasise the need for good design and layout. Policy E1: Good Design in the Built Environment will require any proposal to meet criteria relating to amenity, creating safe and secure environments, respecting the setting of the proposed development, and providing landscaping and open space. Policy H3: Housing Type and Size also emphasizes that development should provide a variety of house types and sizes to cater for a range of housing requirements.
5. As such the Council considers that Swiney Way, Attenborough will make an important contribution to supplying new housing within the urban area.
6. Further response on the issue of density is given in the Council's housing round table paper.
- (b) There is a lack of community facilities and local amenities
7. The following specific issues have been raised by local residents;
 - (i) Lack of schools in this area and pressure on existing schools
 - (ii) Lack of recreational and leisure facilities and pressure on existing facilities
 - (iii) Lack of shopping facilities
 - (iv) Lack of health facilities
- (i) Lack of schools
8. Whilst the County Council has raised concerns that the increase in the housing area and density will give rise to an increase in the number of pupils expected to arise from the development, they are not willing, at this stage, to commit to purchasing a site for a new primary school. In the Borough Council's view the need for a new school is likely to be a marginal decision which in management terms could be satisfied by adjustment of existing catchments or by a more selective approach to admission to any particular school. In similar circumstances previously, land has been reserved for a primary school (at Giltbrook Farm) which ultimately could not be justified by the County Council; its allocation in the Local Plan was misleading and was eventually the subject of a departure to the Plan when the site was developed for housing.
9. Given the uncertainty at the present time as to whether or not a new school will be required, and bearing in mind that there is no commitment to purchase a site, this Council does not consider it is appropriate to allocate a site for this purpose. However financial contributions will be sought within the planning application process for educational provision commensurate with the demands created.
10. Discussions on the need for a new school are currently being held with the County Education Authority; any outcome of discussions will be reported as an addendum to this proof, in response to the County Education Authority's written representations.
- (ii) Lack of recreational and leisure facilities
11. The Council will ensure that provision is made for the enhancement of recreation provision within the site under policy RC6 of the Plan. Also the existing play area adjacent to the site is proposed to be upgraded with additional improvements sought to the play area to the south-west of the site.

12. The Council is aware of the evidence of demand for additional community facilities in the area, but is of the opinion that this should not be catered for in the form of a land use allocation which reduces the capacity of the site for housing or employment development. In practice, such facilities are more likely to arise from the re-use or conversion of existing premises in the area rather than as new build. There is a concern that if land is allocated for a community building in the absence of committed and firm proposals, there would be a considerable risk of the land being 'blighted'.
13. The Council has been responsive to community needs to develop services, within resource limitations, and as a result has established four community centres in the south of the borough over the last ten years: at Leyton Crescent, Beeston Rylands (1991); at Beeston Fields and Inham Nook (both in 2001); and at the Greenwood Centre, off Banks Road, Toton (in 1994). These latter two locations are within 2km of the proposed housing site at the Central Ordnance Depot land. None of these centres were established through identification in a local plan.
14. Greenwood and Leyton Crescent are both purpose-built centres, however, Council policy in recent years has been to refurbish vacant or underused property to a suitable standard for community use. A further example elsewhere in the borough will be established towards the end of 2001 at Sunnycroft, Eastwood, again not as a result of a local plan allocation. Such opportunities will continue to be identified through the Council's Community Strategy, which emphasises the importance of examining and addressing "any barriers preventing access to services and facilities" in prioritising needs for community facilities.

(iii) Lack of shopping facilities

15. Shopping facilities are available within a short walk, including local shops at Ranson Road, the Co-op at Swiney Way and Chilwell Retail Park at Nottingham Road, and regular bus services serve the site. There is not considered to be shortfall of shopping facilities in this area.

(iv) Lack of health facilities

16. Sites for local health facilities are not usually allocated through the local plan process. This is a matter for the Local Healthcare Trust and GP practices who have not requested any sites in the locality. Planning applications for development of this type will be determined with reference to local plan policies and any other material circumstances.

(c) There would be increased traffic, plus access and parking problems

17. Any new development is likely to result in additional traffic, however careful choice of sites helps to mitigate this impact. Previously developed land situated in the urban area is considered the most favourable under the 'search sequence' suggested by para 30 of PPG3: Housing; such sites are generally considered more sustainable and result in less trips by private car. The proposed site is such a site, and is also close to a number of frequent bus services along Nottingham Road. Swiney Way is a substantial distributor road leading to the main arterial route between Beeston and Long Eaton (the A6005), and also provides good access to the A52 and the M1 via Stapleford Lane.
18. The Millennium cycle route runs adjacent to the site. The Council will also expect the development to include a new pedestrian crossing at Swiney Way and financial contributions to walking and cycling measures.
19. All of the above lead the Council to consider that the site will not result in an unacceptable increase in traffic.
20. The proposed accesses to the site have been shown in the development brief. The acceptability of the detail of the access routes and layout will be assessed when an application is submitted. However the County Council has confirmed that it has no objections to the allocation on highways grounds.

- (d) There are fears about security
21. The Council allocates land to meet the housing requirement for the borough. Previously developed land within the urban areas is considered the most appropriate for providing new housing development.
 22. The design and layout of any proposal will be assessed when an application is submitted. However Policy E1 - Good Design in the Built Environment requires development to provide “ A safe and secure environment, where necessary including crime prevention features”. The Council consults the police when considering new housing layouts to discuss issues of crime prevention in layouts.
- (e) There would be increased noise and pollution
23. All development results in some noise and disturbance especially during the construction process. However the Council needs to allocate land to meet the housing requirement, and there is no reason to believe noise levels will be unacceptable. Any pollution issues such as the possible presence of asbestos on site will be governed by the Health and Safety Executive and appropriate action taken to make the site safe before development.
 24. These issues will be assessed when any detailed application is submitted, as they have been successfully with all other residential development on the MoD site.
- (f) It is unreasonable to protect all mature trees on the site
25. The Policy H2(a) states that “The proposal shall include measures for the protection of mature trees within and adjacent to the site”. The Council considers it is important to retain mature trees wherever practicable as they can contribute to the attractiveness of the new residential environment. The Council does not consider this wording places an unreasonable constraint on the potential redevelopment - especially as there are only a limited number of trees on site.
- (g) The land is not genuinely available
26. The land is available and has been released by the MOD for sale on the open market.
- (h) It is unreasonable to seek a contribution for education provision
27. The Council considers it is reasonable to require financial contribution to educational provision commensurate with additional demands. The Council consider this approach to be in accordance with Circular 1/97 Planning Obligations.
- (i) The site allocation is not in accordance with the sequential test in PPG3
28. The allocation of site H2a for housing and its placement in phase 1 is entirely in accordance with the sequential test in PPG3. H2a is a site consisting of previously developed land within the urban area and as such is the most appropriate and sustainable type of site.
- (j) Development would set a precedent for future releases of MOD land
29. The Council is required to allocate land to meet its housing requirement. However the allocation of this previously developed site does not set a precedent for development on other land. Any future releases of MOD land, or indeed proposals for development on other land, will be assessed on their

own merits. In principle, however, further releases of previously developed MOD land would be fully in accordance with the guidance in PPG3.

- (k) The removal from the Plan of the buffer strip (at Revised Deposit Draft Stage) is inappropriate
- 30. The requirement for a buffer strip between the housing and employment areas has been replaced by the following requirement; “appropriate measures should be taken with the design, layout and landscaping at the interface between housing and employment development”. It is considered that this alternative wording will, whilst being equally exacting, allow more flexibility in achieving an acceptable relationship between the two uses. It is generally recognized that a buffer strip is not the only way to protect the amenities of future residents.
- (l) There is a perceived risk of flooding
- 31. This site is not within those areas identified by the Environment Agency as being subject to a 1.0% or greater annual probability of flooding. Furthermore the site H2(a) is some distance from Attenborough village, and it is therefore not considered that the proposed development will have any impact on this area.

Background

1. This site was allocated in the FDDP for a minimum of 215 dwellings. Its size and density was increased in the RDDP resulting in extra 150 dwellings on the site. I support the Council's assumptions of increased windfall developments and conversions and of extra capacity on brownfield land revealed in the Nottingham City Urban Capacity Study. However, I conclude that phasing under Policy HX is the most appropriate way of meeting legitimate concerns to develop brownfield land first whether it arises in Broxtowe or Nottingham.

Inspector's Conclusions

Site Search Sequence

2. According to the criteria in PPG3 Annex C, this site is classed as previously developed land. As such, it is preferred above greenfield sites for housing development in the sequential tests of government policy in PPG3 and in regional policy in RPG8. The Borough Council's Urban Capacity Study (CD21a) identified insufficient previously developed sites to meet SP requirements for housing and employment land and thus it is important to make the best use of such sites that are available. I cannot see how this site's development would, in itself, set a precedent for the release of further MOD land; this will depend upon future military needs. However, if MOD reviews identify further land that can be released, its re-development would also be in line with the advice of PPG3 and RPG8. There is no evidence, despite some assertions, that the site is not available for development. It has been unused for a number of years and has apparently been released for development. However, construction awaits the results of this inquiry and subsequently planning approval.

Density and Residential Amenities

3. The revised minimum density was controversial. Many local residents were concerned about the type of dwellings that this could involve as well as the

additional demands on local facilities, including the transport network. Government policy in PPG3 para 58 is concerned to avoid the inefficient use of land for housing partly to relieve pressures on greenfield sites in the countryside and the Green Belt, which have attracted many objections elsewhere in the Borough, and partly to better sustain local services and public transport. It cautions against unduly restrictive ceilings on housing densities and encourages densities of between 30 dph and 50 dph and more in places with good public transport.

4. The minimum density now proposed for site H2a (40 dph) accords with government policy. It reflects the criteria in Policy H6 relating to public transport accessibility, which I generally support later in this Chapter. It also reflects the site's good access to local facilities and employment. This density may be higher than some nearby housing estates according to the study of Mr Woodhouse, but these in turn are more densely developed than the older parts of Chilwell/Attenborough south of the A6005. However, they are no less attractive or less sensitive for that. Higher densities do not imply poor design or high rise flats as government publications demonstrate, although I see nothing wrong in suitably located and well designed three or even four storey dwellings. Some high rise developments in the past may have led to environmental and social problems but this form of development is not envisaged here. A minimum density of 40 dph should achieve a high quality of design in accordance with the advice in PPG3 para 54, 55 and 56. I see no reason why this or even a higher density should affect the value of existing properties, although this is not a factor to which I can attach weight. It is, in any case, much more susceptible to macro economic factors. I address Mr Woodhouse's criticisms of consistency between housing allocations elsewhere.
5. The density envisaged may be higher than previous developments in the Borough. However, the nearby Barratt development on site H2b achieved a density of more than 40 dph and I see no reason why this should not be achievable on this larger site, despite the scepticism of Stamford Homes and others. Higher minimum densities of 50 dph or more, as requested by Greasley and Nuthall Parish Councils and even higher by Dr N Palmer MP and the Nottinghamshire Wildlife Trust would be excessive for this site. Their desire to reduce the need for greenfield and Green Belt land, whilst laudable, has to be balanced against the interests of future occupiers of the site and of neighbouring residential areas to enjoy good space and amenity standards. The Trust's concern to build sustainable communities overlooks that most new housing developments take the form of very modest additions to an existing housing area and that their impact upon overall densities of towns is hardly significant.

Dwelling Types

6. Most of the existing dwellings in the immediate neighbourhood may be detached and semi detached houses and bungalows. However, it is government policy to encourage a mix of housing types and sizes and the provision of an appropriate element of affordable housing. Thus a proportion of terrace dwellings and flats on the objection site, if this were proposed, would meet a wider range of housing needs in the locality. A more intensive and different form of housing development should not detract from the character of the area, which already shows a variety of

land uses and building forms, with various types of dwellings, large military buildings and retail, leisure and commercial buildings. Site H2a and its immediate locality has no particular character worthy of special protection such as a Conservation Area. Simply replicating the form, type and density of existing development with only more semi and detached houses and bungalows would do little to add variety and interest to the area that different densities, layouts and styles and even different uses could bring. There are many successful developments, old and modern, based upon a high proportion of terrace dwellings.

7. I see no reason to eschew starter homes, which some objectors dislike. They clearly meet a need for affordable homes for those entering the housing market. There is no evidence that starter homes lead to an unduly high number of school children. On the other hand, whilst much of the need for additional dwellings arises from the needs of single person households, I see no basis to limit new dwellings to single bedrooms; many single people wish to accommodate visitors and have an eye to changing circumstances.
8. Many local objectors coupled their concerns with criticisms of a recent development (site H2b), which is now outside my remit. The Council has no alternative, under the law, but to consider any planning applications submitted to them, at whatever time. How they deal with these is for them to determine, not me.
9. Local Plan Policy E1 and the normal development control process should ensure satisfactory space, amenity and design standards for occupiers of dwellings on site H2a and for neighbouring properties, although these may not be so generous as on earlier developments. There is however, no right to a particular or an unchanging private view; indeed it would be difficult to build the new houses that are needed anywhere if there was. Space standards for main elevations are not subjective, as some claim. They should achieve reasonable standards of light, sunlight, privacy and freedom from dominance for dwellings in urban areas. However, standards are clearly lower for the less important side elevations. Furthermore, site H2a only adjoins existing housing on parts of its eastern side and is separated by roads from other housing estates.

Parking

10. I see no great problem for neighbouring estates if future occupiers on the objection site choose dwellings without garages. After all, outside parking is commonplace even for dwellings with garages. Again roadside parking is commonplace nowadays in most residential areas. However, parking areas could be provided and there are means of improving their security. I see no reason why occupiers of site H2a should park in the neighbouring housing estates; most people wish to park close to home for a number of reasons.

Noise, Pollution and Security

11. There is no reason why development should give rise to any undue noise or pollution. Minor disturbance can occur during construction on new development sites, wherever they are. It is the developer's responsibility under the control of the relevant government agency to deal safely with any contaminants, such as asbestos, that may be found on the site using well tried methods. There is nothing

about this particular site that should cause any unusual security concerns or problems of policing, bearing in mind that new development has to go somewhere in the borough. There is no evidence that moderate housing densities and affordable housing leads to any higher incidence of crime, despite some residents fears and the latter has to be provided somewhere in the Borough.

Landscape and Trees

12. R165 to the FDDP provides a more direct and sensitive means of addressing the interface between the housing and employment allocations than the original buffer strip, whose purpose seems to have been misunderstood by the Wildlife Trust. There is also a requirement, that I support, for the immediately adjoining employment development to be Class B1; uses that by definition can be accommodated within residential areas. This is in accordance with the advice in PPG4 and given the size of the employment allocation, it should not impose undue constraints. There are few trees of note on the site and their retention should cause no great problem; the most notable avenue of small trees corresponds with the open space "allocation". Clearly protection measures should only be applied to trees that are worthy of retention, but the Plan does not need to make such an obvious point. New planting would also be needed as part of a housing scheme.

Local Facilities

13. Again many local residents objected to the increased density because of the impact that they feared this would have on local services and facilities. However, an increase from 30 dph to 40 dph on the reduced site (allowing for a new Primary School) would only amount to about an extra 77 dwellings (about 308 total). The impact of this additional demand on most local facilities and the transport network should not be significant. Chilwell may have experienced significant development over the years, but this is nothing unusual in urban areas. There is no evidence to support the views of some local residents that Chilwell has reached saturation. I know of no critical thresholds that are in danger of being breached, other than in local Primary Schools.
14. The site is very close to a small local shopping centre. It lies within walking distance of a superstore on Swiney Way, the Chilwell Retail Park, a public house and a Hotel and Leisure club. It is well served for most everyday shopping needs. It is about 3 km from Beeston Town Centre and about 1.7 km from Long Eaton Town Centre with a greater range of shops and services, both accessible by public transport as well as by road. It is for the Local Health Authorities, GP and dental practices to provide health care facilities for existing and new residents and they are accustomed to responding to the needs of increasing patients. There is no evidence, despite the fears of local residents, that the extra houses involved would bring existing services and facilities in the area, or indeed the community, to breaking point. I see nothing wrong in building new or extended facilities to provide any extra capacity that might be needed locally. The site is in many respects a highly accessible and sustainable location.

Open Space

15. Chilwell ward is somewhat deficient in space for outdoor sports when judged against the NPFA standards, although it is above the standards for play space. The development brief and allocation provide for an extension of the adjoining informal open space to the east and is of an appropriate scale and form for this particular site. The Primary School on the site may also provide some joint use of open space provision. There is a larger recreation ground about 400 m to the west and smaller ones to the east. There is also an extensive open area to the south of the railway line. I see no justification to require a developer of this modest sized site to make good existing sports field deficiencies, as some local residents requested and there are no proposals by the Council, who are responsible for open space in the Borough, to provide any on this site.

Transport

16. Suitable vehicular access to the site could be obtained from the surrounding road network. The development brief shows three suggested point of access to H2a and EM3a, which should meet the concerns of the Highway Authority. Swiney Way and Ranson Road are good grade roads with few individual accesses and with adequate all-day capacity. Their junctions with Nottingham Road are controlled by traffic lights and provide safe convenient access. Swiney Way provides good access to the A52 and the M1 motorway. Mountbatten Way is a residential estate road and the detailed layout of site H2a would need to respect its environment. The form of a new junction with Swiney Way is a matter of detail for a later stage.
17. Development of H2a and the adjoining employment site would generate additional traffic onto the road network. However, the difference in the numbers resulting from a density of 40 dph rather than 30 dph is, at about 500 vpd, for the reduced site, quite modest. The total, about 2150 vpd, should not create any significant extra problems on the road network. Some congestion occurs particularly along the A5005 and the A52 during peak periods but congestion is widespread throughout the conurbation and I am unaware of any suitable alternative sites that would not also experience peak period congestion. However, I cannot accept that Nottingham Road and other local roads operate at capacity outside peak periods and at weekends, as some objectors allege. They have sufficient all day capacity to take the extra traffic generated by site H2a.
18. There are frequent bus services along Nottingham Road, which should help to encourage some modal transfer to public transport. There is no evidence to support claims that current services are in chaos; indeed this is one of the better routes in the area. The normal response of bus companies to saturated services is to run extra ones. Attenborough Station is over 800 m away and a rail service segregated from road traffic congestion offers an alternative form of public transport for those willing to walk the extra distance.

School Facilities

19. The adequacy of local primary schools was a controversial and protracted issue. After the educational disadvantages of their earlier suggestions were revealed, the Borough Council belatedly accepted the need to identify 1.4 ha for a new Primary

School on the site, in view of the expected shortfall in the capacity of local schools to deal with the extra pupils from the development. It is a laudable aim to attempt to maximise housing development on allocated sites, but not at the expense of providing essential facilities such as school places. I note the points made by GVA Grimley. The LEA may not have objected to other nearby housing developments, but with continuing housing development in the area the stage may be reached when existing school capacity is exhausted and new facilities are needed. The LEA, who have to deal with the resulting problems, are normally the best placed to judge when this is likely to occur. The reservation of a site for a PS would be the prudent and responsible response. It would need to be purchased in due course by the LEA.

20. This is quite separate to any requirement that might arise under Policy RC3, whose operation is clearly related to the need for additional facilities occasioned by a particular development. If none were generated by previous developments, there would be no good reason for the LEA to request contributions under Policy RC3. This clearly does not stop them from seeking contributions from new developments that breach the threshold of existing capacity and lead to a need to provide for extra school facilities. Policy RC3 may thus fall upon some developments but not others at different times but it is not intended to operate as some form of education tax on all new developments. The alternative would be to reject proposals such as H2a on the grounds of a lack of local school facilities, as many existing residents would wish. IC33 clarifies the position regarding Policy RC3 although its mention in Policy H2a is unnecessary as the provisions of RC3 apply in any case. The same applies to IC33 to allocation H2b.
21. The Field Lane site itself may not be developed in the Plan period, but the LPA have assurances that others in the vicinity would be substituted. However, this is not the point. The LEA clearly has a responsibility to plan ahead, particularly in an area where opportunities for new school sites are so limited. Policy RC3 would apply to site H2a at the planning application stage in the circumstances at that time, when the numbers of potential school children would need to be re-calculated. Its provisions, as the HBF point out, do not need repetition in Policy H2a, as the Plan should be read as a whole. I recommend that references to Policy RC3 in individual housing allocations should be deleted. This would avoid unnecessary duplication. I also agree that term “enhancement” is misleading. Developers may be asked to contribute towards the extra education facilities created by the development, but it goes beyond the advice of Circ 1/97 to seek improvements in existing provision.
22. In the event that it turns out not to be needed, the PS site could be incorporated into the housing scheme with little problem. The siting of the PS site should recognise this and also the need for joint community use of school facilities, which I deal with below. The Borough Council’s initial approach on this allocation contrasts with that on others notably H2g where a school site has been reserved for 30 years with their own support but with little obvious commitment to development by the LEA.

Community Facilities

23. I was impressed by the evidence on the range of community activities, of pressures on existing local community facilities and on the unsatisfied needs and demands, including church activities. I was also impressed by the planning undertaken by the Community Centre Group and others. However, it was disappointing that the resources of local schools, for whatever reasons, have not been made more readily available for community uses as they are in some other LEAs. This represents an under use of valuable public resources, particularly in the evenings. It seems wasteful and inefficient for community groups to have to develop separate duplicate facilities which themselves may be used for only part of the day; as Rev Gibbs pointed out mainly in the evenings. I note the support of the Area Dean for joint use, although the type of Primary School is not a matter for me. The Borough Council is anxious to encourage joint use of school facilities and community groups should therefore be able to rely upon their active support in future discussions.
24. Whatever, the constraints on existing schools, the opportunity exists with the reservation of a new school site on H2a to plan for joint community use from the outset. This could act as a focus for the existing community and enhance its social life. Some funding from local initiatives and from the National Lottery could provide enhanced facilities to benefit the school as well as some independence for and a measure of control by Community organisations and their members. As the Community Centre Group accepted, the use of the same facilities at different times is a sustainable approach and an economic use of capital. Also Lottery money is not available to assist with running costs.
25. In view of these factors, I do not consider that a shared facility would be second best nor do I believe that it would be appropriate to allocate a site of .75 or .5 ha specifically for a separate community facility. It would also be unreasonable, in the light of the advice in Circs 11/95 and 1/97 to require a developer of this relatively modest housing site to meet part (50%) of the costs of a new community centre, which from the evidence is needed to deal mostly with the demands of the existing community rather than those generated by the development itself. It is not appropriate to recommend a designation for combined school and community centre use. The various parties involved need, in any case, to work towards achieving satisfactory joint solutions.
26. In the meantime, better use could be made of existing facilities in the general area. An approach could be made to the Education Authority seeking some joint use of Chetwyn Road School, which was rebuilt recently and whose hall is apparently accessible without going through the rest of the school. Negotiations with the adjoining superstore might allow the rear pedestrian access to remain open outside school hours. Although Chetwyn Road is residential, it is from my site visit, wide enough to allow two cars to pass even with some street parking. There could also be some scope for community use of Chilwell Olympia to serve the eastern part of the area.
27. Although BBC were unable to identify any existing premises for conversion at the inquiry session, a possibility emerged after this and before the inquiry itself closed at the Chilwell Methodist Church on Clarkes Lane. It seems that part of this is a maintenance liability due to its poor condition but the Council would apparently resist any demolition due to the contribution it makes to the Conservation Area. It would also meet the Council's preference for refurbishing underused property to a

suitable standard for community use. Lastly, the purpose built Greenwood Community Centre may be on the outskirts of the area, but it is quite accessible to large housing areas on foot and to the whole area by car; there are various means of improving security.

Development Brief

28. Defence Estates made a number of very detailed objection points relating to the treatment of the Swiney Way frontage, MOD security requirements and the status of the layout in the development brief. Clearly the terms of the development brief should reflect the explanatory text to the Policy. It is intended to provide guidance to a planning application but has limited status beyond that. If there are good reasons for changes of detail, not doubt they would prevail.

Flooding

29. Site H2a is not identified by the EA as being subject to a 1% or greater annual probability of flooding. It is some distance from Attenborough village and no evidence of flooding on the site itself was put forward. I cannot see how development of the site with a modern surface water drainage scheme could exacerbate conditions in Haddon Crescent, some distance away and beyond intervening modern development, or in other areas in the locality.

Synthesis

30. I conclude that this site and its proposed minimum density are appropriate and should be supported. Many of the local objectors concerns should be addressed in the detailed design and provisions of a scheme.

Recommendation

31. I recommend that no modification be made to the RDDP in respect of these objections, other than the reservation of a 1.4 ha site for a new Primary School and the deletion of the last paragraph of Policy H2a. The Council should ensure appropriate community provision in the planning and the management of the new PS on site. They should also ensure compatibility between the development brief and Policy H2a and its explanatory text.

H2c HOUSING SITE, MAIN STREET, AWSWORTH

H2c	<i>New housing sites - Main Street, Awsworth</i>		
1154	5056	R151	W. Westerman Ltd
			DPDS Consulting Group
1006	4848	R151	Nuthall Parish Council
			Browne Jacobson Planning Unit
748	2384		David Wilson Homes North Midlands
			David Wilson Estates
1155	2401		Greasley Parish Council
			Andrew Thomas Planning
1155	7027	PC3	Greasley Parish Council
			Andrew Thomas Planning
1155	5121	R151	Greasley Parish Council

1006	7043	PC3		Andrew Thomas Planning Nuthall Parish Council
1179	2759			Browne Jacobson Planning Unit
1108	4972	R176	Mr M Bagshaw	Obj to Building E of Main St Awsworth Stamford Homes Limited
1108	4957	R151	Mr M Bagshaw	Barton Willmore Planning Partnership Stamford Homes Limited
1381	3487		Ms F Forgham	Barton Willmore Planning Partnership Government Office for the East Midlands
2271	7004	PC3		Mr J Logan Walter Scott & Ross Solicitors
1419	6891	PC3	Mr AJ Lovell	
228	6816	PC3	Ms SE Page	
1212	2878		Mr A Thompson	

(Note: This list excludes objections which were withdrawn in response to the Pre-Inquiry Change, however points raised in these objections are dealt with below).

Council's response to objections made to the Pre-Inquiry Changes

1. This site was considered to be suitable for inclusion in the Revised Deposit Draft, when there was a need to find sites for over 2,000 new dwellings in order to meet Structure Plan requirements.
2. Pre-Inquiry Changes made to the plan in April 2001 involved the deletion of four greenfield sites proposed for housing, including this site. These Pre-Inquiry Changes were prompted by the Nottingham Urban Capacity Study, published in March 2001, which indicated that there would be considerable additional capacity for housing in the City before 2011. The Borough Council also re-estimated the likely annual rate of housing to be gained from windfall sites, as part of the Pre-Inquiry Changes.
3. The overall net result of these changes was to create a shortfall of 250 dwellings from the Structure Plan allocation figure for Broxtowe. The County Council did not raise any concerns about conformity of the Local Plan with the Structure Plan.
4. The four sites which were deleted, including this site, were all in Phase 2 of the Plan's housing phasing policy, reflecting their lower preference compared to Phase 1 sites, which are mainly on previously-developed land. In contrast, this is a greenfield site and as such it falls outside the search sequence set out in paragraph 30 of PPG3. (This interpretation of PPG3 has been confirmed by the Government Office for the East Midlands, whose letter of 19 December 2001 is appended to this proof). The Borough Council considers that the deleted sites would not need to be developed within the Plan period.
5. The issues of principle raised by the Pre-Inquiry Changes - regarding windfall rate, conformity with the Structure Plan and urban capacity - were debated at the Housing Round Table session at the start of the inquiry.
6. The Council considers, on reflection, that as a logical corollary of the proposed deletion of the allocation as a Pre-Inquiry Change, the site should have been proposed for inclusion within the Green Belt.

Issues raised on objections prior to Pre-Inquiry Changes

7. The Council's position on this site has changed between the Revised Deposit stage and the Pre-Inquiry Changes such that the site is no longer favoured by the Council. In this respect therefore those who were objecting to the inclusion of the site have now had their objections met. At the

Inspector's request - and on the basis that he is dealing with objections made at the Revised Deposit stage - the Council has responded to those objections as if the site was still allocated.

Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) The proposed development involves the loss of a green field site.
- (b) The proposed development would lead to loss of views and spoil the village.
- (c) The proposed development would reduce the gap between settlements.
- (d) There would be a loss of footpaths resulting from the development.
- (e) There would be pressure on local facilities arising from the development.
- (f) Traffic along Main Road would increase.
- (g) The site is not genuinely available.
- (h) The minimum net density selected for this proposed development is inappropriate.
- (i) The site provides a good habitat for a range of plants and animals.
- (j) The site should be defined as a mature landscape area.

(a) The proposed development involves the loss of a greenfield site.

8. The Council undertook an urban capacity study during its plan preparation which clearly indicated that some greenfield land would be needed for development, as previously-developed opportunities would be insufficient to meet Structure Plan requirements. The site was not designated as Green Belt, which otherwise surrounds the edge of the main part of Awsworth.

(b) The proposed development would lead to loss of views and spoil the village.

9. It is inevitable that new peripheral development on any built-up area will obscure an open view previously enjoyed by occupiers on the existing edge of the settlement. The loss of a view to an individual is not a planning matter but the intrusion of new development into the countryside which might affect views in the area more generally is a legitimate concern for consideration. In this case the allocated site is not considered to detrimentally affect views of the wider open countryside. At less than a hectare, its size is insufficient to unbalance the form of the village or in other ways spoil the village. The appearance of this existing edge of the village is not particularly attractive and could be improved by appropriate planting along the new built-up edge to be created on the development site. This was referred to in the revision made (R175) correcting "green belt beyond" to "green belt boundary" in response to an objection from the Government Office.

(c) The proposed development would reduce the gap between settlements.

10. The eastern edge of Awsworth does not directly contribute to a gap between settlements. Important gaps exist to the northern and north-eastern edges of Awsworth, separating it from Kimberley and Giltbrook, and to its western edge, separating it from Cotmanhay in Derbyshire.

(d) There would be a loss of footpaths resulting from the development.

11. There would be no loss of rights of way resulting from the proposed development. A section of a bridlepath between Awsworth and Babbington currently skirts the edge of the field south of the former allotments, and this would be incorporated into the new development on or close to its existing line. A footpath traverses the northern end of the site, and similarly this can be maintained within the proposed development layout.

(e) There would be pressure on local facilities arising from the development.

12. This small site would not be expected to significantly increase pressure on any of the local facilities. It is accepted that Awworth primary school is nearing capacity of its present accommodation but it would be unreasonable to expect a financial contribution towards education provision to arise from such a small development site.

(f) Traffic along Main Road would increase.

13. The development will marginally add to traffic along Main Road, but there has been no objection to this proposal from the highway authority. Main Road previously carried large volumes of traffic prior to the completion of the Awworth by-pass, and is now a relatively quiet road with few heavy vehicles.

(g) The site is not genuinely available.

14. The access road for the site is constructed and adopted, and there is no known impediment to its release and development. (An outline planning application for its development was submitted in October 2001. Permission was refused on 17 December 2001 and the notice of refusal is appended to this proof).

(h) The minimum net density selected for this proposed development is inappropriate.

15. The density for this site was not increased at Revised Deposit Draft stage, in common with other sites, as it is a small site with a shape which dictates its development pattern. It could not be required to have a higher minimum net density than 30 dwellings per hectare without resulting in development inappropriate to the character of its surroundings. However, in response to objections that this density would not be achieved, the Council remains confident that this is a realistic density figure.

(i) The site provides a good habitat for a range of plants and animals.

16. The site is not a Site of Importance for Nature Conservation (SINC) or a "SINC under review" and the Council is not aware of any evidence that the site is of significant wildlife value.

(j) The site should be defined as a mature landscape area.

17. Mature landscape areas are defined at a county-wide level on the basis of Consistent criteria. (These are referred to in paragraph 3.105 of the Revised Deposit Draft). The site does not meet these criteria.

Rebuttal of points raised in the objector's proof

18. Paragraph 9 of the objector's proof suggests that the Council regarded the objection site as being a potential windfall site from at least 1998. This is not the case. The Council assumes that the objector's suggestion is based on the fact that the site was included in the Consultation Draft in 1998. However page 3 of the Consultation Draft Potential Development Sites booklet (CD14) states:

"The sites - which provide for about 8 times the land area likely to be needed - are primarily based on those already put forward for possible development by developers and landowners and it is emphasised that at this stage the Council neither approves nor disapproves of their allocation".

The site was included as a draft allocation in the Deposit Draft in 2000 and the Revised Deposit Draft in 2001, and it is now proposed to be deleted for the reasons given above.

19. Paragraph 11 of the objector's proof suggests that if the site were allocated it would be "at the expense only of a decrease in the available or likely windfall sites". This implies that the site would be likely to receive permission as a windfall. However this would only happen if the site met the tests of policy H8 or PPG3. Policy H8 would not be relevant as the site is not within existing built-up areas and PPG3 considerations would weigh against an approval. In particular, paragraph 36 of PPG3 states that no allowance should be made for greenfield windfalls. In the Council's opinion, this very strongly implies that greenfield windfall development is inappropriate and therefore that applications for greenfield windfalls should be refused. An application for a potential windfall development on this site would therefore be likely to be refused. In addition, if the proposed Inquiry Change referred to in paragraph 6 of this proof is carried forward, the site will be included within the Green Belt and this will represent a further strong reason for refusal.
20. Paragraph 13 of the objector's proof indicates that development of adjacent land has been based on the expectation that the objection site would be developed. However any such expectation has been based on speculation by the objector and not on any form of commitment by the Council.

APPENDICES

Notice of refusal dated 17 December 2001

Letter from the Government Office for the East Midlands dated 19 December 2001

Background

1. This site was allocated in the RDDP for housing. It was proposed for deletion in PIC3 along with others in response to assumptions of an increase in windfall developments and the extra capacity on brownfield land revealed in the Nottingham City Urban Capacity Study. I support earlier the assumptions regarding windfalls but conclude that phasing under Policy HX is the most appropriate way of meeting legitimate concerns to develop brownfield land first whether it arises in Broxtowe or Nottingham.
2. I have to deal with the RDDP and objections to the FDDP that BBC put before me. I also intend to deal, at the Council's request, with their PICs and objections to these.
3. Broxtowe's Urban Capacity Study revealed that there is insufficient previously developed land in the urban areas to meet SP requirements for housing and employment land. Thus they concluded it was necessary to take some greenfield land and even some Green Belt land. BBC's change of heart in the PICs did not extend to by far the largest greenfield site H2I, which also lies within the Green Belt and on best and most versatile agricultural land. BBC wished to retain that allocation.
4. However, as they accepted on site H2X, it is preferable to take suitable sites outside the Green Belt before those within it and that whilst sites are available outside it would be difficult to establish the exceptional circumstances necessary to justify alterations of Green Belt boundaries.

Inspector's Conclusions

Site Search Sequence

5. This allocation H2c lies outside the Green Belt. Although largely open and outside the built up area, it is quite distinct from the agricultural land and Mature Landscape Area to the east in terms of land use, character and appearance and it is separated from it by a strong hedge. Given this, the Council's one time view that it is indistinguishable from the open countryside to the east, is untenable and at odds with their admission that it does not meet the criteria for inclusion in the MLA and subsequently that it is of a different character (albeit minor), use and appearance to land to the east. The site has certainly not blended into the countryside. It is of little value to agriculture or to other uses and relates better to the settlement. Despite its lack of use and for the most part its somewhat derelict character it is not classed as previously developed land according to Annex C of PPG3.
6. Awsworth is not, despite its size, classed as an urban area in the SP para 1.65. However, SP Policy 1/3 provides for LPs to make limited provision for development outside the main urban areas and Public Transport Corridors and the FDDP made a number of modest housing allocations in Awsworth, including this site. As a greenfield site not directly related to an urban area it probably falls within category d) in the search sequence of Policy 1 of RPG8. However, Policy 7 of the RPG provides for local housing in other settlements and its lack of Green Belt status and purposes and its relationship to the neighbouring towns give this small site added priority. It is accessible to a range of facilities in the immediate locality and parts of Kimberley and Eastwood. There is no evidence that the majority of the site is not available for development, as some question.

Location, Local Facilities, Access

7. The site is close to a modest range of shops, facilities and bus services on Main Street and is close to the Primary School. The nearest SS is at Kimberley a bus ride away. It is convenient for employment in the area. It is in a sustainable location. Despite the fears of some local residents, there is no evidence that existing facilities could not cope with the extra demands of such a modest development. Access to the site could be taken from the existing roadway to Main Street, which was constructed with this development in mind and is quite adequate to cater for 20 or so dwellings. The Highway Authority raise no objection and I see no significant safety problems for traffic turning right into this access road. The traffic generated by about 20 new dwellings would be small and well within the capacity of Main Street, which is relieved of much through traffic by the Awsworth by pass. Traffic speeds reflect the behaviour of existing users and there is no evidence that a few additional dwellings would exacerbate any problems. Any that exist may need to be addressed by other means.

Landscape and Village Form

8. It is an unobtrusive site viewed from the village. I do not see how a very modest development on it could spoil the village. Adjoining properties immediately to the west could lose their open views. However, there are no rights to a particular or an unchanging private view and with insufficient opportunities within the urban area, some peripheral development is inevitable somewhere. When viewed from the countryside and the Mature Landscape Area to the east, the site is seen

against the background of the rather untidy backs of houses along Main Street and, as the Council accept, the appearance of this edge of the village could be improved. Development on the site with appropriate planting to strengthen the existing hedge could help to soften the impact of the existing built up area and of any new development on the countryside. The site could make no contribution to the MLA, as the Council conceded, and there is no sound reason to include it within it, as the CPRE once requested. There is no possibility of a modest development in this location reducing the gaps between Awsworth and Giltbrook, Kimberley or other nearby settlement. Existing development in Awsworth already extends closer. Awsworth would retain more than ample surrounding green open areas without this very small site. I know of no proposals for opencast working but even so such activities normally make their own provision for buffer zones.

9. The development of the site could make provision for a continuation of footpath access to the countryside beyond, although the status of any north-south footpath is a matter for the landowners and the County Highway Authority. The current state of the site hardly creates a pleasant environment for walkers. It enjoys no wildlife designation. Its overgrown condition may attract some species but this presents no good reason to prevent development. It does not even have the local SINC status and the Wildlife Trust need to appreciate that many greenfield and indeed some brownfield sites may have some wildlife interest. The issue is whether this is sufficient to outweigh the other favourable factors and the need for development. In this case, it is not. No archaeological value has been brought to my attention, despite David Wilson's question. There is no evidence that the site would be re-used for allotments, as the Wildlife Trust hoped.

Green Belt

10. The Council's view that, as a result of PIC3, the site should have been proposed for inclusion in the Green Belt, is misconceived. However, I had no difficulty in dealing with this issue at this LP inquiry and nor, despite some complaint, did Mr Logan. Court judgements have established that exceptional circumstances, not "major exceptional circumstances", are required to add as well as to subtract from the Green Belt. However, the Council put forward no such circumstances.
11. The deletion or absence of a housing allocation does not, in itself, justify inclusion in the Green Belt; indeed such an approach runs contrary to the advice of PPG2 on safeguarded land. The inclusion of land in the Green Belt must fulfil Green Belt purposes. BBC failed to demonstrate that any such purposes exist. They reject the site's role in maintaining a gap between settlements. It does not form part of the countryside to the east in terms of land use, character or appearance and thus could not help to safeguard it from encroachment. Being well contained to the north, west and partly to the south by the edge of the existing settlement, the site's development would not constitute urban sprawl. Given the need to take some Green Belt land and the operation of a Phasing Policy HX, its development would not frustrate urban regeneration. In these circumstances, it would not, as the Council claim, be logical to alter the approved Green Belt boundary.
12. The fact that the Green Belt boundary around Awsworth mainly follows the edge of the built up area provides no exceptional circumstances as this applies in most Green Belts. Also, the fact that some allotments are included in Green Belts

reflects their particular situation; it does not imply that all allotments should be so included. I would expect Inspectors taking most S78 cases to follow the policy guidance in PPG2 and thus respect approved Green Belt boundaries. However, the remit of LP Inspectors is different; it is to make recommendations on “proposals” to alter these boundaries. Furthermore, other policies, including SP Policy 3/1, have clearly safeguarded this site from development since the Green Belt was established around Awworth in 1985. There is no reason why PPG3 should weaken the application of Policy 3/1, which applies to unallocated sites. It is astonishing that the Council should seek to include sites within the Green Belt on the basis that the RDDP lacks a Policy that would otherwise safeguard unallocated sites from development. However, I recommend the inclusion of Policy E11 from the FDDP to safeguard some sites that I recommend be deleted from the Green Belt but not allocated for development. No stage has been reached to justify abandoning safeguarded land; indeed all the evidence points to the opposite conclusion. This objection site’s inclusion in the GB would be at odds with statements supporting HO8 in CD20.

13. Other minor boundary changes may be proposed to the Green Belt as part of the review in CD21/b. However, this provides no support as I find that many of these fail to reflect any exceptional circumstances or to demonstrate that their inclusion in the Green Belt fulfils Green Belt purposes or that it is necessary for their protection compared to that afforded by other policies. The fact that they are minor provides no justification; minor changes are still material in terms of PPG2. In the absence of a general review of the Green Belt boundary, such selective tinkering is misplaced and contrary to policy guidance. Furthermore, CD21b did not suggest inclusion of site H2c in the Green Belt.

Synthesis

14. I noted the history of the site and Mr Logan’s previous discussions with the LPA officers. However, I reach my conclusions on the site’s present merits. It has no obvious beneficial use and I find that it is suitable in most respects for housing development for which I find a need. It is preferable on many counts to Green Belt sites such as H2j and particularly H2l. It is clearly insufficient on its own as a substitute for either but this is no handicap as it can contribute along with other preferred sites. As an identified and greenfield site it is inappropriate to regard it as a windfall site. Despite its small size, it should be retained as a housing allocation. Its minimum density is appropriate given its small size and should be achievable despite the commonly expressed fears of Stamford Homes. A density of 50 dph requested by the Greasley and Nuthall Parish Councils and the Wildlife Trust would not; nor would it provide any significant savings of greenfield land elsewhere. As a greenfield site it is, despite its degraded character, justifiably included in Phase 2 of Policy HX in the RDDP. In consequence, I see no case for any modification to the RDDP in respect of this allocation.

Recommendation

15. I recommend that no modification be made to the RDDP in response to objections and to PIC3.

H2 (d) HOUSING SITE, LAND TO THE NORTH OF NEWTONS LANE, AWSWORTH

A2(b) APPENDIX 2B, DEVELOPMENT BRIEF: LAND TO NORTH OF NEWTONS LANE, AWSWORTH

Objections

4.42 New housing sites - Newtons Lane, Awsworth

748	4697	R178		David Wilson Homes North Midlands
				David Wilson Estates
748	4700	R177		David Wilson Homes North Midlands
				David Wilson Estates
599	4499	R178	Mr G Foster	Nottinghamshire County Council
599	4498	R177	Mr G Foster	Nottinghamshire County Council
1106	4922	R177	Mr R Hepwood	Miller Homes East Midlands
601	4629	R177	Mr S Rufus	Nottinghamshire Wildlife Trust
914	4816	R178	Mr M Smith	
913	4802	R178	Mrs J Smith	
913	4804	R177	Mrs J Smith	
914	4812	R177	Mr M Smith	

H2d New housing sites - Newtons Lane, Awsworth

748	4701	R179		David Wilson Homes North Midlands
				David Wilson Estates
1155	2402			Greasley Parish Council
				Andrew Thomas Planning
1154	5057			W. Westerman Ltd
				DPDS Consulting Group
748	6983	PC2		David Wilson Homes North Midlands
1006	7042	PC2		Nuthall Parish Council
				Browne Jacobson Planning Unit
1155	7026	PC2		Greasley Parish Council
				Andrew Thomas Planning
1155	5122	R152		Greasley Parish Council
				Andrew Thomas Planning
748	1688			David Wilson Homes North Midlands
				David Wilson Estates
748	4699	R180		David Wilson Homes North Midlands
				David Wilson Estates
1006	4849	R152		Nuthall Parish Council
				Browne Jacobson Planning Unit
496	927		Ms DE Agnew	
286	620		Mrs AJ Allen	
287	621		Mr W Allen	
442	846		Mrs YJ Allen	
441	845		Mr CJ Allen	
130	158		Mr T Aram	
288	622		Mrs CA Aram	
478	895		Miss NC Bacon	
479	896		Mrs SP Bacon	
1108	4973	R180	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1108	4958	R152	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
289	623		Miss S Ball	
471	886		Ms RL Ballard	
474	889		Mrs WA Ballard	
473	888		Mr SH Ballard	

290	624		Mrs M Barker	
536	999		Miss A Barlow	
291	625		Mrs AM Barlow	
292	626		Mr R Barlow	
293	627		Mrs D Barlow	
294	628		Mrs B Barnett	
1417	3717		Mrs J Basri	
1416	3716		Mr M Basri	
501	934		Mr J Bennett	
367	707		Mr DS Berry	
368	708		Mrs J Berry	
782	1435		Mr K Black	
781	1434		Mrs B Black	
480	898		Mrs H Blackmore	
481	900		Mr SC Blackmore	
295	629		Miss MN Blatherwick	
450	858		Mrs SJ Blyton	
449	856		Mr R Blyton	
296	630		Mrs SA Bowley	
362	702		Mrs TJ Bradshaw	
361	701		Mr PR Bradshaw	
452	861		Mr G Bramley	
451	859		Mrs S Bramley	
499	930		Mr TL Brown	
500	932		Mrs B Brown	
598	1686		Mr I Brown	CPRE - Broxtowe Group
476	892		Mrs A Brown	
2272	7006	PC2	Mr T Brown	
Walter Scott & Ross Solicitors				
297	631		Mr D Brunell	
299	633		Mr ED Bull	
298	632		Mrs EN Bull	
300	634		Mrs J Burton	
301	635		Mrs BA Buxton	
302	636		Mr DW Buxton	
521	977		Mr D Cadman	
305	639		Mrs B Chadwick	
304	638		Mr A Chadwick	
365	705		Mr NN Chamberlain	
366	706		Mr CL Chamberlain	
390	732		Mr I Chamberlain	
303	637		Mr G Chapman	
908	1682		Mr D Cheeseman	
458	869		Mr S Clarke	
307	641		Mr P Collins	
306	640		Mrs M Collins	
308	642		Mr KJ Cooper	
376	716		Mrs SM Corbett	
375	715		Mr DJ Corbett	
309	643		Mr G Cox	
484	903		Mr SJ Curry	
359	699		Mr P Darlison	
360	4224	R180	Mrs LM Darlison	
360	700		Mrs LM Darlison	
359	4223	R180	Mr P Darlison	
1100	2084		Mrs A Deamer	
1099	2080		Mr M Deamer	
378	718		Mrs C Deane	
380	719		Mr D Deane	
374	714		Mr A Deane	
310	644		Mr GL Duff	

411	761		Mr AR Dyer	
125	151		Mrs ME Edwards	
544	1012		Mrs SM Elliot	Cossall Parish Council
488	910		Mr P Ellis	
495	924		Mrs JA Ellis	
542	1009		Miss EF Fisher	
312	646		Mrs JA Fletcher	
311	645		Mrs I Fletcher	
599	1685		Mr G Foster	Nottinghamshire County Council
539	1004		Mr ES Fraser	
396	738		Miss K Frearson	
313	647		Mr FA Freeman	
1443	3807		Ms R Freeman	
128	156		Mrs AJ Gentry	
497	928		Miss J Glover	
316	652		Mr WS Granger	
315	651		Mrs B Granger	
317	653		Miss PJ Gregory	
386	726		Mrs C Gregory	
387	727		Mr A Gregory	
461	872		Mrs SL Hall	
459	870		Mr SA Hall	
318	657		Mrs C Harmer	
319	658		Mr P Harmer	
320	659		Mr E Harris	
516	970		Ms D Harrison	
321	660		Mrs JM Hartshorn	
453	863		Miss LD Haystead	
1106	4924	R180	Mr R Hepwood	Miller Homes East Midlands
1106	4920	R152	Mr R Hepwood	Miller Homes East Midlands
1106	7008	PC2	Mr R Hepwood	Miller Homes East Midlands
1106	4906		Mr R Hepwood	Miller Homes East Midlands
532	993		Mr TM Hicks	
405	751		Mr R Holland	
323	662		Mr JE Holland	
322	661		Mr E Holland	
1396	3662		Mrs M Hornby	Awsorth Parish Council
517	971		Mr E Horsfield	
503	967		Mrs MA Horsfield	
324	663		Mr J Hutchby	
325	664		Mrs A Johnson	
325	4211	R152	Mrs A Johnson	
399	742		Mr BK Jones	
400	744		Mrs SD Jones	
358	698		Mr TJ Kayes	
456	865		Miss MR Kemp	
911	1689		Mr K Lee	Shilo North Forum
910	1684		Mr SA Leonardi	
1419	3998		Mr AJ Lovell	
126	154		Mr TW Lowe	
1480	3995		Mr TW Madden	
1481	3996		Mrs AD Madden	
134	162		Mrs B Marshman	
133	161		Mr TJ Marshman	
446	851		Mrs J McCartney	
540	1005		Ms SA McCullough	
492	921		Mr A McMillan	
494	923		Mrs M McMillan	
455	864		Mr GJ Moore	
381	721		Mr DR Morley	
382	722		Mr DS Morley	

383	723		Mrs RJ Morley	
780	1433		Mrs DH Morley	
1135	2427		Mr I Moss	House Builders` Federation
1135	5030	R152	Mr I Moss	House Builders` Federation
327	666		Mr GJ Murden	
326	665		Mrs LJ Murden	
392	734		Mrs A Newton	
391	733		Mr GI Newton	
487	908		Mrs C Nicholls	
328	667		Mrs L Nichols	
329	668		Mrs J Nix	
412	762		Mr N Norris	
413	764		Mrs EE Norris	
397	741		Mr A North	
330	669		Mrs GA O'Connor	
331	670		Mr JE O'Connor	
332	671		Ms CH Oldfield	
371	711		Mrs B O'Neill	
528	986		Mr MJ O'Neill	
394	736		Mr AJ O'Reilly	
228	675		Ms SE Page	
333	672		Mr RE Palmer	
896	1646		Mr A Parish	
784	1437		Miss D Parish	
466	880		Mr PJ Parkes	
462	873		Miss EM Parkes	
464	879		Miss SJ Parkes	
467	881		Mr BJ Parkes	
468	882		Mrs PA Parkes	
364	704		Mr DE Parnham	
363	703		Mrs J Parnham	
369	709		Mrs KA Parr	
370	710		Mr N Parr	
336	676		Mrs SM Pass	
335	674		Ms LM Pass	
334	673		Mr BM Pass	
384	724		Mrs JE Poundall	
385	725		Mr J Poundall	
778	1431		Mrs LM Powell	
785	1438		Mr A Powell	
777	1430		Mr H Powell	
538	1003		Mr R Quail	
337	677		Mr M Reveley	
909	1683		Ms HG Roberts	
388	728		Mr K Robins	
389	729		Mrs J Robins	
2218	6800	R152	Cllr RS Robinson	
407	756		Mrs PM Roe	
406	753		Mr GA Roe	
527	984		Mr BJ Ruddle	
601	1687		Mr S Rufus	Nottinghamshire Wildlife Trust
601	4615	R152	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4575	R179	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4576	R180	Mr S Rufus	Nottinghamshire Wildlife Trust
447	854		Mrs C Rule	
906	1680		Mr DR Sadler	
338	678		Mr K Sault	
				P. Gaughan Building Consultant
339	679		Miss M Shelton	
340	680		Mrs P Shelton	
373	713		Mrs K Slaney	

372	712		Mr M Slaney	
543	1010		Mr MB Smedley	
341	681		Mr A Smith	
395	737		Mr AR Smith	
914	4815	R180	Mr M Smith	
914	4811	R179	Mr M Smith	
913	4803	R179	Mrs J Smith	
913	4801	R180	Mrs J Smith	
913	4799	R152	Mrs J Smith	
475	891		Mr F Smith	
913	1691		Mrs J Smith	
914	1693		Mr M Smith	
914	4818	R152	Mr M Smith	
444	849		Mr S Smithurst	
776	1429		Miss A Spencer	
408	757		Mrs G Spibey	
410	759		Mr A Spibey	
342	682		Mr WP Staniland	Horizons Lifts UK
483	902		Mr B Stanley	
343	683		Mr PJ Stapleton	
485	906		Mr PC Stevenson	
344	684		Miss C Stirland	
345	685		Mrs R Stirland	
443	848		Mr PD Streets	
346	686		Mrs L Stroud	
907	1681		Mr EA Szymanski	
347	687		Mrs M Taylor	
348	688		Mr PJP Taylor	
132	160		Mrs JE Thomas	
131	159		Mr LH Thomas	
535	998		Mr RS Thompson	
534	995		Mrs L Thompson	
349	689		Mr AM Tivey	
351	691		Mrs MA Tolan	
350	690		Mr A Tolan	
469	883		Mr M Tyler	
470	885		Mrs C Tyler	
353	693		Mr T Vickers	
352	692		Mrs JS Vickers	
775	1428		Mr MA Waldrom	
1374	3450		Mr DM Walker	
1373	3449		Mrs L Walker	
1130	2229		Mr R Walters	Hallam Land Management
1130	7038	PC2	Mr R Walters	Hallam Land Management
1130	5003	R152	Mr R Walters	Hallam Land Management
1130	5006	R180	Mr R Walters	Hallam Land Management
1460	3861		Mrs C Ward	
354	694		Mr F White	
519	973		Mr N White	
530	988		Mr WJ Whitlam	
779	1432		Mrs JM Whitten	
783	1436		Mr JE Whitten	
524	980		Mr KJ Whitten	
523	979		Mrs DA Whitten	
355	695		Miss AE Whysall	
525	982		Ms A Wild	
402	748		Mrs KW Wilkinson	
401	746		Mr P Wilkinson	
520	976		Mrs J Willis	
531	992		Mr P Willis	
514	968		Mr R Wilson	

404	749	Ms IN Wilson
457	867	Ms NJ Wolvin
357	697	Mrs S Wolvin
356	696	Mr RW Wolvin
377	717	Mrs MD Wood
912	1690	Mr AJ Wright
1442	3802	Mrs M Wright
786	1439	Miss T Wright
1464	3883	Ms S Wright-Grainger

A2b Appendix 2b - Newtons Lane, Awwsworth

748	4696	R476		David Wilson Homes North Midlands
				David Wilson Estates
748	4698	R482		David Wilson Homes North Midlands
				David Wilson Estates
496	4281	R479	Ms DE Agnew	
496	4280	R476	Ms DE Agnew	
496	4279	R474	Ms DE Agnew	
442	4251	R474	Mrs YJ Allen	
441	4250	R474	Mr CJ Allen	
2079	6571	R474	Mrs LA Ball	
2079	6570	R476	Mrs LA Ball	
2079	6569	R482	Mrs LA Ball	
2079	6572	R479	Mrs LA Ball	
1824	5934	R479	Mrs A Bamford	
291	4187	R474	Mrs AM Barlow	
291	4188	R479	Mrs AM Barlow	
1825	5935	R474	Miss A Barlow	
1825	5936	R479	Miss A Barlow	
2082	6578	R479	Mr SH Barry	
2082	6577	R474	Mr SH Barry	
2081	6575	R474	Mrs R Barry	
2081	6576	R479	Mrs R Barry	
1826	5938	R479	Mrs M Bennett	
501	4289	R479	Mr J Bennett	
501	4288	R474	Mr J Bennett	
1826	5937	R474	Mrs M Bennett	
2077	6567	R479	Mrs SD Berry	
2078	6568	R474	Mr DR Berry	
295	4191	R479	Miss MN Blatherwick	
295	4189	R474	Miss MN Blatherwick	
295	4190	R476	Miss MN Blatherwick	
1827	5939	R479	Mrs AM Brewster	
1828	5941	R474	Mr DG Brewster	
1828	5942	R479	Mr DG Brewster	
1827	5940	R474	Mrs AM Brewster	
598	4386	R473	Mr I Brown	CPRE - Broxtowe Group
499	4284	R479	Mr TL Brown	
2015	6408	R474	Mr S Brown	
2015	6407	R479	Mr S Brown	
499	4285	R474	Mr TL Brown	
500	4286	R479	Mrs B Brown	
500	4287	R474	Mrs B Brown	
598	4388	R479	Mr I Brown	CPRE - Broxtowe Group
598	4387	R475	Mr I Brown	CPRE - Broxtowe Group
299	4197	R479	Mr ED Bull	
298	4192	R474	Mrs EN Bull	
298	4193	R476	Mrs EN Bull	
298	4194	R479	Mrs EN Bull	
299	4195	R474	Mr ED Bull	
299	4196		Mr ED Bull	

521	4307	R479	Mr D Cadman	
521	4306	R474	Mr D Cadman	
1829	5943	R474	Ms J Cliff	
308	4201	R473	Mr KJ Cooper	
308	4199	R476	Mr KJ Cooper	
308	4203	R482	Mr KJ Cooper	
308	4198	R474	Mr KJ Cooper	
308	4200	R479	Mr KJ Cooper	
308	4202	R480	Mr KJ Cooper	
1830	5945	R479	Ms L Corbett	
1830	5944	R474	Ms L Corbett	
2019	6418	R479	Mrs K Curry	
484	4267	R479	Mr SJ Curry	
1100	4903	R474	Mrs A Deamer	
1100	4902	R479	Mrs A Deamer	
1099	4901	R479	Mr M Deamer	
1099	4900	R474	Mr M Deamer	
1833	5952	R479	Miss NA Dyer	
411	4246	R479	Mr AR Dyer	
411	4244	R474	Mr AR Dyer	
1832	5950	R479	Mrs GJ Dyer	
1832	5949	R474	Mrs GJ Dyer	
1831	5948	R479	Mrs AJ Dyer	
1831	5947	R476	Mrs AJ Dyer	
1831	5946	R474	Mrs AJ Dyer	
411	4245	R476	Mr AR Dyer	
1833	5951	R474	Miss NA Dyer	
1834	5954	R479	Mr MA Eardley	
1834	5953	R474	Mr MA Eardley	
1733	5737	R479	Mr EJ Edwards	
1733	5736	R476	Mr EJ Edwards	
1733	5735	R474	Mr EJ Edwards	
544	4320	R474	Mrs SM Elliot	Cossall Parish Council
544	4319	R479	Mrs SM Elliot	Cossall Parish Council
544	4318	R476	Mrs SM Elliot	Cossall Parish Council
488	4270	R479	Mr P Ellis	
488	4271	R474	Mr P Ellis	
1835	5955	R474	Mr A Fletcher	
1835	5956	R479	Mr A Fletcher	
1836	5957	R474	Mrs J Fletcher	
1836	5958	R479	Mrs J Fletcher	
1734	5738	R474	Mr IR Gentry	
1734	5739	R476	Mr IR Gentry	
128	4113	R479	Mrs AJ Gentry	
128	4112	R476	Mrs AJ Gentry	
128	4111	R474	Mrs AJ Gentry	
1734	5740	R479	Mr IR Gentry	
497	4282	R479	Miss J Glover	
1837	5959	R479	Mr JM Glover	
1839	5961	R479	Mrs G Glover	
317	4204	R474	Miss PJ Gregory	
1840	5962	R474	Mrs J Hall	
516	4301	R479	Ms D Harrison	
516	4300	R474	Ms D Harrison	
1106	4909	R482	Mr R Hepwood	Miller Homes East Midlands
1106	4917	R476	Mr R Hepwood	Miller Homes East Midlands
1106	4937	R474	Mr R Hepwood	Miller Homes East Midlands
1106	2141		Mr R Hepwood	Miller Homes East Midlands
1106	4939	R482	Mr R Hepwood	Miller Homes East Midlands
1841	5964	R476	Mrs M Holland	
323	4205	R474	Mr JE Holland	

323	4206	R476	Mr JE Holland	
1841	5963	R474	Mrs M Holland	
405	4239	R479	Mr R Holland	
1396	5320	R479	Mrs M Hornby	Awsworth Parish Council
1396	5321	R476	Mrs M Hornby	Awsworth Parish Council
1396	5322	R474	Mrs M Hornby	Awsworth Parish Council
1396	3666		Mrs M Hornby	Awsworth Parish Council
1396	5323	R482	Mrs M Hornby	Awsworth Parish Council
517	4303	R474	Mr E Horsfield	
517	4302	R479	Mr E Horsfield	
1842	5965	R474	Mrs B Hutchby	
1844	5969	R474	Mr O Hutchby	
1843	5968	R479	Mrs EM Hutchby	
1843	5967	R476	Mrs EM Hutchby	
1843	5966	R474	Mrs EM Hutchby	
324	4210	R479	Mr J Hutchby	
324	4209	R476	Mr J Hutchby	
324	4208	R474	Mr J Hutchby	
400	4235	R479	Mrs SD Jones	
400	4234	R474	Mrs SD Jones	
399	4233	R479	Mr BK Jones	
399	4232	R474	Mr BK Jones	
1847	5972	R474	Mrs RL Kelvey	
1845	5970	R474	Mrs J Kelvey	
1848	5974	R476	Mr KM Knowles	
1848	5973	R474	Mr KM Knowles	
1848	5975	R479	Mr KM Knowles	
1850	5980	R476	Mrs JS Love	
1850	5981	R479	Mrs JS Love	
1849	5978	R479	Mr A Love	
1850	5979	R474	Mrs JS Love	
1849	5977	R476	Mr A Love	
1849	5976	R474	Mr A Love	
446	4256	R474	Mrs J McCartney	
446	4257	R479	Mrs J McCartney	
446	4258	R474	Mrs J McCartney	
492	4273	R476	Mr A McMillan	
494	4278	R479	Mrs M McMillan	
494	4276	R474	Mrs M McMillan	
492	4274	R479	Mr A McMillan	
494	4277	R476	Mrs M McMillan	
492	4272	R474	Mr A McMillan	
1851	5982	R479	Mr R Mee	
1851	5983	R474	Mr R Mee	
382	4227	R479	Mr DS Morley	
382	4228	R474	Mr DS Morley	
381	4226	R479	Mr DR Morley	
381	4225	R474	Mr DR Morley	
1135	2376		Mr I Moss	House Builders` Federation
487	4268	R479	Mrs C Nicholls	
487	4269	R474	Mrs C Nicholls	
329	4213	R474	Mrs J Nix	
329	4212	R479	Mrs J Nix	
329	4214	R476	Mrs J Nix	
332	4215	R474	Ms CH Oldfield	
332	4216	R479	Ms CH Oldfield	
1852	5984	R479	Mr D Perkins	
2075	6563	R474	Mrs L Phillips	
2075	6564	R479	Mrs L Phillips	
2074	6561	R474	Mr D Phillips	
2074	6562	R479	Mr D Phillips	

538	4317	R479	Mr R Quail	
538	4316	R474	Mr R Quail	
337	4218	R479	Mr M Reveley	
337	4217	R474	Mr M Reveley	
1853	5987	R479	Miss m Rose	
1853	5985	R474	Miss m Rose	
1853	5986	R476	Miss m Rose	
527	4310	R474	Mr BJ Ruddle	
527	4312	R479	Mr BJ Ruddle	
527	4311	R476	Mr BJ Ruddle	
601	4608	R476	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4607	R474	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4606	R473	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4646	R479	Mr S Rufus	Nottinghamshire Wildlife Trust
447	4259	R474	Mrs C Rule	
447	4260	R479	Mrs C Rule	
1735	5743	R479	Mr M Sault	
338	4220	R476	Mr K Sault	
338	4221	R479	Mr K Sault	
1735	5741	R474	Mr M Sault	
1735	5742	R476	Mr M Sault	
338	4219	R474	Mr K Sault	
1650	5592	R474	Mrs J Sears	
1650	5591	R479	Mrs J Sears	
914	4817	R476	Mr M Smith	
395	4230	R474	Mr AR Smith	
395	4231	R479	Mr AR Smith	
914	4813	R473	Mr M Smith	
914	4819	R474	Mr M Smith	
914	4814	R479	Mr M Smith	
2076	6566	R474	Mrs M Smith	
2076	6565	R479	Mrs M Smith	
475	4262	R474	Mr F Smith	
475	4263	R476	Mr F Smith	
475	4264	R479	Mr F Smith	
913	4806	R479	Mrs J Smith	
913	4805	R473	Mrs J Smith	
913	4800	R474	Mrs J Smith	
444	4255	R474	Mr S Smithurst	
410	4243	R479	Mr A Spibey	
410	4242	R474	Mr A Spibey	
408	4240	R474	Mrs G Spibey	
408	4241	R479	Mrs G Spibey	
483	4266	R474	Mr B Stanley	
483	4265	R479	Mr B Stanley	
1855	5991	R476	Mrs P Streets	
1855	5992	R479	Mrs P Streets	
1855	5990	R474	Mrs P Streets	
443	4253	R476	Mr PD Streets	
443	4252	R474	Mr PD Streets	
443	4254	R479	Mr PD Streets	
1857	5996	R479	Mr DA Taylor	
1860	6004	R476	Mrs N Taylor	
1860	6003	R474	Mrs N Taylor	
1860	6005	R479	Mrs N Taylor	
1857	5994	R474	Mr DA Taylor	
1857	5995	R476	Mr DA Taylor	
1590	5506	R479	Mrs SA Thompson	
1861	6006	R474	Mrs A Tipping	
1861	6008	R479	Mrs A Tipping	
1861	6007	R476	Mrs A Tipping	

349	4222	R474	Mr AM Tivey	
1863	6011	R479	Mr D Utterson	
1863	6010	R474	Mr D Utterson	
1130	5021	R479	Mr R Walters	Hallam Land Management
1130	5022	R482	Mr R Walters	Hallam Land Management
1130	5020	R476	Mr R Walters	Hallam Land Management
1130	5019	R474	Mr R Walters	Hallam Land Management
1866	6014	R474	Mr SK Ward	
1460	5388	R474	Mrs C Ward	
1866	6015	R479	Mr SK Ward	
1460	5389	R479	Mrs C Ward	
530	4313	R474	Mr WJ Whitlam	
530	4314	R479	Mr WJ Whitlam	
525	4309	R479	Ms A Wild	
525	4308	R474	Ms A Wild	
520	4305	R479	Mrs J Willis	
520	4304	R474	Mrs J Willis	
2080	6574	R479	Ms K Willis	
2080	6573	R474	Ms K Willis	
514	4298	R479	Mr R Wilson	
514	4297	R474	Mr R Wilson	
404	4238	R479	Ms IN Wilson	
404	4237	R474	Ms IN Wilson	
1871	6021	R474	Mrs B Wood	
1873	6026	R479	Mrs JL Wood	
1873	6025	R476	Mrs JL Wood	
1871	6020	R476	Mrs B Wood	
1871	6022	R479	Mrs B Wood	
1873	6024	R474	Mrs JL Wood	
1876	6029	R479	Mr J Yeomans	

Council's response to objections made to the Pre-Inquiry Changes

1. This site was considered to be suitable for inclusion in the Revised Deposit Draft, when there was a need to find sites for over 2,000 new dwellings in order to meet Structure Plan requirements.
2. Pre-Inquiry Changes made to the plan in April 2001 involved the deletion of four greenfield sites proposed for housing, including this site. These Pre-Inquiry Changes were prompted by the Nottingham Urban Capacity Study, published in March 2001, which indicated that there would be considerable additional capacity for housing in the City before 2011. The Borough Council also re-estimated the likely annual rate of housing to be gained from windfall sites, as part of the Pre-Inquiry Changes.
3. The overall net result of these changes was to create a shortfall of 250 dwellings from the Structure Plan allocation figure for Broxtowe. The County Council did not raise any concerns about conformity of the Local Plan with the Structure Plan.
4. The four sites which were deleted, including this site, were all in Phase 2 of the Plan's housing phasing policy (HX; R224), reflecting their lower preference to Phase 1 sites which are mainly on previously-developed land. The borough council considers that they would not need to be developed within the Plan period. This site would have required a release from Green Belt for which this Council now cannot provide sufficient justification.
5. The issues of principle raised by the Pre-Inquiry Changes - regarding windfall rate, conformity with the Structure Plan and urban capacity - were debated at the Housing Round Table session at the start of the inquiry.

Issues raised on objections prior to Pre-Inquiry Changes

6. The Council's position on this site has changed between the Revised Deposit stage and the Pre-Inquiry Changes such that the site is no longer favoured by the Council. In this respect therefore those who were objecting to the inclusion of the site have now had their objections met. At the Inspector's request - and on the basis that he is dealing with objections made at the Revised Deposit stage - the Council has responded to those objections as if the site was still allocated.

Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) The proposed development involves the loss of Green Belt and a greenfield site.
 - (b) There would be a loss of wildlife value.
 - (c) The proposed development would spoil the area and the village.
 - (d) Extra noise and pollution would be created.
 - (e) There would be increased fears about security.
 - (f) There would be a decrease in property values for existing residents.
 - (g) There is no demand for housing here.
 - (h) Traffic would be increased in the area.
 - (i) There would be extra pressure on local facilities.
 - (a) **The proposed development involves the loss of Green Belt and a Greenfield site**
7. The Council accepted at an early stage in this plan review that the scale of new housing development to be provided to meet Structure Plan requirements was such that encroachment into Green Belt and greenfield land was unavoidable, in several locations in the borough.
8. The Green Belt generally protects the open character of the Erewash Valley and in so doing provides separation of built-up areas in Derbyshire from those in Nottinghamshire. The proposed housing development on this site would have provided a well-defined new Green Belt edge along a perimeter road, emphasised by planting. The Council believes that the overall character of the Green Belt on this stretch of the Erewash valley would not have been harmed by the development. The site lies to the eastern side of the Awsworth by-pass and has a proposed landscape buffer between that road and the edge of the proposed development. It is well related to the existing built-up area of Awsworth.
9. Regarding loss of greenfield land, proper regard was had to the site-searching sequence in PPG3 in the Revised Deposit Draft, such that greenfield land was only allocated once opportunities for building on previously developed land had been exhausted.
- (b) **There would be a loss of wildlife value**
10. As part of the wider process of site selection the Council has adopted (in line with other Councils in Nottinghamshire) a process of site identification for wildlife interest through an audit of sites of importance for nature conservation (SINCs). It should be noted that there are no SINCs within the proposed housing site. If it was to emerge that there were any protected species on the site, any planning application for development would be considered in relation to policy E18.

11. The Council considers that wildlife features need not be damaged or destroyed by the development and every effort should be made to incorporate them in the proposed open space area. Although depicted on the Proposals Map for planting, it may be appropriate to create other types of habitat if this retains more of the existing wildlife characteristics of the area. Of particular importance is the need to allow routes of access for frogs and toads, as has already been specifically provided under the Awworth by-pass directly to the west of this site.

(c) The proposed development would spoil the area and the village

12. The issue of new development spoiling the area or the village in principle is not accepted by the Council. Every effort would be made at the detailed planning stage to ensure that the new development is compatible with the character of the style of properties in the village. Policy E1 of the Plan is particularly relevant in this regard. Furthermore the new open space proposed offers opportunities to add to the village's attractiveness. Developers' contributions would be sought to secure improvements to recreation facilities in the village.

(d) Extra noise and pollution would be created

13. In general terms, new residential development does not give rise to unacceptable levels of noise or pollution. It is inevitable that with every new development some additional traffic is created which will marginally affect noise levels but not to the extent of creating nuisance. The Council has sought to minimise traffic increase by ensuring that new development sites are well located in relation to good public transport services. The proposed traffic calming on Park Hill should reduce traffic speeds.

(e) There would be increased fears about security

14. Issues about security can be properly dealt with when detailed planning applications come to be assessed under Policy E1 of the Broxtowe Local Plan Review, which include the criterion '(d) A safe and secure environment, where necessary including crime prevention features'. Liaison with the police authority's crime prevention officers takes place over detailed designs, to aid assessment against the principles contained in the good practice described in 'Planning out Crime'.

(f) Loss of property values

15. Concern that new development may lead to a loss of property values is not a planning matter.

(g) No demand for housing

16. This general issue was covered at the Round Table sessions. This confirmed that the Local Plan is required to identify sufficient housing land to meet the needs determined through the Structure Plan process.

(h) Increased traffic

17. The Council considers that the main road through Awworth village, and Newtons Lane, are capable of carrying the traffic generated by this development. Both roads formerly carried much higher rates of traffic prior to the completion of the Awworth by-pass. The Council recognises that Park Hill, which serves many of the internal residential streets of Awworth, would have additional pressure on it. To compensate for this the Council was proposing traffic calming measures on Park Hill. The new road through the proposed development would also relieve some of the pressure on Park Hill, in that it would create a new alternative means of access for the adjoining residential streets. The Council also attempted to secure a new access to the proposed development from the Awworth by-pass as a revision in the Revised Deposit Draft, but the County Council would not agree to the site being accessed from the by-pass. In any case this would not be essential to the scheme's acceptability in highway terms.

(i) Pressure on facilities

18. It is recognised that Awsworth is a community without certain local facilities such as a doctor, necessitating additional journeys to Eastwood and Ilkeston. The health authority was consulted during the plan's preparation and has not identified the need for any additional doctors to serve this area.
19. Most of the objections about facilities identified the primary school as the main target from pressure of extra residents. The County Council advised that the school is at or near capacity and Broxtowe Council had therefore specifically included in the Development Brief for the site (Appendix 2B) provision for a financial contribution to be negotiated, in order to improve education facilities.

Background

1. This site was allocated in the RDDP for housing. It was proposed for deletion in PIC2 along with allocation RC8h and with other housing allocations in response to assumptions of an increase in windfall developments and the extra capacity on brownfield land revealed in the Nottingham City Urban Capacity Study. I support earlier the assumptions regarding windfalls but conclude that phasing under Policy HX is the most appropriate way of meeting legitimate concerns to develop brownfield land first whether it arises in Broxtowe or Nottingham.
2. I have to deal with the RDDP and objections to the FDDP that BBC put before me. I also intend to deal, at the Council's request, with their PICs and objections to these.
3. The Council's own Urban Capacity Study identified that there is insufficient previously developed land in the urban areas to meet SP requirements for housing and employment land. Thus the RDDP concluded that it was necessary to take some greenfield land and even some Green Belt land for development. The Council's change of heart in the PICs did not extend to the largest greenfield site H2I, which also lies within the Green Belt and on B&MV agricultural land. There they argue that the need to meet SP requirements provide the special circumstances to justify taking land out of the Green Belt.
4. However, as the Council accepted on site H2X, it is preferable to take suitable sites outside the Green Belt before those within it and that whilst sites are available outside it would be difficult to establish the exceptional circumstances necessary to justify alterations of Green Belt boundaries.

Inspector's Conclusions**Location and Search Sequence**

5. This site was in the approved Green Belt. Awsworth is not, despite its size, classed as an urban area in the SP para 1.65. Like allocation H2I, it falls outside the areas favoured for major development in SP Policy 1/ 2 but the scale of development envisaged falls just below the threshold for major development according to the definition in the SP. SP Policy 1/3 provides for LPs to make limited provision for development outside the main urban areas and Public Transport Corridors and the FDDP made a number of housing allocations in Awsworth, including this site. It lies more than 1.4 km from the Nottingham to Eastwood PT Corridor which is clearly

based upon the B606, Nottingham Road/Eastwood Road well beyond normal walking distance. It also lies beyond the Trowell corridor. As a greenfield site not directly related to an urban area, it falls within category d) in the search sequence of Policy 1 of RPG8. However, Policy 7 of the RPG provides for local housing in other settlements. It is not classed as a previously developed site, although it does include a few derelict buildings.

Green Belt Purposes

6. The site fulfils Green Belt purposes to only a limited degree as confirmed by the RDDP allocation. Its development would be contained by the Awsworth bypass, which separates Awsworth most effectively from the open countryside in the valley of the Erewash to the west. It would be contained to the east and partly to the south and north by existing development and by Newton's Lane and Park Hill. It is partly contained by The View to the west. In this situation, its development would not constitute urban sprawl. Development would keep the settlement compact and would be contained within clear strong boundaries. It would reduce the gap between Awsworth and Cotmanhay/Ilkeston but a substantial open break would remain beyond the bypass to prevent these settlements from merging, as the Council agreed. The site is separated by the bypass from the wider countryside and thus its encroachment on the countryside would be limited, as the Council also accepted. Phasing Policy HX can now secure in a more direct way the encouragement of urban regeneration through the priority given to the development of urban brownfield sites. Thus the contribution of the site to the purposes of the Green Belt in this location is limited. The settlement would still be surrounded by a substantial Green Belt.

Landscape and Settlement

7. The site is not visible from most of the settlement of Awsworth being well contained by existing development. When viewed from the west, development on the site would be seen against a backcloth of existing development on higher ground. It would respect the urban form of settlements along the valley and would not appear incongruous or out of place. Planting within RC8h would also soften the rather stark appearance of the existing urban edge as well as that of new development. Development would affect the views from adjoining properties to the east but there is no entitlement to a particular or an unchanging private view and some peripheral development is inevitable somewhere if Structure Plan housing requirements are to met and towns are to be kept compact as the search sequence in RPG8 suggests. In these circumstances, I cannot see how development of the site would spoil the village or the area. It would be of a similar character to much of the more modern development that now dominates the settlement, which as the Parish Council maintains contains a high proportion of affordable housing. Awsworth is not a Conservation Area and has no special character worthy of preservation. However, I see no reason why this scale of development, which is not out of proportion with the size of the existing settlement, should cause Awsworth to lose its identity. It would remain a modest sized community within a Green Belt setting.

Noise, Pollution, Security and Property

8. The development should cause no noise or pollution problems nor should it create any special problems of security or increased crime to existing residents who tend to raise similar issues wherever development is proposed, in Chilwell, Stapleford and elsewhere. There is no evidence that new or affordable houses attract anti social elements to any greater degree than existing housing. There is no evidence that new housing development would adversely affect property values and in any case this is not a factor that I can afford weight, bearing in mind that new housing has to go somewhere in the Borough and its effects will be similar wherever it is located. Other policies of the LP should ensure that any new development respects the amenities of existing as well as new residents.

Housing Need

9. The need for new housing arises largely from social changes, including ageing and separation among the existing population, whose case is generally unheard at these type of inquiries. There is no reason to suppose that development on this site would attract an unusually high proportion of single parent or low-income families, but in any case they also need dwellings. I support Policy H5, which seeks the provision of 25% affordable housing on all large sites. This is based upon the results of the South Nottinghamshire Study. It would be for the Council at any planning application stage to consider whether Awsworth itself has sufficient affordable housing and whether another mix of housing types is justified, as the Parish Council suggest. However, affordable housing needs arise in all parts of the Borough. There is no suggestion that the housing proposed would not be of a high quality and most, if not all, of it is likely to be private housing contrary to the misleading leaflet circulated to some residents describing the proposals as "Council Housing". There is no obvious lack of demand for dwellings in Awsworth as developments such as Meadow Road demonstrate. However, contrary to some claims, the settlement has not experienced much development in recent years and could not be described as packed tight or at saturation point. I have seen no evidence of any critical threshold to further development. The number of vacant dwellings mentioned by some local residents is modest for a settlement of this size and represents the normal turnover of the housing stock. The number of dwellings for sale represents the normal workings of the housing market. Neither indicates any aversion to Awsworth as a place to live, as is clear from the affinity felt to it by many local objectors. I do not understand the basis for the claims that Awsworth has enough houses.

Wildlife

10. The site has no wildlife designation and possesses few habitat features. The few trees on and adjoining the site could be retained and the development and in particular RC8h should provide the opportunity to create more extensive and richer habitats with improved provision if needed for toads and frogs. The arable land on the site is a sub-optimal habitat for amphibians. The FPC&R survey in 1999 showed no evidence of these on the housing allocation site including the northern part.

Agriculture

11. The site is mostly in agricultural use and its ALC is grade 4 in contrast with the B&MV land on site H2I at W/N. SP Policy 3/13 and government policy favours the development of lower grade land to that of B&MV, wherever possible.

Archaeology

12. The County Council's concern about possible archaeological remains is identical to their response on many other proposed development sites. They, as usual, provide no indication of any supporting evidence that they hold in the County S&MR that this site like others has a medium/high potential for containing remains of features of archaeological significance. I find it difficult to equate this classification with previous mining activities. However, Policy EXX introduced by R102 covers these concerns. There is no necessity to mention its provisions or NCC's suggested wording in this or other Plan allocations. The Plan should be read as a whole. It is inefficient to repeat matters in different sections; this only adds to an already lengthy document. Also selective mention of some but not other factors can be potentially misleading, not transparent.

Site Conditions

13. A desk study by for Miller Homes and Hallam revealed no adverse site conditions, despite the concerns of some local objectors about subsidence. Any shallow workings or disused mine shafts that might be encountered, if records prove to be incomplete, could be dealt with by construction methods. There are no significant contamination issues other than a possible need to test for landfill gas. Ground conditions are, as the Council accepts, typical of the area. There is no evidence that a sustainable drainage scheme for the site would exacerbate flooding of property in the Erewash Valley and the Environment Agency has not objected. There is also no evidence that dwellings on the site would be subject to undue noise levels from traffic on the Awsworth bypass and there are, in any case, suitable means of mitigating this.

Local Facilities

14. Whilst Awsworth lacks some facilities such as a Secondary School, doctors and dentists and a DHSS office, these are available in Kimberley or Ilkeston as are town centre shopping and other service facilities. Existing residents with a clear attachment to Awsworth manage with the present situation. The two town centres are readily accessible by bus as well as by road. Awsworth itself has a limited range of local facilities, which already serve a sizeable community. I consider that the fears of local residents over the impact of additional use by an extra 200 or so dwellings to be exaggerated. Indeed, the extra custom could help to sustain existing shops and facilities and perhaps stimulate the provision of others to the benefit of existing and future residents. The development itself should provide additional open space, located to protect the amenities of existing and new residents. The long-term maintenance of this is a detailed matter for a later stage. The Nottingham Canal is also situated alongside the bypass but is no less popular for that. Planted areas may attract some anti-social people but that is poor reason to prefer plain grassed areas or to eschew open space provision entirely. Awsworth is reasonably accessible by bus and by car to a range of local

employment opportunities in Eastwood/Kimberley and Ilkeston and the Plan proposes new employment developments in the area.

15. Awsworth Primary School about 450 m away is nearing capacity, but I cannot see how a proposed merger of the infants and junior schools, mentioned by Ms Ward, should worsen that situation. Policy RC3 seeks contributions towards providing extra school facilities from developments that create such demands. This applies in any case and needs no mention in each particular housing site policy or development brief as the HBF point out. The Plan should be read as a whole and selective cross-referencing can be confusing and misleading. Thus IC35 is misconceived. Secondary School children would probably attend Kimberley Comprehensive 3.5 km away, which may need to be expanded to cope not only with this allocation but others in its catchment area; again the provisions of Policy RC3 would apply. I am not aware that the LEA has raised any objection to the impact of the proposals on education facilities.

Public Transport, Traffic and Highway Access

16. There are 2 bus services an hour along Main Street, which provide connections to Ilkeston, Kimberley and Nottingham. New residents could help to support these services, whose viability some local objectors question. There is no evidence that new development would place any undue burden on Council taxpayers and, in any case, it has to be accommodated somewhere in the Borough. Main Street is some 400 m to 550 m away. This may be somewhat above NCC's usual standards but these need to be applied with some discretion. National surveys show people willing to walk somewhat greater distances and CD127 recommends desirable and acceptable walking distances of 500 m and 1000 m for commuting/school. As the Highway Authority accepted, a good bus service involves frequency, reliability, capacity and journey speed as well as walking distance to bus stops. However, as the Parish Council pointed out there are sound arguments against diverting bus services away from Main Street into the housing areas. R178, whilst factually correct, is misleading and should be deleted. The site is about 1km from the proposed new station at Ilkeston Junction to which it would be connected by local bus services. This compares with a distance of 3 km at W/N from the P&R NET terminus at Phoenix Park, although a feeder bus service is proposed there. That P&R facility could also serve commuters from Awsworth to Nottingham travelling either by bus or by car.
17. Development of the site would generate increased traffic. There are a number of ways of securing satisfactory access for a development of the site. Newton's Lane has ample capacity to cope with traffic from the proposed housing site and the Highway Authority would apparently look favourably at up to 150 dwellings served from here with emergency access from Park Hill or Barlow Drive North. Other Highway Authorities however, allow up to 300 dwellings served by a cul-de sac with special provisions for emergency access in which case the whole of the development could be served from Newtons Lane. Newtons Lane would become busier than of late but it used to carry greater volumes. It would not become a through route and its current safety should not be jeopardised. As the Highway Authority noted the whole of Awsworth is a cul-de sac, but has few resulting traffic problems. The junction of Newtons Lane with Main Street should be quite adequate, compared to earlier times. Traffic may have to wait but it does at many

T-junctions. The Nottinghamshire Fire Service consider that any additional access points that the development might provide into the existing estate would benefit an emergency response. I see no significance in which Parish, Newtons Lane lies.

18. The Highway Authority also considers that Park Hill to the north could serve up to another 30 dwellings. It varies in width from about 5.2 m to 5.5 m. However, its capacity is reduced by parked cars on a section with reduced visibility due to horizontal alignment. Although traffic management measures could improve conditions, it is unsuited to cater for any significant increase in traffic, as once envisaged with the spine road connection. It is also less suited as an emergency access to development than Barlow Drive North, which is about 5.5 m wide and which according to the Highway Authority could allow access to a development of over 200 dwellings, although in that case extra traffic would have to use Station Road.
19. Contrary to some opinions, Station Road is not in my assessment at capacity and is capable of catering with a modest amount of extra traffic, although roadside parking causes a few problems. Main Street has ample capacity to deal with this and other sites and there is no question of another bypass being needed. Traffic in Awsworth may be higher than local residents would wish, but it is much lower than other parts of the Borough and Greater Nottingham; one local objector moving from Beeston observed that the local roads appeared to be much safer. Increasing car ownership and use will mean extra traffic on the roads irrespective of any new development. The occupiers of the new housing areas might experience the impact of IKEA traffic at some weekends but they should not materially add to it nor give rise to any significant increase in HGVs. I support the Highway Authority's resistance to the Borough Council's one time suggestion of a connection to the Awsworth bypass, as this would compromise its important function. Apparently the lack of resolution of this issue was one of the factors for PIC2. However, the Borough Council is now content that a suitable access could be achieved from within Awsworth. I am satisfied that suitable access should be available to cater for the scale of development envisaged. The precise details can however be left to a later stage, although I agree with Mrs Smith that the link road originally envisaged is undesirable on highway and environmental grounds.

Synthesis

20. I note the submission of a petition opposing the allocation at an earlier stage. This is not an uncommon reaction to many new developments. I have considered carefully the concerns and objections of local people to the housing allocation in the RDDP. However, such allocations are almost always unpopular wherever they occur and the housing needs of the Borough have to be met somewhere. I reach my conclusions based upon the planning merits of proposals in the light of the evidence submitted and Structure Plan, regional and government policies.
21. The site is in many ways suitable for housing development as demonstrated by the allocation in the RDDP and supported by Stonleigh's Sustainability Impact Matrix. As the Council agreed, it is a reasonably sustainable location for new housing development. However, it is less well served than some other modestly sized sites by the range of local facilities and Public Transport services at 2 ph fall below the standard of frequency defined in para 4.XX (R251). I also have some

reservations about a development just below the threshold of major development outside the locations identified in SP Policy 1/ 2. It is also in agricultural use. I have identified sufficient other preferable sites in more sustainable locations. These are mostly outside the Green Belt and meet SP requirements without the need at this stage to allocate site H2d.

Safeguarded Land

22. However, PPG2 advises the identification of safeguarding land when Green Belt boundaries are under consideration. Housing requirements will continue beyond the LP period, albeit at a reduced rate. In view of this site's acknowledged limited contribution to Green Belt purposes and its development potential, it should with allocation RC8h remain out of the Green Belt and be designated as safeguarded land under FDDP Policy E11. The RDDP Green Belt boundary following a possible spine road and the eastern edge of RC8h was contrived and served no useful Green Belt purpose. A boundary along the eastern edge of the by pass would be more clearly defined and defensible. Other policies could quite adequately protect any open space on the site, as the Council accepted. Green Belt policy would provide no extra protection and would be unnecessary. In these circumstances, minimising Green Belt land take on this site is rather academic. The precise line of an access road and the boundaries between any future housing and open space is a detailed matter for a development brief not a small scale proposals map, as Birch PLC argued. In the meantime, Policy E11 of the FDDP would provide ample protection until the next LP review and would allow future inquiries to focus on the defining issues rather than a rehash of Green Belt factors, which are hardly likely to change.

Other Matters

23. David Wilson Homes, Hallam Land Management and Miller Homes raise a number of detailed matters, which hardly apply in view of my conclusions. Minimum densities are clearly an average over the site; I cannot see any other approach. The density for this site reflects the criteria in Policy H6, which I support. A density of 35 dph should be achievable with a variety of house types and sizes and appropriate space and amenity standards. It should meet SP Policy 4/3. There is no basis in the claim of the Greasley and Nuthall Parish Councils that PPG3 stipulates higher densities of 50 dph; this is at the top end of the suggested range. The development briefs are in my view illustrative. They provide a guide to any planning application. If there are good reasons to change the illustrative layout and to vary the extent of the housing and/or open space areas slightly, I would expect these to prevail, but the general principles should remain. Again there should be consistency between the Policy and its supporting text and the development brief, although duplication in the former should be avoided; it can give rise to inconsistencies and misunderstandings as well as lengthening the document.

Recommendation

24. I recommend that allocations H2d and RC8h be deleted from the RDDP and be included in a safeguarding area under Policy E11 from the FDDP.

H2(e) HOUSING SITE - QUEENS ROAD, BEESTON**Objections**

H2e		New housing site - Queens Road, Beeston	
595	1139		Beeston Lads Club
			Antony Aspbury Associates
748	1397		David Wilson Homes North Midlands
			David Wilson Estates
720	1364	Mr JB Allwood	
732	1376	Miss LG Anthony	
617	1180	Miss K Attwood	
608	1169	Mr JJ Bates	Bairds
756	1400	Mrs J Boot	
615	1178	Mrs D Brialey	
614	1175	Mr T Brialey	
739	1383	Mr P Brigden	
738	1382	Mrs SM Brigden	
667	1311	Mrs F Brooksbank-Jones	
630	1201	Ms C Brown	
592	1130	Ms H Brown	
598	1147	Mr I Brown	CPRE - Broxtowe Group
1477	3945	Mr SAB Bunyan	
680	1324	Mr HS Burchell	
671	1315	Mr JV Clarke	
679	1323	Mr JW Clay	
746	1391	Mr R Crawford	
729	1373	Mr TR Day	
1391	3635	Ms E Dearden	
740	1384	Mr AG Denham	
727	1371	Mrs S Dobbs	
626	1194	Mr S Dunbar	
724	1368	Mrs KT Dutczyn	
737	1381	Mr R Fife	
683	1327	Mr B Flanagan	
1381	3488	Ms F Forgham	Government Office for the East Midlands
599	1149	Mr G Foster	Nottinghamshire County Council
742	1386	Mr P Gissing	
735	1379	Mr CR Good	
731	1375	Mrs IME Harrison	
668	1312	Mr M Hayward	
669	1313	Mr PH Hayward	
627	1196	Miss A Hodges	
726	1370	Mr DJ Hodgkinson	
730	1374	Mr J Hood	
623	1190	Mr C Horner	
736	1380	Mr GL Hosker	
628	1197	Mr PB Howatt	
733	1377	Mrs M Husbands	
1292	3159	Mrs DJ Hyland	
734	1378	Mr RE Kensington	
728	1372	Mrs J King	
589	1126	Mrs FD Kirk	
758	1402	Miss JA Lasota	
723	1367	Mr RM Last	
722	1366	Mrs DM Lewis	
721	1365	Mr E Lewis(deceased)	

755	1399	Ms PA Loakes	
612	1174	Mr TA Lock	CAMRA
743	1387	Mrs SE Lord	
674	1318	Mr A Marriott	
682	1326	Mrs EA McGrath	
1135	2430	Mr I Moss	House Builders` Federation
1385	3596	Mr B Neville	Sport England (East Midlands)
605	1158	Mr A Nevin	
719	1363	Mr JP Nicholls	
725	1369	Miss T O'Brien	
757	1401	Mrs CS O'Bryne	
619	1181	Mr PH O'Byrne	
588	1125	Mr A O'Connor	
685	1329	Mrs DJ Oldershaw	
672	1316	Mr DM Platt	
616	1179	Dr SJ Ramsden	
606	1161	Mr AJ Rouistone	
585	1120	Ms J Rowland	
601	1153	Mr S Rufus	Nottinghamshire Wildlife Trust
624	1191	Ms K Southworth	
677	1321	Dr N Tan	
675	1319	Dr K Tan	
611	1173	Mrs HL Thomas	Beeston Malting Company
603	1156	Mr B Wells	
718	1362	Mr KH Wolsey	
591	1128	Mr AE Woodward	
620	1185	Ms C Zlotowitz	
621	1186	Mr S Zlotowitz	

H2e R153 New Housing Site - Queens Road, Beeston - Amendment in table to description of site, to site area and number of dwellings

1154	5058	R153		W. Westerman Ltd
				DPDS Consulting Group
1155	5123	R153		Greasley Parish Council
				Andrew Thomas Planning
748	4704	R153		David Wilson Homes North Midlands
				David Wilson Estates
1006	4863	R153		Nuthall Parish Council
				Browne Jacobson Planning Unit
1108	4959	R153	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
601	4616	R153	Mr S Rufus	Nottinghamshire Wildlife Trust
123	4107	R153	Mr D Woodhouse	
1419	5351	R153	Mr AJ Lovell	
1135	5031	R153	Mr I Moss	House Builders` Federation

4.43 R181 New housing sites - Queens Road, Beeston - Amendments to reflect altered site boundary

595	4346	R181		Beeston Lads Club
				Antony Aspbury Associates
1107	4942	R181		Scottish & Newcastle
				FPDSavills
748	4727	R181		David Wilson Homes North Midlands
				David Wilson Estates
601	4577	R181	Mr S Rufus	Nottinghamshire Wildlife Trust

4.43 R182 New Housing Site - Queens Road, Beeston - Amendments to clarify reason for greenfield land-take

748	4728	R182		David Wilson Homes North Midlands
				David Wilson Estates
595	4347	R182		Beeston Lads Club

598	4445	R182	Mr I Brown	Antony Aspbury Associates
601	4578	R182	Mr S Rufus	CPRE - Broxtowe Group
				Nottinghamshire Wildlife Trust

4.43 R183 *New Housing Site - Queens Road, Beeston - Addition to clarify relocation plans of Nottingham Rugby Club*

748	4707	R183		David Wilson Homes North Midlands
				David Wilson Estates
595	4348	R183		Beeston Lads Club
				Antony Aspbury Associates

4.43 R184 *New Housing Site - Queens Road, Beeston - Deletion of reference to the Maltings and associated land*

748	4702	R184		David Wilson Homes North Midlands
				David Wilson Estates
595	4349	R184		Beeston Lads Club
				Antony Aspbury Associates
1107	4943	R184		Scottish & Newcastle
				FPDSavills

H2e R185 *New Housing Site - Queens Road, Beeston - Amendment to reflect altered site boundary*

748	4705	R185		David Wilson Homes North Midlands
				David Wilson Estates
595	4350	R185		Beeston Lads Club
				Antony Aspbury Associates
1107	4940	R185		Scottish & Newcastle
				FPDSavills

H2e R186 *New Housing Site - Queens Road, Beeston - Amendment regarding specified density figure*

748	4703	R186		David Wilson Homes North Midlands
				David Wilson Estates
595	4351	R186		Beeston Lads Club
				Antony Aspbury Associates
1108	4974	R186	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
601	4579	R186	Mr S Rufus	Nottinghamshire Wildlife Trust

H2e R187 *New Housing Site - Queens Road, Beeston - Deletion of reference to access from Dovecote Lane*

595	4352	R187		Beeston Lads Club
				Antony Aspbury Associates

H2e R188 *New Housing Site - Queens Road, Beeston - Amendment to clarify reference to contributions*

595	4353	R188		Beeston Lads Club
				Antony Aspbury Associates

H2e R189 *New Housing Site - Queens Road, Beeston - change to the Proposals Map - reduced site area*

748	4706	R189		David Wilson Homes North Midlands
				David Wilson Estates
595	4354	R189		Beeston Lads Club
				Antony Aspbury Associates
1107	4941	R189		Scottish & Newcastle
				FPD Savills
1155	5136	R189		Greasley Parish Council
				Andrew Thomas Planning
1592	5508	R189	Ms J Cooke	Beeston and District Civic Society

1591 7069 R189 Mr M Gardiner
601 4580 R189 Mr S Rufus

Nottinghamshire Wildlife Trust

Issued Raised

Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

1.
 - (a) the size and shape of the area allocated.
 - (b) loss of sport/recreation facility, loss of open space, and status of retained open (space);
 - (c) traffic, public transport and junction issues;
 - (d) increased noise, disturbance and pollution;
 - (e) no demand for housing/too much development in the area;
 - (f) disruption to cycle route;
 - (g) pressure on local facilities including schools, doctors and dentists, etc;
 - (h) fears about security and safety;
 - (i) threat to wildlife interest and the Site of Importance for Nature Conservation;
 - (k) inappropriate density;
 - (l) inappropriate level of affordable housing;
 - (m) loss of trees and/or hedgerows;
 - (n) loss of historic value of Maltings;
 - (o) loss of employment land/facility for the brewing industry;
 - (p) unreasonable to seek contribution for education provision;
 - (q) creates a precedent for other sites to be developed, ie remainder of adjoining and nearby open space;
 - (r) loss of privacy/loss of view;
 - (s) likelihood of flooding.

Council's Response:

- (a) Area allocated

2. Agreement has been reached between the Council and objectors on a revision to the boundary of the site. This is detailed in the joint statement attached to this proof.

Inquiry Change

IC94 The Council has recommended that the site boundary is amended to provide an additional housing allocation as shown on the attached plan.

3. This non-green belt site is situated within the urban area, close to local facilities, and is within walking distance of frequent public transport services as well as Beeston railway station. The site is part greenfield and part previously-developed as defined in PPG3: Housing. The Council considers that re-using urban land makes a valuable contribution towards meeting the Council's housing targets derived from the Structure Plan. Development of the site will help reduce the land-take required for new development on Green Belt sites. As such the site choice accords with the search sequence identified in PPG3: Housing.
4. However, the Council wishes to retain the majority of the open break fronting Queens Road so as not to close the important gap between developed areas. A portion of this land is also designated a Site of Importance for Nature Conservation (SINC) which the Council endeavours to protect. Therefore, the open break will incorporate a substantial proportion of the existing area of interest.
5. Due to the unsuitability of the surrounding roads to provide safe access to the site, a small area of greenfield land is needed at the front of the site - hence the chosen boundary.

6. The Maltings building has been deleted from the Revised Deposit Draft. The retention of the Maltings and associated land in employment use is in accordance with the aims of the South Broxtowe Strategy. There is a recognised need for employment land in the south of the borough and it is considered that this site still has potential to contribute to that need.

(b) Loss of recreation area and/or open space

7. The open break is to be designated open space. Hence a large area of the existing open space will be retained in its current position. This land will be designated as public open space. Furthermore the current rugby ground will be relocated to the Highfields area within the City boundary, and therefore the facility will not be lost as a result of the development of this site.
8. The bequest of land to the Lads' Club may have been intended for recreational use, however the Council is not aware of any restrictive covenants.

(c) Traffic, Public Transport and Junction Issues

9. Any new development is likely to result in additional traffic. However, careful choice of sites helps to mitigate this impact. Previously developed land situated in the urban area is considered the most favourable under the 'search sequence' suggest by PPG3: Housing; such sites are generally considered more sustainable and result in less trips by private car.
10. The access to the site will be from Queens Road. It is considered that the other surrounding roads are unsuitable to provide access to a development of this size. The original proposal for an access onto Dovecote Lane has been deleted in the Revised Deposit Draft and therefore there will be no direct traffic impact on Dovecote Lane itself or Ireland Avenue, Barton Street or Grove Street.
11. The County Council considers that the access onto Queens Road should be in the form of a priority junction with a ghost island right turn lane. This type of junction would provide safe and suitable access to the new development.

(d) Noise, Disturbance and Pollution

12. All development results in some noise and disturbance especially during the construction process. However the Council needs to allocate land to meet the housing requirement, and there is no reason to believe that noise levels will be unacceptable once the development is complete.
13. Any pollution issues will be assessed when an application is submitted. Certain issues would be controlled by condition, whereas others would be controlled by the Health and Safety Executive. Again, there is no reason to believe that the development of this site will involve any pollution issues that cannot be overcome.

(e) No demand for housing/Too much development in area

14. The housing requirement is set by the Nottinghamshire Structure Plan. The level of allocated land is discussed in the Housing Round Table Paper.
15. With regard to the allocation of new housing sites throughout the borough, the distribution is relatively even. There is no concentration of sites within the area - indeed there is only this one site allocated in the Beeston area.

(f) Disruption to cycle route

16. During construction there will undoubtedly be some disruption to the cycle route. However this disruption will not be long term and it would not be reasonable to prevent development on this basis. Furthermore the new development will provide access for pedestrians and cyclists within and around the site, including links to existing networks.
- (g) Policy H2(e) states that a “Financial contribution will be required towards the enhancement of education provision commensurate with additional demands created by the resident population of the whole site”.
17. With regard to other facilities, such as doctors and dentists, the Council would not allocate sites, but rather would expect providers to recognise the new demand. Applications for local facilities would be assessed with regard to traffic and amenity issues.
- (h) Security fears/Safety fears
18. There appears to be no justification for security fears in relation to this development. However, any proposals will be assessed with regard to security and “Planning out Crime” (Circular 5/94).
19. Appropriately designed landscaping will be required along the railway, and suitable boundary treatment should allay any safety fears.
- (i) Wildlife Interests/SINC
20. The Council has produced a development brief for this site which retains as much as possible of the area designated as a Site of Importance for Nature Conservation (SINC). A small area of greenfield land does however need to be used to provide safe access onto Queens Road. The remainder of the SINC site will be allocated as public open space and therefore its interest will be protected. It should be noted that, for the area of the sports field to be developed, the SINC’s main interest results from the lack of selective herbicide use (Compartment T2). However the use of herbicides is not restricted by the SINC designation and therefore this interest could, at any time, be lost. Furthermore the wide verge of uncut grassland (Compartment 1) running around the site will be largely retained.
21. The Council will continue to make every effort to ensure that the wildlife value of the vast majority of the site remains.
- (j) Decreased Property Values
22. There appears to be no reason to believe the development will result in a significant adverse impact on property values. However, in any instance, this is not a planning issue.
- (k) Density
23. The minimum density has been set with regard to the site’s proximity to public transport and to Beeston Town Centre. However, the Council does not consider that on this site a higher minimum density could be justified, as there is only one form of public transport (buses) within 400 metres. This approach accords with the latest guidance in PPG3: Housing. The issues regarding density are discussed in the Housing Round Table Paper.
24. An inquiry change is proposed regarding the reference to density in the Development Brief for this site (Appendix 2C).

Inquiry Change

IC59 The Council has recommended that the first bullet point under the section entitled ‘Effects of policies relating to the site’ should be amended to insert the phrase “not less than” before “40 dwellings per hectare”.

25. The revision is in response to an objection from Mr D Woodhouse. The revised wording provides additional clarification and ensures consistency throughout the Local Plan.

(l) Levels of Affordable Housing

26. The South Nottinghamshire Study identified the need for affordable housing in the Broxtowe area. This study found that 25% of total dwelling numbers were required to be affordable. This policy applies to all sites over one hectare. This issue is discussed further in the Housing Round Table Paper.

(m) Loss of trees/Loss of hedgerows

27. This site includes no trees which are the subject of a Tree Preservation Order. However, every effort will be made to incorporate existing trees and hedgerows within the site as part of a planned landscape framework. This will be particularly important along the Queens Road frontage, and will contribute to protecting the setting and environment of the new housing.

(n) Loss of Historic Value of the Maltings

28. The Revised Deposit Draft deletes The Maltings from this allocation.

(o) Loss of employment/brewing industry

29. The Revised Deposit Draft deletes The Maltings from this allocation. In making this change, regard was paid to the existing brewery use, and the need to protect employment sites.

(p) Educational Provision

30. The Council considers that it is reasonable to require a financial contribution towards the provision of education commensurate with the additional demands created by the resident population of the whole site. This is in accordance with Policy RC3 of the Revised Deposit Draft, and government guidance.

31. An inquiry change is proposed in relation to the reference to education provision in policy H2(e).

Inquiry Change

IC36 The Council has recommended that the word “required” in the fourth paragraph of Policy H2(e) is replaced with the word “negotiated”.

32. The revision is in response to an objection from the House Builders Federation. the amended text closely reflects government guidance and ensures consistency throughout the Local Plan.

33. A further revision is proposed as an inquiry change to Development Brief 2C regarding this site.

Inquiry Change

IC58 The Council has recommended that the penultimate bullet point should be amended to read “Financial contribution will be negotiated towards the

enhancement of education facilities commensurate with additional demands created by the resident population of the development site...”

34. The revision is in response to an objection from the House Builders Federation. The revised wording ensures consistency throughout the Local Plan.

(q) Setting precedent for development of other sites

35. The allocation of this land has been carefully considered by the Council, and the development brief indicates the area of land which it is thought acceptable to develop. The importance of the open space and the park to the north of Queens Road is that it provides a green wedge into the urban area. As such development is not proposed on this land, and any applications for development would be refused. The Council therefore considers that the development of site H2(e) will not set a precedent for further surrounding land to be developed.

(r) Amenity Issues - loss of privacy/loss of view

36. Amenity issues will be assessed if an application is submitted. There is however, no reason to believe that acceptable levels of amenity cannot be achieved for existing and new residents. It should be noted however that the planning process is not able to protect the view that an individual may currently enjoy.

(s) Flooding

37. The Environment Agency has been consulted on this proposal and has not raised any objection on the grounds of likely flooding. The area which flooded in November 2000 was part of the Maltings curtilage, removed by the Revised Deposit Draft.

Background

The Council have been in joint discussions with the promoters of the above site to explore objections submitted by David Wilson Homes and Beeston Lads Club in respect of the extent of the allocated housing area. The parties are also aware of the concerns of Sport England in respect of potential loss of sports facilities and the need to ensure that Nottingham Rugby Club achieve alternative accommodation before any development would commence on the site. The Nottinghamshire Wildlife Trust have indicated their concerns that the ‘margins’ of the Lads Club playing fields display important grassland characteristics and wish to ensure the preservation of these areas. The Lads Club playing field is an identified SINC site as a consequence.

Planning Issues

The Council regard the Rugby Club site as previously developed land in a sustainable location within the urban area and close to good transport and shopping facilities. The site is considered to be important in providing for new high density housing development in the Beeston area where alternative sites are limited. Access to the area can only be achieved by construction of a new road onto Queens Road since the highway authority regard the existing access from Ireland Avenue/Dovecote Lane to be incapable of dealing with the extra traffic from a development of this size. Such an access can only be achieved by crossing part of the existing playing fields, fronting Queens Road, in the ownership of Beeston Lads Club. The intention has always been to minimise the area of land taken from the playing fields, to maintain the open break between Beeston and Chilwell which this site provides and at the same time achieve a comprehensive development embracing residential and recreational land uses.

Discussions with Objectors

After extensive discussions between Nottingham Rugby Club, Beeston Lads Club, David Wilson Homes, Sport England and Nottinghamshire Wildlife Trust, the Council now accept that an additional area of the Lads Club playing field could be allocated without prejudice to the open break between Beeston and Chilwell with no net loss of formal playing field.

In order to overcome the reduction in the size and layout of the remaining playing pitch area at the Lads Club land and to resolve the future use of remaining open land in the ownership of Nottingham Rugby Club agreement has been reached to combine the two areas. This will have the following benefits:-

1. The creation of a single area of playing fields for both football and cricket - including the addition of one extra football pitch.
2. The ability to share new common changing room facilities.
3. The whole of the area to become available as public open space.
4. The retention of marginal grassland to protect wildlife interest.
5. The partial satisfaction of objections from Sport England and the Government Office in respect of loss of sports facilities.

1-4 above will be achieved through a formal management agreement and land lease arrangements.

As a result of these discussions the Council wish to propose an inquiry change to extend the allocated housing area for site H2e by approximately 0.5 hectares as shown on the attached plan. At the assumed density of this site at 40 dph this will increase the capacity of the site by a further 20 dwellings. However this will have no significant effect on the other issues relating to this site. Access details remain the same. The inquiry change will be formally included in the Council's written proof in respect of outstanding objections. An illustrative layout plan is also attached demonstrating how a suitable development could be achieved. This will form the basis for a revised development brief.

Outstanding Objections

Subject to acceptance of the inquiry change David Wilson Homes and Beeston Lads Club will conditionally withdraw their objections. The Nottinghamshire Wildlife Trust have indicated their intention not to pursue further their objection relating to wildlife interest on the site on the basis that the agreed solution will retain grassland margins.

The objection by Sport England to the loss of the Rugby Club site will remain until the Rugby Club can formally secure alternative facilities within the city of Nottingham. The Council endorse the view that development of this site should not proceed until satisfactory alternative premises have been secured by the Rugby Club. Negotiations to secure a site close to Beeston (within the Nottingham City boundary) are at a delicate stage - but are believed to be close to agreement.

A number of outstanding 'written' objections remain from other objectors which the Council will address in a separate written proof. The Council believes those other objections to be insufficient to outweigh the benefits from the allocation of this site in achieving the requirements of the structure plan for additional housing land and in accordance with the aims of PPG3 to achieve such allocation within existing urban areas.

Inspector's Conclusions

Site Search Sequence

1. Most of this allocation within the urban area is a previously developed site according to the criteria in PPG3 Annex C, even though it includes playing fields

as well as a number of substantial structures. As such its development for housing comes within category a) of the search sequence in Policy 1 of RPG8 and in the first priority of sites in PPG3 para 30. Major development is also favoured by SP Policy 1/ 2 as it lies within a main urban area. I thus fail to see the basis for Westerman's objection. It is not as some objectors believe Green Belt land.

Need for Development

2. The site's development is needed to meet the SP requirements for housing and, contrary to some assertions, there is no evidence of any lack of demand for housing in the area; indeed a number of sites have been developed and occupied recently in the Chilwell area. However, it is incorrect to conclude that development has been excessive and the LP allocates relatively few sites in this part of the Borough for housing. The demand for housing arises mainly from social changes, including ageing and separation, among the existing population. The need for affordable housing was clearly demonstrated in the South Nottinghamshire Study. Policy H5, which I support below, requires at least 25% of dwellings in this category on sites of 1 ha and above. However, the leaflet circulated to local residents describing the development as 175 + affordable dwellings was misleading.

Facilities, Public Transport and Density

3. The site is within about 500 m of Beeston Town Centre and within convenient walking distance of many local facilities. Frequent bus services operate along Queens Road within easy walking distance. The site is also within about 400 m from Beeston railway station, particularly if a pedestrian link, which I support below, is provided through The Maltings site. According to the NTS this is well within the average walking distance for railway travel. I fail to see that the area is lacking in public transport, as some objectors allege. The current problems with the station ticket office are likely to have been addressed before any housing development is occupied.
4. The site's highly sustainable location justifies an increased density of 45 dph under Policy H6 even though the 400 m threshold is marginally exceeded for part of the site. This would also accord with government advice in PPG3 seeking higher densities. Apart from this change in density, the revised wording put forward in IC59 to clarify intentions should be supported. A higher density on this urban site should be capable of providing a high standard development which should be quite compatible with the urban surroundings and SP Policy 4/3. It is only adjoined on one side by existing houses. I see no reasons to replicate existing densities and dwellings types in the area. This would hardly achieve government objectives. With good design, different densities, dwellings and layouts should add variety and interest to an area, not diminish its character. However, the suggestions of Nuthall and Greasley Parish Councils for even higher minimum densities are not acceptable in this location; PPG3 suggests a range of densities with 30 dph as a minimum and 50 dph towards the top of the range. Despite the fears of Stamford Homes a higher density should be readily achievable, as site H2b shows

Enlarged Allocation

5. BBC and the prospective developers agreed during the inquiry to increase the housing allocation by about .5 ha by adjusting its north-western boundaries in order to provide a satisfactory access to Queens Road. As a result they put forward IC94, which I support below.

Playing Fields Open Space and SINC

6. PPG17 Revised advises protection of playing fields from development unless certain criteria are met. I prefer these to the tests of Sport England. The agreement to relocate the Rugby Club, albeit in Nottingham City, fulfils criterion (iii). The reorganisation of the remaining playing fields, the creation of an extra football pitch, the establishment of public open space and new shared changing facilities would bring public benefits and fulfil criterion (iv). These arrangements should meet the objections of GOEM and others and partially those of Sport England. I would expect the LPA to secure, through condition or agreement, the availability of relocated facilities for play before re-development of the existing Rugby Club Ground commenced. However, it is unnecessary to refer to such common procedures in the Plan and the question of timing may not in practice be so precise as Sport England would wish. For these reasons and to keep the RDDP concise and simple, as government advises, I reject their suggested additions to the Policy and text. Sport England's position is well known and they will be able to maintain an objection at any planning application stage if they obtain no satisfaction in the meantime on the replacement facilities. The issue of a possible covenant on some of the site is a matter for the owners, not for me.
7. I note the open space deficiencies at ward level. However, this immediate locality is quite well served with open space with prospects for improved public access as well as some play areas on the objection site. I note the provisions of Policy RC6, but I am not convinced that the best interests of the ward would be served by any significantly greater concentration of open space in this location and there is no possibility of a sports centre being developed here, whatever local people might wish. It may be that contributions to enhanced provision closer to more deficient areas would be more appropriate. The lack of a swimming pool and other recreation facilities in Beeston is a separate issue for the Council to address. It does not militate against new housing development. It is not for this Borough to export its housing needs to Long Eaton and Ilkeston in Derbyshire, whatever their range of facilities.
8. The enlarged allocation also retains a substantial open frontage to Queens Road and the treatment of fringe areas, including planting, to improve wildlife habitats and to compensate for the loss of a small part of SINC 2/321 on the site. This SINC is much more exposed to the effects of traffic on Queens Road than it would be from the proposed housing area. Disturbance during construction can be reduced through management measures and should have no longer-term effects. The management of an area of land for conservation, as sought by the Nottinghamshire Wildlife Trust, is a matter that should be resolved during consideration of detailed proposals.

9. In respect of these factors, I find the allocation and its enlargement acceptable. It should be possible to retain much of the planting on the site but a section of the hedge to Queens Road would have to be removed. New planting, as part of the proposals should more than compensate for any loss. The Intuitive Concept Plan shows existing trees to the south of the site to be retained. There would be some disruption to the cycle route but this is not uncommon in urban areas or along this route; it provides no factor against development. The remaining open spaces to the north and south west are protected by LP policies and I can see no reason why this allocation, due to its particular circumstances, should create any strong precedent for further development of open space in the area.

Traffic and Impact on Existing Residential Properties

10. A development of about 140 dwellings could generate about 1100 vpd. Queens Road, a category 2 major secondary road, is adequate to deal with the extra traffic generated by the development of the enlarged allocation. It may experience some congestion at peak periods, but so do most main roads in the Greater Nottingham area and new development has to be accommodated somewhere. Most of the traffic it carries is generated from much further afield. The problems of existing roads being used as rat runs and the Pelican Crossing on Queens Road may need to be addressed by the Highway Authority in the interests of existing residents. However, I cannot see how the proposed housing development should, in itself, make things significantly worse. The Concept Plan shows no connection with Ireland Avenue or through to Dovecote Lane but traffic management measures could guard against any problems if the latter was provided. I address the problems of Dovecote Lane below. The Highway Authority considers that provision of a new priority junction with a ghost island right turn lane to be necessary for road safety reasons on this busy road and I agree. However, mention would be more appropriate in Development Brief C at R491 than the supporting text to the Policy.
11. The new dwellings should cause no problems of noise or pollution, unduly increase the risks of crime or lead to any reduction in property values; not that I can afford much weight to the latter two factors as development has to go somewhere in the Borough. Other LP policies and development control procedures should ensure satisfactory space and amenity standards for new and existing dwellings. Some existing residents to the east may lose their present open views across the site. However, there is no entitlement to a particular or an unchanging private view; if there was it could preclude development almost everywhere. Adjoining dwellings may experience some disturbance during construction periods, but this would be short lived. It is, in any case, a feature of new construction wherever it occurs and new dwellings have to go somewhere. I cannot see how this moderate number of new dwellings would cause a breakdown in community spirit.
12. There is no evidence before me that housing on this particular site would be subject to flooding or would exacerbate conditions for existing housing areas. The Environment Agency has raised no objections on this score. I note the reports of gardens in Redwood Crescent being subject to inundation in 2000, from whatever cause, and Mr Good's identification of a former stream justifies some investigation in the interests of existing as much as new dwellings. The

development of the objection site would need to include provision for a sustainable drainage system to address points raised by some objectors. Existing ditches may be in need of maintenance. New planting should more than replace that lost to development and preparatory engineering works.

IC36 IC58

13. BBC put forward IC36 to clarify the intentions in respect of contributions towards the provision of extra education facilities required to meet the demands from developments. Whilst this is acceptable as a clarification, it unnecessary and potentially misleading to mention the requirement in the Policy for individual sites and its supporting text. As BBC say when responding to objections seeking to include cross-references to Policy T1, the LP has to be read as a whole. It is not possible to identify in advance all the policies that may apply to a particular site or proposals and it is confusing and potentially misleading to attempt selective cross-references. Duplication also adds unnecessarily to an already lengthy document. Thus, I reject IC58 (and IC36) and conclude that the 5th paragraph of Policy H2(e) (R188) should be deleted as should the penultimate sentence of paragraph 4.43 and the penultimate bullet point of Appendix 2C. This convention should be applied to all allocations apart from H2k, where special mention is justified. This should go some way to meeting the HBF's objection.

Synthesis

14. In the light of the above I support the enlarged allocation in IC94 subject to the modifications that I consider to be justified above.

Other Matters

15. On a wider point, it is interesting to note that the Borough Council is quite willing to rely upon their neighbours Nottingham City to meet some of their open space needs. It is sensible to ignore administrative boundaries in the interests of good planning and such initiatives should be supported. I also endorse the Council's concern to make use of the extra capacity on brownfield sites within Nottingham City for housing as revealed by their UCS, although I prefer a somewhat different approach in response. In these circumstances, it is inconsistent for the Council not to seek to take advantage of the new opportunities for the development of BPs or PEAs in Nottingham City on brownfield land, but continue to promote a BP (EM2) in a sensitive part of the Green Belt at W/N. This is one of the factors in my decision to recommend its deletion from the RDDP.

Recommendation

16. I recommend that the RDDP be modified as set out in IC94 with a consequent increase in the site size to 3.2 ha; an increase in the minimum site density to 45 dph in IC59 and a consequent increase in the site's capacity to about 144 dwellings; the deletion of the 5th paragraph of Policy H2(e) (R188), the penultimate sentence of paragraph 4.43 and the penultimate bullet point of Appendix 2C. This convention should apply to all housing allocations. The Development Brief C should be modified at R491 by including the words " The

junction with Queens Road shall take the form of a priority junction with a ghost island right turn lane” after the first sentence.

H2(e) HOUSING SITE – THE MALTINGS, BEESTON (Objections to reduction of site at Revised Deposit)

Objections

1107 4940	H2e	R181	FPD Savills on behalf of Scottish & Newcastle
1107 4941	H2e	R184	FPD Savills on behalf of Scottish & Newcastle
1107 4942	H2e	R185	FPD Savills on behalf of Scottish & Newcastle
1107 4943	H2e	R189	FPD Savills on behalf of Scottish & Newcastle
1107 4944	A2c	R490	FPD Savills on behalf of Scottish & Newcastle
1107 4945	A2c	R491	FPD Savills on behalf of Scottish & Newcastle
1107 4946	A2c	R492	FPD Savills on behalf of Scottish & Newcastle

Summary of Objection Issues

1107/4940-46: Scottish & Newcastle, c/o FPD Savills

1. “It is our view that the deletion of the Malting’s site from housing allocation H2e was unnecessary and unjustified and that the site’s retention for employment use does not constitute the best use of this redundant site. The inclusion of this site as part of a wider residential allocation within the first deposit draft illustrates that the site has significant merits in terms of being allocated for residential development. The revised deposit states that keeping this land for employment uses would be in accordance with the South Broxtowe Strategy 1999-2001. Yet this document acknowledges the need to maximise employment and residential development on brownfield sites. In many respects, the use of the Malting’s site for residential purposes would not contradict this strategy. This would be compatible with its environmental objectives as it would involve the efficient use of brownfield land. The document also acknowledges the need for an adequate supply of good quality land and buildings. On this basis the potential of older industrial buildings to be converted for modern business uses must be borne in mind. In our view, the scale and specialised nature of the Malting’s buildings is such that the buildings would not readily lend themselves for new commercial uses. Consequently in order to make these buildings suitable for new users it is likely that significant alterations would be required in order to convert it for commercial development and these are likely to be prejudicial to the character of this historic building. The residential use for the building would conserve its character and architectural significance. The site is close to residential area and this would make any commercial uses unsuitable without prejudice to their amenity. The site has limited access from Dovecote Lane which would be unsuitable to many employment uses where large lorries would be required to visit the site. The site is unsuitable for employment use, and PPG3 supports this in paras. 22 and 32.

The site constitutes a suitable location for new housing and in order to make the best use of this sustainable urban brownfield site it should be reinstated as an allocation site for residential development within the emerging local plan. Delete R184 and restore the site as a residential allocation. We would ask that the site be included as a separate allocation to the existing H2e allocation to ensure that the development of this site is not dependent upon the development of the Rugby club land. The Malting’s site is suitable and capable of being developed in its own right”.

Council’s Response:

2. Site details

Area	:	1.4 hectares.
Location	:	It is situated within the urban area of Beeston, close to the railway station. Its southern boundary was parallel to (and approximately 10 metres from) the main Nottingham-London railway line. Its northern boundary abuts the rear gardens of residential property on Redwood Crescent. The south western boundary of the land abuts the Nottingham Rugby Club land (H2e).
Current use	:	The site was previously used for employment as a brewery maltings and associated structures. It is vacant at present.
Ecological value	:	There are no designated wildlife sites on this land.
Public transport	:	The majority of the site is within 400 metres of a frequent bus service, and is also within 400 metres of the railway station. (As a choice of travel modes are within this distance, a minimum net density of 45 dwellings per hectare would be appropriate according to policy H6 of the Broxtowe Local Plan Review).
Road access	:	From Dovecote Lane, which is restricted in width at its southern end adjoining the site's frontage.
Other issues	:	As an existing employment site, the current use is protected under policy EM8 in the 1994 Broxtowe Local Plan and EM4 in the emerging review.

Site Assessment

3. Although the Council originally identified this site as part of proposed housing allocation H2e, many objections were received to its inclusion at Deposit Draft stage. Employment land is consistently short in supply in the south of the borough, and during 2000 the Council reassessed its allocations in the Local Plan review, and decided to retain this land in employment use rather than allocate it for housing. This was reported to Council members on 21 November 2000, as part of the overall changes which resulted in the Revised Deposit Draft document. Part of the reason for this reassessment was the reduction of the proposed employment allocation (by 1.8 hectares) at the Ordnance Depot (Attenborough), site EM3a, which is also in the south of the borough. The Council considered that rather than suffer a net loss of employment land to this degree, that the retention of the Beeston Maltings site in employment use would for the most part compensate for this loss.
4. Issues of employment land need have already been discussed at the Employment Round Table Session, for which the Council's proof of evidence (Paper 2) provided specific information in paragraphs 13.1-13.4. In particular para. 13.3 states:

"13.3 A necessary land supply must be maintained particularly in the south of the borough, a location offering good accessibility to the railway and M1 motorway but containing few opportunities for new employment development. This is principally due to the tightly drawn Green Belt surrounding the urban area and because of environmental constraints. Information contained in the Council's annual employment land availability report 2000, reveals that only 25% of total employment land currently available is situated in the south of the borough. Significantly the south contains approximately 65% of the borough's population. The current review tries to redress the balance by positively allocating employment sites in the south to prevent a shortage of land over the forthcoming plan period. A potential cumulative loss of sites is detrimental when considering the high demand for a range of suitable employment sites within the urban area which are accessible by a choice of transport modes. These sites are at a premium and should be safeguarded, a principle consistently followed by the Council and one accepted by an Inspector in a recent appeal decision at the former Redfern's Depot, Trowell. This employment site and those within the wider area are essential to ensure a ready supply for the needs of the borough and those outside it".

5. The Council recognised the importance of this issue and did not wish to allocate for any other use a building which was at that time in employment use and capable of re-use for employment purposes. Accordingly the Council withdrew its housing proposal for this site and prefers it to remain unallocated in the plan. This leaves any future planning application for the site to be judged under policy EM4. The site is well located in relation to public transport modes, making it suitable to continue as an employment site. It has also the potential to be served by a freight rail siding in the future.
6. In general terms, the objectors' proof relies heavily on PPG3 without acknowledging the importance of other extant guidance, particularly PPG4 'Industrial and Commercial Development and Small Firms'. Paragraph 21 of PPG4 stresses the importance of bringing vacant industrial buildings back into beneficial use, including for employment activities.
7. The standard of amenity for any future residents of the Maltings would be likely to be compromised by noise from the car body repair workshop immediately adjoining the building, which is not within the control of the landowners of the site. If the Maltings building was to be converted to residential use, new occupiers would need to rely heavily on artificial light, as the building has a very dark interior. Although conversion of the Maltings might appear superficially to be a sustainable option, insufficient information is given on the extent of work required to upgrade services such as sewerage to an adequate standard.
8. In conclusion the Council believes that the site has future potential for employment use and would be unsatisfactory for allocation for residential purposes, given the characteristics of the site and the shortage of employment land in the south of the borough.

Background

1. This site of 1.4 ha was included in the FDDP as a housing allocation as part of the adjoining site H2e. This attracted many objections. BBC deleted it as a housing site in the RDDP, leaving it unallocated and leaving any proposals to be judged against Policy EM4 of the Plan. Part of the reason for this was their decision to reduce an employment allocation EM3a at the Ordnance Depot and their perceived shortage of employment land in the south of the borough but also as the site was in employment use at the time and judged by them to be capable of re-use for employment purposes.
2. I have to deal with objections to the RDDP and those to the FDDP that the Council put before me.

Inspector's Conclusions

Site Search Sequence

3. This is a previously developed site within the urban area according to the criteria in PPG3 Annex C. It is in the first priority in the search sequence for housing sites in PPG3 para 30 and falls within category a) of Policy 1 of RPG8. It is within the main urban area favored by SP Policy 1/ 2 as a location for major development.

Public Transport

4. It occupies a highly sustainable location within about 300 m of frequent bus services along Queens Road and even more importantly within 400 m of Beeston

Railway station which affords quick, reliable, congestion free access to the largest concentration of jobs, shops and services in the conurbation: Nottingham City Centre. I cannot see how the area could be described as lacking in public transport as some objectors have alleged. The characteristics of heavy rail favour this form of out commuting rather than in commuting to an employment site bearing in mind the size of the latter drawing from the limited catchment populations served by the few stations on this line. The reality is likely to be that very few workers would commute in by rail compared to residents commuting out particularly to the City Centre. Residential use of the site should promote high PT usage for commuting and other trips. Utilisation of the site, which I conclude below would be dependent upon a residential allocation, would permit integration with new housing development on the adjoining allocation H2e and provide this with direct pedestrian and cycle links to Beeston Station. Without this, such links would be longer and more circuitous. The site is also within reasonable walking distance of Beeston Town Centre and a wide range of local facilities.

Rail Freight

5. The Council's hope that an employment use on such a small site could utilise the adjoining railway line for freight traffic is highly remote. In any case, it is rare for land uses to employ rail freight for both inward and outward transport of goods; the common arrangement is for one of the freight journeys to be by road. As I conclude below, Dovecote Lane falls well below the standard for employment development and is quite inadequate to accommodate HGVs.

Impact on Existing Residential Properties

6. I can see no good land use planning reasons or amenity factors that would make housing development on this site unacceptable. Indeed, the alternative employment use of the site promoted by the Council would have a greater detrimental impact upon residents of Dovecote Lane and others nearby than a proposed housing development on this site. I respond to a number of objections to housing development on the adjoining allocation H2e to the west. My conclusions in respect of this site are very similar in respect of local amenity and environmental factors. I note reports by some objectors of flooding on the Maltings site in 2000, but this should not sterilise the re-use and development of such a highly sustainable urban site. Ways of dealing with this problem without exacerbating conditions for existing housing areas should be capable of implementation. However, no objections from the Council and the Environment Agency on this matter have been put before me.

Noise and Services

7. I detected no undue noise within the Maltings Building or on the rest of the site from the adjoining vehicle repair workshop. However, any problems could be addressed by acoustic glazing for the Maltings building and within new dwellings. The noise from occasional passing trains is more noticeable and again this could be dealt with by the same means or by acoustic barriers and planting alongside the railway. I give little weight to these points raised belatedly by the Council. They clearly did not dissuade them from the allocation in the FDDP or from the adjoining housing allocation, which is also next to the railway line. The capacity of local services was

the same at the time of the FDDP and a development of this scale should be able to fund any necessary improvements. The same should apply to any extra demands upon local schools, which Policy RC3 is designed to address.

Employment Use

8. The principle, and perhaps the only significant objection from the Council to housing development is their later preference for employment uses on the site.
9. The Council's reasons for the change in the RDDP are unconvincing. No sound reason was advanced for preferring a reduction of site EM3a over housing development on the Maltings site. The former site requires clearance whilst the Maltings building could be preserved. The "shortage" of employment land in the borough was substantially the same at the time of both the FDDP and the RDDP and a reduction of 1.8 ha at EM3a hardly changes the position. The Council's position also ignores the potential for employment development at the Seimens site and more importantly the high potential for employment land in the wider area revealed since the FDDP by Nottingham City's review LP, including the nearby former Royal Armories Depot.
10. The Council is quite content to rely upon Nottingham City to meet some of Broxtowe's housing and open space needs and there is no logic in ignoring its potential to meet wider employment needs. Local firms are mostly unconcerned about administrative boundaries and are quite willing to move some distance to secure a suitable site, even breaking the strongest of local ties as evidenced by the relocation of Raleigh from Nottingham to Eastwood. With the availability of employment land in Broxtowe and the City, the criterion a) of Policy EM4 would appear to be met. Furthermore, the SP employment land requirements contain a very large allowance for choice over previous land take up rates. Jobs in the neighbouring City are clearly local to Broxtowe residents.
11. The Maltings was in employment use at the time of the FDDP, although the occupier's advice was that the malting activity would cease. This did not prevent its allocation for housing. Whilst, it may not have ceased by the time of the RDDP, there was no change in the clear intention that it would within the Plan period; up to 2011. The deletion of the housing allocation well before this in 2001 did not prevent closure prior to the inquiry and it is difficult to understand why the Council ever thought that it would, despite the understandable concerns of some local people and CAMRA. The Council's latest view that the closure now makes no difference is even more perplexing. In contrast to their attitude on The Maltings site, the Council endorses a housing conversion of a former mill in Beeston and the residential redevelopment of a site (H2h), which is in current employment use; they offer no explanation for such inconsistency. The Council also fail to balance the need to use brownfield land for housing with the rather generous SP requirement for employment land with its large flexibility allowance; particularly when the RDDP and the PICs, envisage such a large land take from the Green Belt to meet the housing requirement, notwithstanding increased densities, windfalls and increased reliance upon the City.
12. It was clear at the inquiry that the Council's expectation of re-use or conversion of the Maltings building for other employment uses was based upon wishful thinking

rather than any proper assessment. It contrasted with the earlier and more informed views of the Beeston and District Civic Trust. The emphasis in PPG4 para 21 is in getting underused or vacant land and buildings back into a beneficial use; industrial/commercial use is by no means preferred among the various alternative uses.

13. I found the detailed assessments presented by the objectors convincing. These showed that conversion of the Maltings would produce such a poor standard of modern offices that it would be a most unattractive proposition for a developer who would be rightly anxious at the prospects of letting space. Interior columns present a problem, as do the dark central areas and small narrow windows. Restricted ceiling heights would preclude raised floors and in some parts suspended ceilings. Conversion to offices would involve relatively high costs (lifts and a new staircase), some failure to utilise space on the 3rd and 4th floors and some detracting alterations to the building. No other realistic employment use of the existing building was suggested and I can see none myself.
14. The Council now accepts that reservation of the site for employment use would have to involve the demolition of the whole of the Maltings building. The consequence of a continued employment reservation is likely to result in the site's sterilisation for an indefinite period and the consequent deterioration of the Maltings, as the Civic Trust feared and contrary to the advice of PPG4 para 21. In this case, it would not make any contribution to employment land supply as BBC had hoped. Contrary to the Council's arguments at the inquiry, any redevelopment of the site would count towards the employment land provision as footnote d) to SP Policy 2/1 makes quite clear. The Maltings building clearly meets criterion c) of Policy EM4. However, BBC has not looked at the potential for employment re-development.
15. By contrast, the core Maltings building lends itself well to conversion to apartment dwellings with corridors, lobbys, bathrooms and perhaps kitchens occupying the darker central parts of the building with living and bedrooms in the better lighted parts. It would also be possible to convert the 3rd and 4th floors, which would otherwise lie unused, to apartments. The costs of conversion are assessed to be lower than those for new build apartments, and would constitute sustainable development.
16. The Council's attitude to demolition and re-development was both belated and equivocal. It appeared to arise once the impracticability of re-use/conversion for employment use was accepted. It contrasted with their previous preference that strong efforts should be made to preserve and re-use the building for its architectural and historical significance to the locality. This importance has not diminished of late. Re-development would also be a waste of a valuable asset and an example of unsustainable development. Residential conversion and development of the site would produce a high density of development, in line with the Council's concern to protect greenfield and Green Belt sites, and in contrast to some vague employment scheme. The Council's preference now for an employment use on this small site over the retention of this local building appears to reflect the expediency of the moment and is not supportable on planning, environmental or highway grounds. Although not listed, the Maltings building is clearly important to the local history and heritage of Beeston as local residents,

such as Mr Kensington, and the Civic Trust argue. The core building is potentially attractive and its features, character and integrity could be substantially preserved with a residential conversion, which appears to be the only practicable option for retention.

Access and Traffic

17. Dovecote Lane is seriously substandard for HGVs, particularly the southern part. Here it varies in width from about 4.9 m outside the site to about 4.4 m on the bend immediately to the north with very narrow footways of 1m to 1.2 m on the west side and 1.9 m on the east; the former partly blocked by vegetation. The most restricted width is insufficient to allow even cars and HGVs to pass let alone two HGVs, a problem exacerbated by the bend and the narrow footpaths where there is clear evidence of overrunning. The lane widens to 5.6m and 6.5 m further north. Apart from the Public House, which creates some parking problems on the highway and the car workshop, Dovecote Lane is residential. The Lane is quite inadequate to serve an employment development, even a B1 use. It falls well below the Highway Authority standards of a minimum of 6.7 m wide and preferably 7.3 m wide of which the Borough Council was apparently unaware at the inquiry. These standards only emerged at the inquiry session on allocation H2j some time later. Furthermore, visibility at the junction with Queens Road is restricted to the east, a factor that is more important in the case of slow moving good vehicles than private cars.
18. Whilst these highway conditions, difficult at times, might have been a feature of the previous use and might even have to be tolerated with an employment re-use of the building, they should not be accepted in the case of new employment development. Thus housing development rather than employment development would meet criterion b) of Policy EM4.
19. The Lane in one place immediately north of the site also falls below the normal standard to serve a substantial housing development. However, the limitations of this short section should be capable of being dealt with by traffic management methods. Subject to this Dovecoat Lane should otherwise be capable of catering for the residential development of the Maltings site; it serves few dwellings currently and generally the carriageway and footways are of sufficient width. Residents on the Maltings site would also be aware of potential dangers and be more inclined to drive accordingly. Problems of parking associated with the PH may need to be addressed. An access to the site does not necessarily need to provide a road connection with the adjoining allocation to the west. If one was provided, in addition to an access from Dovecote Lane, traffic management measures might be needed to arrest any potential for ran running raised by some objectors. Existing rat runs in streets to the north may need to be addressed by the Highway Authority in any event. An access solely via the adjoining development site would address the problems of Dovecote Lane for a housing development, although this would not be appropriate for an employment development. In this case, an emergency access from Dovecote Lane may need to be maintained for the combined scale of development. Clearly early decisions will be needed on the integration of the two adjoining housing areas.

20. The poor highway access alone should have been sufficient to reject employment development, even against any wishes of owners, and to prefer housing proposals. There are however other strong planning, environmental and sustainability reasons to allocate the site for housing which appears to meet the three criteria of Policy EM4.

Density and Phasing

21. A minimum density of 45 dph for the undeveloped parts would give a capacity of 30 dwellings on top of the 55 units expected to be provided in the Maltings buildings itself; a total of 85 dwellings for the site as a whole. I agree with the NWT that a high density should be required and encouraged on such a highly sustainable urban site. Bounded on only one side by existing housing a high density should respect the amenities and character of its surroundings and meet the terms of SP Policy 4/3. Different densities and housing types should add variety and interest to the area, there are no sound reasons simply to replicate that existing. Site H2b should demonstrate that higher densities and high standards could be achieved. As a previously developed site it should be included in Phase 1 of Policy HX and this is also justified to maintain the integrity of the Maltings building.
22. I doubt whether the type of accommodation envisaged in the Maltings building would give rise to any significant extra demands for open space and in any case provision in the immediate locality, in contrast to the wards, is quite good with the prospect of increased public access. Consideration should be given as a consequence of the above conclusions, to the inclusion in a housing allocation of the unused land behind the car body workshops, about .1 ha, and even the latter as a consequence of my recommendations. Case law has confirmed that this is appropriate in such circumstances even though the adjoining land was subject to no objections. These areas could provide for some earth mounding and planting to the railway line.

Other Matters

23. I note the objector's comments on Policy H5 below. However, this site appears suitable for provision of affordable units. I also note comments on requirements to contribute towards the costs of providing extra education facilities made necessary by developments. In Chapter 8, I support Policy RC3 which seeks contributions but I consider that any reference to this or to the supporting text in every Plan allocation is unnecessary and potentially misleading. As the Maltings is an identifiable site it should be allocated in the Plan, rather than partly included in the allowance for unidentified conversions, which is in any case now pitched at a low figure.

Recommendation

24. I recommend that the RDDP be modified by allocating this site for housing at a minimum density of 45 dph on the undeveloped part and in Phase 1 of Policy HX. Consideration should also be given to extending this allocation over the unused adjoining land to the south and the car repair workshop. Provision should be made for convenient footpath/cycleway links with the new residential development on the

adjoining allocation H2e to the west to allow convenient access to Beeston Station in particular and possibly estate road links.

H2(f) HOUSING SITE - CHILWELL LANE, BRAMCOTE

Objections

4.44 R190 ***New Housing site - Chilwell Lane, Bramcote - Rephrasing of site description***
2100 6644 R190 Dr TE Fletcher

4.44 R191 ***New Housing site - Chilwell Lane, Bramcote - Addition of confirmation of County Council's intention for site***
1400 5328 R191 Prof K Elsdon Bramcote Conservation Society
2100 6645 R191 Dr TE Fletcher

4.44 R192 ***New Housing site - Chilwell Lane, Bramcote - Addition of explanation for density selected for site***
790 4757 R192 Nottinghamshire County Council Strategic Property
Robert Turley Associates
1400 5326 R192 Prof K Elsdon Bramcote Conservation Society
2100 6646 R192 Dr TE Fletcher

H2f ***New housing site - Chilwell Lane, Bramcote***
1155 2431 Greasley Parish Council
Andrew Thomas Planning
791 1445 Mrs H A Aiers
1437 3780 Mr R Cole National Playing Fields Association
771 1424 Mr DH Cutting
804 1464 Dr DC De Ville
803 1463 Mrs DES De Ville
800 1460 Ms HJ Dickenson
799 1456 Mr L Doherty
802 1462 Mr DT Dowell
1400 3670 Prof K Elsdon Bramcote Conservation Society
810 1474 Mrs K Harriman
792 1446 Mrs Y Hart
820 1488 Mr MK Hart
796 1450 Mrs EM Haynes
805 1465 Mrs C Howard
797 1451 Mrs JA Jones
809 1473 Mr DS Jones
806 1472 Mrs CM Jones
812 1476 Mr W Kulesza
794 1448 Mr WK Longman
773 1426 Mr J McAuley
815 1479 Mr M Miles
814 1478 Mr AM Miles
817 1487 Mrs SA Miles
801 1461 Mr J Neaverson
789 1443 Mrs MA Palmer
793 1447 Mr GC Roseblade
811 1475 Mrs C Roseblade
893 1637 Mr VH Smithson
1474 3929 Mrs M Staley
1473 3928 Mr D Staley
839 1523 Mrs KG Stockdale

774	1427	Dr M Stockdale
888	1624	Mr KR Taylor
813	1477	Miss LE Wilkinson

H2f R154 *New housing site - Chilwell Lane, Bramcote - Amendment in table b number of dwellings; application of minimum density*

790	4756	R154		Nottinghamshire County Council Strategic Property
				Robert Turley Associates
1006	4864	R154		Nuthall Parish Council
				Browne Jacobson Planning Unit
1154	5059	R154		W. Westerman Ltd
				DPDS Consulting Group
1155	5124	R154		Greasley Parish Council
				Andrew Thomas Planning
1108	4960	R154	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1400	5324	R154	Prof K Elsdon	Bramcote Conservation Society
599	4478	R154	Mr G Foster	Nottinghamshire County Council
792	4760	R154	Mrs Y Hart	
820	4763	R154	Mr MK Hart	
1135	5032	R154	Mr I Moss	House Builders` Federation
601	4562	R154	Mr S Rufus	Nottinghamshire Wildlife Trust
774	4751	R154	Dr M Stockdale	
839	4770	R154	Mrs KG Stockdale	
123	4108	R154	Mr D Woodhouse	

H2f R193 *New housing site - Chilwell Lane, Bramcote - Insertion of reference to need for emergency access link*

790	4755	R193		Nottinghamshire County Council Strategic Property
				Robert Turley Associates
2100	6647	R193	Dr T E Fletcher	
810	4762	R193	Mrs K Harriman	

H2f R194 *New housing site - Chilwell Lane, Bramcote - Insertion of reference to minimum density*

790	4758	R194		Nottinghamshire County Council Strategic Property
				Robert Turley Associates
1108	4975	R194	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1400	5325	R194	Prof K Elsdon	Bramcote Conservation Society
2100	6648	R194	Dr TE Fletcher	
601	4581	R194	Mr S Rufus	Nottinghamshire Wildlife Trust

PC4 *Delete part of H2(f) East of Chilwell Lane, Bramcote*

790	7025	PC4		Nottinghamshire County Council Strategic Property
				Robert Turley Associates
1006	7044	PC4		Nuthall Parish Council
				Browne Jacobson Planning Unit
1155	7028	PC4		Greasley Parish Council
				Andrew Thomas Planning
792	6850	PC4	Mrs Y Hart	
820	6851	PC4	Mr MK Hart	
601	7063	PC4	Mr S Rufus	Nottinghamshire Wildlife Trust
893	6856	PC4	Mr VH Smithson	

Summary of Objection Issues

1. Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) Loss of a greenfield site and loss of a protected open area resulting in coalescence of the existing settlements.
- (b) The prescribed level of development is inappropriate: the density should be increased to maximise the level of development; the density should be decreased as too excessive for this small site.
- (c) Development will result in an increased level of traffic and consequently fears for road safety.
- (d) Development will set a precedent for future land release within the area and development of the Green Belt.
- (e) The County Council has identified a need for a residential home for the elderly in this location and therefore all of the site as originally proposed cannot be used for housing.
- (f) Development will result in the loss of trees and a natural boundary.
- (g) An emergency vehicular link should be provided to serve the proposed number of dwellings.
- (h) Development will result in increased noise and pollution.
- (i) Fears about security as a consequence of new development.
- (j) More houses and 'low cost' dwellings will spoil neighbourhood ambience and as a result the value of houses will drop in the area.
- (k) The development would result in a different type and character of housing to the existing area.
- (l) The site allocation is not in accordance with PPG3's 'sequential test'.
- (m) As a result of proposed development within the area, the number of pupils expected to arise cannot be accommodated in existing schools. The Plan should state that provision for a primary school is to be funded by developers contributions.
- (n) Development will result in a loss of amenity.
- (o) The land should be used as open space and playing fields for the expanding school.
- (p) Development will remove any ecological interest on the site.
- (q) Brownfield sites should be developed first.

Council's Response:

(a) Loss of Greenfield Site/protected open area

2. This 3.2 hectares (7.9 acres) site shown in the Deposit Draft, and on the attached plan is on the edge of the urban area, and although it is a greenfield site it is not in the Green Belt. Previously ungraded grazing land, the site was originally designated as part of a "Protected Open Area" policy in the 1994 Local Plan. However, the Council does not consider that the development will result in any significant weakening of the gap between Chilwell/Beeston and Bramcote. The site is not unduly prominent and sufficient open land remains to the north to prevent coalescence of the built up areas. It should also be noted that residential development exists already on the opposite side of Chilwell Lane such that the open break at this point has limited value.
3. The site has previously been safeguarded for development for educational purposes for a considerable time. As such the principle of some form of development on this site has long been established. The County Council has now confirmed that the site is no longer required for school purposes and has recently granted outline consent for a residential home and day care centre for the elderly on the eastern part of the site, comprising 1.75 hectares (4.3 acres). The County Council has also recently constructed additional accommodation on the existing school site (Alderman White School) as a replacement for the Alderman White (Lower) School.

(b) Density of development

4. The density figure chosen reflects the proximity of the site to reasonable public transport services. However, as the route of the most frequent bus services are more than 400 metres from the site (on Bramcote Avenue), the Council does not feel that it is reasonable to set a higher minimum density than 35 dwellings per hectare. (It should be noted that the bus service, which

passes the site, along Chilwell Lane, could not be regarded as frequent as its daytime rate is less than one every 15 minutes which the Council regards as a minimum requirement for 'reasonable' transport services). The density chosen accords with policy H6 of the Revised Deposit Draft, and with guidance in PPG3 Housing.

5. Further explanation of density policy is contained in the Council's Housing Round Table Paper.

(c) Increased level of traffic

6. The Council recognises that all new development will lead to some increase in traffic. However careful choice of sites helps minimise the additional number of car journeys made. PPG3 states that sites adjacent to existing urban areas, and with access to public transport are likely to be more sustainable. As such the Council considers the development of this site will not lead to an unacceptable number of additional car journeys. The Highways Authority has confirmed that the existing road network can accommodate the additional traffic. The site takes access directly from Chilwell Road, which is part of the main strategic highway network serving the area.
7. Recent action by the County Council in the form of traffic calming measures relating to the adjacent school, will ensure traffic speed is reduced. The presence of an additional junction adjacent to the stretch affected by traffic calming (the 'school zone') should help to reduce traffic speeds further.

(d) Development would set a precedent

8. The Council is required to allocate land to meet the borough's housing requirement to 2011. The allocation and proposed development of site H2f does not set a precedent for the development of adjacent land, or any other land. The Council has allocated sites across the Borough, sufficient to meet its requirements. In addition, Local Plan policies exist to protect land from development. Proposals for development on other land would need to be assessed on their own merits.

e) Residential Home for the Elderly

9. The County Council's Social Services Department identified a need for a residential home and day care centre for the elderly in the south of Broxtowe District and subsequently confirmed this site as suitable. The Council recognises the important role played by such homes in meeting special needs of elderly members of the community. As such, the Council supports the use of part of this site for an elderly persons' home. It should be noted that outline planning permission has now been granted on the eastern part of the site, taking access from Chilwell Lane, through the front part of the site. Due to this permission, the site was subject to Pre-Inquiry changes – P.I.C4, which amended the proposed number of dwellings to be accommodated on the land from 110 to 60 dwellings; as the elderly persons home cannot be counted as contributing to the Structure, Plan housing requirements.

(f) Loss of Trees/Loss of Natural Boundary

10. The most important natural feature of the site - the band of mature trees that runs across the eastern boundary of the reduced site will be retained as part of the housing development. Some young self-seeded trees will be lost in the development of the residential home for the elderly due to the required vehicular access, which will run through this belt of trees, but a landscaping scheme will be required for the housing and is a condition of the planning permission for the residential home.
11. The boundary treatment will be assessed when a planning application is submitted. The existing 'natural' boundary treatment will not necessarily be lost.

(g) Emergency vehicular link

12. The Highways Authority has indicated that if in excess of 50 dwellings are proposed on this site, an emergency access is required. Since this site has a single point of access to a road an alternative emergency access arrangement is deemed suitable by the County Council, which will encompass a 2m path and a 2m low-growth verge to be provided adjacent to the carriageway.
- (h) Increased noise and Pollution
13. It is inevitable that there will be some noise and disturbance during the construction of new development. However, once the development is complete there is no reason to believe that additional housing and a residential home for the elderly will result in unacceptable noise or increased pollution problems.
- (i) Security Fears
14. Any new development proposed, will be assessed with regard to policy E1: Good Design in the Built Environment which requires development to ensure a safe and secure environment, where necessary including crime prevention features. Reference will also be paid to Circular 5/94 'Planning out Crime'. The Council also consults with the police when considering new housing layouts to take account of crime issues.
- (j) Different type and character of Housing
15. The design and layout of any proposed development will be assessed when an application is submitted. All new development must accord with policy E1 - Good Design in the Built Environment. Although the density of new housing will be higher than some of the adjacent development, this does not mean that designs will be out of character with the area. To support this a recent residential development exists to the south side of the site (Kingsbridge Way) which does not have a detrimental effect on the area.
16. Policy H5: Affordable Housing, requires sites of over 1 hectare or over 25 dwellings to ensure at least 25% of dwellings built will be affordable. The Council does not accept that this type of housing makes bad neighbours. PPG3 encourages Local Authorities to ensure that new housing developments help secure a better social mix by avoiding the creation of large areas of housing of similar characteristics (Para 10).
- (k) PPG3 Sequential Test
17. The Council has undertaken an urban capacity study which revealed that all new development could not be accommodated within the urban area. An urban extension, such as is proposed, can be a sustainable option for development within the sequential approach identified in PPG3. Moreover the site relates well to the existing urban area. As such the Council considers the allocation of site H2f is entirely in accordance with PPG3.
- (l) Education Facilities
18. Broxtowe Borough Council considers that where new development will generate a demand for education facilities, negotiations should take place to secure developers' contributions towards appropriate expansions or improvements. Policy RC3 - Developers' Contributions to Education and Community Facilities - applies to all new development sites and allows the situation of a potential shortage of education facilities to be reassessed at the time of an application.
- (m) Amenity Issues

19. Issues relating to the amenity of the occupiers of existing dwellings will be assessed when an application is submitted. The Council will have regard to Policy E1 which requires the maintenance of a high standard of amenity for the occupiers of neighbouring property. It should be noted however that the planning process is not able to protect the view that an individual may currently enjoy.
- (n) Open Space/School's need for open space
20. The site does not currently constitute public open space and therefore no recreational value would be lost by the proposed development. Furthermore the County Council no longer requires the site for educational purposes including its use for playing fields. Playing fields for the school already exist on adjoining land, with an artificial all weather pitch provided as part of the school's expansion on its existing site. Moreover it is not for the Local Planning Authority to determine the requirement for school playing fields.
- (o) Ecological Interest
21. No part of the site has been identified during the work undertaken by the Nottinghamshire Wildlife Trust/County Council nature conservation audit as of specific ecological interest (SINC sites) and consequently the site does not enjoy any wildlife or conservation designation. The mature band of trees running across the site will be retained within the development and protected via a group TPO. Whilst some immature trees would be lost, their value is not considered to be significant.
- (p) Development of Brownfield sites
22. The Council's Urban Capacity Study examined all urban land in the borough to assess the potential for allocating development. A lack of available previously developed sites, especially in the physically constrained south of the borough meant the need to locate development on greenfield/green belt sites.
 23. The potential availability of land for development as a result of school closures has been taken into account when calculating the scale of new housing land to be provided. Such situations have been taken into consideration within the Council's windfall assumptions. The Council's Housing Round Table Paper explores this issue more thoroughly.

Inspector's Conclusions

Site Search Sequence

1. This site is categorised as a greenfield site under the criteria in PPG3 Annex C. However, it will be contained by housing to the south and to the west, by large school buildings to the north and by a large residential home to be built to the east. Although the Council have described it as an urban edge site, it has many of the characteristics of an urban site and is divorced by development from the countryside to the west of Chilwell Lane. In this case, I consider that it falls within category b) in the search sequence of Policy 1 of RPG8, after previously developed land within the urban area. It is clearly not a village site as Westerman's seemingly standard objection implies.
2. The Council's Urban Capacity Study revealed insufficient previously developed land in the urban areas to meet the housing and employment land requirements of the SP. Redundant residential homes and schools are included in the Council's estimates of future windfall housing developments and have already

been taken into account in the calculations of the housing requirement. In consequence, it is necessary to allocate some greenfield sites for development. Indeed the RDDP and even the PICs allocate major areas of Green Belt for development, notably site H2I and EM2 at W/N. The Council accepted on site H2X that it was preferable to take greenfield land before Green Belt land and that it was difficult to establish the exceptional circumstances necessary to justify alterations to the Green Belt whilst alternative green field sites outside the Green Belt exist. This objection site lies outside the Green Belt.

Agriculture and Protected Open Areas

3. This site is unused and overgrown; it is of little value for agriculture in contrast to site H2I and others. It was previously included in the 1994 LP as part of a Protected Open Area. However, its role in this has been severely compromised by the approval of a large residential home on the rear part of the site to the east of the small tree belt. Whilst the latter would provide some screening, views of the home would be obtained through the gap for access and would contain any longer vista over site H2f. The site is also compromised by the approved access road, which will run up the centre to the Home. When these are constructed, the site's character would be changed to that of a neglected site awaiting development at some stage. I understand the concern of objectors regarding the circumstances of approval of these new developments, particularly in view of the site's designation in the adopted 1994 LP. However, this is now outside my influence and I have to deal with matters in the prevailing situation, which has moved on somewhat since the earlier stages in Chilwell's evolution. The site is also more cut off now from the POA to the north by the recent school extensions on the adjoining site.
4. In these circumstances, the value of the site to the POA would be minimal. Contrary to the views of the Bramcote Conservation Society, I do not consider, having studied the situation on the ground, that this isolated small area could play much of an effective part now in the corridor linking Bramcote Fields Golf Course and the Green Belt to the west of Chilwell Lane. The open views and the green corridor would effectively disappear at this point. The site has not been the only open land in the corridor, nor its most critical or important part. The corridor would be effectively maintained on the east side of the Lane by the playing fields of the Secondary School and by the grounds of St John's College. Although well screened from Chilwell Lane, glimpses of the latter can be obtained in the vicinity of the southern gate and the school. Furthermore, the trees on the College site assist the perception of it as an essentially open area. The recommendations that I make under Policy E13 do not affect the openness of these grounds. Thus the loss of site H2f would not leave the Golf course as an island, as some suggest.

Settlement Form and the Conservation Area

5. Development on the site would be contained by buildings, existing and permitted. It would hardly be visible from within the Bramcote Village Conservation Area and would have no impact upon its appearance and character. Given the school buildings on the adjoining site to the north, the site's development would not destroy any southern aspect of Bramcote as a hilltop settlement.

6. Being so contained by buildings, existing and committed, its development would not lead to any major increase in coalescence between Chilwell and Bramcote. A distinctive and effective open break between these settlements would still exist with the grounds of St John's College and with the Green Belt area to the west of Chilwell Lane. I cannot see how the site's development could set a precedent for further development in the vicinity. I know of no other site in the area with the same characteristics.

Local Amenities

7. The housing development should not give rise to any undue noise or pollution and there is no evidence that housing, even with an element of affordable housing, should give rise to any undue security risks. Housing on the site might be of a different character to some adjoining areas but I see no harm in that provided high standards of design and layout are achieved through Policy E1. It should, as a result, cause no harm to the local environment or ambience. Development would affect the views from some adjoining dwellings. However, there is no right to a particular or an unchanging private view. New development has to go somewhere; mostly likely alongside existing development if towns are to be kept compact and the countryside protected from sporadic development. There is no evidence to support fears that development would cause any sustained fall in property values and, in any case, this is not a factor that I can give weight, as development has to go somewhere. They are, in any case, more susceptible to macro economic factors.

Wildlife

8. No part of the site is designated as being of wildlife value not even the local SINC designation. Many of the trees, which provide the main wildlife habitat, should be preserved in any development scheme. Dwellings with gardens can also provide a good, if different, habitat for a range of species.

Open Space

9. Although the Chilwell wards are deficient in open space the adjoining Bramcote ward has a considerable surplus judged against NPFA standards and the site is close to open countryside to the west and footpaths through the POA to the east. There is no requirement for school playing fields, as the NPFA might have thought, and the adjoining ones at Alderman White School might be able to offer some community use. I see no case to duplicate provision of open space on the objection site. The permitted nursing home is set in adequate grounds with a pleasant outlook; it needs no extended garden, which would be an inefficient use of land. I see nothing incompatible between housing on the site and the adjoining residential home.

Local Facilities

10. The site is accessible to local schools. Policy RC3 allows contribution to be sought from housing developments that produce demands requiring additional educational capacity or facilities but its provisions need no mention in Policy H2f.

Access and Transport

11. An access to Chilwell Lane would be provided by that to be constructed to serve the residential home development. Housing development on the site would generate extra traffic onto Chilwell Lane. However, this would be but a modest proportion of the total daily flows. It is clear that Chilwell Lane is used by traffic from further afield particularly that diverting from the A52. As Mrs Stockdale and others point out, this creates problems in Main Street and Chilwell Lane. However, I am not convinced that the extra traffic generated by the housing allocation, even with that from the expansion of the adjoining school, would add significantly to these and other problems.
12. The safety of Chilwell Lane, particularly for schoolchildren, has been addressed by the introduction of traffic calming measures. However, it suffers some congestion at peak times as a result of these, which not only leads to some speeding but perhaps more seriously to convoy flows and major queuing up into the constricted part of Town Street. The recently announced revised scheme might address the former but hardly the latter problems and a more sensitive and perhaps wider traffic management solution may eventually be called for. However, congestion is widespread throughout the area and new housing development has to go somewhere. I am not convinced that significantly better conditions exist in respect of suitable sites elsewhere. An emergency access to the site and residential home could be achieved through design means and treatment of the access road verges.
13. I would not foresee traffic from this site causing any undue extra problems on Cow Lane. Roads in Bramcote village are narrow and in some places lack footpaths but generally drivers and pedestrians in these circumstances proceed with caution. Elsewhere further traffic calming may be justified.

Density

14. The site falls outside the standard for a minimum density of 40 dph or more in Policy H6, although there is nothing to prevent a developer from seeking a higher density. I see no reasonable basis to reduce the density simply because dwellings numbers might exceed the Highway Authority standards by 2 units. Standards should be applied with discretion and the “excess” units in this case are insignificant. A density of 35 dph may exceed that of neighbouring residential areas. However, unlike Mr Woodhouse, the HBF’s standard objection and those of others, I see no sound reason to perpetuate existing conditions. Different densities, house types and styles can add variety and interest to an area. With good design, they should enhance not detract from the area’s appearance and character. The site directly abuts housing on one side. As I conclude above, their amenities and those of occupiers of the site itself should be maintained through the application of Policy E1 at the proposed density. The much higher densities sought in Nuthall and Greasley Parish Councils’ standard objections are not appropriate to this site and do not comply with the criteria in LP Policy H6. Conversely, I see no reason why a density of 35 dpd should not be achieved. Stamford Homes’ standard objection provides no evidence to support their fears.

Synthesis

15. As an urban greenfield site of little value to agriculture or amenity now, the development of this site is preferable to some other sites particularly those in the Green Belt. Normally, as a greenfield site it should be included in Phase 2 of Policy H6. However, it is so compromised in development and visual terms that it is more appropriately included in Phase 1, as an exception to normal policy. I have some doubts about the area of the housing allocation that BBC assumes after deduction of the land for the Nursing Home. They quote the latter as being 1.75 ha which would leave only 1.45 ha for the housing site. However, I suspect that the former might, erroneously, include the access road across the housing site, which could then be about 2 ha in area. The Council should check this point and make the necessary adjustments to modified Table 2.

Recommendation

16. I recommend that no modification be made to the RDDP in respect of these objections subject to checking the point raised in the preceding paragraph.

H2(x) NEW HOUSING SITES - FIELD LANE, CHILWELL

Objections

H1d *Field Lane, Chilwell*

1331/3294

Defence Estates East, MOD

4.XX R195 *Field Lane, Chilwell: proposed housing*

599 4518 R195 Mr G Foster Nottinghamshire County Council

H2x R155 *New housing site - Field Lane (B)*

1155	5125	R155		Greasley Parish Council
				Andrew Thomas Planning
1154	5060	R155		W. Westerman Ltd
				DPDS Consulting Group
1006	4850	R155		Nuthall Parish Council
				Browne Jacobson Planning Unit
1108	4961	R155	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1135	5033	R155	Mr I Moss	House Builders` Federation
601	4563	R155	Mr S Rufus	Nottinghamshire Wildlife Trust

H2x R196 *Field Lane, Chilwell: proposed housing*

1108	4976	R196	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
601	4582	R196	Mr S Rufus	Nottinghamshire Wildlife Trust

Issues raised

1. Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.
 - a) the density of housing
 - b) the need for new schools

- c) site allocation not in accordance with sequential test in PPG3
- d) land not identified as surplus to military requirements, therefore might not come forward.

Council's Responses:

a) Density of housing

2. Refer to housing round table paper.
3. The proposed density of the site reflects guidance in PPG3 (para.58) and the Site's close proximity to frequent public transport services. The Council intends to apply the minimum level proposed rigorously and consistently to ensure the Council's commitment to sustainable development is implemented. It is not Considered appropriate to designate sites to have a minimum net density of over 50 dwellings per hectare, as this may detrimentally affect the character and amenity of the surrounding area.
4. Site H2x is previously developed land situated within the urban area and is close to frequent public transport services. It can provide an important contribution to Supplying new housing within the urban area. The density level will help to Sustain local facilities as well as public transport services.

b) The need for new schools

5. Whilst the County Council has raised concerns that the increase in the housing area and density will give rise to an increase in the number of pupils expected to arise from the development, they are not willing, at this stage, to commit to purchasing a site for a new primary school. In the Borough Council's view the need for a new school is likely to be a marginal decision which in management terms could be satisfied by adjustment of existing catchments or by a more selective approach to admission to any particular school. In similar circumstances previously, land has been reserved for a primary school (at Giltbrook Farm) which ultimately could not be justified by the County Council; its allocation in the Local Plan was misleading and was eventually the subject of a departure to the Plan when the site was developed for housing.
6. It should be noted that any children from a development at Field Lane would be likely to attend a school within the Inham Nook estate, as it is a long journey by road to the Attenborough/Toton area where the County Council is basing its case for a new school.
7. Given the uncertainty at the present time as to whether or not a new school will be required, and bearing in mind that there is no commitment to purchase a site, this Council does not consider it is appropriate to allocate a site for this purpose. However financial contributions will be sought for educational provision commensurate with the demands created.

c) Site allocation not in accordance with sequential test in PPG3.

8. The allocation of site H2x for Housing and its placement in phase 1, is entirely in accordance with the sequential test in PPG3. H2x is a site consisting of previously developed land within the urban area and as such is the most appropriate and sustainable type of site. Refer to housing round table paper.

d) Land not identified as surplus to military requirements, therefore might not come forward.

9. Since the site was first allocated for development, there has been a change in the Management regime of housing within the depot. All military housing has passed to a management company

on a long lease, so that effectively the Defence Housing Executive does not have such direct control over the housing or its associated land. However, Defence Housing Executive is actively pursuing the development of 60-70 homes on the edge of The Depot which will be leased to military use for a period but would become general market housing in the longer term. This means they could be legitimately counted towards meeting the Structure Plan housing requirement.

10. At present Field Lane is being evaluated against a number of other nearby alternative locations within The Depot, and further information is awaited as to which is finally chosen. All of these locations would be classed as previously-developed land and would be likely to be equally suitable for housing development in the Council's opinion. In view of this in-principle commitment, and the lack of any formal enquiry from Defence Housing Executive on any alternative site, it is recommended that Field Lane remains in the Plan as an allocation.

Inspector's Conclusions

Site Search Sequence

1. Although partly gardens and open space to adjoining military homes, this urban site, entirely surrounded by urban development, comes under the category of a previously developed site under PPG3 Annex C. It thus comes within category a) in the search sequence of Policy 1 of RPG8 and first priority in the search sequence of PPG3 para 30. I thus fail to see any basis in Westerman's standard objection to Plan allocations, presumably in pursuit of an allocation on site H2j, which is in the approved Green Belt and in category c) of the search sequence in RPG8.
2. The site is apparently still being evaluated against other nearby alternatives. It is regrettable that this situation was not resolved during the long gestation of this LP review. Whilst it is not entirely satisfactory, I support BBC's view that the allocation should stand until it is replaced. I am satisfied by the assurances obtained by BBC that equivalent alternative land would be made available if this site is not released.
3. The proposed minimum density for this site reflects the criteria in Policy H6 that I generally support. It should meet the terms of SP Policy 4/3. The HBF and Stamford Homes, as usual, provide nothing to support their standard fears. These densities are by no means aspirational; they are the minimum required of any developer and should be achievable given that they reflect government policy in PPG3. A higher minimum density is not appropriate in this case, particularly in view of the trees on the site, many of which it would be desirable to retain.
4. It is unclear whether the extra children on this small site would require the provision of extra capacity and facilities in local schools. However Policy RC3 allows contributions to be sought from developers in appropriate cases.

Recommendation

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

H2g NEW HOUSING SITE – CHURCH STREET, EASTWOOD**Objections**

1155	5126	R156	Greasley Parish Council Andrew Thomas Planning
1006	4851	R156	Nuthall Parish Council Browne Jacobson Planning Unit
705	1349	Ms J Abbott	
704	1348	Mrs K Anderson	
844	1531	P Austin/E.S. Lyon	Head Teachers & Governing Bodies, Eastwood Schools
694	1338	Mr CN Bagshaw	
692	1336	Mrs KA Bagshaw	
1108	4962	R156 Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
693	1337	Miss KE Bagshaw	
681	1325	Mr J Beavers	
807	1471	Mrs E Benton	
925	1720	Mrs J Birch	
924	1716	Mr ND Birch	
709	1353	Mrs M Bradley	Eastwood Community Action Group
927	1724	Mr RP Bullock	
2108	6676	R156 Mr RP Bullock	Eastwood Volunteer Bureau
688	1332	Mr P Butler	
916	1697	Mr F Buxton	
717	1361	Miss H Cantrell	
707	1351	Mrs L Capwell	Eastwood Community Action Group
695	1339	Ms MC Carlin	
915	1695	Mr RW Carr	Eastwood Community Action Group
697	1341	Mrs AL Chell	
712	1356	Mr AW Cooper	
749	1392	Mr N Cope	
699	1343	Mrs T Davis	
700	1344	Ms K Gainey	
678	1322	Mrs J Godden	Eastwood Summer Play Scheme
1478	3946	Miss S Harrison	
670	1314	Miss A Hart	
715	1359	Mrs V Haslam	Eastwood Community Action Group
696	1340	Mrs S Henstock	
703	1347	Mrs VA Hewitt	Eastwood Community Group
919	1701	Mrs B Hodgkinson	Eastwood Community Action Group
904	1664	Mr R Jepson	Eastwood Community Action Group
744	1388	Mr RJ Jesty	
918	1700	Mrs V Jones	
687	1331	Mrs S Kirk	
911	1696	Mr K Lee	Shilo North Forum
1419	5342	R156 Mr AJ Lovell	
884	1610	Mr MA Lowe	
751	1394	Mr AJ Margiotta-Mills	
1135	5034	R156 Mr I Moss	House Builders` Federation
848	1534	Mrs J Oates	Eastwood & Greasley Cancer Research Council
1143	2304	Mrs AJ Penny	
1382	3494	Mr M Radulovic	Eastwood Town Council
752	1395	Mrs CM Reece	Eastwood Community Action Group
713	1357	Mr P Reeve	Eastwood Community Action Group
708	1352	Mrs J Reeve	Eastwood Community Action Group
747	1390	Mr D Reeve	Eastwood Community Action Group
711	1355	Mrs RC Robinson	

701	1345		Mrs J Robinson	
706	4684	R197	Mr S Robinson	
706	1350		Mr S Robinson	
903	1663		Ms SM Sanderson	
1636	5555	R156	Mrs CM Searle	
702	1346		Mrs VJ Severn	Eastwood Community Group
698	1342		Mr A Severn	Eastwood Community Group
689	1333		Mrs DA Sloan	
686	1330		Mr C Smith	
2131	6700	R197	Mr J Stirland	
716	4693	R197	Mr J Stirland	Eastwood Community Action Group
710	1354		Mrs LA Stirland	
716	1360		Mr J Stirland	Eastwood Community Action Group
750	1393		Mrs M Street	
684	1328		Mrs LJ Taylor	
1479	3947		Mr DM Taylor	
714	1358		Mr MB Tissington	
691	1335		Mr GH Ward	
926	1723		Mr DW Warren	
920	1703		Mrs A Williamson	
			Mr Williamson	

Summary of Objection Issues

Local residents and organisations

1. At the Deposit Draft stage, 60 local residents objected to the housing allocation, together with 9 local organisations including the Town Council and the Parochial Church Council. Nearly all of these objectors considered that the land should be used either for educational purposes or as public open space. Reasons for objection related mainly to the need for school and recreation facilities. Objections were also raised concerning traffic, pressure on local facilities, loss of wildlife, loss of hedgerows and trees, impact on the conservation area, lack of demand for housing, the impact of affordable housing, security fears and the inclusion of privately-owned land within the site. There was one representation of support from a local resident, however this has been superseded by support for the Pre-Inquiry Change.
2. At the Revised Deposit Draft stage, 52 local residents and a similar range of local organisations expressed support for the deletion of the housing allocation. However, the great majority considered that the site should be safeguarded for education and/or community facilities by policy RC2.
3. At the Pre-Inquiry Changes stage, 9 local residents supported the safeguarding of the site by policy RC2 and none objected.

790/4752, 4753 Nottinghamshire County Council Strategic Property Department

4. At the Deposit Draft stage, the Strategic Property Department supported the housing allocation. At the Revised Deposit Draft stage it recommended that 1.6ha should be safeguarded for a school site under policy RC2 and that 0.4 ha should be indicated as being available for housing, the location of the 0.4 ha being subject to a feasibility study. At the Pre-Inquiry Change stage the Department supported the safeguarding of the site by policy RC2. The County's objections have now been withdrawn.

599/1713, 4526, 4527 Nottinghamshire County Council Policy and Resources Department

5. At the Deposit Draft stage the Department raised concerns about access arrangements. At the Revised Deposit Draft stage it recommended that it should be clarified that the County Council requires up to 4 acres of the site as a potential school replacement site. At the Pre-Inquiry Change

stage the Department supported the safeguarding of the site by policy RC2. The County's objections have now been withdrawn.

1437/R197 National Playing Fields Association

6. At the Revised Deposit Draft stage the Association supported the deletion of the housing allocation. However, it considered that the site should be protected for a school in the long term and that in the interim it should "forthwith be laid out and brought into use as a playing field". At the Pre-Inquiry Change stage, the Association welcomed the proposal to safeguard the land for a school but still considered that the Plan should additionally contain a "positive statement about the interim use of the site".

601/1698, 4564, 4583 Nottinghamshire Wildlife Trust

7. At the Deposit Draft stage the Trust recommended that the site should not be included in the Plan until an ecological survey had been carried out. At the Revised Deposit stage, the Trust recommended that their concerns with the potential ecological interest of the site "should be conveyed to the County Council". The Trust's objections have now been withdrawn.

Council's Response:

8. The site was allocated for housing development by policy H2g of the Deposit Draft. This allocation was deleted in the Revised Deposit Draft and no use was proposed for the site. As a result of Pre-Inquiry Change P.I.C.10 it is now proposed that the site should be safeguarded as an education site by policy RC2.
9. Objections to the original allocation of the site for housing have been overcome by the deletion of the allocation in the Revised Deposit Draft and there are no outstanding objections to the deletion. The Council considers that the original allocation of the site was reasonable, bearing in mind the proximity of the site to the town centre and to public transport services and the fact that there are no major physical or environmental constraints on the development of the land. However, there have been two major changes of circumstances since the publication of the Deposit Draft. The County Council has decided that the site is now still required for a replacement school and PPG3 has been published, which contains a strong presumption against the development of urban greenfield sites such as this for housing.
10. Objections to the failure to allocate the site for a replacement school will have been overcome if the pre-inquiry changes are adopted.
11. Some objectors to the original housing allocation recommended that the site should be safeguarded for public open space. Some similar comments were made at the Revised Deposit Stage. The Council believes that objectors saw public open space as a "second best" option on the understanding, based on the County Council's stance at the time, that a replacement school would not be provided on the site. This belief has been confirmed by the fact that, at the Pre-Inquiry Changes stage, no representations were made that the site should be safeguarded for public open space instead of a school. It would in any case be inappropriate to safeguard the site for public open space given the confirmed continued need to retain the site for a replacement school.
12. The Council does not consider that it is feasible for local plan policies to deal with possible interim uses, such as playing fields, which are different from the safeguarded use. The Council also does not have the powers to insist on any such interim uses being implemented. However, any application for interim use of the site for playing fields could be considered with regard to matters such as the effects on the amenity of nearby residents and any effects on the ecology of the site.
13. There are no designated wildlife sites within the area concerned and the schedule produced by the Nottinghamshire Biological and Geological Records Centre in June 2001 confirms that the site is

neither a “confirmed SINC” nor a “SINC under review”. If it were to emerge that there were any protected species on the site, any application for a school would be considered in relation to policy E18. However, the Council will, as requested by the Nottinghamshire Wildlife Trust, convey to the County Council the Trust’s concerns that a survey should be carried out of any potential ecological interest of the site. Depending on the results of such a survey it may, for example, be appropriate for a small part of the site to be set aside as a wildlife garden for use by the school children.

14. The site shown in the Pre-Inquiry Change does not include any privately owned land. Any proposals affecting the Conservation Area would be considered in relation to policy E3. As mentioned previously, in the absence of proposed boundaries of part of the site which might be used for alternative purposes such as housing, it is appropriate to safeguard the whole of the site for a replacement school.
15. All parties appear to agree that the site is needed for education purposes and it is therefore proposed that the whole of the site should be safeguarded for these purposes. This will involve an adjustment to the figure of 1.6 ha mentioned in the Pre-Inquiry Change. It is understood that an area of only approximately 1.6 ha will be required for education purposes, however, as the boundaries of the area required for education purposes have not yet been decided, it is necessary to safeguard the whole of the site. (The site area has recently been re-measured and the correct area is 2.2 hectares rather than the 2.0 hectares previously quoted in policy H2g).

Inquiry Change

- IC68 16. The Council has recommended that, in PIC10, the figure of 1.6 hectare should be replaced by the figure of 2.2 hectares.**

Background

1. Most of this site was allocated in the 1994 LP for a replacement Primary School under Policy CO3b. It had apparently been reserved for this purpose since the 1970s. This allocation was withdrawn in the FDDP and replaced by a housing allocation H2g, which attracted objections on a number of counts not least the lost opportunity of a replacement PS. This housing allocation was deleted in the RDDP and the site was left without notation. This was supported by a number of local persons but who also objected that the site was not allocated for a school. In PIC10, BBC proposed the allocation of the whole site for a PS. NCC supported the safeguarding of a school site of up to 1.6 ha and originally the allocation of the remainder for housing (.4 ha) whose precise location was to be determined. Re-measurement of the site shows it to be about 2.2 ha rather than 2 ha previously quoted which would leave a site of at least .6 ha above the requirement for a replacement PS; above the .5ha threshold for housing allocations.
2. I have to deal with objections to the RDDP and those to the FDDP that the Council put before me. I also, at the Council's request, consider the proposed PICs and objections to these.
3. I also have a responsibility under government policy advice to consider whether exceptional circumstances exist to justify alterations to adopted Green Belt boundaries to provide for the new housing and employment allocations required by the approved Structure Plan. The Council's Urban Capacity Study demonstrated that insufficient previously developed land exists within the urban areas to meet SP requirements and that some greenfield and some Green Belt land is as a result needed. However, they accepted on site H2x that land outside

the Green Belt should be preferred to land within it and that exceptional circumstances would be difficult to establish whilst land was available outside the Green Belt. Despite this the RDDP allocated a number of sites in the Green Belt and although some are proposed for deletion in the PICs they still retain by far the largest allocation H2I which is in the Green Belt at Watnall/Nuthall. It is therefore incumbent upon me to consider these issues in my conclusions.

Inspector's Conclusions

Site Search Sequence

4. Contrary to some objectors understanding, this site is neither Green Belt nor a rural greenfield site. It is clearly an urban site situated well within the built up area of Eastwood. The Council originally attempted to argue that urban greenfield sites such as this fell outside the search sequence in PPG3 para 30, and that greenfield sites on the urban edge were to be preferred. Their position ignored the clear advice of other parts of PPG3, of PPG17 and the advice on Urban Capacity Studies. They were not enlightened by the views expressed by the GOEM. However, the Council were unwilling to state a preference for developing Green Belt sites on the urban edge. Fortunately, RPG8 Revised clarified the situation before the close of the inquiry and rectified an obvious omission from PPG3 para 30. This site is not identified as land to be protected for amenity purposes. It therefore falls within category b) of Policy 1 of RPG8, immediately following previously developed sites but ahead of edge of urban greenfield sites.

Agriculture and Wildlife

5. The site is of little value to agriculture and is largely unused, apart from some horse grazing and a few other animals. Whilst it may be former meadow land, I observed nothing of special nature conservation value and nothing of note has been drawn to my attention. The species it carries are commonplace even in domestic gardens and the site does not even justify the local SINC wildlife designation. It does not merit protection on ecological grounds.

Location

6. The site occupies a highly sustainable location within convenient walking distance of Eastwood Town Centre with its shops, services and frequent bus services. It is within 200 m to 600 m of Primary Schools and about 400 m from the Secondary School. It is within convenient walking distance of a number of employment opportunities and of the large new employment allocation EM3d that I endorse in Chapter 5.

Trees and Conservation Area

7. The site contains a number of trees and hedges, some of which could be preserved in a housing scheme; less so perhaps with a replacement school. The northern part of the site fronting Ivy Lane contains a few mature trees and is included within the Eastwood Conservation Area. However, the site is out of sight of the larger part of the CA and development on it would in no way detract from the appearance or character of the CA, as evidenced by the FDDP allocation.

Access and Traffic

8. Access, as the NCC recently stated, could be obtained from Church Street; confirming my own initial assessment. Although this may involve some minor works to secure adequate visibility at the two access points, Church Street at this point has ample width to allow for these. Despite the on street parking outside the surgery to the north, Church Street and its junction with Nottingham Road is quite adequate to serve a housing development on the site. Whilst some congestion may be experienced during peak times at this junction, this is now commonplace in most urban areas and Eastwood does not suffer to the same extent as other parts of the Borough in Greater Nottingham.

Local Amenities

9. LP Policy E1 should ensure satisfactory space and amenity standards for occupiers of any housing on the site and for those dwellings around it. Although some residents around the site would lose their open views with a housing development, there is no entitlement to a particular or an unchanging private view.

Open Space

10. Eastwood Wards may be among the most deprived in the Borough according to some criteria and suffer serious social problems and needs. However, according to CD21d, even with the dubious reduction for quantitative assessment, these wards exceed the NPFA standards for open space for play by quite a margin, although they are slightly under for outdoor sports. This might be addressed by devoting more space for the latter in parks with joint facilities. I also support proposals for playing fields on site Ea9 on the former landfill site only 500 m from site H2g. I recognised the criticisms of some existing facilities, particularly over drainage. The appropriate response is to invest in improvements not to waste these resources and duplicate provision on new sites such as H2g. The resistance of some to development of open space and playing fields at Eastwood Lower School cannot be justified in terms of any deficiency in provision and puts unnecessary pressure on greenfield and Green Belt sites elsewhere. I see no reason in principle why sports facilities and cemeteries should be confined within the town boundary. It is quite common to find these on the edge of towns. I note that the Eastwood Infants and Junior School is in breach of the 1999 Regulations, but it would be premature to create playing fields on the objection site, in advance of at least the inclusion of a Replacement School in a firm programme.

Settlement

11. I do not accept the view that Eastwood is full, whatever that means. It is quite a small town, which with further developments would still retain its present character, its easy access to the countryside and relatively moderate traffic congestion. There is no evidence that local services and facilities are so overstretched or cannot be extended. Site H2g is in almost every respects a highly suitable location and site for housing. The only sound contrary factor is the need for a replacement for the Eastwood Junior and Infant School.

The Need for a Replacement School

12. I have no doubts from the evidence and my own observations about the limitations of the buildings, site, infrastructure and the lack of facilities for team games at the Eastwood Junior and Infant Schools. I also recognise the impact that this must have on the school curriculum, although schooling and personal development is good. I also note the high proportion of pupils with special educational needs and the demands these entail. I am convinced about the desirability of a replacement School. My concern is that this situation has pertained for 30 or so years and it was as recent as 2000 that the Education Authority had clearly decided against a replacement school, at least on this site. The Borough Council was apparently unaware of the reasons behind the various changes of heart by the LEA. I note the explanation given by the LEA for this in a letter of 28/3/00. However, there is little difference in the access and visibility requirements of a PS and that of a housing estate of over 60 dwellings that the County Council then sought to promote.
13. Despite some hints apparently made to the headteacher, I was given no evidence of a replacement school being in any programme or of the length of the current programme. I was not told of its ranking with other old schools, although the LEA's letter of 28/3/00 refers to an unspecified number of other schools in poorer buildings, which they would want to replace first. In these circumstances, I find the situation to be disturbingly vague with no indication from the LEA of when, if ever, a replacement school might be built on this site. In the meantime, this eminently suitable site for housing continues to be blighted whilst incursions into the Green Belt are being proposed. This situation would hardly be tolerated with other unscheduled projects such as roads and even employment allocations. It is time for the County Council to act corporately and provide some firm statement of intent. The practice of the last 30 years might maintain some hope among local parents and help to placate local people but the delivery of a replacement school is still nowhere in sight. The initial resistance of local residents to development at Eastwood Lower School could be counter productive since it might reduce funds available for other school projects, perhaps in Eastwood. Although I support the allocation of a replacement school on this site at this Review, it would be difficult to endorse this yet again at the next Review if the LEA's position has not firmed up by then. I disagree that there is no other alternative site for a replacement school in Eastwood. It is clear that the LEA in promoting the housing allocation had in mind a replacement site at the Lower School site on Walker Street after amalgamation of the split site secondary schools.

A Residual Housing Development

14. However, there is no good reason why progress should not be made in the meantime on defining and making available a housing site of at least .6ha within the overall site for development in Phase 2 of the Plan. I question the reservation of a site of 1.6 ha for a PS when a site of 1.4 ha suffices on site H2a and much smaller replacement sites were reserved in the 1994 LP. There is nothing to prevent a scheme being drawn up for .6ha or .8ha of housing in conjunction with a Primary School development. It would be prudent in any layout to allow for the possibility of the PS not proceeding as at site H2a. It would be unnecessary and

wasteful to allocate and develop open space on the residual .6ha/.8ha. There is ample open space in the vicinity and dual use of any PS facilities that might be developed on the site should be actively sought in the interest of efficiency and sustainable development. I note, on other occasions, the reluctance of some local schools to allow community use of their facilities but other LEA s manage to overcome most problems and actively seek to engage the local community.

15. A density of 40 dph would reflect the criteria in Policy H6 that I support. This should be achievable even on this small site and with good design should be quite compatible with the surroundings. A higher minimum density, sought be some for the larger site, would not however be appropriate.

Recommendation

16. I recommend that the RDDP be modified as set out in PIC10 except that a site of at least .6 ha should be denoted for housing at a density of 40 dph and included in Phase 2 of Policy HX.

H2(h) New housing site: Dyers and cleaners site, North of Acorn Avenue, Giltbrook

Objections

H2h		New Housing Site: Dyers and Cleaners, Giltbrook	
1155	2478		Greasley Parish Council Andrew Thomas Planning
598	2676	Mr I Brown	CPRE - Broxtowe Group
1106	2243	Mr R Hepwood	Miller Homes East Midlands
H2h R157		New Housing Site – Dyers and Cleaners, Giltbrook – Amendment in table to number of dwellings; application of minimum density	
1155	5127	R157	Greasley Parish Council Andrew Thomas Planning
1154	5061	R157	W. Westerman Ltd DPDS Consulting Group
1006	4852	R157	Nuthall Parish Council Browne Jacobson Planning Unit
1108	4963	R157	Mr M Bagshaw Stamford Homes Limited Barton Willmore Planning Partnership
599	4520	R157	Mr G Foster Nottinghamshire County Council
1135	5035	R157	Mr I Moss House Builders' Federation
H2h R199		New Housing Site - Dyers and Cleaners, Giltbrook - Insertion of reference to minimum density	
1108	4977	R199	Mr M Bagshaw Stamford Homes Limited Barton Willmore Planning Partnership

Issues raised

1. **Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.**

- (a) The prescribed level of development is inappropriate. Some objectors consider that the density should be increased to maximise the level of development; other objectors that the density should be decreased as it is too excessive for this site.
- (b) The site is difficult to access.
- (c) The land is not genuinely available for development.
- (d) Development will result in the loss of hedgerows.
- (e) It is unreasonable to seek financial contributions for education provision.
- (f) The site allocation is not in accordance with PPG3's sequential test.

Council's Response:

(a) Density

- 2. The density figure chosen reflects the sites proximity to frequent public transport within 400 metres walking distance of the site. The Council does not feel that it is reasonable to set a higher minimum density than 40 dwellings per hectare as there is not a choice of public transport. The density chosen accords with policy H6 of the Revised Deposit Draft, and with PPG3: Housing.
- 3. Further explanation of density policy is contained in the Housing Round Table Paper.

(b) Access

- 4. The present access to the site, off Hampden Street, is very restricted. Therefore the highway authority has confirmed that the main access for the new development should be off Acorn Drive. This cul-de-sac would access the majority of the development, but it may also be possible to provide a private drive off Hampden Street accessing a further 5 dwellings. No access is proposed off Nottingham Road and therefore the mature hedgerows along this boundary could be retained.

(c) Not genuinely available for development

- 5. Giltbrook Dry Cleaners has made clear their intention to leave their current site, off Acorn Avenue, to move to a new purpose-built facility within the Eastwood area. Interest from developers has already been expressed in developing this site.

(d) Loss of hedgerows

- 6. There are a number of trees within the site, and a hedgerow along Nottingham Road. Existing trees will be retained where possible, and the hedgerow, although not benefiting from statutory protection, could be retained as part of any development.

(e) Education Facilities

- 7. The Council considers that the request for contributions towards school improvements is appropriate and fair as a need for additional capacity may be predicted to arise from development of this site at the time of a planning application. Policy H2(h) does not pre-determine this, but policy RC3 requires that where a proposed development would result in an identified need for additional capacity to be achieved in educational facilities, planning permission will not be granted until provision has been made or contribution has been negotiated towards measures which assist in meeting such needs.

(f) PPG3 Sequential Test

8. This is a brownfield site situated within the urban area and on the Nottingham - Eastwood public transport corridor. As such the allocation of this site is entirely in accordance with the latest advice in PPG3, paragraph 30.

Inspector's Conclusions

1. This site lying within the urban area of Giltbrook is currently developed according to the criteria in PPG3 Annex C. As such it comes within category a) of the search sequence in Policy 1 of RPG8 and highest in the search sequence in PPG3 para 30. It lies very close to the frequent bus services along the B6010, which forms the spine of the Nottingham to Eastwood Public Transport Corridor favoured by SP Policy 1/ 2 as a location for major development. It is, in transport terms, a highly sustainable location. Accordingly, I fail to see the basis of Westerman's standard objection.
2. The current occupiers have made clear their intention to leave this underused site and to develop a purpose built building elsewhere in the Eastwood area. It should be clear that a pre-requisite for this is the endorsement of the housing allocation on the current site and subsequently planning permission for housing development. Endorsement of employment allocations in the Eastwood area should facilitate the prospects of the occupiers developing a new facility. Whilst all this may take some time, there is no evidence that the site would not be available for development within the Plan period or indeed within Phase 1 of Policy HX.
3. The site's minimum density of 40 dph reflects the standards in Policy H6 and I see no reason why redevelopment of this backland site should not fit in with the character of the surroundings in accordance with SP Policy 4/3. Good sensitive design is achievable with somewhat higher densities than of recent years. There is no sound reason to simply replicate prevailing development patterns. Different densities, dwelling types, styles and layouts can add variety and interest. In any case, the proposed housing would replace an unattractive factory site. However, I see no sound reason to increase the density further in this case; it is not a major PT node. A developer is always free to propose a higher density. PPG3 para 58 identifies 50 dph at the top of a range for this type of location, not the recommended level. Stamford Homes as usual provide no evidence to support their fears but experience of H2b should help to demonstrate the effectiveness of the government's new regime.
4. The Highway Authority agrees to a new access to the site off Acorn Avenue, which should be quite capable of accommodating the extra traffic generated. Access could also be taken off an extension of Portland Street with little impact on the greenway, despite the CPRE's fears. I see no sound reasons why a modest residential development could not be served, as well, off Hampden Street.
5. There are hedges and some planting around the south-eastern part of the site, which could be largely retained and supplemented, by new planting.
6. I note the concerns of the LEA over the cumulative impact of various housing developments in the area. However, Policy RC3 provides for contributions to be

sought from developers where the demands from housing development lead to a need to increase local school facilities. This reflects the concerns and the approach of government and should be supported. Otherwise new developments could reduce the standards of facilities for existing residents and put undue strain upon Education Authority budgets. In severe cases it might otherwise cause housing proposals to be rejected. However, as I conclude on other sites it is unnecessary and unhelpful to repeat or even refer to Policy RC3 on each housing site. The Plan should be read as a whole and all its relevant provisions apply in any case.

Recommendation

7. I recommend that no modification be made to the RDDP in respect of these objections.

H2(i) HOUSING SITE - LAND SOUTH OF SMITHURST ROAD, GILTBROOK

Objection

H2i	<i>New housing site - Smithurst Road, Giltbrook</i>		
1155 2477			Greasley Parish Council Andrew Thomas Planning
716 2303		Mr J Stirland	Eastwood Community Action Group
4.47 R200	<i>New housing site - Smithurst Road, Giltbrook – Addition of explanation for density selected for site</i>		
599 4522	R200	Mr G Foster	Nottinghamshire County Council
4.47 R202	<i>New housing site - Smithurst Road, Giltbrook - Insertion of reference to minimum density</i>		
1108 4978	R202	Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
601 4584	R202	Mr S Rufus	Nottinghamshire Wildlife Trust
H2i R158	<i>New Housing Site – Smithurst Road, Giltbrook - Amendment in table to number of dwellings</i>		
1155 5128	R158		Greasley Parish Council Andrew Thomas Planning
1154 5062	R158		W. Westerman Ltd DPDS Consulting Group
1006 4853	R158		Nuthall Parish Council Browne Jacobson Planning Unit
1108 4964	R158	Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
599 4519	R158	Mr G Foster	Nottinghamshire County Council
1419 5353	R158	Mr AJ Lovell	
1135 5036	R158	Mr I Moss	House Builders` Federation
601 4566	R158	Mr S Rufus	Nottinghamshire Wildlife Trust
123 4104	R158	Mr D Woodhouse	

Summary of Objection Issues

1. Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) The prescribed level of development is inappropriate. Some objectors consider that the density should be increased to maximise the level of development; other objectors consider that the density should be decreased.
- (b) The site access and need for an emergency link.
- (c) Development will result in the lack of community facilities and open space within the area.
- (d) It is unreasonable to seek financial contributions for education provision.
- (e) The site allocation is not in accordance with PPG3's 'Sequential Test'.

Council's Response:

(a) Density

- 2. The density figure chosen reflects the sites proximity to public transport. As the frequency of buses along Smithurst Road has increased the density for the site should also increase to 40 dwellings per hectare; therefore an inquiry change is proposed to this effect.

Inquiry Change

- IC93 3. The Council has recommended that Policy H2 Site (i) South of Smithurst Road is amended to read "75" Minimum number of dwellings, and "40" Applied minimum net density (dwellings per ha). The second paragraph of Policy H2i should also be amended to read: 'The minimum net housing density for the site shall be 40 dwellings per hectare'.**

- 4. Further explanation of density policy is contained in the Council's Housing Round Table Paper.

(b) Access

- 5. The access to the site would be from Smithurst Road. The Revised Deposit Draft Local Plan states that "An emergency link also needs to be provided" (R201).

(c) Community Facility/Open Space

- 6. The policy text and the explanatory text makes clear that a substantial belt of woodland planting will be required between the new housing and the A610, complementing the existing wood to the west. The text also states that a strip of public open space should be provided alongside the stream on the western edge of the site, complementing the existing public open space to the north. Whilst the Council does not consider that the community facility should be publicly funded, the proposal for a community facility could still be accommodated within the site if required. A public house or similar proposal would be financially viable and could also be pursued by a developer.

(d) Educational Facilities

- 7. The Council considers that the request for contributions towards school improvements is appropriate and fair as a need for additional capacity may be predicted to arise from development of this site at the time of a planning application. Policy H2(i) does not pre-determine this, but Policy RC3 requires that where a proposed development would result in an identified need for additional

capacity, planning permission will not be granted until provision has been made or contribution has been negotiated towards measures which assist in meeting such need.

(e) PPG3 Sequential Test

8. The Council has undertaken an urban capacity study, which revealed that all new development could not be accommodated within the urban area. However according to PPG3 an urban extension, such as this site, can be a sustainable option for development. The Council therefore considers the allocation of site H2(i) is entirely in accordance with PPG3, paragraph 30. Moreover the site relates well to the existing urban area, is not designated Green Belt, has good accessibility to a range of facilities and is accessible to frequent public transport services.

Inspector's Conclusions

Search Sequence

1. Like site H2X off Smithurst Road to the west, this is a greenfield site adjoining the urban area which comes within category c) of the search sequence in Policy 1 of RPG8 and follows previously developed urban land in PPG3 para 30. As the Council's Urban Capacity Study revealed insufficient previously developed land within the urban area to meet SP requirements for housing and employment, it is necessary to take some greenfield land and the RDDP, even after the PICs, takes a major area of Green Belt land at W/N. As the Council agreed on site H2X, it is preferable to take sites in sustainable locations outside the Green Belt before sites within it such as H2i and H2j. This accords with the terms of PPG2. Again as the Council agreed, where such land exists it is difficult to show the exceptional circumstances necessary to alter Green Belt boundaries. As a result, I again fail to understand the basis of Westerman's standard objection.

Location and Local Facilities

2. The site is in a sustainable location adjacent to quite frequent bus services along Smithurst Road. This led the Council to put forward IC93 to increase the minimum density from 35 to 40 dph to meet the criteria of Policy H6, which I support. I see no reason why this density on this rather separate site, which is situated in a newly developing area, should not achieve a development sensitive to its surroundings in accordance with SP Policy 4/3. As H2b has demonstrated higher densities are readily achievable. However, minimum densities of 50 dph are at the top of the range identified in PPG3 and are not appropriate for this site.
3. The site adjoins a small local shopping centre. Other shops are available on Nottingham Road over 600 m away. Nottingham Road is the spine of the Nottingham to Eastwood Public Transport Corridor, which SP Policy 1/ 2 favours as a location for major development. The nearest Primary School is about 800 m away and the Secondary Schools somewhat further away. The Education Authority have raised concerns about the additional pupils that would be generated by the development of this and two other proposed housing sites as schools in the area are at or nearing capacity. However, where this occurs Policy RC3 seeks an appropriate contribution from developers towards the provision of extra school facilities to accommodate the increasing pupil numbers. This should help to meet

the Authority's concerns. However, the Plan has to be read as a whole and it is unnecessary and unhelpful to refer to the provisions of RC3 in each and every particular housing allocation. There is no requirement to reserve land for any community facilities, despite some objectors' concerns. These may be deficient locally but this is not uncommon in many urban areas and there are no firm realistic proposals to improve matters.

Site Matters and Conservation Interest

4. The site is unused and is of no value to agriculture given its condition and location. Its development is to be preferred to that of B&MV agricultural land. I note the changing concerns of the NWT. However, the site enjoys no designation; not even a local SINC. As an unused overgrown site it may have developed some nature conservation interest, although I observed nothing of special note. Furthermore, similar situations could arise on other unused sites awaiting development. Whilst I note the concerns of the NWT, new housing has to be accommodated somewhere and this site is on most accounts highly suitable. These factors outweigh any informal nature conservation value that the site has attained whilst awaiting development. Like many SINCs there is no mechanism for preserving sites such as this; habitats could disappear at any time as a result of quite legitimate activities on the part of the landowner.
5. The site is contained to the north and west by housing estates, to the east by a large factory and to the south by the dualled A610 by pass. The latter forms a clear logical and highly defensible boundary to Eastwood and Giltbrook and separates the site and the town from the open countryside and Green Belt to the south. Although strictly speaking an urban edge site, it could not be regarded as part of the countryside; in its character and appearance it is part of the built up area.

Access

6. A suitable access to the site could be taken off Smithurst Road, which has the capacity to serve the site. Provision for emergency access could be achieved by design measures and thus there should be no constraint to development even at the revised density. The "limit" on dwelling numbers in the County Highway Design Guide needs to be applied with discretion. There is a need to balance a dubious and artificial limit with making best use of urban land.

Development Area

7. The Policy and the supporting text requires a belt of planting between the site and the A610 by pass complementing the belt of trees to the west. It also requires a strip of open space alongside the stream on the western edge of the site. Whilst these are desirable in principle, the details raise some concerns. The southern boundary of the allocation relates poorly to local ground conditions on site. It would be more logical to extend the housing allocation a short distance to the south to correspond with the foot of a bank of higher ground which extends to the by pass. This would achieve a better relationship with the open space south of the adjoining factory and with the path and footbridge over the stream to the west. Similarly the western boundary of the housing allocation relates poorly to ground conditions. It could be extended westward and still retain an effective

landscaped setting to the path and stream to the west. The playground south of Smithurst Road already breaks the continuity of the open space to the north, which therefore need not be mirrored to the south.

8. As the Council accepted particularly on sites H2a and H2j, it is important to maximise the use of sites allocated for housing otherwise more land will be needed from the Green Belt elsewhere.

Open Space

9. According to CD21d the Giltbrook ward has more than sufficient open space for play compared to the NPFA standards with much of this concentrated in the vicinity of this site. As with other wards, I fail to see the logic of the reduction for quantitative assessment. In these circumstances, there is little justification for any over generous further open space provision as implied by the boundaries of allocation H2i on the PM. Provision for outdoor sport in the ward may be considerably below the NPFA standard but there is no scope to rectify this in RC8h or on the housing allocation, as Mr Stirland wishes. In any case, I support elsewhere the development of the former landfill site (Ea9) for playing fields. This lies only about 700 m to the west and should help to meet local deficiencies. I consider that some reduction in allocation RC8h along the above lines to be justified in the circumstances. It would make best use of a sustainable site. It could increase the size of allocation H2 i to about 2.3 ha which at a density of 40 dph would give a capacity of about 92 dwellings.

Phasing

10. As a greenfield site the allocation falls within Phase 2 of Policy HX, although as it is unused it is clearly a candidate for earlier release than others.

Recommendations

11. I recommend that the RDDP be modified by increasing the size of allocation H2i to about 2.3 ha as indicated above by extending the southern and western boundaries. The density should be increased to 40 dph as put forward in IC93 and the capacity to about 92 dwellings. The site should be included in Phase 2 of Policy HX.

H2x NEW HOUSING SITE - LAND OFF HALLS LANE, GILTBROOK

4.XX R203 *Halls Lane Giltbrook - Addition describing newly-allocated site*

1420	5367	R203		Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors Nottinghamshire County Council
599	4523	R203	Mr G Foster	
1496	5410	R203	Mr S Meikle	
1497	5411	R203	Mr KA Symms	
1498	5412	R203	Mrs A Wilson	

4.XX R204 *Halls Lane Giltbrook - Addition describing newly-allocated site*

1420	5368	R204		Bellway Estates & Giltbrook Landowners Consortium
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599	4524	R204	Mr G Foster	Shoosmiths Solicitors Nottinghamshire County Council
H2x R159 New housing site - Land off Halls Lane - Insertion in table of new allocated site				
1006	4854	R159		Nuthall Parish Council
				Browne Jacobson Planning Unit
2223	6998	PC5		K&G Consultants
1155	7030	PC5		Greasley Parish Council
				Andrew Thomas Planning
1006	7045	PC5		Nuthall Parish Council
				Browne Jacobson Planning Unit
1155	5129	R159		Greasley Parish Council
				Andrew Thomas Planning
1154	5063	R159		W. Westerman Ltd
				DPDS Consulting Group
1108	4965	R159	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
				Nottinghamshire County Council
599	4521	R159	Mr G Foster	
2267	6976	PC5	Mr MH Hodgkinson	
1419	6892	PC5	Mr AJ Lovell	
1419	5357	R159	Mr AJ Lovell	
1135	5037	R159	Mr I Moss	House Builders` Federation
228	6818	PC5	Ms SE Page	
123	4105	R159	Mr D Woodhouse	
H2x R205 Halls Lane Giltbrook - Insertion of policy for newly - allocated site				
1108	4979	R205	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
599	4525	R205	Mr G Foster	Nottinghamshire County Council
H2x R206 New housing sites - Halls Lane Giltbrook - change to the Proposals Map - addition of allocated site				
1499	5413	R206	Mr G Allen	
1647	5586	R206	Mr AE Bacon	
500	5414	R206	Mr JW Beech	
1720	5721	R206	Miss K Bradbury	
1501	5415	R206	Mr B Brentnall	
1502	5416	R206	Mr H Brentnall	
1503	5417	R206	Mrs D Brooks	
1874	6027	R206	Mr K Calder	
1504	5418	R206	Mr KI Chamberlain	
1505	5419	R206	Mr PJ Cheese	
1596	5512	R206	Mrs D Cliffe	Erewash Riders Association
2041	6458	R206	Mrs CA Cresswell	
1721	5722	R206	Mr M Cutler	
1506	5420	R206	B Fletcher	
1604	5520	R206	Mr R Fletcher	
2138	6719	R206	Mr ML Franklin	
2139	6720	R206	KA Franklin	
1508	5422	R206	Mr FS Goddon	
1507	5421	R206	Mr D Goldsmith	
1631	5550	R206	Mrs J Halford	
1632	5551	R206	Mr P Halford	
1634	5553	R206	Mr SD Halford	
1633	5552	R206	Miss SJH Halford	
2137	6718	R206	Mrs A Haslam	
2136	6717	R206	Mr W Haslam	
1509	5423	R206	Mr TF Heaps	
2132	6701	R206	L Heath	
2130	6698	R206	Mr C Hedges	
1722	5723	R206	Mrs J Hedges	

1510	5424	R206	Mrs J Holland	
1511	5425	R206	Mrs M Housley	
2133	6702	R206	Miss N Johncock	
1875	6028	R206	Mrs D Kelly	
2140	6721	R206	Mr WJ Kruczkowska	
2141	6722	R206	Mr SL Kruczkowski	
1495	5409	R206	Mr A MacKay	
1512	5426	R206	Mr BN Mapleston	
1489	5404	R206	Mrs J McKellar	
1490	5405	R206	Mr AG McKellar	
1877	6030	R206	Mr DP Mitchell	
1513	5427	R205	Mr CM Mullen	
1514	5428	R206	Mrs E Murphy	
1517	5431	R206	Mr G Nequest	
2224	6805	R206	Miss R Newcombe	
1630	5549	R206	Mrs N Nicholson	
1518	5432	R206	Mrs L Norris	National Federation of Bridleway Associations
1521	5435	R206	Mr L Parnham	
1520	5434	R206	Miss B Parnham	
1519	5433	R206	Mr B Parnham	
1523	5437	R206	Mrs I Pearson	
1522	5436	R206	Mr AM Pearson	
1524	5438	R206	Mr BT Reynolds	
1526	5440	R206	Mr PJC Sapte	
1629	5548	R206	Mr A Selby	
1527	5441	R206	Mrs S Shipston	
1723	5724	R206	Mrs D Spence	
1724	5725	R206	Mr PN Spence	
2134	6703	R206	Mr M Stravino	
1528	5442	R206	Ms M Stuart	Giltbrook Preservation Group
1530	5444	R206	Mr W Syson	
1529	5443	R206	Mrs K Syson	
1605	5521	R206	Mrs FE Wharmby	
1532	5446	R206	P Wiggington	
1606	5523	R206	Mrs WM Wild	
2219	6801	R206	Mrs W Wild	Giltbrook Preservation Group
1838	5960	R206	Mr AA Wild	
1725	5726	R206	Mrs M Winfield	
1725	5727	R206	Mrs M Winfield	
1726	5728	R206	Mr MD Winfield	
1533	5447	R206	Mrs NL Winter	

Ea13 Omission of housing site west of Halls Lane, Giltbrook

1160 2447 Mr M H Hodgkinson

Council's response to objections made to the Pre-Inquiry Changes

1. This site was considered to be suitable for inclusion in the Revised Deposit Draft, when there was a need to find sites for over 2,000 new dwellings in order to meet Structure Plan requirements.
2. Pre-Inquiry Changes made to the plan in April 2001 involved the deletion of four greenfield sites proposed for housing, including this site. These Pre-Inquiry Changes were prompted by the Nottingham Urban Capacity Study, published in March 2001, which indicated that there would be considerable additional capacity for housing in the City before 2011. The Borough Council also re-estimated the likely annual rate of housing to be gained from windfall sites, as part of the Pre-Inquiry Changes.

3. The overall net result of these changes was to create a shortfall of 250 dwellings from the Structure Plan allocation figure for Broxtowe. The County Council did not raise any concerns about conformity of the Local Plan with the Structure Plan.
4. The four sites which were deleted, including this site, were all in Phase 2 of the Plan's housing phasing policy, reflecting their lower preference to Phase 1 sites which are mainly on previously-developed land. The borough council considers that they would not need to be developed within the Plan period.
5. The issues of principle raised by the Pre-Inquiry Changes - regarding windfall rate, conformity with the Structure Plan and urban capacity - were debated at the Housing Round Table session at the start of the inquiry.

Issues raised on objections prior to Pre-Inquiry Changes

6. The Council's position on this site has changed between the Revised Deposit stage and the Pre-Inquiry Changes such that the site is no longer favoured by the Council. In this respect therefore those who were objecting to the inclusion of the site have now had their objections met. At the Inspector's request - and on the basis that he is dealing with objections made at the Revised Deposit stage - the Council has responded to those objections as if the site was still allocated.

Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) The proposed development involves the loss of a green field site.
- (b) The sequential approach to site searching has not been followed.
- (c) There is too much new development in the Giltbrook area already.
- (d) The site is not in a sustainable location in relation to local facilities.
- (e) A precedent is set for future development.
- (f) There would be a loss of recreational value, in particular to users of the bridlepath and footpath associated with the site.
- (g) There would be a loss of wildlife value, principally through the removal of hedgerow.
- (h) The site is subject to gas migration from the adjoining former landfill site.
- (i) The employment use directly to the south means that this site is unacceptable for residential development.
- (j) Extra noise and pollution would be generated.
- (a) There would be extra pressure of local facilities due to a combination of this site with other proposed Giltbrook sites; for example, a shortfall of primary school places would arise.
- (b) Access to the site is not direct from Smithurst Road, but would have to be provided across third party land.
- (c) Access should be direct from Halls Lane, or direct from the A610.
- (d) Traffic would be increased on Wessex Drive, Smithurst Road and Nottingham Road, with extra dangers for children.
- (e) There would be increased fears about security.
- (f) There would be a loss of privacy to existing residents, and potentially a decrease in property values.
- (g) The minimum net density figure set for the site is inappropriate.

The Council's Responses

- (a) The loss of a greenfield site

7. The Council undertook an urban capacity study during its plan preparation which clearly indicated that some greenfield land would be needed for development, as previously-developed opportunities

would be insufficient to meet Structure Plan requirements. The search for suitable greenfield land was undertaken using the sequential approach advised by PPG3 and included land on the edge of built-up areas. This site is not included in the Green Belt and has been restored from former colliery use to blend back into the landscape; it is therefore classified as greenfield land. It has been used for horse-grazing in recent years.

(b) Sequential approach not followed

8. The Council has correctly followed the sequential approach to selecting housing development sites advised by PPG3. This site is one of a number of “urban extensions” which have only been considered once all opportunities for allocating previously-developed land in the built-up areas had been exploited.

(c) Too much development in the Giltbrook area

9. A large planned expansion to Giltbrook, in the area known as Giltbrook Farm, was started in the mid-1970s with employment development off Giltway, followed by housing which started in the early 1980s, accessed from Smithurst Road. This area is still being developed, has its own local shops, and is served by a bus route along Smithurst Road. The area’s expansion has therefore not been piecemeal, or planned in an unsatisfactory way; facilities in the area have been improved in a complementary manner with housing growth.

(d) The site is not in a sustainable location

10. The site has been compared to other options on various criteria, including relationship to existing facilities. The site is within 0.8 km of local shops and within 100m of a frequent public transport service which provides a short journey to connect with a more frequent and extensive range of services along Nottingham Road, approximately 1km away. It is therefore in a sustainable location in relation to important local facilities.

(e) Setting a precedent for future development

11. The site cannot be said to set a precedent for further development, as the existing employment use and the A610 form an effective barrier to any additional expansion southwards, and the gassing landfill site to the west must be considered impractical for a potential development site in the foreseeable future. There is therefore no direction in which development can be readily expanded.

(f) Loss of recreational value, including paths

12. The site is not open to the public, and therefore any recreational purpose it may have served has been only incidental and unofficial. Bridlepaths run along its western and northern boundaries respectively, and these would continue on their present alignments when development takes place. It is accepted that a section of these paths would become less rural in character when housing development occurs, but there need be no disruption to users. The short section of bridleway to be used as an emergency access to the site is straight with good visibility and therefore this arrangement need not compromise the safety of users of the bridleway such as horse-riders.

(g) Loss of wildlife value, including hedgerows

13. There are no designated wildlife sites within the site and the schedule produced in 2001 by the Nottinghamshire Biological and Geological Records Centre confirms that the site is not a “SINC under review”. If it were to emerge that there were any protected species on the site, any application for development would be considered in relation to policy E18. Part of the former hedgerow on the north side of the bridleway to the north of the site has been affected by the adjoining housing development. However, hedgerow has been substantially retained adjoining the most recent Beazer Homes development, and in a similar fashion it will be possible to achieve

protection of most sections of hedgerow on the western boundary of the proposed housing site. In fact the more significant hedgerow is on the opposite (western) side of this western boundary bridleway, and would not be affected by the development. Additional planting will be needed along the site's southern boundary, to act as a buffer against employment land, which will in part compensate for any removed sections of hedgerow.

(h) The site is affected by migrating landfill gas

14. A report carried out by consultants Joynes Pike in 1997 investigated the migration of gas from the adjoining landfill site and came to the conclusion that the site was not suffering from this form of contamination. Additional work was requested by the Borough Council and in response to this work, in May 1999, environmental health officers at the Council confirmed that they were satisfied that the site could be considered acceptable for development in practical terms, subject to suitable precautionary measures being taken. The relevant correspondence and report forms a core document, CD81.
15. These measures involve a protective membrane to be incorporated under built structures, in order to prevent the accumulation of carbon dioxide, which is generated naturally from coal measures of the type found in this area. These measures have been applied in other nearby recent residential developments, such as the adjoining housing built by Beazer Homes through which this site would take access.

(i) Employment use to the south is an inappropriate neighbouring use

16. The Dyggor-Gaylord employment premises to the south of the site is separated by approximately 120 metres from the proposed housing site. The employment building is at a much lower level, with an intervening mound which is suitable for planting to provide a buffer accentuating the separation of the uses. Even without planting, the mound is sufficiently high to obscure all but the rooftop of the employment building, when viewed from the proposed housing site.

(j) Noise and pollution

17. In general terms, new residential development does not give rise to unacceptable levels of noise or pollution. The Council has sought to minimise traffic increase by ensuring that new development sites are well located in relation to good public transport services.

(k) Pressure on facilities, including schools

18. The Council is not aware of any problems that are likely to arise from additional houses putting pressure on the existing infrastructure of the area. The County Council has not advised that contributions towards improving education facilities should be sought, which would have indicated that the nearest primary schools were at or near their present capacity.

(l) Access across third party land

19. The promoter of the site has clearly stated that an agreement to access the site from Wessex Drive, within the adjoining housing development, has been reached. There are no physical problems arising from this as the potential for access to this site was taken into account in the highway design for Wessex Drive.

(m) Access should be from Halls Lane or A610

20. The land associated with the bridleway to the north-west of the site provides the only possible means of direct access to Halls Lane. This is impractical due to its restricted width and the acute angle at which it meets Halls Lane. It is also not possible to secure access direct to the A610, as this major road already has several points of access serving employment premises, for which there

is greater justification than for residential use. If the site had no convenient access to the local road network, future residents would not be able to easily reach local facilities or public transport.

(n) Increased traffic on Wessex Drive, Smithurst Road and Nottingham Road

21. It is inevitable that this development will create additional traffic on Smithurst Road. Recognising this, and that there would be other traffic increase arising from two other new housing development sites taking access from Smithurst Road, the Council has placed on each of these sites the expectation that contributions will be paid by developers towards two appropriate measures. One measure is traffic calming along Smithurst Road, and the other measure is improvement of the Smithurst Road/Nottingham Road junction. The site would thus assist in providing positive benefits to traffic management in the area. It should be noted that the design of Wessex Drive allowed for its continuation into this proposed housing site; hence 'Drive' rather than 'Close' like other nearby cul-de-sacs.

(o) Increased fears about security

22. Issues about security can be properly dealt with when detailed planning applications come to be assessed under Policy E1 of the Broxtowe Local Plan Review, which includes the criterion (d) "A safe and secure environment, where necessary including crime prevention features". Liaison with the policy authority's crime prevention officers takes place over detailed designs, to aid assessment against the principles contained in the good practice described in 'Planning out Crime'.

(p) Loss of property values and privacy

23. Concern that new development may lead to a loss of property values is not a planning issue. Any threat to the privacy of individual occupiers is an issue which would be carefully assessed at the stage of a detailed application for development, when layout and design are known.

(q) Inappropriate density

24. The minimum net density for the site was selected with reference to accessibility to a frequent bus service, and also acknowledges that this would be an extension to a built-up area on a relatively prominent site where the character of surroundings must be taken into account. The Council considers that to specify a higher minimum net density in this location would be inappropriate, but is confident that the specified level of 35 dwellings per hectare can be achieved on this site.

Background

1. This site was proposed for deletion from the RDDP in PIC5. However, I have to consider objections to the RDDP and those to the FDDP that the Council put before me. I also, at the Council's request, consider the PICs and objections to these alongside the other objections.
2. The reasons for this and other sites' proposed deletion was the reliance of the Council upon an assumption of increasing windfall sites and upon additional brownfield sites in Nottingham City. Although, the PICs deleted this greenfield and some other Green Belt sites it retained the very large allocation H2I at W/N, which is in the Green Belt. Earlier in this Chapter, I support an increase in windfalls but conclude that allocations in the LP should generally meet the residual SP housing requirement. I consider that the most appropriate means of addressing the Council's justifiable concern to take advantage of brownfield opportunities in the City is through the phasing mechanism of Policy HX. In this

situation and even after the PICs, it is necessary to take some greenfield land as the Council's Urban Capacity Study revealed that there is insufficient previously developed land in Broxtowe to meet the SP housing requirement. This requirement arises mainly from social changes, including ageing and separation among the existing population.

Inspector's Conclusions

Location and Site Search Sequence

3. This site lies within about 700 ms of the B6010, Nottingham Road. This is the spine of the Nottingham to Eastwood Public Transport Corridor, which is favoured as a location for major development in SP Policy 1/ 2. Although beyond the Highway's Authority's standard walking distance of 400 ms to those bus services, the site is served by frequent parallel services along Smithhurst Road within this corridor. I am satisfied that residential development here should satisfy many of the objectives in paras 1.66 to 1.73 of the SP. Although restored from former colliery use, it is classed as a greenfield site according to the criteria in PPG3 Annex C. On its own it currently lies, like site H2 i on the edge of the urban area and would fall into category c) of the search sequence in Policy 1 of RPG8 as an urban extension; it would also come within the search sequence in PPG3 after the development of previously developed urban land. However, with the adjoining site Ea9 it has more of an urban character than some other edge of urban sites due particularly to the containment afforded by the A610 bypass. It is clearly not part of the wider countryside to the south of the bypass.
4. This site and Ea9 are, contrary to some objectors impression, not within the adopted Green Belt and on this criteria are, in this sustainable location, to be preferred to those sites such as H2l and H2j that are. The Council accepted that if suitable sites are available outside the Green Belt exceptional circumstances to justify altering Green Belt boundaries would not be met and that sites outside the Green Belt such as this should be considered first.

Agriculture

5. Although restored, the standard of restoration is very poor and the land, which is currently unused, is of little or no value to agriculture unlike some other allocations in the RDDP such as H2l which is largely on B&MV land and H2j, which is on lower grade land, but which is farmed. On these grounds it is clearly to be preferred to site H2l, site H2j and others.

Settlement Form

6. The site is contained upon its north east side by a modern housing estate and to the south by a large factory which occupies lower ground out of sight. Beyond this it is contained, as is Eastwood to the west and Giltbrook to the east, by the dualled A610 bypass which clearly defines the southern boundary of these settlements. The land immediately to the west (Ea9) is partly used for horse grazing but is mainly a large unused area of a poorly restored former landfill site. Elsewhere, I support objections seeking housing development on the northern part of that area and open space and playing fields development on the larger southern part. Site

H2X would then be contained in all directions by urban development and would complete the pattern of urban development in this part of Eastwood/Giltbrook.

Local Facilities

7. I have no evidence of any detrimental impacts from developments in the Giltbrook area, which appear to have been planned in a comprehensive manner and provide attractive new housing areas. I am unaware of any critical thresholds to development that have or are in danger of being breached, although I note the situation regarding education facilities. There is no sound basis to support the view that Giltbrook has had enough development and that extra dwellings will impose a heavy burden on this urban area. Most urban areas have changed in the last 20 or more years and few are immune to this process. The purpose of Local Plans is to allocate land for future development. It is inevitable therefore that they propose changes somewhere to the status quo and to previous planning policies. The RDDP allocates substantial new housing in other parts of the Borough; it is not the case that it is concentrated unduly upon Giltbrook. However, the Council is constrained in its choice of suitable sites due to Green Belt, good agricultural land and other factors that do not apply in Giltbrook. It is not for Derbyshire to meet Broxtowe's housing requirements.
8. The site is within 100 m of reasonably frequent bus services along Smithurst Road, which according to Policy H6 would justify a density of 40 dph like that recently proposed by the Council for site H2 i to the east. I have no reason to doubt that such a density is achievable on this site and that it would result in a development in keeping with the character of its surroundings. Unlike Mr Woodhouse, I see no good reason to maintain prevailing densities in an area. This would frustrate the government's aims of making more efficient use of land. All bus services may be subject to cancellations from time to time and crossing roads to change buses is inevitable for existing and new residents alike. The site is within about 600 m of local shops including those on Smithurst Road; a wider range of shops and services are a little further away on Nottingham Road, which is accessible by bus. The range of local shops may for some be limited but they already serve an extensive area of recent and long established housing and seem adequate for day to day needs. Additional population may help to support these and in time perhaps some new shops. Existing and proposed employment development is within convenient distances, including the new Raleigh HQ. The lack of local facilities for children affects many urban areas and existing as well as new residents, but it presents no sound reason to prevent much needed new housing.
9. Apart from part of the adjoining site Ea9 which, in any case, is judged upon its own merits, I cannot see how the development of site H2X could act as a precedent for any further development. The A610 by pass establishes a very firm boundary to the town and to the Green Belt, which lies beyond.

Wildlife, Footpaths and Open Space

10. There are no designated wildlife habitats on the site not even the local SINC designation and I was presented with no records of protected species. The hedges to the adjoining bridleway/paths may be of more interest and of some value to bats and should be capable of being substantially retained. They can be

supplemented by new planting within any development. I have no doubt that some birds visit the site but it provides a poor habitat and private gardens can often provide a rich habitat for many species, albeit perhaps of a different kind. The route into the Erewash Valley, with its greater wildlife value, will remain. The site is not open for public use although some unauthorised access takes place. There has been no suggestion by the Council of its allocation and provision for open space and no other mechanism exists. CD21d shows that the Eastwood wards exceed the NPFA standards for open space, although they are deficient in space for outdoor sports. The ward containing Giltbrook is also deficient in space for outdoor sports. However, the proposals for the adjoining site Ea9, which I support, envisage a major development of playing fields and open space on the site of the former tip which should address any local deficiency.

11. The local environment of the adjoining bridleway/paths would be changed by housing development to some degree, although the existing hedges should help to soften the effect and the extensive open countryside is fairly close at hand over the A610 by pass. Their basic function should however, remain largely intact.

Landscape

12. Development on the site would be seen from across the valley to the south west but against the background of existing development on higher ground beyond. It would not appear incongruous, but would respect the existing form of the town.

Noise, Pollution and Local Amenity

13. The previous occupiers of the factory premises to the south have moved so that any problems of noise and pollution should not re-occur. However, if they do the Council's EHO has powers to deal with any nuisances. The factory is largely out of sight and at a lower level alongside the A610. I did not observe that the site is subject to high noise levels from the A610 by pass. In any case, new housing to the east is just as close if not closer to the factory and to the bypass and mitigation measures are available to deal with any perceived problems.
14. There is no reason why the housing development itself should give rise to any noise, pollution or any increased levels of crime or vandalism than the existing housing to the north and east. There is no evidence to support fears of any long-term effect on property values in the area. In any case this, in itself, is not a factor to which I can afford weight, as new housing has to go somewhere and would have a similar affect on existing residents. Some residents may lose their open views but there is no right to a particular or an unchanging private view. LP Policy E1 and normal development control powers over layout and design should address concerns about any undue loss of privacy and any overshadowing. The Giltbrook area may have lost greenfield areas to development since 1987, but this again is quite a common feature on the edge of many urban areas, particularly areas such as this outside the Green Belt.

Schools

15. The Education Authority have raised concerns over the impact of housing development on this and two other nearby sites upon local schools in the area which are or approaching capacity. They may have more concerns at the combined impact of this site and the adjoining site Ea9. However, Policy RC3 allows the Authority to seek contributions from developers towards the provision of additional school facilities and capacity to serve the extra demands resulting from their developments. This should meet the Authority's concerns. However, there is no need to mention this Policy in respect of each housing proposal; its provisions apply in any case. The LEA has had the long gestation of this Plan to plan for extra school capacity in the area and should be aware of the options. Existing primary schools are about 600 m to 700 m away; the nearest secondary school about 1.8 km away.

Traffic and Access

16. A development of about 88 dwellings could generate about 600 vpd. This is well within the capacity of Smithurst Road, although some measures to calm traffic speeds might be justified. The problems at its junction with Nottingham Road could be resolved by traffic management measures, as could any problems at the Newthorpe Common junction. These are measures to which the developers of this and the adjoining site Ea9 might be expected to make some contribution in order for development to proceed. However, Traffic Light control of the Gilthill Island to address existing problems, as Mr Heaps suggests, would hardly be justified by this or the adjoining development, but it might by others that I support. Traffic in Eastwood/Giltbrook may be higher than many local people would wish, but it is less severe than many other parts of the Borough in the Greater Nottingham area.
17. I note the information apparently given to some existing residents when they acquired their property but that is a private matter between them and the vendors. The evidence is that there is an agreement to provide an access to this objection site via Wessex Drive (not Wessex Avenue - IC109) and that it was designed to allow for this allocation site. I am satisfied that it is of a sufficient standard to allow for the development of the objection site. However, there are other options available including the possible use of part of Halls Lane to the north of the site, which according to my visit should be wide enough for a residential access road. Also an access could be attained in conjunction with site Ea9 to the west. These are details, which could be resolved at the Development Brief or planning application stage. I am satisfied that a suitable access could be obtained.

Landfill Gas

18. Survey Measurements taken on the site showed no presence of methane, although raised CO₂ levels were detected. Despite some criticisms of the location of tests, I am satisfied, as is the Council's EHO, the consultants and apparently the Environment Agency that, with appropriate precautionary measures, the site is acceptable for housing development. Again new housing to the north lies almost as close to the former landfill site and this did not prevent its development. No evidence was presented of a fault on the site itself or of any voids as was apparently reported on the former Dyggor Gaylord site.

Remediation measures to protect dwellings on the adjoining site Ea9 from landfill gas migration would also protect dwellings on this site as well as existing dwellings in the area. Construction methods should be quite capable of dealing with ground conditions encountered on the site.

Synthesis

19. Although strictly speaking a greenfield site, it is of little use to agriculture and is well contained by urban development and the A610 by pass. It lies outside the Green Belt in a sustainable location to PT and to local shops, services and facilities. The impact of its development upon the countryside, the landscape, wildlife and the locality would be slight. It can be readily accessed and developed. I note the points raised by the Preservation Group and I also note the local petition. I appreciate their aversion to the site's development. However, in land use planning terms and government and regional policy, which guides my conclusions, the site is preferable on most counts to other possibilities in the Borough and certainly to allocation H2i and on most counts to site H2j. As the Council agreed and contrary to the opinions of others including at one time Bellway, the evidence now is that the site is free from amenity, access and infrastructure constraints and is suitable in policy terms and preferable to Green Belt sites. There is no requirement for it to be a straight substitute on its own for H2i; it suffices that it can with other preferable sites provide similar capacity in aggregate. A greater number of smaller sites allows greater use to be made of existing infrastructure and reduces the impact on local communities and the countryside. Like Mr Read, I am unconvinced about the benefits of a mixed development at W/N and in any case I see no need at this stage for a BP (E2), which was the starting point for the W/N proposals.
20. Site H2X should be retained as a housing allocation in the RDDP but at a minimum density of 40 dph. Although classed as a greenfield site I recommend elsewhere that adjoining site Ea9 should, for special reasons, be included in Phase 1 of Policy HX. As this site needs to be developed as part of a comprehensive development in conjunction with this adjoining site, it should also be included in Phase 1, despite its greenfield category.

Recommendation

21. I recommend that no modification be made to the RDDP in respect of this allocation except that it should be included in Phase 1 of Policy HX and at a minimum density of 40 dph.

H2(j) HOUSING SITE - ILKESTON ROAD, STAPLEFORD

4.48			<i>New housing sites - Ilkeston Road, Stapleford</i>	
1154	5052	R207		W. Westerman Ltd DPDS Consulting Group
2083	6580	R208	Mrs C Bradshaw	STRAG
2083	6579	R207	Mrs C Bradshaw	STRAG
1390	5312	R207	Mrs B Cobon	Trowell Parish Council
1390	5313	R208	Mrs B Cobon	Trowell Parish Council
1882	6045	R207	Miss J Fletcher	STRAG
1882	6046	R208	Miss J Fletcher	STRAG
1888	6107	R207	Mr RG Gough	STRAG
1883	6062	R208	Mr JC Jesson	STRAG
1883	6065	R207	Mr JC Jesson	STRAG
1884	6069	R207	Mrs E Perry	STRAG
1884	6070	R208	Mrs E Perry	STRAG
1885	6087	R208	Mr N Phillips	STRAG
1901	6176	R207	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6177	R208	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1885	6086	R207	Mr N Phillips	STRAG
1886	6103	R208	Mrs K Quirk	STRAG
1890	6110	R208	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6109	R207	Cllr KE Rigby	Trowell Parish Council / STRAG
2102	6652	R207	Scrimshire	
2085	6614	R208	Mr DJ Stocks	STRAG
2085	6613	R207	Mr DJ Stocks	STRAG
760	4729	R207	Mr B Thompson	STRAG
761	4737	R208	Mrs CA Thompson	STRAG
1897	6139	R208	Mr I Turner	STRAG
1897	6138	R207	Mr I Turner	STRAG
2084	6596	R207	Mrs JL Ward	STRAG
2084	6597	R208	Mrs JL Ward	STRAG
1736	5745	R208	Mr PJ Ward	STRAG
1736	5744	R207	Mr PJ Ward	STRAG
1899	6156	R207	Mr PW Warman	STRAG
1899	6157	R208	Mr PW Warman	STRAG
1782	5854	R207	Ms T Whitchurch	STRAG
1782	5855	R208	Ms T Whitchurch	STRAG

H2j			<i>New housing sites - Ilkeston Road, Stapleford</i>	
1155	5135	R168		Greasley Parish Council Andrew Thomas Planning
1155	7031	PC6		Greasley Parish Council Andrew Thomas Planning
1155	2433			Greasley Parish Council Andrew Thomas Planning
1006	7046	PC6		Nuthall Parish Council Browne Jacobson Planning Unit
1154	6994	PC6		W. Westerman Ltd
1154	2349			W. Westerman Ltd DPDS Consulting Group
1006	4855	R160		Nuthall Parish Council Browne Jacobson Planning Unit
1154	5064	R160		W. Westerman Ltd DPDS Consulting Group
1154	5068	R168		W. Westerman Ltd DPDS Consulting Group
1155	5130	R160		Greasley Parish Council Andrew Thomas Planning
2215	6796	R168	Miss K Alten	
1108	4966	R160	Mr M Bagshaw	Stamford Homes Limited

1108	4980	R211	Mr M Bagshaw	Barton Willmore Planning Partnership Stamford Homes Limited Barton Willmore Planning Partnership Broxtowe Real World Coalition
613	1518		Mr S Barber	
2099	6643	R168	Mr D Barson	
835	1516		Mrs N Bellamy	
763	1408		Mrs JA Bird	STRAG
763	4742	R209	Mrs JA Bird	STRAG
763	4741	R168	Mrs JA Bird	STRAG
2083	6582	R168	Mrs C Bradshaw	STRAG
2083	6583	R211	Mrs C Bradshaw	STRAG
2083	6581	R209	Mrs C Bradshaw	STRAG
1780	5852	R168	J Bromage	
1593	5509	R168	Mr SW Bywater	
1649	5590	R211	Mrs BM Bywater	STRAG
1649	5589	R209	Mrs BM Bywater	STRAG
1649	5588	R160	Mrs BM Bywater	STRAG
2216	6797	R168	Mrs SP Clayton	
1390	3630		Mrs B Cobon	Trowell Parish Council
1390	5315	R210	Mrs B Cobon	Trowell Parish Council
1390	5314	R209	Mrs B Cobon	Trowell Parish Council
2162	6742	R168	Mrs Z Cockcroft	
1880	6039	R168	Mr R Daibell	STRAG
1595	5511	R168	Miss MC Downie	Stapleford Town Council
1882	6047	R209	Miss J Fletcher	STRAG
1882	6049	R211	Miss J Fletcher	STRAG
1882	6048	R168	Miss J Fletcher	STRAG
1381	3489		Ms F Forgham	Government Office for the East Midlands Government Office for the East Midlands Nottinghamshire County Council
599	1407		Mr G Foster	
834	1515		Mr JD Hatfield	
2107	6675	R168	Mr J Hayes	
762	1406		Mrs V Hessey	
762	4740	R168	Mrs V Hessey	
2163	6743	R168	Mr B Hughes	
2214	6795	R168	Mrs A Jamieson	
1883	6066	R211	Mr JC Jesson	STRAG
1883	6064	R168	Mr JC Jesson	STRAG
1883	6063	R209	Mr JC Jesson	STRAG
1872	6023	R168	Mr AM Keen	
836	1517		Mr M Lacey	
2164	6744	R168	Mr R Lee	
1419	5355	R160	Mr AJ Lovell	
788	1441		Mr DB Lowth	
1135	5038	R160	Mr I Moss	House Builders` Federation
1135	2435		Mr I Moss	House Builders` Federation
1884	6072	R168	Mrs E Perry	STRAG
1884	6073	R211	Mrs E Perry	STRAG
1884	6071	R209	Mrs E Perry	STRAG
1885	6089	R168	Mr N Phillips	STRAG
1901	6178	R209	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1885	6090	R211	Mr N Phillips	STRAG
1901	6191	R211	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6192	R168	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1885	6088	R209	Mr N Phillips	STRAG
2109	6677	R168	Mr R Pierrepont	
1887	6106	R211	Mr T Quirk	STRAG
1889	6108	R209	Mr M Quirk	STRAG
1886	6105	R211	Mrs K Quirk	STRAG
1886	6104	R209	Mrs K Quirk	STRAG
1890	6111	R209	Cllr KE Rigby	Trowell Parish Council / STRAG

1890	6113	R211	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6112	R168	Cllr KE Rigby	Trowell Parish Council / STRAG
2218	6799	R160	Cllr RS Robinson	
1781	5853	R168	MA Sheikh	
2106	6674	R211	Mr N Starr	
2106	6673	R209	Mr N Starr	
2106	6672	R160	Mr N Starr	
2085	6616	R168	Mr DJ Stocks	STRAG
2085	6617	R211	Mr DJ Stocks	STRAG
2085	6615	R209	Mr DJ Stocks	STRAG
760	1404		Mr B Thompson	STRAG
761	1405		Mrs CA Thompson	STRAG
761	4738	R211	Mrs CA Thompson	STRAG
1897	6141	R168	Mr I Turner	STRAG
1897	6140	R209	Mr I Turner	STRAG
1897	6142	R211	Mr I Turner	STRAG
1736	5746	R209	Mr PJ Ward	STRAG
2084	6598	R209	Mrs JL Ward	STRAG
2084	6600	R211	Mrs JL Ward	STRAG
2084	6599	R168	Mrs JL Ward	STRAG
1736	5747	R168	Mr PJ Ward	STRAG
1736	5748	R211	Mr PJ Ward	STRAG
1899	6160	R211	Mr PW Warman	STRAG
1899	6159	R168	Mr PW Warman	STRAG
1899	6158	R209	Mr PW Warman	STRAG
766	1416		Cllr D Watts	Liberal Democrats
1782	5857	R168	Ms T Whitchurch	STRAG
1782	5858	R211	Ms T Whitchurch	STRAG
1782	5856	R209	Ms T Whitchurch	STRAG
1659	5607	R168	Mrs TM Whittaker	
123	4106	R160	Mr D Woodhouse	

A2f **Appendix 2f - Ilkeston Road, Stapleford**

1154	5070	R518		W. Westerman Ltd DPDS Consulting Group
1154	5071	R521		W. Westerman Ltd DPDS Consulting Group
1154	5069	R509		W. Westerman Ltd DPDS Consulting Group
1154	2354			W. Westerman Ltd DPDS Consulting Group
1879	6036	R510	Mr RG Barson	STRAG
1879	6035	R509	Mr RG Barson	STRAG
1879	6033	R521	Mr RG Barson	STRAG
1879	6037	R515	Mr RG Barson	STRAG
763	4749	R518	Mrs JA Bird	STRAG
763	4750	R521	Mrs JA Bird	STRAG
763	4747	R512	Mrs JA Bird	STRAG
763	4746	R511	Mrs JA Bird	STRAG
763	4743	R508	Mrs JA Bird	STRAG
763	4745	R510	Mrs JA Bird	STRAG
763	4744	R509	Mrs JA Bird	STRAG
763	4748	R515	Mrs JA Bird	STRAG
2083	6593	R519	Mrs C Bradshaw	STRAG
2083	6584	R508	Mrs C Bradshaw	STRAG
2083	6585	R509	Mrs C Bradshaw	STRAG
2083	6586	R510	Mrs C Bradshaw	STRAG
2083	6587	R511	Mrs C Bradshaw	STRAG
2083	6588	R512	Mrs C Bradshaw	STRAG
2083	6589	R513	Mrs C Bradshaw	STRAG
2083	6590	R515	Mrs C Bradshaw	STRAG

2083	6594	R520	Mrs C Bradshaw	STRAG
2083	6592	R518	Mrs C Bradshaw	STRAG
2083	6595	R521	Mrs C Bradshaw	STRAG
2083	6591	R516	Mrs C Bradshaw	STRAG
1390	5318	R518	Mrs B Cobon	Trowell Parish Council
1390	5316	R514	Mrs B Cobon	Trowell Parish Council
1390	5317	R515	Mrs B Cobon	Trowell Parish Council
1880	6038	R520	Mr R Daibell	STRAG
1880	6042	R513	Mr R Daibell	STRAG
1880	6040	R516	Mr R Daibell	STRAG
1880	6041	R519	Mr R Daibell	STRAG
1881	6044	R511	Mr S Fisher	STRAG
1881	6043	R508	Mr S Fisher	STRAG
1882	6058	R518	Miss J Fletcher	STRAG
1882	6061	R520	Miss J Fletcher	STRAG
1882	6059	R519	Miss J Fletcher	STRAG
1882	6057	R516	Miss J Fletcher	STRAG
1882	6056	R515	Miss J Fletcher	STRAG
1882	6055	R513	Miss J Fletcher	STRAG
1882	6053	R511	Miss J Fletcher	STRAG
1882	6052	R510	Miss J Fletcher	STRAG
1882	6051	R509	Miss J Fletcher	STRAG
1882	6050	R508	Miss J Fletcher	STRAG
1882	6054	R512	Miss J Fletcher	STRAG
1882	6060	R521	Miss J Fletcher	STRAG
1883	6067	R508	Mr JC Jesson	STRAG
1883	6068	R509	Mr JC Jesson	STRAG
1135	2380		Mr I Moss	House Builders` Federation
1884	6084	R520	Mrs E Perry	STRAG
1884	6083	R519	Mrs E Perry	STRAG
1884	6082	R518	Mrs E Perry	STRAG
1884	6081	R516	Mrs E Perry	STRAG
1884	6080	R515	Mrs E Perry	STRAG
1884	6079	R513	Mrs E Perry	STRAG
1884	6077	R511	Mrs E Perry	STRAG
1884	6074	R508	Mrs E Perry	STRAG
1884	6085	R521	Mrs E Perry	STRAG
1884	6078	R512	Mrs E Perry	STRAG
1884	6075	R509	Mrs E Perry	STRAG
1884	6076	R510	Mrs E Perry	STRAG
1901	6179	R508	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1885	6101	R519	Mr N Phillips	STRAG
1885	6100	R518	Mr N Phillips	STRAG
1885	6099	R516	Mr N Phillips	STRAG
1885	6098	R515	Mr N Phillips	STRAG
1885	6097	R513	Mr N Phillips	STRAG
1885	6096	R512	Mr N Phillips	STRAG
1885	6095	R511	Mr N Phillips	STRAG
1885	6094	R521	Mr N Phillips	STRAG
1885	6093	R510	Mr N Phillips	STRAG
1885	6102	R520	Mr N Phillips	STRAG
1885	6091	R508	Mr N Phillips	STRAG
1901	6183	R512	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6180	R509	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6181	R510	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6182	R511	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6184	R513	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6186	R516	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6187	R518	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6188	R519	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1901	6189	R520	Mrs J Phillips	Stapleford and Trowell Rural Action Group

1901	6190	R521	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1885	6092	R509	Mr N Phillips	STRAG
1901	6185	R515	Mrs J Phillips	Stapleford and Trowell Rural Action Group
1890	6121	R516	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6115	R509	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6125	R521	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6124	R520	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6122	R518	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6120	R515	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6119	R513	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6118	R512	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6117	R511	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6116	R510	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6114	R508	Cllr KE Rigby	Trowell Parish Council / STRAG
1890	6123	R519	Cllr KE Rigby	Trowell Parish Council / STRAG
601	4651	R512	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4650	R509	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4649	R508	Mr S Rufus	Nottinghamshire Wildlife Trust
1891	6127	R511	Miss S Shooter	STRAG
1891	6126	R510	Miss S Shooter	STRAG
2085	6621	R511	Mr DJ Stocks	STRAG
2085	6624	R515	Mr DJ Stocks	STRAG
2085	6625	R516	Mr DJ Stocks	STRAG
2085	6626	R518	Mr DJ Stocks	STRAG
2085	6627	R519	Mr DJ Stocks	STRAG
2085	6628	R520	Mr DJ Stocks	STRAG
2085	6619	R509	Mr DJ Stocks	STRAG
2085	6622	R512	Mr DJ Stocks	STRAG
2085	6618	R508	Mr DJ Stocks	STRAG
2085	6620	R510	Mr DJ Stocks	STRAG
2085	6623	R513	Mr DJ Stocks	STRAG
2085	6629	R521	Mr DJ Stocks	STRAG
1893	6130	R518	Mr S Taylor	STRAG
1893	6128	R513	Mr S Taylor	STRAG
1894	6133	R521	Mrs AH Taylor	STRAG
1893	6129	R515	Mr S Taylor	STRAG
1894	6134	R516	Mrs AH Taylor	STRAG
1893	6131	R520	Mr S Taylor	STRAG
1894	6135	R519	Mrs AH Taylor	STRAG
1894	6132	R512	Mrs AH Taylor	STRAG
760	4733	R521	Mr B Thompson	STRAG
1896	6137	R509	Mr SJ Thompson	STRAG
760	4731	R519	Mr B Thompson	STRAG
761	4739	R515	Mrs CA Thompson	STRAG
760	4736	R516	Mr B Thompson	STRAG
760	4735	R513	Mr B Thompson	STRAG
1895	6136	R510	Mrs NC Thompson	STRAG
760	4730	R518	Mr B Thompson	STRAG
760	4732	R520	Mr B Thompson	STRAG
760	4734	R512	Mr B Thompson	STRAG
1897	6146	R511	Mr I Turner	STRAG
1897	6154	R521	Mr I Turner	STRAG
1897	6153	R520	Mr I Turner	STRAG
1897	6150	R516	Mr I Turner	STRAG
1897	6151	R518	Mr I Turner	STRAG
1897	6149	R515	Mr I Turner	STRAG
1897	6152	R519	Mr I Turner	STRAG
1897	6147	R512	Mr I Turner	STRAG
1897	6148	R513	Mr I Turner	STRAG
1897	6143	R508	Mr I Turner	STRAG
1897	6145	R510	Mr I Turner	STRAG

1897	6144	R509	Mr I Turner	STRAG
1736	5751	R508	Mr PJ Ward	STRAG
1736	5752	R509	Mr PJ Ward	STRAG
1736	5753	R510	Mr PJ Ward	STRAG
1736	5754	R513	Mr PJ Ward	STRAG
1736	5750	R512	Mr PJ Ward	STRAG
1736	5749	R511	Mr PJ Ward	STRAG
2084	6601	R508	Mrs JL Ward	STRAG
2084	6602	R509	Mrs JL Ward	STRAG
1736	5755	R515	Mr PJ Ward	STRAG
2084	6612	R521	Mrs JL Ward	STRAG
1736	5756	R516	Mr PJ Ward	STRAG
1736	5757	R518	Mr PJ Ward	STRAG
1736	5758	R519	Mr PJ Ward	STRAG
1736	5759	R520	Mr PJ Ward	STRAG
1736	5760	R521	Mr PJ Ward	STRAG
2084	6611	R520	Mrs JL Ward	STRAG
2084	6610	R519	Mrs JL Ward	STRAG
2084	6609	R518	Mrs JL Ward	STRAG
2084	6608	R516	Mrs JL Ward	STRAG
2084	6605	R512	Mrs JL Ward	STRAG
2084	6606	R513	Mrs JL Ward	STRAG
2084	6607	R515	Mrs JL Ward	STRAG
2084	6603	R510	Mrs JL Ward	STRAG
2084	6604	R511	Mrs JL Ward	STRAG
1899	6164	R511	Mr PW Warman	STRAG
1899	6172	R520	Mr PW Warman	STRAG
1899	6171	R521	Mr PW Warman	STRAG
1899	6170	R519	Mr PW Warman	STRAG
1899	6169	R518	Mr PW Warman	STRAG
1899	6168	R516	Mr PW Warman	STRAG
1899	6167	R515	Mr PW Warman	STRAG
1899	6165	R512	Mr PW Warman	STRAG
1899	6163	R510	Mr PW Warman	STRAG
1899	6162	R509	Mr PW Warman	STRAG
1899	6161	R508	Mr PW Warman	STRAG
1899	6166	R513	Mr PW Warman	STRAG
1782	5869	R520	Ms T Whitchurch	STRAG
1782	5862	R511	Ms T Whitchurch	STRAG
1782	5870	R521	Ms T Whitchurch	STRAG
1782	5868	R519	Ms T Whitchurch	STRAG
1782	5866	R516	Ms T Whitchurch	STRAG
1782	5865	R515	Ms T Whitchurch	STRAG
1782	5864	R513	Ms T Whitchurch	STRAG
1782	5867	R518	Ms T Whitchurch	STRAG
1782	5863	R512	Ms T Whitchurch	STRAG
1782	5861	R510	Ms T Whitchurch	STRAG
1782	5860	R509	Ms T Whitchurch	STRAG
1782	5859	R508	Ms T Whitchurch	STRAG

A2g**Appendix 2g - Bilborough College, Strelley**

1135	2381		Mr I Moss	House Builders` Federation
1385	3602		Mr B Neville	Sport England (East Midlands)
601	4653	R525	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4652	R522	Mr S Rufus	Nottinghamshire Wildlife Trust

A2h**Appendix 2h - Main Road, Watnall**

1155	5094	R536		Greasley Parish Council Andrew Thomas Planning
1155	5093	R538		Greasley Parish Council Andrew Thomas Planning

1155	5092	R540		Greasley Parish Council
748	4711	R538		Andrew Thomas Planning
				David Wilson Homes North Midlands
				David Wilson Estates
1155	5098	R535		Greasley Parish Council
				Andrew Thomas Planning
1155	3655			Greasley Parish Council
				Andrew Thomas Planning
748	4714	R543		David Wilson Homes North Midlands
				David Wilson Estates
748	4713	R537		David Wilson Homes North Midlands
				David Wilson Estates
598	4392	R538	Mr I Brown	CPRE - Broxtowe Group
598	4391	R534	Mr I Brown	CPRE - Broxtowe Group
927	4826	R538	Mr RP Bullock	
927	4827	R532	Mr RP Bullock	
599	4528	R543	Mr G Foster	Nottinghamshire County Council
599	3226		Mr G Foster	Nottinghamshire County Council
214	4144	R542	Dr DL Hedderly	
1222	2923		Mr JR Holmes	Holmes Antill
798	4761	R537	Mr GW Jones	
502	4290	R542	Mrs B Meadows	
1166	2838		Mrs B Neville	Nottingham City Council. Development Department
601	4654	R532	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4655	R537	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4656	R538	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	2340		Mr R Walters	Hallam Land Management

Council's response to objections made to the Pre-Inquiry Changes

1. This site was considered to be suitable for inclusion in the Revised Deposit Draft, when there was a need to find sites for over 2,000 new dwellings in order to meet Structure Plan requirements.
2. Pre-Inquiry Changes made to the plan in April 2001 involved the deletion of four greenfield sites proposed for housing, including this site. These Pre-Inquiry Changes were prompted by the Nottingham Urban Capacity Study, published in March 2001, which indicated that there would be considerable additional capacity for housing in the City before 2011. The Borough Council also re-estimated the likely annual rate of housing to be gained from windfall sites, as part of the Pre-Inquiry Changes.
3. The overall net result of these changes was to create a shortfall of 250 dwellings from the Structure Plan allocation figure for Broxtowe. The County Council did not raise any concerns about conformity of the Local Plan with the Structure Plan.
4. The four sites which were deleted, including this site, were all in Phase 2 of the Plan's housing phasing policy, reflecting their lower preference to Phase 1 sites which are mainly on previously-developed land. The borough council considers that they would not need to be developed within the Plan period. This site would have required a release from Green Belt for which this Council now cannot provide sufficient justification.
5. The issues of principle raised by the Pre-Inquiry Changes - regarding windfall rate, conformity with the Structure Plan and urban capacity - were debated at the Housing Round Table session at the start of the inquiry.

Issues raised on objections prior to Pre-Inquiry Changes

6. The Council's position on this site has changed between the Revised Deposit stage and the Pre-Inquiry Changes such that the site is no longer favoured by the Council. In this respect therefore those who were objecting to the inclusion of the site have now had their objections met. At the Inspector's request - and on the basis that he is dealing with objections made at the Revised Deposit stage - the Council has responded to those objections as if the site was still allocated.

Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.

- (a) Loss of Green Belt, and a greenfield land
 - (b) 'Sequential approach' not followed correctly
 - (c) Inappropriate minimum net density selected
 - (d) Development would spoil Trowell
 - (e) Development would spoil recreation and landscape value of area
 - (f) Site has medium/high archaeological potential
 - (g) Site is close to a prominent area for special protection and the Nottingham Canal
 - (h) Increased traffic in the area
 - (i) The site needs proper provision of emergency accesses
 - (j) Public transport serving the site is inadequate
 - (k) There would be a loss of wildlife value
 - (l) There would be pressure on drainage, and a danger of flash floods.
 - (m) There are inadequate local medical facilities.
 - (n) There would be pressure on local schools.
 - (o) There is no reference to recreation facilities being provided.
 - (p) The precise boundaries of various elements within the development site should be refined.
 - (q) The development site boundary should revert to the Deposit Draft version.
- (a) Loss of Green Belt, and a greenfield land
7. The Council accepted at an early stage in this plan review that the scale of new housing development to be provided to meet Structure Plan requirements was such that encroachment into Green Belt and greenfield land was unavoidable, in several locations in the borough.
8. In general terms, the Council considers that it is very difficult to expand any of the urban areas in the south of the borough without significant encroachment onto land which is crucial to the functions of Green Belt. The extensive area of Green Belt north of Stapleford currently has its southern boundary against the edge of built development along Ilkeston Road and Trowell Road, offering views across open land from these roads. Nevertheless, the Council originally considered that a reasonable degree of openness had been achieved with this housing allocation, as substantial areas of open space would be provided for public access. Although a degree of separation of areas of built development would be lost through development of this land the Council did not consider the land separated distinct urban settlements. The northern part of this urban area is referred to as Trowell due to the lie of the parish boundary. However, in planning terms these residential estates clearly form part of the Stapleford urban area, and are distinct from the village of Trowell which lies to the north-west of the M1. As such the Council contended that the development of H2K did not remove or reduce a gap between urban areas. However, this is not to say that this Green Belt land is not important - indeed it is in recognition of this importance that the site was proposed for deletion as a pre-inquiry change.
9. It is also clear from the objections received that in the perceptions of local people this area of open land does make an important contribution to the character and distinctiveness of Trowell.
- (b) 'Sequential approach' not followed correctly

10. In selecting housing development sites, proper regard was had to the site-searching sequence in PPG3. Greenfield land was only allocated once opportunities for building on previously-developed land had been exhausted.

(c) Inappropriate minimum net density selected

11. There is a bus service on Stapleford Road/Trowell Road with a greater than 4-an-hour frequency. This provides a service to Ilkeston and a service to Stapleford, which terminates at Nottingham. However, no service connects directly with the main A52 corridor to provide a direct fast service to Nottingham. There is also a lesser frequency service along Ilkeston Road which similarly does not connect with the A52. Taking this level of service into account, it was considered that a minimum net density of 35 dwellings per hectare was appropriate for this site, and the Council is confident that this can be achieved. The Council would be reluctant to increase this density requirement in this urban fringe situation, bearing in mind the need for development to be in character with its surroundings. However, if a higher density solution is ultimately submitted for this site, then the Council would assess the scheme with regard to the principles of good design contained in policy E1.

(d) Development would spoil Trowell

12. Trowell village, sited to the north of the M1 motorway, has not expanded greatly over the last 30 years and retains much of its village character. However the area of Trowell to the south of the M1 has enlarged in recent years, expanding Stapleford urban area. Whilst it is accepted that this proposed development would extend the urban area further on its southern edge, the Council considered in allocating this site that this was an acceptable continuation of the development pattern which need not be out of character with the surrounding area.

(e) Development would spoil recreation and landscape value of area

13. A substantial area of public open space and recreational facilities would be provided within the proposed development. In landscape terms, Stapleford Hill would continue to dominate local viewpoints and houses would not encroach on higher ground. Public access along existing paths which currently cross privately-owned farmland, for example the footpath following the north side of the brook, would be enhanced by additional public open space created alongside the path.

(f) Site has medium/high archaeological potential

14. Changes were proposed to the Local Plan at Revised Deposit Draft stage over the circumstances envisaged by this objection, ie that archaeological interest worthy of protection or recording is discovered during preparation work for an application on a development site. Revisions R101 and R102 introduced a new policy and associated text which provides for an archaeological evaluation to be submitted where appropriate, and suitable conditions to be imposed to deal with treatment of any archaeological remains. The Council was aware that English Heritage had recently investigated ancient bell pits (early coal mines) in this area and had not considered any remains on this site worthy of designation as an Ancient Monument; a nearby example, south of Strelley village, was designated as a result of the same survey.

(g) Site is close to a prominent area for special protection and the Nottingham Canal

15. The site proposed at the Deposit Draft Stage was adjacent to Stapleford Hill and approximately 150 metres from the Nottingham Canal. However, this part of the site has never been envisaged for built development, and would have formed part of a proposed country park, compatible with both of these important features in the landscape. The contraction of the built part of the site at the revised Deposit Draft stage resulted in built development being approximately 400 metres from Stapleford Hill, and 300 metres from Nottingham Canal. The Council is satisfied that these important features would not have been compromised by the development.

(h) Increased traffic in the area

16. Traffic generated by this site would dissipate directly into the strategic highway network, potentially in five main directions, which would contribute to minimising its impact on traffic on any particular route. The five directions are: northwards to the Nottingham-Trowell A609 corridor; south eastwards to the Nottingham-Stapleford A52 corridor; north-eastwards along the A6002 Western Outer Loop road; south to Stapleford town centre along Pasture Road; west towards Stanton along Moorbridge Lane. The Council is well aware of the need for improvement to the Ilkeston Road/Trowell Road/Pasture Road junction at the south-west corner of the site, and this would need to be undertaken as part of the development, as specified in policy H2j. Policy T1 will also apply, involving the negotiating of a contribution from developers in line with the Interim Transport Planning Statement. Any contribution received would be assessed to determine whether this should be spent on public transport infrastructure works.

(i) The site needs proper provision of emergency accesses

17. In response to the concerns regarding emergency access the Development Brief was amended at Revised Deposit Draft Stage (R518). The bullet point regarding vehicular access now reads: "separate vehicular access points should be created for the two residential areas with no vehicular access between the two sites. The northern area will require an emergency link access. The southern area will require two vehicular access points". The Council considers the concerns expressed have been overcome by this amendment.

(j) Public transport serving the site is inadequate

18. There is a bus service on Stapleford Road/Trowell Road with a greater than 4-an-hour frequency. There is also a lesser frequency service along Ilkeston Road. The level of service and the fact that the current services does not connect directly with the main A52 corridor to provide a direct fast service to Nottingham, has been taken into account in setting a minimum density of 35 dwellings per hectare. Furthermore, the Development Brief states that financial contribution will be negotiated toward the retention or improvement of public transport facilities serving the immediate vicinity of the site. Although the site layout has not been determined it is considered that access to existing bus services could be provided by ensuring good pedestrian linkages into and out of the site - as required by the Development Brief for site H2j. Bus penetration into the site would not be necessary as the whole site is within 400 metres of existing bus services.

(k) There would be a loss of wildlife value

19. The site does not include any areas designated for their wildlife value. However it is accepted that the brook and adjacent hedgerows will support wildlife. It is in recognition of this that the Development Brief requires the retention and enhancement of existing landscape quality and the creation of a corridor of open space leading to open countryside.

(l) There would be pressure on drainage, and a danger of flash floods

20. The Council is aware of the problems that have arisen in connection with the brook that runs through the site. The Environment Agency and the Council's drainage experts have confirmed that works will be required to increase the capacity of the culvert to ensure problems are avoided. This will have cost implications for the developers and in recognition of this an inquiry change is proposed.
21. Therefore, if the Inspector finds that this site should be reinstated then in the Council's view the following Inquiry change is required. An additional bullet point would need to be inserted below the bullet point in Development Brief F starting "financial contribution". The new bullet point should

read “The Council will need to be satisfied that works are to be undertaken as part of the development to ensure satisfactory drainage on site and in the immediate vicinity”.

The above amendment will ensure that the developers are aware that works will need to be undertaken to ensure the drainage is adequate. The Environment Agency has confirmed that the existing problems can be overcome and have not raised an objection to this allocation.

(m) There are inadequate local medical facilities

22. Sites for local health facilities are not usually allocated through the local plan process. This is a matter for the Local Healthcare Trust and GP practices who have not requested any sites in the locality. Planning applications for development of this type will be determined with reference to local plan policies and any other material circumstances.

(n) There would be pressure on local schools

23. The new housing development will result in additional demand for school places. The Development Brief states that “Financial contribution will be negotiated toward the provision and/or enhancement of education facilities commensurate with additional demands created by the resident population of the development site”. Nottinghamshire County Council has not raised any objection with regard to educational provision.

(o) There is no reference to recreational facilities being provided

24. The Development Brief (in the Revised Deposit Draft) does refer to recreational facilities. The text states “Provision should be made for the identification, provision and dedication of land for a sports pitch and pavilion and for passive recreation (including contribution toward the future maintenance thereof) in convenient relationship to existing facilities and open spaces”.

(p) The precise boundaries of various elements within the development site should be refined

25. The Council considers that the proposed Development Brief gives sufficient detail concerning the development of site H2K. The precise boundaries will not be ascertained until an application is submitted.

(q) The development site boundary should revert to the Deposit Draft version

26. In order to retain a green break between urban areas the housing allocation was reduced in the Revised Deposit Draft. This also had the effect of making the development less prominent. The requirement for a large area of open space has been considerably reduced allowing the Green Belt boundary to be realigned. The Green Belt boundary as shown in the Revised Deposit Draft followed a defensible line and was logical for the housing development then proposed.

Rebuttal Of Evidence Submitted by Objectors

27. Site H2j was promoted by the landowner’s agent at the consultation stage of the Broxtowe Local Plan. The site was allocated for development in the Deposit Draft and Revised Deposit Draft Local Plan. However, the site was proposed for deletion as a Pre-Inquiry change as the result of a process explained in the main Proof 027. The Council considers it is important to provide additional information and clarification on some of the points raised in the objectors proofs.
28. As part of the Local Plan Review process the Council was required to identify sites on which to develop housing to meet the Structure Plan requirement. The Borough’s brownfield sites were not sufficient to meet this requirement and therefore the Council had to look to greenfield land. Whilst the Council recognise that arguments can be made both for and against the development of this site, H2j is an urban extension which adjoins the main urban area of Stapleford and consists

mainly of Grade 4 agricultural land. As such, and following a detailed site examination, the Council allocated Site H2j in the Deposit Draft. The site continued to be allocated in the Revised Deposit Draft, although with a significantly reduced area.

29. Whilst at no point was the Council oblivious to the impacts development of this site would have, the site was considered as the least damaging of the alternatives to which the council could turn. The Council is not able to agree with STRAG with regard to the perceived consequences of the development. STRAG states "Such a development would certainly have devastating consequences on the environment and its inhabitants (human and otherwise), and would encourage further development of the area". This statement appears not to be based on a clear or factual assessment of the proposal.
30. The site as allocated in the Revised Deposit Draft provides 245 new homes in two separate areas segregated by the stream. The Development Brief states that the development proposals shall include measures for the retention and enhancement of the existing landscape quality provided by the stream and adjacent hedgerows and trees. This requirement would provide easy and attractive access to the open countryside for both new and existing residents. Substantial open space and recreational facilities would also be provided as part of the development. With regard to flood concerns the Environment Agency have confirmed that the problems concerning land drainage could be overcome by the developer either by improving the watercourse or balancing the additional flows on site. The access arrangements as detailed in the Revised Deposit Draft meet County Highways requirements, and the new bus services provide better connections with Nottingham. As such the Council does not consider the consequences of such a development would be 'devastating'.
31. However, whilst the Council cannot agree with STRAG's view on the consequences of development, the Council understands and shares the concerns expressed over the loss of Green Belt land. Furthermore, it is recognised that this site forms part of an attractive and open landscape which also serves to protect the coalescence of existing housing developments. As such, when the results of the Nottingham Urban Capacity Study became known and the Council reassessed the level of housing provision required in Broxtowe, this site was one of the first to be considered for deletion. Of the four sites eventually proposed for deletion site H2j was one of two Green Belt sites (the other being H2d).
32. The Council is also very aware of the strength of feeling of local people regarding this site. The objector's proof draws attention to the number of objections received in relation to this site, but does not quote the correct figures. Therefore, as a point of clarification the number of objections received at each stage of the Local Plan process is presented below:

Consultation Draft - Whilst individual comments were not published the site H2j (then referred to as Site Sd1) did result in site specific objections as well as more general comments regarding the need to protect Green Belt around Stapleford.

Deposit Draft - 23 objections and one representation of support

Revised Deposit Draft - (All revisions relate to H2j)	R160	12	Note: Objections include a petition with 2322 signatures
	R168	38	
	R207	18	
	R208	16	
	R209	22	
	R210	1	
	R211	21	
	R508-R521	<u>193</u>	
Total No of objections		<u>321</u>	

One representation of support was also received.

It should be noted that this situation is not reflected in the proof provided by Westerman.

33. In conclusion, the Council would request that in view of the site's contribution to the purposes of Green Belt, the proposed pre-inquiry change to delete this site is upheld.

Background

1. The Council put forward PIC6 to delete housing allocation H2j and recreation proposals RC7 (d), RC8 (i) and RC17 (p) from the RDDP. I have to deal with objections to the RDDP and those to the FDDP that the Council have put before me. However, at the request of the Council, I will at the same time consider the PICs put forward by the Council and objections to these.
2. I conclude earlier that sufficient land should be allocated to meet the SP housing requirement and that the Council's concern to avoid the premature development of greenfield land, particularly in the light of the prospective extra capacity of brownfield land in Nottingham City, is more appropriately met by the operation of a phasing Policy HX. The SP housing requirement in Broxtowe arises mainly from the effects of social changes, ageing and separation, among the local population including some residents of Trowell Parish. This requirement should be met in Broxtowe, it cannot be exported to the adjoining County, as some suggest. Even if parts of Stanton Works were available, this would go to meeting Derbyshire's own development needs. Houses for sale and vacant houses are a natural part of the operation of the housing market and the latter have been taken into account in deriving the new housing land required. The Borough Council's Urban Capacity Study demonstrated that there is insufficient "brownfield" land in the Borough to meet the SP housing requirement and that some greenfield land will be required somewhere.
3. My conclusions above, do not mean that allocation H2j should automatically be retained in the RDDP. I consider it and others against other development possibilities that have been put before me during the inquiry. In assessing their comparative merits I have regard to the search sequence in PPG3 and in RPG8 Policy 1. I have regard to the criteria in RPG8 Policy 2 and advice in PPGs. In respect of Green Belt sites, I have regard to the need to demonstrate exceptional circumstances to justify the alteration of Green Belt boundaries, among which is the availability of suitable land in sustainable locations outside the Green Belt.

Inspector's Conclusions

Alteration of Green Belt Boundaries

4. The Council is correct that the shortage of brownfield land to meet SP requirements may provide the exceptional circumstances to justify alterations to Green Belt boundaries such as proposed in the RDDP. Although the PICs seek to

delete a number of allocations, including H2j, the RDDP still retains the very large greenfield allocation H2l at Watnall/Nuthall in the Green Belt.

5. However, once consideration is given to altering Green Belt boundaries, it is not simply the need to cater for development within the LP period that can provide the necessary circumstances. PPG2, whose advice has remained consistent for many years, makes it clear that 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 there is the risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development.
6. The repeated practice in Nottinghamshire has largely ignored the advice of PPG2 and has been to define boundaries only to cater for development needs within each successive Plan period. The basis claimed for this is the lack of strategic guidance beyond the Plan period. However, this has not prevented other LPAs from defining longer-term boundaries, including Derbyshire, which is subject to the same RPG. The consequence of Nottinghamshire's approach is that its Green Belt boundaries are subject to alterations and pressures at each Plan review. This detracts from its fundamental characteristic, permanency. Paragraph 1.87 of the SP allows LPs to safeguard land for longer-term development where a firm defensible Green Belt boundary exists beyond a line necessary to meet 2011 land requirements or where they wish to specify areas for longer-term development needs. The Council prefers to defer re-appraisal of boundaries to the next review, but there is no assurance of any change in approach.
7. I note Westerman's comments on a number of objections to sites proposed to be removed from the Green Belt. However, in considering such sites my main regard is the degree to which they fulfil the purposes of Green Belts set out in PPG2 para 1.5 as well as sustainability and other factors.

Green Belt Purposes of the Site

8. Site H2j does not assist in checking the unrestricted sprawl of a large built up area; the 1st purpose of Green Belts. It is contained to the south and to the west by residential estates of some depth. It is contained to the north partly by the Trowell Grove estate and partly by a recreation ground and an area of open space with maturing planting. Further north beyond this it is contained by the railway, which separates it from the extensive stretch of open countryside and Green Belt extending up to Strelley. It is contained to the east partly by the Mayfield Drive estate and by existing open space at Stapleford Hill. The area is well contained in land use, in landscape and in topographical terms. Its development even as an urban extension would not constitute sprawl in terms of PPG2, which envisages, in para 2.12, the need in some cases for safeguarded land between the edge of the urban area and the Green Belt.
9. The site assists in safeguarding the countryside from encroachment but only to a limited degree; the 3rd Green Belt purpose. This small area of farmland, mostly grade 4, is largely contained by urban developments and non-agricultural uses such as playing fields and open space. In landscape and topographical terms it is a relatively small self-contained area with well-defined boundaries. It is much

less important in this respect than many other Green Belt sites; in particular H2I, which intrudes into an extensive area of open countryside and B&MV agricultural land and which is much less contained in landscape and landform terms.

10. Whilst brownfield sites are available for development, this Green Belt site assists urban regeneration by encouraging the recycling of derelict and other urban land; the 5th purpose of Green Belts. However, this purpose can now be more directly achieved through Policy HX with its phasing of greenfield sites. It is, in any case, a purpose that applies to all Green Belt and greenfield sites. However, it is not achieved with allocation H2I at W/N, of which part is in Phase 1 and the rest committed in Phase 2.
11. The 4th Green Belt purpose by common agreement does not apply around Nottingham. The 2nd purpose is to prevent neighbouring towns from merging into each other. However, site H2j does not separate neighbouring settlements let alone neighbouring towns. I recognise the attachment of some local residents to the parish of Trowell. However, parishes are administrative, ecclesiastical and electoral areas not settlements or villages, although they may contain them. They provide no basis in PPG2 for the definition of Green Belts. They were mostly defined many years ago when conditions were very different. In many cases, major development has since occurred away from the historic village core. For Trowell this is shown on the Maps of 1835, 1880, 1913 and 1938 included in the History of Trowell, none of which show any part of the village south of the future M1.
12. Green Belts are a longstanding national landuse policy that has to be applied consistently and objectively throughout England, not on the basis of some local perception or interpretation, whatever its strength. Andrew Thomas Planning for Nuthall PC criticises the Borough Council for apparently taking the latter into account in deleting site H2j in the PICs but treating allocation H2I at W/N differently. Government policy in PPGs and Circulars is quite specific and seeks consistent standards and criteria throughout England; they cannot be interpreted to justify the development of any proposed site, as STRAG allege. The purpose of Local Plans is to allocate land for future development. It is inevitable therefor that they propose changes somewhere to the status quo and to previous planning policies. This inevitably creates great concern among existing residents of the areas affected. I note the results of the local survey and the strength of the petition. I understand the objections of local people about a major change in their local environment. However, new dwellings are needed to meet essentially local needs. They have to go somewhere in the Borough and there are not enough "brownfield" sites to meet the housing requirements. The residents of Watnall/Nuthall are equally if not more concerned about the much more extensive proposals that remain in the RDDP for their area. The Borough Council and I have to identify sufficient sites to meet the housing requirement and we are guided in their selection by government, regional and SP planning policies. The basis for any allocation on site H2j is the fulfilment of housing need and not any potential gain by a developer, who for the most part exist to provide new houses for people in the market area.
13. I can see little in land use terms to distinguish or separate between Parishes the housing developments along the west side of Stapleford Road. The narrow brook

and small name-place signs hardly suffice. As STRAG conceded, it is difficult to perceive that one is not in Stapleford north of the brook. Similarly, I can see little to distinguish these housing developments from those to the south of Ilkeston Road or from the Trowell Grove and Mayfield Drive estates, apart from age and tenure which are not Green Belt factors. They all appear in land use terms to be an extension of the built up area of Stapleford.

14. They are all physically separate and quite distinct from the village of Trowell to the northwest, which although it comprises some modern housing estate development is centred upon the historic core. Indeed STRAG even refer to the Trowell Park estate having an identity of its own within the parish.
15. The old village of Trowell lies some distance from site H2j. It is out of sight and separated from the Trowell Grove and Trowell Park estates by the M1 motorway, the railway and an intervening area of open land; all in the Green Belt. There is no danger in these circumstances of development on site H2j leading to Stapleford merging with Trowell village north west of the motorway or of Nottinghamshire and Derbyshire being joined, as feared by Cllr Robinson. The 1984 LP Inspector, unlike perhaps some ratepayers, found that the parts of Trowell (parish) south of the motorway have a markedly different character from the rest of the settlement and that development to the west of Stapleford Road would be seen as part of the expansion of the Stapleford built up area. He concluded that development on Fields Farm would be seen as an extension of the Stapleford built up area into open countryside and an area of farmland.
16. Green Belt policy, as the Borough Council agreed, has no purpose in separating one part or estate of a town from another. In so far as this may be desirable, Policy E13 would be more appropriate. I have to consider the present land use situation not those of some former time before certain estates south of the M1 were developed, no matter what the objections of that time. As the Council conceded, none of the Green Belt purposes served by site H2j were considered a bar to its allocation for housing in the FDDP and the RDDP.
17. I therefor find the site's value to the purposes of the Green Belt to be marginal; a situation confirmed by its allocation in the RDDP and its development mooted on previous occasions. Even if it was not allocated for housing development at this stage, its allocation as white land under the FDDP Policy E11 would afford it a high degree of protection but would avoid the repeated consideration of its Green Belt purposes at successive LP inquiries, which is not only inefficient but detracts from the Green Belt concept.

New Green Belt Boundaries

18. The Council's contrived Green Belt boundary in the RDDP reflects a particular development layout rather than strategic factors and fails to reflect Green Belt purposes. It also provides very generous open space allocations in a part of the ward already well endowed with open space and with an adjoining a ward enjoying an excess of open space against NFPA standards (CD21d). Such allocations may help to placate some local objections to housing development but they are a wasteful use of valuable land, the consequences of which are likely to be more Green Belt incursions elsewhere. As the Council accepted at the inquiry,

it is important for this reason to get as much development out of a Green Belt site as possible. For these reasons I prefer the “allocations” in DPDS’s Revised Master Plan C9006/02/01 to those in the RDDP. They provide a more efficient and effective long-term use of land. Some of the Council’s Green Belt “wedges” would be highly vulnerable at future LP reviews when their Green Belt purposes would be questionable.

19. Previous Inspectors may have found Ilkeston Road to be a suitable Green Belt boundary, but they were faced with rather different circumstances. I find no substance now in the view that once the highway boundaries around the site are crossed, the selection of alternative Green Belt boundaries is arbitrary, optional and unsatisfactory. The clear and relevant boundary for the Green Belt in this location would follow the railway line to the north, the footpath and the eastern edge of RC8 i, as shown on DPDS drawing C9006/01/02, even if the Council had not previously considered this. The protection of areas of open space can be better achieved under Policies RC5, RC8 and RC10 and a Development Brief than highly contrived Green Belt boundaries on a PM, which may not accord with a final detailed scheme.

Impact of Development upon Existing Communities.

20. Development of site H2j would be well contained by existing open space and quite extensive planting that has been undertaken to the north. This could be supplemented by further open space and planting as illustrated on DPDs’s Revised Master Plan C9006/02/01. Development should be in keeping with the surrounding residential estates and I see no reason why it should spoil them in any way. Whilst it may result in the loss of some open views, this is inevitable somewhere on the urban edge if development needs are to be met and there are no rights to unchanging or particular private views. I cannot give weight to any impact upon property values, which are, in any case, much more affected by macro economic factors. As the site is out of sight of and separated from Trowell village by existing residential and employment development and the M1, I cannot see how its development would spoil the village. The opinion that it would devastate Trowell and its inhabitants and be a social disaster is again a clear exaggeration; it might not be popular but it would lay neither to waste. It would increase the parish population and also its rateable base but I see no disadvantage in that; both could help to support existing and new facilities. Housing may bring an influx of newcomers, but this applies to existing as well as new dwellings, although perhaps more gradually. Again this is a feature of new development wherever it is sited and I foresee no special problems in this particular area. I fail to see the relevance of the award to the village in 1951 to present land use circumstances.

Impact Upon Neighbouring Open Areas

21. The playing fields and open space to the north of site H2j already have an urban setting with views of housing development to the south west and east and with views to the north curtailed by topography and planting. The views from Stapleford Hill already embrace urban areas and site H2j is barely visible from Hemlock Stones Country Park. Footpaths in the development area could be sited through open spaces and access to the open countryside to the north is quite

close at hand. I can see little impact from any housing development of the site on the Bramcote Hills Strategy, which concerns land some way to the east. Provision for footpath links from Stapleford Hill to the Erewash Valley in the west already exist to a large extent and others could be incorporated in any layout if needed.

22. Site H2j, even in the FDDP lies some 200 m from the Prominent Area for Special Protection centred upon Stapleford Hill. It is over 250 m away and out of sight of the Nottingham Canal. Apart from increasing the number of local residents enjoying the canal I can see no other significant impact.

Archaeology

23. Despite some recent investigations, English Heritage has not sought designations of any part of the site. Objections concerned with archaeological potential lack substance and appear in respect of most proposed allocations. R101 and R102 introduced a new Policy EXX, which requires an archaeological evaluation and treatment of any remains, which should help to safeguard any important remains that might have survived the opencasting of the site. However, there is no evidence of site instability for housing development as a result of this.

Wildlife

24. No part of the site or its surroundings is designated as being of wildlife value, not even a local SINC designation. The hedges, stream and adjacent planting may have some value as a habitat but these could all be substantially retained and enhanced as part of a development scheme. Furthermore private gardens can provide a rich if different habitat for a range of species. The diagrammatic Wollaton Wildlife Corridor lies to the north of the proposed housing development (CD61). It is wholly exaggerated to foresee the proposed housing development as an ecological disaster.

Traffic and Transport

25. Development of the site could generate over 2000 vpd. It is however, bounded by two major distributor roads, which in off peak times have ample capacity to accommodate the traffic generated. In peak times, Ilkeston Road to the Bramcote Island, in particular, experiences severe congestion and I was told of no plans to improve it for private vehicles. I observed no severe congestion at the junction of the A609 with the A6002 and, as Cllr Rigby accepted, traffic from H2j would be unlikely to take this route. However, congested conditions are commonplace in the conurbation during peak periods and might be expected wherever new development is mooted. Safe accesses could be provided to the site that would have little effect on the free flow of traffic or safety on the adjoining distributor roads. The opportunity also exists to improve conditions at the roundabout junction to the south west of the site at the junction of Stapleford, Ilkeston and Pastures Roads, to improve pedestrian crossing facilities and to introduce speeds reduction measures on these roads.
26. Provision for emergency access is made by R518 and could always be provided for in the detailed design of access roads and adjoining verges. At this LP stage, it is not my concern what form pedestrian crossing points should take or how long

subsidies for bus services should operate. The Highway Authorities concern for such matters displays a limited grasp of the Local Plan system; it introduces unnecessary work for themselves, objectors and the inquiry. These are clearly details that should be left to a Development Brief and any planning application stage.

Public Transport

27. A reasonably frequent bus service operates along Stapleford Road with a less frequent service on Ilkeston Road. There are currently no direct services to the A52 towards Nottingham City Centre; apparently the main attraction in the area. In consequence, the RDDP prescribes a minimum density under Policy H6 of 35 dph. I consider that this density is quite capable of producing a high quality housing development sensitive to its surroundings. The site does not directly abut existing housing from which it is separated by roads and open space. I see no sound basis to reduce this density as pressed by some local objectors or to increase it as some organisations would wish.
28. The concern of the Highway Authority about small parts of the site that may lie just over 400 m from the bus route on Stapleford Road is surprising. Firstly, a 400 m cut off is arbitrary; the NTS shows people willing to walk longer distances to PT services and the advice of the IHT is more discriminating (CD127). It advises desirable, acceptable and maximum walking distance for differing purposes rather than the County Council's one size fits all and whilst 400 m to bus stops is desirable, 500 m is acceptable. Also RDDP Policy H6 clearly envisages housing development beyond 400 m. Furthermore, the County Highway Authority might reflect upon the much greater distances that the County Education Authority expect primary school children, among the most vulnerable in society, to walk to school. Their one time objection to the layout's inability to allow bus penetration displayed a poor appreciation of bus operation. Routing services into the development to serve relatively few dwellings ignores the penalties that this would impose upon the larger number of other residents on site and passengers from further afield as well as upon the operating companies, as the IHT warns. A possible contribution to bus services to serve extra demands from the estate might help during the construction period while extra patronage builds up, but is a detail for a later stage. The concerns of local people about current service levels is a matter for the Councils and the operating companies to address; it does not detract from the development potential of site H2j in the longer term.

Location of Major Development

29. The site adjoins the main urban area of Nottingham according to SP para 1.65, unlike Watnall/Nuthall. It also lies within or close to a Public Transport Corridor (Nottingham – Trowell). Both types of location are the preferred locations for major new development in Policy 1/2 of the SP. I find it difficult to understand why this one out of only 4 corridors should have been selected if it had such little obvious development potential. The railway line to the north is within a convenient 200m - 500 m of all parts of site H2j. The development of a station halt here, which seemed to be favoured by a potential developer at one time, could offer a potentially quick, congestion free and reliable service to the City Centre. This would bestow a high degree of transport sustainability to this site and this part of

Stapleford. It could be a highly significant benefit arising out of any housing development. It would justify an increase in site density to a minimum of 45 dph. The operational factors that apparently preclude the provision of a halt seemed obscure. The Council should therefore explore these and possible solutions in more detail with the appropriate agencies. As I conclude earlier in this Chapter, the SP housing provision is identified at the District level and neither the SP nor the RDDP suggests any particular distribution between the north and south of the Borough.

Local Services

30. Despite assertions about the capacity of local schools to deal with the extra demands resulting from the development, the Education Authority have raised no objections to the development of site H2j. In any case Policy RC3 makes provision for contributions to be sought from developers for any extra facilities required as a result of their development. There are a number of primary schools and a secondary school within a relatively short distance of the site. The concerns of the Parish Council over school catchment areas are a matter for the L.E.A. not me.
31. Local facilities in Trowell almost 900 m away are limited and reflect the size of the local population; a situation unlikely to be altered much by the development of site H2j. However, Stapleford District Centre, just over 1 km away, offers a wide range of local facilities. I see no reason why development on Fields Farm should result in major re-development of this Centre. There are a few local shops closer. It is for the Local Healthcare Trust and GP practices to respond to additional demands upon them and a similar situation is likely to arise with most new development sites, wherever they are located. It would not be appropriate in term of Circ 1/97 to require the developer of Fields Farm to make good existing problems and deficiencies in local health care facilities.

Flooding

32. I am in no doubt from the evidence of Mr Warman and others of the seriousness of the flooding problems affecting the Trowell Park estate and the properties alongside the brook west of Stapleford Road. The former appears to be due to the effects of the high levels of the River Erewash on the surface water drainage system serving the estate. It is unclear how this problem could be easily resolved. Improving conditions on the Erewash could involve major works and could cause other problems downstream. Improvement of the Erewash is not something that could be fairly required of any developer of site H2j.
33. The problems along the brook may be due to a combination of factors including obstructions on the watercourse and further west the levels of the River Erewash. With the installation of “balancing” facilities on site H2j, the effect of housing development there on the problems along the brook and in the Erewash could at worst be neutral and depending upon their capacity could improve existing conditions and I note Mr Westerman's concern to address this issue. Provision of balancing facilities would not, in the developer's eyes, make development uneconomic and ponds could become an amenity and wildlife feature. I feel sure that a developer would recognise the opportunity to provide benefits to offset any

negative factors of a housing development. I also note the actions undertaken by the Borough Council and that the EA confirmed that existing problems can be overcome. They raised no objections to the development of the site. There is no evidence that the Agency has altered its view more recently.

Agriculture

34. The site having been previously opencast is not degraded, but has been quite well restored. Most of it is classified as grade 4 agricultural land in contrast to H2I at W/N, which is mostly B&MV land. The site's crop rotation and colourful crops while interesting deserve no special protection. SP Policy 3/13 and government policy favour the development of lower grade land to that of B&MV, wherever possible.

Noise and Pollution

35. Housing on the site should cause no particular noise or pollution problems even with the extra traffic generated. I see no reason why this site should not provide a proportion of affordable housing and I have seen no evidence to support the fears that this type of housing creates any undue problems. New housing should give rise to no greater incidence of crime than any other housing estate in the area. Local policing may be stretched but there is no evidence that this is confined to Trowell and Stapleford. This appears to be a widespread issue to judge from objections to housing development in other parts of the Borough. Development would not experience high noise or pollution levels from the M1 motorway, which lies some distance away beyond other recent housing development.

Synthesis

36. Whilst I am satisfied that site H2j is preferable in almost all respects to allocation H2I at W/N, which I recommend be deleted from the RDDP. It is however, a potentially large site with a high dwelling capacity that exceeds the scale of new allocations on Green Belt/greenfield land that I need to support in this Review Plan. This is particularly so as I regard the housing allocations for site H2j, even in the FDDP, as wasteful of land and unjustified. There is also the issue of a potential railway halt and it would be shortsighted to forego the opportunity of such a sustainable development without pursuing that matter vigorously. I have been able to identify other more suitable sustainable sites mostly outside the existing Green Belt, which are to be preferred. They should in total compensate for the deletion of H2I and meet the shortfall arising from the PICs. I deal with issues of distribution of housing sites earlier. In consequence, I support PIC6 to delete all designations in the RDDP on this objection site.
37. However, despite the increased brownfield capacity in Nottingham City and the reduction in the future housing requirement in RPG8, there is likely to be a continuing need for housing land after the end of the current LP period. In view of the merits of the site and its limited value in serving Green Belt purposes, I consider that it should not be restored to the Green Belt as put forward in PIC6 but should instead be allocated as "Safeguarded Land" under Policy E11 from the FDDP. As the Borough Council conceded at the inquiry, this is one of the least damaging sites to take out of the Green Belt. I also consider that the adjoining land RC4 up to the

railway line should be deleted from the Green Belt in the interests of securing a boundary that properly reflects Green Belt purposes. Policy E11 would provide adequate protection from development until the next LP review and even beyond. I see no useful purpose in continuing to repeat all the issues relating to Green Belt at future LP inquiries. The strategy for the current Review should rely upon more than some wishful hope that there will be no need to roll back the Green Belt at future reviews; a hope no doubt expressed at earlier reviews. Instead, the issues at a future inquiry should be more closely focussed upon the relative merits of developing this site for housing compared to other possibilities.

Phasing Policy

38. I note Westerman's suggestions for a Phasing Policy. The Policy that I recommend is designed to bring forward brownfield before most greenfield sites in accordance with the search sequence in PPG3 and RPG8 Policy 1, whilst ensuring the provision of sufficient land for completions to meet SP housing requirements within the Plan period.

Recommendation

39. I recommend that the RDDP be modified by deleting all the designations in the RDDP and as put forward in PIC6 and that the site should be shown as Safeguarded Land on the PM subject to a new Policy E11 drawn from the FDDP. The area adjoining this area up to the railway line, as shown on DPDS drawing C9006/01/02, should be deleted from the Green Belt and also shown as Safeguarded Land on the PM subject to the same Policy E11. I otherwise recommend no other modifications to the RDDP in respect of the above objections.

H2(k) HOUSING SITE - LAND NORTH OF BILBOROUGH COLLEGE, STRELLEY

A2(G) APPENDIX 2G, DEVELOPMENT BRIEF: LAND NORTH OF BILBOROUGH COLLEGE, STRELLEY

Objections

4.49 R212 *New housing site - Bilborough College, Strelley - Deletion of reference to traffic island and addition of explanation for density selected for site*

599 4500 R212 Mr G Foster Nottinghamshire County Council

4.49 R213 *New housing site - Bilborough College, Strelley - Amendment to clarify requirement for enhanced recreation facilities*

1111 4993 R213 Mr M Slattery Bilborough College
FPDSavills

H2k *New housing site - Bilborough College, Strelley*

1155 2439 Greasley Parish Council
Andrew Thomas Planning

934 1732 Mr P Appleyard
928 1725 Mr K Appleyard

877	1584	Mr CB Argyle	
874	1569	Ms S Beales	
871	1562	Mr PJ Bentley	
942	1753	Mrs KM Bosley	
764	1412	Mrs JM Bradley	
115	131	Mr A Bradley	Strelley Village Parish Group
116	134	Mrs E Bradley	Strelley Village Parish Group
769	1419	Dr A Brennan	
875	1573	Dr DP Clifford	
118	140	Mr MJ Cresswell	Strelley Village Parish Group
933	1731	Dr RC Daniels	
932	1730	Mrs AB Daniels	
770	1421	Ms T De Graaf	
759	1403	Mr TA England	
930	1727	Mr B Haslam	RSPB
931	1728	Mrs ST Haslam	
935	1734	Mr S Ireland	
939	1744	JD Knight	
873	1566	Miss D Lewis	
937	1740	Sir P Mansfield	
881	1605	Dr P Milburn	
768	1417	Mr I Mitchell	
1135	2436	Mr I Moss	House Builders` Federation
929	1726	Mr J Page	
940	1749	TA Richards	
880	1593	Mr MR Robbins	
941	1751	Miss JA Russell	
878	1589	Miss K Ryan	
119	143	Mr PM Shouls	
936	1737	Mrs E Shouls	
114	130	Ms BA Smith	
117	137	Mrs D Stevenson	Strelley Village Parish Group
866	1555	Mr MN Stirland	
894	1638	Mrs J Whitley	
767	1414	Mr KP Whitley	
868	1560	Mr BW Whittle	Strelley Village Parish Group
882	1609	Mr T Winson	

H2k R161 New housing site - Bilborough College, Strelley - Amendment in table to number of dwellings application of minimum density

1108	4967	R161	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1006	4856	R161		Nuthall Parish Council
				Browne Jacobson Planning Unit
1155	5131	R161		Greasley Parish Council
				Andrew Thomas Planning
1154	5065	R161		W. Westerman Ltd
				DPDS Consulting Group
1135	5039	R161	Mr I Moss	House Builders` Federation
601	4569	R161	Mr S Rufus	Nottinghamshire Wildlife Trust

H2k R214 New housing site - Bilborough College, Strelley - Amendment to clarify requirement for replacement recreation facilities

1111	4995	R214	Mr M Slattery	Bilborough College
				FPDSavills

H2k R215 New housing site - Bilborough College, Strelley - Insertion of reference to minimum density

601	4587	R215	Mr S Rufus	Nottinghamshire Wildlife Trust
1108	4981	R215	Mr M Bagshaw	Stamford Homes Limited

Barton Willmore Planning Partnership

A2G - Development Brief Bilborough College, Strelley

1135	2381		Mr I Moss	House Builders` Federation
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A2G R522 - Bilborough College, Strelley - Amend number of dwellings required

601	4652	R522	Mr S Rufus	Nottinghamshire Wildlife Trust
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A2G - R525 - Bilborough College, Strelley - Amended density figure

601	4653	R525	Mr S Rufus	Nottinghamshire Wildlife Trust
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4.XX R221 Phasing of housing - Addition of explanation of context and basis for phasing housing sites

1111	4994	R221	Mr M Slattery	Bilborough College FPDSavills
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4.XX R224 Phasing of housing - Insertion of policy for the phasing of housing sites

2166	6746	R224	Mrs CM Anderton	Bilborough College FPD Savills
2165	6745	R224	Ms GF Archer	Bilborough College FPD Savills
2167	6747	R224	Mrs JD Bartrop	Bilborough College FPD Savills
2168	6748	R224	GS Bhambra	Bilborough College FPD Savills
2169	6749	R224	M Blackett	Bilborough College FPD Savills
2154	6734	R224	Ms PC Brojaka	Bilborough Corporation FPD Savills
2171	6751	R224	Ms J Brown	Bilborough College FPD Savills
2170	6750	R224	AR Brown	Bilborough College FPD Savills
2155	6735	R224	Mr RA Chambers	Fernwood Comprehensive School
2173	6753	R224	L Chambers	Bilborough College FPD Savills
2172	6752	R224	J Chambers	Bilborough College FPD Savills
2174	6754	R224	Mr A Chatterton	Bilborough College FPD Savills
2175	6755	R224	DW Coleman	Bilborough College FPD Savills
2176	6756	R224	Mrs TJ Corbett	Bilborough College FPD Savills
2177	6757	R224	VJ Coulter	Bilborough College FPD Savills
2178	6758	R224	Mr RU Dickin	Bilborough College FPD Savills
2179	6759	R224	Mr RA Dossetter	Bilborough College FPD Savills
2180	6760	R224	Mr IT Gilbert	Bilborough College FPD Savills
2181	6761	R224	S Gray	Bilborough College FPD Savills
2182	6762	R224	Mrs SP Higham	Bilborough College FPD Savills
2183	6763	R224	Mrs CA Hitchcock	Bilborough College FPD Savills
2184	6764	R224	H Jones	Bilborough College FPD Savills
2185	6765	R224	Mrs N Junger	Bilborough College

2186	6766	R224	Mrs MA Kight	FPD Savills Bilborough College
2187	6767	R224	Miss A Lard	FPD Savills Bilborough College
2188	6768	R224	Mr S Lewis	FPD Savills Bilborough College
2189	6769	R224	Mr S Lowe	FPD Savills Bilborough College
2190	6770	R224	MissC Magner	FPD Savills Bilborough College
2157	6737	R224	Mrs M Moore	FPD Savills Bilborough College
2191	6771	R224	Mr P Morley	FPD Savills Bilborough College
2193	6772	R224	Ms DE Mountford	FPD Savills Bilborough College
2194	6773	R224	Mrs SP Phillips	FPD Savills Bilborough College
2158	6738	R224	A Pryor	FPD Savills Bilborough College
2195	6774	R224	Mrs CM Scothern	FPD Savills Bilborough College
2196	6775	R224	MissK Scott	FPD Savills Bilborough College
2159	6739	R224	Mrs S Scott	FPD Savills Bilborough College Corporation
2197	6776	R224	A Sharpe	FPD Savills Bilborough College
1111	4985	R224	Mr M Slattery	FPD Savills Bilborough College
2198	6777	R224	DJ Sully	FPD Savills Bilborough College
2199	6778	R224	Ms BJ Taylor	FPD Savills Bilborough College
2200	6779	R224	GH Thompson	FPD Savills Bilborough College
2201	6780	R224	CM Thomson	FPD Savills Bilborough College
2203	6782	R224	Mr M Ward	FPD Savills Bilborough College
2202	6781	R224	Ms C Ward	FPD Savills Bilborough College
2161	6741	R224	Mr JP Warsop	FPD Savills Bilborough College
2204	6783	R224	WJ Witts	FPD Savills Bilborough College
2205	6784	R224	Mr SG Worthington	FPD Savills Bilborough College

PIC9 Amend Phasing Policy

1167	7021	PC9		Bryant Homes (East Midlands)
595	7018	PC9		Antony Aspbury Associates
572	7012	PC9		Beeston Lads Club
1154	6995	PC9		Antony Aspbury Associates
				The Catesby Property Group
				Antony Aspbury Associates
1437	6990	PC9	Mr R Cole	W. Westerman Ltd
1199	7015	PC9		DPDS Consulting Group
				National Playing Fields Association
				Mr R Reynolds

Summary of Objection Issues

1. **Due to the number of similar objections the following paraphrased summaries represent the issues raised. The Council has responded to each in turn.**
 - (a) Objection is made to the allocation of this site and the resulting loss of a greenfield site.
 - (b) There are already adequate sports facilities around the college. Development of the present playing fields will result in a lack of sports provision within the area.
 - (c) Object to the requirement for the replacement sports facility to be made available before the playing fields are developed for housing.
 - (d) The prescribed level of development is inappropriate. Some objectors consider that the density should be increased to maximise the level of development; other objectors that the density should be decreased as it is too excessive for this site.
 - (e) The development will result in a different type and character of housing to the surrounding area.
 - (f) The affordable housing requirement should not be inflexibly applied to each and every housing allocation.
 - (g) Development will result in an increased level of traffic on Bilborough Road. Justification is needed to show how this site can be satisfactorily accessed.
 - (h) Development will result in loss of wildlife and wildlife habitat.
 - (i) Development will result in loss of natural boundaries/hedges.
 - (j) Development would have an adverse impact on Strelley village and the Conservation Area.
 - (k) Development will result in increased noise, litter and pollution.
 - (l) A precedent is set for future releases of land within the area.
 - (m) Development will put pressure on local facilities.
 - (n) It is unreasonable to seek financial contribution for educational provision.
 - (o) The wording of the Development Brief (A2(G)) is inconsistent with Policy RC3 with regard to education facilities.
 - (p) The site allocation is not in accordance with PPG3's 'Sequential test'.
 - (q) The land should be placed in Phase 1 of the Phasing policy to allow commencement of the redevelopment of Bilborough College.
 - (r) Playing fields should not be lost to development unless there is an established surplus of all forms of open space, as defined by PPG17.

Pre-Inquiry Changes

The Council's Pre-Inquiry Changes proposed the removal of site H2(k) from Phase 2 of Policy HX: 'Phasing' to Phase 1 (PIC9) overcoming those objections in category (q) above, listed to the Phasing Policy. The following are the issues raised to this proposed amendment.

- (s) PPG3 not draft PPG17 should be used to guide the decision to class the land as previously developed. Playing fields are excluded from the PPG3 definition.

Council's Response:

Location

Broxtowe College is situated partly within the City boundary and partly within the Broxtowe boundary. The College buildings and part of the grounds sit in the City with the northern playing fields in Broxtowe. The boundary line runs through these fields at the south east corner. The A6002 (Bilborough Road) forms the Green Belt boundary.

(a) Allocation of site/Loss of Greenfield Site

2. The Council has undertaken an urban capacity study which revealed that all new development could not be accommodated within the urban area. Therefore a site search process was undertaken to identify sites at the edge of the urban area that would be suitable for development. Site H2(k) consists of playing fields (3.5 hectares) the use of which has declined over recent years. This has resulted in Bilborough College putting the site forward for development, to assist in funding the expansion and redevelopment of the existing range of facilities offered by the college.
3. The site is considered suitable for development as it lies on the edge of an existing urban area - Nottingham City, and the site is not within Green Belt. The site is not considered to be a green field site as the land identified for development lies within the curtilage of Bilborough College and is thus defined as previously developed land. (PPG3, Annex C and draft PPG17 para 24). The site is also accessible to frequent public transport as outlined in paragraph 14 below. It can be integrated into the existing urban environment as the site will be well landscaped, with existing groups of mature trees to be retained. Importantly, the site is also readily available for development as no constraints to development have been identified.

(b) Development will result in lack of sports provision

4. The Council is satisfied that the loss of three playing fields at Bilborough College will be offset by the provision of a new multi-purpose sports facility in the College grounds (in the City Boundary). This sports hall will be in addition to one retained playing field which is currently well used. Sport England have agreed that the provision of such a new facility would be an acceptable alternative, as a replacement for the three lost pitches. (See Appendix 3).
5. Guidance contained in PPG17 maintains that playing fields should normally be protected except where: sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site alternative provision of equivalent community benefit is made available; or where there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision (paragraph 42). In this case alternative provision is being provided to replace the loss of the playing fields of more than equivalent community benefit. The local community will be able to take advantage of this facility, since the existing facilities are currently not offered to players outside the college. In addition to one retained football pitch therefore a greater choice of recreational activity will be catered for.
6. With regard to an identification of an excess of sports pitch provision and public open space within the area, the Council's Technical Report 5 considers facilities which were available for public use, by area and by type, reflecting guidance in PPG17. The College playing fields fall within the Trowell and Strelley area. It is noted that this area is deficient in playable open space in relation to the NPFA standard. The Council did not include the northern Bilborough College playing fields within the assessment for the area due to their college use. Additional provision open to the wider community would assist in reducing this deficiency.

(c) Replace the sports facility before development

7. The promoters of the site have objected to the Council's requirement in policy H2(k) for the replacement sports facility to be made available before the playing fields are developed for housing. The wording at Revision R214 of the Revised Deposit Draft reads
8. 'Land in close proximity to the site should be identified for replacement recreation facilities, and provided and dedicated prior to housing construction'.
9. The purpose of this addition to the policy was to ensure early replacement of the lost playing fields. After further consideration it is acknowledged that the requirement as worded could constrain the College from commencing its rolling programme of redevelopment for the reasons set out in Objector 1111's proof of evidence.
10. The Council accept that amendment to the wording of Policy H21(k) as proposed by the objector, (which in turn is supported by Sport England) would still meet the objective of ensuring early provision of the new facilities without constraining development on the site. (see Objector's Proof, Appendix 19).

Inquiry Change

11. **The Council has recommended that paragraph 3 of Policy H2(k) should be amended to read,**

IC84 12. 'Land is close proximity to the site should be identified for replacement recreational facilities which should be completed prior to occupation of the first dwelling'.

13. This change will ensure a degree of flexibility is provided so that a new access road can be constructed thus allowing the redevelopment of the college and the associated replacement sports facility to commence. The new access forms part of the housing scheme making it essential that the housing development commences before replacement recreation facilities can be provided. This would also ensure any disruption to the normal operation of the college can be kept to a minimum.

(d) Density

14. The density figure chosen reflects the proximity of the site to frequent public transport services. One bus every 2 to 3 minutes runs on Bramhall Road/Bracebridge Drive (within the city boundary) and pedestrian and cycle links from the site via Bartlow Road/Hanslope Crescent ensures good accessibility to these services. These services are however slightly beyond 400 metres (approximately 550 metres). Consequently the Council does not feel that it is reasonable to set a higher minimum density than 35 dwellings per hectare. The density accords with policy H6 of the Revised Deposit Draft and with guidance in PPG3.
15. Further explanation of density policy is contained in the Council's Housing Round Table Paper (CD83).

(e) Different type and character of housing

16. The design and layout of any proposed development will be assessed when an application is submitted. All new development must accord with Policy E1 - Good Design in the Built Environment - which will require any proposal to meet criteria relating to (a) amenity, (b) create safe and secure environments, (c) respect the setting of the proposed development and (d) provide landscaping and open space. Although the density of new housing will be higher than some of the adjacent

development, this does not mean that designs need be out of character with the area. There is of course no requirement that the housing area should always be the same as an adjacent area. Policy H3: Housing Type and Size also emphasises that development should provide a variety of house types and sizes to cater for a range of housing requirements.

17. Policy H5: Affordable Housing, requires sites of over one hectare or over 25 dwellings to ensure at least 25% of dwellings built will be affordable. PPG3 encourages Local Authorities to ensure that new housing developments help secure a better social mix by avoiding the creation of large areas of housing of similar characteristics (Para 10).

(f) Affordable Housing

18. The requirement for affordable housing accords with Policy H5. Further explanation is contained in the Council's Housing Round Table Paper.

(g) Increased level of traffic/access

19. The Council recognises that all new development will lead to some increase in traffic. However careful choice of sites helps minimise the additional number of car journeys made. PPG3 states that sites adjacent to existing urban areas, and with good access to public transport, are likely to be more sustainable. As such the Council considers the development of this site will not lead to an unacceptable number of additional car journeys.
20. With regard to suitable access to the site a Transport Assessment has been submitted by the promoter of the site to the County Council (the Local Highway Authority) and the City Council (the local highway authority for Nottingham). The scope of the assessment included the proposed residential development and the proposed renewal and expansion of the College. The TA concluded that a new roundabout on Bilborough Road at the junction with the site could be achieved as a means of accessing the new residential development, and the college. This is deemed suitable by the Local Highway Authorities.
21. At Revised Deposit stage Revisions R212 and R529 removed the reference to the need to provide a new traffic island on Bilborough Road. This was intended to allow greater flexibility in the design of new traffic arrangements onto the site as a consequence of the deletion of the playing fields allocation to the west of Bilborough College. At the time of drafting the Plan no junction had been designed to take account of the changed circumstances. However, the Council continues to support the provision of a roundabout in helping to reduce vehicle speeds on Bilborough Road and is satisfied that satisfactory access can thus be achieved.

(h) Loss of wildlife and wildlife habitat

22. There are no designated wildlife sites within the site and the schedule produced in 2001 by the Nottinghamshire Biological and Geological Records Centre (NBGRC) confirms that the site is not a Site of Importance for Nature Conservation (SINC). If it were to emerge that there were any protected species on the site, any application for development would be considered in relation to policy E18: Species Protection.

(i) Loss of natural boundaries/hedges/trees

23. Within the site there are a number of trees to be protected which provide opportunities to become the main focus of open space and landscaping within development. A line of Sorbus, Prunus and Ash running adjacent to Bilborough Road act as an important shield from the road reducing the visual impact of the development from the greenbelt.

(j) Adverse impact on Strelley village

24. The Council does not consider that development on this site would have an adverse impact on Strelley village which is a well defined, free standing village settlement separated from the site by Bilborough Road and open fields. Every effort will of course be made at the detailed planning stage to ensure that new development is compatible with the character and style of properties in the vicinity. Policy E1 of the plan is relevant in this regard. (see (e) above). Furthermore the new open space proposed to the Bilborough Road frontage offers further separation. Some of these objections related to the Deposit Draft version which included playing fields on the west side of Bilborough Road; these were removed in the Revised Deposit Draft version.

(k) Increased noise, pollution and litter

25. It is inevitable that there will be some noise and disturbance during the construction of new development. However, once the development is complete there is no reason to believe that additional housing will result in unacceptable noise or increased pollution problems. With regard to the housing, an earth mound is required between Bilborough Road and the edge of the development protecting it from traffic noise. (Development Brief A2(g): R526).

(l) Development would set a precedent

26. The Council needs to allocate land to meet the borough's housing requirement to 2011. The allocation and proposed development of site H2(k) does not set a precedent for the development of adjacent land, or any other land, due to the strong retained Green Belt boundary along the A6002 (Bilborough Road). The Council has allocated a number of sites across the Borough, to meet its requirements. In addition, Local Plan policies exist to protect land from development. Proposals for development on other land not specifically allocated or protected would need to be assessed on its own merits.

(m) Pressure on facilities

27. There are a range of local facilities close to the site including shops, a health centre and library. Those shops on Bracebridge Drive form part of a local shopping centre (Nottingham City Local Plan). The County Council has advised that the nearby primary and secondary schools are at or near capacity and the Council has therefore specifically included within the Development Brief and Policy H2(k) provision for a financial contribution to be negotiated in order to improve education facilities.

(n) Financial contributions to educational provision

28. The Council considers the request for contributions towards school improvements (other than those to the college) appropriate and fair as a need for additional capacity likely to arise from development of this site has been identified. There is no spare capacity at the surrounding primary and secondary schools, (Melbury School and William Sharp Comprehensive) to accommodate pupils generated by the new residential development. (See Appendix 1, letter dated 27.4.99). This accords with Policy RC3, which states that where a proposed development would result in an identified need for additional capacity to be achieved in educational or community facilities planning permission will not be granted until provision has been made or contribution has been negotiated towards measures which assist in meeting such need.
29. The fact that proceeds of the development of this site is likely to be used for improvements to the College is not in itself sufficient to justify avoidance of the requirements arising from Policy RC3. All sites will be expected to fund appropriate requirements arising directly from site development eg access/drainage together with other needs such as open space, affordable housing, transport and education. Once needs are established and costs agreed the remaining residual value reflects the "profit" to the landowner. In this case the "profit" to the landowner may be used to fund improvement to Sixth Form education - but that is coincidental and irrelevant to the consideration of the needs arising from the proposal.

(o) Wording of Development Brief and Policy RC3

30. Although the brief and policy RC3 do not use identical wording, the Council considers that there is no inconsistency in their meanings.

Inquiry Change**IC38**

However, after further consideration the Council has recommended that the final paragraph of Policy H2 (k) should be amended to delete the second occurrence of the word “provision” and insert in its place the word “facilities”.

31. This change will ensure the wording of Policy H2 (k) is entirely consistent with the wording of the Development Brief. The Council considers that this wording would be consistent with RC3 - the more general policy covering developers' contributions to education and community facilities.

(p) PPG3 Sequential Test

32. The Council has undertaken an urban capacity study which revealed that all new development could not be accommodated within the urban area. A previously developed urban extension, such as is proposed, is a sustainable option for development within the sequential approach identified in PPG3, paragraph 30. Moreover the site relates well to the existing urban area, has good accessibility to a wide range of facilities and is accessible to frequent public transport services. As such the Council considers the allocation of site H2(k) is entirely accordance with PPG3.

(r) Established surplus of playing fields should be identified

See the Council's response in paragraph 6 of this proof.

(q) & (s) Phase 1/Draft PPG17

33. It is the Council's view that new, albeit 'draft' government guidance, should be of material consideration when producing local plans. In this case draft PPG17, modernises and extends the scope of relatively outdated guidance of PPG17, published in 1991.
34. Objectors have questioned the Council's interpretation of advice given in draft PPG17 with regard to the definition of previously developed land and possible conflict with Annex C of PPG3. Since this guidance was issued the Council reassessed the allocation and under the definitions considered it to be previously developed land. The Council, supported by the Government Office for the East Midlands, see no conflict between the advice in the two documents (see Appendix 2, letter dated 11.4.01). The Council does acknowledge though that even if classed as previously developed there should not be an automatic presumption that it should be developed. However in this case due to the sustainable nature of the site's location and the wider benefits arising, development is considered appropriate. Consequently the site has been removed from Phase 2 of the Phasing policy to Phase 1 in the Pre-Inquiry Changes based on the assumption that previously developed sites should be developed before greenfield.

SUPPLEMENTARY PROOF TO 034

H2(K) HOUSING SITE - LAND NORTH OF BILBOROUGH COLLEGE, STRELLEY

A2(G) APPENDIX 2G, DEVELOPMENT BRIEF: LAND NORTH OF BILBOROUGH COLLEGE, STRELLEY

1. As a result of points which arose during the inquiry session on this topic, the Council wishes to propose four Inquiry Changes. These are detailed below.

2. The sixth bullet point on the first page of Appendix 2G (Development Brief G) reads: "The education facilities closest to the site fall within the city boundary. North of the site is Melbury Primary School and to the south is William Sharp Comprehensive, both of which are reported by the relevant authorities to be running at, or close to, full capacity of their present accommodation".

IC122

3. **The Council has recommended that the sixth bullet point on the first page of Development Brief G should be amended to read: "The education facilities closest to the site fall within the city boundary. North of the site is Melbury Primary School and to the south is William Sharp Comprehensive, both of which are reported by the relevant authorities to be running at, or close to, full capacity of their present accommodation. However the City Council's Education Department in 2002 indicated that in view of changed circumstances it was inappropriate to direct money away from the general educational improvements proposed to Bilborough College. If at the time a planning application is received for this development circumstances have changed regarding the need for educational contributions then the Borough Council would apply policy RC3".**

4. The amended text more accurately reflects the current position.

5. The penultimate bullet point on the second page of Appendix 2G (Development Brief G) reads: "Financial contribution will be negotiated toward the provision and/or enhancement of education facilities commensurate with additional demands created by the resident population of the development site and toward the retention or improvement of public transport facilities serving the immediate vicinity of the site".

IC123

6. **The Council has recommended that the penultimate bullet point on the second page of Development Brief 2G should be deleted.**

7. The change will delete text that is no longer relevant, bearing in mind the information provided by IC122.

8. The last paragraph of Policy H2(k) reads: "Financial contribution will be required towards the provision and/or enhancement of education provision commensurate with additional demands created by the resident population of the development site".

IC124

The Council has recommended the deletion of the last

9. **paragraph of policy H2(k).**
10. This change together with IC125 will more accurately reflect the current situation.
11. The last sentence of paragraph 4.49 reads “A contribution will be sought to fund improvements to the education facilities serving the site”.
- IC125
12. **The Council has recommended the deletion of the existing last sentence of paragraph 4.49, and the insertion of the following text:**

“A development of this scale would typically be the subject of negotiations to seek a financial contribution towards education facilities. However the City Council has indicated that it would not seek such a contribution in this case, as it would be inappropriate to direct money away from the general educational improvements proposed to Bilborough College. If at the time a planning application is received for this development circumstances have changed regarding the need for educational contributions then the Borough Council would apply policy RC3”.
13. The amended text more accurately reflects the current position.

Background

1. I have to deal with the objections to the RDDP and those objections to the FDDP that the Borough Council put before me. However, at the Council's request, I also deal with the Pre Inquiry Changes and objections to these.

Inspector's Conclusions

Site Search Sequence

2. The Council's Urban Capacity Study (CD21a) demonstrates that the capacity of previously developed land within the urban area of the Borough is insufficient to meet the Structure Plan requirements for housing and employment land and that some greenfield and even some Green Belt land is required to meet these needs. The Council agreed in respect of site H2X that otherwise suitable sites outside the Green Belt such as allocation H2k should be developed before taking Green Belt land and that it would be difficult to demonstrate exceptional circumstances whilst such sites remained. The need for more housing arises mainly from ageing and separation among the existing population.

3. The Council considered that according to PPG3 Annex C and Draft PPG17, the site should be classed as previously developed land and put forward PIC9 to include the site in Phase 1 of Policy HX. A Aspbury misquotes and misunderstands PPG3 Annex C. This refers to parks, recreation grounds and allotments but not playing fields. Only PPG17 para 14 mentions playing fields and this defers to PPG3 on the issue of previously developed land. Also its second sentence accepts that recreation grounds, playing fields and allotments may fall within the definition of previously developed land. The allocation site comprises playing fields clearly lying within the curtilage of the 6th Form College.
4. PPG3 Annex C advises that the definition of previously developed land covers all of the land within the curtilage of a site and that this is the area of land attached to a building. It is clear from the examples in the footnote that the definition of curtilage here is wider than that adopted by the courts, mainly in enforcement appeals, and includes open land up to the boundary of the curtilage. From this, I conclude that the site, although playing fields, falls within the definition of previously developed land. As such, it could justifiably be included in Phase 1 of Policy HX as put forward in PIC9. However, the site's inclusion in Phase 1 would be equally justified by the urgent problems of inadequate buildings and infrastructure facing the College, which the proceeds of this housing development are intended to address. I deal with Phasing Policy HX elsewhere in this Chapter. The wording I prefer seeks to defer the development of most greenfield land until phase 2, whilst ensuring that the SP housing requirement is met by monitoring completions.
5. The site lies outside the Green Belt. It is contained to the south and east by school buildings and beyond by extensive housing estates on the edge of the Nottingham conurbation. It is contained to the west by the A6002 Bilborough Road, a major urban distributor road, which separates the site from the open countryside and the Green Belt to the west. Although situated towards the edge of the built up area the site has, despite its open use, the characteristics of an urban site and is quite distinct from the countryside to the west. In these circumstances, I cannot see how its development would establish any precedent for development to the west of Bilborough Road. Further development to the east would involve school playing fields and would have to be judged on its own merits, but would however, lie within the urban area.
6. In these circumstances, I consider that the site falls within category a) of the search sequence in RPG8 Policy 1 and first within the sequence in para 30 of PPG3. Its development would also meet many of the criteria of RPG8 Policy 2. Situated towards the edge of the main built up area of Nottingham it is a location favoured by SP Policy 1/ 2 for major development. It adjoins some of the most deprived wards in the area whose regeneration is sought by RPG8 Policy 84. The site's agricultural quality may be B&MV but its agricultural value and prospects are negligible. It is preferable to other allocations in the RDDP particularly those that involve development in the Green Belt and lie in the open countryside outside clearly defined limits. I therefore fail to see the basis for Westerman's standard objection.

Open Space

7. As Westerman points out, the fact that the site falls within the definition of previously developed land, does not mean that it should automatically be developed. PPG17 para 14 advises that even where land falls within that definition its existing and potential value for recreation and other purposes should be properly assessed before development is considered. Paragraph 15 goes on to advise of four criteria for allowing development of playing fields in advance of an assessment of need. The site is situated in the Trowell and Strelley Wards, which according to CD21d is deficient in open space and playing fields. However, the site is poorly located to meet the needs of this very small ward. It relates more to the City of Nottingham adjoining to the north, east and south. No assessment of open space provision in the adjoining City wards was available to the inquiry. However, these are among the most deprived wards in England and the College, which is situated in an Education Action Zone, contributes towards improving the educational achievement of their children. Its contribution towards adult education and the disabled of the area is constrained by the physical conditions of the College.
8. The loss of the apparently underused playing fields to housing on site H2k is to be compensated for by the development of a multi purpose sports facility with changing facilities within the college complex, which should be accessible and beneficial to the local population. This is apparently an acceptable compensation for the loss of the playing fields to Sport England. It meets criterion (iv) of PPG17 Revised para 15 and should at least maintain and more likely improve the range and quality of sports facilities in the area. It should also go some way to meeting the concerns of the NPFA. Some temporary gap in provision may have to be tolerated before new replacement facilities are available, which can be secured by condition or agreement. However, these merit no mention in the Policy or Development Brief.

Local Facilities

9. The site adjoins a local Primary School and the local Secondary School. It lies within 50 m to 350 m of infrequent services on Bilborough and Melbury Roads (not 580 m). It lies within about 350 m to 550 m of a range of frequent bus services on Wigman Road and Bracebridge Road. Although a small part of the site falls outside the criteria in Policy H6 for a minimum site density of 40 dph, the distances involved are marginal and the NTS shows people willing to walk somewhat further than 400 m. The Highway Authority conceded on site H2j that the figure was only a guideline. The IHT suggests a 400 m walk to bus stops as desirable but 500 m as acceptable and also desirable and acceptable walking distances to commuting/school of 500 m and 1000 m (CD127). Also the County Council expects vulnerable children to walk greater distances to primary school.
10. A further important local factor, which seems to have been overlooked, is that Bracebridge Road also contains quite a large local shopping and service centre with a range of shops and facilities. This provides the opportunity for linked walking trips to buses and local shops/facilities, which should help to encourage more people to use these bus services. The site is within acceptable walking and cycling distance of the newly developing Nottingham BP to the northwest and is close to the Glaisdale Employment Estate to the south. It is in most respects a highly

sustainable location for new housing development well served by the local shopping, service and employment. There is no evidence that any of these local facilities, apart from schools, are under any undue pressure.

Density and Impact on Existing Communities

11. For these reasons, I consider a minimum density of 40 dph to be justified in this case. The housing development would be subject to Policy E1 which should secure good design and amenity standards and Policy H3 which aims to secure a variety of house types and sizes. There is no good reason why some differences in the type and density of dwellings on this site should be detrimental to the character of the area or be contrary to SP Policy 4/3. The last part of Policy H6 provides protection for this. Differing types of housing should add variety and interest. I see no reason why densities should mirror those of surrounding residential areas, as some wish. However, I do not consider that a minimum density of 50 dph, as suggested by others, is appropriate or called for by PPG3. There is no reason why new housing should lead to any significant increase in noise or pollution.
12. The site is separated by Bilborough Road and open fields from Strelley village. This and the retention of the strong planting on the Bilborough Road frontage of the site should ensure that the new development allocated in the RDDP would have very little impact upon the village and its Conservation Area. Most of the previous objections from the villagers and others were directed at the former proposals in the earlier FDDP for replacement playing fields on the west side of Bilborough Road. These proposals were deleted from the RDDP, although playing fields themselves are not inappropriate development in the Green Belt, according to national policy guidance in PPG2.

Wildlife

13. There are no designated wildlife habitats on or adjoining the site not even the local SINC designation. Most of the trees and hedges adjoining the site, which may have some wildlife as well as amenity value, should be capable of being preserved in a development scheme. There would also be the opportunity for additional planting. There are a number of unused open areas around the site, which could also provide some local informal open space, which might help to maximise housing development on the allocation site itself. This is another factor that supports a minimum density of 40 dph.

Archaeology

14. The County Council does not reveal the information that leads them to believe that this site has a high potential for containing remains of archaeological significance. However, it is their familiar response to many of the sites put forward. It is at odds with the desk based assessment by the University of Leicester, which revealed no known remains on site, although there is evidence of early mining activities on adjoining land. Policy EXX introduced by R102 to the RDDP seeks to reconcile the needs of development with the interests of archaeology and applies in all appropriate cases. Accordingly, neither it nor the wording suggested by the County Council need specific mention in respect of this site. I have consistently

concluded that the Plan needs to be read as a whole. It is inefficient to repeat the provisions of other Policies such as EXX on each and every allocation. It simply lengthens an already weighty document. It is not possible to identify all the Policies that would apply to a particular site in advance and it is potentially misleading to mention some and not others.

Access and Traffic

15. I support IC84 but not for the reasons advanced by the Council, since the original wording did not appear to restrict prior construction of a new access. Rather because it respects better the financial circumstances of the college, which is a prime factor in promoting this housing development. It also follows the form of the more conventional planning condition. Development of about 140 dwellings could generate about 1200 vpd. However, this is within the capacity of the adjoining major distributor road from which access would be secured. A new access, probably in the form of a new traffic island, could improve the College's existing arrangements as well as serving the new housing development. However, I see no reason to include such details in R212 as requested by the Highway Authority, although it would be appropriate to revise part of R529 by including the words "probably via a new traffic island" in Development Brief G to provide guidance to any future planning application. I am not convinced that earth mounds would be necessary to mitigate noise effects from Bilborough Road; however, this is a matter for the detailed planning stage.

Education Provision

16. The Council proposed a number of ICs (38, 122, 123, 124, 125) relating to contributions towards the provision of additional education facilities to meet the extra demands arising from the proposed housing development. In seeking to implement the provisions of Policy RC3, the Borough Council appears to have lost sight of the purposes behind the College's promotion of these housing proposals. The fact that they are for the provision of educational facilities is central, not co-incidental and irrelevant as the Council once claimed.
17. The proposals arise because the College, a non profit making charitable organisation, is facing major problems arising from the deteriorating condition, poor standards and inadequate capacity of its present buildings and facilities to meet the needs of this 6th form College. It is one of the most successful colleges for post 16 level education in the Nottingham area and has a reputation for academic excellence. It draws its students from a wide area covered by Nottingham City, Nottinghamshire and Derbyshire Education Authorities. Following my visit, I am in no doubt about the extent of these problems and the urgent need for major redevelopment and development of this establishment built in the 1950s. Unlike the Education Authorities, the College receives no contributions from housing developers in its catchment area towards any extra demands placed upon it; nor are any contributions passed on by the respective Education Authorities.
18. The College is dependent for its finance almost entirely upon the FEFC. Unlike 6th forms in schools which apparently receive 100% grants for capital projects and pay no VAT, the grants available from the FEFC to the College for capital

improvements provide a minor proportion of total costs leaving the College to find the larger amounts from its own resources. The annual grants from the FEFC to cover running costs are lower than those to schools and seem to provide no scope to accumulate reserves for major building. The current government funding mechanism requires year on year growth in student numbers to receive sufficient resources to avoid running into deficit. The current numbers (1,000 down to 962) fall short of the minimum 1,200 which is critical for the College to run efficiently. The College needs to accommodate this growth, which entails new building and redevelopment. In order to secure grants under a system that seems designed more with the appearance of largesse rather than delivery of improvements, the College is forced to capitalise upon its land resources and to seek development of part of its playing fields, even though this might be out of line with other government policy concerns. Even so the level of grants and receipts from the sale of the land would appear likely to leave the College some £1.4 M short of the costs of redevelopment/development, which would then have to be financed by long term loans.

19. Whilst development would be carried out by a housebuilder, the value of the land to the College would reflect the charges against it. Thus any contributions towards additional education facilities at the local primary and secondary schools would be at the expense of essential improvements at the College which serve needs that would otherwise have to be met by the Nottingham, Nottinghamshire and Derbyshire LEAs. It may have been this that prompted Nottingham City to waive any "claim" upon the development of H2k, which is encapsulated in IC122 and IC125, as they saw no overall educational benefit in diverting resources away from the College. However, despite the apparent acceptance by the College, these ICs are still unsatisfactory. They discriminate unfairly against the College, which is unable to receive similar contributions from developers. They leave matters to the discretion of another LA and create uncertainty for the College, as they noted, in achieving the full value for their land. Instead, the last sentence of paragraph 4.49 should be replaced with the following: "In the particular circumstances of the development of this site the provisions of Policy RC3 will not apply". In the highly unlikely event that the College becomes eligible for 100% grants, the LPA might be justified in seeking some financial contribution towards education provision elsewhere, although this still leaves the issue of equity to be resolved. The last paragraph of Policy H2k should therefore be deleted, as should the penultimate bullet point in Appendix 2G. Given the range of bus services along Bracebridge Road, I cannot see a case for any financial contributions from the development of site H2k towards their retention or improvement.
20. It is also disappointing that the Borough Council should seek to apply the provisions of Policy H5 to this site in a seemingly mechanistic manner. A requirement to make provision for affordable housing on the site is again likely to reduce the land value that the College is able to realise from a housebuilder. This in turn would reduce the range of improvements it is able to carry out or increase the size of its borrowings. I saw no evidence that, in drafting the RDDP, the Council undertook any assessment of the circumstances of providing affordable housing on this particular site having regard to the economics of such provision, as it stated in R241. Indeed, the scale of the financial problems facing the College appear to have only become clear through the inquiry. In view of the underlying purpose of the proposed housing development to improve educational

facilities in the area, it is important that the College is able to maximise its resources. In this case, a requirement to provide one community benefit in the form of affordable housing is inappropriate as it would be at the expense of another, namely education facilities for the community. Again a sentence should be added to the end of paragraph 4.49 as follows: "In view of the community purposes proposed by the College, a requirement for the provision of affordable housing on this site is not appropriate". I prefer this to the objector's suggested revisions to Policy H5 and the supporting text. The South Notts Study has already identified the need; no further justification is necessary on other appropriate allocations.

Synthesis

21. This allocation is in a highly sustainable urban location well served by local facilities. It is, according to PPG3, previously developed land and is to be preferred to other greenfield and Green Belt sites. It justifies inclusion in Phase 1 of Policy HX at a minimum density of 40 dph. The loss of playing fields can be compensated for by the provision of other higher grade sports facilities. A suitable access can be secured and the site's development would have little impact upon wildlife, archaeological and landscape interests or upon the local community. In view of the special circumstances facing the College, the provisions of Policies RC3 and H5 are not appropriate.

Recommendation

22. I recommend that the RDDP be modified as set out in PIC9 and in IC84; by the deletion of the last sentence of paragraph 4.49 and its replacement by the following: "In the particular circumstances of the development of this sites the provisions of Policy RC3 will not apply". "In view of the community purposes proposed by the College, a requirement for the provision of affordable housing on this site is not appropriate"; also by the deletion of the penultimate bullet point in Appendix 2G. The words " probably via a new traffic island" should be included in Development Brief G to reverse part of R529.

H2I	HOUSING	}	Development east of Main Road, west of
EM2	BUSINESS PARK	}	New Farm Lane, and west of M1, Watnall/
EM3f	EMPLOYMENT	}	Nuthall
T10hw	PROPOSED ROAD	}	

Objections

For full list see Appendix 1.

Issues Raised by objectors

Need and locational issues

- (a) A business park is not needed in Broxtowe.
- (b) Watnall/Nuthall should not be the preferred location for a business park.
- (c) It is not appropriate for substantial housing, employment and other development to be proposed together with the business park.
- (d) The loss of Green Belt land is not justified.

Transport issues

- (e) The transport and traffic implications of the development are not acceptable; the principal points are:
 - 1. traffic congestion will be increased, especially at Nuthall roundabout;
 - 2. uncertainty whether the NET will be extended to the site during the Plan period;
 - 3. current bus services are poor and proposed services are uncertain and/or inadequate.
- (f) An extra sentence should be added to the Development Brief relating to requirements of the Highways Agency.
- (g) The junction of the spine road with the B600 is in an inappropriate position.
- (h) The development is likely to result in further development in the vicinity of the spine road and link road; no landscaping is proposed adjacent to these roads.

Other possible adverse impacts

- (i) The loss of high quality agricultural land is not justified.
- (j) The impact on wildlife is unacceptable.
- (k) The impact on landscape is unacceptable.
- (l) The impact of the development on public footpaths is unacceptable, and increased use of the footpaths would result in problems for existing residents.
- (m) The development will place undue pressure on existing facilities.
- (n) The retail proposals would have a significant impact on Kimberley town centre.

- (o) The development would result in a significant loss of identity for local communities.
- (p) The impact on the Moorgreen Show ground is unacceptable.
- (q) The impacts on the Hempshill Hall Protected Open Area, Hempshill Hall itself and Nuthall cemetery are unacceptable.
- (r) New and existing residents would be significantly affected by noise and pollution.
- (s) There are significant problems on the site in respect of drainage and ground stability.
- (t) There are significant archaeological features on the site which may not be adequately safeguarded.
- (u) The development would have a significant impact on Nuthall Conservation Area.
- (v) The development would have a significant impact on safety and security for existing residents.

Policy details

- (w) The business park should not be restricted to solely Class B1 use.
- (x) Various minor changes should be made to Development Brief H and policy H2(l) relating to transportation issues.
- (y) The policy for the business park is excessively detailed.
- (z) There will be inadequate provision of affordable housing.
- (aa) The proposed housing density is inappropriate and the phrase “minimum net housing density” in policy H2(l) is unclear.
- (bb) The reference in policy H2(l) to “further education provision” is inappropriate.
- (cc) The proposed school may not have adequate access and security.
- (dd) There is no mechanism which will ensure that formal sports provision is actually made.
- (ee) Land at New Farm Lane could be satisfactorily developed independently of the remainder of the development.
- (ff) Detailed changes should be made to the requirements of policy H2(l).
- (gg) The reference to policy H2(k) is inappropriate.
- (hh) The deleted phrase on the first page of the Development Brief should be reinstated.
- (ii) The development should involve the provision of public access to land around Temple Lake and south of the A610.

Site boundaries

- (jj) The “white land” to the north of the housing on the first Deposit Draft should be reinstated.

Phasing

- (kk) The development is unlikely to be completed within the plan period.
- (ll) It is inappropriate for some of the housing development to be in phase one rather than phase two.

(mm) The phasing of education provision is inappropriately stated in the plan.

Council's Responses:

It is considered necessary to provide background information to this allocation before responding to the issues raised.

EVOLUTION OF THE ALLOCATION FOR DEVELOPMENT EAST OF MAIN ROAD, WATNALL

Introduction

1. The allocation of land to the east of Main Road, and west of the M1, for business park, housing, and employment uses, with associated local facilities, is fundamental to the strategy underlying the local plan review. This allocation creates an area of mixed development served by its own infrastructure, incorporating a business park in the location required by the Nottinghamshire Structure Plan, ie in the vicinity of Junction 26 of the M1. It is well situated in relation to the Nottingham-Eastwood public transport corridor and close to the edge of Nottingham. In terms of the housing element, this allocation should be seen as a "strategic site" within the meaning ascribed by the DTLR document 'Planning to Deliver', ie that which is critical to the delivery of the strategy set out in the plan, and which may cross over between the phases of the plan. In policy Hx(R224), the Broxtowe Local Plan proposes 250 houses in Phase 1 of the Plan period and 500 houses in Phase 2. With regard to PPG3 (2000) this development is a planned major urban extension in accordance with para.67.
2. The Nottinghamshire Structure Plan Review (1996) recognised the importance of the Junction 26 area for business park development by declaring in policy 13/3 that the area "in the vicinity" of the Junction should be the location for 50 hectares of business park or other prestige employment development. This was split notionally into 25 hectares for Nottingham City and 25 hectares for Broxtowe, and included in the provision totals for these districts. Thus, of Broxtowe's 115 hectares allocated in policy 13/2, 25 hectares should be this form of development. The nature of the "notional" split into two parts was later confirmed as appropriate in practice when the City Council successfully proposed an allocation at Chilwell Dam Farm through their Local Plan review, adopted in 1997. The policy also confirms that an allocation for business park should be on the edge of the built-up area, and exclusively for B1 uses. This specification has been followed in reviewing the Broxtowe Local Plan and allocating the site at Watnall.

The Junction 26 Study

3. Taking Policy 13/3 as a starting point, the Structure Plan EIP Panel recommended that a joint land-use/transportation study should be undertaken for the strategically important location around Junction 26 of the M1. This study took place in 1995/6 and involved officers of all of the local authorities with an interest in the area: Nottingham City and County Councils, and Ashfield and Broxtowe districts.
4. It was decided that Stage One of the Study would comprise work for the Structure Plan Review process and Stage Two would assist district councils in the preparation of local plans. Part of the remit for Stage One was to examine whether there was a need for a Watnall-Kimberley by-pass as part of the strategic road network; it was concluded that there was no justification for such a route to be identified in the Structure Plan.
5. It is recorded in the Stage One report that Broxtowe Borough Council considered that the Study should re-examine Policy 13/3 requiring "50 hectares of business park in Nottingham/Broxtowe in the vicinity of Junction 26". This wording appeared to favour Nottingham City Council's Chilwell Dam Farm business park proposal, to which Broxtowe objected. At that time Chilwell Dam Farm was still due to be considered as part of the Deposit Draft City Local Plan, for which the inquiry

was later in 1996. However, the City and County Councils wished Policy 13/3 to remain as worded in the Deposit Draft Structure Plan Review.

6. The outcome of the City Local Plan inquiry was that Chilwell Dam Farm was confirmed as a business park covering approximately 25 hectares, thus leaving the remaining 25 hectares needed to satisfy Policy 13/3 to be allocated within the Broxtowe Local Plan review.
7. The Study defined an area around Junction 26 that could be considered to accord with the definition "in the vicinity", and examined 10 general locations. It was agreed that 20 hectares was the minimum practical size for any business park, as stated in the Structure Plan, para. 13.48. It was accepted by all members of the Study that there were strategic economic advantages to physical proximity to the motorway junction which outweighed the need to safeguard higher-graded agricultural land. In other words, the Study members concluded that there were no suitable sites for a business park in the vicinity of Junction 26 which did not lie on the best and most versatile agricultural land.
8. Stage Two of the Study examined potential sites in more detail, in particular their relationship to the highway network. The Watnall site which is now proposed in the Broxtowe Local Plan was termed Site J in the Study. The view of the City and County Councils at that time was that Site J would complement the Chilwell Dam Farm proposal, but that it would effectively rely upon planned motorway improvements before it would be implemented.
9. In the Stage Two conclusions it was noted that if motorway improvement scheme proposals (of which details are given in para.10 below) did not go ahead, the development of Site J would require a new road across the motorway to Low Wood Road and a major capacity improvement at Nuthall roundabout.

Highway proposals

10. In 1994, the Highways Agency had introduced proposed improvements relating to this stretch of the M1, and specifically to Junction 26. These improvements incorporated slip roads running directly between the motorway and the A610 (to the east of Nuthall roundabout). These slip roads would have enabled traffic from Nottingham travelling north on the M1 to avoid both the Nuthall roundabout and the Junction 26 roundabout. Similarly, traffic travelling on the M1 from the north, towards Nottingham, would have had the same faster, more direct route. CD87, the consultation leaflet for the scheme, illustrates this arrangement.
11. This Highways Agency improvement scheme was put 'on hold' (but not safeguarded) in July 1998, to await the outcome of a Multi-Modal Study for this stretch of the M1 corridor. This Study has not yet reached its final report, which is expected in February 2002.
12. The basis of this proposed highway improvement scheme became the preferred solution for servicing the Watnall development, but without slip roads to the motorway. Thus a road from the development area was proposed to pass under the motorway, with a connection to Low Wood Road and a further connection going under Low Wood Road to join with the A610 east of Nuthall roundabout. With these connections, the development gains access to the Nuthall roundabout and the motorway, with a more direct option for traffic to and from Nottingham which avoids the Nuthall roundabout.
13. It was then necessary to show that this arrangement would operate satisfactorily from the point of view of traffic generation to and from the site impacting on the existing road network, and a Transport Assessment was commissioned which was submitted for discussion with the County Council in 1999. Work has progressed continuously on the Transport Assessment since this date, in order to refine and test its assumptions and data. In September 2001 the County Council confirmed it was satisfied with the proposed package of highway works as contained in the final Transport Assessment documents (CD49, CD49a).

Mixed use development

14. Having decided on the basic location for the business park, the Council's strategy was to create a mixed use development by allocating adjoining land for housing in sufficient quantity to support a primary school and a local centre, and to attract a viable and frequent public transport service. The principle of creating mixed use developments is advised in PPG1, paras. 8-12. The housing, employment, and local facility allocations will mutually benefit from their proximity, which will save a significant number of journeys. The cost of the initial infrastructure investment is thus spread over a large and varied development area, improving the scheme's viability and likely rate of progress.
15. The developers promoting the site have produced information confirming the viability of the development including its infrastructure, and to expect it to be completed within the plan period. This information is included as Appendix 2.

RESPONSES TO ISSUES RAISED

(a) A business park is not needed in Broxtowe

16. Paragraph 2 above explains that this allocation is required by the Nottinghamshire Structure Plan Review (1996), and was expected to be incorporated in the current Broxtowe Local Plan Review. The matter was discussed at the Employment Round Table earlier in this inquiry, and subsequently the County Council has confirmed by letter that, if the Broxtowe Local Plan Review had not included a business park in accordance with policy 13/3, it would have been out of conformity with the Structure Plan, because a major strategic element would have been omitted from the plan. The requirement for a business park in the region had previously been identified in the adopted regional planning guidance (RPG, 1994: CD28) which, in para. 4.18, stated that the region lacked a good supply of high quality business parks where companies seeking prestigious sites for relocation or expansion could be accommodated.

(b) Watnall/Nuthall should not be the preferred location for a business park

17. The introductory paragraphs of this proof, covering the deliberations of the Junction 26 study and the options available "in the vicinity of Junction 26" describe how Watnall/Nuthall became the preferred location for the business park. Other potential business park sites have been suggested by objectors, but all have disadvantages in terms of Green Belt and/or sustainability when compared to the Watnall proposal. None of the other sites suggested appear to offer the investment in infrastructure needed in order to ensure that the impact of extra traffic, particularly on the Nuthall roundabout, will be acceptable. Separate proofs of evidence will cover each of the sites that have been promoted by objectors as alternative business park sites.
18. Discussions at the Employment Round Table Session of this inquiry established that the Watnall/Nuthall site is included within the category 'Strategic High Quality Employment Site' in the report of that name (CD33) undertaken for the East Midlands regional planning guidance. The guidance in the draft RPG, at policy 17 and its associated paragraphs 4.11-4.13, reinforces the Structure Plan's assumptions about business park requirements.

(c) It is not appropriate for substantial housing, employment and other development to be proposed together with the business park

19. As explained in paragraph 14 above, the Council wished to create a mixed use development as it would have various benefits over a business park isolated from other uses. The amalgamation of the uses gives an opportunity to create viable infrastructure, including local facilities and public transport. It also reduces the number of individual locations of Green Belt release in the Plan area.

(d) The loss of Green Belt is not justified

20. The Council accepted at an early stage in this plan review that the scale of new housing development to be provided to meet Structure Plan requirements was such that encroachment into Green Belt and greenfield land was unavoidable, in several locations in the borough. This point was established at the Round Table sessions earlier in the inquiry.
21. As noted in earlier paragraphs, the impetus for the Watnall Green Belt release was the Nottinghamshire Structure Plan policy 13/3 which states that business park development should take place in the vicinity of Junction 26 of the M1. The Junction 26 Study concluded that sites to the north-west and south-east of the junction were the most suitable options. A site to the south of the junction, east of the motorway, known as Chilwell Dam Farm, became allocated in the adopted Nottingham Local Plan, satisfying approximately half of the Structure Plan's allocated 50 hectares for business park development in this area.
22. Broxtowe Borough Council subsequently expressed a preference for the remaining 25 hectares of business park to be to the east of Watnall. The Green Belt in this area does not contribute so crucially to the gap between Nuthall and Nottingham, compared to Green Belt to the east of the motorway. Any site to the south-west of the motorway junction would have encroached on more attractive landscape and higher ground; it would have been unduly prominent and poorly related to the existing built-up area.
23. As explained in para. 14 above, having earmarked this site for a business park, the Council wished to create a mixed use development by also allocating housing, a primary school and a local centre. This necessarily involved a more substantial Green Belt release. Environmental damage will be minimised by retaining large open areas between pockets of built development throughout the whole mixed allocation area. This will provide a suitable transitional environment between the existing built-up area and the wider countryside, and protect the areas of mature woodland and other ecological interest within the site.
24. A new Green Belt boundary has to be chosen with regard to physical features: to the north of the site this is a prominent field boundary which also marks the route of the long-distance Robin Hood Way. To the east of the development, the edge of the business park will form a suitably distinctive boundary. To the north of the business park, the spine road will form a strong defensible boundary. A substantial planting belt will reinforce this proposed Green Belt boundary along the eastern edge of development. The development area is thus strongly contained and a precedent has not been set for further encroachment in the future.
25. In conclusion, whereas the loss of Green Belt is always regrettable the Council believes that:
 - (i) it has adhered to the Structure Plan in allocating land for a business park in this location;
 - (ii) it has sought to create a more sustainable development than would be the case with isolated housing, business park and employment allocations, and this justifies a larger Green Belt release;
 - (iii) it has avoided release of Green Belt in the most sensitive parts of the Nuthall-Nottingham gap;
 - (iv) it has proposed an environment with much opportunity for recreation and public access, ensuring the continuation of key aspects of the present area designated as Green Belt; and
 - (v) it has effectively contained the development with defensible Green Belt boundaries to ensure that a precedent is not set for further encroachment into Green Belt in the future.

Transport issues

- (e) The transport and traffic implications of the development are not acceptable
26. A Transport Assessment has been carried out by the promoters of the development (Core Document CD49). After a long period of discussion, checking and testing the information, this document has been accepted by the highway authority as demonstrating that a particular package of highway infrastructure improvements, and public transport, will be suitable for serving the proposed development site, and acceptable in terms of its impact on the highway network. The Borough Council trusts the County Council to critically assess the Transport Assessment, and endorses its conclusions on this matter. There are no objections in principle to this allocation on highway grounds from either the Highways Agency or the City Council. A detailed rebuttal has been prepared, which defends the content and methodology of the Transport Assessment in the face of technical points that have been raised in objectors' proofs (CD89, CD89a).
27. In response to objections about the likelihood of the NET being extended to the site, the Council has not relied upon this in proposing this site, and the developers have also confirmed that the site's viability does not depend on it. Because of the benefit to the borough in having further NET coverage, the Plan's designations and text allow for the route to be safeguarded, and ensure that route options are not prejudiced by any aspect of the Plan's proposals.
- (f) An extra sentence should be added to the Development Brief relating to the requirements of the Highways Agency
28. The Highways Agency has requested that a further sentence be added to the Development Brief for the site which confirms their interest in ensuring the Junction 26 roundabout is improved if necessary. The Transport Assessment deals with this issue and makes recommendations for the roundabout's improvement. The Council accepts that this extra sentence is a logical addition to this text.

Inquiry Change

**IC69 The Council has recommended that the following change should be made:
An additional sentence should be added to the end of the third paragraph
under section (1) of Development Brief H to read as follows: "The transport
assessment must fully consider the impact of the proposed development
on the M1, in particular junction 26, and the need for mitigation works in
accordance with the requirements of the Highways Agency".**

- (g) The junction of the spine road with the B600 is in an inappropriate position
29. The Transport Assessment confirms a suitable position for the junction of the spine road with the B600. The need for access into individual private drives in the vicinity has been taken into account in producing a detailed design for the junction, shown in the Transport Assessment.
- (h) The development is likely to result in further development in the vicinity of the spine road and link road; no landscaping is proposed adjacent to these roads
30. A new road may be constructed through Green Belt without prejudicing the status of that land. The Borough Council has a long record of defending the Green Belt status of the land between the M1 motorway and the edge of Nottingham, and this proposed road will not change the Council's position. For much of its length it will follow a natural hollow; it will be constructed in a slight cutting where necessary to cross under the motorway and Low Wood Road. The only sections significantly elevated above surrounding ground level will be where connections are made to Low Wood Road, and further east to Nottingham Road, in order to meet those roads at grade. Otherwise there will be little change to the general openness of the land through which

the spine road will run east of the motorway. Pressure for further development will be strongly resisted. Any kind of built development in this area east of the motorway would be in danger of creating the coalescence of Nuthall and Nottingham, and would be poorly related to both of these built-up areas. The area will remain as Green Belt, continuing to perform the functions of Green Belt, and should not be prejudiced by the proposed roads.

31. No detailed design for the roads has been drawn up to show landscaping, but there will be an opportunity to introduce planting and mounding at appropriate places along the route. This will be particularly important in the area of Low Wood Road where existing vegetation will be most affected by the proposed road. The developers have indicated that extensive parcels of land can be made available which stretch substantially beyond what is needed for the road and its associated works; there is thus ample space for landscaping including re-contouring where appropriate to enhance the road at the detailed design stage. This would also confirm the road as a completed entity with no opportunities for further development in the future. This issue can best be dealt with by additional sentences in the Development Brief H in Appendix 2 of the Plan.

Inquiry Change

The Council has recommended that the following change should be made:

IC70

Two additional sentences should be added to the end of the fourth paragraph of section (1) of Development Brief H to read as follows:

“There will be a need for substantial landscaping in association with the proposed roads running across the land east of the M1 motorway, to protect the character and appearance of this area and minimise visual impact. The landscaping proposals should also take account of the need to divert a watercourse where the road passes under Low Wood Road (A6002).

- (i) The loss of high quality agricultural land is not justified
32. Almost all the farm-land around Junction 26 of the M1 is classified as best and most versatile agricultural land, ie Grade 3a and above. The majority of the agricultural land within the Watnall development site is Grade 2, with the remainder being mainly Grade 3a.
33. It was an inevitable consequence of the Nottinghamshire Structure Plan Review policy 13/3 that some higher quality agricultural land would be lost in the subsequent local plan reviews which sought to implement this policy. The specific reference to ‘in the vicinity’ of Junction 26 for a new business park or prestige employment development, and its subsequent interpretation agreed by all participants of the Junction 26 Study, has dictated those circumstances. The Structure Plan also contains a policy of protecting best and most versatile agricultural land (policy 3/13). Clearly policy 13/3 represents the imposition of a policy central to the sub-area’s economic growth in a way which provides an exceptional case to allow an environmental policy to be overridden. The allocation and development of the Chilwell Dam Farm site for a business park already demonstrates this, as this was also Grade 2 and Grade 3a agricultural land.
34. The 1997 PPG7 (CD16/e), in paragraph 2.18, anticipates these circumstances and states that land in grades 1, 2 and 3a should only be developed exceptionally, if there is an overriding need for the development, and sufficient land in lower grades is unavailable (as is the case with trying to satisfy policy 13/3 of the Structure Plan). Changes to this paragraph resulting from parliamentary answers in March 2001 put less weight on the protection of best and most versatile agricultural land. This paragraph now concludes: “The decision whether to utilise best and most versatile land for development is for each local planning authority, having carefully weighed the options in the light of competent advice,” indicating a less restrictive attitude than apparent in the 1997 PPG7.

(j) The impact on wildlife is unacceptable

35. Within the development site, account has been taken of the location of important ecological sites in the pattern of allocations. Two former railway lines which have become re-vegetated, one of them partly with the status of a Site of Special Scientific Interest, are within the areas proposed as open space, and their present character would be preserved and potentially enhanced. The SSSI is relatively self-contained and in a deep cutting in comparison to the level of the surrounding ground.
36. The considerable extent of open space allocated within the overall development site will give many opportunities for creating new ecological habitats. Full details of the present ecological value of the site are contained in Appendix 3.

(k) The impact on landscape is unacceptable

37. Consideration of the impact on the landscape of the area is contained in Appendix 4, which appraises the landscape qualities in detail.

(l) The impact of the development on public footpaths is unacceptable, and increased use of the footpaths would result in problems for existing residents

38. The site has a footpath running along the northern edge of the development, from which an open view will be retained to the north. This is part of the long-distance footpath called the Robin Hood Way. Its route would not be altered by development, and in the eastern section of the site it will run on the northern fringe of the planted landscaped buffer alongside the motorway.
39. The site also has a footpath running along the eastern edge of development, following the access track to New Farm. This will be enhanced by additional mounding and planting to the east, which forms part of the visual buffer and noise barrier to the motorway, and by some planting and landscaping to its west side around the edge of the business park. It will be retained on its present route.
40. The only other footpath across the site, which will also be retained on its present route, links the end of Common Lane with a bridge over the motorway leading towards Bulwell Wood. A substantial proportion of this path will run through open space or landscaping, with a smaller section running through the housing development.
41. In none of the above cases is it envisaged that problems will be caused for existing residents by increased use of any of the paths. The central footpath across the site, which is likely to be the most used as it serves the local centre and primary school, does not run next to any existing residential properties excepting Common Farm. Many additional paths will be created within the development area as part of the proposals, and this will spread the additional walkers and pedestrians on to more routes.

(m) The development will place undue pressure on existing facilities

42. The aim of the Watnall development is to be as self-supporting as possible, in the interests of sustainability. Hence allocations for a local centre and primary school occupy central positions in the total development area, and are intended to become operational in its early phase. It is however accepted that there is likely to be a critical threshold of viability for local shops or the school which will have to be reached before these facilities can realistically be expected to be implemented. In the very early stages of development, therefore, it is possible that children will be travelling to existing primary schools nearby. The extra pressure to be placed on Kimberley Secondary School by the new housing is to be dealt with through financial contributions to education facilities.

43. If the shops are not operational in the development's early phase, new residents will for a period of time have to travel to other local shops on Main Road or to the district centre at Kimberley, approximately 3km away. This is not significantly different from the existing situation for most residents in the northern part of Watnall.
44. The nearest doctor's practices are at Regent Street and Nottingham Road, Kimberley; the health authority was consulted during the plan's preparation and has not identified the need for any additional doctors to serve this area. Should any need arise, it should be possible to accommodate it within the local centre.
- (n) The retail proposals would have a significant impact on Kimberley town centre
45. The local centre for the development is intended to cater for the needs of occupiers of new housing and employment areas, and should not draw any existing trade away from Kimberley town centre. The development brief specifies that the local centre should not exceed 2,500 sq.m. in gross shopping floorspace, with no one unit larger than 1,250 sq.m. This would preclude a store large enough to be an attraction to a wider area, such as a large superstore, or any other store which might effectively compete with Kimberley town centre. It is expected that the local centre would be likely to comprise up to five or six smaller shop units, with one larger unit as an anchor, typically a small supermarket. This is similar in form to that of a successful local centre at Ranson Road in Chilwell, serving new housing built on the former Ordnance Depot land. The units there are occupied by a newsagents/general store, two hot food take-away businesses, a video hire shop, a chemist, dry cleaners and a Lidl supermarket. There is no indication that this local centre has any detrimental effect on Beeston town centre, which is approximately 4km away. A similar size facility will be a positive asset to the Watnall development and assist in ensuring that it is sustainable. In summary, the proposed local centre should have no detrimental impact on Kimberley town centre; in fact it should experience extra trade from new residents wishing to shop for a wider range of goods than available in the local centre, for example at Sainsbury's supermarket.
- (o) The development would result in a significant loss of identity for local communities
46. The development is aiming to strengthen the identity of Watnall, allowing a focus on new local shopping and other facilities. The new development is however separated from the existing built-up part of Watnall and therefore unlikely to significantly affect the identity of existing local communities. Historically, Watnall consisted of more than one focus - Watnall Chaworth and the more southerly part of Watnall. Through development expansion in the later part of the twentieth century they have become joined to each other, and also joined to the edge of the general built-up area centred on Kimberley. This built-up area has several distinct sub-areas which have their own characteristics. The new development will likewise create a further sub-area with its own identity. It will contain more facilities than are already present in Watnall, but this situation will not replace or undermine the identity of nearby parts of the built-up area which are already recognised as being within Watnall.
- (p) The impact on the Moorgreen Showground is unacceptable
47. In the Deposit Draft the Moorgreen Showground was earmarked partly for housing development, and partly for "white land". However, the revision to density in the Revised Deposit Draft meant that the housing site could be reduced in size, and the Moorgreen Showground could remain on its present site, unaffected by the proposed development. Objections to loss of views from, or the setting of, the show when in progress for its three days annually are not properly taking into account the extra planting which will in time enhance the housing development's northern edge, reinforcing the proposed Green Belt boundary. This will soften the views of new housing from the showground site. The aspect to the north and east of the showground site will remain open. Any change of view which may occur need not affect the functioning or enjoyment of the show.

- (q) The impacts on the Hempshill Hall Protected Open Area, Hempshill Hall itself and Nuthall Cemetery are unacceptable
48. The Hempshill Hall Protected Open Area will remain substantially open despite the road route and will not include any built development. It is accepted that the existing character of the south-west part of the area will be altered but the opportunity will exist to create new landforms and features to complement the remaining unaffected parts of the area. The most attractive part of the right of way across the southern part of the Protected Open Area is through the mature woodland directly to the south of Hempshill Hall, which is untouched by the proposals.
49. The setting of Hempshill Hall is formed by the open meadow immediately to the north of the driveway from Low Wood Road. The land which will be affected by the new route is further south and not so directly in view of the listed buildings, and therefore does not contribute to its setting. The route runs south of the buildings, at a lower level, and south of the mature woodland which obscures views of the buildings from this direction.
50. Nuthall cemetery is on the edge of the urban area and unfortunately is already badly affected by noise from the M1 motorway, which spoils the quiet contemplation that visitors to a cemetery might expect. The proposals would introduce mounding and planting in the immediate vicinity of the cemetery, in particular to its east side, which would help to reduce the effect of the motorway. The south-east corner of the business park development area will be close to the cemetery, but this will also have a landscaped edge and particular care will be taken to protect the setting of the cemetery.
- (r) New and existing residents would be significantly affected by noise and pollution
51. Residential and business park development should not give rise to unacceptable levels of noise or pollution. The general employment allocations, within which B2 and B8 uses are acceptable, are located away from existing or proposed residential areas. At the only point where proposed employment and housing come within 100 metres of each other, in the north-west part of the development as depicted in the Development Brief, there would be an open space buffer with opportunities for planting and mounding to aid separation of the uses.
52. As regards the potential effects of noise and pollution from the motorway on future residents and occupants of the business park, it should be noted that an Air Quality Review and Assessment has been undertaken for Broxtowe by NETCEN (October 2000), to consider whether Air Quality Management Areas should be designated within the borough. This has indicated that it is likely that the air quality objectives for nitrogen dioxide and particulates will be met at all locations assessed near the M1 and major roads in Broxtowe, where members of the public might be exposed for the relevant periods. The report specifically considered the Watnall/Nuthall proposals and notes that the distance between the housing development and the M1 carriageway is a minimum of 200 metres. The report states that "at this distance the emissions from traffic on the M1 would have insignificant impact on the exposure of residents in the proposed housing according to the Design Manual for Roads and Bridges". Monitoring for nitrogen oxide continues to take place at 17 sites throughout the borough, including some points close to the M1 at Nuthall, which will allow a future review of the issue.
- (s) There are significant problems on the site in respect of drainage and ground stability
53. The Environment Agency has not raised any issues relating to drainage for this development site. It is accepted that the watercourse under Low Wood Road close to the proposed underpass would need to be diverted and treated carefully to preserve its function and appearance. An inquiry change referred to in para.32 above introduces a reference to this requirement.
54. The Council is not aware of any issues relating to ground stability on the development site or on the route of proposed roads. The area was not previously mined, or subject to landfill and therefore no problems of this nature are anticipated.

- (t) There are significant archaeological features on the site which may not be adequately safeguarded
55. A full detailed report has been carried out on the potential archaeological interest of the site, and is appended as Appendix 5. The Revised Deposit Draft includes a policy (EXX, R102) which deals with protecting and recording new archaeological finds.
- (u) The development would have a significant impact on Nuthall Conservation Area
56. There are no elevated parts of Nuthall Conservation Area which offer views over the development site, and conversely there are no views from parts of the development site, or its proposed access roads, in which the Conservation Area is prominent. Open land is retained in Green Belt separating the development site from the northern edge of the Conservation Area along Back Lane. Therefore there is no detrimental effect caused to the Conservation Area.
- (v) The development would have a significant impact on safety and security for existing residents
57. There is no reason for assuming that the proposed development would lead to any problems of safety or security for existing residents. When detailed layouts are drawn up for the development, care will be taken to assess these under Policy E1 of the Broxtowe Local Plan Review, which includes as criterion (d): "A safe and secure environment, where necessary including crime prevention features". Liaison on these matters takes place with the police authority's crime prevention officers, with reference to the principles contained in 'Planning Out Crime'.

Policy details

- (w) The business park should not be restricted to solely Class B1 use
58. The developers consider that non-B1 uses should be allowed within the business park. The requirement for B1-only development is consistent with policy 2/6 of the Structure Plan and with paragraph 2.94 of the Structure Plan, which indicates that areas within Greater Nottingham and the M1 corridor are likely to be able to support entirely Class B1 business parks. Nevertheless the Council is prepared to introduce further text which indicates that Supplementary Planning Guidance would be prepared, covering the issue of the acceptable uses on the business park, and indicating that some uses which are ancillary to B1 uses will be acceptable.

Inquiry Changes

The Council has recommended that the following change should be made:

- IC79 At the end of the first paragraph of Policy EM2, the following should be added: "..., or be ancillary to B1".**
- Delete third sentence of para. 5.61 and replace with:**
- IC80 Supplementary Planning Guidance will be prepared for the business park which will set out development principles and expand on which uses can be considered as ancillary to B1 use.**
- IC81 In Development Brief H, under section 2, an extra sentence should be added to the first point as follows:**

“Supplementary Planning Guidance will be prepared for the business park which will set out development principles and expand on which uses can be considered as ancillary to B1 use”.

In the previous sentence, the word “solely” should be deleted, in recognition of the possibility of acceptable ancillary uses to B1.

(x) Various minor changes should be made to Development Brief H and Policy H2(l) relating to transportation issues

59. Nottinghamshire County Council has proposed that three amendments should be made to Development Brief H and one to policy H2(l). The Council accepts that these would be appropriate minor changes to the Plan.

Inquiry Changes

The Council has recommended that the following changes should be made:

IC71 (a) On the second page of Development Brief H, the final sentence of the second paragraph should be replaced with the following: “A transport assessment will be required for the whole site, with a green commuter travel plan to guide appropriate parking provision for the employment land”.

IC72 (b) On the fourth page of Development Brief H, an additional bullet point should be added to the second paragraph: “Walking and cycling facilities in the vicinity of the site”.

IC73 (c) On the fifth page of Development Brief H and on the Proposals Map, an additional section of bus route should be shown adjacent to the link road and joining the new junction on the A610.

IC74 (d) The final paragraph of policy H2(l) should be replaced with the following: “A master plan shall be negotiated specifying a scheme of phasing for this housing development in relation to the provision of the spine road, new bus lanes and services, and off-site highway improvements including to the A610 roundabout, together with an agreed schedule of financial contributions to these measures”.

(y) The policy for the business park is excessively detailed

60. The Government Office considers that policy EM2 appears over-detailed and suggests that the Council considers the level of detail necessary in the policy. Having re-considered this matter, the Council remains of the view that the policy is of an appropriate level of detail to provide clear guidance to potential developers and members of the public.

(z) There will be inadequate provision of affordable housing

61. Some objectors consider that the housing development is likely to consist predominantly of large, expensive dwellings with insufficient “starter homes” and “affordable” housing. However, policy H3 will ensure that the development provides a variety of house types and sizes to cater for a

range of housing requirements, whilst policy H5 will ensure that at least 25% of dwellings will be “affordable”. The need for “affordable” housing is referred to in the Development Brief for the site (third page, second paragraph). The issue of affordable housing was dealt with more generally at the Housing Round Table Session.

(aa) The proposed housing density is inappropriate and the phrase “minimum net housing density” in policy H2(l) is unclear

62. Some objectors have argued that the proposed density is too low, others that it is too high. The issue of housing density was discussed at the Housing Round Table Session on 2-4 October. The Council’s views are given in paragraph 13.1 of its Round Table Paper and details of the discussion are given in paragraphs 1.56-1.69 of the Notes of the Round Table Sessions. With regard to the Watnall/Nuthall site, the proposed minimum net density has been increased from 30 dwellings per hectare (dph) in first Deposit Draft to 40 dph in the Revised Deposit Draft. The Council considers that the figure of 40 dph will accord with government guidance in PPG3 (particularly paragraphs 57-58), which encourages development at higher densities than has been achieved in the past, and will ensure efficient use of the land, whilst avoiding densities which would be so high as to be seriously out of character with the surrounding area. This density is also consistent with policy H6, which gives guidance on densities for developments throughout the borough.

63. Some objectors also object to the use of the phrase “minimum net housing density”. This phrase is used at various points in the Housing Chapter and it was therefore discussed at the Housing Round Table Session. The Council accepted that the phrase could be clarified (as mentioned in paragraph 1.61 of the Notes of the Round Table Sessions) and the Council will therefore address this matter as an Inquiry Change or at the Modifications stage of the review.

(bb) The reference in Policy H2(l) to “further education provision” is inappropriate

64. Some objectors have objected to the use of the phrase “further education provision” in policy H2(l). The Council acknowledges that the phrase “secondary education provision” would be clearer and would be consistent with the phrase used in Development Brief H (third page, sixth paragraph).

Inquiry Change

IC75 The Council has recommended that, in the ninth paragraph of policy H2(l), the phrase “further education provision” should be replaced with “secondary education provision”.

(cc) The proposed school may not have adequate access and security

65. The County Council considers that the location of the school in the Revised Deposit Draft may result in security and access difficulties. However the Borough Council considers that detailed access and security arrangements, together with the precise positioning of the school, can be resolved at the detailed planning application stage.

(dd) There is no mechanism which will ensure that formal sports provision is actually made

66. Sport England considers that there should be a mechanism to ensure that formal sports provision is actually made and that a requirement for a maintenance sum to be set aside should be included in policy H2(l) rather than only in the brief. However the Council is confident that, though the normal Section 106 procedures, it will be able to ensure that the required provision is made without the need for a formal “mechanism”. The wording of the policy was amended in the Revised Deposit Draft to strengthen the emphasis on sports provision. However, in order to provide further clarity, an additional reference to this matter is now proposed.

Inquiry Change

- IC76 The Council has recommended that, in the final paragraph of policy H2(l), after the words “phasing details”, the words “, associated facilities” should be added.**
- (ee) Land at New Farm Lane could be satisfactorily developed independently of the remainder of the development
67. The Hanson Family Trust considers that their site could be accessed satisfactorily from New Farm Lane and could therefore be developed independently. However the Council has consulted the county highway authority on this issue and can confirm that there is, in the opinion of the two councils, no satisfactory means of accessing the site except from the proposed spine road. Both New Farm Lane and Spencer Drive are of inadequate width to provide suitable access, and problems may also be caused at the junctions of these roads with Watnall Road. The objectors have not demonstrated that there is any viable means of access to the site. In addition, if the remainder of the proposed Watnall/Nuthall development did not proceed, this site would be unlikely to be suitable for allocation in its own right as it would represent piecemeal encroachment of the Green Belt without proximity to good public transport or local facilities.
- (ff) Detailed changes should be made to the requirements of policy H2(l), relating to the 200m set back along the eastern boundary and requirements for recreation including a brick-built pavilion
68. The developers have raised an objection covering the justification for the 200m set back along the eastern site boundary, inconsistency in its width and specific requirements for recreation including the need for a brick-built pavilion. The developers have also proposed that the spine road should revert to the route shown in the first Deposit Draft or, failing this, it should take an alternative route cutting through the site, as shown on the plan accompanying objection 748/4712.
69. The objectors do not specify what changes they are seeking with regard to the set back or the recreation provision. However the set back is required in order to provide substantial planting and to protect residents from noise and pollution from the motorway. The Government Office has recently decided that Air Quality Management Areas do not need to be designated in Broxtowe, based on a report produced for the Council in October 2000 (entitled “Air Quality Review and Assessment - Stage 3 for Broxtowe”). This report was based in part on the explicit assumption that there would be no housing development at Watnall within 200m of the centre of the M1 (paragraph 3.1). Any housing development within this distance would raise concerns about potential impacts from nitrogen dioxide and particulate matter.
70. The inconsistency in the width of the set back is because part of it would be adjacent to housing, where people would be exposed to noise and pollution for longer periods, whereas part would be adjacent to the proposed business park, where exposure would be for shorter periods and where sensitivity to noise would be less. It is also easier for employment buildings, rather than dwellings, to be designed so as to counteract the effects of noise.
71. The Council considers that its requirements for recreation facilities, including a brick pavilion, are entirely reasonable for a development of this scale and nature. Given the extent of the playing fields and the lack of existing facilities, changing rooms will be required. The reference to ‘brick built’ is merely to demonstrate the importance of providing a substantial and high quality structure. Accepting that this may not actually need to be brick built, then a more appropriate description should be applied to this part of the policy and the development brief.

Inquiry Changes

The Council has recommended that the following changes should be made:

- IC77** (a) in the third paragraph of Policy H2(l), the reference to ‘brick built’ should be replaced with ‘high quality’;
- IC78** (b) in the first paragraph of section (4) of Development Brief H, the reference to ‘brick built’ should be replaced with ‘high quality’.

(gg) The reference to policy H2(k) is inappropriate

72. The developers have pointed out a typing error (H2k for H2l) in section 3 of the Development Brief, which the Council accepts and will correct.

(hh) The deleted phrase on the first page of the Development Brief should be reinstated

73. The CPRE considers that the sentence on the first page of the brief, which was deleted by revision R534, should be reinstated. However, the Council considers that the phrase was unhelpful and potentially misleading as it inappropriately suggested that there may be some significant doubt as to the areas which are allocated for development.

(ii) The development should involve the provision of public access to land around Temple Lake and south of the A610

74. One objector has suggested that it should be a requirement of the Plan that, as a result of the development, public access should be provided to land around Temple Lake and nearby land on the south side of the A610. However the proposed development has no connection with Temple Lake or nearby land and it would therefore be unreasonable for the Council to attempt to seek to obtain public access to this land in connection with the proposed development.

Site boundaries

(jj) The “white land” to the north of the housing on the first Deposit Draft should be reinstated

75. The developers propose that the area of white land shown in the first Deposit Draft should be reintroduced. The Council considers that the principle of white land has been fully aired at the Green Belt Round Table session, and would not wish to add further to its arguments against including any safeguarded land in the Plan.

Phasing

(kk) The development is unlikely to be completed within the plan period

76. This issue was referred to during the Housing and Employment Round Table Sessions. Both the Council and the potential developers are confident that the development is likely to be completed within the plan period. Appendix 2 consists of information about the likely timescale of development, provided by the developers.

(ll) It is inappropriate for some of the housing development to be included in phase one rather than phase two

77. This issue was discussed at the Housing Round Table Session. The Council considers that it is appropriate for a limited amount of housing on this site to be included in phase one in order:

- To help to ensure that the housing development will be completed within the Plan period;

- To ensure a reasonably even overall level of housing completions in the borough throughout the Plan period;
- To provide revenue to help to implement the associated business park and transport infrastructure.

(mm) The phasing of education provision is inappropriately referred to in the Plan

This paragraph covers two objections, one suggesting that education provision should take place earlier in the development programme, the other later.

78. One objector considers that the reference in the fifth paragraph on the third page of Development Brief H to the advice of the Education Authority is inappropriate and that the requirement for provision “at an early phase in the development” is insufficient. However, the Council considers that the advice of the Education Authority will be fundamental as only the Education Authority can determine the precise timing of the education provision. Details relating to this issue will be resolved when planning applications are submitted. Conversely, the developers have objected to the requirement for education provision at an early phase in the development and, although proposed changes are not specified, the implication appears to be that provision should be made at a later stage. In light of the advice of the Education Authority, the Council considers that this would be inappropriate, as discussions with the Authority have indicated that provision should be at an early phase.
79. It is important to appreciate that any environmental or other shortcomings of this mixed development allocation must be weighed against the economic benefits of this major injection of business park and other employment in this location. The Nottinghamshire Structure Plan in Policy 13/3 identifies the need for major development in this area, implicitly acknowledging the sensitivity on the issues of loss of Green Belt and higher grade agricultural land. These issues are common to any site which might have been chosen “in the vicinity of Junction 26”. The selected site at Watnall/Nuthall gives the opportunity to create a more sustainable development through the juxtaposition of housing and employment land alongside the business park, together with appropriate local facilities including a primary school and shopping to produce a more self-contained community.
80. Other potential business park sites in the vicinity of Junction 26 would have encroached upon the valuable Green Belt gap to the east of the motorway, between Nuthall and Nottingham. No other site would have satisfactorily offered the advantage of creating a mixed use development with its own facilities, without effectively abandoning this Green Belt gap altogether. The area to the south-west of Junction 26 is higher land and more attractive in landscape terms, and is wholly covered by a Mature Landscape Area designation.
81. Finally therefore the Council is satisfied that:
- a business park is needed “in the vicinity of Junction 26” and that the long-standing acceptance of what is meant by this term is still the correct definition;
 - the Watnall site as allocated under policies H2I, EM2 and EM3f, plus its associated open space and local facilities, offers the best opportunity for a business park augmented with other uses to form a sustainable development;
 - the necessary infrastructure works will not prejudice the functions of the Green Belt and Protected Open Area that proposed routes traverse;
 - the proposed transport measures are appropriate to serve the development and to minimise impact on the existing highway network, as advised by the Highway Authority;

- (v) the overall development is deliverable within the plan period and would be attractive and successful in economic terms;
- (vi) any adverse impacts on the existing local environment would be compensated for by new opportunities created by the development, and should also be balanced against the major economic advantages which the development will bring to Nottingham and its region.

APPENDIX 1

Objections

H2I

New housing sites - Main Road, Watnall

1154	5066	R162		W. Westerman Ltd
748	2595			DPDS Consulting Group
				David Wilson Homes North Midlands
1181	3396			David Wilson Estates
				Beazer Homes Limited
1178	2733			Shoosmiths Solicitors
				Metropolitan & District Developments Ltd.
1218	2894			Shoosmiths Solicitors
				Nuthall Action Group
595	3873			Antony Aspbury Associates
				Beeston Lads Club c/o agents
1167	3875			Antony Aspbury Associates
				Bryant Homes (East Midlands)
748	4710	R218		Antony Aspbury Associates
				David Wilson Homes North Midlands
748	4712	R220		David Wilson Estates
				David Wilson Homes North Midlands
1006	1896			David Wilson Estates
				Nuthall Parish Council
1006	4857	R162		Browne Jacobson Planning Unit
				Nuthall Parish Council
1133	2881			Browne Jacobson Planning Unit
1155	5132	R162		William Davis Ltd.
				Greasley Parish Council
1155	5133	R163		Andrew Thomas Planning
				Greasley Parish Council
1155	5138	R218		Andrew Thomas Planning
				Greasley Parish Council
1218	5180	R217		Andrew Thomas Planning
				Nuthall Action Group
1218	5181	R219		Antony Aspbury Associates
				Nuthall Action Group
1218	5179	R218		Antony Aspbury Associates
				Nuthall Action Group
1218	5182	R220		Antony Aspbury Associates
				Nuthall Action Group
1420	5366	R220		Antony Aspbury Associates
				Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors
748	4715	R162		David Wilson Homes North Midlands
				David Wilson Estates
572	3872			The Catesby Property Group
				Antony Aspbury Associates
1163	2461			CPRE
				CPRE (Broxtowe District Group)
1420	3723			Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors
1155	2507			Greasley Parish Council
				Andrew Thomas Planning
1366	5294	R220	Mr A Adams	Ministry of Agriculture, Fisheries & Food
1366	3508		Mr A Adams	Ministry of Agriculture, Fisheries & Food
				Farming & Rural Conservation Agency
889	1625		Mrs M Adams	

190	316		Mrs A Aiston	
1535	5449	R220	Mr JR Allcock	
1183	2774		Mrs E Allen	
1288	3147		Mr DA Allsopp	
1352	3362		Dr J Ambler	
1351	3359		Mrs EV Ambler	
1656	5600	R220	Mrs J Anderson	
2047	6467	R220	Miss AG Anderton	
2047	6468	R162	Miss AG Anderton	
165	247		Mrs I Andrews	
165	4127	R220	Mrs I Andrews	
180	288		Mr K Andrews	
180	4132	R220	Mr K Andrews	
1146	2309		Mr JJ Anthony	
2112	6680	R220	Mr J Arbon	
2017	6413	R162	Mr DJ Archer	
2018	6416	R162	Mr R Archer	
1772	5828	R162	Mr S Archer	
1771	5827	R162	Mrs C Archer	
1191	2801		Mr GS Armfield	
1189	2796		Mrs H Armfield	
191	4136	R220	Mr S Arundel	
2232	6813	R220	Mr S Arundel	Kimberley & District Liberal Democrats
191	319		Mr S Arundel	
1597	5513	R220	Mr S Arundel	Kimberley & District Liberal Democrats
1814	5924	R220	Mrs H Ashton	
1187	2787		Mrs A Astle	
1188	2793		Mr IJ Astle	
1773	5831	R162	C Badham	
1108	4968	R162	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1108	4982	R218	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1108	2162		Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
985	1841		Mr JA Baines	
1349	3352		Mr MG Baker	
393	4229	R162	Mr K.E Baker	
236	453		Mr AJ Baker	
1342	3325		Mrs CA Baker	
1869	6018	R220	Mr SJ Baker	
				Antony Aspbury Associates
393	735		Mr K.E Baker	
1870	6019	R220	Mrs K Baker	
				Antony Aspbury Associates
1317	3248		Miss EE Baker	
2113	6681	R220	LD Bakewell	
1272	3103		Mr D Bamford	
1413	3706		Mrs J Bamkin	
1645	5568	R220	Mrs AE Banner	
1615	5534	R220	Mr D Banner	
193	325		Dr JG Banton	
				CPRE (Broxtowe District Group)
192	322		Mrs DM Banton	
				CPRE (Broxtowe District Group)
613	1635		Mr S Barber	Broxtowe Real World Coalition
2088	6632	R220	Mrs CA Barker	
181	291		Mr GD Barker	
2089	6633	R220	MG Barker	
194	328		Mrs J Barker	
604	1157		Mrs C Barker	

181	4133	R220	Mr GD Barker	
194	4137	R220	Mrs J Barker	
993	1865		Mr A Barksby	
1092	2052		Mr J Barksby	
997	1877		Mrs J Barksby	
1484	4041		Mr J Bartlett	
1415	5333	R162	Mr K Bartram	
1171	5147	R220	Mr A Bartram	Nuthall Action Group
1414	5332	R220	Ms C Bartram	
1415	5336	R220	Mr K Bartram	
1414	5329	R162	Ms C Bartram	
2049	6475	R162	Mrs CA Bartram	
1171	2596		Mr A Bartram	Nuthall Action Group
1415	3713		Mr K Bartram	
2049	6478	R220	Mrs CA Bartram	
1414	3710		Ms C Bartram	
2048	6471	R162	Mr M Bartram	
2048	6474	R220	Mr M Bartram	
1171	5144	R162	Mr A Bartram	Nuthall Action Group
582	1113		Mrs L Barwick	
195	4138	R220	Mr A Bates	
195	331		Mr A Bates	
1536	5450	R220	Miss JA Baumber	
440	843		Mrs AP Bee	
1253	3045		Miss J Beedall	
1652	5594	R220	Mrs N Beeson	
1653	5595	R220	Mr W Beeson	
164	245		Mr T Bennett	
816	1480		Mr I Benton	
807	1466		Mrs E Benton	
179	285		Miss LJ Berry	
1404	3682		Miss J Betteridge	
1244	2986		Mr BW Bingham	
1370	3440		Mr D Binks	
1369	3437		Mrs BM Binks	
422	789		Mr L Birkin	
2086	6630	R220	Mrs AM Bishop	
1815	5925	R220	Mr G Blackwell	
2090	6634	R220	Mrs SJ Blackwell	
237	4161	R220	Mr RJ Bolton	
237	456		Mr RJ Bolton	
430	813		Mr S Booth	
2091	6635	R220	Mr A Booth	
196	334		Mrs S Booth	
1119	2185		Mr J Booth	
431	816		Mrs AP Booth	
155	218		Mr ME Bostock	
533	994		Mr SA Bosworth	
1368	3434		Mr M Boughey	
1367	3433		Mrs D. Boughey	
1660	5608	R220	Miss S Bound	
643	1237		Mr RT Bowery	
575	4332	R220	Mrs C Bowery	
575	1090		Mrs C Bowery	
660	1288		Mr RA Bradley	
2050	6479	R162	A Bramley	
1485	4044		Mr G Bramley	
2051	6485	R220	Mr PR Breffitt	
2051	6482	R162	Mr PR Breffitt	
1246	2992		Mr R Brentnall	
1247	2995		Mrs M Brentnall	

1539	5453	R220	Mr R Brentnall	
1538	5452	R220	Mrs L Brentnall	
1537	5451	R220	Mr AP Brentnall	
1230	2943		Mrs M Briggs	
2052	6486	R162	Mr D Briggs	
197	4139	R162	Mrs EA Briggs	
197	337		Mrs EA Briggs	
987	1847		Mrs ML Broughton	
414	765		Mr WH Brown	
415	768		Mrs K Brown	
598	4369	R162	Mr I Brown	CPRE - Broxtowe Group
513	964		Mrs C Brown	
1257	3057		Miss ME Brown	
598	3516		Mr I Brown	CPRE - Broxtowe Group
1467	3890		W Brown	
198	340		Ms JE Brown	
151	210		Mr M Brown	
239	462		Mrs JE Browning	
238	459		Mr AW Browning	
1227	2934		Mrs HJ Buck	
199	343		Mrs SA Buckland	
240	465		Mr D Buckley	
241	468		Mrs S Buckley	
2093	6637	R220	Mrs D Bucklow	
2092	6636	R220	Mr D Bucklow	
927	3340		Mr RP Bullock	
927	4825	R218	Mr RP Bullock	
927	4823	R220	Mr RP Bullock	
641	4659	R220	Mr DA Burnett	
642	4660	R220	Mrs SM Burnett	
641	1231		Mr DA Burnett	
642	1234		Mrs SM Burnett	
1290	3153		Mrs CJ Burrows	
1389	5311	R162	Mr C Burrows	
1389	5309	R220	Mr C Burrows	
1290	5217	R162	Mrs CJ Burrows	
1389	3623		Mr C Burrows	
1290	5215	R220	Mrs CJ Burrows	
188	310		Mrs C Bushnell	
189	313		Mr MR Bushnell	
1638	5557	R162	Mrs K Butler	
142	181		Mr D Buxton	
1819	5929	R220	c/o Eversheds	Trustees of the late Mrs JMM Wild Ian Baseley Associates
1082	2027		Mr F Campbell	
1082	4891	R220	Mr F Campbell	
1332	3295		Mrs YR Campbell	
1333	3298		Mr IS Campbell	
1334	3301		Miss AL Campbell	
990	4843	R220	Mr J Campion	
990	1856		Mr J Campion	
1110	2155		Mrs IS Carlin	Nuthall Action Group
1224	5192	R162	Mr MG Carr	
1224	2924		Mr MG Carr	
1223	5187	R162	Mrs CJ Carr	
1223	2920		Mrs CJ Carr	
1418	3718		Mrs Chamberlain	
1541	5455	R220	Mrs S Chambers	
1540	5454	R220	Mr D Chambers	
201	349		Mr TE Chapman	
1343	3330		Mr GS Chapman	

200	346		Mrs IA Chapman
583	1116		Mrs P Charity
505	941		Mr P Charity
1542	5456	R220	Mrs AB Christian
1543	5457	R220	Mrs J Clark
1432	3769		Mr LS Clark
609	1165		Mrs M Clarke
1421	3724		Miss ER Clarke
649	1255		Mrs CM Clarke
1318	3252		Mr EC Clarke
1315	3244		Mr AC Clarke
1228	2937		Mr J Clarke
1319	3255		Mrs EB Clarke
1318	5224	R162	Mr EC Clarke
1319	5227	R162	Mrs EB Clarke
1315	5222	R220	Mr AC Clarke
242	471		Mr ST Clarke
421	786		Mr DW Clay
182	294		Mr E Clements
202	352		Mr AW Clements
141	178		Mrs NJ Clements
509	953		Miss L Colvin
203	355		Mrs JB Cook
205	362		Mr KM Cooke
243	474		Mrs V Cooke
244	477		Mr J Cooke
454	862		Mrs JE Cooke
204	358		Ms A Cooke
1438	5385	R220	Mrs CM Cooper
989	1853		Ms H Cooper
1438	3781		Mrs CM Cooper
1312	3217		Mrs B Coulson
655	4667	R220	Mr JH Cracknell
655	1273		Mr JH Cracknell
379	720		Mr M Craig
1544	5458	R220	Mr AN Craig
1235	2959		Ms L Craven
1430	3763		Mr CP Crews
1430	5382	R162	Mr CP Crews
2053	6487	R162	Mr JT Crews
1431	5383	R220	Mrs HM Crews
2054	6488	R162	Miss LE Crews
1431	3766		Mrs HM Crews
1546	5460	R220	Mr SPC Croft
1545	5459	R220	Ms GV Croft
1197	2821		Mr G Crooks
171	4131	R220	Mr T Cullingworth
171	265		Mr T Cullingworth
2208	6790	R220	Mrs N Dallison
1727	5729	R220	Mr PI Davidson
2207	6788	R220	Mr W Davies
419	780		Mr G Davies
1547	5461	R220	Mrs M Davies
245	480		Mr M Davies
245	4162	R220	Mr M Davies
1070	1997		Mr B Davies
1340	3320		Mr CA Davis
2153	6733	R220	PN Dawkins
2152	6732	R220	TJ Dawkins
1548	5462	R220	Mr AR Deacon
1138	2281		Mr DE Dearman

Highways Agency

1137	2272		Mrs JE Dearman
1136	2262		Mr ID Dearman
207	368		Mrs I Dempster
206	365		Mr DM Dempster
1055	1971		Mr DM Dewey
1051	1965		Mrs C Dewey
1055	4878	R220	Mr DM Dewey
1051	4877	R220	Mrs C Dewey
573	1084		Miss C Dewey
2094	6638	R220	Mr J Dewey
1818	5928	R220	AD Digby
162	239		Mrs BF Disney
163	242		Mr C Disney
1259	3063		Mrs HA Doar
1260	3066		Mr WH Doar
1204	2850		Mr SD Dobbin
1205	2853		Mr AM Dobbin
639	1225		Mr LS Dodd
638	1222		Mrs MR Dodd
1274	3109		Mrs B Doran
1275	3112		Mr BP Doran
1330	3291		Mr B Dowham
1549	5463	R220	Mr B Dowham
1287	3144		Mrs S Draper
1286	3141		Mr S Draper
1774	5834	R162	Mrs S Dring
650	1258		Mrs B Dring
208	371		Mr TJR Dring
650	4662	R220	Mrs B Dring
208	4140	R162	Mr TJR Dring
209	374		Mr IC Duff
210	377		Mrs J Duff
1328	3284		Mr HJ Duffin
970	1797		Mrs JR Duffin
1326	3280		Mr M Duffin
970	4838	R220	Mrs JR Duffin
1898	6155	R220	Mr C Dutton
1394	3652		Miss E Eames
1392	3646		Mr B Eames
1393	3649		Miss K Eames
1346	3344		Mrs LA Eames
1422	3727		Ms C Easom
1428	3751		Mrs M Edis
1427	3748		Mr C Edis
662	1292		Mr BA Edson
662	4673	R220	Mr BA Edson
235	4158	R162	Mrs L Edwards
144	4118	R162	Mr RW Edwards
211	380		Ms J Edwards
144	189		Mr RW Edwards
235	450		Mrs L Edwards
2229	6810	R220	Mr EG1 Edwards
972	1803		Mr O Elliott
135	4114	R220	Mrs C Ellis
135	163		Mrs C Ellis
1311	3214		Mrs BP Ellis
635	1214		Mrs AE Ellis
212	383		Mr A Elson
979	1824		Mr MJ Elston
1614	5533	R220	Mr S Elvin
1324	3271		Mr RA England

Notts Transport 2000

1325	3276		Mrs S England
1248	2997		Mrs FR Entwisle
1611	5528	R220	S Epton
1612	5529	R220	Mr C Epton
1642	5565	R220	Mrs OM Everitt
511	957		Mr J Ewing
512	961		Miss NH Ewing
900	4788	R162	Mrs D Ewing
901	4793	R162	Mr D Ewing
511	4292	R162	Mr J Ewing
900	1654		Mrs D Ewing
901	1658		Mr D Ewing
1337	3311		Miss BD Fahey
436	831		Mr SH Farmer
460	871		Mrs J Farmer
2055	6492	R220	Mr HB Farnum
2056	6493	R162	Mrs KJ Farnum
2055	6489	R162	Mr HB Farnum
2056	6496	R220	Mrs KJ Farnum
1068	1992		Mr MR Fawcett
2143	6724	R220	Mrs H Fewster
246	483		Mr M Fisher
1423	3730		? K Fisher
246	4163	R220	Mr M Fisher
646	1246		Mr RJ Fitchett
493	922		Mr J Fletcher
1550	5464	R220	Mrs DP Fletcher
493	4275	R220	Mr J Fletcher
2057	6497	R220	Mr M Footitt
1381	3490		Ms F Forgham
599	3225		Mr G Foster
1173	2617		Mrs LC Franks
986	1844		Mrs J French
213	386		Mrs SC French
1488	4062		Miss NJ French
1449	3816		Mr R. Fretwell
1445	3810		Mrs H Fry
1444	3809		Mr J Fry
1775	5837	R162	RK Fullwood
2211	6792	R220	Ms J Gardiner
184	300		Mrs ML Garton
183	297		Mr M Garton
632	1205		Mrs P Gaunt
1371	3443		Mr B Gaunt
529	989		Mr D Gent
977	1818		Mr D Gibbons
967	4836	R220	Mrs JE Gibbons
967	1788		Mrs JE Gibbons
1056	1974		Mr V Gilbert
974	1809		Mr RP Gillott
314	648		Mr JH Ginger
437	834		Mr B Gleadhill
1610	5527	R220	Mr C Gordon
1817	5927	R220	Mrs J Gorton
652	1264		Mrs K Gough
975	1812		Mr G Green
976	1815		Mr M Green
1236	2962		Mr M Green
1237	2965		Mr E Green

Antony Aspbury Associates

Government Office for the East Midlands
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Nottinghamshire County Council
Nuthall Action Group

1234	2955		Mrs W Green
975	4841	R220	Mr G Green
1233	2952		Mr I Green
1250	3033		Mr KW Green
1783	5871	R220	Mr L Greenfield
1784	5872	R220	Mrs L Greenfield
247	486		Mrs T Gretton
555	1042		Mrs J Groves
897	1647		Mr KA Groves
981	1830		Mr BA Gunby
1465	3884		Mr MA Gwynne
1458	3854		Mr R Hadfield

Nuthall Group for the Protection of the Green Belt

152	4124	R220	Mr DA Hale
152	211		Mr DA Hale
1446	3811		Mrs N Hall
578	1099		Mrs M Handley
418	4247	R220	Mr RW Handley
418	777		Mr RW Handley
248	4166	R162	Mrs PM Hanson
249	490		Mr WP Hanson
248	489		Mrs PM Hanson
249	4170	R162	Mr WP Hanson
248	4164	R220	Mrs PM Hanson
1184	2776		Mr AN Hardy
988	1850		Mrs K Harris
593	4341	R162	Mrs BJ Harris
656	4668	R162	Mr SJ Harris
1603	5519	R220	Mr JR Harris
593	1132		Mrs BJ Harris
656	1276		Mr SJ Harris
250	4171	R162	Mr C Harris
1466	3887		Mr C Harris
633	1208		Miss CJ Harris
251	496		Mrs M Harris
657	1279		Mr SJ Harris
250	493		Mr C Harris
185	4134	R220	Mr JT Harrison
186	306		Mrs CE Harrison
185	303		Mr JT Harrison
2058	6498	R162	Miss GA Harrison
149	204		Mr DW Harrison
2058	6501	R220	Miss GA Harrison
558	1051		Mr R Harvey
1300	3181		Mr DR Harwin
252	499		Mr B Haslam
253	502		Mrs M Haslam
2095	6639	R220	Mrs JM Hatton
1426	3745		Mr IR Hawes
1425	3742		Mr MA Hawley
1252	3041		Mr G Hayes
1424	3739		Mrs C Heath
214	4143	R220	Dr DL Hedderly
416	771		Mr MB Hempstock
1269	3094		Mrs J Henderson
1307	3202		Mr R Henderson
1303	3190		Mr B Henderson
1306	3199		Mr P Henderson
1243	2983		Mr R Henderson
1243	5198	R162	Mr R Henderson
1308	3205		Mr A Henderson

1096	2060		Mr HAF Henkel	
1094	2056		Mrs JA Henkel	
1106	2244		Mr R Hepwood	Miller Homes East Midlands
991	1859		Mr GE Hewins	
984	1838		Mrs PM Hewins	
159	230		Mrs A Hickling	
1172	2602		Ms S Hickling	
160	233		Mr TG Hickling	
1297	3172		Mr FT Higgins	
905	1665		Mr A Higon	
1469	3906		Mr A Hindle	
1862	6009	R220	Mrs JM Hodgkinson	
1242	2980		Mrs PJ Hodgson	
254	505		Mr D Hodgson	
1551	5465	R220	Mr KF Hodgson	
1412	3703		Mr J Hoe	
1448	3815		Mrs A Hollingsworth	
143	184		Mr LR Hollingworth	
1222	2918		Mr JR Holmes	Holmes Antill
1408	3696		Mr DA Hopkinson	
403	750		Miss MJ Hopkinson	
403	4236	R220	Miss MJ Hopkinson	
1411	3700		Mrs J Hopkinson	
147	198		Mrs B Horlington	
146	4121	R220	Mr G Horlington	
146	196		Mr G Horlington	
146	4122	R220	Mr G Horlington	
147	4123	R220	Mrs B Horlington	
1846	5971	R220	SW Hornsby	
166	250		Ms DM Horobin	Kimberley Town Council
166	4128	R220	Ms DM Horobin	Kimberley Town Council
170	4130	R220	Ms B Housden	
170	262		Ms B Housden	
665	4674	R220	Mr JS Housley	
665	1304		Mr JS Housley	
136	4115	R220	Mr PH Howkins	
136	166		Mr PH Howkins	
1302	3187		Mr M Hubbard	
1291	3156		Mr G Hughes	
2096	6640	R220	Mr KE Hunt	
255	508		Mrs D Hunt	
559	1052		Mr P Hunt	
1268	3091		Mrs M Hutchby	
1267	3088		Mr DA Hutchby	
1098	2072		Mr N Hutchinson	
556	1045		Mrs A Hutchinson	
556	4326	R162	Mrs A Hutchinson	
1098	4897	R162	Mr N Hutchinson	
969	1794		Mrs M Irvin	
2059	6502	R162	Mrs K Jachmann	
2060	6508	R220	Mr S Jachmann	
2059	6505	R220	Mrs K Jachmann	
2060	6509	R162	Mr S Jachmann	
429	810		Mr WM Jackson	
982	1833		Dr R Jackson	
1151	2331		Miss M Jackson	
522	978		Mrs T Jackson	
148	201		Mrs MA Jepson	
1203	2847		Mrs M Johnson	
547	1017		Mr R Johnson	
167	253		Mrs DC Johnson	

504	938		Mr KC Johnson
153	212		Mr N Johnson
153	4125	R220	Mr N Johnson
1552	5466	R220	Mrs R Jones
798	1455		Mr GW Jones
1553	5467	R220	Mr T Jones
1358	3378		Mrs H Jordan
1487	4059		Mr D Joyce
1487	5403	R220	Mr D Joyce
1864	6012	R220	Ms M Joyce
2230	6811	R220	Mrs S Joyce
1609	5526	R220	Mrs J Keeling
215	391		Mrs W Kemp
490	915		Mr TR Kemp
216	394		Mrs S Kent
169	4129	R220	Mr PJS Kimbrey
169	259		Mr PJS Kimbrey
423	792		Mr R Kinton
664	1301		Mr KA Kirk
1264	3079		Mr P Knight
1270	3097		Mrs A Knight
1170	2590		Mrs RC Knight
1283	3132		Mr P Knowles
1641	5564	R220	Mr S Konsek
2148	6729	R220	AE Lake
1728	5730	R220	Mrs C Langham
1729	5731	R220	Mr N Langham
1231	2946		Mr TT Langham
1231	5197	R220	Mr TT Langham
438	837		Mrs ME Langham
438	4249	R220	Mrs ME Langham
1555	5469	R220	Mrs JK Law
1554	5468	R220	Mr I Law
1777	5843	R162	Mrs R Lawrence
1776	5840	R162	P Lawrence
145	192		Mrs SE Lawther
1225	2928		Mrs H Lees
1226	2931		Mr WD Lees
565	1066		Miss EJ Legg
508	950		Mrs M Lewin
1778	5846	R162	J Lewin
507	947		Mr DR Lewin
1157	2373		Mr J Lewis
1450	3822		Mr T Lewis
663	1298		Mrs M Lewis
545	1011		Mr RH Lewis
2228	6809	R220	Mrs JA Lievesley
1109	2152		Mrs J Lievesley
1556	5470	R220	Mr IR Lishman
992	1862		Mrs MR Lishman
1261	5207	R220	Mr B Littleton
1261	3069		Mr B Littleton
1387	3591		Mr GB Littleton
1386	3588		Mrs M Littleton
1386	5306	R220	Mrs M Littleton
1387	5307	R220	Mr GB Littleton
1350	3356		Miss RF Littlewood
1447	3813		Mrs S Livermore
174	274		Mr L Livermore
1409	3695		Mr D Lloyd
1410	3699		Mrs V Lloyd

217	397		Mr JK Lodge	
489	912		Mr J Lomas	
546	1014		Mrs M Lomas	
1000	1886		Mr M Lomas	
218	400		Mrs MA Lomas	
482	901		Mr HA Lomax	
1362	3393		Mr WJ Longdon	
994	1868		Mr H Lord	
1419	5362	R162	Mr AJ Lovell	
1419	3879		Mr AJ Lovell	
600	1148		Mr GM Lowth	
602	1152		Mrs MA Lowth	
1202	2844		Mr J Macaulay	
1211	2874		Mrs A Macaulay	
1451	3828		Mr P Makin	
1462	3865		Ms A Males	Watnall Pre-school Playgroup
1198	2824		Mrs A Males	
445	850		Mr LR Maltby	
219	403		Mrs JAE Mankelow	Antony Aspbury Associates
221	4148	R162	Mrs JE March	
222	412		Mr PW March	
220	406		Mr GT March	
220	4145	R162	Mr GT March	
221	409		Mrs JE March	
222	4151	R162	Mr PW March	
2226	6807	R220	Mr C Marquis	
2097	6641	R220	Mrs C Marquis	
1452	3830		Miss A Marr	
1453	3833		Mr C Marr	
2061	6511	R162	Mrs A Marshall	
1379	3463		Mrs SE Marshall	
2063	6521	R220	Mrs E Marshall	
2062	6517	R220	Mr D Marshall	
2061	6510	R220	Mrs A Marshall	
2062	6514	R162	Mr D Marshall	
223	415		Mr A Marshall	Moorgreen Show
2063	6518	R162	Mrs E Marshall	
2064	6522	R162	Mr L Marshall	
2064	6525	R220	Mr L Marshall	
154	215		Mr C Martin	
1816	5926	R220	Miss R Mason	
1176	2635		Mr P Mason	
1175	2630		Mrs M Mason	
1176	5150	R220	Mr P Mason	
1139	2291		Mr K Mason	
1175	5149	R220	Mrs M Mason	
1140	2294		Mrs SL Mason	
1139	5047	R220	Mr K Mason	
1140	5048	R220	Mrs SL Mason	
1639	5561	R162	Mrs VJ Matkin	
1640	5562	R162	Mr P Matkin	
1121	2188		Mr P Matkin	
420	783		Mrs GR Matthews	John L Booth
1454	3841		Mrs Y Matthews	
256	511		Mr MJ McCarthy	
257	514		Mrs S McCarthy	
224	418		Mrs K McKay	
1435	3776		Mrs L McPartlin	
502	4291	R220	Mrs B Meadows	

502	935		Mrs B Meadows	
158	227		Mrs LM Mearon	
1278	3121		Mr KF Medlock	
1278	5212	R220	Mr KF Medlock	
2065	6526	R162	Miss CM Mellor	
2065	6529	R220	Miss CM Mellor	
1336	3308		Mr S Mellors	
1335	3305		Miss A Mellors	
1598	5514	R220	Mrs JM Merrifield	
225	4154	R220	Mr E Miles-Langley	
1299	5220	R220	Mrs MD Miles-Langley	
225	421		Mr E Miles-Langley	
1299	3178		Mrs MD Miles-Langley	
226	424		Mr D Minkley	
463	876		Mrs W Mooney	
596	1140		Mrs DJ Moore	
597	1144		Mr CB Moore	
610	1170		Miss LV Moore	
648	1252		Mrs V Morgan	
1135	5040	R162	Mr I Moss	House Builders` Federation
1135	2445		Mr I Moss	House Builders` Federation
157	4126	R220	Mr SJ Murphy	
1145	2306		Mrs J Murphy	
168	256		Mrs JA Murphy	
157	224		Mr SJ Murphy	
971	4839	R220	Mrs DM Napier	
971	1800		Mrs DM Napier	
890	1630		Mrs S Naylor	
515	4299	R220	Mr IR Naylor	
515	1632		Mr IR Naylor	
1310	3211		Mr RG Naylor	
1310	5221	R220	Mr RG Naylor	
890	4787	R220	Mrs S Naylor	
1375	3451		Mr CL Needham	
1378	3460		Mr GL Needham	
1263	3076		Mrs SF Neilson	
1262	3073		Mr HF Neilson	
1385	3604		Mr B Neville	Sport England (East Midlands)
1166	2835		Mrs B Neville	Nottingham City Council. Development Department
398	743		Mrs PD Newcombe	
1347	3347		Mr TL Nicholls	
1348	3825		Dr E Nicholls	
1329	3287		Mrs LM Nicholls	
1341	3819		Mr RJ Nicholls	
1314	3241		Mr A Nield	
1256	3054		Mr A Nix	
486	907		Mr JW Nixey	
1148	2317		Mr PI Noble	
1147	2314		Mrs CM Noble	
434	825		Ms C Nulty	
425	798		Mrs P Nuttall	
424	795		Mr T Nuttall	
1658	5606	R220	Mrs KA Ogden	
1402	3676		Mrs M Oldham	
1377	3457		Mr A Oldroyd	
1376	3454		Mrs JE Oldroyd	
227	427		Mrs M Osborne	
634	1211		Mrs L Osborne	
541	1006		Mrs J Owen	
1298	3175		Mr R Owens	

1295	3166		Mrs NC Page	
228	430		Ms SE Page	
228	4156	R220	Ms SE Page	
2135	6707	R218	Dr N Palmer, MP	
2209	6791	R220	Mrs CA Parkin	
898	1650		Mr WF Peart	
1455	3845		Ms P Peck	
594	1135		Mrs CA Pendleton	
229	433		Mrs TJ Pendleton	
537	1000		Mr CJ Pendleton	
594	4345	R220	Mrs CA Pendleton	
1045	1955		Mrs KM Pendleton	
537	4315	R220	Mr CJ Pendleton	
625	1192		Mr FH Pendleton	
1258	3060		Mr RJ Penney	
1258	5205	R162	Mr RJ Penney	
491	918		Mrs SE Perrett	
1613	5530	R162	Mr D Pickering	
1285	3138		Mrs SA Pike	
653	4665	R220	Mr J Pike	
1285	5213	R220	Mrs SA Pike	
653	1267		Mr J Pike	
1558	5472	R220	Mr T Poizer	
1557	5471	R220	Mrs J Poizer	
1289	3150		Ms CA Porter	
1559	5473	R220	Mr M Pownall	
1406	3689		Mr J Preece	
1407	3692		Mrs G Preece	
230	436		Mrs E Price	
1037	1942		Miss JL Priestley	
258	517		Mrs BE Priestley	
259	520		Mr DG Priestley	
510	956		Mr RG Purdey	
1320	3259		Miss L Purser	
1209	2866		Mrs J Radford	
417	774		Mr KW Rawdin	
2145	6726	R220	Mr AP Read	
2144	6725	R220	Mr J Read	
1229	2940		Mrs S Reece	
1822	5932	R220	Mr JG Reed	
1823	5933	R220	Mrs HC Reed	
1192	2805		Mr S Rhodehouse	
172	268		Mrs V Rhodes	
1305	3196		Miss MJ Richardson	
448	4261	R220	Mrs S Richardson	
1304	3193		Miss PE Richardson	
448	860		Mrs S Richardson	
2231	6812	R220	Cllr KE Rigby	Member for Strelley and Trowell
260	523		Ms C Roberts	
1779	5849	R162	Mr SW Robinson	
1561	5475	R220	JB Robinson	
1560	5474	R220	MG Robinson	Antony Aspbury Associates Nuthall Action Group Antony Aspbury Associates
973	1806		Mr RW Roe	
973	4840	R220	Mr RW Roe	
2016	6409	R162	Mrs EJ Roe	
261	538		Mrs HP Rose	Watnall WI
1282	3129		Mr GM Rowland	
1141	2297		Mrs PA Rowlands	
1097	2065		Mr MB Rowlands	

560	1055		Mr IA Rowley	
1293	3160		Mr B Rowley	
637	1219		Mrs AM Rowley	
1293	5218	R220	Mr B Rowley	
601	4570	R162	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4588	R218	Mr S Rufus	Nottinghamshire Wildlife Trust
601	3004		Mr S Rufus	Nottinghamshire Wildlife Trust
427	804		Mrs M Rushton	
1194	5160	R220	Mrs L Rushton	
995	1871		Mr BD Rushton	
1194	2813		Mrs L Rushton	
1193	2809		Mr R Rushton	
1193	5159	R220	Mr R Rushton	
995	4844	R162	Mr BD Rushton	
1186	5153	R220	Mr PSR Russell	
1186	2784		Mr PSR Russell	
1177	5151	R220	Mrs JV Russell	
1177	2639		Mrs JV Russell	
262	541		Mr C Sanderson	
263	544		Mrs S Sanderson	
1322	3266		Mrs L Saunders	
231	439		Mr G Savage	
1655	5598	R162	Mrs JL Saxton	
978	1821		Mr P Saxton	
2066	6531	R162	Mr DG Saxton	
647	1249		Ms AE Saxton	
1238	2968		Mrs T Saxton	
2066	6530	R220	Mr DG Saxton	
1240	2974		Mr R Saxton	
1654	5597	R162	Mr P Saxton	
651	1261		Mrs JL Scott	
1048	1960		Mrs H Searly	
644	1240		Mrs K Seed	Watnall W.I
640	1228		Mr BE Seed	
1255	3051		Mr W Sharp	
1254	3048		Mr P Sharp	
1344	3333		Mr R Shaw	
1062	1984		Mr P Shaw	
472	887		Mrs CM Shaw	
1062	4880	R220	Mr P Shaw	
557	1048		Mr PR Shaw	
1405	3683		Mrs MA Shaw	
161	236		Mrs C Shaw	
1321	3262		Mr J Shearing	
1562	5476	R220	Mrs EA Shirley	
1271	3100		Mr L Simpson	
1273	3106		Mr RA Simpson	
1821	5931	R220	Mr TM Skermer	
1820	5930	R220	Mrs D Skermer	
1041	4874	R220	Mrs MA Sladen	
1041	1948		Mrs MA Sladen	
577	4333	R220	Mr DF Sladen	
577	1096		Mr DF Sladen	
1456	3848		Mrs S Smereka	
1457	3851		Mr J Smereka	
576	1093		Mr KA Smith	
1241	2977		Mr T Smith	
265	4176	R220	Mrs TE Smith	
265	550		Mrs TE Smith	
264	4175	R220	Mr S Smith	
232	4157	R220	Mr G Smith	

264	547		Mr S Smith	
2067	6535	R162	Mr C Smith	
1239	2971		Mrs J Smith	
2067	6534	R220	Mr C Smith	
1296	3169		Ms T Smith	
1403	3678		Mr IC Smith	
439	840		Mrs A Smith	
232	442		Mr G Smith	
1433	3770		Mr JD Speight	
1434	3773		Mrs SD Speight	
584	4335	R162	Mrs J Spencer	
584	1119		Mrs J Spencer	
590	4338	R162	Mr PJ Spencer	
590	1127		Mr PJ Spencer	
1563	5477	R220	Miss K Spencer	
1074	2007		Mr JE Spinks	
1075	4886	R220	Mrs MM Spinks	
1074	4885	R220	Mr JE Spinks	
1073	4884	R220	Mr SP Spinks	
1076	4887	R220	Mr RM Spinks	
1075	2010		Mrs MM Spinks	
1076	2013		Mr RM Spinks	
1073	2004		Mr SP Spinks	
1232	2949		Mr N Squires	
579	1102		Ms S Stafford	
1865	6013	R220	Mr DW Stainsby	
1868	6017	R220	Mrs SJ Stainsby	
1867	6016	R220	Mr JR Stainsby	
1355	5241	R220	Mr NR Stanesby	
1354	5240	R220	Mrs JM Stanesby	
1355	3371		Mr NR Stanesby	
1354	3368		Mrs JM Stanesby	
233	445		Mr CA Staniforth	
428	4248	R220	Mrs JM Stark	
428	807		Mrs JM Stark	
2068	6538	R162	AE Stevenson	
139	175		Mr W Stevenson	
234	447		Mrs EJ Stevenson	
266	553		Ms UM Stira	
267	4177	R220	Mr I Stirland	
1564	5478	R220	Ms K Stirland	
1079	2022		Mr NS Stirland	Erewash Countryside Volunteers
267	556		Mr I Stirland	
1309	3208		Mrs LR Stoddart	
1281	3126		Mr P Stokes	
156	221		Mr JP Stone	
1220	3804		Mr J Sullivan	
			Ken Mafham Associates	
187	4135	R220	Mrs DE Summers	Nuthall Action Group
1661	5609	R220	Mr C Summers	
187	559		Mrs DE Summers	Nuthall Action Group
1059	1979		Mrs M Swallow	
1072	2001		Mr GJ Swallow	
268	562		Mrs C Szyszlak	
1210	2870		Mrs AL Szyszlak	
1195	2816		Mr N Tandy	
563	1061		Mr R Taylor	
968	1791		Mrs W Taylor	
636	1217		Miss V Taylor	
968	4837	R220	Mrs W Taylor	
563	4330	R220	Mr R Taylor	

567	1078		Mr MR Taylor	
636	4658	R220	Miss V Taylor	
1091	2047		Miss EJ Terry	
1090	2043		Miss C Terry	
1088	2037		Mrs HJ Terry	
1086	2033		Mr CR Terry	
1086	4892	R220	Mr CR Terry	
1088	4893	R220	Mrs HJ Terry	
1089	4894	R220	Mr J Terry	
1090	4895	R220	Miss C Terry	
1091	4896	R220	Miss EJ Terry	
1089	2040		Mr J Terry	
1200	2828		Ms SJ Thomas	
270	568		Mr SM Thomas	
269	565		Ms KB Thomas	
996	1874		Mrs F Thompson	
999	1883		Mr M Thompson	
1565	5479	R220	Mrs V Thompson	
			Antony Aspbury Associates	
271	571		Mrs GL Thompson	
272	574		Mr I Thornhill	
272	4178	R220	Mr I Thornhill	
1284	3135		Ms TMC Thornton	
1003	1891		Mrs C Tilson	
1144	2305		Mrs SA Tilson	
1566	5480	R220	Mr IM Tilson	
137	169		Mr G Tilson	
137	4116	R220	Mr G Tilson	
1144	5049	R220	Mrs SA Tilson	
138	172		Mrs J Tilson	
1360	3384		Mrs I Tomkins	
1359	5242	R162	Mr A Tomkins	
1360	5251	R162	Mrs I Tomkins	
1359	3381		Mr A Tomkins	
1174	2625		Mrs SA Tomlinson	Nuthall Action Group
175	275		Mr ER Tomlinson	
176	278		Mrs BL Tomlinson	
1174	5148	R220	Mrs SA Tomlinson	Nuthall Action Group
1313	3220		Mr T Tomlinson	
1854	5989	R162	Mr M Tomlinson	
1208	2862		Mrs L Topham	
1207	2857		Mr MA Topham	
658	4672	R220	Mrs GM Topps	
658	1282		Mrs GM Topps	
2098	6642	R220	Mrs ME Towers	
838	1520		Mr SP Towle	
1339	3317		Mr DC Towle	
1338	3314		Mrs AS Towle	
580	1105		Mrs SA Traynor	
818	1483		Mr JW Turner	
273	577		Mr C Turner	
2070	6545	R162	Mr L Turney-Johnson	
2070	6548	R220	Mr L Turney-Johnson	
2069	6541	R162	Mr E Turney-Johnson	
2069	6544	R220	Mr E Turney-Johnson	
2151	6731	R220	R Turton	
276	4180	R220	Mrs M Turton	
275	4179	R220	Mr WJ Turton	
276	586		Mrs M Turton	
275	583		Mr WJ Turton	
274	580		Mr R Turton	

2149	6730	R220	Mrs M Turton	
2087	6631	R220	Mr RP Turville	
581	4334	R220	Mrs KS Twells	
1245	5203	R162	Mr DJ Twells	
1245	2989		Mr DJ Twells	
554	4325	R220	Mr JL Twells	
581	1110		Mrs KS Twells	
554	1039		Mr JL Twells	
1158	5139	R220	Mr G Twigger	
1158	2404		Mr G Twigger	
1459	3858		Mr R Valenti	
278	593		Mrs V Varnam	
277	590		Mr N Varnam	
1301	3184		Mr A Ventura	
477	894		Mr LJ Vibert	
607	1162		Mr D Vickerstaff	
409	758		Mrs A Vickerstaff	
2072	6554	R162	Mrs S Virgo	
2071	6549	R220	Mr P Virgo	
2071	6550	R162	Mr P Virgo	
2072	6553	R220	Mrs S Virgo	
1201	2840		Mr GR Wade	
2146	6727	R220	Mr N Waite	
2147	6728	R220	Mrs J Waite	
629	1198		Mr M Wakefield	
659	1285		Mr IA Wakefield	
1380	3466		Mrs E Walker	
1182	2773		Mr JH Walker	
			Shoosmiths Solicitors	
506	944		Mr D Walker	
1251	3037		Miss SJ Walker	
1616	5535	R220	Ms A Walker	
666	1308		Mrs D Walker	
1249	3029		Mrs JM Walker	
574	1087		Mrs BA Walton	
1461	3862		Mr C Wardle	
279	596		Miss VR Warren	
926	3236		Mr DW Warren	
279	4184	R220	Miss VR Warren	
279	4181	R162	Miss VR Warren	
1568	5482	R220	Mrs M Watson	
1567	5481	R220	Mr BG Watson	
766	3390		Cllr D Watts	Liberal Democrats
983	1835		Mr DJ Webb	
498	4283	R220	Mrs PL Webster	
550	1022		Mr T Webster	
550	4322	R220	Mr T Webster	
498	929		Mrs PL Webster	
178	282		Mrs L Welsh	
1327	5230	R220	Mrs SA Wesley-Roads	
2225	6806	R220	Mr C Wesley-Roads	
1327	3283		Mrs SA Wesley-Roads	
432	819		Miss S Wesley-Roads	
435	828		Mr K Wheeleker	
1277	3118		Mr J White	
1276	3115		Mrs W White	
654	1270		Mr TN Whitehouse	
654	4666	R220	Mr TN Whitehouse	
645	1243		Mrs J Whitmore	
645	4661	R220	Mrs J Whitmore	
1399	3669		Mrs LC Whittle	

1401	3673		Mr RL Whittle
1361	3387		Mrs L Whysall
980	4842	R220	Mrs J Widdowson
980	1827		Mrs J Widdowson
280	4185	R220	Mr DJ Widdowson
1608	5525	R220	Mr SPJ Wiggins
282	605		Mrs JM Wilkinson
281	602		Mr P Wilkinson
526	983		Mr RLS Williams
1345	3337		Mr C Williams
518	972		Mrs M Williamson
998	1880		Mr RD Willimott
1398	3668		Miss HJ Willows
1353	3365		Mrs P Wilmott
1356	3374		Ms D Wilmott
283	4186	R220	Mrs MA Winter
284	611		Mr CL Winter
283	608		Mrs MA Winter
2073	6560	R220	Mrs J Wood
2073	6557	R162	Mrs J Wood
2227	6808	R220	Mr A Wood
1657	5603	R162	Mr B Woodards
1219	4000		Mr GED Woodhouse

Ken Mafham Associates

1265	3082		Mr P Wooding
1266	3085		Ms EH Wooding
1569	5483	R220	Mrs GM Woods
1215	2888		Mrs VJ Woodward
433	822		Mr JG Woodward
1214	2884		Mr JR Woodward
1214	5176	R220	Mr JR Woodward
1215	5177	R220	Mrs VJ Woodward
622	1187		Mrs M Woolley
1463	3868		Mr R Woolley
618	1182		Mr A Woolley
631	1202		Mrs M Worley
1858	5999	R162	Mr LA Wright
150	207		Mr S Wright
173	271		Mrs FE Wright
1441	3799		Mr MJ Wright
1570	5484	R220	Mr GA Wright
1440	5386	R220	Mrs MA Wright
1294	3163		Mrs S Wright
1859	6002	R162	Mrs LA Wright
1441	5387	R220	Mr MJ Wright
1440	3796		Mrs MA Wright
1078	2019		Mr DE Wykes
1077	4888	R220	Mrs V Wykes
1078	4889	R220	Mr DE Wykes
1077	2016		Mrs V Wykes
285	614		Mr M Yard
426	801		Mrs J Yarlett

A2h Appendix 2h - Main Road, Watnall

1155	5094	R536	Greasley Parish Council Andrew Thomas Planning
1155	5093	R538	Greasley Parish Council Andrew Thomas Planning
1155	5092	R540	Greasley Parish Council Andrew Thomas Planning
748	4711	R538	David Wilson Homes North Midlands

1155	5098	R535		David Wilson Estates
				Greasley Parish Council
1155	3655			Andrew Thomas Planning
				Greasley Parish Council
				Andrew Thomas Planning
748	4714	R543		David Wilson Homes North Midlands
				David Wilson Estates
748	4713	R537		David Wilson Homes North Midlands
				David Wilson Estates
598	4392	R538	Mr I Brown	CPRE - Broxtowe Group
598	4391	R534	Mr I Brown	CPRE - Broxtowe Group
927	4826	R538	Mr RP Bullock	
927	4827	R532	Mr RP Bullock	
599	4528	R543	Mr G Foster	Nottinghamshire County Council
599	3226		Mr G Foster	Nottinghamshire County Council
214	4144	R542	Dr DL Hedderly	
1222	2923		Mr JR Holmes	Holmes Antill
798	4761	R537	Mr GW Jones	
502	4290	R542	Mrs B Meadows	
1166	2838		Mrs B Neville	Nottingham City Council. Development Department
601	4654	R532	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4655	R537	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4656	R538	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	2340		Mr R Walters	Hallam Land Management

EM2 NEW BUSINESS PARK

5.59 *New Business Park*

Objectors and objections to this are contained in Chapter 5.

EM3f NEW EMPLOYMENT SITE - MAIN ROAD, WATNALL

Objectors and objections to this are contained in Chapter 5.

T10hW Distributor road relating to H2I, EM2, EM3f

Objectors and objections to this are contained in Chapter 6.

Background

1. The concern in this Chapter is with the housing proposals H2I at Watnall/Nuthall. However, these are part of proposals for a large mixed use strategic development comprising housing, a major new BP (Policy EM2), general employment land (Policy EM3f), and associated proposals for spine and link roads, a local Park & Ride facility, a new local centre, a new Primary School, landscaping and recreation proposals. As these are put forward as parts of a single development scheme I firstly consider their collective impacts. I subsequently consider Policy H2I separately in this section, although BBC never considered housing on this site on its own. I deal with Policies EM2 and EM3f and related issues separately in Chapter 5 where, I support objections to and recommend the deletion of Policy EM2 for a new BP and part of Policy EM3f for a general employment park. Elsewhere in this Chapter and Chapter 10 - "Other Potential Development Sites" I

identify sufficient land to meet what I conclude to be an appropriate housing provision on more suitable sites that do not involve such a loss of B&MV agricultural land or areas so important to the purposes of the Green Belt or without compromising strategic transport interests.

2. I deal firstly with the issues relating to the proposals for an integrated mixed-use development. To provide a context for consideration of the subsequent employment proposals particularly for those objecting only to those elements, I largely repeat my conclusions on this issue in Chapter 5.

Inspector's Conclusions

Strategic Site - Mixed Use Development

3. BBC regards the W/N proposals as a strategic development site critical to the strategy of the Plan. However, the SP made no proposals for or even mention of a strategic development or a large mixed-use development in Broxtowe in this or any other location. Like Bryant Homes, I can find nothing in the RDDP's Guiding Principles, Strategic Aims, Locational Principles and Key Policies that support such proposals; if anything they are in many respects in some conflict, as the Nuthall Action Group point out. I also found nothing in Chapter 2 "Strategy" or in Policies H2I and EM2 or their supporting text that refers to their strategic purpose or of them being critical to the strategy of the Plan; the reference in R30 is to a new PT node which BBC propose be deleted in IC2. Thus contrary to BBC's claim, the Plan in no way speaks for itself. Neither CD21 nor CD14 provide any justification for a large mixed-use development. The brief references in early CD19 hardly suffice to explain the thought process. This advocates mixed development that integrates different uses, presumably from its context, so as to add to the colour and variety of existing communities. This quality of the Watnall/Nuthall proposals was never explained. The CD's other reference to a small number of large sites making the best use of new and existing infrastructure was not borne out by the evidence. BBC conceded that no other document exists justifying the extent of the mixed uses proposed. It is not satisfactory for the Council to regard the LP Inquiry as the means of providing the necessary rationale. This will have escaped not only the general public but also many of the Council members who endorsed the RDDP. Objectors to the RDDP should expect to see the Council's justification for its policies and proposals set out clearly in the Plan otherwise they may be at some disadvantage in preparing a case.
4. The W/N proposals comprise of a number of separate developments and it is necessary to examine the needs for and the benefits of this juxtaposition and whether the different uses, if needed, could be better accommodated on other separate sites. In the latter case, the SP and RDDP's strategic provisions in terms of housing and employment land supply would be satisfied. This analysis of other options and sites, as Bryant Homes, Mr Waumsley, Mr Mafham and others point out, was not undertaken in preparing the LP Review.

5. It is clear that the initial driving force behind the W/N site was the search in the Jct 26 studies for a BP in Broxtowe. Indeed BBC originally proposed a 50 ha BP here, which would have left limited scope for any mixed-use development. The proposals for a mixed development with housing (H2l), other employment development (EM3f), a local centre and a possible P&R site followed the confirmation of the Chilwell Dam Farm BP in the Nottingham City Approved LP.
6. BBC now cites PPG1 and other government policies in support of a mixed-use development. However, this is not in itself sufficient. These caution that major mixed-use developments may not be appropriate everywhere and that local justification is needed.
7. PPG3 para 30 advises LPAs to identify appropriate sites for mixed developments. The companion guide to PPG3 "Better Places to Live" places the emphasis on a mix of house types and the availability of community facilities rather than a mixture of housing and employment. RPG8 Policies 2 and 60 support an appropriate mix of land uses to reduce the number and length of trips. "Planning for Sustainable Development - Towards Better Practice" observes that PPG1 and PPG13 suggest that mixed use developments will be more suitable in some areas than others and advises that indiscriminate application of mixed use policies is not appropriate. The optimum mix of uses will depend upon location. In its advice on urban extensions, it advocates a variety of housing and a range of facilities rather than employment development. It promotes travel intensive uses at sites with high PT accessibility such as Phoenix Park/Stanton Tip rather than W/N at the end of a minor PT feeder route.
8. PPG13 advises that mixed-use developments can provide very significant benefits but that it should not be assumed that the juxtaposition of different uses would automatically lead to less car dependency. It advises a broad balance between employment and housing at the strategic level; focussing mixed use developments with large amounts of employment, shopping, leisure and services in city, town and district centres and near to major PT interchange; with a mix of uses including housing in other centres. None of these descriptions could be applied to the current W/N proposals.
9. The advice of PPG1 and RPG8 Policies 17 and 84 and para 4.23 regarding mixed-use development is particularly concerned with city/town centres or the edge of such centres and other areas highly accessible by PT, none of which applies to W/N. PPG1 advises that major mixed-use developments attracting a significant number of trips should be in locations well served by PT and be properly integrated with surrounding areas. It refers in para 12 to large sites that are usually **within** urban areas. Again this hardly applies to W/N; it is and will be an extension of an outlying urban area. PPGs again caution that there is no universal blue print and that LPAs should consider whether this represents an appropriate form of development for any part of their area.
10. The enthusiasm in government policies for housing in town centres, apart from giving vitality at night recommended by PPG3, encourages less reliance on PT because the probability of working locally is enhanced by the large number and range of jobs available nearby. This is much less true of isolated suburban

locations such as the W/N development situated at the end of a PT feeder route to an interchange at Phoenix Park.

11. BBC cannot simply assume that co-location of certain mixed uses is desirable and sustainable or rely upon references to mixed-use developments in various PPGs and RPG8. These make it quite clear that it is for the LPA to demonstrate that the mixed-use proposals and the site at W/N are appropriate, which they failed to do. Indeed, the matter appeared to have been given scant consideration prior to the inquiry.
12. The DoE/DoT publication "Reducing Transport Emissions through Planning", on which a subsequent review of PPG13 drew, observes (para 1.2.24) that the majority of companies moving to out of town locations tend to have a high proportion of professional staff with their own transport and that evidence suggests that their level of car dependency is very high. It observes that most BPs tend to be relatively isolated and remote from PT links and potential sources of labour supply.
13. It further observes (para 2.4.7) that centralisation of employment is associated with relatively heavy use of PT but that the intermixing of residential and employment uses makes a negligible difference to distance traveled and modal choice compared to similar developments within the same part of the urban area (para 2.4.14). It observes that studies have indicated that decentralising workplaces to residential areas in the suburbs does not automatically lead to any corresponding reduction in the number or length of work trips, as Mr Makin's objection illustrates. The tendency being for people to select employment from the whole urban area and beyond with little regard to its nearness to home and with accessibility to employment being of minor significance in residential location decisions. It also reports that after a high initial level of self-containment, even the new towns appear to have become significantly less so in recent years. ASPEN's hope that this suburban extension to a small town beyond the edge of Greater Nottingham provides an opportunity for a sustainable, self-contained development ignores all this evidence.
14. BBC's own faith in a mix of housing and employment uses saving a significant number of journeys is at odds with their earlier criticisms of the City Council's claims of a high number of local jobs at CDF as "spurious and open to challenge" (CD74) and more telling with their evidence of 4 companies on the Phoenix Park BP which showed that only 7% of employees lived within 2 miles. Nothing was presented to challenge this specific local experience which demonstrates that the opportunities for reducing private vehicular trips is hardly significant. Indeed BBC subsequently estimated that only about 5% of the BP employees would come from the adjoining housing allocation H2I. "A Guide to Better Practice" put in by Mr Barlow notes that a 1993 study of 60 offices in the SE found that 93% of employees at out of town BPs commuted by car compared with 73% at core city centre sites. Of the latter 95% had free parking space demonstrating the importance of parking to modal choice; a matter I deal with elsewhere in this section.
15. It is not true that individual BPs in separate locations such as CDF are "isolated from other uses" as BBC argued. CDF has major existing housing areas on its doorstep and I see no difference in principle between these and new residential areas

proposed for W/N. There is no evidence that residents of new housing areas seek local employment to any greater extent than established ones.

16. As observed elsewhere, a BP provides a range of quite specialised jobs, which would be expected to have a wide catchment population served, in this case, predominantly by car. Even within the nearby urban areas of Eastwood/Kimberley PT links with W/N are poor and local road connections are, as some objectors pointed out, difficult. All three local routes pass through predominantly residential areas; two are subject to traffic calming and restricted visibility at junctions. They are not suited to any major increase in commuter traffic. However, they are likely to be used not only by car commuters from Eastwood and Kimberley but by those living further west in Derbyshire who would otherwise have to negotiate the congested Jct 26 and Nuthall Island. Those commuters living to the north would be tempted to avoid both by using Jct 27, the B600 and the Spine Road.
17. The assumptions made for the W/N proposals on modal and local choice, which are based upon limited data, fail to fully reflect the above advice and experience. They could on this experience prove to be highly optimistic. As was generally accepted, the main determinant of modal choice is the availability of car parking. I note Mr Parry's view that he would not accept any restrictions at this type of BP. I note Wilson Bowden's acceptance of whatever standards the LPA seek to impose. However, none were forthcoming and I also note the lack of any agreement as yet between WB and Nottingham City at Nottingham BP, despite completion of the first unit. As I note elsewhere, the juxtaposition with residential areas, a shopping and local P&R site could frustrate any parking restrictions and a Green Travel Plan.
18. Employees on the EM3f allocations may be drawn from a more local catchment area than the BP but the allocations are not well served by PT either locally or within the wider area and local road links with Eastwood/Kimberley are also relatively poor.
19. Whilst NCC may be correct to say that mixed-use developments may reduce the theoretical need to travel, it is the actual propensity that is more relevant. The proposed mixed-use development in this location therefor brings very dubious benefits in terms of overall travel patterns and modal choice. On the other hand, it increases the scale of development in this single location to about 100 ha with consequently greater impact upon transport, the Green Belt, agricultural land and other resources.
20. As I observe elsewhere, reducing the number of incursions into the Green Belt with one very large development, has no merit in itself, other than limiting the number of communities affected, as Mr Aspbury observed. However, it provokes some resentment that one community is asked to take a disproportionate burden as Mrs Reece and others affirm. On the other hand, a planning appraisal should reflect the extent to which individual sites detract from the purposes of including land in the Green Belt. All other things being equal, a very large site will tend to compromise these purposes to a heightened degree and I find below that the W/N proposals are no exception. The smaller sites that I support are much more contained and have only limited impact upon Green Belt purposes, individually and collectively. It was surprising that BBC undertook no real analysis of the harm of the proposals to Green Belt purposes or in relation to RPG8 Policy 6.

21. The very large mixed development at W/N also increases the potential for introducing delays. This may not matter so much for the BP development as there is ample supply for years to come. As Mr Graves conceded, the progress in letting Nottingham BP may affect the delivery of EM2 at W/N. Delays may also matter less for allocation EM3f as some flexibility is built in to the levels of general employment land provision and it is to be expected that some general employment sites will not be completed until beyond the Plan period. However, it matters much more for the housing proposals, which require completion within the plan period not simply provision.
22. I note the intentions, programme and assurances given on behalf of WB, the main developer, however, matters may not lie entirely within their hands. There are some doubts, raised by Mr Waumsley about their control over some key parts of the whole development scheme. Whilst I would expect BBC to use their powers to progress such a key development, this could generate some delay to WB's expected programme, even if a CPO inquiry could be avoided.
23. It is clear that WB's viability assessment relied on their estimates of the value of serviced housing and employment land. Their estimates of £21M infrastructure costs is about 36% of their estimated serviced land value. However, the value of land can change dramatically as the property slump of the early 1990s demonstrated, when some major projects had to be abandoned or deferred. If such conditions were to re-emerge the viability of this large development project with very major up front infrastructure costs could be jeopardised. No responsible LPA could force unsustainable commitments upon a developer; at best they would have to bear with some unavoidable delays. Mr Graves confirmed that EM3f could not stand-alone and that EM2, whilst cash positive on its own would not be attractive to landowners. H2I fares the best on its own but again does not fit particularly well with the reasonable expectation of landowners according to Mr Graves.
24. Secondly, there is potential for delays arising out of the requirements of the Highway Authorities, in particular the Highways Agency. NCC have suggested the need for another TA, which would have to address among other matters the issues of a satisfactory relationship between the development proposals and the M1MMS proposals. These will not be easy to resolve and at best will lead to delays, as Mr Graves conceded. It would not be out of the question, in my experience, for the Agency, having seemingly acquiesced at the LP stage, to direct refusal at the planning application stage if an adverse impact on the M1 is identified. Mr Parry's and Mr Fletcher's experiences of delays and difficulties with other development proposals near motorway junctions reflect my own. It is also unclear what form of crossing of the M1 would eventually be required by the Highways Agency and this could have an impact on costs as ASPEN's and others accepted. Cut and cover may be unacceptable in view of the impact upon M1 traffic, to which a cost should be attributed. There was no estimate of the scale of works and land involved.
25. Thirdly, there is the prospect of a planning application being called in for determination by the ODPM, in view of its large greenfield land take, which at best could introduce significant delays. Experience has shown that even adopted LP allocations may be called in. The proposals are highly controversial and there is the emergence of substantial amounts of brownfield land in Nottingham that may weigh in the balance, particularly in the light of the RPG8 policy advice. As BBC agreed,

the GOEM would be guided by RPG8. It is also clear that the proposals would need to be subject to a EIA under the regulations.

26. Fourthly there is the possibility of adverse circumstances arising such as market conditions for BP development; particularly as WB also control Phoenix Park BP and the Nottingham BP. I note elsewhere Mr Parry's pessimistic conditions in 2001 and his forecast of a deterioration in 2002. In the event, I note that rentals for office space nationally fell in 2002 and are expected to fall further in 2003. Vacant space, in London at least, is reported as reaching similar levels to the last property recessions of the early 1990s.
27. Any agreement with WB would be difficult to enforce in adverse circumstances and would in any case lead to delays. There is also a limit, as some objectors point out, to the pace at which very large housing sites are developed, although this may be helped if development is split between different builders. With all these variables it would be extremely difficult to co-ordinate the phasing of housing completions with employment developments and there is nothing in the RDDP to guide planning conditions or legal agreements on such matters. However, it is not likely that the LPA would turn away employers or housing completions simply to achieve parallel development as Mr Macgregor assumed. Given all these potential pitfalls it would be somewhat risky to rely upon a smooth passage for these proposals. As Mr Graves accepted with all these factors the site may not be able to make a contribution within the Plan period.
28. It is clear that the housing and the other development proposals are intended to help support the very large infrastructure costs required, particularly the spine and link roads, other off site highway improvements and the shuttle bus, although they would take some advantage of the new infrastructure provided. The feasibility of each element on its own, in the light of WB's assessment, is doubtful. The situation with the housing proposals might be better, but it is not unknown for house and land prices to be adversely affected by macro economic conditions. In the early 1990s residential land values fell at one time very sharply. Values clearly recovered in time, however this may not be in time to meet the SP requirements for housing completions. The viability of the whole scheme depends critically upon the development land and rental values at the time and the range of infrastructure costs upon the development. Like Mr Aspbury, I am also surprised that, given its key importance to the RDDP, BBC were content to rely entirely upon the assurances of a developer and failed to undertake even a basic viability/financial assessment before promoting the proposals in the FDDP and the RDDP. Developers might normally be expected to be optimistic at this stage. However, there are few provisions to require a developer to implement a planning permission let alone a LP allocation.
29. The scale of allocation H2I but more particularly the nature of this very large mixed use development with very substantial infrastructure costs, largely up front, is as I note under Policy HX, inimical to the principles of phasing. The phasing put forward by BBC, merely reflects the development process of such a large site. It includes a substantial amount of greenfield land for housing in Phase 1, mainly to finance the up front infrastructure costs. It allows for no consideration of that part included in Phase 2, in the light of the emergence of windfalls, conversions and particularly of brownfield sites including those in Nottingham City and as Mrs Stark pointed out a SP review. Once a start is made on this large mixed-use development it could only

proceed towards completion, perhaps over many years. It would make no sense to halt the housing development part way. It is thus incompatible with any Phasing policy designed to defer development of greenfield land whilst ever sites in Phase 1 and brownfield land continue to meet the SP housing completions.

30. I accept the principle, though not the mechanics of BBC's concern in PIC11 to have regard to the emergence of substantial brownfield land in Nottingham City. This is what RPG8 advises. It is however, illogical for BBC, at this stage, to limit any contribution from this source to only 250 dwellings; it could from the evidence be considerably more. However, with their commitment to the large housing allocation H2I and the large mixed use development, BBC severely constrain their future actions to take more advantage of the City's brownfield land potential. On the other hand, their strategy to meet the housing completions required to meet the SP housing provision would be unduly dependent (35%) upon one very large site in one location, whose pace of development might be inadequate for a number of foreseeable reasons to meet the SP requirements in terms of housing completions. This major reduction in flexibility to react to future events is another substantial weakness of this large mixed use development and is inimical to the Plan Monitor and Manage approach. The Phasing Policy that I recommend allows much more freedom of action to conserve greenfield and Green Belt land from unnecessary and premature development, which is the motivation behind BBC's PICs.
31. I perceive very few benefits in a mixed-use development, other than the joint funding they would provide for major on and off site infrastructure. However, this scale of new infrastructure provision would be unnecessary at other locations catering for separate uses. Its provision at W/N therefor fails to take best advantage of existing infrastructure. Its benefits at W/N would be largely confined to the new development areas rather than improving the situation for existing communities. It is a very large addition to and out of proportion with a modestly sized suburban community. It would be in many respects a large stand alone new community, as Ms Hickling says, rather than being integrated with the existing settlements.
32. The scale of the mixed-use proposals exacerbates their detrimental impacts upon the Green Belt, B&MV agricultural land, transport and other environmental resources.

Locational Issues

33. There was much discussion as various inquiry sessions, particularly on objection site Ea12 about the meaning of the terms "in the vicinity of Junction 26" in SP Policy 13/3. The SP contains no definition. I note the Leicestershire SP's definition and simply observe that it goes without saying that a site should be well related but very few, if any sites, in Broxtowe would meet criterion b ii. Instead, I intend to be guided by the normal meaning of the term: "in the neighbourhood" or "surrounding district". This covers a wider area than the Joint Study sites and as BBC conceded the SP does not say "in the immediate vicinity".
34. Ea12 is only a slightly longer distance by road (3.2 Km) away from Jct 26 than EM2 at W/N (2.8 km not 2.3 km on my measurement). Its access is more direct than the tortuous route to EM2 and it is probably closer in travel time by car, at least off peak. However, Mr Parry's journey to Jct 26 in the peak was very much quicker than those

of my experience and of other witnesses. The purpose of HSL's peak period journey time survey was unclear; they were all undertaken contra to peak flows and some excluded delays at Nuthall Island.

35. I believe Mr Parry's maximum drive times to motorway junctions of 3 min off peak and 5 min peak are unduly restrictive and optimistic. They do not relate well to the opinions of others such as Mr Graves (5 to 10 min) or with the experience at many established BPs such as Stockley Park, Kings Hill and even Nottingham BP. I consider that an off peak journey of about 5 to 7 min by direct good grade roads is quite satisfactory in locational terms. Both EM2 and Ea12 meet this test but are further away than the Nottingham BP and Phoenix Park BP. Neither EM2 nor EA12 could be seen from the Junction. Although EM2 is currently open to view from the section of M1 to the north, the RDDP proposes a major landscaping strip alongside the motorway and in any case the commercial experience, including that of Mr Graves, is that visibility from motorways is not important, whatever the Joint Study, without a commercial input, might have believed.
36. Site Ea12 was excluded from the Joint Study Area, but the reason for the latter's definition was far from clear (CD88). The Study was confined to areas alongside the motorway; 9 out of 10 of which were in the Green Belt and most were specifically in conflict with SP para 13.47 regarding Green Belt functions and SP Policy 3/13 on safeguarding B&MV land. Indeed it's realism and usefulness is questionable when it rejected 8 out of the 10 sites identified on those grounds. The reason for excluding Phoenix Park/Stanton Tip, which lay within the Location Study Area, and even Ea12, which lay just outside this lopsided area, is difficult to understand. I note the Panel's view in June 1995 (CD37) but this has not stood the test of time.
37. Contrary to Mr Mafham's points, the SP, unlike RPG8 Revised, does not contain a sequential site search as such, either in Policy 13/3 or 2/6 or in 1/ 2. However, Policy 1/2 provides that major new development will be concentrated within and adjoining the main urban areas and along 4 public transport corridors including Nottingham to Eastwood. Neither Watnall, Nuthall, Kimberley or Eastwood are, as Mr Waumsley and Stamford Homes and others observed, included within the main urban areas, as defined in SP Policy 1/ 2 and para 1.65; a point recognised at one time by BBC in respect of site Ea12. However, unlike Westerman and Waumsley, I would not classify Watnall/Nuthall as villages since they adjoin and are clearly part of the town of Kimberley, at least in land use planning terms. Both W/N and Ea12 also fall outside the locational advice in SP para 13.45 which identifies a need for further sites for business park and other PEDs on the edge of the Greater Nottingham built up area, although NBP, Phoenix Park and Stanton Tip clearly comply. In para 13.46 the SP advises that these uses require a relatively large labour force and need to be accessible by PT as well as being well related to national and regional transport routes.
38. There was much discussion over the definition of the Nottingham to Eastwood PT corridor. Currently, this is based upon bus routes along Kimberley and Nottingham Roads within Broxtowe as CD25 shows. The reference in CD39a to the B600 does not, according to CD25, extend to Watnall Road and Main Road, which are served by the much-criticised infrequent service 331; these do not connect Nottingham and Eastwood. The proposed EM2 BP lies between about 600 m and 1400 m from the main bus route at its nearest point. The new residential area H2I lies 1400 m to

1800 m away. Policy 1/ 2 may not mention the width of PT corridors, but the distances at W/N are well in excess of NCC's criterion of 400 m walking distance, which they and ASPEN adopted in criticising other objections sites such as Ea8, even though I question this precise distance on other occasions. Notwithstanding this, neither EM2 nor H2I could be described, as BBC claim in Appendix H, as being within or well situated in relation to this corridor; it clearly lies well outside it. Proposals EM2 and H2I would depend for their PT accessibility upon a dedicated shuttle bus service to a future NET terminus at Phoenix Park or possibly an extension of the NET itself to W/N. However, there is no proposal for the latter in the LP or other document, whatever ASPEN's hopes may be and Broxtowe Real World Coalition's and Transport 2000's proposed phasing may anticipate. Secondly, there is no certainty even over the timing of the NET extension to Phoenix Park and in the meantime PT passengers would be dependent upon bus services to Nottingham. There is also no surety that the shuttle service would be maintained in the long term, since any subsidy is only expected to last for a maximum of ten years during which it would add to the cost of the development. Despite the years of planning no suggestions, let alone proposals, were forthcoming of how either of these feeder services or the NET could be extended to Eastwood; indeed all the more obvious routes have been developed in recent times, as Mr March pointed out. Dr Palmer MP observes such an extension is among the most difficult technically.

39. This new essentially local branch PT corridor would hardly compare with those listed in Policy 1/2. The SP makes no mention of new branch or feeder corridors. The W/N development would, without further service extensions to Eastwood, be located at the outer end of this PT corridor which SP para 13.46 criticises as failing to provide a large accessible catchment population for a BP and running counter to the objectives of sustainability. This is repeated in para 13.56. It would involve employees at the proposed BP travelling from Nottingham by PT to change mode at Phoenix Park with some time, inconvenience and cost deterrents. As BBC once observed in respect of CDF changing buses would discourage potential travelers from making the journey by bus (CD74). The need for interchange is likely to restrict most potential PT passengers to those within walking distance of the NET route within Nottingham since others could be involved in not one but two interchanges on each one way trip. Potential users of the proposed local P&R facility at W/N would be involved in at least 2 interchanges, which, according to experience, is likely to be a major deterrent, even if a high degree of reliability could be achieved by NET. I agree with HSL and others that the value of the local P&R facility is, at best, unclear. I deal with a strategic M1 P&R facility below. Furthermore SP para 13.42 appears to confine employment development in public transport corridors to non-prestige employment development.
40. The catchment population of the NET would be relatively small compared with the much larger catchment that would be accessible by car. As SP para 13.52 observed, development within urban areas on sites adjacent to the Greater Nottingham urban area, which are or can be readily accessed by PT and in PT corridors which penetrate the inner boundary of the Green Belt provides the best means of integrating land use and transport strategies. The W/N proposals might provide some extra patronage for the NET but not in very great numbers; certainly not anywhere as significant as the proposed strategic M1 based P&R facility. Indeed the current expectation for the NET at Phoenix Park is 4 trains per hour. With a capacity of only 60 seating the number of passengers carried would be small and a

proportion of these would come from the P&R site at Phoenix Park itself and other feeder services. Although the capacity could be increased to 200 with standing, this may be unattractive for modal shift journeys to the City Centre for a new form of transport which otherwise offers a high degree of comfort. I would not therefore agree that the proposed development site would be well served or highly accessible by PT.

41. For these reasons, I remain skeptical at the assumed modal split for the W/N BP. BPs traditionally provide quite specialised jobs, which generally draw from a large catchment area. In view of the small catchment area conveniently served by PT, it is likely that commuting to proposal EM2 at W/N would be very predominantly by car. The inconvenient location would discourage employers from any radical green travel plan and the juxtaposition of the BP with other employment, housing and a local Park & Ride would create problems of parking enforcement.
42. The mixed-use proposals for W/N may fall within the scope of PPG3 para 67 but, as Messrs Coult, Aspbury and Waumsley said, the proposals have some of the characteristics of a new settlement. The proposals are intended to provide an “integrated” mixed use housing/employment development with a new school and shopping centre and recreation facilities, a lot of their own infrastructure at substantial cost and even its own dedicated bus service, rather than utilising that existing and they would stand somewhat apart from the existing settlements rather than being fully integrated and strengthening them. Also the proposed BP would be of sub-regional significance. PPG3 para 72 indicates that new settlements may be a large-scale addition to existing settlements as well as freestanding. However, the proposals score poorly against the criteria in paras 72, 73 and 74.
43. The proposals at W/N fall within category c) of the more refined search sequence for major development set out in Policy 1 of RPG8 Revised. They do not accord well with these locational priorities or with the sustainability criteria set out in Policy 2 of RPG8, nor with the criteria of Policy 15 or the priorities for office and other travel intensive uses set out in Policy 18. Certainly not as well as Phoenix Park, Stanton Tip and Queens Gate. The W/N proposals fail to meet the advice in PPG13 para 20 that out of town interchanges, even if it ever achieved such a status, should not be a focus for major generators of travel demand. Stanton Tip and to some extent Queens Gate meet the advice of PPG13 para 21 to make maximum use of the most accessible sites such as town centres and those close to major transport interchanges for travel intensive uses such as offices. The co-location of housing and employment uses, particularly a sub-regional BP drawing from a wide area, does not accord the proposals any high degree of sustainability, as I conclude elsewhere in this Topic the extent of local interaction is likely to be relatively low.
44. BBC tried to claim compliance of the W/N proposals, presumably employment proposals, with SP Policy 1/ 4. W/N and Eastwood/Kimberley (and the rest of Broxtowe) fall outside the Coalfield Rural Development Area in SP Policy 1/ 4 category b). It is unclear whether they fall within category c) but they are not mentioned in para 1.82. What is clear is that developments such as Nottingham BP, Phoenix BP, Queens Gate and objection site Nu1, all meet the needs of the disadvantaged areas that are mentioned more effectively than the proposals at W/N. I recognise the social and economic problems of Eastwood in particular, although the last mines apparently closed in 1984. However, other major employment

allocations are proposed in more convenient locations to serve Eastwood than EM2 and even parts of EM3f.

45. I note that in the appraisal of the whole site in CD21, the only positive criteria (3 out of 10) arose from the development proposals which hardly credits the site itself with much sustainability. Also the analysis in CD14 is largely negative. Contrary to BBC's contention this is not necessarily common to all large sites as Ea9, Phoenix Park/Stanton Tip, Queens Gate demonstrate.

Transport

46. I also deal with transport issues in Chapter 6. I appreciate Mr Green's brief history of issues in the area but I have to deal with the situation that now prevails. The TAs for a number of proposals, including W/N, were very detailed. They were more akin to what is required for a S78 inquiry than a LP inquiry and, as NCC pointed out, ASPEN's TA was produced for their purposes rather than the LP. The LP is more concerned with fundamental principles such as the main impacts of proposed developments in transport terms and whether these militate against endorsement of the proposed developments. LPs also have some responsibility for integrating land use and transport planning across the LP area and over the Plan period. This may involve broad comparisons between different locations and the timing of land use proposals in relation to major transport improvements.
47. I therefor do not intend to dissect the TAs in any detail even though so much inquiry time was taken up in discussing their results at various stages. I intend instead to concentrate upon the main implications that stem from them. However, it was disappointing that ASPEN's TA after 3 years consultation with the County Highway Authority took the form presented and was so belated. It served to confuse rather than help objectors and the Inquiry. The refusal to accept the Inspector's request to identify areas of agreement and dispute until very late in the day was also unhelpful and wasted Inquiry time.
48. I recognise that the TAs were comparative and note the terms of their acceptance by the Highway Authority and the Highway Agency. However, given that the major issues at Nuthall Island, Jct26, M1 and A610 are traffic congestion and traffic safety, it is regrettable that so little was forthcoming on traffic delays and queuing or on the factors behind Nuthall Island's safety record as the worst in the County, despite requests for this information by UK Coal and the Inspector.
49. Whilst the Highway Authorities might be satisfied that the localised improvements proposed should leave matters no worse than would otherwise arise, this would, as Mr Lammas observed, hardly produce anything approaching satisfactory conditions for this traffic and accident blackspot.
50. The County Highway Authority at the Chilwell Dam Farm Inquiry identified Nuthall Island as having the worst accident rate of any junction in the County but they could not identify enough common factors for specific remedial measures. They described the highway network in the vicinity of Nuthall Island and Jct 26 as on a knife-edge with the slightest interruptions causing gridlock. They said that the signals on the Island were set to avoid it locking up and that as a result there was no scope for accommodating extra traffic simply by adjusting the balance of the

existing arrangements. They also stated that even after taking account of the effects of modal share targets for Greater Nottingham there is still expected to be increased traffic through the junction (CD74d). However, the TAs actually revealed worsening conditions on some entries to Nuthall Island in the am and pm peaks. Contrary to some of ASPEN's assertions road traffic to and from the proposed development to most of Nottingham would still have to negotiate Nuthall Island, albeit using a different approach. NCC's evidence on PT improvements on the B600 was perplexing (CD103). It is a surprising co-incidence that these would involve precisely the same queue lengths and delays as the existing layout with development at CDF (CD103A). This is also at odds with their concession that private vehicle queues could lengthen which is also at odds with their view that this would not increase time delays. It is also interesting that surveyed delays in the am peak were nearly five times longer than TRANSYT delays (CD117). Perhaps all this illustrates the shortcomings of some traffic modeling exercises. However, I see nothing wrong in R288 and R333. Whether additional lanes on the Nuthall Island should be dedicated is a matter of detail for a later stage. It is for the Highway Authority to address Mr Deacon's and others concerns about the safety of bus lanes, which is a problem largely independent of the proposed new development.

51. In the absence of any effective modeling and surveys of traffic delays and queuing, I was obliged to rely upon the observations of witnesses who have experienced these conditions daily for a long time. I have no reason to doubt their reliability; indeed they correspond with my own observations of traffic regularly queuing in the am peak from Nuthall Island to Jct 26 and then up the south bound off slip road onto the inside lane of the M1 motorway, sometimes up to the 1 mile marker. This is despite the claims of Mr March and others that some M1 traffic diverts on to the B600 via Jct 27 to avoid queuing at Jct 26. Apart from the extreme time delays, this queuing creates hazardous conditions on the motorway with traffic on the middle lane attempting to exist. Queuing from Jct 26 also occurs on the A610 approach from the west for up to about 1.5 miles and along both the B6010 and B600 for over 1 mile. In view of the seriousness of these impacts, I regard surveys as important not optional or onerous, as BBC claimed.
52. It is difficult to accept the results of modeling designed to show that conditions with the development would be no worse than without, when there is no reliable data on queuing/delays. Mr Macgregor's response that the actual length of queues does not matter overlooks his acceptance that queues may be a lot longer than modeled. It ignores the impact of queuing on the operation and safety of the M1, A610, B600, Kimberley Road and Nuthall and Jct 26 Islands and disregards the clear concerns of local people over continually deteriorating conditions; the inconvenience and danger of queuing vehicles, the noise and air pollution created with health effects, particularly asthma reported by many objectors and the general deterioration of the local environment. TRANSYT modeling is, as Mr Dudhill says, not ideally suited to congested conditions at two interacting complex island junctions. It fails to predict base year conditions and even failed to replicate the variations in queuing around the Nuthall Island among different lanes, which contrary to BBC's assumptions provide better access for M1 traffic to Nottingham BP than to W/N. It does not indicate the length of queuing. TRANSYT's comparative results cannot identify current problems and thus may fail to reveal the true extent of any future ones.

53. Although it may not be the developer's responsibility to resolve existing problems, the LPA and the Highway Authority clearly need to consider very carefully the implications of developments that could, except under certain optimistic assumptions, exacerbate conditions at one of the worst locations in the County bearing in mind that there is no imperative to locate any of the proposed development at W/N.
54. Some of the assumptions adopted by ASPEN's TA were questioned. HSL showed initially that the TA's first principles approach underestimated traffic generation by 74% in the AM peak and 62% in the PM peak compared with TRICS 85th percentile. The figure of 16% of journeys via the M1 may have been derived from the 1991 census and may be comparable to the N BP Inquiry but the proposals represent a major change in historical development patterns and a very high proportion of local traffic uses this section of the M1. Extensive queuing already takes place on the M1 southbound, which is likely to reach saturation some time within the Agency's normal 15 year time horizon. Without M1 improvements extra traffic generated by the development, which Transport 2000 rightly fears, would lead to additional queuing on the M1, which should normally be of particular concern to the Agency. The impact of variations in M1 routed traffic is thus of concern.
55. The assumption of nil growth in vehicular traffic through Nuthall Island may accord with the Highway Authority's aspirations and the Nottingham BP inquiry and a reduction of 7% with the SP target, but these do not reflect real conditions or the independent observations of CD25 or NCC's earlier views. Figures in the TA show increases in traffic flow between 1997 and 2000 on the B600 and Jct 26 that are not reflected in the TA's assumptions. Jct 26 and some approaches to Nuthall island may be at capacity in peak hours but this may not deter motorists from travelling by car; it may simply lead to further peak spreading and add to the already lengthy queuing on the approach roads, including M1.
56. The assumption relating to none working days (15%) was optimistic compared to other empirical evidence; traffic flows in vacation periods are lower overall in any case. The scale of internal trips (25%) may also be optimistic when judged against other experience and the findings of DOE/DT publications referred to above. Experience at Phoenix BP, the New Towns and Kings Hill was disregarded by ASPEN. New towns may be different to W/N but given their scale and location they should be more not less self-contained. The TA may have been based upon assumptions for the Jct 15 study but the basis for that was unclear and justifies no unquestioning acceptance on my part. ASPEN's assertion that the housing development would not be allowed before the employment development is clearly wrong. The RDDP allows for 250 houses in Phase 1 and after that the LPA will have a responsibility to approve housing completions to meet SP requirements, whatever the pace of EM2 or EM3f. Conversely few LPAs would turn away prestigious new employment projects.
57. The assumption on modal transfer may also be optimistic for a development based upon a feeder bus service to an extension of NET; this hardly provides high accessibility to central Nottingham. It ignores the well known penalties of interchange; it rests on an unlikely commonality of journey origins and

destinations. As NCC accepted, it could be more attractive to drive to the NET than take the shuttle bus. Manchester has more of a history of rail travel to the City Centre. The lack of distinction between out and in trips is unlikely in practice given the relative attraction of the City Centre and the proposed BP. The assumptions for vehicle occupancy were not supported by data. The high proportions of local people walking and cycling and the origins and destinations may have been derived from the 1991 census but conditions then may not be representative of the W/N proposals of the future.

58. Much attention was given to inter green times. The TA's assumption of 5 secs may have been advised by NCC and used at the CDF inquiry but it varied from calculations based upon TA16/81 and ASPEN's accepted that the time might have to be lengthened with consequent effects on the capacity of Nuthall Island. Subsequently, CD116 demonstrated that longer inter-green times could be accommodated without fundamentally altering the scale or nature of the proposed improvements. The TA's assumptions of equal lane usage around Nuthall island belied observable practice, their submitted counts and their own subsequent acceptance. It also assumed equal usage at Jct 26 on 7 out of 8 lanes with no supporting evidence. ASPEN's also accepted that TRANSYT could not indicate whether queuing would extend back from Nuthall Island to the spine road with consequent implications for capacity and safety and the TA's assumptions that the spine road would free flowing. An extra lane on this (and on A610E) would involve more land and more impact on the Green Belt. It also raises issues in relation to any association with the M1 free flow link roads.
59. I recognise the acceptance of the TA by the Highway Authority. Many of the assumptions are theirs and on their own may not be that significant, although some are. The concern lies in the cumulative impression that the TA's assumptions could potentially underestimate the amount of private traffic generated by the proposed development onto the wider road network, including the critical Nuthall Island. Although NCC felt there were some counter assumptions, they were unable to identify any. The assumption of all work trips arising in the peak hour/s provides only limited compensation in view of the probability of peak spreading. I see no basis then in ASPEN's claims that they have taken the worst case. In all these circumstances, the lack of any sensitivity analysis of other outcomes creates some doubts in the robustness of the findings.
60. Discussions between ASPEN and NCC and HSL's subsequent satisfaction with ASPEN's overall trip generation based upon their agreement with NCC's on other TAs provide no re-assurance in themselves to the inquiry in view of the questions raised. This is particularly as the two key assumptions seem to be at odds with the Local Transport Plan 2000 (CD25 and CD25a) and NCC's earlier view that Nuthall Island was on a knife edge and nothing was put forward to suggest any intervening improvement. The TA showed almost saturation conditions and even this depends on a series of potentially optimistic assumptions. NCC assume Nuthall Island is at capacity anyhow and may not be so concerned about extra traffic on the nearby road network. However, the effects of increased traffic flows on peak spreading, queuing and delays at other parts of the local network raises concerns in my and others minds.

61. The LTP comments that even though exacting modal shift targets have been applied to significant new development proposals in the area and traffic growth may be reduced by modal shift targets for the Greater Nottingham Area, in future there is expected to be increased traffic through the Nuthall Island junction. It observes that with the location of the NET terminal at Phoenix Park vehicles from the M1, A610 and A6002 would still have to pass through the Island; and there are no plans to extend NET westwards. With time it observes there will be a worsening of peak period conditions, which would be serious in terms of congestion, affecting air quality, the economy etc, but would undermine measures to assist PT on the B600 and on the Nottingham approach. It goes on to comment that despite improvements in 1996, the Island continues to have the highest accident rate in the County and that knock on effects at Jct 26 also raise safety concerns. CD25a indicates that the peak will spread and queues will increase. Little evidence was forthcoming to alter these earlier impartial conclusions.
62. It is entirely laudable to pursue targets for modal shift to PT. However, as experience consistently demonstrates these are not always met and it is wrong to ignore the implications of failure, particularly in the light of the clear opinions expressed in the LTP. As ASPEN's agreed, achievement of targets may depend upon the amount of car parking available. Mr Parry suggested that occupiers of BPs would seek 1 space to 20 sq m and that less than 1:25 sq m would be unacceptable. With occupiers able to exercise discretion on their locational decisions and with an adjoining local centre, P&R site and residential areas commuter parking associated with a BP may not be easily restrained. I note that car parking standards at NBP have yet to be agreed by WB although office developments have begun.
63. At present the W/N site is remote from the spine of the Transport Corridor based upon bus services operating on the B6010. The developers intend to address this deficiency with a shuttle bus service using the spine road and a link road to a proposed extension of the NET and a P&R site in the vicinity of Phoenix Park. There are no proposals, other than in the M1MMS to extend it westwards. As I observe elsewhere, the former will involve interchange penalties. Journeys other than those served by the NET route to the City Centre would incur further interchange penalties. Whilst a proportion of residents of H2I might be expected to work in the City Centre, as it is the largest concentration of jobs in the sub-area, the same could not be said for workers at EM2 and EM3f, since this NET route serves a relatively small proportion of the likely catchment population.
64. The Highway Authorities also failed to question whether a series of incremental localised improvements represented the satisfactory integration of land use and transport planning and sustainable development when there are prospects that some of these improvements would be redundant if and when major improvement works are undertaken. Mr Macgregor's opinion, like Mr Dudhill's, was that some and possibly all such improvements might not be required with the implementation of the M1MMS draft proposals. BBC felt confident to voice similar concerns over successive minor works at the Nottingham City LP inquiry (CD74) but seemingly no longer, when promoting their own development proposals. They commented then that there is a finite limit to the number of times the capacity of the Nuthall

Island can be enlarged and that a BP accessible only through an already congested pinch point is a self-defeating proposal.

65. The Jct26 study (CD88), whatever its other limitations, at least recognised that major BP development would probably have to await major improvements to the junction. BBC at the NC LP inquiry also observed that it would have been preferable to be considering a BP in the light of more certainty about motorway junction improvements because of the potential benefits they would bring to the area's infrastructure; a point that remains valid today.
66. Little attention was paid to potential major works to radically improve conditions within the plan period that could result from the M1MMS. I recognise that this was still awaiting government approval. However, it was regrettable that, despite their earlier concerns in 1996, BBC had not considered the impact of the free flow link roads on their proposed development until prompted by the Inspector.
67. The final Report of M1MMS recommends that Jct 26 be improved by the construction of free flow link roads between M1 north (Jct26A) and the A610 east of Nuthall Island. It seems inevitable that these links would occupy similar routes to the proposed spine road and link road, particularly under the M1 and at Low Wood Road. Even if it were possible to engineer all carriageways and a possible extended NET to a Jct 26 P&R site together as shown in SR/2 and SR/3 CD110, the impact upon the POA at Hemphill Vale and upon the Green Belt west of Low Wood Road would be severe. Together they would result in a significant fragmentation and urbanisation of this area, which would result in a substantially enhanced degree of coalescence between the edge of Greater Nottingham with the proposed major development area at W/N. The spine road would also have some impact on the rear of dwellings on Nottingham Road, which already suffer the noise and pollution effects of traffic congestion. I consider below the possibilities of an integration of the proposed M1 slip roads with the proposed spine and link roads. The MMS also recommends an A610 flyover of Jct 26 but not of Nuthall Island as speculated by some.
68. The Fax from the Highways Agency(17/1/02) identified the main problem to be addressed as the severe congestion at Jct 26 and Nuthall Island due to the M1 – A610 movement. This leads to queuing in the am peak on the south bound off slip and on the M1 itself creating dangerous traffic conditions. As the Agency say the free flow link road proposals are aimed at relieving this problem by by-passing both Jct 26 and Nuthall Island.
69. The County Highway Authority suggested informally a truncated new link roads with local road connections (the dumbbell sketch). Although this is not a proposal of the MMS and as, NCC accepted, is not in the pipeline, it merits some consideration because it was the only suggested means of integrating the proposed free flow M1 slip roads with the W/N road proposals. This sketch scheme would, as Mr Dudhill pointed out, introduce on the slip/link roads intermediate junctions with local roads carrying local traffic contrary to government policy. Motorway traffic would encounter this local traffic much closer to the motorway than the proposals in the MMMS; indeed as close as Jct 26 is at present. This arrangement would have the potential to cause queuing up the new east slip road and in view of its limited length on to the motorway itself; the extent

to which this would result has still to be assessed. This arrangement contrasts with the MMS proposed link roads, which are intended to be free flow as far east as Cinderhill. Mr Dudhill's takes the view that the concept of free flow slip roads is not compatible with local connections and is not capable of being made compatible with the roads proposed by the W/N development. He considers that it would simply duplicate part of the present arrangements in a different place and raises the issue of its purpose and value for money. It is clear that at the very least much more analysis is required before any firm conclusions could be reliably reached on this sketch scheme.

70. It is also unclear what arrangement the new local roads would adopt east of their junction with the truncated new link roads. If they took the same form as the RDDP they would leave M1-Nottingham traffic still passing through Nuthall Island after negotiating a junction on Low Wood Road. If they took the same scale as the RDDP their capacity would be much less than that on the existing A610.
71. If the new local road system east of the link roads adopted the route, form and scale intended for the link roads passing Low Wood Road to meet the A610 at Cinderhill this would increase their costs by some unknown amount. It raises the question of whether this would be sustainable for the proposed developments at W/N in view of their already very high infrastructure costs. However, as BBC submitted, it is not the developer's responsibility to resolve existing problems. This may leave the costs to be met by the County Highway Authority or the Highway's Agency but the latter may not be willing to finance county roads; another unknown, which provides scope for protracted negotiations.
72. The arrangement may also interest the Nottingham City Highway Authority since they would have to deal with the resulting traffic flows within the City at Cinderhill Island and beyond on the A610, which as the Shaws and as Mr Binks pointed out, already experience problems at peak times. The City Council may be aware of ASPEN's TA for the W/N proposals but they were not consulted on it. There is also no TA for a truncated link roads scheme. Even in respect of the former, the time for lodging objections to the RDDP had long past and the City's silence to date in no way prevents them from objecting at a later stage, particularly as 3 junctions within the City are shown in ASPEN's TA to exceed the IHT guidelines and no analysis of them has yet been done. Also no analysis of the impact of increased traffic flows has been undertaken on A610 east of Cinderhill Island, where despite Mr Higgins pleas there are no plans for a flyover. Any necessary improvements that the City might require would add further to the very high infrastructure costs. Any difficulties may lead them to pursue the same route as the County Highway Authority on Nottingham BP with consequent delays.
73. There are too many unanswered questions to rely upon an informal untested truncated sketch M1 link road scheme. Whether this would stand the test of all the necessary statutory procedures and public consultations involved in these major road works is to say the least uncertain. Whilst the Highways Agency may feel that there would be nothing to prevent consideration of suitable intermediate junctions of the links roads, this consideration has yet to be undertaken and there is no certainty that it would be favorable. As NCC accepted, there are no detailed drawings let alone a realistic technical justification for this sketch scheme. In view of this, I fail to understand how the Agency could realistically accept such an

arrangement in principle and they were not presented to the Inquiry to justify their position. Also, the TA and the Highway Authority don't take any particular year in view of their assumptions regarding nil growth. This contrasts with the Highway Agency's 15 year horizon from completion of proposals affecting motorways and they would clearly be concerned with any material detriment resulting from peak spreading and lengthening queues on M1. Despite a current lack of discouragement from the Highway Agency the dumbbell scheme may not survive future rigorous analysis.

74. On the other hand the M1MMS proposals in their published form offer the consultant's recommended solution to the range of problems at Jct 26 and Nuthall Island. They may not proceed in the short term but it would be shortsighted to compromise them in any way with the proposed W/N development and their spine and links roads. This is particularly so as other sites are available to meet SP requirements.
75. The Agency's views that the proposed motorway link roads are as motorway slip roads an integral part of the motorway confirmed legal opinion and countered that of NCC. Circ 4/2001 severely restricts new accesses to motorways; including their slip roads. Para 6 stresses that trunk roads should not be regarded as a convenient means of dealing with local problems; para 9 stresses that direct access to motorways will be limited to grade separated junctions with other trunk routes, or major local roads, MSAs and exceptionally other major transport interchanges. This being in the interests of safety and the free flow of traffic. None of these descriptions could be applied to the W/N proposals and a local spine road. It also adds that even in the case where development is permissible in principle, access would not normally be allowed to motorways of dual 5 lane standard. Para 13 states that the Highways Agency will be concerned with any proposals, which would have an effect on the trunk road. The Highways Agency may feel that some discretion is warranted but this would have to stand the test of the statutory procedures and a more rigorous analysis in a TA and NCC knew of no examples of the Agency allowing direct access before to motorway slip roads.
76. Furthermore, no consideration was given to the impact of accommodating one or two free flow motorway slip roads within the proposed development area at W/N either as envisaged by the M1MMS or in the truncated scheme. The northbound slip, at least, would almost certainly impinge on the development area and have an impact on EM2.
77. The M1MMS also recommends a strategic P&R site accessed by the M1 slip/link roads at Nuthall as a means of achieving a significant modal shift in M1 to Nottingham Centre traffic. However, none of the TAs considered, let alone tested this. The MMS notes that the potential commercial development at W/N could provide developer contributions to a P&R site west of the M1; an additional infrastructure cost. However, the Study news update shows a P&R east of M1 with a capacity of about 3,000 vehicles. This location with the full MMS M1 link roads could afford direct free flow access to the P&R facility, which may be important to its success. A P&R site to the west of the M1 would involve the south bound exit slip crossing under the M1 twice or access to a western P&R site via a local road (the dumbbell scheme) which would involve a potentially unattractive detour and would not be free flowing. It would also involve extending

the NET under the M1 with extra land take and cost. The MMS recommends that the NET consortium undertake more detailed assessment to identify the most feasible location for this P&R. However, such decisions would need to reflect the best overall package for transport improvements in the area. There is no certainty that a site west of M1 would be selected if it had clear transport disadvantages.

78. The P&R site promoted under Policy T4 is a small facility designed to serve the W/N development, not an M1 based P&R scheme. It does not figure in CD25 and its purpose has not been assessed. It is of a modest size located towards the centre of the W/N development adjoining the shopping centre and served by the proposed spine road. Its size, location and access would be quite unsuited to a strategic P&R site designed to serve M1 commuters. To be effective this would need to be about much larger; possibly 9 ha or more to cater for the 3,000 plus cars mooted in the MMS. I note WB's offer to reserve land for this at W/N, however, it is difficult to see how this and major motorway slip roads through the area could be accommodated within the W/N proposals either in terms of land take or environmental considerations. Pursuit of this arrangement would involve a major revision of the development brief, as Mr Mafham pointed out, and could lead to the W/N proposals being extended into the Green Belt up to Long Lane or scaled down with impacts on viability.
79. The M1MMS also proposes widening this section of the M1 to 4/5 lanes, which would bring traffic closer to the BP and housing developments. As the buffer strip was intended to address traffic impacts from M1, development may have to be set back more to the west with a further consequent reduction in development areas.
80. All the M1MMS proposals are subject to consideration by the Regional Planning Board and the government and subsequent statutory procedures as Mr Mafham pointed out. I cannot anticipate what decisions will eventually be taken and what form any proposals would eventually take. However, decisions are now in sight after many years. Although there is some uncertainty for the time being, it would be shortsighted to compromise decisions on such critical strategic issues by any premature and unnecessary commitment to the W/N proposals.
81. IC69 requested by the Highway Agency adds uncertainty. It merely safeguards their position for the time and carries no guarantees of eventual agreement. Their eventual requirements may, as my experience bears out, be beyond any development proposals at W/N in view of their already very high infrastructure costs. There is also no certainty that, once the implications of the W/N development for the M1MMS proposals have been properly considered, the W/N scheme would receive the support of the Agency or government. To date they have been largely ignored, except for my probing, let alone tested through a comprehensive TA. There is too much uncertainty regarding the acceptance and the timing of the W/N proposals in transport terms to support them at this stage, even if I were minded to accept them on other grounds.
82. As Kimberley Town Council, Mr Lammas and others pointed out, there is some danger that local traffic on the A610 from the west destined for the W/N development would seek to avoid Jct 26 and Nuthall Island and use instead the B6010 then Maws Lane/Holly Road/Trough Road, Newdigate Street or Larkfield

Road. Traffic might be spread among these roads, as ASPEN's said, but all them are unsuited to carrying through traffic. NCC even objected to the use of the first by a small local development. There is also a danger identified by local objectors that, prior to any A610 flyover, a unknown amount of A610 west traffic destined for Nottingham might also use these roads and then the spine road in order to avoid the severe congestion at Jct 26 and on the western approaches to Nuthall Island. BBC's response to this issue was to suggest traffic calming measures but these are already in place on two of the roads and may prove an insufficient deterrent. More severe measures could disadvantage local people and may be impracticable.

83. The requirement of the Highways Authority for another TA (IC71) may show some lack of confidence. However, as a new TA would presumably account for M1MMS proposals, which the current one did not, it would be a worthwhile exercise. It could also address concerns over queuing to exit the Horsendale Farm Estate, mentioned by Mr Shaw and others. IC71, IC72, IC73 and IC74 would then be worthy of support, if I were minded to support the W/N proposals.

Green Belt

84. I note the CPRE's and others' objection in principle to the loss of any Green Belt but this is impracticable in an area where the limited land outside the Green Belt is insufficient to meet SP requirements. Both the SP and RPG8 recognise that some alterations to existing Green Belt boundaries may be necessary somewhere. Notwithstanding this, individual alterations to Green Belt boundaries still require convincing justification in respect of need and their impact upon Green Belt purposes, as the GOEM point out. I recognise the confusion in some minds about the permanency of the Green Belt, but the need for repeated review of some boundaries is a product of the planning regime in Nottinghamshire over many years. It has failed to look far enough ahead and provide land outside the Green Belt to meet long term needs.
85. It follows from my conclusions below that I find no need at this time to take Green Belt land at W/N for a BP. The Jct 26 study may have concluded that sites to the south east and the north west of the junction were the most suitable but this was a reflection of its artificially derived study area and other dubious and inconsistent assumptions, which were never tested through public consultation, let alone an independent inquiry. Also this was not BBC's view at the Nottingham City LP inquiry when it felt that the study was slanted towards justifying the allocation of CDF. I also identify more suitable sites for general employment land than the majority of allocation EM3f and more suitable housing sites than allocation H2I, mostly outside the Green Belt.
86. The W/N proposals effectively remove the whole area between Watnall and Nuthall and the M1 motorway from the Green Belt. The device of drawing boundary along the inner edge of the planted landscaping strip along the M1 is artificial, as BBC contended at the CDF inquiry (CD74). More important it is illusory. It will be perceived as part of the development, which it adjoins, rather than of the remaining part of the Green Belt gap which lies detached to the east of the motorway. It would also destroy the openness of the Green Belt along a 2 km stretch of the M1, contrary to the fundamental aim of Green Belts. As Mr Aspbury

points out, the M1 north of Sandiacre/Stapleford generally runs through a wide green corridor creating a pleasant environment and a positive image for the sub region. I agree with Mr Mattinson, a “forest” is not in itself open. I also note his views that within the 25 to 30 years life of a BP the landscaping would not be substantial enough by then but the same could be said of that proposed for the BP on objection site Ea12. Having criticised the City at the N LP inquiry for taking the M1 as the boundary for CDF, BBC adopt the self-same boundary for W/N proposals, albeit on the other side.

87. The W/N proposals collectively would entail a very major encroachment into a large area of countryside, contrary to the 3rd purpose of Green Belts. They would destroy the open countryside between the existing settlements of Watnall and Nuthall and the M1. They would also bring a real danger of further encroachment to the north of the revised proposals. BBC criticised the weakness of the northern boundary of CDF. The northern boundary of W/N in the RDDP is perhaps even more vulnerable as in addition to some similarity in features, BBC in the FDDP proposed development on this area and have thus accepted its limited value to Green Belt purposes with the W/N proposals. The prospective developer preferred the line of the Spine Road in the FDDP. There is also the issue of possibly accommodating a larger P&R site and major M1 slip roads. There seems no reason why a long distance footpath and a weak hedge should prove a stronger constraint than other footpaths elsewhere.
88. Whilst the M1 would check the sprawl of the W/N proposals, they would bring the major built up areas of this part of Broxtowe much closer to the edge of the Greater Nottingham contrary to 2nd Green Belt purpose. The Green Belt gap between the proposals and the edge of Greater Nottingham would be effectively reduced to about 650 m at its narrowest point; a distance similar to that regarded as unacceptable by BBC in respect of site Ea8 and less than that they criticised in respect of objection site Nu1. The gap may not be narrower than existing at the junction of the B600 and the B6010, but that has a depth of only about 200 m and in no way justifies the extension of development by the W/N proposals for nearly 2,000 m to the north.
89. Whilst intervisibility between the proposed development and the edge of Nottingham is limited this would apply to development on the area east of the Motorway (specifically identified as critical in the SP) just as BBC say it applies to the W/N proposals to the west. Intervisibility could arise between the edge of the Hemphill Vale estate, the edge of the Blenheim industrial estate, the edge of the Woodhouse Way estate and the proposed BP at W/N particularly with large two and possibly three storey buildings, as BBC observed at the NC LP inquiry. I also share BBC's view then that it would take many years for planting to have a softening and screening effect and in the meantime the Green Belt and the countryside would suffer severe visual intrusion for many years. I also agree with them that some Green Belt is important even if it cannot be seen. As PPG7 advises for even small developments, the fact that they may be unobtrusive provides no justification. Many observers would be able to perceive large built up areas such as W/N from higher ground some distance to the east within Nottingham and distinguish them from countryside and appreciate their impact upon the narrow Green Belt gap.

90. However, intervisibility is not the only aspect of increased coalescence. Walkers using the footpaths in the area, particularly those crossing the M1, including the longer distance Robin Hood Way, would be aware of the W/N development on one side and Greater Nottingham on the other growing much closer together. These footpaths appear to be popular, the actual numbers using them is less important. Travelers along this section of the M1 would also be aware of the BP and housing on one side and the edge of Nottingham to the east, particularly over the southern section, which is at or almost at grade. Screen mounding and planting would do little to alter the perceptions of locals and regular travelers (who predominate on the M1) since they will be well aware of the built development beyond. The introduction of a landscaped strip would also introduce an alien feature into this local landscape, just as BBC criticised the proposed tree belt at the NC LP inquiry (CD74), and would reduce the open character of the Green Belt. Retaining open views to the east would hardly compensate for their loss to the west.
91. Local travelers on Long Lane and on the spine and link roads would also be aware of the reduced gap between the edge of Nottingham and major new development at W/N.
92. As BBC once recognised in the Jct 26 study, there would be other effects upon the Green Belt outside the main development area. The proposed spine and link roads would occupy a significant part of the intervening area between the M1 and the edge of Nottingham and would with their traffic, engineering, lighting, signing and landscaping fragment and, as BBC accepted, have an urbanising effect upon this small remaining Green Belt gap adding to the impact of the thick neck of development along Nottingham Road. BBC's intentions to retain the eastern area in the Green Belt will not reduce the impact on the ground and indeed they conceded that the proposals would cause harm to this area of Green Belt, B&MV land and to ecological interests. However, as Mrs Saunders and others point out, the RDDP includes no proposals for landscaping to mitigate the impact of these works. BBC's current faith in landscaping (IC70) contrasts with their evidence to the NC LP, it also overlooks the urbanising effect of landscaping works themselves on the openness of the Green Belt, irrespective of any other visual merits.
93. BBC also ignore the possibility of the M1 free flow slip roads, perhaps of three or four lanes each, a NET extension and possibly a strategic P&R site for 3,000 or so cars with associated facilities in this open Green Belt area to the east of M1 on the edge of Nottingham. These would occupy a much larger area than the spine and slip roads and have an even greater urbanising impact. They are likely to be perceived as an extension of the urban area and would bring the W/N development and Nottingham very close together. BBC may have a record of defending Green Belts against most normal developments but the proposed M1 slip roads and P&R site may be the inevitable "price" of addressing the widely acknowledged serious traffic problems of the area and PPG13 advises that P&R sites may not be inappropriate development in the Green Belt. The W/N proposals to the west and east of M1 would in conjunction with these motorway related proposals substantially erode the critical Green Belt gap between Nottingham and settlements in Broxtowe west of M1. The possibility of other not inappropriate uses, such as cemeteries, but which can, depending upon their

location, have an urbanising appearance and character also cannot be dismissed. The East Midlands are unlikely to develop as fully as the West Midlands has since the 1900s but the dangers of creeping coalescence clearly exist.

94. SP para 13.47 recognised that certain locations around Jct 26 perform essential Green Belt functions whose loss would be an unacceptable breach of Green Belt policy and call into question much of the other land included in the Green Belt. Although the SP gives only one specific example, which, as BBC accepts, covers the NE and SE quadrants, it is clear that the SP's concern extends to other areas. On any logical interpretation this must embrace the NW quadrant in the vicinity of W/N. Indeed, SP Policy 1/ 2 states that open breaks between distinct settlements particularly along the PT corridors should remain in the Green Belt. Para 1.91 by way of explanation specifically identifies the gap between Nottingham and Nuthall/Kimberley as being particularly narrow and vulnerable. It is difficult to see how this description could exclude at least the southern part of the W/N proposed development area, as BBC conceded. This is particularly so in view of the 1984 LP Inspector's conclusions on the importance of any diminution of this $\frac{1}{2}$ - 1 mile gap which, as BBC accepted extended on both sides of the motorway. I also note that in 1984 BBC took the view that even the loss of the coal yard (part of EM3f) would seriously narrow the Green Belt in the locality.
95. However, such concerns were seemingly given little attention by some parties in the Jct 26 study (CD88) which surprisingly considered sites specifically criticised by the SP only to reject them on planning grounds. The imperative of the study appears to have been to confirm a site at CDF and to identify a site in Broxtowe. The SP Panel's view in 1990 relating to a BP on land to the east of M1 in one of the most important and vulnerable parts of the Green Belt could be applied to the W/N proposals which lie opposite on the west side of the M1.
96. BBC's view in the Jct 26 study (CD88) was that expansion of the W/N area into the Green Belt did not compromise any Green Belt functions in the same way as other sites because it did not represent the expansion of the city's urban sprawl. This opinion was not shared by NCC and NC who took the view that sprawl would apply to any location on the edge of the urban areas including Eastwood/Kimberley. This view also appears to conflict with that of then Director of Planning, who observed that the study is demonstrating the difficulties in identifying a BP site which does not conflict with fundamental Green Belt objectives (CD106). BBC's evidence (CD74) that land at W/N does not necessarily compromise Green Belt functions to the same degree as other potential development sites in the vicinity of Jct 26 such as CDF, although somewhat equivocal, nevertheless accepted that Green Belt functions would be compromised by W/N. Their current view that the Green Belt at W/N does not contribute so crucially as land to the east of this ignores the impact of the W/N transport proposals on this area and overlooks the true test, which is a comparison not with this critical area but with others elsewhere. It also seems to concede that the W/N site's contribution is crucial and I find it difficult to ascribe degrees to this judgement. If its contribution is crucial its loss is unacceptable; it matters little whether another area may be even more crucial. However, BBC did accept that the W/N site fulfilled all 4 of the relevant Green Belt purposes.

97. Whilst there may be some psychological distinction in BBC's mind between the spread of a large city and that of smaller settlements in the reverse direction, the impact upon the openness of the Green Belt is clearly the same, on whatever side of the motorway it occurs, as Bryant Homes say. The degree of coalescence is the same and the encroachment on the countryside is the same irrespective of the direction of development. These tests relate to Green Belt purposes in PPG2. BBC criticised the selection of M1 as the boundary for CDF at the NC LP inquiry, yet propose a similar arrangement at W/N over a much greater length.
98. I conclude below that incursion of the BP into the Green Belt is unnecessary. Provision has and can be made at Nottingham BP, Phoenix Park, Stanton Tip and at Queens Gate outside the Green Belt on brownfield sites. All of these are capable of a high quality environment and landscape setting and I do not place the same distinction between greenfield and brownfield sites as the NC LP Inspector did some years ago. One of the UK's foremost BPs, Stockley Park, was developed upon a former waste disposal site and the nearby Phoenix Park, which is regarded so highly by WB, was a brownfield type of site. In any case, the emphasis has moved away from greenfield and towards brownfield sites since 1996.
99. If these sites prove to be inadequate in the course of time, the modest expansion of CDF (BBC foresaw at the inquiry CD74 that it would be highly vulnerable to expansion) either into part of the very generous surrounding landscaping and open space and/or into adjoining land would have less impact upon Green Belt purposes than the major incursion that would result from the W/N proposals. Most of the impact results from the CDF development itself and modest expansions would be seen against this background. Expansion of an existing BP would also meet BBC's original preference for a 50 ha BP and meet their criticisms of the very low density, implied by the 55,740 sq m floorspace, and their pressures to increase this. Excessive landscaping leads to the erosion of Green Belt land elsewhere.
100. The PICs save some 11.5 ha of Green Belt compared to about 100 ha at W/N. There is no need let alone any exceptional circumstances to justify alteration of Green Belt boundaries to provide for BP EM2, housing allocation H2I or much of allocation EM3f at W/N. These proposals thus fail to meet the test of PPG2 para 2.6.

Agriculture

101. The W/N proposals collectively would involve the loss of up to about 100 ha of agricultural land, much of it B&MV land, which as BBC observed at the CDF inquiry (CD74) is contrary to SP Policy 3/13 and government advice, as MAFF's objection confirmed. (77 ha in the main development area in the RDDP). These Policies seek the development of previously developed land within urban areas or where agricultural land take is unavoidable the use of lower grade land where possible. BBC did not concede at the NC LP inquiry that the use of B&MV land was an inevitable consequence of SP Policy 13/3; indeed they sought re-appraisal of this. They have not followed their previous advice to the City to "prove" that sites of lower agricultural quality do not exist even within Broxtowe, let alone the sub area.

102. They rely upon the previously untested Jct 26 study area whose concept of in the "vicinity" failed to reflect even contemporary commercial opinion (CD88). Indeed there is no evidence that any relevant commercial opinion was sought. Site Ea12 which is closer to Jct 26 in terms of travel time than EM2 and whatever its other faults, occupies land of lower agricultural quality. "Access 26" in Derbyshire also with convenient access is on "brownfield land". Phoenix Park, Stanton Tip and Queens Gate, which have at least comparable economic potential to W/N, involve the development of brownfield rather than agricultural land and should be preferred on these grounds. BBC's current lack of recognition of the potential of these other sites demonstrates some failure in sub-regional planning, in contrast to their approach towards housing provision. BBC's view that SP Policy 13/3 is an imperative central to the sub area's economic growth and which provides an exceptional case to override environmental policy has little substance. It ignores SP para 13.46, subsequent development opportunities and changes in policy emphasis. By any standard there is no current need for another BP in the "vicinity" of Jct 26. BBC's reliance upon the 1996 SP now lacks credence. It contrasts with their position at the NC LP inquiry, even though this was just a few months prior to the SP's approval. The spine and link roads would also take, fragment and sterilize significant areas of B&MV land east of the Motorway, according to Mr Mattinson.
103. The Inspector at the NC LP inquiry may have accepted the development of the NBP on B&MV land and Green Belt. However, he appeared to have been presented with little choice and he seems to have felt some frustration over a lack of sub-regional alternatives. I have no idea why he ignored the potential of Phoenix Park, if he knew of it. However, his stance some years ago does not absolve me from a contemporary consideration of the policy issues involved in the RDDP.

Local Identity and Conservation Areas.

104. To some degree, parts of older Watnall and Nuthall, despite much adjoining modern development, still possess some of the appearance, character and identity of the original villages along the B600. With the proposed W/N development their setting and character would change from the edge of a small town to an urban village, although some of their character could be retained in the same way that former villages in Nottingham, such as Wollaton, have retained some of their identity. However, the proposed development areas at W/N are not well integrated with existing communities and take the form of a free, if close, standing self-contained major new development area. The scale of this is excessive compared to that of the existing communities they adjoin, as the Rowlands and other say. They seem to possess little to strengthen these other than by the provision of more local jobs and a by-pass of parts of the B600. The strength of local feeling reflects my view that these are insufficient to outweigh the other losses that would accrue.
105. The W/N proposed development area lies some distance and out of sight of the Nuthall Conservation Area. The spine road which lies closer is again out of sight. In these circumstances, I cannot see the proposals causing any direct harm to the CA or to its setting. The spine road should relieve not add to traffic on the B600

through the CA. This should help the operation of emergency services and children crossing the roads.

106. The revised proposals avoid any direct impact upon the Moorgreen showground. They would alter its background from a predominantly rural to a sub-urban scene, notwithstanding BBC's faith in landscaping, but this should not necessarily affect its success. The new Bakewell showground in Derbyshire has a rather urbanised setting. The showground area might come under pressure for further development should the W/N proposals go ahead. Although the site has a long tradition, there appear to be few fixed assets and there should be some alternative sites in the adjoining rural area and other showgrounds have re-located successfully. It is not a decisive factor in my mind.
107. Nuthall Cemetery may be affected by traffic noise from M1 and the proposals may help to mitigate this by mounding and planting but at the expense of changing its predominantly rural surroundings to one adjoining a major BP with large scale buildings visible at close quarters, despite any softening effects from landscaping. However, cemeteries are acceptable in urban areas and I see no strong reason why its setting should be preserved unchanged.

Landscape and Listed Buildings

108. The housing, employment and associated development proposals would occupy most of the land between the M1 and the existing settlements south of Long Lane. Although this area has no special designation, the W/N proposals would result in the loss of an area of pleasant open countryside. Its character may be that of farmland but it is in this respect like much of the countryside and the Green Belt. PPG2 makes it quite clear that the value of the landscape is not material to land's inclusion within the Green Belt or to its continued protection.
109. I do not accept that its relative lack of landscape features renders it of low sensitivity to major new development; rather, the opposite. As the Nuthall Action Group point out, it would provide less to soften or contain new building and would require extensive site landscaping that would take many years to become effective and would appear unnatural and constricting. As FPCR themselves observed the more heavily wooded area east of the M1 helps to screen parts of the western fringe of Nottingham.
110. The magnitude of change to the landscape would, in my assessment, be severe not medium or slight/moderate as claimed by FPCR. The latter would only apply to the southern most part of EM3f. The combined development proposals would transform the whole of this area from an open agricultural landscape into an extensive built development. This would result in a loss of open views from the edge of adjoining communities, from sections of the surrounding roads, including M1, and from the local footpath network. FPCR, initially only took one group of visual receptors outside the site boundaries and these demonstrated the wider impact that development would have. My own wider assessment demonstrated that the development would be seen from a number of viewpoints beyond the site's boundaries and I refer to these in the section on Green Belt. Longer views may lack detail but I do not find that they are insignificant as FPCR claim. Many of the UK's most notable natural landscapes would be lost taking FPCR's view.

Development on the scale proposed would be readily seen as an urban mass rather than open countryside from some distance away in Nottingham itself.

111. Major built development may be well designed, well landscaped and attractive in itself, but it would fundamentally change the appearance and character of this open agricultural area. Many local people would lose a valuable amenity, which is unlikely to be mitigated by those offered by urban development no matter how much tree planting is employed, which, unlike the claims, would have little of the character of a Greenwood Forest. It would to some, as Baseley says, take on an artificial character. Also as Bryant Homes point out, it is difficult to achieve natural looking mounds and these often provide difficult conditions for tree planting. The value of the Country Character Areas was unclear, as FPCR's opinion was that the site's features better reflect those of an adjoining Character Area.
112. The idea that the proposals, which would replace an large area of open countryside with a major new urban development including landscaping, would be slightly beneficial and would improve the local landscape providing more variety and interest is a highly singular view, which I do not share. Indeed, it is a view that BBC themselves consistently reject on other objection sites. It is an argument that could be employed to justify development almost anywhere in the countryside and the Green Belt. The area is not degraded like Ea9 and Stanton Tip. It may not be so well wooded as the area east of M1, although it contains some belts of planting along the former railway lines, which have some historic as well as landscape value, and hedgerows. It may in parts be more affected by the urban fringe. However, this does not imply that it is dispensable; both areas are open Green Belt countryside deserving of protection and it is the urban fringe that is most vulnerable to urban sprawl. Also as Mr Mattinson and the Nuthall Action Group point out, the man-made M1 follows no landscape feature. It provides no natural landscape boundary but dissects a common countryside area. BBC also cannot denigrate this local landscape and then claim that it provides a high quality setting for a BP. They forget their one time criticism of the length of time major planting takes to have effect and the importance of attracting occupiers to a BP in the early years. Finally as PPG2 makes clear the quality of the landscape is not relevant to the inclusion or retention of land within the Green Belt. BBC and FPCR draw attention to the 40% of the development site devoted to open space and landscaping. However, as Mr and Mrs Hopkinson, Miss Willows and others point out, this reflects the extent of mitigation measures necessary and represents an inefficient use of Green Belt and B&MV agricultural land. It only put more pressure on such land elsewhere.
113. In contrast to FPCR, I consider that the spine and link roads would have an intrusive and urbanising impact on the attractive but undesignated open landscape east of the M1 up to Low Wood Road, not only as a result of the construction of the carriageways and earthworks but from the associated lighting and the traffic flows. As the Nuthall Group for the Protection of the Green Belt say the PM fails to give an accurate representation of the true land take for these new transport facilities. Neither the PM nor Appendix H proposed landscaping of these link and spine roads, as pointed out by Mr Saunders and others, although it was suggested by BBC belatedly during the inquiry. However, this could itself introduce an artificial new feature into this open area and is unlikely to successfully screen the

roads fully from view. The impact upon Nuthall Spring, mentioned by CPRE, should be capable of being mitigated.

114. However, it seems possible that this area will be effected by the proposed M1 slip roads and possibly the proposed strategic P&R site. These are highly important proposed improvements to transport conditions and this area is their only practicable route. These slip roads would be of a greater scale than the spine road and link road and would be likely to have a greater impact. Together with a strategic P&R site they are likely to have a significant urbanising effect upon this open area. Independent W/N spine and link roads, if they could be engineered, would add further to this urban impact.
115. The most severe impact would be on the POA at Hempshill Vale, east of Low Wood Road, which BBC initially ignored. The southern larger part of this POA comprises a narrow deepening well wooded valley with a lake towards the east. I did not find it so heavily urbanised or overwhelmed by the presence of the A610 and A6002, as FPCR claimed. Although subject to some traffic noise, it is in other respects a highly attractive, intimate and secluded local beauty spot crossed by a popular footpath. Its function in providing a setting to Hempshill Hall is indirect since dense planting restricts intervisibility. New road proposals through this part of the Vale would involve considerable engineering and earth works. The impact of these, the link road carriageway and the bus traffic would be damaging to the POA, which FPCR initially overlooked, and, as Mr Mattinson said, damaging to a locally cherished local landscape. They would be contrary to LP Policy E13, although their impact upon the setting of the Hall would be less.
116. This area is again the only practical route for the M1 slip roads and the proposed extension of the NET to the proposed strategic P&R site to the west. The impact of these would be even more severe and their scale would virtually destroy this small POA. However, the transport benefits of the major highway improvements to the M1 may outweigh even this destruction of this attractive POA. Indeed to judge from the strength and extent of local concerns about traffic congestion in the area, these proposals should gain the support of many local people; there being no other realistic prospects of relief. The northern part of this POA has much less value. It is of limited importance to the setting of the listed Hall, as intervisibility is limited. Its value to the setting of the listed farmhouse, which is more open to view, is diminished by the modern estate development that has taken place to the north and east. If construction of the M1 slip roads and NET extension were to go ahead, review of this POA would be appropriate, as I conclude in a later Chapter.
117. The junction of the proposed Spine Road with Main Road, Watnall is opposite the grounds of The Hollies, a listed building. NCC (Historic Buildings) believes that new signals, signage, lighting and island could adversely affect its setting and that alternative junctions locations could be preferable.
118. A traffic light controlled junction could also create awkward conditions for vehicles exiting the driveway from The Hollies as they would be unaware of the phases and be confused about their priority; as the Highway Authority said they would have to treat all traffic as having green priority. However, the HA are wrong to equate it with the current situation since extra streams of traffic and turning movements would be involved. Movements from the property may not

be numerous at present but the prospect of some future change of use and more intensive development cannot be dismissed. A small island would be preferable from the occupier's point of view. It would also involve less stopping and starting and thus less noise generation during the evening and nighttime. I was not convinced about the earlier concerns of the Highway Authority regarding the effect of an island on capacity and note that they subsequently accepted that an island could work for traffic. The Highway Authority's concern for pedestrians and cyclists at islands was not evident on site Ea8 and is a factor that has been satisfactorily addressed in many schemes. Whilst the frontage available to Main Road should be sufficient contrary to the concerns of Mr Skermer, the form and location of a proposed access of the Spine Road to Main Road deserves more consideration bearing in mind also wider potential benefits. I am unable to judge whether the proposals would have a negative impact on property values, but in any case this is not a factor, in itself, to which I can afford weight. I would see no necessity to include Mr Skermer's property in any development area that I might otherwise be inclined to support. It would in that event be contained by development and its future would need to be judged upon its own merits.

119. With the reduced housing area in the RDDP, the route shown for the northern part of the spine road is probably the most appropriate. With an extended housing area a realignment of the spine road northward might also have addressed problems at the Trough Road junction and might address those at the Long lane junction if the latter was re-aligned. However, this would affect a small SINC under review. A spine road linked only to Long Lane would be unsatisfactory in view of the deficiencies in the latter's junction with Main Road. A realignment further north would put another area under unnecessary development pressures. Common Lane is unsatisfactory on highway and image grounds to act as part of the Spine Road to a major development area.

Wildlife and Nature Conservation

120. Whilst the hedgerows support some wildlife many of these should be capable of being retained. The revised development area in the RDDP involves no loss of valuable nature conservation habitats. The land being intensively farmed for arable crops has low ecological and wildlife value at present, as the NWT concede. I note the Strategy for Protection and Creation of the Cresswell Magnesium Limestone Grassland. However, the RDDP site does not contain any appreciable grassland. It may be underlain by magnesium limestone whose area is fragmented but this does not in itself merit conservation in the hope that it might one day revert to natural grasslands, even with revisions to the EU CAP. The range of species is limited and most should be able to find other habitats. The Baker, Shepherd, Gillespie re-survey in 2001 revealed no protected species or signs of them, although it is possible that a population of slow worms remains in the area; a specific survey would be needed prior to development. Any protected species that are detected would need special measures. BSG and Mr Bolton have observed a typical range of farmland and hedgerow birds, some of which are in decline. The presence of declining species was only speculated upon by the NWT; survey information being insufficient. Apart from BSG's survey there are few details of the use of the area by bats, although this is referred to by Mr Bolton. However, as Mr Mattinson observed, the site's limited value would

not be mitigated by urban development even though residential areas and BPs can provide new habitats, albeit of a different kind.

121. The main proposed development adjoins an SSSI at Kimberley Cutting with a geological interest and SINC with more of a biological interest. Protection of both these and particularly the former should be possible in any development scheme, including managing the dangers of increased usage from new development areas, pollution and fly tipping of concern to the CPRE. The loss of adjoining supporting land and the edge effect raised by the NWT would be less important with this type of resource, although they also support some wildlife as well. The loss of hedgerows could also be compensated for to some degree by the planting proposed.
122. Given the barriers presented by the M1 and Nuthall village, I am not convinced that the main development area performs any significant corridor function and in any case the proposals envisage a potentially enriched N - S corridor along the M1, which is identified as a main wildlife corridor (diagrammatically) in CD61, though not a traditional migrating route. Its embankments are noted as extensive and link numerous sites throughout the Borough, although it also notes that the motorway acts as a barrier to movement of wildlife across it. The development proposals also provide for a number of minor E - W local corridors aligned on Motorway crossing points, but which end at urban areas.
123. The spine road is shown to run alongside the southern edge of Low Wood, a SSSI to the east of the M1. The road and its infrastructure and traffic could bring noise, pollution, lighting, litter and hydrology impacts. These are the range of effects that so concerned BBC in respect of objection site Nu1, despite proposals there for buffers zones. However, I cannot see why some realignment of the spine road to the south, east of M1, could not be achieved to mitigate most impacts. Realignment northwards, as suggested by Mr Bruce and others would have a negative impact on the proposed footpath link RC164 and further east on Low Wood.
124. The link road and possibly an extension of the NET would have a much more severe impact upon SINC 5/27 at Hempshill Hall and SINC 2/322 on the verges of the A610. In the former there would be a loss of trees and a fragmentation of this secluded narrow valley with major earth and engineering works. It would be difficult to mitigate their impact. The link road could also affect a section of the A610 verges, although most would remain. However, this area is the only practical route for the proposed M1 free flow slip roads whose impact in terms of earth and engineering works would be much greater and would largely destroy this value of this valley. They would also have a greater impact on the A610 verges.
125. I therefore see no substantial conflict with SP Policy 3/7. I find the nature conservation interests of the proposed development area insufficient in themselves to reject the proposed development.

Footpaths

126. The proposals would preserve most existing routes and provide others. However, their character would change from country to urban walks, whatever landscaping is deployed. The development would increase the number of walkers on these and neighbouring sections of footpath in the adjoining countryside but I doubt whether this would cause any significant problems. The countryside remaining to the east of M1 and north of Long Lane would be some 600 m to 1000 m further away from existing residential areas as a result of the development proposals. The proposals would deprive many local residents of a satisfying recreational experience close to where they live. I doubt whether the increased access to other areas further afield suggested by Mrs Saunders would prove to be effective compensation. I note Dr Hedderly's and others concerns about FP 14 but this is more of a detailed matter for a development brief.

Existing Facilities

127. Much concern was expressed by local objectors about the impact of the proposals on existing facilities. The housing areas are not well related to even the few existing local facilities upon which they might have to rely in the short term. The RDDP proposes the development of a new local centre and Primary School, which would, when completed, help to reduce the dependency and impact upon existing facilities. This, the new on and offsite roads, the shuttle bus service, recreation and other facilities are intended to be funded by the proposed development. The extra local population will also increase secondary school pupil numbers to be catered for at Kimberley Comprehensive School, which Mr Coult indicates is well over capacity. However, any extra facilities needed to cope with additional numbers should again be funded by the development under the provisions of Policy RC3. It is clear that some skepticism exists among local residents over the provision of new facilities in view of the failure of the Giltbrook School to go ahead. However, it would be for the LPA to dispel such fears and to secure the provision of local facilities to serve the extra demands of the proposed developments in such time that capacity problems for existing facilities are avoided. It would be for the Police Authority to police the new development areas, wherever they are located. The extra population might increase the trade of some local facilities, at least in the short term, but this should cause no serious problems; indeed it might well have benefits. It may also help to support Kimberley Town Centre and help to offset any enhanced draw of Bulwell Town Centre due to the accessibility afforded by the new spine road. Any new facilities that it might stimulate at Kimberley Town Centre should benefit new and existing residents alike. There is no evidence that the extra trade would create unmanageable traffic problems in the Town Centre. The development of a small local shopping centre some 500 m from Main Road would be unlikely to have any substantial impact upon this larger Town Centre or other more local shops, as the Parish Council fear. If kept to a modest size it should not attract car borne shoppers from very far afield, even with ample parking. Other facilities such as Doctor and Dentist's surgeries could be provided within the development should they be needed.

Archeology

128. The Nuthall Group for the Protection of the Green Belt mentioned the effect of the spine road on mediaeval fish ponds and the parish's only ancient hedge south of

Low Wood, but these could also be affected by the proposed M1 link roads. NCC submitted their standard response on this as on other sites, which is hardly helpful to the Inquiry or to archeological interests. However, the detailed assessment submitted to the Inquiry by JSAC does not suggest that archeological interests would be likely to have any significant constraint on the development proposals. It suggests that none of the archaeological features, mainly of industrial/coal mining, are of more than local importance and do not merit preservation in situ. They indicate that there is low potential for the existence of archaeological remains. There is poor evidence for the suggestion of a deserted medieval village near Hempshill Hall and that it is unlikely that such remains exist. R102 to the RDDP, in any case, includes a Policy EXX, which seeks to protect and record important archeological finds.

Other Impacts

129. The spine road, in the absence of the proposed M1 slip roads would be likely to attract more traffic from the north and north east with destinations in the proposed development areas onto the B600 from the M1 via Jct 27. This extra traffic would affect the section of the B600 north of its junction with the spine road. This section is generally adequate to take additional traffic although queuing already occurs at peak times at the Trough Road and Long Lane junctions. It passes through only a short section of the built up area whose frontage properties would experience the effects of extra traffic such as potential delays in entering the traffic flow, elevated noise and traffic fumes, although they stand well back from the road. The impact is unlikely to be severe and should be offset by the potentially lower traffic flows south of the spine road junction through a much greater stretch of the built up area.
130. Construction works could bring some disturbance to nearby existing properties, old and new. However, this is inevitable somewhere if housing and employment land needs are to be met. I see nothing in the circumstances of this site and these proposals that suggests any undue impact; indeed the major development area lies some way from all but a small part of the existing settlement. I note the fears of some residents regarding the impact upon their property values, but this is not an issue to which I can afford weight and new development has to go somewhere. Furthermore, there is no right to a particular or unchanging private view; if there were it is difficult to see where any new development could effectively be accommodated.
131. There is no evidence that the type of proposals envisaged here would create any undue problems of safety or security for the existing community, although in general terms the larger the community the more enhanced the risks of crime. However, these issues could arise wherever new development is located and it is for the Police Authority to provide suitable policing of its area. Design Policies in the RDDP should address such potential problems. The W/N proposals, other than their overall scale, should produce no undue impact.
132. I note Mr Aspbury's, Mrs Mearon's and others' concerns but I have seen no evidence that ground stability, sewerage and drainage issues present any significant constraint on development and the relevant organisations are aware of the proposals. The EA indicate that the site, although underlain by Lower

Magnesium Limestone classed as a major aquifer, is not located within a Groundwater Source Protection Area. I know of no concerns from the CAA regarding use of Hucknall airfield, as Mr and Mrs Ewing raised.

133. The proposed housing areas and BP would be separated from the M1 by planted open space probably with screen mounds. Even with widening of M1, as proposed in the M1MMS, these should help to mitigate noise impact or air pollution from motorway traffic, although Mr Parry raised some concern in respect of BP offices, which could be 2 and 3 stories high. Air conditioning adds to costs and may be a deterrent. The latest acoustic screens may permit housing development somewhat nearer. I note Mr Green's papers and Mr Coult's evidence relating to 1999, but the Air Quality Review and Assessment (October 2000) (CD91) indicated that all the assessed locations near M1 are likely to meet air quality objectives for N02 and particulates. I also note the concerns of many local residents about the health effects of fumes from traffic congestion. The proposed Spine Road should relieve conditions along the B600 to the south towards Nuthall Island. The GOEM has decided that no AQMAs need to be designated in Broxtowe.
134. There is no scientific basis for the 200ms stand off, which as Holmes Antill suggests is restrictive. Indeed Policy EM2 only requires a substantial mounded belt of woodland planting. The measurement of the 200 m standoff for the housing area from the centre line of the M1 does not allow for the M1 widening proposed in the MMS. Separation over modest distances provides relatively low attenuation of noise compared to acoustic barriers, including mounds. Weather conditions, local topography, planting and other barriers are again more important than modest separation in the air quality impacts of the motorway. The tree belt alongside the M1 would be better defined by the dictates of natural looking mounding and the dimensions required for planting trees in some depth. Like Mr Waumsley, I see no great benefits in providing for recreation in this eastern strip, other than footpaths/cycleways.

Other Matters

135. Much of the detail of Policy EM2 is advisory and is better suited to the development brief, parts of which it duplicates. The second paragraph would be likely to be redundant in the light of the M1MMS proposals. The third, fifth and sixth paragraphs, apart for the requirement for financial contributions to bus priority measures are matters of detailed design and are covered by the last paragraph requiring submission of a master plan. The eighth paragraph simply reflects the PM.

Housing Allocation H2I

136. BBC and others rejected other alternative housing sites on the basis that they could not, unlike W/N, provide for about 750 dwellings on the one site. However, this is misplaced. There is no Policy or even advice in the SP that requires a single housing scheme of this scale. SP Policy 1/ 2 simply confines

major developments to the main urban areas, which excludes W/N, and to 4 PT corridors, which arguably also exclude site H2I, since it would be linked to the existing corridor only by a feeder bus service. It defines major development as 5 ha for housing; about 175 to 200 dwellings. However, it does not preclude or advise against smaller development in these or in other locations such as W/N.

137. The only justification in the RDDP in para 2.6 (last bullet point) simply refers to where mixed development can best introduced, where access to services and facilities can easily be provided or improved and where new infrastructure can be most effectively provided. I have dealt with the issues of mixed development above. It is worth noting that contrary to the statement in the RDDP this is promoted only at W/N. There is no evidence that large sites have the best access to existing services and facilities; indeed the opposite may generally be the case, as many objectors point out. Lastly the provision of major new infrastructure is normally only necessary with large sites such as W/N. All the other Guiding Principles, Locational Principles, Strategic Aims and Key Policies suggest a different distribution of development.
138. I agree with Mr Waumsley and others that a large greenfield allocation such as H2I is, as I observe elsewhere, inimical to phasing of housing land provision to ensure that wherever possible brownfield land is developed before greenfield land. However, government policy does not, as many objectors such as Mr Rowley assumed, confine new housing exclusively to brownfield sites. Policy HX provides for 250 dwellings on greenfield land at W/N to be developed in Phase 1. The phasing of the remaining 500 dwellings in Phase 2 is effectively academic. Given, the major infrastructure costs involved and the key contribution of the housing elements to the whole scheme's viability, there is no prospect of deferring the remaining 500 dwellings no matter how many brownfield sites emerge in Broxtowe or Nottingham City. Thus the "deferment" of other sites for 250 dwellings in the PICs seems only a token gesture to the City's UCS. It seems more driven by the desire to delete certain Green Belt sites, which attracted objections.
139. As I observed before, the concentration of major alterations to approved Green Belt boundaries within a few communities may also limit the extent of residents' objections. However, this is unrelated to the main land use planning issues involved which is the extent to which land the subject of proposed alterations fulfill Green Belt and other land use planning purposes. All other things being equal, smaller alterations should cause less harm than larger ones. The image of the Green Belt being subject to a number of alterations at each Plan review, however unfortunate, is a product of the planning regime in Nottinghamshire. It is not mitigated by such a substantial single alteration as W/N, which gains much more public prominence than a series of smaller ones. A collection of smaller sites that I support have less impact upon the Green Belt, upon B&MV agricultural land and upon other environmental resources. They are better contained by existing development; they have less impact upon local services and facilities but may contribute through Plan policies to any extra capacity that may be needed as a result. They permit the LPA to manage more effectively the supply of sites for housing completions and achieve a wider distribution of new housing opportunities, which is much less hostage to the fortunes of a large single development.

140. Bryant Homes criticize the proposed minimum density of 40 dph as unique for a greenfield site, whilst Mr Baseley and others believe the increased density in the RDDP is more related to reducing the extent of the allocation but not its impact in other terms. The revised density is not, contrary to Stamford Homes, an assumed density but a minimum one and results from the application of Policy H6 on the assumption that it will lie within 400 m of a frequent new shuttle bus service to a NET terminus at Phoenix Park. I see no basis to increase the minimum density further. The 55 dph suggested by the NWT is excessive the 100 dph suggested by Mrs Benton is even more so. Both would produce poor space and amenity standards. 40 dph is appreciably higher than a typical suburban density, contrary to Mr Coult's criticism. Greasley PC's objections are confusing. On the one hand they say that the site is not well related to PT services and on the other argue for increased densities because of good PT services.
141. The additional houses required by the SP are the result of changes in social structure such as ageing and separation/divorce rather than population increase and/or inward migration and contrary to Mr Russell's and others assertions, government projections have not proved fallacious but have consistently underestimated need. It is wrong to base the demand for housing locally on the progress of one scheme, as Mr Smith attempts. The 1300 or so empty dwellings in the Borough, mentioned by many objectors are already part of the overall assessment of housing need. As I conclude elsewhere, single people, retired or otherwise, often want 2 and 3 bedroom accommodation for a variety of reasons, which Mr and Mrs Johnson describe; contrary to the suggestion of single units made by Dr Banton. The Plan may not contain provision for council housing but Policy H5 seeks provision of 25% affordable housing. The SP housing requirements extend beyond low cost housing, which in any case is not confined to City Centres.
142. Housing allocation H2I in the RDDP comprises two separate parts. The much larger northern part lies to the east of the northern part of EM3f and an intervening strip of proposed open space. It extends eastwards towards the M1 motorway but is separated from it by a 200 m deep strip of open space which is intended to include a planted mound to protect the proposed housing areas from the effects of traffic noise and fumes on the motorway. I comment upon this above.
143. On its own this part of allocation H2I is poorly related to the existing urban form of Watnall and its development would represent urban sprawl contrary to the 1st Green Belt purpose. It occupies a central part of this area of open countryside and would be a particularly intrusive encroachment into it, contrary to the 3rd Green Belt purpose. It extends to within about 1000 m of the edge of the Bleinheim Estate in Nottingham and would increase the degree and perception of coalescence between these separate settlements, particularly when viewed from the M1, Long Lane and the connecting footpaths. Its development would be contrary to the 2nd Green Belt purpose.
144. Its development would involve the loss of a substantial amount of B&MV agricultural land and fragment and compromise other areas. It would destroy the

appearance and character of an area of pleasant if not protected local landscape. Its separate development might be unlikely to justify construction of the spine and link road and thus a shuttle bus service and a local P&R facility. In this case, it would have to be accessed solely from Main Road. Whilst this probably has sufficient capacity to cope with a housing development of this scale, the traffic generated would head predominantly towards Nottingham in the am peak and add to the already highly congested conditions on the Watnall and Nottingham Roads and Nuthall Island. It would be poorly served by PT. For these and the reasons above relating to the larger mixed development proposals, I support the objections to this part of the allocation. Associated proposals for a Primary School (RC2e) and a local centre (S5) would be unnecessary and inappropriate. I also support objections to Policy EM2 for a BP.

145. I consider the small southern part of allocation H2I as objection site Nu7 in a subsequent Chapter. Although this is better related to existing development to the south and west it is less so to the north. Its encroachment into the Green Belt countryside is modest and being confined within well defined boundaries its development would not involve urban sprawl to any large degree. It would however increase the degree of coalescence relative to existing development. New Farm Lane is of inadequate width in parts to serve a development even on this modest scale. I therefor conclude that it should be retained in the Green Belt and that the housing allocation upon part of it should be deleted.
146. I therefor conclude that there are substantial objections to allocation H2I and that insufficient justification exists to alter approved Green Belt boundaries at W/N. I identify other more appropriate housing land in sustainable locations elsewhere in this and Chapter 10, better contained and mostly outside the Green Belt and B&MV agricultural land. However, I do not support those objectors pressing allocation H2d at Awsworth.
147. The Council put forward a number of IC s to clarify details of the Proposals and their implementation, although they did not include a reference in the Policy to off-site highway improvements including the A610 roundabout as requested by the Highway Authority to reflect similar statements in Policy EM2 and EM3f.
148. These clarifications would be useful if I were minded to support the allocation.

Recommendation

149. I recommend that the RDDP be modified by deleting Policy H2I. Associated Policy allocations T10, T4, RC2e, S5, RC7e, RC17k and RC8k should also be deleted.

H2xW NEW HOUSING SITE - WEST OF MAIN ROAD, WATNALL

Objections

2223	6999	PC7	K&G Consultants
1432	6905	PC7	Mr LS Clark
248	6831	PC7	Mrs PM Hanson
2267	6978	PC7	Mr MH Hodgkinson
1419	6898	PC7	Mr AJ Lovell
228	6820	PC7	Ms SE Page

Summary of Objection Issues

Objectors Raising Similar Issues:

The objectors are all concerned with similar issues. Their objections and a joint response is presented below.

2223/6999: K&G Consultants

1. Why use Green Belt land, if brownfield sites are available at site H2x - Halls Lane, Giltbrook.

1432/6905: Mr L S Clark

2. There isn't the infrastructure to cope with more housing in Kimberley, Nuthall or Watnall. The roads are congested and unable to cope with current traffic levels. Local authorities should be working together to develop brownfield sites, of which there are plenty, particularly near the city centre.

248/6831: Mrs P M Hanson

3. Too many green fields in this area have already been built on and it will only exacerbate the traffic and air pollution problems in this area.

2267/6978: Mr M H Hodgkinson

4. Green field site. More houses would not be in keeping with village (Watnall). Too many houses already.

1419/6898: Mr A J Lovell

5. Site should be protected for new tram line into Kimberley.

228/6820: m S E Page

6. I very strongly object to the whole of the Watnall development and this is an increase of 38 dwellings. I object on grounds of lack of facilities, inadequate roads and overcrowded schools. The new tram is not now coming out to Kimberley, the loss of Green Belt would be a tragedy.

Council's Joint Response:

7. This site had planning permission for residential development in 1991 but that permission was no longer recognised at the time of the publication of the Deposit Draft Review. Seven houses had been partially constructed on the site but building work had ceased a number of years earlier and the houses had become derelict. It was therefore not clear whether the land could legitimately be

counted towards land availability totals. Accordingly no development potential was assumed. Subsequently, however, permission has been granted for development for which allowance can now be made.

8. Planning permission was granted in November 2000 for the construction of 38 dwellings with associated works on this site. This development was on a site identified as an existing commitment in the 1994 Local Plan and consisting of previously developed land within the urban area. The principle of development was therefore already established. New housing development commenced in 2001.

Inspector's Conclusions

1. The development of this site is now complete and there is nothing in the objections for me to deal with. It contributes 38 dwellings towards meeting the SP housing requirement. As planning permission for the site was granted after the base date for the PICs (1/4/00), the site should be shown as an allocation unless the Council intend to up alter the base date. In the former case, it should obviously be included in Phase 1 of Policy HX.

Recommendation

2. I recommend that the RDDP be modified by allocating this site for housing in Phase 1 of Policy HX with a capacity of 38 dwellings.

H2Xa NEW HOUSING SITES - MEADOW ROAD/BARLOWS COTTAGES, AWSWORTH

Objections

248 6833 PC8
1388 7010 PC8

Mrs PM Hanson
Ms E Marshall

Environment Agency, Lower Trent Area

Summary of Objection Issues

Objectors Raising Similar Issues:

The following two objectors each raise issues concerning a site inserted as a pre-inquiry change. Both objections are dealt with in a joint response.

248/6833: Mrs P M Hanson

1. Exacerbation of air pollution and traffic.

1388/7010: Environment Agency

2. Consideration should be given to contamination due to the history use of the site. A condition is likely to be recommended by the Agency if an application is received in order to prevent pollution of the water environment.

Council's Joint Response:

3. This site was identified in the first Deposit Draft Plan but subsequently removed after development commenced on a nursing home. However this permission was not progressed and the site was available again for general housing.
4. An application has since been submitted for housing development on the site and this was recommended for approval subject to a S.106 Agreement in July 2001. The S.106 Agreement has not yet been signed.
5. It should be noted that the traffic implications were carefully assessed when the housing application was being determined, and the Environment Agency raised no objections to the development.

Inspector's Conclusions

1. Dwellings on this site are under construction by Wimpey confounding the scepticism of some other housebuilders. Planning permission for the site was granted after the base date for the PICs (1/4/00), and it should also be shown as an allocation unless the Council intend to up alter the base date. In the former case, it should be included in Phase 1 of Policy HX.

Recommendation

2. I recommend that the RDDP be modified by allocating this site for housing in Phase 1 of Policy HX with a capacity of 24 dwellings.

H2 NEW PROPOSED NEW HOUSING SITES - DD3

Objections

H2new (DD3) New housing site: Land between 74 & 80 Cordy Lane, Brinsley
1093 2055 Mrs J Naylor

Summary of Objection Issues

1093/2055 - Mrs J Naylor

1. The land between 74 and 80 Cordy Lane, Brinsley has been family owned from the early 60s, has had numerous planning applications and appeals refused. At the last appeal there was one objection only to the building of three quality bungalows on the site. The land was originally a pond and piped and filled in, in the 60s. It can be classed as a brownfield site.

Council's Response:

2. Site details

Area: 0.35 hectares (0.86 acres)

Location: The site is located on the fringe of Brinsley Village, approximately 1km away from the centre and approximately 1.5km from the centre of Underwood. The site has a frontage of approximately 60m on the eastern side of Cordy Lane. It is situated amongst sporadic development.

Current use:	Greenfield open rough land. The southern part of the site contains a footpath leading to a bridleway on the disused railway.
Ecological value:	There are no designated wildlife sites on this land.
Green Belt:	The site is in the Green Belt and beyond the edge of Brinsley village as defined by its Green Belt boundary. Development of the site would reduce the openness of this part of the Green Belt.
Public transport:	The site is not on a public transport corridor. No frequent bus services exist within 400m of the site. Approximately 3 buses per hour operate on Cordy Lane, which is not considered by the Council to be 'frequent'.
Road access:	From Cordy Lane (A608), joint access with 74 Cordy Lane.
Other issues:	The north-western part of the site adjoining Cordy Lane is situated within Ashfield District Council. The site is visually linked to the open areas to the south and east, all within Green Belt.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt (see the Council's Housing and Green Belt Round Table Papers).
4. Issues of particular importance for the site were:
 - i) Development would significantly intrude into the Green Belt and countryside, detracting from the open character of the Green Belt.
 - ii) Development of the site would have significant visual impact on the open area to the south and east.
 - iii) Development would add to the existing ribbon development along Cordy Lane.
 - iv) The site is an isolated rural site not well served by frequent public transport services.
 - v) Development would affect both registered and unregistered public rights of way.
 - vi) The site is isolated from services and facilities.
 - vii) The site is too small to be allocated for residential development in the Local Plan, as it is under 0.5 hectares.
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of issues have been identified which decrease the favourability of the site for residential development. The Council has applied several principles when choosing sites for residential development particularly adhering to the issues of sustainability. The intention is to locate new housing within urban areas, on the edge of an urban area or along public transport corridors reflecting advice in government and strategic guidance. The site is not within or on the edge of an urban area as defined by the Structure Plan Review (SPR), which classifies Brinsley as a village. It is also not within the specified public transport corridors identified in the SPR, nor do frequent bus services operate within 400m of the site (or walking distance). The site is isolated from the main body of Brinsley Village.
6. The SPR considers the potential for development in villages in Policy 1/3 and in the paragraphs that follow it, but determines that sites are best located within existing villages. Failing that the Council considers that development should be close to existing buildings in order to preserve the openness of the Green Belt. Paragraph 1.74 of the SPR affirms that sites isolated from existing settlements are unlikely to be considered favourably.
7. The Council also gives considerable weight to locating new development around settlements where a range of services exist. In this case Brinsley lacks a sufficient range of services and facilities making the site unsuitable in sustainability terms.

8. The site is greenfield land situated in the Green Belt and is not classified as previously developed within the definition of PPG3 Annex C. The objector claims the site is previously developed land due to a pond originally occupying the land but which has since been filled. PPG3 states that 'previously developed land is that which is or was occupied by a permanent structure'. Although the Council has no records of any buildings on the land it would still be considered greenfield land even if it had as it has blended into the landscape in the process of time to the extent it can be reasonably considered as part of the natural surroundings.
9. The Council consistently resists inappropriate development in the Green Belt and aims to protect it as far as practicable. This reflects national and strategic planning guidance. PPG2 places a strong presumption against inappropriate development in the Green Belt unless required for essential agricultural or forestry activities and in exceptional circumstances. The development of this site for housing would be inappropriate development, and the Council considers that no special circumstances exist to justify development in this location. Development of the site cannot be considered as infill development. Paragraph 3.4 of PPG2 describes that infilling is inappropriate in the Green Belt unless within existing villages. The site is not situated within the defined village of Brinsley as shown on the proposals map.
10. A major purpose of the Green Belt is to help prevent coalescence of built up areas so as to maintain the distinctiveness of local communities and to assist in safeguarding the countryside from encroachment. The Council believes development here would contribute to the coalescence of Brinsley and Underwood, which is in direct conflict with the one of the main purposes of Green Belt. The Council wishes to protect the rural character of the village of Brinsley, thus no development is proposed within this area or around the village. Expansion of Brinsley is deemed unnecessary and would be contrary to guidance in PPG2 and PPG3.
11. Development of the site would result in undesirable consolidation of a ribbon development outside the main built up parts of Brinsley. The ribbon development along this side of Cordy Lane is well spaced and most dwellings are within spacious settings therefore a feeling of openness along the road would be seriously undermined by development. SPR paragraph 13.56 firmly rejects ribbon development as an appropriate pattern of development. Consequently, allowing housing along the frontage would only serve to encourage further applications for residential development which would lead to a built up ribbon of housing divorced from the main built up area of Brinsley detrimental to the rural character of the area and the Green Belt.
12. PPG3 advocates Local Authorities to make the best use of land in the development of new housing. It encourages higher densities of development to achieve a more efficient use of land. The Council has embraced this principle and in consequence reduced the amount of Green Belt/greenfield take at Revised Deposit Draft stage. It is clear that this site would not be suitable for such development as it would be out of character with the area.
13. The development of the proposed site would significantly intrude into the open countryside. The land is open for a considerable distance to the south-east. Any development would thus reduce the visual link to this open area. The land also contains well used footpaths and development could potentially effect both the registered and unregistered public rights of way to the countryside.
14. Since 1972 four applications have been received for the development of 3/4 dwellings on the land. Refusals for this type of development have been consistently issued by the Council. All have been refused for Green Belt reasons. Two appeals have been dismissed, on Green Belt grounds, and also because: proposed development potentially harming the open character of the area, that development would not be classed as infill because it is outside the village boundary and that development would set an undesirable precedent for further similar development, to the detriment of the rural character of the area. The Council is unaware of any change in circumstances which would justify any departure from these decisions. In fact the Council see no special circumstances to support any such development, or change the Green Belt boundary in this location (the latest appeal decision for this site can be read in Appendix A and Ashfield District Council's comments which reiterates Broxtowe's is found in Appendix B).

Site History - Cordy Lane: Land between 74 and 80 - Brinsley

<u>Reference No</u>	<u>Description</u>	<u>Status</u>	<u>Close Date</u>
22/1103	Use site for car sales display	REFUSED	15.01.68
22/1334	Use land as site for 4 detached houses or bungalows with garages. <u>Appeal</u> dismissed - 19.4.72	REFUSED	29.06.71
77/00470/OUT	Use land as site for 4 detached bungalows	REFUSED	21.09.77
78/00142/OUT	Use land as site for Garden Centre	CONDITIONAL PERMISSION	05.06.78
<u>Conditions:</u> <ul style="list-style-type: none"> • Details of siting and design of all structures within site. • Provision of adequate car parking and turning facilities within the site. • Submission of a landscaping scheme including details of boundary treatment along Cordy Lane frontage. • Limiting produce sold to that grown on the site. • Limiting the kind of materials offered for sale on the site. • The existing footpaths retained for public use at all times. <p style="text-align: right;">(no subsequent detailed application)</p>			
81/00192/OUT	Use land as site for 4 detached bungalows with garages	REFUSED	07.04.81
97/00767/OUT	Use land as site for 3 bungalows. <u>Appeal</u> dismissed - 9.10.98	REFUSED	04.02.98

Inspector's Conclusions

1. The objection site lies within the approved Green Belt some 450 m outside the village envelope for Brinsley as defined on the Proposals Map. This envelope includes the continuously built up parts of the village. It is separated by a field on the west side and an unused strip of land on the east side of Cordy Lane from the loose pattern of development to the north east in which the objection site is located. The latter development has, despite the presence of a Public House, a bus stop and a small gallery, a more rural character with residential properties and of various ages interspersed with land in agricultural type uses and unused land. This pattern and character extends into Ashfield District to the north, which is however outside my remit.
2. I note the range of local services and facilities in Brinsley. However, I have to judge this objection site in relation to Green Belt purposes and policies. I appreciate that this is a small site, certainly compared to others. It is largely unused but the site's untidy character and the previous filling of a former pond do not bring it within the definition of previously developed land according to the advice of PPG3 and I have to take the situation as I currently find it.

3. It would be inappropriate to extend the village envelope to include this site and the intervening land or to create a small isolated envelope or housing allocation within the Green Belt. Development within an extended or separate envelope, even on the small scale proposed, would consolidate this sporadic ribbon of development along Cordy Lane increasing the degree of coalescence between Brinsley and Underwood. If allowed it would subsequently be difficult to resist new dwellings on other undeveloped plots, which in time would lead to the merging of the two villages. I fail to see how this site would act as a gateway to either village or how two bungalows on it would improve the situation. The site is not derelict or an eyesore.
4. My remit as a Local Plan Inspector is confined to the Local Plan; it does not include granting of planning permissions for developments. Any proposals for future housing development on the site would therefor fall to be judged by the Local Planning Authority against Policy E8 (e) of the RDDP. The Borough Council conceded at the inquiry that this Policy would not necessarily preclude up to 3 dwellings on the site provided it met the terms of the last paragraph.
5. However, the changes brought about by R79 to Policy E8 (e) are confusing in their grammar and thus their meaning. The Council's interpretation runs contrary to government advice in PPG2 para 3.4 in that the latter restricts appropriate development to limited infilling in existing villages as did Policy EV1 of the 1994 Local Plan and Policy 3/2 of the Structure Plan, contrary to the S78 Inspector's interpretation in 1998. The wording of the FDDP was much clearer and more compliant with PPG2, with the approved SP and with 1984 Local Plan than that in the RDDP, as the Council subsequently accepted. As it stands in the RDDP, Policy E8 (e) could be interpreted as defining appropriate development as limited infilling anywhere in the Green Belt, which is clearly contrary to PPG2 and there are no local reasons in Broxtowe for departing from government policy advice. Furthermore, the adjoining Ashfield Local Plan allows limited infilling only within villages. Apart from the issue of consistency between adjoining LP policies, the Ashfield policy is highly relevant in this case since the frontage land of this objection site lies within that district but outside the village envelope or named village.
6. IC112 was subsequently put forward by the Borough Council to clarify their intentions. This confines limited infilling or redevelopment to major developed sites within the Green Belt. The Council considered that none of the Borough's villages within the Green Belt are suitable for infilling. However, as this objection site lies outside the village this consideration does not alter the situation. In Chapter 3, I support IC112 subject to some modifications relating to the definition of the criteria applying to and the identification of major existing developed sites in the Green Belt.
7. This would leave any proposals for housing on the objection site to be judged in relation to any special circumstances that might be advanced on any future occasion.
8. I note the other factors relating to the development of this site considered by the Council. However, these are more secondary matters of detail compared to the issues of principle that I conclude upon above and which are decisive.

9. This apart I would urge the Council to resolve expeditiously the issues relating to footpaths affecting the site. There is nothing to be gained by delaying. The situation appears to be quite clear, at least, on the ground.

Recommendation

10. I recommend that no modification be made to the RDDP in respect of this objection.

H2 NEW PROPOSED NEW HOUSING SITES - DD7 AND DD8, MAIN ROAD, WATNALL

Objections

H2new (DD7) New housing site: Land adjacent to Main Road, Watnall

1114 2178

Hardy & Hansons
FPDSavills

H2new (DD8) New housing site: Land at 'St Omer', 7 Holly Road, Watnall

1114 2175

Hardy & Hansons
FPDSavills

Summary of Objection Issues

H2new New Housing Site: Land adjacent to Main Road Watnall (DD7)

1114/2178 - Hardy & Hansons

1. Land adjacent to Main Road, Watnall should be allocated for residential development. Located within the built up area of Watnall, adjacent to land identified as H1m. Thus the land is a sensible extension to this prior commitment. Will not be used for a public house as no market requirement, so should be used for another use, contributing to housing requirement.

Council's Response:

2. This site has an area of 0.4 hectares and because it is under 0.5 hectares it is too small for residential allocation within the Local Plan. Thus, it was not chosen by the Council as a new site for housing. However, since this objection was received Hardy and Hansons have submitted an outline application for residential development on the site. On 5/9/01 the Council's Development Control Committee was minded to grant outline planning permission subject to conditions and provided the applicant enters into a Section 106 agreement to provide 25% of affordable units on the site. (Application Ref: 01/00452/OUT; the agreement is expected to be completed shortly).

Inspector's Conclusions

1. Site DD8 may only be .3 ha and site DD7 only .4ha. However, they both adjoin site H1m. Although pp for the development of these two small sites was granted after the PIC base date, it would be logical to treat them as a revision of site H1m with a suitable footnote, rather than as windfalls. This would increase the capacity of H1m by 21 dwellings.

2. The Council's proof of evidence on site DD7 raises concerns over their application of LP policies. It revealed an attempt to secure 25% affordable dwellings on a site of only .4 ha contrary to the terms of Policy H6. I also note that the agreement to grant pp affected a SINC; not the only time the Council has overridden such designations. I bear this in mind in reaching conclusions on other sites affected by SINC designations.

Recommendation

3. I recommend that the RDDP be modified by including sites DD7 and DD8 within a revised H1m with an appropriate footnote.

H2new New Housing Site: Land at 'St Omer', 7 Holly Road, Watnall (DD8)

1114/2175 - Hardy & Hansons

1. The land at 'St Omer', 7 Holly Road, Watnall is appropriate for the accommodation of a small area of residential development. It is adjacent to the existing area which was previously identified for new housing and is now committed for residential development. The site is presently unused and the accommodation of new residential development in this location will contribute towards the housing requirement.

Council's Response:

2. This site has an area of 0.3 hectares and because it is under 0.5 hectares it is too small for residential allocation within the Local Plan. Thus, it was not chosen by the Council as a new site for housing. However, since this objection was received, outline permission has been granted for six, two storey dwellings on the site. (Application Ref: 00/00801/OUT).

Inspector's Conclusions

1. I deal with this site above.

Recommendation

2. I deal with this site above.

H2 NEW PROPOSED NEW HOUSING SITE - DD5: STAPLEFORD

Objections

H2new (DD5) New housing site: Land North of Moorbridge Lane, Stapleford

1155 2438

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2438 - Greasley Parish Council

1. Failure to allocate land north of Moorbridge Lane, Stapleford in the plan. A logical extension to the existing urban area that provides an opportunity for natural rounding off along new defensible boundaries. Suitable subject to an acceptable access to the site and appropriate landscaping alongside the motorway.

Council's Response:

2. Site details

Area:	7.34 hectares (18.1 acres)
Current Use:	Agricultural land (Grade 4)
Ecological Value:	The site is a Site of Importance for Nature Conservation (SINC) (flood pastures).
Green Belt:	The site is situated in the Green Belt on the edge of the urban area
Public Transport:	Frequent bus services operate on Pasture Road, just over 400m from the site.
Road access:	There is no suitable means of access for residential development off Moorbridge Lane to the site.
Other issues:	The site lies within the designated flood plains of the River Erewash. Residential development could be affected by the proximity of the motorway and the associated noise.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land. (see the Council's Housing and Green Belt Round Table Papers CD83).
4. Issues that were of particular importance for this site were:
 - (i) The site is designated a Site of Importance for Nature Conservation (SINC) (No 5/861 - 'Moorbridge Lane Wet Grassland': Flood pasture - supporting a rich diversity of characteristic species and a mosaic of dry, wet and marshy grassland).
 - (ii) The site is liable to flooding as it is situated in the River Erewash flood plains.
 - (iii) There is difficulty in providing suitable road access into the site
 - (iv) Development would result in the narrowing of the Green Belt gap between Stapleford/Trowell and Ilkeston.

- (v) The site is adjacent to the M1 motorway - a major source of noise.
 - (vi) Development of the site would result in the loss of mature hedgerows/trees
 - (vii) The site is generally beyond walking distance of local facilities (shops, school, doctors)
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of issues have been identified which have led the Council to select other sites in preference to DD5. The reasons for this are presented below.
 6. This greenfield site is situated in the Green Belt and forms part of the important gap separating Stapleford/Trowell with Ilkeston. The site is situated within the designated flood plains of the River Erewash and is thus liable to flooding in extreme circumstances. PPG25 advises that new development can cause new flooding problems or exacerbate existing problems. The Council wishes to avoid this increased risk, when allocating new sites. The site is recognised as a SINC due to the flood pastures that exist there. The Council considers Nature Conservation designations on a site to be an important consideration in assessing its suitability for development. Any development would remove the conservation interest on this site.
 7. The site is adjacent to the M1 motorway, a constant source of noise for potential residents. PPG24: 'Planning and Noise' states that the planning system should ensure that wherever practicable, noise sensitive developments are separated from major sources of noise.
 8. A suitable access to the site is another obstacle that would need to be overcome in order for development to take place. Logically access would be taken from Moorbridge Lane, however such access is currently prevented by a row of houses backing onto the site. Another option would be from Harwood Drive however the road would need extensive improvements to be adequate to serve a new development.

Inspector's Conclusions

Location

1. This is a greenfield site on the edge of Stapleford. It is included within the approved Green Belt. The Council's urban capacity study demonstrated that insufficient previously developed land exists within the urban areas to meet the Structure Plan requirements for new housing and employment land. In consequence, it is necessary to take some greenfield land and possibly some Green Belt land to meet SP requirements. Indeed, the RDDP allocates a number of Green Belt sites for development and even after the Council's PICs the Plan allocates a large area of Green Belt at Watnall/Nuthall for development.
2. However, as the Council accepted on site H2X, sustainable sites outside the Green Belt should normally be preferred over sites within it and that where such sites exist it is difficult to demonstrate the exceptional circumstances necessary to alter Green Belt boundaries. In considering the merits of sites within the Green Belt I have regard to extent to which they fulfil Green Belt purposes in para 1.5 of PPG2.

Site Search Sequence

3. This is an edge of urban site and thus falls within category c) of the search sequence in Policy 1 of RPG8. It lies on the edge of the main built up area of Greater Nottingham, a location favoured for major development by SP Policy 1/ 2.

Green Belt

4. However, the site lies beyond the existing well defined built up edge of Stapleford. As the site is bounded by development to the south and east and by the M1 motorway and River Erewash to the west its development would be reasonably well contained rather than constituting unrestricted urban sprawl. However, its development would extend the built up area some 250 m into an open field which forms a major part of what is left of the open valley plain of the River Erewash. Although this open area is compromised to some degree by the row of dwellings along Moorbridge Lane and especially by the M1, it still retains an attractive countryside character and appearance particularly from the footpaths, which afford pleasant local walks. The impact of the existing housing estates to the east being softened and partially screened by planting. The site therefor fulfils the 3rd Green Belt purpose by safeguarding the countryside from encroachment. Development upon it would extend major development almost to the County boundary and to within about 250 m of a small development in Derbyshire. Although, the existing dwellings along Moorbridge Lane extend as far west, these are perceived as an historical anachronism. Small gaps also allow views of the open objection site to the rear, whose development in depth would substantially increase the degree of coalescence between Stapleford and neighbouring settlements in Derbyshire. Thus the site fulfils the 2nd purpose of Green Belts. The 4th Green Belt purpose does not apply in the Nottinghamshire Green Belt. As there are insufficient brownfield sites available, the 5th Green Belt purpose hardly applies and is more specifically dealt with by Phasing Policy HX.
5. The objection site fulfils important Green Belt purposes. Other Green Belt sites elsewhere, such as H2d, Ki (c) and even H2j contribute less to Green Belt purposes and I can identify sufficient land from among these and none Green Belt sites such as H2X and Ea9 to meet SP housing requirements, even with my recommended deletion of allocation H2I at Watnall/Nuthall.

Flooding

6. Although the objection site is not shown in the floodplain E26 on the PM, this is rectified in the Council's proof of evidence, which states that the site is situated within the designated floodplain of the River Erewash. The situation is confusing because the proof omits the land south of Moorbridge Lane from the floodland, although it is shown as lying in the floodplain on the PM. The Council should resolve the matter and revise the PM accordingly. There were some reports of flooding on parts of the objection site during the inquiry session on site H2j and I observed areas of standing water on my site visits, particularly on the northern part of the site; it was more intermittent on the southern part. Government policy in PPG25 para 23 is that built development in functional flood plains should be wholly exceptional and limited to essential infrastructure. Elsewhere, LPAs are expected to apply a risk based approach giving priority to allocating sites in descending order of flood zones with a need to demonstrate that there are no reasonable options available in a lower risk category, consistent with other sustainable development objectives. In the case of the RDDP, I am able to identify sufficient sites for housing which present little or no risk of flooding. This is another important factor that tells against the allocation of this site.

SINC

7. The Council's proof, unlike the PM, shows the site to be identified as a SINC, a local habitat designation. This was a significant and unhelpful omission. It denies some objectors the opportunity to make representations. It also fails to inform landowners/occupiers who may damage a SINC unwittingly. PPG12 is clear in its advice that all policies/proposals should be shown on the PM. The Council's IC17 put forward during the inquiry seeks to rectify this omission and I recommend its support in Chapter 3. The Council supplies few details of this SINC's quality, other than the obvious flood pasture. It is however, another negative factor against the allocation of this site for housing development. However, most of the mature hedges and trees on the site should be capable of being retained in a development.

Noise

8. Parts of the site lie close to the M1 motorway and like recent developments off Roehampton and Iona Drives, are subject to high noise levels. As the M1 is elevated any effective acoustic barriers would need to be erected alongside the motorway itself probably on the Highway's Agency's property. As part of this section of M1 is on a bridge it would not be possible to landscape alongside the motorway itself; landscaping at a lower level would achieve little by way of screening. The southern part of the site may also be subject to some intermittent noise from passing trains but this should be capable of being dealt with.

Access

9. The logical point of access to the site is via the southern section of Hartwood Drive, which is quite adequate to take the extra traffic generated. However, this is a detailed point rather than a matter of principle.

Local Facilities

10. The site is within 300 m to 500 m of Pasture Road with reasonably frequent bus services. It is about 1km from the nearest PS and about 2km from the SS. It is about 1.5 km from Stapleford Town Centre although there are a few local shops nearer. Its location is not so convenient as some other sites that I prefer.

Synthesis

11. In summary, I regard development of the site as a highly damaging, rather than a logical extension of the built up area into the Green Belt and in no way a natural rounding off. Existing Green Belt boundaries are well defined, quite defensible and serve to achieve important Green Belt purposes. There is no justification to alter these boundaries. The proposed new boundaries may be well defined but that is not the point; they would damage rather than attain Green Belt purposes. Although not so extensive as the proposals at W/N, it is in its own way as damaging of Green Belt purposes.

Recommendation

11.I recommend that no modification be made to the RDDP in respect of this

objection except for corrections to the PM in respect of the floodplain and the SINC.

H2 NEW PROPOSED NEW HOUSING SITE - DD1: BEAUVALE

Objections

H2new (DD1) New housing site: Land adjacent to Beauvale Infants' School, Beauvale, Eastwood

1196 3808 Ms AA Eaton
151 2130 Mr M Brown

Summary of Objection Issues

151/2130 - Mr M Brown

1. Include the land adjacent to Beauvale Infants School, Beauvale adjacent to the school for housing development.

1196/3808 - m A A Eaton

2. Object to the lack of inclusion of the land to the north-east of Beauvale Infants School (Greasley) for development. It should not be included within the Green Belt just because it is no longer needed for County Education Authority, it should be used for housing development. The land presents an ideal opportunity for housing of reasonable proportion in keeping with the surrounding area and a logical complementary site to the current established properties. The three acre site would not be detrimental to wildlife, the area commands good public services, access to the surrounding town and is in close proximity to local amenities and leisure facilities.

Council's Response:

3. Site details

Area: 1.3 hectares (3.2 acres)

Current use: Agricultural land (Grade 4)

Ecological value: There are no designated wildlife sites on this land.

Green Belt: The 1994 Broxtowe Local Plan protects this green field site under policy CO3c 'Safeguarding of School Proposals' for a replacement infant school. However, the need for the school no longer exists. This review proposes to incorporate the land into the Green Belt as it is highly prominent and any development would have a significant impact on the openness of the Green Belt. The site's inclusion within the Green Belt would result in a more secure Green Belt boundary, following the edge of the main built up area.

Public Transport: There are no frequent bus services within walking distance of the site (400m) (Approx one bus per hour operates on Mill Road).

Road access: Access might be taken from Beauvale but would involve using land outside the site.

Other issues: The site is elevated and highly prominent from within the open fields near the site, thus any development would be visually intrusive.

Site Assessment

4. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt (see the Council's Housing and Green Belt Round Table Papers (CD83)).
5. Issues of particular importance for the site were:
 - i) The site is prominent from the north and would have a significant negative effect on visual amenity.
 - ii) Development would intrude into the countryside.
 - iii) The site is better suited to be included within the Green Belt to form a more secure boundary following the edge of the main urban built-up area.
 - iv) The site is not situated close to frequent public transport services.
 - v) The site is beyond walking distance of local facilities (shops, doctors etc).
6. The same criteria have been used to assess all sites for their suitability as potential development sites. In this instance, a number of constraints have led the Council to select other sites in preference to DD1. The reasons for this are presented below.
7. The need for a replacement school no longer exists on this site, and in this case the land is proposed to be incorporated into the Green Belt under Policy K5. The inclusion as Green Belt is considered appropriate due to the site's prominence from the north and accordingly the significant negative effect new development would have on visual amenity. It is also an opportunity to provide a more readily recognisable firm and secure Green Belt boundary following the edge of the main urban area. Development here would be considered inappropriate.
8. No frequent bus services pass the site or are within walking distance. Its allocation for development therefore would conflict with government guidance, which encourages new development to be integrated with public transport and to be accessible to local facilities by different modes of transport.

Inspector's ConclusionsBackground

1. The objection site lies outside the approved Green Belt being reserved in the 1994 Local Plan for a replacement school. However, the need for this new school no longer exists and the RDDP proposes to include the reserved site within the Green Belt.
2. The Council's urban capacity study (CD21a) shows that insufficient previously developed land exists within the urban areas to meet the SP requirements for new housing and employment land. In consequence, it is necessary to take some greenfield land and possibly some Green Belt land to meet SP requirements. The RDDP and the PICs allocate a number of Green Belt sites for development, including a large area of Green Belt at Watnall/Nuthall.
3. As the Council accepted on site H2X, sustainable sites outside the Green Belt should normally be preferred over sites within it and that where such sites exist it is difficult to demonstrate the exceptional circumstances necessary to alter Green Belt boundaries. In considering the merits of sites within the Green Belt or in this

case proposed for inclusion in the Green Belt, I have regard to the extent to which they fulfill the purposes of Green Belts set out in para 1.5 of PPG2.

Green Belt

4. Firstly, I express above some scepticism of proposals to include within the Green Belt sites such as H2c and some of those identified in CD21b because of a failure to demonstrate any exceptional circumstances to justify altering Green Belt boundaries and also to demonstrate the Green Belt purposes served.
5. In this case, I accept that the change in circumstances in recent years provides some justification for altering Green Belt boundaries. The only reason for excluding the site from the Green Belt in the 1994 Local Plan was to allow for the development of a new school and this is now no longer required.
6. However, it is still necessary to examine the site's contribution to Green Belt purposes and its suitability for housing development for which there is a clear need. The site comprises grazing fields and is clearly part of the countryside that extends from Beauvale to Lower Beauvale and the new employment estate on Engine Lane. It occupies a prominent position towards the ridge top. Any housing development on it would involve an encroachment into the countryside contrary to the 3rd purpose of Green Belts in PPG2 para 1.5. Its modest scale provides little mitigation since the same argument could be advanced to support numerous similar small encroachments with a cumulative detrimental effect upon the countryside.
7. Nevertheless, I accept that it is preferable to allocation H2I at W/N but mainly on account of the difference of scale. The site plays little part on its own in preventing neighbouring towns or even parts of the same town from merging. It is adjoined by existing development to the south and the west. However, there is no clear logic in the proposed northern and eastern boundaries; these being simply those of the former replacement school site. Thus its development for housing could provide scope for similar arguments to extend development further to the north and east as proposed by other objectors. In these circumstances the site fulfills the 1st purpose of Green Belts in checking the unrestricted sprawl of large built up areas. As a limited urban extension it plays little part in itself in assisting urban regeneration particularly in a situation where some green field sites are needed to meet SP requirements. However, overall the site fulfills valuable Green Belt purposes.

Landscape

8. It is quite a prominent site when viewed from the north and northeast. However, development upon it would be seen largely against a background of existing development and planting to the south and west. The school buildings, dwellings and the Public House help to screen the site from the south and west. It may have little wildlife value but this does not justify development.

Local Facilities

9. Frequent bus routes and local shops are apparently some distance away, although a one hourly bus service operates along Mill Road. The site's location does not accord well with government policy to discourage reliance upon the private car and to encourage the use of public transport. It is however, close to the local Primary School, a PH, a church, a community centre, a play and recreation ground. In view of this, I would not term its location as unsustainable but it is not so well situated as other more acceptable sites.

Synthesis

10. Whilst the site may not be so important to Green Belt purposes or to agriculture as allocation H2I, which I recommend for deletion, the latter is much larger. However, I have identified other more acceptable sites than H2I for housing development in terms of Green Belt purposes, agriculture and sustainable development factors. I note the treatment of other sites formerly reserved for School developments. However, their situation is significantly different to this objection site, which performs important Green Belt purposes. The site would make little useful contribution to safeguarded land compared to other sites and its exclusion for this purpose is not justified. The logical and consistent boundary would be to include these open fields in the Green Belt and I consider that the change in school replacement requirements provides the circumstances to justify this as proposed in the RDDP.

Recommendation

11. I recommend that no modification be made to the RDDP in respect of this objection.

H2 NEW PROPOSED NEW HOUSING SITES - DD2: MOORGREEN

Objections

H2new (DD2) New housing site: Land adjacent to Engine Lane, Moorgreen

212 2147 Mr A Elson

Summary of Objection Issues

212/2147 - Mr A Elson

1. Land adjacent to Engine Lane, Moorgreen would be a cheaper, more efficient environmentally friendly solution to the Watnall/Nuthall proposal avoiding wasting land and unnecessary road building.

Council's Response:

2. Site details

Area: 79.5 hectares (192.0 acres)

Current Use:	Agricultural land (Grade 4) and part designated open space - Colliers Wood, Community Woodland
Ecological Value:	The northern part of the site is part of a designated Mature Landscape Area: 'High Park MLA'.
Green Belt:	The site lies within the Green Belt.
Public Transport:	There are no frequent bus services within walking distance of the site (Approx one bus per hour operates on Mill Road).
Road Access:	Access could be provided from Engine Lane
Other Issues:	The site slopes to the north and is highly visible from this direction. A small part of the site is allocated for allotments.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and employment and standard criteria were also used to assess all releases of Green Belt (see the Council's Housing, Employment and Green Belt Round Table Papers CD83).
4. Issues of particular importance for the site were:
 - (i) Significant intrusion into the Green Belt;
 - (ii) The proposed new Green Belt boundary would be difficult to defend;
 - (iii) Development would reduce access to the countryside;
 - (iv) Development would result in the loss of open space, specifically the newly created 'Colliers Wood';
 - (v) The site does not relate well to the existing built up area and would relate poorly to the existing character and shape of the area;
 - (vi) This is an isolated rural site not well served by frequent public transport services;
 - (vii) Development could damage a Mature Landscape Area;
 - (viii) Development would result in the loss of allotments.
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of issues have been identified which have led the Council to select other sites in preference to DD2. The reasons for this are presented below.
6. The land within this area is greenfield and situated within the Green Belt. The Council aims to protect as far as practicable the Green Belt and thus new development has been focused on land outside the Green Belt, and where possible on previously developed land.
7. Development on this site would significantly reduce access to the countryside, and in addition would not relate well to the existing built up area, resulting in a new Green Belt boundary, which would be hard to defend.
8. The site contains an area of Mature Landscape known as 'High Park MLA' and adjoins the larger part of the designation (see attached extract for further information). Development would normally be resisted within such areas to prevent harm to the landscape. Also within this site is an area designated and protected under policy RC4 known as Colliers Wood - a Community Woodland forming part of the Greenwood Community Forest. Colliers Wood is situated on the site of the former Moorgreen Colliery and is designed to restore the woodlands and fields which existed before the mine was developed. The development of this area would have a detrimental impact with the loss of wildlife habitats, an extensive footpath network and an area used for recreation. For these reasons, the Council in this Review proposes to extend the Green Belt over the community woodland drawing the Green Belt boundary around the edge of the built form of Moorgreen Business Park. This will ensure greater protection. (see CD21/b).

9. Any development on the site would effect the setting and open character of the area. This would be exacerbated by parts of the site being highly visible and prominent from the urban area.

Background

1. The Council's urban capacity study (CD21a) shows that insufficient previously developed land exists within the urban areas to meet the Structure Plan requirements for new housing and employment land. In consequence, it is necessary to take some greenfield land and possibly some Green Belt land to meet SP requirements and the RDDP allocates a number of Green Belt sites for development. The PICs propose to delete most of these but still retain the large allocations, H2I, EM2 and EM3f in the Green Belt at Watnall/Nuthall, to which the Mr Elson objects .
2. As the Council accepted on site H2X, sustainable sites outside the Green Belt should normally be preferred over sites within it and that where such sites exist it is difficult to demonstrate the exceptional circumstances necessary to alter Green Belt boundaries. In considering the merits of allocating sites in the Green Belt for development, I have regard to extent to which they fulfill purposes of Green Belts as set out in para 1.5 of PPG2 as well as other environmental, land use and sustainable development factors.

Inspector's Conclusions

Green Belt

3. This is an extensive site, though not as large as the W/N proposals. It falls into three distinct parts. The southern part south of Engine Lane comprises the lower part of a prominent sloping hillside. The proposed boundary cuts across the contours bearing no relationship to any noteworthy feature on the ground. It development would be a major and arbitrary encroachment into the countryside, contrary to the 3rd purpose of Green Belts in PPG2. In this form, it would constitute sprawl of the built up area into the countryside contrary to the 1st Green Belt purpose. It would also be likely to jeopardise the status of the remaining area to the south up to Beauvale/Moorgreen, which could lead further encroachment and sprawl at future Local Plan reviews. It would also link up with development on the B600, the Engine Lane Employment Park and Lower Beauvale. Although these are not towns they are distinct developments and the Green Belt helps to preserve their separate, if local identity. As long as some incursion into the Green Belt may be required somewhere to meet SP requirements, the 5th Green Belt purpose would not apply. Whilst development of this part may not be so detrimental to Green Belt purposes as the allocations at W/N it is more damaging than other sites that I recommend elsewhere.
4. The north-eastern part also fails to respect local topography and extends over the ridgeline into a Mature Landscape Area around Moorgreen reservoir. Its development would represent sprawl of the built up area and a damaging encroachment into attractive and largely unspoilt countryside contrary to the 1st and 3rd purposes of Green Belts. It would also serve to merge development on the B600

with the employment estate. Again I find it more detrimental to the Green Belt than other alternative sites.

5. The north-western area also extends partly over the ridge into the MLA. The western part of this slopes southward down towards the employment estate and the cricket ground as is more respectful of local topography. Nevertheless, it still represents as sizeable encroachment into the countryside, contrary to the 3rd Green Belt purpose. It is better contained in terms of urban sprawl and is less damaging in terms of the merging of local built up areas as the other parts of the objection site. Nevertheless, I identify other more suitable sites for housing and employment development elsewhere on land use, environmental, sustainability as well as Green Belt grounds.

Mature Landscape Areas and Footpaths

6. Development of parts of the areas could damage the relatively unspoilt parts of the adjoining Mature Landscape Areas. It need not result in the loss of the Colliers Wood open space or allotments since development could be built around them; however it would damage their setting. The objection site/s are crossed by a number of footpaths and, whilst these could be retained, development would destroy their present rural environment and place the open countryside further away from the main built up areas.

Local Services

7. The areas proposed are some distance from local services and facilities including a frequent bus service. Although conveniently placed next to the Engine Lane employment estate, as I conclude on allocations H2I and EM2, research shows that people choose their home and place of work according to a range of factors of which short journeys to work are only one and possibly of minor importance. In consequence, I find the area proposed to be relatively unsustainable in terms of access to existing Public Transport and local facilities. Its development is likely to encourage a high reliance upon the private car contrary to government policy, although I recognise that a development on this scale could support some improvement in local services and facilities. However, these are likely to be limited, given the economies of scale.

Site Search Sequence

8. Lying on the edge of the Eastwood urban area the site falls within category c) of the site search sequence of Policy 1 of RPG8. But this is no higher and in some cases lower, than the alternative sites that I prefer. The site lies outside the Nottingham to Eastwood Public Transport Corridor defined in SP Policy 1/ 2.

Synthesis

9. Whilst in some respects, including its agricultural land quality, I find this site preferable to the proposed allocations at W/N, it is not necessary to put forward such an extensive area by way of a substitution. I recognise that this might have been encouraged by the Council's view that a limited number of large incursions into the Green Belt is preferable to a larger number of smaller ones. However,

they put forward no convincing planning reasons to support that “strategy”. I conclude that the smaller incursions that I recommend, in substitution for allocations at W/N and to provide some safeguarded land, have a far less detrimental impact upon the purposes of Broxtowe’s Green Belt than the W/N allocations and this site and are also to be preferred on other planning and environmental grounds.

Recommendation

10. I recommend that no modification be made to the RDDP in respect of this objection.

H2 NEW PROPOSED NEW HOUSING SITE - DD4: SOUTH OF BRINSLEY

Objections

H2new (DD4) New housing site: Land south of Halls Lane/Mansfield Road, Brinsley

1087 4038 Mr A Taylor

Stansgate Planning Consultants

Summary of Objection Issues

1087/4038 - Mr A Taylor

1. Land south of Halls Lane/Mansfield Road, Brinsley should be allocated for housing development within the plan period.

Council’s Response:

2. Site details

Area: 7.9 hectares

Current Use: Agricultural land (Grade 4)

Ecological Value: There are no designated wildlife sites on this land

Green Belt: The site lies within the Green Belt and contributes to the gap between Eastwood and Brinsley preventing their coalescence

Public Transport: An infrequent bus service operates along Mansfield Road within walking distance of the site

Road Access: From Mansfield Road

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land. (see the Council’s Housing and Green Belt Round Table Papers).

4. Issues of particular importance for this site were:
 - i) Development would significantly intrude into the Green Belt gap and lead to the coalescence of Brinsley and Eastwood.
 - ii) Development of the site would significantly intrude into the countryside detracting from the open character of the Green Belt.
 - iii) Development would have a significant visual impact on the approach to Brinsley from Eastwood.
 - iv) Development would not accord with PPG3.
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to DD4. The reasons for this are presented below.
6. The Council has applied several principles when choosing sites for residential development particularly adhering to the principles of sustainability. The Council aims to locate new housing within urban areas, on the edge of an urban area or along public transport corridors reflecting advice in government and strategic guidance. The site is not within or on the edge of an urban area as defined by the Structure Plan Review (SPR) which classifies Brinsley as a village. It is also not within the specified public transport corridors identified in the SPR.
7. The site is also greenfield land situated in the Green Belt. The Council has focused new development on land outside the greenbelt, and where possible on previously-developed land. PPG3 advocates that local authorities make the best use of land in the development of new housing. It encourages higher densities of development to achieve a more efficient use of land. The Council has embraced this principle and has consequently reduced the amount of Green Belt/greenfield take at Revised Deposit Draft stage.
8. A major purpose of the Green Belt is to help prevent coalescence of built up areas so as to maintain the distinctiveness of local communities. Loss of Green Belt in this area would detrimentally affect the gap separating Brinsley from Eastwood. Development of the site would also encroach into the countryside. The Council wishes to protect the rural character of the village of Brinsley to maintain its local distinctiveness. Development of this site would equate to unnecessary expansion of Brinsley and consequently is not considered appropriate in PPG2 and PPG3 terms.

Background

1. The Council's Urban Capacity Study (CD21a) shows that there is insufficient previously developed land within the urban areas to meet the Structure Plan requirements for new housing and employment land. In consequence, the development of some greenfield land and possibly some Green Belt land is needed to meet SP requirements. The RDDP allocates a number of Green Belt sites for development. Although the Council's proposed PICs delete most of these they still retain the large allocations, H2I, EM2 and EM3f in the Green Belt at Watnall/Nuthall, which attracted many objections.
2. As the Council accepted on site H2X, sustainable sites outside the Green Belt should normally be preferred to sites within it. Where such sites exist it is difficult to demonstrate the exceptional circumstances necessary to alter Green Belt boundaries. In considering the relative merits of allocating sites in the Green Belt for development, I have regard to extent to which they fulfill the purposes of Green Belts as set out in para 1.5 of PPG2 as well as other environmental, land use and sustainable development factors.

Inspector's Conclusions

Site Search Sequence

3. SP Policy 1/ 2 concentrates major new development within and adjoining the main urban areas and along 4 Public Transport Corridors. Brinsley and indeed Eastwood are not defined as main urban areas and Brinsley lies beyond the Nottingham to Eastwood PT Corridor. SP Policy 1/3 allows for limited provision to be made in villages as identified in LPs; it also allows, exceptionally, major development in or on the edge of suitable villages in accordance with Policies 13/1, 13/2, 13/5, 13/6 and 13/7 where specifically identified in LPs. The RDDP defines a village envelope for Brinsley within which Policy H8 would allow for residential development subject to certain criteria.
4. The objection site lies outside the Brinsley village envelope on the PM and outside its clearly defined built up framework. The ribbon of development along the north side of Mansfield Road is an outlier of Brinsley protruding into the countryside. It is for the most part an anachronism of an earlier regime and in no way justifies the development of a similar ribbon of houses along the southern side of Mansfield Road. Situated well beyond the urban edge, as defined in SP para 1.85, the site falls within category d) of the search sequence in Policy 1 of RPG8; the lowest category.

Green Belt

5. The site lies in the countryside and in the adopted Green Belt. It helps to safeguard the countryside from encroachment; the 3rd Green Belt purpose in PPG2. It also helps to preserve the separate character of Brinsley by preventing it from merging with the neighbouring town of Eastwood and thus fulfils the 2nd Green Belt purpose. Development of the site would extend the village some 500 m to the south east into existing gap and to within about 500ms of the edge of Eastwood, at Eastwood Hall. Development of the objection site would be poorly related to the existing form of the village and would appear incongruous in this area of countryside. Its development would obscure views from Mansfield Road and Halls Lane of all but the summit of the attractive hillside to the south-west. Its southern boundary, marked by a fence and a hedge, could prove to difficult to defend at future Plan reviews as arguments, similar to the current ones, could be advanced to extend development further south to a more pronounced break of slope. Development on the objection site would constitute sprawl and thus the site assists in achieving the 1st Green Belt purpose, although in respect of a smaller settlement. Whilst ever there is a need to take some Green Belt land the 5th purpose of Green Belts would not apply and Phasing Policy HX achieves this more directly.
6. I can identify other more suitable sites than the objection site elsewhere, mainly outside the Green Belt. The objection site thus fulfils important Green Belt purposes. A reduction in the extent of the objection site to a ribbon along Halls Lane and Mansfield Road would still detract from the Green Belt and would involve a notoriously damaging form of development. It would also leave the door open for further sprawl at a future Plan review.

Local Services

7. Although Brinsley possesses some local services, residents have to travel out for more specialised needs and for employment. Bus services are limited. It is not a sustainable location for any substantial amount of development, which would encourage the use of private cars rather than Public Transport, contrary to government's aims and policy.

Conservation Area

8. Manor Farm a 19 century farmhouse and outbuildings with fine frontage trees forms a notable gateway to the Conservation Area, which comprises an attractive and interesting collection of buildings of various ages. Development on the objection site or a reduced site, would detract substantially from the setting of the Conservation Area, exacerbating the impact of modern development on the north side of Halls Lane and Mansfield Road. Development of the south-east part of the site would increase the urbanisation around the entrance to the Brinsley Headstocks, an important part of the local heritage, as SABRHE say.

Synthesis

9. Although the agricultural value of the land, like much hereabouts, is low, I find substantial objections to the proposed allocation of this site in either its original or reduced form. I am able to identify sufficient land to meet SP housing requirements on other more suitable sites elsewhere. In view of my conclusions above it also has no merit as safeguarded land.

Recommendation

10. I recommend that no modification be made to the RDDP in respect of this objection.

H2 NEW PROPOSED NEW HOUSING SITE: S E EDGE OF TROWELL (UNDEFINED)

Objections

H2new	New housing site: Site at the edge of Trowell
1153 2338	Mr R Hepwood Birch Homes Innes England

Summary of Objection Issues

1153/2338 - Birch Homes

1. Site at the edge of Trowell should be allocated for housing. This would bring net environmental gains by improving a harsh, unattractive urban edge. The site has access to a good standard of public transport and its development would comply with PPG13.

Council's Response:

2. Having checked with the objectors, the Council understands that this objection relates to site H2j. The Council allocated this site on the edge of Stapleford/Trowell within the Deposit Draft. Pre-Inquiry Changes, however, propose to remove the site from the Plan (P.I.C.6). See the Council's full response to Housing Site H2j (proof 027).

Inspector's Conclusions

1. I deal with objections relating to site H2j above.

Recommendation

2. I deal with objections relating to site H2j above.

H2 NEW PROPOSED NEW HOUSING SITE: EASTWOOD/BRINSLEY (UNDEFINED)

Objections

H2new **New housing site: Land along A608/Mansfield Road, Eastwood/Brinsley**
 1419 4019 Mr AJ Lovell

Summary of Objection Issues

1419/4019 - Mr A J Lovell

1. Land should be allocated for 100 dwellings on land along the A608 (Mansfield Road), Eastwood/Brinsley.

Council's Response:

2. Site details

Site area:	No specific site boundary/details provided
Current use:	Agricultural land (Grade 4)
Ecological value:	There are no designated wildlife sites on this land.
Green Belt:	The land is situated in the Green Belt. Development of the land would result in narrowing the gap between Brinsley and Eastwood
Public transport:	There are no frequent bus services within walking distance of the site. One bus every 20 minutes operates on Cordy Lane, not considered to be a 'frequent' service by the council.
Road Access:	From Mansfield Road
Other issues:	Parts of the land are elevated and prominent.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt (see the Council's Housing and Green Belt Round Table Papers CD83).

4. Issues of particular importance for the site were:
 - i) Development would result in significant narrowing of the Green Belt gap between Eastwood and Brinsley.
 - ii) Development would result in significant intrusion into the countryside.
 - iii) Development would result in the creation of ribbon development along Mansfield Road.
 - iv) Development would affect the setting of a listed building - Eastwood Hall to the south of the area.
 - v) Development of the land would not relate well to the existing built-up area.
 - vii) The site is not well related to existing services and facilities (shops, doctors etc).
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of issues have been identified which have led the Council to select other sites in preference to this one. These issues are presented below.
6. This site constitutes greenfield land situated in the Green Belt. The Council aims to protect as far as practicable the Green Belt as well as the environment thus proposed new development has been focused on previously-developed land or land not in the Green Belt. Loss of Green Belt in this area would significantly narrow the Green Belt gap between Eastwood and Brinsley and result in the coalescence of settlements. The site would significantly intrude into the countryside, and the open character of the land would consequently be prejudiced.
7. In addition, the proposed area of land would not relate well to the existing character and shape of the built-up area, resulting in a new Green Belt boundary, which would not be well defined and thus would be hard to defend.

NB: Mr Lovell has not provided a plan to illustrate his general description, so the Council has not produced one to accompany this proof of evidence.

Inspector's Conclusions

1. The objector produced no plan to define his proposals of which I was made aware. This makes it difficult to deal satisfactorily with the objection. I made it clear at the Pre-Inquiry Meeting and in the circulated Notes of the Meeting that unless objectors indicated the precise changes they wished to see, their intentions may be unclear to me.
2. I deal above with an objection promoting housing development along Mansfield Road at Brinsley; site DD4. I find substantial objections to this proposal and recommend that no modifications be made to the RDDP as a result. I find nothing in this current objection to cause me to revise this recommendation.
3. I also in a later Chapter reject objections to allocate sites BY1 and By2 for housing development at Brinsley.

Recommendation

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

H2 NEW PROPOSED NEW HOUSING SITE: GILTBROOK (UNDEFINED)

Objections

H2new **New housing site: Land along Nottingham Road/Gilthill, Giltbrook**
 1419 4018 Mr AJ Lovell

Summary of Objection Issues

1419/4018 - Mr A J Lovell

1. Land should be allocated for 30 dwellings along Nottingham Road/Gilthill, Giltbrook.

Council's Response:

2. Site details

Site Area:	No specific site boundary details provided.
Current Use:	Agricultural land (Grade 4)
Ecological Value:	A Site of Importance for Nature Conservation (SINC) covers some of this land as well as a Mature Landscape Area (MLA) designation, 'Greasley and Watnall Fields'.
Green Belt:	The land is in the Green Belt and on the edge of the urban area. It occupies a large part of the gap between Eastwood and Kimberley.
Public Transport:	Frequent bus services operate along Nottingham Road but are only accessible from the southern part of the site.
Road Access:	From Nottingham Road.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt. (See the Council's Housing and Green Belt Round Table Papers CD83).
4. Issues of particular importance for the site were:
 - (i) Development would significantly intrude into the Green Belt narrowing the gap and leading to coalescence of Eastwood and Kimberley.
 - (ii) Development would result in significant intrusion into the countryside as well as the reduction in access to it.
 - (iii) Development could detrimentally affect the Mature Landscape Area.
 - (iv) Development could detrimentally affect the Site of Importance for Nature Conservation.
5. The Council has used the same criteria to assess all potential development sites across the borough. In this instance, a number of issues have been identified which have led the Council to select other sites in preference to this one. These issues are presented below.

6. This land constitutes greenfield land situated in the Green Belt. The Council aims to protect as far as practicable the Green Belt and thus proposed new development has been focused on land outside the Green Belt and wherever possible on previously-developed land or land.
7. Loss of Green Belt in this area would significantly narrow the large Green Belt gap and lead to the coalescence of the Eastwood and Kimberley urban areas. Development of this site would significantly intrude into the countryside and consequently the open character of the land would be prejudiced.
8. The proposed area of land contains a Site of Importance for Nature Conservation and a designated Mature Landscape Area. The Council resists development within such designations to prevent their loss or damage.

NB: Mr Lovell has not provided a plan to illustrate his general description, so the Council has not produced one to accompany this proof of evidence.

Inspector's Conclusions

1. The objector produced no plan of which I am aware to define his proposals and this makes it difficult to deal with the objection. I made it clear at the Pre-Inquiry Meeting and in the circulated Notes that unless objectors indicated the precise changes they wished to see to the Plan, their intentions may be unclear to me.
2. I deal in a subsequent Chapter with objections promoting site Ea8 at Nottingham Road, Giltbrook, where I recommend that no modification be made to the RDDP. The site promoted by this objector is much smaller and would appear to be the frontage land to Nottingham Road.
3. On this basis, the development of this objection site would extend the built up area on the north side of Nottingham Road into the open Green Belt gap between Giltbrook and the edge of Kimberley. Although existing development and Plan allocations extend to the roundabout on the south side of the Road, the north side is open and vital in preventing the two nearby settlements from merging, almost completely, at this important viewpoint. This would be contrary to the 2nd purpose of Green Belts according to PPG2 para 1.5. Ribbon development would constitute a particularly harmful form of urban sprawl and an encroachment into the countryside in this open break. This would be contrary to the 1st and 3rd Green Belt purposes. Thus this frontage land is particularly important to the Green Belt and in maintaining the separate identities of Giltbrook and Kimberley.
4. The two frontage fields are designated as a SINC, a local habitat designation. Development would damage or destroy their value. The strip of land along the Gilt Brook is designated as a Mature Landscape Area whose value could be adversely affected by frontage development along Nottingham Road, depending upon how far east it extended. I therefore find substantial objections to this objection particularly on Green Belt grounds.

Recommendation

5. I recommend that no modification be made to the RDDP in respect of this objection.

HX PHASING OF HOUSING

Objections

4.XX R221 *Phasing of housing - Addition of explanation of context and basis for phasing housing sites*

1155	5102	R221		Greasley Parish Council Andrew Thomas Planning
1218	5185	R221		Nuthall Action Group Antony Aspbury Associates
1154	5072	R221		W. Westerman Ltd DPDS Consulting Group
748	4717	R221		David Wilson Homes North Midlands David Wilson Estates
790	4759	R221		Nottinghamshire County Council Strategic Property
1006	4860	R221		Robert Turley Associates Nuthall Parish Council
1106	4925	R221	Mr R Hepwood	Browne Jacobson Planning Unit Miller Homes East Midlands
1135	5043	R221	Mr I Moss	House Builders` Federation
2135	6708	R221	Dr N Palmer, MP	
601	4589	R221	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	5007	R221	Mr R Walters	Hallam Land Management

4.XX R222 *Phasing of housing - Addition of description of planned phasing of housing sites*

748	4718	R222		David Wilson Homes North Midlands David Wilson Estates
1218	5186	R222		Nuthall Action Group Antony Aspbury Associates
1155	5103	R222		Greasley Parish Council Andrew Thomas Planning
1154	5073	R222		W. Westerman Ltd DPDS Consulting Group
1190	5154	R222	Mrs S Greener	
250	4174	R222	Mr C Harris	
593	4344	R222	Mrs BJ Harris	
656	4671	R222	Mr SJ Harris	
1106	4926	R222	Mr R Hepwood	Miller Homes East Midlands
1135	5044	R222	Mr I Moss	House Builders` Federation
2135	6709	R222	Dr N Palmer, MP	
1130	5008	R222	Mr R Walters	Hallam Land Management

4.XX R223 *Phasing of housing - Addition of description of the split between the planned phases of housing*

748	4719	R223		David Wilson Homes North Midlands David Wilson Estates
1154	5074	R223		W. Westerman Ltd DPDS Consulting Group
1155	5104	R223		Greasley Parish Council Andrew Thomas Planning
1218	5183	R223		Nuthall Action Group Antony Aspbury Associates

1106	4927	R223	Mr R Hepwood	Miller Homes East Midlands
1135	5045	R223	Mr I Moss	House Builders` Federation
2135	6710	R223	Dr N Palmer, MP	
601	4630	R223	Mr S Rufus	Nottinghamshire Wildlife Trust
2206	6786	R223	Mr J Sullivan	Chantry 27
1130	5009	R223	Mr R Walters	Hallam Land Management

4.XX R224***Phasing of housing***

748	4720	R224		David Wilson Homes North Midlands David Wilson Estates
1154	5075	R224	W. Westerman Ltd	DPDS Consulting Group
1155	5105	R224	Greasley Parish Council	Andrew Thomas Planning
1218	5184	R224	Nuthall Action Group	Antony Aspbury Associates CPRE - Broxtowe Group
598	4370	R224	Mr I Brown	
927	4824	R224	Mr RP Bullock	
2155	6735	R224	Mr RA Chambers	Fernwood Comprehensive School
1106	4928	R224	Mr R Hepwood	Miller Homes East Midlands
2183	6763	R224	Mrs CA Hitchcock	
2184	6764	R224	H Jones	
2185	6765	R224	Mrs N Junger	
2186	6766	R224	Mrs MA Kight	
2187	6767	R224	Miss A Lard	
2156	6737	R224	Mr JN Lewis	Broxtowe College Nottingham
2160	6740	R224	Mr P Stevenson	
1130	5010	R224	Mr R Walters	Hallam Land Management

Summary of Objection Issues**R221 4.XX Phasing of Housing - Addition of explanation of context and basis for phasing housing sites****R221 4.XX Phasing of Housing - Addition of description of planned phasing of housing sites**

1. The following objectors all raise broadly the same issues regarding the inclusion of a phasing policy. Their objections and a joint response are presented below.

1155/5102, 5103, 5104, 5105: Greasley Parish Council

2. Welcome phasing in principle but policy unrealistic. Site H2I should be placed further back in the plan, and linked to completion of various phases of the proposed business park. A clearer trigger mechanism is needed to identify the point at which Phase 2 allocations may be begun. In order for the Local Planning Authority to be able to make exceptions to the phasing programme then specific performance indicators should be identified within the plan to identify the assessment criteria and to provide clarity and avoid ambiguity.

1218/5185, 5186, 5183, 5184: Nuthall Action Group

3. The proposal for the phasing of housing development will reduce development revenues available for all early infrastructure provision and lead to pressure from the landowners/developers to defer that provision. The Objector disputes the basis of the Plan's proposals for the phasing of housing development including the arbitrary inclusion of 250 of the 750 houses on the H2(I) greenfield site. The selection of this proportion is unsubstantiated.

1154/5072, 5074, 5075: W Westerman Ltd

4. This objection is concerned with the approach taken to the phased release of housing sites. The Local Plan is divided into two phases regarding residential development with previously developed land and some greenfield sites in Phase 1 and greenfield in Phase 2. It is proposed that approx. 55% of residential development will take place in Phase 1 and 45% in Phase 2. There is a considerable lead-time needed to bring many previously-developed sites forward. Therefore a lower number of houses may be built in Phase 1 than expected. The scenario could arise where halfway through the plan period only a small percentage of the housing numbers have been completed or committed. This has implications for bringing forward Phase 2 sites because R223 (4.xx) states 'second phase development is not intended to begin until the majority of phase one development has been completed'. However Para. 34 of PPG3 states that 'it is essential that the operation of the development process is not prejudiced by unreal expectations of the developability of particular sites nor by planning authorities seeking to prioritise sites in an arbitrary manner'. Therefore greater flexibility is required with the phased release of sites if all the housing allocations are to come forward and result in 100% completions by the end of the plan period rather than there being a shortfall.
5. Greater flexibility with regard to phasing and an increase in the total area of the Field Farm site to a size similar to that allocated in the Deposit Draft would provide the council with greater flexibility on housing numbers if difficulties arose with other sites coming forward.

748/4717, 4718, 4719, 4720: David Wilson Homes North Midlands

6. Concern is expressed over the inclusion of H2d: land north of Newton's Lane, Awworth in Phase 2. It is unclear why development is intended to come forward in the second phase of the plan period (2005/6 - 2010/11) with insufficient justification having been provided in the reasoned justification. Its earlier release in Phase 1 (2000/01 - 2004/05) is appropriate given its suitability and availability and its dovetailing with the provision of the Ilkeston North Rail Station in the next 5 years, as confirmed in R349 and R350 ie revised para 6.23.
7. Proposed housing site H2d should be transferred from Phase 2 to Phase 1.

1006/4860: Nuthall Parish Council

8. Measure for release of Phase 2 sites should not be substantial completion of Phase 1 sites but measure of 5 year land supply in accordance with PPG3. No need for H2I to form part of Phase 1 as there is no need for housing on this site at all.
9. The release of land should be subject of a rolling programme based upon the principles set out by the Panel inquiring into Regional Planning Guidance.

1106/4925, 4926, 4927, 4928: Miller Homes East Midlands

10. Whilst Miller Homes accept that there may be a need to introduce a phased release of sites for housing development it objects to the mechanism proposed by the Council on the basis that it is vague, ambiguous and difficult to monitor and enforce.

2135/6708, 6709: Dr N Palmer MP

11. Object to 250 houses of the Watnall/Nuthall development (site H2I) being in Phase 1. This subverts the intention of PPG3 without compelling reason. Inference is that this early development phase would precede completion of infrastructure and thereby cause further traffic congestion. If the City Council's extra housing capacity results in a Structure Plan revision this could reduce Broxtowe's requirement but if the Watnall/Nuthall development is already initiated in phase 1 it would in reality be impossible to stop. Therefore if this site remains in the plan it should be all assigned to Phase 2.

1135/5043, 5044, 5045, 5046: House Builders' Federation

12. HBF acknowledge government guidance suggesting the inclusion of phasing policies particularly to ensure brownfield sites are developed. There is no evidence to demonstrate brownfield sites are not being developed within Broxtowe District.
13. This policy will also lead to uncertainty and is vague in its wording. Before any phasing policy is included it must be clear how it will operate.

601/4630, 4631: Nottinghamshire Wildlife Trust

14. While the NWT warmly welcomes the introduction of a phasing policy into the local plan, we have serious reservations regarding some of the practicalities of the policy being proposed and the approach the council is taking with regard to what is intended to be achieved with it. It is clear from PPG3 that phasing of development is needed, and the role that this can play in preserving previously undeveloped land from development for as long as possible. We feel that the inclusion of some greenfield sites within the first phase of development proposed seriously undermines the integrity and purpose of such an approach. It is inappropriate to allow the release of Greenfield land prior to the completion of development on other more sustainable allocations. With particular reference to the Watnall allocation, we refer you to para. 34 of PPG3. We felt this is a highly pertinent point as the practicalities of developing only a part of the site will drastically reduce the financial resources available for developing the infrastructure essential to its operation. If it is not possible to supply the infrastructure, the site cannot be effectively served. It is therefore clear that there is an 'unreal expectation of developability' in this case, which is of sufficient concern to warrant removal of the site from phase one, and ensure the entire site (if the allocation is to remain at all) be developed in one phase. Indeed we feel that the sustainability ranking of this site is so poor, that the Council would be well advised to include an additional phase in the policy, with this site being held back until such a time as there are no other available sites within the borough. This approach would be in accordance with the necessity of delaying the onset of the Business Park allocation, until such a time as it is clear that there is a need for such development. We are confident that in the interim period, the Structure Plan review will take account of the Expert Panel Report, following the EIP of the RPG. This states that there is already sufficient employment allocations in the region to meet the economic aspirations of EMDA and further allocations would lead to an oversupply.
15. We recommend that the Council amend the text of this paragraph in line with our comments here and in relation to R223-R224.

1130/5007, 5008, 5009, 5010: Hallam Land Management

16. Ambiguity about how phasing is to be achieved and monitored.

1190/5154: Mrs S Greener

17. Object to the site being made "necessary" in that phase 1 is needed to help implement the associated business park and transport infrastructure. In this way the housing site H2I is being used as leverage to support the siting of business park EM2.
18. Remove the reference to the business park EM2 from the paragraph. Alter the words in connection to the transport infrastructure.

250/4174: Mr C Harris

19. No reason given.

656/4671: Mr S J Harris

20. No reason given.

593/4344: Mrs B J Harris

21. No reason given.

Council's Joint Response:

22. The phasing policy was inserted at the Revised Deposit stage in response to the advice given in PPG3 that the release of allocated housing sites in a local plan should be managed through a phasing policy. Most of the objections are not to the principle of the policy, but have related to:

- (a) the perceived scope for ambiguity;
 - (b) the need for greater flexibility,
 - (c) the choice of phase for individual sites;
 - (d) the need for better protection for greenfield land, and
 - (e) the need to clarify how phasing is going to be monitored.
-
- (a) Objectors perceive there is scope for ambiguity because of imprecision in the wording. The Council considers that it has proposed a reasonable and workable policy wording designed to meet the government's objective of introducing phasing and giving priority to previously-developed sites. It is recognised that the policy does not anticipate completion (or indeed commencement) of all Phase 1 sites during that phase, and that there will undoubtedly be developments permitted under Phase 1 which will not be undertaken until later in the Plan period.
 - (b) Objectors suggest there is a need for greater flexibility to ensure the plan's intentions are implemented. The Council had to choose a balanced wording for implementing the phasing and considers that it has the right balance between rigid requirements and reasonable flexibility.
 - (c) The choice of phase for particular sites has also been questioned by objectors - these objections are responded to on a site specific basis within individual proofs. The Council believes it has made the right choice of inclusion of sites in the Plan and applied an appropriate phasing to these sites.
 - (d) Objectors suggest there is a need to restructure the phasing to better protect greenfield land. The Pre-Inquiry Changes agreed in April 2001 reduce the amount of greenfield land-take in the plan and alter the proposed phasing. 250 houses on Green Belt land at the Watnall/Nuthall site remain in phase 1 for the reasons stated in paragraph 77 of Proof 14. The balance of the Watnall site (500 dwellings) is now the only allocation appearing in Phase 2. The Council has received support from the County Council regarding its approach to phasing the proposed housing sites.
 - (e) Objectors suggest there is no mechanism for monitoring. However, the Council will continue to monitor completions on an ongoing basis and will use this information in order to assess implementation of the phasing policy.

4.XX R233 Phasing of Housing - Addition of description of the split between the planned phasing of housing

601/4630: Nottinghamshire Wildlife Trust

23. We refer the Council to our comments on R221, in which we discuss the inappropriateness of including part of H2I in phase one of this policy. By including a further phase, in which resides H2I only, the Council will, by its own figures be able to meet the demand for land until the next local plan revision, without needing to destroy this open area. At the time of the next revision, we will be in a situation to reconsider the needs of the borough in the light of new guidance from the RPG, and the reviewed Structure Plan, and any changes in our understanding of demographic trends.
24. We recommend that the Council amend the text of this paragraph in line with our comments here and in relation to R221.

2206/6786: Chantry 27

25. No objection in principle but object to the inclusion of part of the housing site at Watnall in phase one. The high infrastructure costs, used to justify the inclusion, reflect the unsustainable nature of the allocation and related employment allocations. The inclusion in phase one will undermine the development of brownfield sites and reduce the rate at which brownfield windfall sites come forward. The low estimate of urban capacity will therefore become a self-fulfilling prophecy.

2135/6710, 6711: Dr N Palmer MP

26. Object to 250 houses of the Watnall/Nuthall development (site H2I) being in Phase 1. This subverts the intention of PPG3 without compelling reason. Inference is that this early development phase would precede completion of infrastructure and thereby cause further traffic congestion. If the City Council's extra housing capacity results in a Structure Plan revision this could reduce Broxtowe's requirement but if the Watnall/Nuthall development is already initiated in phase 1 it would in reality be impossible to stop. Therefore if this site remains in the plan it should be all assigned to Phase 2.

Council's Joint Response:

27. The pre-inquiry changes agreed in April 2001 reduce the amount of greenfield land-take in the plan and alter the proposed phasing. However, 250 houses on Green Belt land at the Watnall/Nuthall site remain in phase 1 for the reasons stated in paragraph 77 of Proof 14.

Background

1. I have to deal with objections to the RDDP and those to the FDDP that the Council put before me. I also intend, at the request of the Council, to consider alongside these the PICs that they put forward and objections to these. This topic was discussed at a Round Table Session. I have taken this discussion into account along with the written submissions of objectors and the Council.
2. I consider PIC11, which the Council put forward in response to their assumption of an increased allowance for windfall developments and a greater anticipated capacity on brownfield sites in Nottingham City. I support the Council's concerns to see brownfield land, whether in Broxtowe or the adjoining City, developed before greenfield land and this reflects the advice of PPG3 and RPG8. However, I consider that the most appropriate means of achieving this is through a phasing policy that allows for a varying reliance upon the City, including an even greater one than that assumed by Broxtowe Council in PIC11, but one based upon somewhat longer experience of the City's performance in bringing such sites forward and their availability to meet some of Broxtowe's needs.

Inspector's Conclusions

3. The justification for Policy HX in the RDDP was quite rightly the intention to secure the development of brownfield land in urban areas before allowing the release of greenfield sites. This reflects government policy advice in PPG3. It was however compromised by the inclusion of certain greenfield sites in Phase 1. Of these, site H2e and also site H2k are now considered to be previously developed land according to the criteria in PPG3 Annex C. Site H2f will probably fall into that category once the nursing home is built and it is in any case fatally compromised with the construction of an access road. There is no special justification to include site H2i, although I support its allocation and its inclusion in Phase 2.
4. The major anomaly and one that undermines PIC9 is the inclusion of part of site H2l within Phase 1. Once this allocation is allowed a start, I can see no realistic possibility of reconsidering that allocated in Phase 2 in relation to the availability of brownfield land in Broxtowe and Nottingham City. Development of the later phase would follow inevitably to allow for continuity and completion of the whole scheme. Indeed, it is highly questionable whether the developers and investors would even proceed with such a major financial commitment for necessary infrastructure without assurances on this at the outset. Its partial inclusion in Phase 2 is spurious and the antithesis of the objectives of a phasing policy sought in the RDDP and in the PICs. However, for this and other reasons that I set out earlier and in Chapter 5, I recommend the deletion of allocations H2l, and of EM2 and most of EM3f. I identify other preferable sites elsewhere in compensation. This disposes of a number of the above objections that are concerned with the details of Policy HX.
5. There is no evidence to support the claims of the NWT and the CPRE that developers are not looking towards brownfield sites. Indeed, the high proportion of completions on such sites demonstrates the weakness of their argument.
6. Other objections are largely concerned that a shortage of housing completions against SP requirements could result if development of brownfield sites falls below expectations and greenfield sites are not released in time to provide the necessary dwellings, bearing in mind the lead times often involved. This is an important concern; the SP housing requirements would not be met until the necessary number of completions has been achieved. The only effective means of balancing this requirement with that of securing prior development of brownfield land is through regular and sensitive monitoring designed to ensure that housing completions keep pace with SP requirements. There seems little prospect, based upon previous experience, that allocated land in Broxtowe is likely to be exhausted prematurely.
7. Monitoring the provision of and completions on brownfield and all housing sites is necessary on a sub area basis in order to incorporate the additional potential for brownfield land revealed within Nottingham City. This accords with the advice of RPG8 particularly in paragraphs 4.56, 4.59 and 4.61. Westerman's suggested approach fails to reflect this. However, the review arrangements originally mooted by the County Council may be insufficient to secure provision of sufficient land for housing from all sources. Review is necessary on at least an annual basis and monitoring needs to be sustained throughout the years. I see no reason to suspect that the organisation and staffing for this level of activity would not be maintained even in the light of government proposals for changes in the planning

system. Deferring appraisal and any consequent action until 2006 is likely to be very late to take any effective corrective action that might be needed to meet SP housing requirements. The position in Nottingham City and other Districts should have become clear well before this date. The aim should be to allow Broxtowe to review their Phase 2 allocations as appropriate in good time. In the absence of satisfactory monitoring information, it may be necessary to allow the development of Phase 2 sites to proceed in Broxtowe by 2006 at the latest. These can always be taken into account in any new allocations in the next review Plan. The planning process does not end in 2006 or even 2011 and corrective action can be taken in various ways. Future housing requirements may well be lower but they will still exist post 2006 and 2011.

8. In view of the lead in times for all new housing schemes, sensitive monitoring will need to assess likely performance over an appropriate period ahead. In taking timely action, the priority should be to err on the side of meeting SP housing requirements rather than to adhere to optimistic assumptions about the development of brownfield and windfall sites. PPG3 para 34 cautions against unreal expectations. In this situation, a phasing policy which is designed to achieve the desired objectives is to be preferred to an over prescriptive mechanistic set of criteria or rigid time periods, as suggested by some. The process is unlikely to be so precise in practice as some interests might wish. Experience shows that the release of some greenfield sites has not taken away the onus to seek out and to develop brownfield sites, contrary to the fears of some.
9. As some pointed out, all allocations in the RDDP are sustainable as are those that I recommend. The emphasis within the two short phases should be upon deliverability rather than any attempt to assess relative sustainability. Whilst Diagram 3 of CD28b might provide a useful guide to the process, I see little merit in or basis for bringing the most sustainable sites forward first. I know of no allocated brownfield or other sites that are not sustainable and thus there is no basis for the 3 phases as suggested by the NWT. There is no basis available to me now to suggest any ranking of sites within the 2nd phase, as suggested by Westerman and others, other than perhaps to favour those that are not in beneficial use but this feature can change. Other persuasive factors may emerge with time such as the need to integrate development with provision of some forms of infrastructure, but it is difficult for me to forecast these in advance. Any discrimination in practice exercised by the Council in respect of Phase 2 sites would need to be soundly based.
10. There was some confusion in the minds of the Council as well as objectors over the definition of certain terms in the Policy in the RDDP such as “substantially completed” and the “majority” as well as their operation in practice. This arises because the Policy and some other objectors such as the CPRE focus on the prior development of Phase 1 sites rather than on the concurrent need to provide sufficient land from all sources to meet the SP housing requirement. The RDDP Policy treats the latter as an exceptional circumstance. The danger with Policy HX as it stands is that the Council could fail to meet the SP housing requirement by 2011. Such terms should be deleted rather than quantified as CPRE and others seek.

11. I consider that Phase 1 should include all previously developed allocations as judged against the criteria of PPG3 Annex C as well as a few special cases such as H2f, EA9 and H2X. I see no grounds for ranking these or for any finer control within Phase 1.
12. Phase 2 should include most greenfield sites, which should be released at a time when monitoring shows them likely to be required to meet the SP housing requirement, having regard to the position not only in Broxtowe but in the rest of the sub area, including in particular Nottingham City.
13. NCC's revised Policy (CD70) does not necessarily defer a review of housing provision until April 2006. It is important that in practice it is conducted much earlier. However, this is better omitted in order to avoid any misunderstanding. CD70 includes a fall back position, which should not be needed, but it is a useful safeguard and stimulus. In consequence, I find this suggested version generally appropriate in the circumstances subject to the deletion of the date for Review, the last sentence, which is unnecessary, and the omission of the sequence in the fall back position for which there is no basis before me. The resulting Policy seeks the prior development of previously developed land and allows account to be taken of brownfield opportunities elsewhere whilst seeking to meet the SP housing requirement over the Plan period to 2011. This is all encompassed in the term "review of housing provision", which does not need to be spelled out, although the supporting text should refer to the basis for the sub-regional review of the South Notts sub-area. The detailed process could be described in SPG.
14. Some revision would be needed to paragraph 4.XX (R233). It may have been correct that Phase 1 sites could accommodate sufficient housing to meet requirements for the first few years but my recommendations alter the detailed position. Furthermore, as the paragraph states the rate of development will be established through monitoring and it is unnecessary and misleading to mention dates, as the HBF and others say, or detailed expectations. I leave the precise re-wording to the Council. My recommendations include nearly 80% of the housing allocations to meet the SP requirement in Phase 1. This reflects the merits of individual sites. It includes 3 sites: H2f, Ea9 and H2X that do not strictly fall within the category of previously developed land, according to PPG3.
15. Allocation H2f is fatally compromised by the development of a nursing home and its access road across the site. Little purpose would be served in part of the development site lying idle for years. Like much previously developed land, it is an underused asset that has no beneficial use other than development (for housing) and there is merit in completing the whole development at the earliest opportunity.
16. Allocation Ea9 forms part of a scheme to redevelop a former landfill site, which is unused and classed as derelict by the Council, and which would address deficiencies of open space provision in the local wards. It also involves major works to mitigate potential landfill gas migration to existing as well as new dwellings, which should be a priority but which may take some time to implement. The necessary survey/preparatory works may also require the security of an early planning permission. Inclusion in Phase 1 would provide the LPA with ample time to secure the completion of this difficult site's development before 2011. I include allocation H2X in Phase 1 not so much because it is unused, but because its

development needs to be integrated with that of Ea9, not least in terms of access. I do not regard Phasing Policy HXX as a suitable means of phasing parts of a large development area, as the RDDP and the PICs attempted. It would be for the LPA to pursue any detailed on site phasing they might seek either in a Development Brief or upon consideration of planning applications.

17. A number of advantages arise from a front loading of allocations. It allows time to resolve constraints facing some allocations. It enhances the prospects of meeting the SP housing requirements including compensating for previous below average completion rates. It also makes some allowance for any delays in bringing forward allocated sites as well as any shortfall in the anticipated rate of windfalls and in site densities, as some interests fear. Whilst I have confidence in these supply factors, this front loading provides some prudent insurance against unexpected outcomes. On the other hand, the disadvantages of premature greenfield development does not apply to these allocations.
18. I deal with arguments relating to the allocation and the phasing of individual sites elsewhere in this Chapter and in Chapter 10. Based upon my conclusions on these matters, the following sites should be included in Phase 1 and Phase 2 as listed below.

Recommendation

19. I recommend that the RDDP be modified as follows: Re-word Paragraph 4.XX (R223) as concluded above and describe the basis of the sub-regional monitoring and review of housing provision against SP requirements. The Council should also consider including the details of this approach to monitoring and review in SPG. Modify Policy HX as follows:

Phase1:

“Planning permission will be granted for the development of the following sites:

Site	Size ha	Min Dph	Min Dwells
H2a Ordnance Depot Swiney Way	7.7	40	308
H2b TA Centre, Ranson Road, Attenborough	2.3	43	99
H2e South Queens Road, Beeston	3.2	45	144
H2f Chilwell Lane, Bramcote	1.4	35	50
H2x Field Lane, Chilwell	1.4	35	50
H2h Dyers&Cleaners, Giltbrook	1.3	40	52
H2k Bilborough College	3.5	40	140
Ea7 East Pinfold Lane, Giltbrook	.7	40	28
Ki6 Builders Yard, Eastwood Road, Kimberley	1.1	40	44
Ki7 South of Eastwood Road, Kimberley	1	40	40
H2e Maltings, Beeston	1.4	40	85
Ea9 East, Newmanleys Road, Giltbrook	9	40	360
H2X Halls Lane, Giltbrook	2.2	40	88

Total			1488
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Phase2:

Development on Phase 2 sites listed below will only be permitted after a review of housing provision establishes that they need to be brought forward in order to achieve the 1996 Structure Plan housing requirement for Broxtowe and the South Nottinghamshire Sub Area by 2011. In the event that no review is carried out by April 2006, development will be permitted on Phase 2 sites sufficient to achieve the 1996 Structure Plan requirement, taking account of completions and commitments:

H2c	East of Main Street, Awsworth	.7	30	21
H2 i	Smithhurst Road, Giltbrook	2.3	40	92
H2g	Church Lane, Eastwood	.6	40	24
Ki5	North West, Hardy Road, Kimberley	.64	40	25
Ki (c)	West of Church Hill, Kimberley	1.6	40	64
AC1	North Barlow Cottages, Awsworth	1.4	40	56
Ki1	Alma Hill, Kimberley	3.4	35	119
Total				401
Grand Total				1889

H3 HOUSING TYPE AND SIZE

Objections

4.51	Housing type and size	
601 2841	Mr S Rufus	Nottinghamshire Wildlife Trust
H3	Housing type and size	
598 2609	Mr I Brown	CPRE - Broxtowe Group
204 359	Ms A Cooke	
1106 2138	Mr R Hepwood	Miller Homes East Midlands
601 2810	Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection Issues

4.51 Housing type and size

601/2841 Nottinghamshire Wildlife Trust

1. The Council is correct in its assumption that the average household size will decrease over the plan period and that there will be an increasing need for smaller housing units, however the paragraph states that there will continue to be a supply of dwellings of varying type, size and price. The council should now focus on developing smaller dwellings at higher densities than has been the case until now to ensure that the housing requirement can be met without unnecessary damage to previously undeveloped areas. Such development should be a minimum of 40 dwellings per hectare, in line with the recommendations of the urban task force, which states this as a minimum figure for sustaining viable local communities. The existing stock of larger properties at lower

densities should be judged as sufficient to meet the demand for such dwellings in the current market.

Council's Response:

2. Policy H3 aims to achieve a mix of housing types and sizes on new development sites in order to meet housing need. Whilst the Council agrees that there will be increasing need for smaller housing types, this requirement will be met by Policy H5 - Affordable Housing and Policy H6 - Density. As such the Council does not consider any further changes are needed to Policy H3. It should also be noted that the revisions made to housing sites policy and the density policy in the Revised Deposit Draft ensure that higher density is achieved. (Refer to response to Policy H6 - Proof 122).

Housing type and size

598/2609 CPRE – Broxtowe Group

1. The first sentence should be reworded to read, 'Development of sites of over 2 hectares should provide a variety of housing types and sizes to cater for a range of housing requirements, subject to meeting the overall target for housing density'.

601/2810 Nottinghamshire Wildlife Trust

2. Object to the policy, as it is vital that the Council ensures new housing is designated to meet the standards of density described as sustainable in the urban task force report. No development should be allowed to proceed unless it meets the standards of density and design which will allow for a community to be considered as sustainable by providing the residents with a full range of services and facilities and access to wildlife rich open space. The primary aim should be to meet the needs of those in genuine housing need as referred to in the report by Shelter 'An urban and Rural Renaissance', which states that the private sector through the planning system should be responsible for one third of the requirement for affordable housing.

Council's Joint Response:

3. The Council does not consider it necessary to alter the policy as proposed. Policy H3 aims to achieve a mix of housing types and sizes on new development sites in order to meet housing need. Density requirements are covered by a separate policy that aims to achieve sustainable development. No cross referencing is required as any proposed development will be assessed with regard to all relevant policies. However, it is proposed to reduce the threshold size to which this policy relates to one hectare in order to be consistent with Policy H5: Affordable Housing. The revision will also ensure the policy accords with PPG3.

Inquiry Change

- IC39**
4. **The Council has recommended that policy H3 is amended to read, "Development of sites over one hectare should provide a variety"**

204/359 m A Cooke

5. Loss of Green Belt. Loss of footpath and wildlife. Increased traffic. Proposed public transport inadequate. Pressure on facilities - shops.

Council's Response:

6. The objection is dealt with in the Council's responses to objections 204/358, 360, 361 which, like this objection, relate to the proposed housing and employment development at Watnall/Nuthall (Proof 014).

1106/2138 Miller Homes East Midlands (formerly Birch Plc)

7. Policy wording too vague. Not clear what is meant by a variety of house types, i.e. will the policy prevent a proposed development of detached house types only, even when they are of varying sizes and styles. Amend the policy to state, 'Developments of sites over 2 hectares should where possible provide a variety of house types to cater for a range of housing requirements, taking account of the sites location, character and feasibility'.

Council's Response:

8. The Council does not consider the proposed amended wording aids understanding. The term 'housing type' covers both the general form of housing and the style or design. In order to cater for a range of housing requirements the Council will generally expect a variety in both general form and style/design.

Inspector's Conclusions

1. The term "type" should cover the general character of housing including housing form such as terraced, semi-detached, detached, single and multi-storey. It would be difficult to extend this to matters of style and design from reading paragraph 4.51 but this is covered more precisely by Policy E1. It is interesting that Birch PLC/Miller Homes should seek to retain the term "type" but to omit the more precise term, "size", which is perhaps the main concern of paragraph 4.51. The Policy makes clear that proposals involving predominantly the same type or size of house will not be acceptable and this is in the interests of achieving a mix of housing in accordance with the advice of PPG3 paras 9 to 11. This phrase should therefor be retained.
2. Policy E1 should ensure that proposals respect the character of the site's setting. Other policies such as E22 seek to preserve important site features such as trees and hedgerows. As these and other policies apply to all forms of developments and the Plan should be read as a whole, Miller's final clause is unnecessary. Similarly, if a particular form of development were not feasible, I would not expect it to be pursued. In consequence, I find no improvement in this objector's suggested amendments.
3. Forecasts of additional households may be predominantly of one-person households. However, the Nottinghamshire Wildlife Trust make the mistake of attempting to equate a decreasing household size with a precisely corresponding need for smaller dwelling types. They appear to assume, erroneously in my experience, that successful housebuilders attempt to provide dwellings that are larger than purchasers' demand. Indeed with escalating house prices there may be a strong economic incentive for new housebuyers to limit their outlay. Yet many, if not all, buyers quite reasonably take a longer term view, wishing to avoid the necessity and costs of moving when their family circumstances change. More specifically, a high proportion of the single persons households are elderly persons many of whom quite naturally wish to remain in their family home for a

variety of personal reasons, even if it appears large for their normal everyday needs. Another growing group is separated and divorced persons, many of who wish to have their children to visit and who may anticipate forming new relationships. As a result they again may seek dwellings larger than their current normal needs suggest. This is all borne out by the study undertaken for the North West Regional Planning Guidance, which I refer to above. There is no evidence to support the assertion that the existing stock of larger dwellings is sufficient to meet the demands for single person's accommodation.

4. Policy H6 sets out the minimum densities to be achieved, dependent, as government policy advises in PPG3 para 58, upon accessibility to public transport services. The consistent thrust of the NWT's objections is to seek as many houses as possible on allocated sites in order to reduce demands upon greenfield sites elsewhere. However, the Council and I have to adopt a balanced approach that seeks to provide satisfactory space and amenity standards for occupiers and neighbours of new housing developments whilst making efficient use of land that is developed. It is important in the interests of sustainable development to avoid some of the mistakes of past eras when high rise housing schemes were foisted on LAs by government. I note the recommendations of the Urban Task Force, but I consider that Policy H6, to which the NWT also objects, achieves a reasonable balance and reflects government policy. I conclude elsewhere that the impact of the Plan's modest housing allocations on the sustainability of existing settlements would be insignificant, irrespective of the density. Policy H5 deals with the requirements for affordable housing which in this part of Nottinghamshire is assessed by an in depth local study at 25% of the total provision in contrast to the more general national figure promoted by Shelter.
5. Policy H6 establishes the density for different categories of sites and I see no reason why this should be compromised by the operation of Policy H3; rather the opposite it should promote it. In consequence, I see no merit in the CPRE's suggested amendment; Policy H6 applies in any case without mention in Policy H3. NWT's suggestions completely subverts Policy H3 with density and affordable housing matters, which are already covered by Policy H5 and H6.
6. Mrs Cooke's objection relates to the proposed allocations at Watnall/Nuthall, which I deal with above and in Chapter 5.
7. BBC's proposed IC39 seeks consistency with Policy H5 in terms of site size and I accept that a scheme of 30 or more dwellings should normally be capable of some variety of house types and sizes, though perhaps not such variety as a somewhat larger scheme. Although the intentions are worthy of support, in order to achieve the compatibility that the Council seek with Policy H5 the reference should be to "1 ha or more" rather than "over 1 ha", since this is the terms of my recommendation on Policy H5.

Recommendation

8. I recommend that no modification be made to the RDDP in respect of these objections except that the terms "1 ha or more" be substituted for the terms "over 2 hectares".

H4 – SUB-DIVISION OR ADAPTATION OF EXISTING BUILDINGS

Objections

4.54 *Adaptation of existing housing stock*

601 2568 Mr S Rufus Nottinghamshire Wildlife Trust

4.54 R231 *Adaptation of existing housing stock - Deletion of text inappropriate to the revised policy and addition of reference to appendix*

601 4634 R231 Mr S Rufus Nottinghamshire Wildlife Trust

4.54 R230 *Adaptation of existing housing stock - Deletion of text inappropriate to the revised policy*

601 4633 R230 Mr S Rufus Nottinghamshire Wildlife Trust

H4 *Adaptation of existing buildings*

601 2819 Mr S Rufus Nottinghamshire Wildlife Trust

Summary of Objection Issues

4.54 Adaptation of Existing Housing Stock

601/2568 Nottinghamshire Wildlife Trust

1. While the NWT supports the approach the Council is adopting in encouraging innovative interpretation of standards for new development, we feel that the text in this paragraph is still placing too much emphasis on the need to cater for use of the private car. The local plan should at all times actively encourage any proposals which include plans to reduce dependency on this mode of transport while providing good quality viable alternatives. Recommend the following replace the last sentence of this paragraph:
2. In those respects attention is drawn to the circumstances in which the Council may set aside requirements for on site parking in anticipation of the planned provision for public transport facilities sufficient to reduce the need for private car dependency.

Council's Response:

3. As parking standards in the Revised Deposit Draft are now maxima rather than minima, it is no longer appropriate to refer to setting aside parking provision in return for public transport contributions. However the issue of public transport contributions is dealt with by policy T1.
4. In light of the fact that Appendix 4 discourages off-site parking provision, the Council now considers it appropriate to delete the whole of the last sentence of the paragraph.

Inquiry Change

- IC40 5. The Inspector is invited to recommend that the final sentence of paragraph 4.54 should be deleted.**

4.54 R230 Adaptation of Existing Housing Stock - Deletion of text inappropriate to the revised policy

601/4633: Nottinghamshire Wildlife Trust

6. We feel that the Council should not be so restrictive in declining to allow 'innovative interpretation of standards' for new development. Some flexibility should be allowed to accommodate those schemes, which maintain a high standard of development, while making improvements on the sustainability ranking for developments. We recommend that the Council reinstate the deleted section from this paragraph.

Council's Response:

7. The Council considers the revised text in its entirety strikes the right balance between encouraging sub-division or adaptation, whilst ensuring the environment is protected. The revised text does allow for some flexibility as long as proposals demonstrate good design.

4.54 R231 Adaptation of Existing Housing Stock - Deletion of text inappropriate to the revised policy and addition of reference to appendix.

601/4634: Nottinghamshire Wildlife Trust

8. We strongly feel that the Council should continue to deem acceptable replacement of parking provision with contributions towards public transport. Such an approach is not only more sustainable, but recognises and caters for the significant numbers of people in the borough who will continue to have no access to private vehicles. We recommend that the Council reinstate the deleted section from this paragraph.

Council's Response:

9. Policy T1 of Chapter 6: Transport covers Developers' Contributions to Integrated Transport Measures, and requires contributions towards public transport. Therefore, the policies in the revised draft continue to endorse a flexible, sustainable approach.

H4 Adaptation of Existing Buildings

601/2819: Nottinghamshire Wildlife Trust

1. Support proposals which encourage the sub-division and alteration of existing properties as a way of meeting the housing requirement with the minimum loss of land elsewhere. However, the policy should state the Council's intention to ensure that such redevelopment proceeds in a way which promotes the highest aspirations towards urban regeneration.

Council's Response:

2. The policy has been carefully worded to allow for a proper assessment of any such proposal. Various criteria have been referred to in the Revised Deposit Draft policy text; these would need to be complied with for a proposal to be acceptable. The Council's general design policy E1 Good Design in the Built Environment will also be used to assess any proposal of this type. This policy encourages design of the highest standard.

Inspector's Conclusions

1. IC40 deletes any reference to parking provision on or off site. It leaves the LPA with discretion to allow sub-division and adaptation of the existing housing stock to provide extra dwellings, which should clearly be supported. This discretion is however, subject to the advice of PPG3 para 60, which states that developers should not be required to provide more car parking than they or potential occupiers might want nor to provide off street parking where there is no need. This should ensure that conversion schemes are not rejected in future because of a lack of on-site parking unless there are sound reasons on grounds of highway safety and/or amenity. This should meet the concerns of the NWT to encourage this form of housing provision. However, it could be counter productive for approval of such schemes to depend upon improvements in Public Transport.
2. I am unsure what the phrase “innovative interpretation of standards” is meant to convey, other than some relaxation of these. There is little indication of the standards in question, although the only ones mentioned specifically are those relating to car parking, which I deal with above, and private open space. Given, the encouragement for this form of development, this paragraph in the FDDP and the RDDP gives prospective developers little guidance on the standards that would still be required to provide good living environments. It deserves more detailed explanation probably in Supplementary Planning Guidance. This approach is likely to produce more positive results than minor amendments to paragraph 4.54.
3. Policy T1 may apply in appropriate circumstances and there is no necessity to mention it or its provisions repeatedly under other Policies including Policy H4. To do so not only increases the length of a lengthy document and could create misunderstandings by reference to selective policies and not others. It is impracticable to identify in advance all the policies that might apply to a particular scheme on a particular site. The Plan should be read as a whole. However, most conversions and adaptations of buildings covered by Policy H4 are likely to be small scale and it would be difficult to demonstrate in such cases that existing public transport facilities were incapable of dealing with the minor extra travel demands. The main objective is, in any case, to encourage this form of new housing provision.
4. I have little conception of what is meant by the suggested phrase “promoting the highest aspirations towards urban regeneration”. I suspect that prospective developers might feel the same and be left confused as to what is required of any scheme they propose. The NWT's and the Council's desire to encourage this form of housing provision would be better served by limiting unnecessary constraints, obstacles and confusion placed upon prospective developers. In any case, conversions and adaptations by their nature assist urban regeneration. I cannot see what more could be required.
5. The term “permitted” in the Policy reflects the Council's planning powers and the advice of PPG12 for LPs to concentrate upon land use planning matters. It is also more precise than the term favoured by the CPRE in respect of the Council's position. There is nothing to prevent the Council pursuing steps to encourage conversions through a variety of initiatives if they so wish. However, it is not appropriate to include such statements in the Policy.

6. Other Policies and legislation protect the character and setting of listed buildings and conservation areas and require no special mention in Policy H4.

Recommendation

7. I recommend that no modification be made to the RDDP in respect of these objections except for that set out in IC40.

H5 AFFORDABLE HOUSING

Objections

4.58		<i>Affordable housing</i>	
4.58 R240		<i>Affordable housing - Amendment to clarify need for affordable housing</i>	
4.58 R241		<i>Affordable housing - Addition to clarify borough-wide need for affordable housing</i>	
4.59 R244		<i>Affordable housing - Amendment to clarify terminology</i>	
1106	4929	R244 Mr R Hepwood	Miller Homes East Midlands
1106	4911	R244 Mr R Hepwood	Miller Homes East Midlands
4.59 R245		<i>Affordable housing - Deletion to clarify mechanisms to achieve affordable housing</i>	
1106	4910	R245 Mr R Hepwood	Miller Homes East Midlands
H5		<i>Affordable housing</i>	
748	2386		David Wilson Homes North Midlands David Wilson Estates
1107	2146		Scottish & Newcastle FPDSavills
1162	2452		McCarthy & Stone (Developments) Ltd The Planning Bureau Ltd
1154	2350		W. Westerman Ltd DPDS Consulting Group
1113	2172		Hanson Family Trust FPDSavills
1123	2202		Pickering Developments Ltd Freeth Cartwright Hunt Dickins
1381	3492	Ms F Forgham	Government Office for the East Midlands
1106	2137	Mr R Hepwood	Miller Homes East Midlands
1135	2320	Mr I Moss	House Builders` Federation
1206	2914	Mr JL Revill	Freeth Cartwright Hunt Dickins
1111	2168	Mr M Slattery	Bilborough College GVA Grimley
H5 R246		<i>Affordable Housing - Amendment to terminology in policy regarding requirement</i>	
1420	5372	R246	Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors
1108	4983	R246 Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
1106	4930	R246 Mr R Hepwood	Miller Homes East Midlands
H5 R247		<i>Affordable Housing - Amendment to clarify exceptional case regarding contributions to alternative provision</i>	

601 4635 R247 Mr S Rufus
1420 5373 R247

Nottinghamshire Wildlife Trust
Bellway Estates & Giltbrook Landowners Consortium
Shoosmiths Solicitors

Summary of Objection Issues

4.59 R244 Affordable Housing - Amendment to clarify terminology.

1106/4911, 4929 - Miller Homes East Midlands

1. Object to the proposed deletion of the words “small and low cost” from para. 4.59. Advice contained in Circular 6/98 is clear that affordable housing includes both open market housing etc. Objection overcome if reference to small and low cost housing was reinstated.

Council's Response:

2. The revision in paragraph 4.59 is associated with the Council's updated definition of affordable housing in paragraph 4.56 to ensure a consistent approach is taken. This definition makes reference to low cost housing, but not to “small and low cost housing” because the Council does not accept that in all cases they necessarily go hand in hand.

4.59 R245 Affordable Housing - Deletion to clarify mechanisms to achieve affordable housing

1106/4910 - Miller Homes East Midlands

3. Object to the proposed revision which seeks to delete the option of providing a financial consideration in lieu of onsite affordable housing. This removes flexibility. The objection would be withdrawn if the paragraph was reinstated.

Council's Response:

4. The Council, although removing part of para. 4.59 regarding financial contributions, has inserted within policy H5 the option of ‘exceptionally’ accepting a financial contribution in lieu of on-site provision of affordable housing. One clear issue arising from the receipt of financial contributions is the lack of available alternative sites for provision of affordable housing elsewhere. Unless the majority of affordable housing provision takes place on allocated sites there will clearly be a lack of alternatives to meet the 25% target. This, the Council considers provides necessary flexibility.

H5 Affordable Housing

A number of objections have been received relating to the principle of how much affordable housing is required. These are grouped together with one common response.

748/2386 - David Wilson Homes North Midlands

1. Notwithstanding publication of Technical report 4, concern over the justification for a minimum 25% ‘requirement’ for affordable housing provision on sites above 1 ha or 25 dwellings. The overall percentage figure could be lower and appropriately reflected on a site specific basis, rather than applied universally.

1107/2146 - Scottish & Newcastle

2. The requirement should not be inflexibly applied to each and every housing allocation or significant site that comes forward as a 'windfall'. For example H2e - a Brownfield site and residential conversion of a building, 25% quota of affordable housing could prejudice an imaginative and well integrated scheme. The explanatory text is unclear with regard to the definition of affordable housing - 4.56 and 4.58 contradict each other; Agreements are not always required to ensure small units remain 'affordable'. Circular 6/98 suggests LA should set out their intention to negotiate with developers for the inclusion of an element of affordable housing on development sites. Affordable housing requirement is indicative and should be subject to the particular characteristics of each individual site.

1162/2452 - McCarthy & Stone (Developments) Ltd

3. The correct approach that the Council should take in respect of affordable housing is one which closely follows Government Guidance in the form of Circular 6/98. Whilst it is appreciated that there is a need to provide affordable housing within the District, it is important that this does not override the provision of housing to meet other needs (for example specialised housing for the elderly) and does not prejudice the realisation of such housing on suitable sites. A flexible policy for affordable housing is imperative in order to take into account differing circumstances of each individual case and site. Sites which are proposed for housing may have constraints which need to be taken into account when assessing the suitability for affordable housing.

1154/2350 - W Westerman Ltd

4. Paragraph 4.58 incorrectly quotes government advice as being contained in Circular 13/96, which was cancelled by Circular 06/98. It is considered that the precise wording of the policy is contrary to the provisions of Circular 06/98. Affordable housing is defined in paragraph 4 of this circular and the Local Plan policy should clearly reflect national planning policy guidance. Policy wording which states an affordable housing requirement of "at least 25% of dwellings" is contrary to Circular 06/98. This circular indicates that Local Plan policies should set indicative targets for specific suitable sites and "indicate in the plan the intention to negotiate with developers for the inclusion of affordable housing on such sites".

1113/2172 - Hanson Family Trust

5. The requirement should not be inflexibly applied to each and every housing allocation or significant site that comes forward as a 'windfall'. For example development areas identified at H2I include a separate residential allocation to the west of the New Farm Lane which is suitable for implementation prior to the implementation of the larger proposed development scheme. An affordable housing requirement in this location on this small site would not be necessarily appropriate. The explanatory text is unclear with regard to the definition of affordable housing - 4.56 and 4.58 contradict each other. Agreements are not always required to ensure small units remain 'affordable'. Circular 6/98 suggests LA should set out their intention to negotiate with developers for the inclusion of an element of affordable housing on development sites. Affordable housing requirement is indicative and should be subject to the particular characteristics of each individual site.

1123/2202 - Pickering Developments Ltd

6. Support the Council in seeking to secure an element of affordable housing and support the advice contained in the supporting text which deals with the provision mechanism as being sensible and flexible. Object strongly to the specific wording of the policy which provides a blanket requirement for affordable housing to be provided or an appropriate financial contribution made on all sites above a threshold size. This is clearly contrary to the intention of, and advice contained in Circular 6/98. With reference to para. 10 of Circular 6/98, it is clear that the application of a blanket requirement of at least 25% of all housing on all sites over 1 ha or over 25 dwellings fails to take account of the other considerations required in the guidance. As such the proposed policy provides too restrictive and unreasonable a requirement on potential developers.

1106/2137 - Miller Homes East Midlands (formerly Birch plc)

7. Inference within the policy that at least 25% of all housing will be affordable. Not in accordance with Circular 6/98; Affordable Housing, which states that the level of affordable housing to be derived from a site is dependent upon elements of planning gain. Any requirement must be based on an up to date housing needs survey.

1135/2320 - House Builders' Federation

8. The calculation of base need should exclude those in mortgage arrears and homeless households. A number of assumptions in the South Notts model need testing. There is no definition of affordability within the plan.

1206/2914 - Mr J L Revill

9. Support the Council in seeking to secure an element of affordable housing and support the advice contained in the supporting text, which deals with the provision mechanism as being sensible and flexible. Object strongly to the specific wording of the policy which provides a blanket requirement for affordable housing to be provided or an appropriate financial contribution made on all sites above a threshold size. This is clearly contrary to the intention of and advice contained in Circular 6/98. With reference to para. 10 of Circular 6/98, it is clear that the application of a blanket requirement of at least 25% of all housing on all sites over 1 ha or over 25 dwellings fails to take account of the other considerations required in the guidance. As such the proposed policy provides too restrictive and unreasonable a requirement on potential.

1381/3492 - Government Office for the East Midlands

10. The policy only sets out the minimum percentage of housing on each site which should be affordable. It does not define what the Council consider to be affordable housing, how much is needed, or by what mechanism it will remain affordable. In addition the Council cannot 'require' affordable housing on sites allocated in the local plan, they must 'seek' such housing on suitable sites. The local plan, while being informed by the Study of the Need for Affordable housing in South Nottinghamshire, should not rely on that document, which does not form part of the plan, to explain the policy in the plan. The reasoned justification is inadequate for the affordable housing policy; there is no indication of the total number of affordable houses required during the plan period; nor an explanation of the district-wide requirement for 25% of housing on the defined sites to be affordable. There is no reference to site suitability and the economics of provision. There is no indication of the contribution to be made to affordable housing by bringing vacant houses back into use, conversions, use of land in urban areas. The mention of occupancy criteria in paragraph 4.59 is unrelated to the other criteria for making provision for small and low cost housing. The intention of the final sentence of paragraph 4.59 is unclear. Reference is made to the incorrect Circular. Circular 6/98 paragraphs 1,9 and 10 refer.

1111/2168 - Bilborough College

11. The requirement should not be inflexibly applied to each and every housing allocation or significant site that comes forward as a 'windfall'. For example H2k is located in close proximity to Bilborough where there is already a significant and already existing area of affordable housing. The explanatory text is unclear with regard to the definition of affordable housing - 4.56 and 4.58 contradict each other. Agreements are not always required to ensure small units remain 'affordable'. Circular 6/98 suggests LA should set out their intention to negotiate with developers for the inclusion of an element of affordable housing on development sites. Affordable housing requirement is indicative and should be subject to the particular characteristics of each individual site.

Council's Combined Response:

12. A study of affordable housing need has been undertaken in collaboration with all local authorities in the South Nottinghamshire area, resulting in the South Nottinghamshire Study. The Councils involved recognise that in terms of a housing market they are all embraced within the Nottingham conurbation and that therefore a study of the whole area is more meaningful than individual research within each districts' administrative boundaries in isolation. The study indicated that approximately 25% of new housing in both Broxtowe and South Nottinghamshire as a whole should be affordable.
13. The Revised Deposit Draft updated various references in the government circular concerning affordable housing, clarified the definition of affordable housing and gave more background to the rationale behind using the South Notts Study as a basis for setting the percentage level (25%) that is expected. All allocated sites to which the policy applies have been individually assessed, including any constraints they may have, and are considered to be suitable for the provision of affordable housing. The Council is satisfied that there is no particular reason for any individual site not to contribute to the general need for affordable housing if it is over one hectare in size. The various other contributions expected to be made to infrastructure or local facilities are also relatively evenly spread across the proposed sites, and there is no justification for varying the required affordable housing level in response to such circumstances, as suggested in the government circular.
14. The South Notts Study has been updated to November 2000. The Study now uses more up to date data in its assumptions, and draws new conclusions in the light of monitoring the provision of affordable housing over the past two years. Its basic conclusion is that there is increasingly a more pressing need to implement the policies in emerging local plans to provide affordable housing as 25% of all new housing. When the Study was first completed, this percentage would have been appropriate for addressing both base need (ie existing need) and future needs within the Plan period. Because the level of affordable housing provided over the last two years has been lower than predicted, and because house prices have risen in relation to income levels, the 25% figure would now only be likely to be sufficient to accommodate estimated future need, and would not necessarily satisfy existing need in addition. The districts associated with the South Notts Study are undertaking regular monitoring of the provision targets. At present it has been agreed that the existing 25% target should remain.
15. The Council's 2002-5 Housing Strategy provides further information on certain aspects of affordable housing, which will be of use in determining what should most appropriately be provided in particular local circumstances. In detailed appendices, it gives house prices and average incomes for postcode areas and summarises the existing Council stock accommodation available by dwelling type. As an analysis of this information the Strategy includes various recommendations about the areas of most need for affordable housing within the borough and consideration of the house-types most in demand. After monitoring provision over the next few years, it may become apparent that some areas of most need are not receiving any new (including affordable) housing. These areas would then be the likely targets for any commuted sum contributions that might have been collected from exceptional cases allowed for in the Local Plan policy H5. In such ways, the implementation of the policy and its interpretation through the more locally-based data in the Housing Strategy will enable affordable housing provision to be responsive to the particular needs of communities.
16. An updated paragraph 4.58 includes reference to Circular 6/98 (Revision R239) and updated various references to repeat the provisions of this Circular. The revisions included a clarification of the definition of affordable housing. The Council believes that the policy is now fully consistent with Circular 6/98.
17. The Revised Deposit Draft inserted the option of 'exceptionally' accepting a financial contribution in lieu of on-site provision of affordable housing to create a degree of flexibility within the policy to take account of any unexpected individual site problems with provision.

18. The Council believes that it is important to create mixed and inclusive communities which offer a choice of housing and lifestyle (PPG3, para.10). There is no particular reason for any site not to contribute to the general need for affordable housing.
19. The Revised Deposit Draft updated various references to the government circular concerning affordable housing, clarified the definition of affordable housing and gave more information regarding the Council's rationale behind using the South Notts Study as a basis for setting the 25% level that is expected. The Draft also altered 'there will be a requirement' to 'the Council will seek to ensure', to reflect the provisions of Circular 6/98. Revision R245 deleted reference to occupancy criteria in paragraph 4.59 and the final sentence of the paragraph. Revision R241 explains that all allocated sites to which the policy applies have been individually assessed and are suitable for the provision of affordable housing. The Council is satisfied that there is no particular reason for any individual site not to contribute to the general need for affordable housing.
20. Text has also been added to the reasoned justification in the Revised Deposit Draft to explain that the requirement is based on an up to date housing needs survey, the South Nottinghamshire Study. The Council believes that the policy in the Revised Deposit Draft is fully consistent with Circular 6/98.
21. In the light of the above points the Council believes that the supporting text and Policy H5 accord with the aims of Circular 6/98. However, the Council believes some minor amendments to the current proposed text in paragraphs 4.58 and 4.59 would assist understanding of the policy and clarify the situation in respect of those developments that provide affordable housing and other specialist housing needs. The Council also accepts that further supplementary guidance on the provision of affordable housing in the light of emerging good practice advice would be beneficial. As a consequence the following inquiry changes are proposed.

Inquiry Change

- IC 131 22. The Council has recommended the following changes to the text of paragraphs 4.58 and 4.59.**

The fourth sentence of paragraph 4.58 should be replaced with the following: "Where such provision is made conditions or planning obligations will be required to ensure that affordable housing is retained for those who need it, both initially and in the future. The Council will prepare further supplementary planning guidance on this issue."

In the first sentence of paragraph 4.59 "is prepared to" should be replaced with "will". At the end of paragraph 4.59 the following sentence should be added: "On sites developed by Registered Social Landlords or the Council for specific purposes, such as homes for the elderly, the policy criteria of H5 will be regarded as met without additional contribution".

H5 R246 Affordable Housing - Amendment to terminology in policy regarding requirement

1420/5372 - Bellway Estates & Giltbrook Landowners Consortium

23. Objection is raised to the revisions in relation to affordable housing. 25% is considered high and unjustified, although this has not been the subject of revision. However the flexibility in Policy H5 which enabled affordable housing to be provided in a number of forms has been removed by the proposed revisions. It is considered that these changes will stifle and potentially prejudice the delivery of the Council's housing allocations, and will also prejudice the ability of those allocations

to bring forward affordable housing particularly on Brownfield Sites. Windfall opportunities would also be prejudiced and thus the overall housing strategy. Suggest provide greater flexibility in both form and amount of affordable housing.

Council's Response:

24. The Revised Deposit Draft updated various references in the government circular concerning affordable housing, clarified the definition of affordable housing and gave more background to the rationale behind using the South Notts Study as a basis for setting the percentage level (25%) that is expected. All allocated sites to which the policy applies have been individually assessed and are considered to be suitable for the provision of affordable housing. The Council is satisfied that there is no particular reason for any individual site not to contribute to the general need for affordable housing. The various other contributions expected to be made to infrastructure or local facilities are also relatively evenly spread across the proposed sites, and there is no justification for varying the required affordable housing level in response to such circumstances, as suggested in the government circular.
25. The South Notts Study has been updated to November 2000. The Study now uses more up to date data in its assumptions, and draws new conclusions in the light of monitoring the provision of affordable housing over the past two years. Its basic conclusion is that there is increasingly a more pressing need to implement the policies in emerging local plans to provide affordable housing as 25% of all new housing. When the Study was first completed, this percentage would have been appropriate for addressing both base need (ie existing need) and future needs within the Plan period. Because the level of affordable housing provided over the last two years has been lower than predicted, and because house prices have risen in relation to income levels, the 25% figure would now only be likely to be sufficient to accommodate estimated future need, and would not necessarily satisfy existing need in addition. The districts associated with the South Notts Study are undertaking regular monitoring of the provision targets. At present it has been agreed that the existing 25% target should remain.
26. The Council's 2002-5 Housing Strategy provides further information on certain aspects of affordable housing, which will be of use in determining what should most appropriately be provided in particular local circumstances. In detailed appendices, it gives house prices and average incomes for postcode areas and summarises the existing Council stock accommodation available by dwelling type. As an analysis of this information the Strategy includes various recommendations about the areas of most need for affordable housing within the borough and consideration of the house-types most in demand. After monitoring provision over the next few years, it may become apparent that some areas of most need are not receiving any new (including affordable) housing. These areas would then be the likely targets for any commuted sum contributions that might have been collected from exceptional cases allowed for in the Local Plan policy H5.
27. In these various ways, the implementation of the policy and its interpretation through the more locally-based data in the Housing Strategy will enable affordable housing provision to be responsive to the particular needs of communities.

1108/4983 - Stamford Homes Limited

28. The revised wording is inconsistent with Government Guidance in Circular 6/98; Affordable Housing. The circular advises that LPAs should include policies in local plans to seek to negotiate a proportion of affordable housing on suitable sites. The revision should be reworded as follows: '...the council will seek to negotiate an element of affordable housing on suitable sites'.

Council's Response:

29. The proposed rewording would reduce the clarity of the policy by removing the percentage figure and the size threshold. The figure of 25% has been justified by the South Nottinghamshire Study (see the response to objection 1420/5372, above), whilst paragraph 10 of Circular 6/98 states that

“suitable sites” are those of over one hectare/25 dwellings. Both of these points are reflected in the current policy wording.

1106/4930 - Miller Homes East Midlands

30. Miller Homes support this proposed modification but maintain its objection to the level of affordable housing (expressed as a percentage).
31. The objection to the plan would be overcome if the policy was amended to read, ‘on housing sites of over 1 hectare or over 25 dwellings, the Borough Council will negotiate with developers for up to 25% of dwellings built to be ‘affordable’. The exact level will be dependent on the findings of an up to date housing needs survey and other planning objectives to ensure that the scheme remains viable.

Council’s Response:

32. Please refer to the Council’s response to 1106/2137.

H5 R247 Affordable Housing - Amendment to clarify exceptional case regarding contributions to alternative provision

601/4635 - Nottinghamshire Wildlife Trust

33. The NWT supports the principle of a policy addressing affordable housing needs in the borough. It is important that new development planned in the Borough actually caters for the needs of the residents. Consequently, developers have a role to play in ensuring that the pattern and type of development proposed meets all these needs. We are concerned therefore that the policy allows for developers to look to provide affordable housing away from a particular development through a financial contribution. This seems to be providing an opportunity to developers to buy their way out of social obligations creating a ghetto of wealth excluding the less affluent members of society, in an attempt to secure higher values and profitability from a development. We are strongly opposed to this approach, as it does nothing for building more socially inclusive, cohesive communities, indeed it is a retrograde step from the climate which is being promoted in recent times. PPG3 offers support to this position where in para. 10 it states quite clearly that ‘(the Government) does not accept that different types of housing and tenures make bad neighbours. LPAs should encourage the development of mixed and balanced communities; they should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics’. We feel the council should make every effort to ensure that all developments (even those below 25 dwellings or one hectare, which appear to have an escape clause at present) are required to contribute towards local need for affordable housing.
34. We recommend that the final part of this policy be deleted and that all development be subject to the affordable housing requirement.

Council’s Response:

35. The wording in the Revised Deposit makes clear that financial contributions, as an alternative to on-site provision, will only be acceptable in exceptional circumstances. Paragraph 10 of Circular 6/98 states that policies should not apply to sites of under one hectare/25 dwellings.

1420/5373 - Bellway Estates & Giltbrook Landowners Consortium

36. Objection is raised to the revisions in relation to affordable housing. 25% is considered high and unjustified, although this has not been the subject of revision. However the flexibility in Policy H5 which enabled affordable housing to be provided in a number of forms has been removed by the

proposed revisions. It is considered that these changes will stifle and potentially prejudice the delivery of the Council's housing allocations, and will also prejudice the ability of those allocations to bring forward affordable housing particularly on Brownfield Sites. Windfall opportunities would also be prejudiced and thus the overall housing strategy. Suggest provide greater flexibility in both form and amount of affordable housing.

Council's Response:

37. The objection is the same as that made to R246. Therefore please refer to the Council's response to objection 1420/5372, above.

Background

1. This subject was discussed at a round table session. I have taken this discussion into account as well as the written submissions of objectors and the Council.

Inspector's Conclusions

2. Government policy towards affordable housing is set out in PPG3 and in Circular 6/98. RPG8 para 4.38 set out housing aims for the region, which includes ensuring that sufficient housing is provided which is affordable according to local circumstances. It identifies in para 4.70 that an adequate supply of affordable housing is important for the performance of the regional economy and in Policy 26 advises on the contents of development plans.
3. The deletion of the terms "small and low cost" from paragraph 4.59 of the FDDP was consistent with the deletion of similar terms "small and/or subsidised" from paragraphs 4.57 and 4.58. Affordable housing may be small, but not necessarily so. It will almost inevitably be subsidised in some respects. However, the objective is to secure affordable housing and this more precise term is to be preferred to a variety of others.
4. R247 to Policy H5 provides, exceptionally, that a financial contribution can be made to enable the provision of an equivalent amount of affordable housing off site. This should provide some of the flexibility that Miller Homes seek and should compensate for the deletion of the last bullet point to paragraph 4.59 as a result of R245 to the FDDP. It is the policies of the Plan that development control decisions must respect. However, I take the Council's point that unless the larger sites, of 1 ha or more, provide for affordable housing, financial contributions in lieu may be unable to secure sufficient affordable housing elsewhere.
5. The Council participated with others in undertaking a study of affordable housing needs in South Nottinghamshire. This appears to meet the requirements set out in Circ 6/98 paras 5 and 9. The results of the Study, which R237 introduced to the RDDP, indicated that something of the order of 25% of new housing in this sub-area and in Broxtowe should be affordable. No other local study was put forward. No comparable reasoned analysis has been advanced to justify any lower figure that David Wilson, Bellway and others advocate. RPG8 in Policy 26 advises that the appropriate indicator for monitoring whether affordable housing

need across the region is being met is around 3,400 dpa. This is about 25% of its total of 13,700 dwellings.

6. The SP may not have included figures for homeless households or for re-possession and there may have been differences in the figures for concealed households but this is no logical reason to exclude these from the more up to date and more specific assessment. Those critics can hardly call for a corresponding revision of the SP housing requirement in the light of their commitment to it on other occasions. The point only arises because the LP chooses to express the requirement as a percentage rather than a number. However, the requirement of 25% is unlikely to cater even for the base need according to the latest monitoring report (CD71) (CD53). I see no sound basis now to revise the figure downwards.
7. The mechanism advocated by some housebuilders for establishing a requirement on an individual site-specific basis at some future time, rather than generally, is again unclear and of dubious practicality. It is important to an efficient determination of planning applications that the requirements of the LPA should be set out clearly in advance. Determination subsequently on a site by site basis according to some unspecified criteria would lead to uncertainty and lengthy wranglings, which the housebuilding industry often maintains it wishes to avoid. I can see no other practical way of distributing an overall requirement, revealed by the South Notts Study, to individual sites than by use of a percentage, which is to be preferred, or an equivalent number, and this follows the advice of Circ 6/98 para 9 b). The suggested adoption of the 25% as a target, which the LPA should not seek to exceed, clearly fails to meet the identified need. I recognise the impact of the right to buy legislation but this is current government policy and quite outside my remit, even if it has such a clear contrary effect upon the availability of affordable housing.
8. R236 to the FDDP included the Council's definition of affordable housing and should resolve any earlier differences between paras 4.56 and 4.58. R238 indicated the total number of affordable dwellings that the South Notts Study indicated are needed in Broxtowe (930 dwellings or 25% of total dwelling requirement). It also clarified that some of these will be provided, though not required, through conversions and redevelopment of small sites. R241 clarified that the Council has assessed all allocated sites and that these are considered to be suitable for the provision of affordable housing having regard to the economics of provision. R246 substituted the term "seek" for the term "requirement", which reflects more the terms of Circ 1/96 and 6/98 and should satisfy some objectors. I prefer the term "ensure" to "negotiate"; it allows for a wider range of initiatives. R245 deleted the reference to occupancy criteria. R239 made reference to the correct Circular. R244 amended the first sentence of paragraph 2.59, which now seems clear in its intentions. R237 described in more detail the South Nottinghamshire Study of affordable housing needs and R238 its main findings. All these went towards meeting the justifiable objections of the GOEM and some others to the FDDP. It is quite appropriate for the RDDP's policy on affordable housing to be based upon this wide ranging study of the sub area; it is what Circular 6/98 and RPG8 advise. It is also appropriate that the supporting text makes suitable references to it. The Policy still sets out the minimum percentage of affordable housing that the Council will seek on each site of 1 ha and above and I can see no other more practical way of achieving this.

9. R241 indicated that the Council have assessed possible constraints on allocated sites in the RDDP and that all these should be capable of providing at least 25 % affordable housing. The terms of the Policy does not preclude the LPA from seeking provision of a higher proportion on suitable sites according to their particular circumstances. If new factors or new sites emerge and a developer is able to convince the LPA that provision of 25% affordable housing is impracticable, I would expect this to be taken into account in determining any planning application as other material considerations under the Act. Where this concerns a brownfield site, the LPA may well decide that the imperatives of redevelopment/re-use should prevail in the interests of regeneration. Alternatively, they may decide that the site would be better re-developed for another use and seek housing (and affordable housing) elsewhere at the next Plan review. Where doubts involve a greenfield site, the LPA may well decide that its development should be put back beyond other more productive sites and/or that its housing allocation should be reviewed. This may depend upon the extent to which a site would undershoot the minimum target for affordable housing.
10. This approach should provide the appropriate concern for site specific matters and some flexibility in the application of the Policy, although not necessarily that currently sought by some housebuilders. The LPA cannot require a builder to provide 25% affordable housing or indeed to develop a particular site at all. All the LPA can do is to refuse planning permission and to prefer other more suitable sites. As Circular 6/98 and PPG3 para 17 make clear, policies seeking affordable housing will be material considerations in determining planning applications and that failure to apply the policy could justify the refusal of planning permission. This is what the Plan, Monitor and Manage approach involves and it is important to the efficiency of the housebuilding industry that it has advanced knowledge of what is expected of it.
11. The practical implications of calls from the housebuilding industry for the type of flexibility they seek would bring vagueness not clarity and could lead to confusion, wrangling and delays at the planning application stage of which the industry often and rightly complains. It is, as I conclude above, important that the provisions for affordable housing should be clear and widely known in advance. If LPAs act unreasonably, housebuilders have the usual recourse. The judgement in the case of *LB Barnet v SSETR and McCarthy & Stone Ltd* should offer some re-assurance in this respect.
12. It is unclear what most of the housebuilders seek by way of amendment. Omission of a minimum target and substitution of the term “an element” would provide little or no guidance to prospective developers. Circular 6/98 para 9 b) makes it clear that the LP should set indicative targets for specific suitable sites, either as numbers of homes or as a percentage of homes on the site.
13. No sound basis has been put forward to reduce the 25% figure in the Policy or to treat it as a maximum subject to negotiations, as Miller Homes advocate. The minimum target percentage was based, as the Circular advises, on a wide study of local needs that has recently been updated. In the light of this specific evidence, Bellway’s and the Giltbrook Landowners Consortium’s vague and

unsubstantiated opinions that the figure of 25% is too high and unjustified, deserve little account. They fail also to put forward any evidence to support sweeping assertions that Policy H5 will prejudice the ability of allocations and particularly brownfield sites to bring forward affordable housing. They do not point to previous performance in support of this nor do they cite, as I would expect, the concerns of owners or prospective developers of Plan allocations. Also, I do not recall this point emerging from the inquiry into their proposed housing site Ea8, which was the appropriate place to raise their specific concern. According to the Council's figures the 25% target has been achieved over the 1996 to 2001 period. There is no evidence that the shortfall in overall numbers relative to the SP requirement has been due to the issue of affordable housing rather than other factors.

14. Nor has any sound evidence been advanced by housebuilders for a variation (presumably downwards) of the figure of 25% on an allocation by allocation basis. In the absence of this, any variation would be arbitrary and unfair. Wide variations that emerge from private negotiations on individual planning applications would lack clarity, could lead to unfairness and would almost inevitably increase delays contrary to the interests of the Plan, Monitor and Manage approach. It is unclear how Miller Homes envisage provision of affordable housing should be dependent upon the extent of other planning gain.
15. It is clearly not reasonable to expect other housebuyers or housebuilders themselves to subsidise affordable housing provision. This leaves costs to fall upon the land owners or the Social Housing Scheme. For this to apply, it is important that land purchasers should know in advance the "charges" expected against the development of a site, of which affordable housing provision may be but one, and that these "charges" are reasonably consistent between sites.
16. The position of McCarthy and Stone was confusing. Having accepted that sheltered housing should not be exempt in principle from negotiations on affordable housing, they proceed with evidence of an ageing population, the merits of their form of sheltered housing and its general incompatibility with the provision of affordable housing. They quote from numerous appeal decisions with a variety of conclusions, to support their position. Strangely, most are not readily distinguishable to me from the 5 sites where they are in negotiations with LPAs for provision of some affordable units.
17. Their suggested Policy relates to another LPA area. It includes the numbers of affordable units to be sought on each (presumably) housing allocation. Broxtowe BC could have converted their % figure to numbers but I hardly see the purpose and Circ 6/98 advises in para 9 b) the use of either, contrary to some assertions. The rest of M&S's suggested Policy is vague as to what other sites would arise, also their size and what is meant by "an element" of affordable housing. Policy H5 already puts forward a site size.
18. The economics of provision may be adduced by a prospective developer on any site that creates difficulties and I would expect the LPA to take it into account as material considerations. The Act provides for this; it needs no special mention in the Policy. Other policies in the RDDP seek the achievement of a satisfactory housing development and the LPA will apply all relevant policies to particular

proposals. They require no duplication. Any sensible application of Policy H5 should seek the provision of dwellings that meet the needs of those requiring affordable housing, though these would not necessarily be small units. It is unnecessary that the Policy states as much. Many, including government, rightly complain at the length and complexity of development plans and PPG12 advises against too many specific policies in para 2.22 and against over elaborate policies in para 3.1. It is important that policies are kept concise by concentrating upon essential matters.

19. Items listed in para 10 of Circ 6/98 are intended to assist LPAs in assessing the suitability of sites identified in the Plan. The Council state in R241 that they have assessed all the allocated sites and consider these to be suitable for the provision of affordable housing having regard to the economics of provision. Apart from two allocations, there is no evidence to the contrary. They have adopted a site size threshold of over 1ha. Thus they appear to have met the advice of para 10. Unallocated sites that emerge during the period of the Plan would also fall to be assessed against the Policy H5 and Circ 6/98.
20. The Council is unlikely to have assessed the economics of providing affordable housing on the Maltings site. Firstly, because the housing allocation on this site was deleted in the RDDP which introduced this assessment via R241 and secondly because it is clear from the inquiry that the Council lacked the necessary information. However, I see no reason in principle why conversion of the Maltings building could not provide some affordable units; indeed it would seem well suited to this in view of its economics compared to new build and the likely form of some of the accommodation. There is also scope for affordable housing on the undeveloped part of this 1.4 ha site. No specific reason was advanced why the provision of at least 25% affordable housing should compromise the achievement of a suitable housing development on RDDP allocation H2e to the west. It is an urban site of reasonable scale. If provision is affected by the economics of re-locating the Rugby Club, this is something that the LPA could take into account.
21. If agreements are not needed, I would not expect them to be sought or entered into. However, it is appropriate for the Plan to mention the purpose of such agreements and to seek them where necessary.
22. It was also clear that the Council were not in a position to assess the economics of allocation H2k. I deal with the legitimate concerns of Bilborough College earlier and make recommendations that reflect their special circumstances, but for different reasons to those advanced.
23. There is nothing in Policy H5 or the supporting text that suggests that the Plan accepts that different types of housing and tenures including affordable housing make bad neighbours, although this was a consistent basis for objections to allocations from existing residents. PPG3 in para 10 rejects this assertion. There is also nothing in the Plan to suggest that such considerations would provide sufficient reason to seek a financial contribution towards the provision of affordable housing elsewhere. Thus NWT are reading too much into the last part of Policy H5 introduced by R247. There may be circumstances where the provision of affordable housing on a particular site or in a particular locality is not desirable for other reasons or that it is impracticable. The NWT is anxious to avoid ghettos of

wealth but seems to be unaware of wide areas of low cost housing elsewhere that have been brought to my attention, such as Awsorth. The LPA may feel that further additions of affordable housing in the latter areas are unnecessary or not desirable. This is another approach to the development of mixed and more balanced communities. R247 then allows the LPA to seek the means to secure its provision on another more suitable sites/locations particularly in areas with a shortage of affordable housing. The terms make it clear that it would only be applied in exceptional circumstances.

24. Policy H5 sets a threshold of over 1 ha. This should be of a sufficient scale to allow for the development of an attractive housing scheme with a reasonable mix of types and sizes of housing, as Circular 6/98 advises, and with upwards of 25 % affordable housing units. This is clearly less practicable on smaller sites and Circular 6/98 advises that it is only on such larger sites that affordable housing is required.
25. The main point that emerges from the welter of material from McCarthy & Stone, although they fail to make it clear, is the conflict between the site size threshold in para 10 of Circ 6/98 and the threshold expressed in terms of dwellings.
26. The reference to dwellings appears to reflect the earlier average densities that are referred to in the contemporary PPG3. The use of two thresholds is confusing. Had it been government's intention to secure affordable housing on all sites with more than 25 dwellings any mention of site size was clearly superfluous. However, the rest of para 10 is concerned largely with matters that relate to site size rather than dwelling numbers, as are the references in paras 1, 2, 11 and specifically para 9 b).
27. A threshold of 25 dwellings is also inconsistent with the advice of PPG3 para 58 to avoid densities of less than 30 dph, which is reflected in Policy H6 of the RDDP. The application of the dwelling threshold on its own would conflict with the intention expressed in para 4.58 of the RDDP to provide for affordable housing within all large sites. It would bring a lower threshold than 1 ha without any demonstration of exceptional local constraints as advised by Circ 6/98 para 10. For sites with a choice of PT modes (45 dph) it would bring the site size down to .56 ha only marginally above the minimum suggested in para 10 for inner London. It would, as McCarthy & Stone's documentation demonstrates, unfairly discriminate against high density developments on smaller sites, that otherwise meet government's aims of increasing densities. It results in the unfortunate situation where a developer of a site of .8ha might avoid the provision of affordable housing with a development of 30 dph, but not with one of 32 dph or more. It could deter higher density schemes on smaller sites frustrating both of the government's aims. It leads to the type of problems faced at appeals that M&S reveal.
28. Small sites developed at high densities will be small highly integrated schemes. They could find it difficult to provide the mix of dwelling types that Circ 6/98 seeks and to accommodate different types of units and tenures that affordable housing may require. They could involve particular costs; both site and construction costs. Attempts to address this by means of a contribution to off site provision of affordable housing would hardly help the latter problems and could amount to a

local affordable housing tax on smaller housing schemes, which is not supported by Circ 6/98.

29. The total number of affordable dwellings likely to be produced from such small sources may be important in inner London or even perhaps in Nottingham City, but much less so in Broxtowe. Pursuit of this locally on small urban windfall sites could deter them from coming forward and/or deter higher densities both of which would run contrary to the Council's main ambitions. On balance, I believe that the priority in Broxtowe should be to bring forward such small sites at high densities without inhibition, rather than the pursuit of a very small number of affordable units. This would accord with the 4th – of para 10 of Circ 6/98.
30. In my view, it is important that the LP policies are clear in the guidance they offer for the control of development. They should seek to avoid the need for protracted negotiations and appeals. In the case of this LP, I consider that the inclusion of a figure of 25 dwellings in Policy H5 is confusing but more importantly is likely to be counter productive. Notwithstanding, the interpretation of many LPAs, it seems to me that the advice in Circ 6/98 para 10 provides an element of choice as to the appropriate threshold; it does not say, which ever is the lessor. In view of the negative impact on smaller sites, the threshold expressed in terms of number dwellings should be deleted from Policy H5. The threshold in terms of area should be expressed as 1 ha or more to correspond to Circ 6/98. This should address the problems revealed by M&S at least.
31. It is always open to developers of small sites to provide affordable housing on sites below the size threshold, if they wish, as para 11 of Circ 6/98 confusingly advises. Although R238 made it clear that some affordable units will be provided through conversions and redevelopment of small sites, it does not seek or require this. Circ 6/98 para 9 c) also deals with the type of accommodation that might be suited to affordable housing rather than requiring its provision.
32. It is important that the LPA respect the terms of the Policy and I found the Council's comments that they would seek to negotiate around a figure of 25% confusing, contrary to the terms of the Policy and to meeting the established need. They should seek consistency in application of Policies. The arguments for seeking 25% of affordable housing on small windfall sites is inconsistent with the advice of Circ 6/98 and as I conclude above likely to be counter productive.
33. The Council put forward a number of inquiry changes in IC131. The suggested amendment of the 4th sentence of paragraph 4.58 identifies the objectives rather than one of the means and is to be preferred. The commitment to the development of SPG on this matter should also be welcomed.
34. The more definite term "will" is to be preferred to the vague term "is prepared to" in the 1st sentence of paragraph 4.59. The addition of a final sentence to paragraph 4.59 clarifies the Council's intentions towards certain specialised housing developments and is to be welcomed. Although IC131 appears to be the results of second thoughts rather than a response to objections it is nevertheless worthy of support.

35. The use of the term “required” in some development briefs is inconsistent with R246 and should be altered to “seek”.
36. Policy H5 applies to all sites of 1 ha and over, whether in urban or rural areas, although in practice they are likely to be almost exclusively in the former. The Council sees no need for a separate Policy to provide affordable housing in rural areas as an exception to normal policies. In the absence of any specific identified need, I see none myself, particularly in view of the Borough’s limited rural areas and their proximity to urban areas.

Recommendation

37. I recommend that no modification be made to the RDDP in respect of these objections except for those set out in IC131; the deletion of the terms “or over 25 dwellings” and the substitution of the terms “1 ha or more” for “over 1 ha” in Policy H5; the substitution of the term “seek” for “required” in development briefs.

H6 DENSITY OF HOUSING DEVELOPMENT

Objections

4.61 R248 Density of housing development – Deletion of text inappropriate to revised policy

748	4721	R248		David Wilson Homes North Midlands
				David Wilson Estates
1420	5374	R248		Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors
1106	4931	R248	Mr R Hepwood	Miller Homes East Midlands
1130	5011	R248	Mr R Walters	Hallam Land Management

4.62 Density of housing development

601	2832		Mr S Rufus	Nottinghamshire Wildlife Trust
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4.XX R249 Density of housing – Addition of text giving context for revised policy

1420	5375	R249		Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors
748	4722	R249		David Wilson Homes North Midlands
1155	5108	R249		Greasley Parish Council
				Andrew Thomas Planning
1106	4932	R249	Mr R Hepwood	Miller Homes East Midlands
2135	6712	R249	Dr N Palmer, MP	
601	4636	R249	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	5012	R249	Mr R Walters	Hallam Land Management
123	4109	R249	Mr D Woodhouse	

4.XX R250 Density of housing – Addition of text giving context for revised policy

1155	5109	R250		Greasley Parish Council
				Andrew Thomas Planning
748	4723	R250		David Wilson Homes North Midlands
				David Wilson Estates
1420	5376	R250		Bellway Estates & Giltbrook Landowners Consortium
				Shoosmiths Solicitors
1106	4933	R250	Mr R Hepwood	Miller Homes East Midlands
2135	6713	R250	Dr N Palmer, MP	

1130	5013	R250	Mr R Walters	Hallam Land Management
4.XX R251 Density of housing – Addition to explain basis for revised policy				
748	4724	R251		David Wilson Homes North Midlands David Wilson Estates
1155	5110	R251		Greasley Parish Council Andrew Thomas Planning
1420	5377	R251		Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors
1106	4934	R251	Mr R Hepwood	Miller Homes East Midlands
2135	6714	R251	Dr N Palmer, MP	
601	4638	R251	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	5014	R251	Mr R Walters	Hallam Land Management
4.XX R252 Density of housing – Addition of text Complementing revised policy				
748	4725	R252		David Wilson Homes North Midlands David Wilson Estates
1155	5111	R252		Greasley Parish Council Andrew Thomas Planning
1420	5378	R252		Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors
1106	4935	R252	Mr R Hepwood	Miller Homes East Midlands
2135	6715	R252	Dr N Palmer, MP	
601	4639	R252	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	5015	R252	Mr R Walters	Hallam Land Management
H6 Density of housing development				
1006	1907			Nuthall Parish Council Browne Jacobson Planning Unit
1123	2197			Pickering Developments Ltd
1155	2486			Greasley Parish Council Andrew Thomas Planning
598	2613		Mr I Brown	CPRE - Broxtowe Group
598	3639		Mr I Brown	CPRE - Broxtowe Group
1106	2136		Mr R Hepwood	Miller Homes East Midlands
1135	2499		Mr I Moss	House Builders` Federation
1206	2958		Mr JL Revill	
601	2827		Mr S Rufus	Freeth Cartwright Hunt Dickins Nottinghamshire Wildlife Trust
H6 R253 Density of housing development – Amendment to create categories for increased minimum densities				
1420	5379	R253		Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors
1155	5112	R253		Greasley Parish Council Andrew Thomas Planning
1006	4865	R253		Nuthall Parish Council Browne Jacobson Planning Unit
748	4726	R253		David Wilson Homes North Midlands David Wilson Estates
1110	4984	R253	Mrs IS Carlin	Nuthall Action Group
1106	4936	R253	Mr R Hepwood	Miller Homes East Midlands
1135	5041	R253	Mr I Moss	House Builders` Federation
2135	6716	R253	Dr N Palmer, MP	
601	4640	R253	Mr S Rufus	Nottinghamshire Wildlife Trust
1130	5016	R253	Mr R Walters	Hallam Land Management
123	4103	R253	Mr D Woodhouse	

Summary of Objection Issues

4.61 R248/9 Density of housing development - Deletion of text inappropriate to revised policy and addition of text giving context for revised policy.

748/4721-5 - David Wilson Homes North Midlands

1. Clarification is sought over the content of R248-R253 and the application of revised policy H6. Are proposed densities intended as minimum 'averages' across new developments or per each ha of developable land? The latter approach causes concern as it would create uniform design and would not pay sufficient regard to individual site characteristics and locational circumstances, in accommodating new development. Amend to reflect an approach based on minimum average net densities across developments. The word 'average' should be inserted to para 4.XX and policy H6 accordingly.

Council's Response:

2. Policy H6 has been revised to take consideration of the guidance in PPG3:Housing. Accordingly the policy requires that minimum net densities are achieved on all new residential developments. This reflects PPG3, para 58 and ensures greater intensity of development at places with good public transport services as well as supporting the pursuit for sustainable development. Density requirements apply to new residential developments and density is always expressed as an average across the site. However as by definition density is always expressed as an average, the Council see no reason to insert this word in the text. The policy in its current form has the support of Nottinghamshire County Council as strategic planning authority.

1420/5374-8 - Bellway Estates & Giltbrook Landowners Consortium

3. Object to overly prescriptive policy requirement for specific densities related solely to proximity to public transport services. Whilst overall target densities as an indicator may be appropriate, such specific density requirements are unduly detailed and ignore other factors such as landscape, local character and proximity to other services where transportation may therefore be less important. Suggest provide overall density target as a general guide.

Council's Response:

4. Policy H6, as revised by Revisions R248-R253 reflects policy 4/3 of the Nottinghamshire Structure Plan and guidance in PPG3. Policy 4/3 requires Local Plans to facilitate development at as high a density as is compatible with the characteristics of a site and surroundings. Plans should indicate locations where higher densities are appropriate including locations which are well served by public transport. Paragraph 58 of PPG3 encourages local planning authorities to increase densities of new development, seeking a greater intensity of development at places with good public transport. Thus, the Council has prescribed specific minimum net densities for new development dependant on the location and distance from frequent public transport services as guidance suggests. This approach maximises the likelihood of providing greater patronage for public transport; improves the vitality of communities and accordingly helps to reduce the reliance on the private car. One overarching target density would not ensure that a greater intensity of development at places with good public transport was secured, a main objective of PPG3. Consequently, the policy is not overly prescriptive but necessary in the pursuit of sustainable development. Moreover, if a substantial amount of development were to take place at a lower density there would be pressure to release additional land to meet Structure Plan dwelling requirements.
5. The Council acknowledges that there is potentially a case to be made that density should also relate to proximity to shops or other services. However in the Council's opinion it would be difficult to establish clear, logical criteria concerning these matters and PPG3 (para.58) indicates that public transport accessibility is the relevant criterion. The character and appearance of the locality

are however referred to in the final sentence of the policy. The policy in its current form has the support of Nottinghamshire County Council as Strategic Planning Authority.

1106/4931-35 - Miller Homes East Midlands

6. The revisions are too prescriptive. Unclear as to whether the proposed density figures are minimum net densities or minimum average densities. We believe the figures should be average densities to allow the aims of Policy H3 to be achieved. The policy should encourage higher densities where there is a choice of public transport modes within walking distance, however the exact minimum density should be left to the discretion of the developer provided it falls within the 30-50 dwellings per hectare set out in PPG3. Refer to paragraph 57.

Council's Response:

7. The Council in its revised Density Policy H6 have prescribed specific minimum net densities on all new residential development dependent on the location and distance from frequent public transport services, reflecting guidance in PPG3; and reflecting the principles of sustainable development. Density requirements apply to new residential developments and density is always expressed as an average across the site. The policy in its current form has the support of Nottinghamshire County Council as Strategic Planning Authority.

1130/5011-15 - Hallam Land Management

8. Object as revisions do not accord with PPG3.

Council's Response:

9. The Council considers that this policy is in accordance with PPG3 (paragraphs 57-58), which requires authorities to encourage densities of between 30 and 50 dwellings per hectare, with higher densities at places with good public transport accessibility. In the Council's opinion the proposed Local Plan range of 35-45 dph is appropriate, as Broxtowe's built-up areas are predominantly medium-sized towns rather than, for example, small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate. Densities of at least 35 dph will represent a modest but significant and achievable increase on the average density of 28 dph which has been achieved on large sites in the first ten years of the Structure Plan period. However, densities of over 40-45 dph would be likely in many cases to result in development, which were significantly out of character with their surroundings. The use of minimum density requirements nevertheless allows the possibility of densities of up to 50 dph if it can be shown that the design and site circumstances are suitable.

4.62 Density of Housing Development: 4.XX R250-252

601/2832 - Nottinghamshire Wildlife Trust

1. Object to the statement that an average of 30 dwellings per hectare is desirable. Welcome the intention of increasing densities but the figures being given are too low. Densities for developable area of 40-50 dwellings per hectare are required for settlements to be sufficiently compact as to be sustainable according to 'Sustainable Settlements' (April 1995). An average of 30 dwellings per ha is not sustainable, as such low densities will not be able to support local shops, public transport or other essential services and facilities, forcing a greater dependency on the private car. This would be contrary to the council's intention of reducing car dependency in line with the principles of sustainable development.

Council's Response:

2. The Revised Deposit Draft amended Policy H6 and the preceding reasoned justification to take into account guidance contained in PPG3 (Revisions R248-R253). The Local Plan sets minimum densities of 35, 40 or 45 dph depending on the proximity of sites to frequent public transport services. This is in accordance with paragraphs 57-58 of PPG3. It is the Council's opinion that the proposed Local Plan range is appropriate as Broxtowe's built up areas are predominantly medium-sized towns rather than, for example, small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate.

Objectors raising similar issues

3. The following objectors all raise similar issues. Their objections and a joint response are presented below.

1155/5108-5111 - Greasley Parish Council

4. Increased densities welcome but do not go far enough. Should be 50 or 50+ dwellings per hectare.

2135/6712-15 - Dr N Palmer, MP

5. An increase in density is welcomed, but should have been higher; with an objective of 50-55 homes per hectare.

601/4636 - Nottinghamshire Wildlife Trust

6. Welcome the approach to density of development. The correct interpretation of paragraph 58 of PPG3 is that 30-50 ha is appropriate in general, but that higher figures should be sought where the infrastructure would support it. While higher density housing may seem inappropriate increase where the housing stock is traditionally of low density, it is important to bear in mind that the need for new housing is not generated by growth in population, but by changing demographic trends. The Council should base the density of new development on realistic, achievable and targeted aspirations for the future, rather than on an unambitious elaboration of previous achievements.

Council's Joint Response:

7. Policy H6 has been revised to reflect PPG3 more closely. Accordingly the structure of the policy was amended and net densities increased. The objectors propose a broad range of densities to reflect varying circumstances, but with densities over 50 dph where appropriate. Whilst the revisions to the Local Plan increased density requirements, densities of 50 dph and over were not specified. However, the use of minimum density requirements allows the possibility of densities of 50 dph (or more) if it can be shown that the design and site circumstances are suitable.
8. The policy reflects paragraph 58 of PPG3 by proposing new housing development to be built at a net density of between 30 and 45 dwellings per hectare dependant upon the sites proximity to frequent public transport services. It also considers situations when these densities would have a detrimental effect on the character or appearance of the locality. However, to propose minimum densities of 50 dwellings and over would, the Council believe, be inappropriate.
9. At a density of over 50 dwellings a resulting detrimental impact on the appearance and character of the borough would be likely. The introduction of four storey buildings may be necessary, resulting in development which is out of scale with the existing townscape. The Council maintain that such high densities are only suitable for large towns and cities and would sit uncomfortably in the towns and villages of Broxtowe. Moreover at such high densities the opportunity for private gardens and adequate internal space is limited. The Council believe such elements are a vital contribution to most good residential environments; and to accommodate changes in social patterns.
10. The Council consider that the proposed densities are appropriate and realistic - striking a balance between the need to increase densities and the amenity of the borough. The proposed densities

will still result in the development of sustainable communities; one objective of PPG3. Moreover, the increased densities have resulted in a reduction in the overall land take needed to accommodate new housing development; safeguarding greenfield/countryside locations from development.

123/4109 - Mr D Woodhouse

11. There are numerous references to new housing development reflecting local character. Given that the average net density on large housing sites in 2000 was 30.6, setting target density figures up to a minimum of 40 dwellings per hectare will result in housing that is guaranteed to be at odds with local character.
12. Note the plan provides a caveat that if specified density has a detrimental effect on the character of the local area then the net density may be reduced. This should apply to development at the Central Ordnance Depot, and TA Centre, Attenborough.

Council's Response:

13. This policy is in accordance with PPG3 (paragraphs 57-58) which requires authorities to encourage densities of between 30 and 50 dwellings per hectare, with higher densities at places with good public transport accessibility. In the Council's opinion the proposed Local Plan range of 35-45 dph is appropriate, as Broxtowe's built-up areas are predominantly medium-sized towns rather than, for example, small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate. Densities of at least 35 dph will represent a modest but significant and achievable increase on the average density of 28 dph which has been achieved on large sites in the first ten years of the Structure Plan period. However, densities of over 40-45 dph would be likely in many cases to result in developments which would be significantly out of character with their surroundings. The use of minimum density requirements nevertheless allows the possibility of densities of 50 dph if it can be shown that the design and site circumstances are suitable.
14. The last paragraph of Policy H6 does provide the caveat that net density may be reduced where the specified densities would have a detrimental impact on the character or appearance of the locality. Reasons for a lower density of development might include, development within a conservation area, development restricted by physical site constraints, site topography, capacity constraints (vehicular access/drainage) or where such densities would have a significant detrimental impact on the character of an area having regard to neighbouring buildings, the townscape and landscape of the locality. It is however, the Council's opinion that all the allocated sites (including the Central Ordnance Depot) can accommodate the density proposed, without detriment to the local area. This will be achieved through imaginative and sensitive design without compromising the quality of the environment.

601/4638 - Nottinghamshire Wildlife Trust

15. While we agree with the use of distances from facilities as a basis for the development of a density policy, we disagree with the density figure related to each zone. Furthermore, public transport is not in itself sufficient for judging where higher density development is appropriate. It is also important to consider the proximity of a site to local facilities such as shopping areas. Refer to detailed comments on policy H6.

Council's Response:

16. The Council acknowledges that there is potentially a case to be made that density should also relate to proximity to shops or other services. However in the Council's opinion it would be difficult to establish clear, logical criteria concerning these matters and PPG3 (paragraph 58) indicates that public transport accessibility is the relevant criterion. The policy in its current form has the support of Nottinghamshire County Council as strategic planning authority (representations 599/R249-253).

601/4639 - Nottinghamshire Wildlife Trust

17. We agree that good design, flexibility in approach and sensitivity are important to high quality sustainable development. However, we disagree with the statement that it is not always appropriate to strive for high density of development. It is true that development of 30 dw/ha can contribute to 'providing a range of house types' we do not feel that they can contribute towards achieving sustainable development within the Borough. We recommend amending para 4.XX, R252, removing the reference to lower density development being considered appropriate.

Council's Response:

18. The densities of development set out in the revised density policy will be rigorously and consistently applied across the borough in the pursuit of sustainable development. However, the Council recognise that in certain circumstances a high density of development would not be appropriate. Reasons for a lower density of development might include development within a conservation area, development restricted by physical site constraints, site topography, capacity constraints (vehicular access/drainage) or where such densities would have a significant detrimental impact on the character of an area having regard to neighbouring buildings, the townscape and landscape of the locality.

H6 Density of housing development1006/1907 - Nuthall Parish Council1155/2486 - Greasley Parish Council598/2613, 3639 - CPRE - Broxtowe Group

1. Need to increase housing density standards to 40 or more dwellings per hectare, to avoid the use of large areas of land like the land at Watnall.

Council's Response:

2. The Revised Deposit Draft amended Policy H6 to take into account guidance contained in PPG3 (Revisions R248-R253). The Local Plan sets minimum densities of 35, 40 or 45 dph depending on the proximity of sites to frequent public transport services. This is in accordance with paragraphs 57-58 of PPG3. It is the Council's opinion that the proposed Local Plan range is appropriate to Broxtowe.
3. The Council consider that the proposed densities are appropriate in providing a good mix of housing types and sustainable development without destroying the character of many established and popular residential areas. It is also the Council's opinion that these density levels are realistic and achievable within the borough.
4. The policy will ensure that by locating a higher density of development close to frequent public transport services the need to travel by car is reduced allowing greater accessibility to public transport. Consequently by increasing the net density levels the Council has reduced the overall land-take needed to accommodate new housing development, safeguarding greenfield/countryside locations from development.

1123/2197 - Pickering Developments Ltd

5. It is accepted that the maximisation of housing densities so far as is compatible with amenity and the character of settlements is a valuable means of securing the best possible use of potential development land. The use of an apparently arbitrary figure of 30 dwellings per hectare within the policy is not however thought to be an appropriate means of securing this aim since it will automatically be seen as a target of all sites. It is suggested that a more appropriate approach would be to require that the net density of new residential development should be the highest

reasonably achievable without having detrimental impact on the character or appearance of the locality, the amenity of adjoining residents or other material considerations. Amend the policy to reflect the more flexible approach set out above.

Council's Response:

6. Densities for categories of sites are specified in policy H6, which sets minimum densities of 35, 40 or 45 dph depending on proximity to frequent public transport services. This policy is in accordance with PPG3 (paragraphs 57-58) which requires authorities to encourage densities of between 30 and 50 dwellings per hectare, with higher densities at places with good public transport accessibility. In the Council's opinion the proposed Local Plan range of 35-45 dph is appropriate, as Broxtowe's built-up areas are predominantly medium-sized towns rather than, for example, small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate. Densities of at least 35 dph will represent a modest but significant and achievable increase on the average density of 28 dph which has been achieved on large sites in the first ten years of the Structure Plan period. However, densities of over 40-45 dph would be likely in many cases to result in development which were significantly out of character with their surroundings. The use of minimum density requirements nevertheless allows the possibility of densities of 50 dph if it can be shown that the design and site circumstances are suitable.

1106/2136 - Miller Homes East Midlands

7. The policy fails to take account of individual site circumstances. The policy is based on preventing detrimental impact only. It is possible that high density would not accord with its surroundings and yet not cause any detriment. Reword the policy to, 'The net density of new residential development shall be not less than 30 dwellings per hectare except where such a density would not be in keeping with its surroundings'.

Council's Response:

8. The last paragraph of Policy H6 does provide the caveat that net density may be reduced where the specified densities would have a detrimental impact on the character or appearance of the locality. Reasons for a lower density of development might include, development within a conservation area, development restricted by physical site constraints, site topography, capacity constraints (vehicular access/drainage) or where such densities would have a significant detrimental impact on the character of an area having regard to neighbouring buildings, the townscape and landscape of the locality. It is however, the Council's opinion that all the allocated sites can accommodate the density proposed, without detriment to the local area. This will be achieved through imaginative and sensitive design without compromising the quality of the environment.

1135/2499 - House Builders' Federation

9. There appears to be a contradiction between the policy and the text at paragraph 4.62, the former refers to a net density of not less than 30 dwellings per hectare with exceptions. The latter refers to an average of 30 dwellings per hectare as achievable and desirable. Delete the existing policy and replace with high density development in excess of 30 dwellings per hectare (net) will be sought in appropriate locations in so doing the Council will take into account the character and appearance of the locality, the amenity of adjoining residents, marketing requirements and other material considerations'.

Council's Response:

10. As a result of the publication of PPG3, the Council has reassessed its density requirements for new housing development and thus the Revised Deposit Draft modified Policy H6. Revision R248 deleted the reference to 'average net densities' with Revision R251 clarifying the Council's position by referring to the expectation of achieving minimum specified densities, as the policy demands.

11. To reflect PPG3, the revised policy proposes new development to be built at a net density of between 35 and 45 dph. The policy includes a caveat, which takes into account that in certain cases the density proposed may have a detrimental impact on the character or appearance of the locality and therefore density may drop to 30 dph. The Council consider that this sufficiently embraces the varying reasons why it may not always be appropriate to reach high densities of development.

1206/2958 - Mr J L Revill

12. It is accepted that the maximisation of housing densities so far as is compatible with amenity and the character of settlements is a valuable means of securing the best possible use of potential development land. The use of an apparently arbitrary figure of 30 dwellings per hectare within the policy is not however thought to be an appropriate means of securing this aim since it will automatically be seen as a target of all sites. It is suggested that a more appropriate approach would be to require that the net density of new residential development should be the highest reasonably achievable without having detrimental impact on the character or appearance of the locality, the amenity of adjoining residents or other material considerations. Amend the policy to reflect the more flexible approach set out above.

Council's Response:

13. The revised deposit draft has amended Policy H6 and the preceding reasoned justification in line with PPG3 (revisions R248-R253). To reflect paragraph 58 of PPG3, the policy proposes new housing development to be built at a net density of between 35 and 45 dwellings per hectare, dependant upon the sites proximity to frequent public transport services and the character or appearance of the locality. In the Council's opinion the proposed Local Plan range of 35-45 dph is appropriate, as Broxtowe's built-up areas are predominantly medium-sized towns rather than, for example, small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate. Densities of at least 35 dph will represent a modest but significant and achievable increase on the average density of 28 dph, which has been achieved on large sites in the first ten years on the Structure Plan period (Residential Land Availability Report Figure 7 - the quoted figure of 30.8 should read 28.0).

601/2827 - Nottinghamshire Wildlife Trust

14. See response given to the objection 601/2832 (paragraph 11).

H6 R253 Density of housing development - Amendment to create categories for increased minimum densities

1420/5379 - Bellway Estates & Giltbrook Landowners Consortium

15. See response given to the objection 1420/5374 (paragraphs 4 & 5).

1155/5112 - Greasley Parish Council

16. Policy should include provision for the LPA to seek to negotiate improvements in public transport services in association with new development which might in itself allow higher densities to be provided.

Council's Response:

17. Contributions to provision and maintenance of public transport infrastructure will be negotiated where developments would generate a demand for travel. These issues are dealt with in Chapter 6: Transport, policy T1. The Local Plan needs to be viewed as a whole and all relevant policies need to be referred to. The Council, therefore do not consider it necessary to include reference to public transport improvements within Policy H6.

1006/4865 - Nuthall Parish Council

18. The policy fails to address paragraph 58 of PPG3 and in particular a greater intensity of development (hence above 50 dwellings per hectare) sought at places with good public transport accessibility. Should have a general density target of 50 dwellings per hectare.

Council's Response:

19. Policy H6 has been revised to reflect PPG3 more closely. Accordingly the policy has been amended to increase net densities in order to make more efficient use of land. This appears to overcome the objectors previous objection to the density policy in the Deposit Draft (1006/1907). Whilst the amended policy has not increased the density requirements to 50 dwellings per hectare or over, the use of minimum density requirements allows the possibility of densities of up to 50 dph if it can be shown that design and site circumstances are suitable.
20. The policy does reflect paragraph 58 of PPG3 by proposing new housing development to be built at a net density of between 35 and 45 dwellings per hectare dependant upon the sites proximity to frequent public transport services. It also considers situations when these densities would have a detrimental effect on the character or appearance of the locality. However, to propose densities of over 50 dwellings would, the Council believe be inappropriate. At a density of 50 dwellings or over, the resulting detrimental impact on the appearance and character of the borough would be considerable. The Council maintain that such high densities are only suitable for large towns and cities and would sit uncomfortably in the towns and villages of Broxtowe. Moreover at such high densities the opportunity for private gardens and adequate internal space is limited.
21. The Council consider that the proposed densities are appropriate and realistic striking a balance between increasing density and protecting the amenity of the borough. In addition, the proposed densities will still result in the development of sustainable communities an objective of PPG3. Moreover, the increased density requirements have seen a reduction in the overall land take needed to accommodate new housing development, safeguarding greenfield/countryside locations from development.

748/4726 - David Wilson Homes

22. See response given to the objection 748/4721 (paragraph 2).

1110/4984 - Nuthall Action Group

23. Improvement to last policy. Failed to make reference to local shopping centres as a further focus for higher density development. Need for increases in density figures specified for each zone. PPG3 indicates densities between 30-50/ha are to be encouraged. The Council does not indicate that the upper figure in this target is to be attained anywhere. Any density below 40 dwellings per hectare is unable to sustain the range of local facilities vital to the social quality of an area. No development should be deemed acceptable below a figure of 40 dwellings per hectare, with a density of 45 dwellings per ha required in the majority of areas in the "Beyond 400m" zone. Within 400m of stated facilities, 50 dwellings per hectare should be required, with 55-60 per hectare in these situations where the area is particularly well served.

Council's Response:

24. Densities for categories of sites are specified in policy H6, which sets minimum densities of 35, 40 or 45 dph depending on proximity to frequent public transport services. This policy is in accordance with PPG3 (paragraphs 57-58) which requires authorities to encourage densities of between 30 and 50 dwellings per hectare, with higher densities at places with good public transport accessibility. In the Council's opinion the proposed Local Plan range of 35-45 dph is appropriate, as Broxtowe's built-up areas are predominantly medium-sized towns rather than, for example,

small villages or city centre locations where densities at the extremes of the PPG3 range of 30-50 dph might be appropriate. Densities of at least 35 dph will represent a modest but significant and achievable increase on the average density of 28 dph, which has been achieved on large sites in the first ten years of the Structure Plan period. However, densities of over 45-50 dph would be likely in many cases to result in developments, which would be significantly out of character with their surroundings. The use of minimum density requirements nevertheless allows the possibility of densities of up to 50 dph if it can be shown that design and site circumstances are suitable.

25. The Council acknowledges that there is potentially a case to be made that density should also relate to proximity to shops or other services. However in the Council's opinion it would be difficult to establish clear, logical criteria concerning these matters and PPG3 (paragraph 58) indicates that public transport accessibility is the relevant criterion. The policy in its current form has the support of Nottinghamshire County Council as strategic planning authority (representations 599/4493 - 4497).

1106/4936 - Miller Homes East Midlands

26. See response given to the objection 1106/4931 (paragraph 7).

1135/5041 - House Builders' Federation

27. Recognise government policies seeks to increase residential density but draw attention to the Urban White Paper which states 'No one policy fits all'. HBF consider any density policy must take into account local circumstances. Need to resolve highway requirements - standards need to change to allow much higher densities. Also must include some lower density development within areas predominated by high density. The first part of the policy does not conform to policy 4/3 of the Structure Plan which states 'local plans will have policies which a) facilitate development taking place at as high a density as is compatible with the characteristics of a site and its surroundings'. HBF suggest that the density be expressed as a target rather than a mandatory minimum.

Council's Response:

28. The density levels specified in the revised policy are not excessive and can be developed without imposing significant constraint on overall layout and design. Expressing density levels as a 'target' and not a minimum, as the objector advocates, would be contrary to guidance in PPG3. See response to objection 1135/2499 (paragraphs 45 and 46).

2135/6716 - Dr N Palmer MP

29. See response given to objection 1155/5112 (paragraph 52).

601/4640 - Nottinghamshire Wildlife Trust

30. See response given to objection 601/4638 (paragraph 32).

1130/5016 - Hallam Land Management

31. See response given to objection 1130/5011 (paragraph 9).

123/4103 - Mr D Woodhouse

32. See response given to objection 123/4109 (paragraphs 23 and 24).

Background

1. This subject was discussed at a round table session. I have taken this discussion into account as well as the written submissions of objectors and the Council. I have dealt with some objections to the densities of individual allocations elsewhere in this Chapter. I also deal with some general objections relating to densities, particularly those arising from the round table, at page 42 of my Report above to which reference should be made.

Inspector's Conclusions

2. Policy H6 sets out the minimum net density for new residential development, whatever the scale. Expressed in this way it should be clear that this is the minimum density to be achieved over the site as a whole. I cannot see any other way of applying a density policy other than as an average over the whole site if a variation in house types and sizes and layout is to be achieved. The terms used are the same as PPG3 para 58. R249 refers to the average net density achieved on large housing sites in 2000. In these circumstances and given the Council's assurances I see no need to modify Policy H6 or its supporting text as requested by David Wilson Homes; the inclusion of the term "average" would be unnecessary elaboration.
3. SP Policy 4/3b requires LPs to indicate locations, including those well served by public transport, where higher densities may be appropriate. R253 to the RDDP identified three levels of minimum net densities for sites dependent upon their accessibility to public transport but subject to these not having a detrimental impact on the character or appearance of the locality. This approach is clearer and more precise than that proposed by Bellway and the Giltbrook Landowners Consortium, or by Mr Carlin. Whilst proximity to other services such as shopping centres is not included in Policy H6, this may be reflected in the level of Public Transport availability, which is the criteria mentioned in PPG3. It may be taken into account in individual cases such as H2k. Although I am critical on occasions elsewhere of an unduly mechanistic approach to walking distances to PT services, the distances identified are general guidelines that need to be applied sensibly to local circumstances. However, their degree of refinement is appropriate to this type of Policy. PT services may change over time, hopefully for the better. However, this is no good reason to eschew their importance to the decisions of the time. A Policy based upon walking distances to a range of local facilities that might influence the propensity to use a car, would be much more difficult to devise, more cumbersome to operate and too detailed for a LP Policy, although it may be taken into account as material circumstances on some sites. The range of 30 – 50 dph suggested by Miller Homes is too wide to be left to the discretion of the developer. This or a more general overall density target would fail to reflect the requirements of SP Policy 4/3 and of PPG3 para 58. I see no sound basis to express category b) as a range of 30 to 35 dph; this seems another way of seeking reduced densities.
4. I fail to see how the revisions to the RDDP fail to accord with PPG3 or how they could be described as being too rigid. The revised Policy H6 identifies minimum densities and I cannot see how it contravenes the advice of PPG3 para 57 to avoid unduly restrictive ceilings. I was not made aware that any Urban Design Statement exists or is planned. The terms of category b) does not allow for a suggested category c).

5. The NWT and Mr Carlin produce no evidence that densities of 30 or 40 dph would fail to support local shops, PT or other essential services and facilities. The extensive existing housing areas at this and even lower average densities clearly do. It is predominantly within these areas that initiatives are needed to reduce dependency upon the private car if problems of mounting traffic congestion are to be addressed. New forms of PT networks are being planned that do not rely simply upon walking distances to routes but provide for Park and Ride facilities. The NWT and the publication "Sustainable Settlements" overlook the fact that proposals for new settlements are extremely rare; the nearest approach in Broxtowe being the proposals for Watnall/Nuthall to which the NWT strongly objects. Most proposals involve very modest additions to existing settlements where the density and pattern of land uses and PT routes are well established and which are largely immune to much change.
6. Furthermore, PPG3 was published subsequently in March 2000 and represents current government policy advice. R253 complies well with this advice. It avoids densities of less than 30 dph and seeks higher minimum densities up to 45 dph dependent upon accessibility to PT. It does not preclude even higher densities if developers seek these subject to a satisfactory impact on the locality. The HBF were of the view that developers generally sought higher densities than many LPAs were prepared to accept. The last bullet point of PPG3 para 58 applies to locations such as city, town, district and local centres and major PT nodes and good quality PT corridors. It does not apply everywhere and there are very few allocations in Broxtowe that meet these descriptions. Para 58 does not, as NWT and Greasley PC assume, state that densities in these locations should be higher than 50 dph; it could be read as suggesting criteria for seeking higher densities within the wide range of 30 – 50 dph.
7. PPG3 is national advice that applies in widely differing circumstances. It is open to LPAs such as Broxtowe to eschew the higher densities that might be appropriate in Metropolitan, City and major town centres. A minimum density of 40 dph everywhere would not respect the national advice of PPG3 and there is no evidence to support the claim that densities of 40 dph or more are required to sustain local facilities; it is a question of degree. Clearly high-density areas, would, other things being the same, support more local facilities closer at hand than lower density areas. However, the reality is that apart from the proposals at W/N, to which the Nuthall Action Group object, the allocations in the RDDP are of an insufficient scale to make any significant difference to the overall density of existing built up areas or to the range and accessibility of local services. I fail to see the logical basis in a mid-way density of 40 dph for all sites.
8. There is also a balance to be struck between the efficient use of land and the need for occupiers and neighbours of new developments to enjoy satisfactory space and amenity standards. The need for such standards on a day by day basis is more measurable than access to "natural land", which is more a question of degree. There is no reasonable way that any debatable past imbalances that might have arisen between development needs and protection of the countryside could be redressed through increasing densities above those recommended in national policy guidance. In any case, I agree with the view that agricultural practices have had the greatest impact upon wildlife habitats and that domestic gardens can create a diverse, though poorer substitute for many threatened habitats.

9. Neither Greasley PC or Dr Palmer MP justifies their call for such high densities; more than double those achieved in the 1990s. Whilst more efficient use must be made of developable land in the interests of wildlife and other resources, it is equally important to ensure that occupiers and neighbours of new developments enjoy satisfactory space and amenity standards if the mistakes of high density developments of previous eras are to be avoided. Others have objected to the impacts of higher densities on sites such as H2b. However, a density of 40 dph on say site H2a should, as I conclude earlier, be capable of respecting local character. Indeed, it is directly adjoined by existing housing on only a small part of its eastern boundary.
10. I deal earlier with the NWT's point regarding the impact of changing demographic trends upon the type of new households and the demands for new dwellings. It is wrong to assume that an increase in single persons households equates simply with an increased need or demand for small dwellings, as the study in the North West of England showed. Much of the increase arises among the elderly, many of whom prefer to remain in their family home, irrespective of its size. Divorced and separated persons again may have personal reasons for a larger home.
11. The penultimate sentence of R252 and the last paragraph of Policy H6 recognise that in some locations densities of 40 or 45 and even 35 dph may not be appropriate due to their detrimental impact upon the character or appearance of the locality. The NWT appears to advocate higher densities even if they have such adverse impacts. This is unreasonable and contrary to sustaining existing urban areas. The Council's original agreement to add to the end of the Policy the phrase "unless there are exceptional circumstances" was not carried through to a formal IC. It is in my view unnecessary and potentially misleading. Under the Act, the LPA has to have regard to the provisions of the development plan unless material circumstances suggest otherwise. If exceptional circumstances arise the LPA must take these into account in making its decisions and may afford them the greater weight. This situation could apply at some stage to the application of a number of Plan policies. It would thus be wrong to identify it in respect of a selective one or few and unnecessary and impracticable to attach it to all.
12. Increasing minimum densities to 40 or more dwellings per ha in order to avoid allocations at Watnall reflects a parochial approach. Minimum densities should respect a range of appropriate factors not simply the protection of one particular locality. A general increase in densities, irrespective of local factors would not produce attractive sustainable new developments in keeping with their surroundings. It is, in any case, unnecessary as I identify other sites as alternatives to allocation H2I at W/N.
13. There is nothing arbitrary about a minimum density of 30 dph in Policy H6. It complies with the advice of PPG3 para 58. The use of the term "should" rather than "must" is a distinction without a difference. As I note earlier, the former term was sufficient for the "Ten Commandments". Pickering Development's and Mr Revill's suggested amendment is too vague and imprecise, as is the HBF's suggestion of targets rather than a minimum. They would be likely to lead to lengthy wrangling on each planning application, contrary to government objectives and indeed the concerns of most housebuilders. Miller Homes' amendment is contrary to PPG3

para 58 in seeking lower densities than 30 dph in certain circumstances, whatever they might be.

14. With good design, housing developments with an average density of 30 dph and more should be capable of respecting their surroundings and providing a good on site environment. Average densities of neighbouring developments may, as Mr Woodhouse notes, be lower than that now permitted for site H2b. However, that is now outside my remit and in any case higher densities are needed to make better use of urban land and variations in density and house types can add rather than detract from an area's character. I deal with Mr Woodhouse's specific criticisms of the densities ascribed to other sites elsewhere. Policy H6 should allow for a variety of house types and sizes and I can thus see no conflict with Policy H3, as Hallam Land Management suggest. RPG Policy 24 advises reduced parking provision and more flexible highway standards. This should help to facilitate higher densities. It is for the LPAs to argue the case with the Highway Authority and to question the basis for its standards, particularly those that impose an artificial and arbitrary limit to the number of dwellings to be served by particular access arrangements. If average densities of 30 dph are judged to be impracticable on some small windfall sites, the LPA have discretion to set this as a material consideration against the Policy.
15. The HBF's point related to the FDDP and has been superseded by the changes made in the RDDP. Their later criticism of Policy H6 is not justified. The last paragraph of H6 reflects part (a) of SP Policy 4/3 whilst the previous paragraphs meet part (b) of 4/3 and reflect the later PPG3 para 58. I see no reason why marketing requirements, whatever that is intended to cover, should temper the government's aims to increase housing densities. It is unnecessary to refer to other material considerations in LP policies; they are well provided for in the Act.
16. There is no reason to confuse this Policy on density with provisions for improvements in PT services. This is covered elsewhere in Chapter 6. Where these achieve a more frequent or accessible service the LPA may be justified in seeking higher densities on a particular site.
17. It is clear that the achievement of higher densities is crucial to meeting the SP housing requirements. It is therefore important that the Council monitor the practice and take appropriate and timely corrective actions where necessary. It is also important that the housebuilding industry recognise the strength of the government's commitment to higher densities.

Recommendation

18. I recommend that no modification be made to the RDDP in respect of these objections.

H7 DESIGN OF NEW RESIDENTIAL DEVELOPMENT

Objections

4.66 *Design of new residential development*

1388 3621 Ms E Marshall Environment Agency, Lower Trent Area

H7 *Design of new residential development*

1388 3622 Ms E Marshall Environment Agency, Lower Trent Area

Summary of Objection Issues

4.66 and H7 Design of New Residential Development

1388/3621 and 3622: Environment Agency

1. Reference should be made to the promotion of Sustainable Urban Drainage Systems (SUDS), which are effective for reducing the impact of surface water drainage.

Council's Response:

2. Policy H7 has been combined with Policy E1 in Chapter 3 and an inquiry change is proposed for Policy E1 that inserts a new criteria relating to surface water and drainage. The use of SUDS is also covered by the Sustainable Development policy K1, and the additional text in E25 – Protection of Groundwater.

Inspector's Conclusions

1. This objection is to the FDDP and has been superseded by changes made in the RDDP. The EA's concerns are dealt with under other appropriate policies principally Policy E1 that applies to all developments, not just housing. It is also covered in Policies K1 and E25. Defence Estates, CPRE and Mr Eddleston's original objections were also superseded by the RDDP.

Recommendation

2. I recommend that no modification be made to the RDDP in respect of these objections.

H8 LAND NOT ALLOCATED FOR HOUSING PURPOSES

Objections

601 2861 Mr S Rufus Nottinghamshire Wildlife Trust

Summary of Objection Issues

601/2861: Nottinghamshire Wildlife Trust

1. Support this policy in that it provides for development of sites within existing urban areas, as this will allow increases of average dwelling densities. However we feel that the policy should include an additional clause relating specifically to the provision of open space as infilling of this kind may add to the pressures on open spaces, which are an important feature of many urban settings, as the only exposure to nature for many of the residents. We refer the Council to English Nature's Guidelines on Open Space Provision in the EN research reports 153 and 256.

Council's Response:

2. Criterion (f) is relevant as it ensures that sites of significant nature conservation or local visual amenity value are not developed. Policy RC5 is also relevant in that it protects open spaces from development.
3. The Nottinghamshire Wildlife Trust should also be aware that Broxtowe Borough Council has undertaken an urban capacity study to identify potential sites for development within the urban area. Those sites identified by this process have been allocated through the Local Plan Review, either for housing or employment. Other sites thought not to be suitable for development have been protected as open spaces under Policy RC5.

Inspector's Conclusions

1. Criterion (f) should cover some of the NWT's and EN's concern. If the site has no significant wildlife or visual amenity value there should be little objection to its development on these accounts. It is unclear what other forms of open space that the NWT has in mind. Existing open space of value for recreation purposes is protected under Policies in Chapter 8. RPG8 Policy 1 includes within category (b) suitable locations within urban areas not identified as land to be protected for amenity purposes. To extend protection of urban land beyond this would prejudice developments within urban areas and lead to more greenfield developments outside urban areas, which the NWT also opposes. The NWT should appreciate that development needs have to be met somewhere and the task of the LPA and the inquiry is to identify the most appropriate sites for meeting them, not seek to avoid them. The former approach meets the aims of sustainable development; the latter clearly does not.

Recommendation

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

H9 RESIDENTIAL INSTITUTIONS AND FLATS

Objections

1135 2321 Mr I Moss

House Builders` Federation

Summary of Objection Issues

1135/2321 House Builders Federation

1. Policy H9 appears to contradict policy H4 insofar as it relates to the subdivision of existing dwellings to flats. The scope of policies H4, H9 and H14 should be clarified.

Council's Response:

2. As a result of the deletion of former policy H9 (R257), the subdivision of existing dwellings to flats is now dealt with solely by policy H4, so avoiding any potential contradiction.

Inspector's Conclusions

1. This and EH's one time objection to the FDDP have been superseded by changes made in the RDDP.

Recommendation

2. I recommend that no modification be made to the RDDP.

H10 BUSINESSES IN RESIDENTIAL AREAS AND PROPERTIES

Objections

601 2547 Mr S Rufus

Nottinghamshire Wildlife Trust

Summary of Objection Issues

601/2547: Nottinghamshire Wildlife Trust

1. Support the Council in seeking to prevent disturbance to residential amenity but feel that this policy may serve to discourage the development of businesses in residential areas. We feel that the Council should be actively encouraging appropriate business to form alongside residential use as this is likely to lead to a decrease in the need to travel to work over long distances, thus assisting in the promotion of sustainable development.

Council's Response:

2. Whilst this Council is keen to reduce travel to work distances, it must also retain the existing housing stock and ensure residential amenity is protected. Therefore this policy has been carefully worded to allow only those businesses that can be integrated without environmental harm. Whilst it is recognised that mixed use development can be beneficial and will be suitable on certain sites (especially those within the town centre) most employment uses will be encouraged to develop on land allocated for this purpose. It should however be noted that areas of allocated employment land are often within built up areas and in close proximity to residential development. Furthermore working from home is a type of activity that can sometimes be conducted from a residential property without planning permission (individuals are asked to contact the Council to gain advice prior to commencing any activity).

Inspector's Conclusions

1. It is unclear what the NWT seeks by way of an amendment. I can see no purpose in substituting the terms “viewed favourably” for the more precise term “permitted”. Policy H10 allows for businesses in residential areas provided that the residential amenity of neighbours and the residential character of the areas are not adversely affected. In cases where proposals are judged to have these adverse affects, it would be right to reject them in the interests of sustaining existing residential areas. This leaves a wide range of activities in the Use Classes Order B1 that should be capable of being accommodated as well as other commercial activities such as shops and catering establishments. It is also appropriate in the case of new businesses in residential areas for appropriate provision to be made for vehicle parking and highway safety. There are good reasons to encourage suitable mixed uses in existing residential areas; they add variety. However, experience shows that it has little impact upon commuting patterns as people chose their homes and jobs with a range of factors in mind of which a short journey to work is only one and normally quite secondary. Indeed a highly dispersed pattern of employment could encourage wider use of the private car, as it would be impracticable to serve effectively by PT; Los Angeles is an extreme example of a highly dispersed pattern of land uses.

Recommendation

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

H11 DOMESTIC EXTENSIONS

Objections

1381 3553 Ms F Forgham

Government Office for the East Midlands

Summary of Objection Issues

1381/3553: GOEM

1. The policy is too detailed. Some of the detail might be more appropriate for supplementary planning guidance.

Council's Response:

2. The Council is keen to ensure that the policy text includes sufficient detail to make applicants aware of how an application will be determined and what form of development is most likely to obtain planning permission.
3. In view of the Government Office's concern that the policy is over-detailed, the Council would be prepared to place more reliance on transferring detail to supplementary planning guidance, to be prepared as part of the Proposed Modifications to the Local Plan. The third and fourth paragraphs of the policy should be deleted and the justifying text in paragraph 4.75 should be adjusted accordingly; the remainder of the policy should be re-formatted as shown.

Inquiry Change

4. **The Council has recommended that the following wording be substituted for policy H11;**

“Extensions to dwellings will be permitted provided that the following criteria are all satisfied:

IC130

- (a) extensions must be in keeping with the original building in terms of style, proportion and materials;**
- (b) extensions must be in keeping with the street scene and not create a terraced or cramped effect which would be out of character;**
- (c) extensions must not cause an unacceptable degree of loss of privacy or amenity for the occupiers of neighbouring properties.”**

5. The penultimate sentence of paragraph 4.75, starting with “The extent...” should be substituted by the equivalent sentence from the existing policy also starting “The extent...”. Any reference to a specific set-back distance would therefore be transferred to supplementary planning guidance.

Inquiry Change

6. **The Council has recommended that the last two sentences of paragraph 4.75 should be deleted and substituted with the following:**

IC95

“The extent of the set-back and corresponding drop of roof level on any side extension will be determined with reference to the need to avoid a terraced or cramped effect, and to retain the character and form of the street scene. Supplementary planning guidance published separately by the Council will illustrate good and bad practice on this matter, and give guidance on the circumstances where a set-back is required”.

7. In this way any reference to a specific setting-back distance would be transferred to supplementary planning guidance.

Inspector’s Conclusions

1. I agree with the objector that Policy H11 and the supporting text is too detailed. It is also too prescriptive and may be inappropriate and unnecessary in certain situations; for example dwellings on large plots where there is no danger of any cramped or terrace effect. IC130 and IC95 seem to correct the excesses of the RDDP and should be supported. Any SPG should also concentrate upon the ends to be achieved rather than on over prescriptive means which may be inappropriate in certain circumstances.

Recommendation

2. I recommend that the RDDP be modified as set out in IC130 and IC95.

H15 LOSS OF RESIDENTIAL ACCOMMODATION

Objections

1127 2218 Mrs PN Johnson Healey & Baker

Summary of Objection Issues

1127/2218: Healey & Baker

1. The requirement to replace all losses of residential properties in town centre redevelopment schemes is too rigid.

Council's Response:

2. This text has been removed from the Revised Deposit Draft (R268). It appears therefore that this objection has been overcome.

Inspector's Conclusions

1. R268 to the FDDP should have met the objector's legitimate concern.

Recommendation

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

Hx1 NEW HOUSING PARAGRAPH

Objections

Hx1 **New Housing paragraph**
1164 2504 Ms T Gray Railtrack PLC

Summary of Objection Issues

Hx1 New housing paragraph

1164/2504: Railtrack Plc

1. A number of housing proposals allocated within the plan are situated adjacent to the railway. Additionally, housing sites may come forward within the period of the plan, which also occupy such locations. Whilst not a matter for the Local Plan, Railtrack would request that the Council seek the provision and maintenance of adequate fencing and boundary treatments which prevent trespass onto the railway.

Council's Response:

2. The Council agrees that this is not a matter for the Local plan. However the Council would normally take account of the need for provision of adequate fencing and boundary treatments when considering planning applications.

Inspector's Conclusions

1. Although an eminently legitimate concern, this is too detailed for a local plan policy. The LPA should address the matter when determining planning applications.

Recommendation

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