

## CHAPTER 5 : EMPLOYMENT

### Objections

#### **5.01                      *Employment Introduction***

1134    2251                      Bardills Garden Centre  
Malcolm Scott Consultants Ltd

#### **5.02                      *The Economy of Broxtowe***

1439    3792                      Mr P Geldart                      Country Landowners Association

#### **5.31                      *1996 Nottinghamshire Structure Plan Review***

1178    2737                      Metropolitan & District Developments Ltd.  
Shoosmiths Solicitors

#### **5.31 R276              *1996 Nottinghamshire Structure Plan Review - Paragraph modified - further explanation***

1155    5107    R276                      Greasley Parish Council  
Andrew Thomas Planning

### Summary of Objection Issues

#### **5.1 Employment Introduction**

##### 1134/2251: Bardills Garden Centre

1. Within the plan 'employment' is applied to activities falling within 'business', 'general industrial' and 'storage or distribution' classes. This is a narrow definition of 'employment' considering that the policies which might enable medium and small businesses to flourish are restricted to classes B1, B2 and B8. It is an increasing global economy where there is a decline in some sectors which fall within the 'B' use class. The definitions of 'employment' should therefore be expanded to include all employment-generating businesses whether or not they fall within a use class or are 'sui generis'.

#### *Council's Response:*

2. The Local Plan uses the employment land definition contained within the Structure Plan Review and means land intended for use within uses B1, B2 and B8 of the Town and Country Planning (Use Classes) (Amendment) Order, 1995. See DoE Circular 13/87 and SI 1995, No. 297. The Council acknowledge that the business use classes exclude a variety of important job generating uses, however separate policies are considered desirable for these other job types and are included elsewhere in the Plan, for example in the Shopping and Town Centres Chapter.

### Inspector's Conclusion

1. This Chapter, whatever its title may convey, is concerned with the provision of employment land for B1, B2 and B8 employment uses. This provision is based upon a projection of past take up rates of employment land by these uses plus an allowance for choice and flexibility and a notional allowance of 25 ha for a business park in Broxtowe. It is for this reason that future take up of employment land allocations in the RDDP is restricted to B1, B2 and B8 uses.
2. Chapter 5 does not concern itself with the range of employment activities which fall outside these business use classes such as retailing, education, health, recreation

and others, although these may provide as many if not more jobs. Provision for these is dealt with in later Chapters and it would be confusing to include policies, provision or reference to these in Chapter 5. In any case, few of these wider employment activities, other than some forms of retailing, would be attracted to employment estates. Shopping policies, both local and national, seek to accommodate most retail developments within recognised centres.

3. The Plan makes no allocations and contains no specific policies for garden centres and proposals for these would be judged on the basis of those policies applying to the particular location involved. In consequence, I see no basis to change the definition of employment uses in this Chapter.

### **Recommendation**

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

## **5.2 The Economy of Broxtowe**

### 1439/3792 - Country Landowners Association

1. Although other chapters of the Draft Local Plan recognise the need to foster the rural economy, it is disappointing to find that paragraphs 5.1-5.12 of Chapter 5 do not recognise the decline in employment by traditional agriculture, or the specific problems which are faced by the rural economy.

### *Council's Response:*

2. Paragraphs 5.2-5.12 within the employment chapter are intended to be descriptive, giving background information about the borough and setting a context to the policies that follow. It is considered that matters regarding the rural economy are adequately dealt with in Chapter 3: The Environment; and specifically Policy E8. The Council does not consider it necessary to repeat the subject again in the employment chapter.

### **Inspector's Conclusion**

1. This Chapter is concerned with the provision of employment land for B1, B2 and B8 uses. Although, it refers in paragraph 5.17 to the advice in PPG7 to facilitate the development of the rural economy, neither this or other Chapters contain any specific policies to achieve this.
2. However, Broxtowe is a highly urbanised borough and the decline in the rural economy is relatively less significant in terms of employment than the decline in the mining and manufacturing sectors. Most rural parts of Broxtowe come under the strong influence of nearby towns, which are rarely more than 2kms away. Furthermore, most of its rural areas are covered by Green Belt and other countryside policies, against which any proposals for development of the rural economy would be judged. Policy E8 f) in Chapter 3 allows changes of use of agricultural and other buildings to employment and tourism uses, as the CLA seek. There is no need to duplicate this in Chapter 5.

3. This section is descriptive of the Broxtowe economy. It is not the place to spell out the manner in which new employment land will be provided, as requested by the NWT. This is dealt with later under Aims and Objectives, which refer in em/h to Green Belt and other countryside policies.

### **Recommendation**

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

## **5.31 Nottinghamshire Structure Plan Review**

### 1178/2737 - Metropolitan and District Developments Ltd

1. In terms of the general location of employment, this is set out in Policy 2/4 and although paragraph 5.31 refers to this, it only partially identifies the criteria in the Structure Plan. In addition to integration with new or existing transport facilities, sites are to be located to allow employees a choice between public and private transport and have good access to the national transport network.

#### *Council's Response:*

2. Paragraph 5.31 has been amended in the Revised Deposit Draft, Revision R276, to reflect Structure Plan Policy 2/4 more closely. The addition of the words 'allow employees a choice between public and private transport and have good access to the national transport network' has resulted in the original objection being overcome.

## **5.31 R276 1996 Nottinghamshire Structure Plan Review: Paragraph modified – further explanation**

### 1155/5107 Greasley Parish Council

3. The structure plan policy should also be quoted as requiring sites to be within and adjoining the main urban areas.

#### *Council's Response:*

4. The Council does not consider a further addition to this paragraph is necessary. Paragraph 5.25, reflecting Structure Plan policy 1/2, includes a reference to concentrating development within and adjoining the main urban areas. The Council deems this reference to be sufficient in avoiding unnecessary repetitiveness.

### **Inspector's Conclusions**

1. R276 should have overcome Metropolitan's objection to para 5.31 of the FDDP.
2. This section of the Chapter provides a guide to the SP's policies rather than a full summary. Those seeking the SP's advice on the general location of employment development would be best advised to refer to the original document. Paragraph 5.25 refers to the provisions of SP Policy 1/2 towards all forms of major development being concentrated in and adjoining the main urban areas and along transport corridors in South Notts. This should, in the circumstances, suffice. The

RDDP is already a lengthy document and unnecessary repetition should be avoided.

### Recommendation

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

## **EMPLOYMENT**

### **Objections**

<b>5.37</b>				<b><i>Requirement for new employment land</i></b>
1178	2739			Metropolitan & District Developments Ltd. Shoosmiths Solicitors
1178	2736			Metropolitan & District Developments Ltd. Shoosmiths Solicitors
<b>5.37</b>	<b>R277</b>			<b><i>Requirement for new employment land - Amendment to match Structure Plan requirement</i></b>
598	4376	R277	Mr I Brown	CPRE - Broxtowe Group
<b>5.38</b>				<b><i>Requirement for new employment land</i></b>
1178	2740			Metropolitan & District Developments Ltd. Shoosmiths Solicitors
<b>Table 5.2</b>	<b>R279</b>			<b><i>Employment land requirements 1991-2011 - Deletion of table and addition of reformatted and updated table</i></b>
1155	5099	R279		Greasley Parish Council Andrew Thomas Planning
601	4642	R279	Mr S Rufus	Nottinghamshire Wildlife Trust
<b>5.64</b>				<b><i>New Employment sites</i></b>
601	2873		Mr S Rufus	Nottinghamshire Wildlife Trust
<b>EM3</b>				<b><i>New Employment Sites</i></b>
1178	2741			Metropolitan & District Developments Ltd. Shoosmiths Solicitors
1163	2464			CPRE CPRE (Broxtowe District Group)
599	3584		Mr G Foster	Nottinghamshire County Council
967	1790		Mrs JE Gibbons	
1419	3878		Mr AJ Lovell	
<b>EM3</b>	<b>R294</b>			<b><i>New Employment Sites - Amended site area - Ordnance Depot</i></b>
1331	5238	R294		Defence Estates East, MoD GVA Grimley

### **Summary of Objection Issues**

#### **5.37 Requirements for new employment land.**

1178/2739 Metropolitan and District Developments Ltd

1. Paragraph 5.37 incorrectly identifies the locational requirement for business parks in relation to Junction 26. Policy 13/3 specifically refers to prestige employment development and to provision for business parks or other prestige employment development within, inter alia, Broxtowe Borough in the vicinity of Junction 26. It does not refer to business park development close to Junction 26.

*Council's Response:*

2. The Revised Deposit Draft amended paragraph 5.37, through Revision R277, to reflect the words contained in Structure Plan Policy 13/3 more closely. The addition of the words 'or other prestige employment' and 'in the vicinity of' satisfies the objection to this paragraph, thus it appears the objection is overcome.

1178/2736 Metropolitan and District Developments Ltd

3. It is clear that many sites exist within the borough that would not involve the need for best and most versatile agricultural land and which would provide sites of comparable potential for business park and prestige development that would be attractive to developers and business seeking such locations. Consequently, there is no reason not to include all appropriate criteria for site selection in the objectives.

*Council's Response:*

4. The Council does not feel it necessary to reproduce within the plan all the criteria listed in Structure Plan policy 2/6 regarding Business Park site selection. The Local Plan provides a background to its policies by listing Structure Plan policies and government guidance which have shaped policy development. The Local Plan's function is not to then duplicate these policies and guidance. The information is given to guide the reader.

**5.37 R277 Requirement for new employment land: Amendment to match Structure Plan requirement.**

598/4376: CPRE – Broxtowe Group

5. We object to the phrase 'other prestige employment' as this is not defined – why is this different to 'business park'?

*Council's Response:*

6. The phrase 'other prestige employment' developments is referred to in Structure Plan policies 2/6 and 13/3. The addition to the paragraph is intended to reflect the wording in these policies more accurately. Differing terms are used to describe business park type developments, 'prestige employment developments' is one such term. Business parks are however for entirely Class B1 use, whereas prestige employment sites can include certain types of B2 and/or B8 uses. It is at the local authorities' discretion to decide which development is appropriate. Both these types of development are nevertheless characterised by a high quality environment, a parkland setting, low density built development and located close to the motorway. These are necessary criteria to attract businesses seeking a 'prestige' location.

**Inspector's Conclusions**

1. Contrary to BBC's assumptions neither SP Policy 13/2 or 13/3 specifies the scale of business park or other prestige development. In terms of locational criteria the latter may identify a particular broad location in the vicinity of Jct 26 but in terms of finer criteria it defers to SP Policy 2/6 and identifies a location on the edge of the

built up area for BPs and other prestige employment development, which according to Policy 1/ 2 relates to the Greater Nottingham conurbation. Paragraph 13.42 identifies public transport corridors, such as Nottingham to Eastwood, as the location for non-prestige employment development. Thus R277 does not meet Metropolitan's objections to the FDDP. The key SP Policy is 13/2 and it is this that Paragraph 5.37, concerned with requirement for new employment land, should reflect. This SP Policy makes provision for 115 ha of employment land in Broxtowe between 1991 and 2011. This, as paragraph 13.48 of the SP explains, includes a **notional** allowance of 25 ha for business park and other prestige employment development in Broxtowe and in Nottingham City. In addition, SP Policies 2/1 and 13/2 refer to employment land provision rather than the term "requirement" as paragraph 5.37 of the RDDP and its sub-heading uses. Although the difference may be subtle the term "requirement in para 5.37 and its heading should be changed to "provision".

2. I recognise the qualified emphasis that SP Policy 2/6 places on the protection of the B&MV agricultural land. However, it also includes eight other criteria and it would be wrong to select one and unnecessarily cumbersome to repeat all in this brief explanatory text to the RDDP. The provisions of SP Policy 2/6 and others apply in any case when judging individual proposals.
3. The term "other prestige employment developments" is included in SP Policies 2/6 and 13/3, which provide the context for this part of the RDDP. They differ from purely B1 business parks in that they may allow for B2 and B8 uses as well as B1 uses. The footnote to SP Policy 2/6 makes it clear that it is for the LP process to decide whether an entirely B1 BP or another PED is appropriate. It is important to identify the two forms of development because, contrary to the assumptions of many over the years, the SP policies do not require the provision of BPs rather than PEDs. Nor do its policies, require 50 ha of BPs or PED in Broxtowe and or Nottingham; the explanatory text only suggests provision of **up to** 50 ha. Nor do the SP policies limit provision to within the vicinity of Jct 26 of the M1 or even close to the motorway as BBC assert in their evidence. Whilst SP Policy 13/3 and para 13.47 refers to locations in the vicinity of Jct 26 (although it eschews certain locations around the junction), Policy 2/6 itself, to which 13/3 defers, refers to sites having good access to the national transport network. This includes trunk roads as well as motorways and the commercial evidence suggested that off peak drive times of up to about 7 minutes via good grade roads provide good access to the motorway network.
4. It is important for my later consideration for the LP to recognise the choice that the SP affords between BPs and PEDs and in terms of location.

### Recommendation

5. I recommend that the RDDP be modified by revising paragraph 5.37 to refer to SP Policy 13/2 and its provision for 115 ha of employment land in Broxtowe between 1991 and 2011 which includes a notional allowance of 25 ha for business park and other prestige employment development in Broxtowe. The reference to location in the vicinity of Jct 26 is out of place in a paragraph dealing with land provision and should be deleted. The reference to a residual requirement is wrong, as my



Conclusions on Policy EM2 demonstrate and should also be deleted. Also the term "requirement in para 5.37 and its heading should be changed to "provision".

### **5.38 Requirement for new employment land.**

#### 1178/2740 Metropolitan and District Developments Ltd

1. It is considered that Table 5.2 would lead to a potential under-provision of employment land within the borough during the plan period. Firstly it is considered that calculation of commitments may underestimate the land actually available as it includes land with long-standing allocations for employment use that has not to date come forward. There must be serious doubts that such sites will come forward within the next plan period - especially those sites with long-standing permissions and not yet developed. Consequently the figure of land developed or committed in Table 5.2 is considered to be an optimistic projection. Therefore there should be a flexibility allowance in the estimate of land to be provided on newly allocated sites to accommodate sites that are constrained and may not come forward within the plan period.

#### *Council's Response:*

2. An in-depth response to this objection is contained in the Council's Employment Round Table paper where the general issues raised are discussed.
3. The Council considers the level of employment provision calculated on newly allocated sites acceptable in meeting Structure Plan guideline figures outlined in Policy 2/1. The Council does not believe it appropriate to include a flexibility allowance above this guideline figure. The Structure Plan figures themselves include a built-in flexibility allowance thus resulting in allocations which will be likely to exceed expected land requirements. The built-in flexibility allowance includes provision for sites with long term constraints, and allows for the unlikely occurrence that the site does not come forward for development within the plan period. An overprovision of employment land would undoubtedly lead to unnecessary development of greenfield land, which the Council seeks to minimise.

#### Inspector's Conclusions

1. Some participants in the employment RT failed to understand the basis of the SP and the RDDP Employment Chapters. Neither are concerned with the attainment or maintenance of a particular level of employment. Rather they are concerned with providing sufficient land to meet the needs of local firms wishing to expand, re-locate and form and the needs of regional and national firms to re-locate. They seek to cater for this by a projection of past development rates. The inclusion of former employment sites that are to be re-developed for employment uses within the supply of employment land accords with this approach, as the footnote to SP Policy 2/1 explains; notwithstanding any net loss of employment on the site or generally.
2. I recognise that some allocations and planning permissions for employment land may take many years before employment development occurs. This is not necessarily due to any serious constraints or inherent unattractiveness. It is in my experience largely due to the nature of the employment land market. Employment development often has more particular and individual land and siting requirements than say housing development in terms of size of plot, scope for expansion, access, general and detailed location and setting. Thus it may be some years

before a requirement for an employment development arises which fits the features offered by a particular plot. This may be seen even on large employment parks that have been highly successful but which take 15 to 20 years to achieve full development. It is more likely to arise on smaller sites that do not provide such a wide choice.

3. I have examined below the existing outstanding employment commitments and with some minor exceptions, I have few doubts as to their eventual development.
4. As regards the call for a 10% flexibility allowance, Metropolitan and others, appear to overlook the nature of the SP employment land provision in SP Policy 13/2. This is based upon past take up rates on identified employment land in all employment categories B1, B2 and B8, including prestigious employment developments. It is based upon a regression analysis of take up rates between 1979 and 1993 plus a 58% allowance in South Notts case (not 50% as stated in CD39) and an 88% allowance in Broxtowe's case if the notional allowance of 25 ha for a BP or PES is included as in 13/2. If this is excluded the allowance reduces to about 48%. This allowance is intended to provide for choice and flexibility and more than covers any minor delays in developing some committed or allocated sites.
5. This is also illustrated by reference to the length of time it would take to fully develop the 115 ha at various past development rates. At the above SP rate of about 2.7 ha the total land provision would last 42 years (to 2033); at the 1976 to 1995 rate (about 3 ha) it would last 38 years; at the 1986 to 1995 rate (about 4.4ha) it would last 26 years and at the 1995 to 2000 rate quoted by BBC (about 2.9 ha) it would last 39 years. On any measure, these are very large "flexibility" allowances. With such a large margin it is inevitable that some sites will take many years to develop; it is built into the level of provision. It is appropriate for the purposes of this point to use the 115 ha allocated, as the past development rates included prestigious employment development as well as other development in classes B1 and classes B2 and B8.
6. I have seen no convincing evidence that this scale of provision should be increased further with consequent impacts on greenfield and Green Belt land. Indeed, the evidence supports some reduction. What Metropolitan and others, including BBC at times, overlook is that the SP makes it clear in the footnote to Policy 2/1 that this provision should be considered as a guideline rather than a precise target, or a requirement or a limit on development. The total figure of 115 ha for Broxtowe contains a notional allowance of 25 ha for a BP which is not based upon past take up rates and which I reject later. In the light of these, I do not consider that there is any imperative for this LP to make provision for 115 ha of employment land I therefor recommend provision in this Review Plan of about 90 ha of land for the full range of employment uses in SP Policy 2/6. I consider objections to employment land provision below. I note the conclusions of the new Draft Regional Planning Guidance April 2003 that the QUELS study concluded that the demand for additional employment land for B1, B2 and B8 is estimated to grow at less than 3 ha per annum region wide, although there is a shortage of sites for science and technology users in the Three Cities sub-area.



7. What many also overlook is that the provision made in the RDDP is unlikely to remain unchanged for 10 or more years. The Plan is expected to be reviewed in mid decade, rolled forward and topped up as necessary with additional employment land provision. Thus there should be little prospect of employment land shortages arising; indeed the wide choice of land available at the start of the period should be maintained after each plan review. Any special unforeseen employment development proposals can, as they have in the past, be considered under Policy EM6.

### Recommendation

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

### **Table 5.2 R279      Employment Land Requirements 1991-2011: Deletion of table and addition of reformatted and updated table.**

1155/5099: Greasley Parish Council

1. Table suggests that no employment development took place in 99/00.

#### *Council's Response:*

2. The Council's Employment Round Table paper discusses the employment figures contained in Table 5.2 in more detail.

601/4642: Nottinghamshire Wildlife Trust

3. The employment figures given in Table 5.2 appear to be indicating a rise in overall employment land need despite the passage of time and the number of completions having risen since the Deposit Draft was published. The Council's stance on overall land supply needed to meet the economic needs of the district leads to an excessive loss of land and is therefore inappropriate. We recommend that the Council include text in the plan explaining the manner in which the figures in this table have been derived. We further recommend that the amount of land that the Council intends to allocate be reduced in order to promote the existing local economy.

#### *Council's Response:*

4. The Council's Employment Round Table paper discusses the employment figures contained in Table 5.2 in more detail.

### Inspector's Conclusions

1. R279 itself does not imply that no employment development took place in 1999/2000 and even if it did, I fail to see what relevance this would have to the revised Table 5.2. The revised Table simply categorises the various elements of provision using a conveniently more recent base date.
2. My recommendations above regarding reference to SP Policy 13/2 should provide the necessary context for the figures. The SP or rather CD39 explain the derivation of these levels of provision, which I also summarize above. Those

interested would be advised to refer to the SP documents rather than rely upon a summary of these in the RDDP, which would extend an already large document. Government advice is that LPs should be clear and concise.

3. I have already indicated above, in respect of Metropolitan's objection, that the flexibility allowance already built into the provision, which is only a guideline, is more than generous and that the evidence does not support any increase in this, rather it supports the opposite, as the NWT suggest. I bear the allowance in mind in considering objections to individual proposals later. My recommendations provide for about 90 ha of employment land for all employment uses but not for the notional 25 ha allowance for a BP in Broxtowe. The reduction in the extent of EM3f is compensated by the allocation of Nu1 and the re-instatement of EM1j. The allocation of site EM3e for other uses being compensated by an employment allocation on an adjoining redevelopment site.

### **Recommendation**

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

## **5.64 New Employment Sites**

### 601/2873 Nottinghamshire Wildlife Trust

1. Do not support the over allocation of land in order to provide additional choice for developers. This approach will lead to developers seeking only to develop areas that have been provided by the Local Plan, while not examining the opportunities for redevelopment of other appropriate sites that may come forward through the plan period within urban areas. The employment land allocation should be provided at the minimum acceptable figure.

### *Council's Response:*

2. The Revised Deposit draft amended paragraph 5.64 (R290) and subsequently policy EM3 (R297). The revision reduces the level of employment provision on newly allocated sites from a slight over-provision to meeting the Structure Plan guideline figures exactly. This revision illustrates the Council's commitment to sustainable development, preventing the unnecessary allocation of Greenfield land, taking into account the Structure Plan's in-built flexibility allowance. Seemingly the revision satisfies the objection to this paragraph and to EM3.

### **Inspector's Conclusions**

1. I have already concluded, in regard to Metropolitan's objection above, the need for some degree of choice in employment land provision as individual plots and sites may take some time to find an employment development looking for the particular features that they offer. Thus some plots may stand vacant for years not due to any inherent constraints, rather the operation of the employment land market. It is difficult for all the varied interests to agree upon a minimum acceptable figure but my conclusions will provide later a level that I find acceptable, particularly bearing in mind future Plan reviews.

## **Recommendation**

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

### **EM3 New Employment Sites**

#### 1178/2741: Metropolitan & District Development Ltd

11. The overall allocation of 41.8 hectares for new sites is insufficient to meet total employment land requirements. Firstly, as expressed elsewhere in our objections it is doubted that the “committed” sites identified in Policy EM1 will all be capable of development within the Plan period. There must also be some doubt that those sites and indeed the sites identified under EM3, will actually provide the area of land for employment use identified. For all these reasons a 10% flexibility allowance in terms of the total Structure Plan requirement of 115 hectares is recommended and additional sites or a site should be identified under Policy EM3 to accommodate this.

#### *Council's Response:*

2. Paragraph 2.72 of the Structure Plan states that the Structure Plan requirements are above the level necessary to continue past development rates and in excess of what is likely to be actually developed during the plan period. This is, amongst other reasons, ‘in order to provide flexibility’. A flexibility allowance is therefore already built into the Structure Plan requirement and it would be inappropriate to increase the figures further. Refer to Employment Round Table Paper.

#### 1163/2464: CPRE

3. We note that 41.8 hectares of the land has been allocated compared to the 39 hectares required. In addition two of the significant developments are proposed within the existing Green Belt. Of these two, we are particularly concerned over the allocation of 13 ha at Watnall (Greasley). In our view this allocation should be reduced to 8ha in two ways: by removing the over-allocation of 2.8 ha noted above, and by absorbing the remaining 2.2 ha at appropriate locations elsewhere in the borough.

#### *Council's Response:*

4. Provision in the Revised Deposit Draft has been reduced to meet the Structure Plan figure exactly. Site specific issues relating to allocation of EM3f are dealt with in the Council's response to objections to that policy (proof 014).

#### 599/3584: Nottinghamshire County Council

5. It is recommended that all site specifics for housing and employment development make reference that developers may be expected to contribute towards walking, cycling and public transport measures in accord with Policy T1.

#### *Council's Response:*

6. Policy T1 relates to all new development. This policy and the explanatory text has been expanded in the Revised Deposit Draft. The Council does not consider that specific reference to Policy T1 is required for each individual site. In accordance with the advice in the Planning Officers Society's “Better Local Plans” publication (p.18), 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.

967/1790: Mrs J E Gibbons

7. Loss of greenfield site, create urban sprawl, increased traffic on Nuthall Island, loss of view, footpaths and wildlife, pollution. Delete the site.

*Council's Response:*

8. Site specific issues relating to employment site EM3f are dealt with in the Council's response to objections to that policy (Proof 014).

1419/3878: Mr A J Lovell

9. Sites EM3a and EM3b should be built on before permission is granted for any other site because both are brownfield sites where environmental impact is the least. Another priority site, which should be built on after the above have had permission, is site EM3c.

*Council's Response:*

10. The Council does not consider that a general phasing policy for employment land would be appropriate. It does not have support from the Structure Plan or from national policy guidance. It would risk serious implications for job creation in the borough if sites in the early phase did not come forward as hoped. Most allocated sites are on brownfield land, and furthermore it is important that a variety of sites are available to encourage employment development. It should however be noted that the land allocated at Watnall is part of a larger comprehensive scheme and a phasing plan for the employment development will be required in this case.

**R294 - EM3 Ordnance Depot, Attenborough - Amended Site Area**1331/5238: Defence Estates East, MOD

11. Defence Estates submitted an 'in-principle' objection to the proposed allocation under Policy EM3a of the deposit draft to the identification of part of its surplus land for employment purposes. Following the discussions with Broxtowe, Defence Estates is now willing to accept the principle of some employment use being retained and allocated on part of the site. It therefore supports, in principle, the proposed revisions showing a reduction in the employment allocation from 5ha to 3.2ha and an increase in the residential allocation from 7.2ha to 9.1ha, plus 0.8ha of open space. Having accepted the principle, a consequence of the revision is that Defence Estates has now addressed the appropriateness of the detailed matters which Broxtowe seek to impose through the additional wording of R294 (part B1 only), the text of para 5.55 (now 5.65) and the development brief in this respect. Defence Estates maintains its original objection to Policy EM3a and para 5.65 with regard to the restriction of use to B1 only on part of the employment site. The Council seeks to maintain employment use in the area and Defence Estates has accepted this. Nevertheless, the use classes proposed for the site must recognise that the existing storage use is established and may continue until such time as the site is redeveloped for employment purposes.
12. Delete '(part B1 only)' from EM3a and amend para 5.65 as follows 'i) Delete 'unused' from line 4 ii) amend fourth sentence to read, 'Land adjacent to the proposed housing (policy H2a) would be redeveloped from Class B1 uses although the existing storage use could continue until such time as an appropriate redevelopment scheme comes forward'.

*Council's Response:*

13. The general support for the amended site area is noted. With regard to the requirement that land adjacent to the proposed housing is developed for B1 uses only, this has been the Council's view from the start and is reflected in the original Deposit Draft text. As a large part of this site is being

reallocated for housing development it is important to ensure that the juxtaposition of development is appropriate. Defence Estates East recognise in their original objection that "Class B2 and B8 uses .... are not necessarily suitable in, or close to, a residential use". This is also the Council's view and is why the restriction to 'B1 only' has been placed on the area of land in the vicinity of the proposed housing.

### **Inspector's Conclusions**

1. I have already dealt above with Metropolitan's and others objections of the same mind. There is no sound case to increase the already very generous flexibility allowance built into the level of provision, rather the opposite. A figure of 10% is arbitrary and almost inconsequential compared to the allowances I note above. It seems to be borrowed from similar objections relating to housing land provision, which I also reject in Chapter 4.
2. The CPRE's objection related to the FDDP and the figures have changed in the RDDP, although not in the direction the CPRE might have wished. As I conclude above, the SP level of provision is a guideline not a target or a requirement and I treat it as such in my conclusions later. I note the suggested reduction of the 13 ha at W/N and deal with this later. However, the level of provision should reflect site specific issues rather than some arbitrary abstract reduction.
3. I see no good reason for employment and housing allocations to make reference to developers contributions to particular forms of transport or other provision. NCC's point relates more to Policy T1. The LPA, if not others, will take the Plan as a whole when determining planning proposals and impose whatever conditions or obligations they deem appropriate in the circumstances. Reference to some policies can create a false impressions that others do not apply and it would be impracticable to quote all that might apply; it will depend upon particular circumstances at the time and in any case it would increase the size and complexity of the RDDP considerably contrary to government's concern and advice.
4. Mrs Gibbons' objection appears to relate to allocation EM3f and is dealt with later along with many similar objections.
5. Mr Lovell, in effect, seeks a phasing policy, like Greasley PC, for the release of employment land. I reject this suggestion because of the need to provide an adequate choice of sites to meet the varied needs of particular employment developments, which I explain earlier in this Chapter. On a matter of more detail, sites EM3a and EM3b are located in the very south of the borough and do not meet the needs of employers seeking sites in the northern parts. Site EM3c, whilst located in the latter area is very small, with most particular characteristics. It is one of the few allocations that raise doubts in my mind regarding its developability.
6. Mr Lovell subsequently (20/4/02) submitted his suggestions for employment allocations that do not embody any phasing. I deal with these later in respect of individual proposals. Apart from Nu6 suggested for a BP, they are all sites included in the RDDP.
7. Defence Estates now accept the provision of employment development on the former ordnance depot site, albeit at a reduced level in the RDDP. The restriction of new

employment development to B1 uses in paragraph 5.65, EM3 and Appendix 2 only applies to part of the employment allocation adjoining the proposed housing development. The rest of the allocation is presumably available for B1 or B2 or B8 uses. The restriction to B1 uses in the allocation adjoining the proposed housing on two sides accord with the Circular on Use Classes, which advises that B1 uses are compatible with residential areas, whilst B2 and B8 uses may not be. Government advice in PPG4 is to avoid the potential for complaints from residents and the potential constraints on B2 and B8 uses that might result by avoiding possible conflicts. I can see no reason why restricting part of the site to B1 development should affect successful marketing of the site in this popular area.

8. Existing storage uses on the site itself appeared to have effectively ceased by my site visit. Activities within the adjoining remaining depot area would be largely screened from the proposed housing area by the employment development, apart from the NE corner. However, this latter part extends little further than recently developed dwellings adjoining and should give rise to no more problems.

### Recommendation

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

## **AIMS AND OBJECTIVES**

### **Objections**

<b>5.42</b>	<b><i>Aims and Objectives</i></b>	
598 2618	Mr I Brown	CPRE - Broxtowe Group
<b>5.43</b>	<b><i>Objectives</i></b>	
1178 2738		Metropolitan & District Developments Ltd. Shoosmiths Solicitors
601 3072	Mr S Rufus	Nottinghamshire Wildlife Trust
<b>5.43 R280</b>	<b><i>Objectives - Amended/updated amount of employment land to be provided</i></b>	
1155 5113	R280	Greasley Parish Council Andrew Thomas Planning
<b>5.43 em/b R282</b>	<b><i>Objectives - Paragraph modified - further explanation</i></b>	
1155 5114	R282	Greasley Parish Council Andrew Thomas Planning

### **Summary of Objection Issues**

#### **5.42 Aims and Objectives**

##### 598/2618 CPRE – Broxtowe Group

1. These paragraphs relate to the strategic aims of particular relevance to employment. Chapter 5 should reiterate the sustainable development issues detailed in Chapters 2 & 3. Also add the policy statement, 'In assessing the potential effects of development policies and proposals, the implications for all conservation interests need to be covered and given equal weight'.

*Council's Response:*

2. The Council does not consider it necessary to repeat information contained in Chapters 2 and 3 in Chapter 5. The Council consider that considerable weight has been given to achieving sustainable development, and does not consider the strategic aims need any amendment. The Plan should be read as a complete document which encompasses the different chapter objectives and policies as a set of interlinking statements. Accordingly 'conservation interests' are adequately covered in the Environment chapter, Chapter 2.

**Inspector's Conclusions**

1. The Plan should be read as a whole. The guiding principles, the strategic aims, the locational principles and strategic policies of Chapter 2 apply to all proposals, as do the aims and objectives and policies in Chapter 3. There is no good purpose to be served by repeating them here or in other Chapters of the RDDP. It would only serve to lengthen and potentially confuse an already large document. All paragraph 5.42 seeks is to pick out those strategic aims that are considered to be of particular relevance to employment. These include encouraging means of transport other than the car, which is an important sustainable objective, and protecting and enhancing the urban and rural environments, which covers many conservation interests. As I conclude before, it is not possible to accord weight to particular interests in isolation. This will depend upon the circumstances of individual proposals.

**Recommendation**

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

**5.43 Objectives**1178/2738/2739 – Metropolitan & District Developments Ltd

1. Objective em/b should be extended to incorporate the wording of Policy 2/2 of the Structure Plan and reflect Policy 2/3 more closely. Extend list of objectives to include reference to provision of employment sites with good access to the national transport network. Amend paragraph em/g to accord with Structure Plan policy 2/4(a). The objectives should be extended to accommodate the criteria in policy 2/6 of the Structure Plan about the provision of business parks and prestige employment development.

*Council's Response:*

2. Revision R282 amends objective em/b to reflect Structure Plan policy 2/2 more accurately. The revision adds the words, 'suitably located' and 'in terms of size and quality to ensure supply of employment land is available throughout the Plan period so that the local economy can grow sustainably'. Thus, the revision overcomes the objectors' first and second points of objection.
3. Revision R597 amends objective em/g to reflect Structure Plan policy 2/4 more closely, with the addition of the words 'and well served'.



4. With regard to an additional objective to incorporate the criteria in policy 2/6 of the Structure Plan, the Council considers that this policy is adequately covered by objective em/a.
5. Revision R281 amends the wording to reflect the amendments made in paragraph 5.37 (R277).

601/3072 - Nottinghamshire Wildlife Trust

6. The objectives stated in this paragraph do not adequately promote the goal to develop the local economy in line with principles of sustainable development. Delete em/a as the issue of employment land is dealt with in em/b. Amend em/b to read, 'provide a range of suitably located employment land sufficient to ensure that the local economy is able to grow sustainably'. Amend em/g to read, 'ensure that all new business land is accessible and well supplied by public transport'.

*Council's Response:*

7. Revisions R281 and R282 in the Revised Deposit Draft corresponding to objectives em/a and em/b make amendments which ensure both objectives are distinct from each other. Thus, the Council does not feel it necessary to delete em/a.
8. Revision R282 revises objective em/b to incorporate the objectors' suggested wording. It would seem the objection is therefore overcome.
9. With regard to the objectors' final point, Revision R597 relating to em/g adds the words 'and well served' to incorporate the issue of development being accessible to public transport. The Council, however, has not replaced the words 'employment development' with, as suggested, 'business land', as 'employment development' reflects the definition in the Use Classes Order 1987 and guidance in the Structure Plan Review policies.

**5.43 R280 Objectives: Amended/updated amount of employment land to be provided**

1155/5113 - Greasley Parish Council

10. 52.8ha represents an overprovision, compared to Table 5.2 (shows 44.8ha) and allocations should be reduced, possibly reallocating for housing.

*Council's Response:*

11. Objection dealt with in the Council's response to objections to Table 5.2, R279. (Proof 132).

**5.43 em/b R282 Objectives in paragraph modified - further explanation**

1155/5114 - Greasley Parish Council

12. 52.8ha represents an overprovision, compared to Table 5.2 (shows 44.8ha) and allocations should be reduced, possibly reallocating for housing.

*Council's Response:*

13. Objection dealt with in the Council's response to objections to Table 5.2, R279. (Proof 132).

**Inspector's Conclusions**

1. R282 provided an adequate summary of SP Policies 2/2 and 2/3 and should have met Metropolitan's objection to the FDDP.
2. R597 to em/g failed to reflect SP Policy 2/4 a) as well as Metropolitan's point about good access to the national road network and being well served by private as well as public transport. However, these points are broadly covered by R282, which refers to a range of suitably located employment sites. In judging the locations of such sites, reference will need to be made to SP Policies 2/4 and 2/6 as well as others. It would unduly burden and distort the broad objectives in paragraph 5.43 by including details or even a summary of these SP Policies and their criteria, as Metropolitan seek, and there is some risk that any omitted might be ignored. In these circumstances a broad objective is to be preferred. R280 and em/a refer to provision of a business park in the vicinity of Jct 26 and I see no reason to elaborate it with a range of criteria as Metropolitan suggest; in any case, I recommend deletion of the proposed 25 ha BP which should be reflected in em/a.
3. Otherwise objective em/a usefully provides a quantitative dimension to employment land in general which does not feature in em/b. R597 to em/g now includes the terms "well served" by public transport and should help to meet the NWT's objection to the FDDP. As concluded above, this is one facet of sustainability but this Chapter is still subject to the aims, objectives, guiding principles and policies of Chapter 2 and Chapter 3 and there is nothing to be gained by repeating these here. The Plan has to be read as a whole.
4. The RT explained that the discrepancy of 8 ha between the 52.8 ha in em/a and Policy EM3 and the 44.8 ha in table 5.2 of the RDDP is accounted for the 8 ha of land in the latter which has planning permission but has not yet commenced and which is re-allocated in the RDDP. The 44.8 ha was land to be provided on newly allocated sites. Thus no overprovision arises in respect of em/a or EM3.
5. The employment land provision in the RDDP and the objectives collectively are intended to ensure that a more than adequate supply of readily developable employment land is available during the Plan period, as I conclude above. I see no purpose in repeating this in a new separate objective as Metropolitan suggests.
6. Objective em/ i includes sustainability and I see no purpose in such broad objectives to include such detail requested by Mr Eddleston. The provision of new employment land is to meet the needs of all local employers, not simply those that meet Mr Eddleston's criteria.
7. It is not possible to accord equal weight to all factors when assessing policies and proposals, as sought by the CPRE. This will vary according to circumstances.

### Recommendation

8. I recommend that no modification be made to the RDDP in respect of these objections, although the reference to a 25 ha BP should be deleted from em/a as a consequence of my subsequent recommendations.

## EMPLOYMENT SITES, EXISTING COMMITMENTS

### Objections

**EM1 R299      *Employment commitments - Change to the Proposals Map to reflect transfer of certain Policy EM1 sites to Policy EM3***

601    4590    R299    Mr S Rufus      Nottinghamshire Wildlife Trust

**EM1a              *Employment commitments - Eldon Road, Attenborough***

599    2682              Mr G Foster      Nottinghamshire County Council

**EM1d              *Employment commitments - Former Bartons Depot, Chilwell***

108    108              Mr M Spencer

**EM1g              *Employment commitments - Newmanleys Road, Eastwood***

1114    2177              Hardy & Hansons  
FPDSavills

**EM1j              *Employment commitments - Common Lane, Watnall***

1383    3519              Mr S Clifton      English Nature East Midlands Team  
1137    2277              Mrs JE Dearman  
1136    2267              Mr ID Dearman  
1138    2286              Mr DE Dearman  
662    1297              Mr BA Edson

**EM1j R286      *Employment commitments - Common Lane, Watnall - Paragraph, policy and site deleted***

1114    4996    R286    Hardy & Hansons

### Summary of Objection Issues

#### **EM1 R299 Employment Commitments - Change to the Proposals Map to reflect transfer of certain Policy EM1 sites to Policy EM3**

##### 601/4590: Nottinghamshire Wildlife Trust

1. We object to the revision to this policy with regard to sites which are being proposed which were not previously in the plan. South Street (west) Eastwood - this area is listed as Site of Importance for Nature Conservation, and should be preserved from development as these represent the network of the most important non-statutory nature conservation sites in the County. The site, Bailey Grove Marshland, is listed as 'an interesting marshy grassland with a number of notable species'. We feel that the allocation of a SINC is an extremely inappropriate approach to development planning and sustainable development. We recommend the Council delete the site from the plan. Newmanleys Road, Eastwood - While we are not aware of any nature conservation issues relating to the site itself, we are concerned that this proposed allocation lies immediately adjacent to a Site of Importance for Nature Conservation, New Eastwood Roadside Verge, described as 'a verge with a notable association of grassland species'. We feel that this area should not be considered suitable for development until a survey of the site and its surroundings has been conducted to assess the ecological value of the area and the impacts that would be felt from development of the site.
2. We recommend that the Council delete this site from the plan. Following an assessment of the area's ecological interest, the site could be reconsidered. If it is to proceed as an allocation there should be strict conditions placed on any development to ensure that the SINC experiences no adverse effects.

#### *Council's Response:*

3. This revision merely transfers those committed employment sites that were included in Policy EM1 to Policy EM3 (at the suggestion of the Government Office, objection 1381/3481). The land rear of South Street (west), Eastwood was included in the Deposit Draft as Policy EM1f, but has now been included within Policy EM3. Newmanleys Road, Eastwood was included in the Deposit Draft as Policy EM1g, but has now been included within Policy EM3. The Council takes the view that in this instance the interests of employment creation should take priority over the interests of nature conservation with regard to the SINC. The site forms part of a larger area which has been allocated for employment development since 1985 (Policy LP13 of the 1985 Local Plan and policy EM2g of the 1994 Local Plan). Part of this larger area has been developed and permission has been granted for development on the remainder of the site (reference 92/325, now lapsed). A further application was also submitted recently (99/815, withdrawn). An access road has been installed from the A610 to serve site EM3x as well as the existing development. The site is close to many potential employees, within the urban area and within the Nottingham-Eastwood public transport corridor. The Council understands however, that there might be bats or newts on the site and any application would therefore be considered in relation to policy E18, which requires provision to secure the protection of species which are protected by law. The land at Newmanleys Road, Eastwood was included in the Deposit Draft as Policy EM1g, but has now been included within Policy EM3. The SINC is the roadside verge to the adjacent A610 and development of the site need not cause harm to the SINC, particularly as it is not envisaged that direct access would be taken from the A610. The new schedule of SINC's provided in June 2001 by the Nottinghamshire Biological and Geological Records Centre, which is the result of a substantial period of survey and analysis, confirms that the site itself is neither a "confirmed SINC" nor a "SINC under review".

### Inspector's Conclusions

1. The NWT's approach to the concept of sustainability is, perhaps understandably, somewhat selective in concentrating upon nature conservation interests to the exclusion of others. The site at South Street is not in agricultural or other uses but is unused. It lies outside the Green Belt and within the urban area being surrounded on three sides by development and on the fourth by the A610 by pass, which cuts it off from the countryside to the southwest. It lies within 250 m of bus services along Derby Road and about 500 m from Eastwood Town Centre. It is within convenient walking and/or cycling distance of the housing areas of southern Eastwood. It is capable of being serviced and vehicular access would be via a factory road access to the A610 by pass rather than through residential areas. In all these respects it is a highly sustainable site.
2. It is not clear when the latest survey of the SINC on the site was undertaken or what was present at that time. However, the southeast part of the site has now been partly developed with car parking for the adjoining Microlise premises. Most of the central part of the site has also been cleared, leveled and now supports only sparse vegetation. The site margins to the SW and NW support more vegetation but are being invaded by scrub. The only noticeable area of marshy grassland is now confined to a small area towards the centre of the SW side, which supports grasses, reeds and rushes. However, it may be possible to incorporate this as a feature in any new employment development on the site; indeed the marshy area is not noticeably larger than the pond that has been established in the adjoining Microlise premises.
3. Site surveys would be necessary prior to any development to establish the presence of bats and newts on the site, which would be protected by policy E18 and national legislation. Even if their presence is confirmed, I cannot see that this would present insuperable difficulties to a sensitive employment development.

4. I note that BBC considers that the interests of employment creation should take priority over the nature conservation interests of this SINC. For my part, I consider that the attributes of this site for sustainable employment development outweigh its current limited value as a SINC, whose main remaining feature could in any case be preserved in a development.
5. This site like others demonstrates a fundamental weakness in the designation of SINC in Nottinghamshire. Whilst Policy E17 may protect SINC from developments requiring planning permission, it does nothing to protect them from many other, perhaps more common activities, that do not, such as spraying with herbicide, clearing, leveling, overgrazing etc. Indeed the land owner and tenant may be unaware of any SINC designation and may destroy its value unwittingly.
6. I observed that the large empty factory to the south east of Microlise has been acquired by Raleigh for a new HQ and national distribution centre. This effectively provides a new site of about 3 ha according to the approach of the RDDP and the SP towards re-development sites. It could provide the key to the development of the adjoining site EM1e, which is a highly sustainable unused site surrounded by urban development.
7. The objection to EM1g, now EM3X, is surprising since this site is neither a SINC nor a SINC under review. The basis of the objection is not with the site's own intrinsic merits but it's position adjoining a SINC. However, the latter is a man made verge to the A610, which is separated from EM1g by substantial planting. There would be no direct vehicular access from site EM1g itself to the A610. Access would be via Newmanleys Road, which has access to the A610. I cannot see how careful employment development on the site would damage the nature conservation interest of the roadside verge. As this is man made it could presumably be replicated elsewhere.

### Recommendation

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

## **EM1a Employment Commitments - Eldon Road, Attenborough**

599/2682 - Nottinghamshire County Council

1. This proposed allocation has a medium to high potential for containing features or remains of archaeological significance and should be subject to a requirement for the predetermination evaluation of the site. The need for archaeological work here should be stated in the Plan.

### ***Council's Response:***

2. Policy EXX (R102) has been added in the Revised Deposit Draft and in the Council's opinion this will provide an appropriate safeguard for any potential archaeological significance on the site. Archaeological issues are dealt with further in the Council's proof 073.

### Inspector's Conclusions

1. The NCC provide no evidence on which they base their claim. Indeed, it seems to be their standard response to most, if not all, potential development sites and one which I do not find particularly helpful. R102 introduced a new Policy to the RDDP, which should help to safeguard all sites, including EM1b and EM1c (to which they also originally raised objection) with any important archeological interests. As the Plan should be read as a whole, no particular reference to archeological or other interests is needed in this section. The LPA and the County Council will be aware of the potential interest and inform applicants accordingly at the appropriate time.

### Recommendation

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

## **EM1d Employment Commitments - Former Bartons Depot, Chilwell**

108/108 - M Spencer

1. No provision for parking on the site to free the local roads of on-street parking.

### *Council's Response:*

2. This site has been allocated for employment use; any proposals for development will be assessed with regard to the level of parking provision and its adequacy for the proposed use. There is no proposal to provide residents' parking on this site.

### Inspector's Conclusions

1. It is commonplace for many roads in urban areas to be subject to on street parking. It is unclear which roads Mr Spencer has particularly in mind and what problems result.
2. There are no proposals by the BBC to secure any parking for Broxtowe College or others on this employment site. In any case, detached parking areas are not always popular for reasons of security as well as convenience.

### Recommendation

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

## EM1g Employment Commitments - Newmanleys Road, Eastwood

### 1114/2177 Hardy & Hansons

1. The land has been committed for employment for a number of years, whilst this is supported, the wholesale development for employment may not be the most appropriate way forward. PPG3 (Con Draft) para 25 suggests that housing could be provided by releasing land held for alternative uses such as employment. The site has not come forward yet, residential use may be a more realistic one.

#### *Council's Response:*

2. There is a need to provide employment sites within the Eastwood area and the Council considers that this is an appropriate site. The site is not appropriate for residential development due to its proximity to other industrial uses and to the A610 - a major source of noise.

### 599/2696 - Nottinghamshire County Council

3. The paragraph 5.55 omits reference to the fact this land allocation forms part of a proposal in the Deposit Draft Waste Local Plan where it forms part of a search for a general waste transfer station.

#### *Council's Response:*

4. The Revised Deposit Draft includes an additional sentence referring to the general waste transfer station (R327).

### Inspector's Conclusions

1. Site Em1g falls into two parts. The larger southeastern part is unused and is surrounded by employment uses on two sides with the A610 by pass to the third. It would take vehicular access alongside an existing workshop from Newmanleys Road, which has direct access to A610. A new access would require some reorganisation of existing parking arrangements for lorries and/or cars but there is no apparent reason why this should prove to be difficult. The site lies towards the edge but within the urban area of Eastwood. It is conveniently located within convenient walking and cycling distances of the southwestern parts of the town. It is not in agricultural use. It lies outside the Green Belt and is separated from the countryside to the southwest by the A610 by pass. It is a most sustainable development site and is clearly suited to and attractive to employment uses.
2. It is separated from the smaller northwestern part of the site, apart from a narrow neck of unused land, by a former farmhouse surrounded by planting. This smaller part of the allocation could be developed individually with a separate access from Brothel Lees Road. A small B1 employment development would respect and should be quite compatible with the neighboring residential and public house uses.
3. This site adjoins the A610 by pass and may be subject to some road traffic noise as the BBC point out. However, they have provided no evidence of current levels or importantly the effects of mitigation measures such as noise barriers and dwelling design. However, their concern has not prevented them from allocating housing sites elsewhere alongside major roads, including this one, in locations where traffic is braking and accelerating. I do not see this factor as a major obstacle to some



housing development on the site. In any case the level of traffic, particularly HGVs, on the A610 is relatively light during nighttime hours and most main roads are subject to noise levels during the daytime.

4. However, well located employment sites within the urban area are at a premium in Eastwood whose economy has suffered in the past. This site can serve the needs of southern Eastwood and is highly accessible on foot and by cycle. I have identified sufficient housing land elsewhere to meet what I consider to be the appropriate requirement. I recognise that this site has not come forward over the years for employment development. I see no reason why a small employment development should be regarded as unrealistic. No constraints on employment development, other than perhaps ownership, have been brought to my attention. Both BBC and myself have reviewed employment allocations as advised by PPG3 but have concluded that this small part of site EM1g should be retained for employment development.
5. I note that site EM1g has been included within an area of search for a waste transfer station. The extent of this area of search, when it was established and what steps NCC have taken to progress matters towards specific proposals are unclear. R327 to the RDDP identifies the site's location in an area of search. However, it should have been possible during the preparation of the LP for the NCC to have clarified their interest. They cannot expect to blight an early development for employment uses indefinitely and it deserves no mention within the RDDP.

### **Recommendation**

6. I recommend that no modification be made to the RDDP in respect of these objections other than the deletion of R327.

### **EM1j Employment Commitments - Common Lane, Watnall**

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

#### 1383/3519 - English Nature East Midlands Team

2. This allocation is on part of the Kimberley Railway Cutting SSSI. This SSSI is notified due to its geological interest. Parts of the SSSI further to the east of this allocation form part of a reserve managed by the Nottinghamshire Wildlife Trust. We are extremely cautious about endorsing any proposal to remove a part of a SSSI. In the case of geological SSSIs they are all Geological Conservation Review sites and their interest is therefore considered to be of particular national importance (PPG9). The issues surrounding the allocation should be revisited. English Nature will re-evaluate the special interest within Kimberley Railway Cutting SSSI.

#### 1138/3519 - Mr D E Dearman

3. No demand for industrial development, loss of Green Belt, loss of wildlife, footpaths, secure natural boundary and recreation area, loss of agricultural land, increased traffic on Nuthall roundabout, A610 and B600. Object to new road, noise, pollution. Too much in this area. Pressure on infrastructure.

1137/2277 - Mrs J E Dearman

4. No demand for industrial development, loss of Green Belt, loss of wildlife, footpaths, secure natural boundary and recreation area, loss of agricultural land, increased traffic on Nuthall roundabout, A610 and B600. Object to new road, noise, pollution, too much in this area, pressure on infrastructure.

1136/2267 - Mr I D Dearman

5. No demand for industrial development, loss of Green Belt, loss of wildlife, footpaths, secure natural boundary and recreation area, loss of agricultural land, increased traffic on Nuthall roundabout, A610 and B600. Object to new road, noise, pollution. Too much in this area. Pressure on infrastructure.

662/1297 - Mr B A Edson

6. Loss of Green Belt, increased traffic on Nuthall roundabout and A610. Pollution. Loss of Greenfield site.

*Council's Joint Response:*

7. Site EM1j has been deleted from the Revised Deposit Draft due to concerns regarding suitability of site for development, given its designation as an SSSI. All objections thus overcome.

**EM1j R286 Employment Commitments - Common Lane, Watnall: Paragraph, policy and site deleted**1114/4996 - Hardy & Hansons

8. Site should not be deleted as despite its SSSI status, English Nature's latest advice is that development proposals for filling would not damage this status, with mitigation measures attached as conditions to permission.

*Council's Response:*

9. The site is a designated SSSI. Government and local policies offer protection to such sites and seek to preclude the development thereof. The Council considers that it is important that this site is protected from development and therefore the site has been removed from the Revised Deposit Draft.
10. The planning application referred to in the objectors' written representations of 1 October 2001 has now been withdrawn. The Council is fully aware of the various representations made by English Nature in respect of the Local Plan and the planning application. Possible detailed mitigation measures relating to a (withdrawn) planning application are not a matter for a local plan policy.

**Inspector's Conclusions**

1. Mr Edson and Mr Dearman's objections are more concerned with the overall development proposed for Watnall/Nuthall, particularly EM2, EM3f and H2l. Contrary to what some objectors may believe, site EM1j is not in the Green Belt, nor would it result in the loss of agricultural land. There is a need for employment land in this general area to meet SP requirements. The eastern side of Main Road contains a number of employment and commercial uses and development of this

site would not be out of keeping with this pattern of land uses. There is a small employment estate to the north on Common Lane and a large bakery to the south. Development of this small site would be unlikely to generate significant amounts of traffic. Indeed most of the points made by objectors relate more to the larger W/N development proposals than to this small site.

2. A significant part of the site has been previously developed with a roadway and apparently a disused World War II military bunker, a pillbox and other remains. These structures are quite large and obtrusive and detract from any geological or scenic value the site may once have had. Although, one person recently suggested these might have some historical value, this has not been recognised by either the BBC or EH over many years.
3. BBC and EN's positions are far from clear. The site's development for employment uses has been known for many years having been an allocation in the 1994 LP. It was also allocated for employment development in the FDDP when it was noted that although it forms the extremity of an SSSI there was no objection from EN or the NWT, subject to a number of measures being taken. As this is a geological SSSI whose circumstances are unlikely to have altered significantly over the years, the subsequent equivocation by BBC, NWT and EN is surprising.
4. EN in their letter of 18/9/00 observed that although a 200 m lateral section of magnesian limestone would be concealed if development with infilling proceeded, the section is laterally continuous and largely repeated in the adjacent section of the SSSI outside that application site. They felt that infill could be accommodated on condition that access is provided to this adjoining section. They also observed that the Lower Permian Marls are not cleanly exposed in the section containing the application/objection site and that infill of the site would not deplete the currently accessible fossil plant resources in the SSSI. They observed that the condition of the SSSI was deteriorating and requested enhancement and maintenance of the rest of the SSSI by way of mitigation for the losses resulting from development.
5. Whilst, detailed mitigation measures may not be appropriate for inclusion in a LP Policy, they are quite clearly material to its endorsement. Given the highly specific nature of EN's views in their earlier letter and the unlikelihood of any significant change in the circumstances since, given their nature, I find EN's subsequent superficial support of R286 strangely inconsistent and quite inadequate. Indeed EN's letter of 18/9/00 hardly reflects well on its previous stance, based presumably on inadequate assessment. BBC's simple repetition of the policy towards SSSIs takes matters no further. They fail to address the issue of the degree of harm that would result; unlike EN in 18/9/00. Indeed the Report to the Council's Committee preceded and was in ignorance of EN's views of the 18/9/00.
6. In the light of the evidence in EN's letter of 18/9/00, I am satisfied that the larger part of the SSSI to the east of this objection site possesses sufficient geological value in this location and that this compromised smaller part on the objection site could be released with very little resulting harm, subject to safeguards for the adjoining part and its Nature Reserve. Indeed development could provide the catalyst to improve the value of the adjoining part of the SSSI and the NR, as EN envisaged in their letter of 18/9/00. For this reason, I give very little weight to the subsequent objections of the NWT and the NCC.

7. The value of this very small site for employment development lies not so much in its own potential but, as the FDDP noted, in its linkage with proposed employment development on land to the south east. Elsewhere, I recommend the deletion of the majority of the W/N proposed allocations in the RDDP. However, I recommend the continued employment allocation on the coal depot to the south east of the former railway cutting. This is currently served by a private roadway that is too narrow to allow two vehicles to pass and is unsuitable as an access to a new employment development. Improvement of this access would need to take some of site EM1j and/or some of the adjoining bakery land. In any case, the development of the two sites would need to be co-ordinated and planned comprehensively.

### **Recommendation**

8. I recommend that the RDDP be modified by the allocation of the 1.1 ha site EM1j for employment purposes.

<b>H2I</b>	<b>HOUSING</b>	<b>}</b>	<b>Development east of Main Road, west of New Farm Lane, and west of M1, Watnall/ Nuthall</b>
<b>EM2</b>	<b>BUSINESS PARK</b>	<b>}</b>	
<b>EM3f</b>	<b>EMPLOYMENT</b>	<b>}</b>	
<b>T10hw</b>	<b>PROPOSED ROAD</b>	<b>}</b>	

### **Objections**

#### **EM2 NEW BUSINESS PARK**

##### **5.59      *New Business Park***

1155	5106	R287	Greasley Parish Council Andrew Thomas Planning
1006	4866	R287	Nuthall Parish Council Browne Jacobson Planning Unit
1155	5076	R287	Greasley Parish Council Andrew Thomas Planning Metropolitan & District Developments Ltd.
1178	5152	R287	
1656	5601	R287	Mrs J Anderson
2047	6469	R287	Miss AG Anderton
2018	6415	R287	Mr R Archer
1772	5829	R287	Mr S Archer
1771	5826	R287	Mrs C Archer
2017	6414	R287	Mr DJ Archer
1773	5832	R287	C Badham
1414	5330	R287	Ms C Bartram
1171	5145	R287	Mr A Bartram
2048	6472	R287	Mr M Bartram
2049	6476	R287	Mrs CA Bartram
1415	5334	R287	Mr K Bartram
2050	6480	R287	A Bramley
2051	6483	R287	Mr PR Breffitt
927	4829	R287	Mr RP Bullock

Nuthall Action Group

1290 5216 R287 Mrs CJ Burrows  
 1389 5310 R287 Mr C Burrows  
 1638 5558 R287 Mrs K Butler  
 1223 5188 R287 Mrs CJ Carr  
 1224 5193 R287 Mr MG Carr  
 1318 5225 R287 Mr EC Clarke  
 1319 5228 R287 Mrs EB Clarke  
 650 4663 R287 Mrs B Dring  
 208 4141 R287 Mr TJR Dring  
 1774 5835 R287 Mrs S Dring  
 144 4119 R287 Mr RW Edwards  
 235 4159 R287 Mrs L Edwards  
 900 4789 R287 Mrs D Ewing  
 511 4293 R287 Mr J Ewing  
 901 4794 R287 Mr D Ewing  
 2056 6494 R287 Mrs KJ Farnum  
 2055 6490 R287 Mr HB Farnum  
 1775 5838 R287 RK Fullwood  
 249 4168 R287 Mr WP Hanson  
 248 4165 R287 Mrs PM Hanson  
 656 4669 R287 Mr SJ Harris  
 593 4342 R287 Mrs BJ Harris  
 250 4172 R287 Mr C Harris  
 2058 6499 R287 Miss GA Harrison  
 1243 5199 R287 Mr R Henderson  
 1269 5208 R287 Mrs J Henderson  
 556 4327 R287 Mrs A Hutchinson  
 1098 4898 R287 Mr N Hutchinson  
 2060 6506 R287 Mr S Jachmann  
 2059 6503 R287 Mrs K Jachmann  
 1776 5841 R287 P Lawrence  
 1777 5844 R287 Mrs R Lawrence  
 1778 5847 R287 J Lewin  
 222 4152 R287 Mr PW March  
 221 4149 R287 Mrs JE March  
 220 4146 R287 Mr GT March  
 2064 6523 R287 Mr L Marshall  
 2062 6515 R287 Mr D Marshall  
 2061 6512 R287 Mrs A Marshall  
 2063 6519 R287 Mrs E Marshall  
 1639 5560 R287 Mrs VJ Matkin  
 1640 5563 R287 Mr P Matkin  
 2065 6527 R287 Miss CM Mellor  
 1258 5206 R287 Mr RJ Penney  
 1613 5531 R287 Mr D Pickering  
 1779 5850 R287 Mr SW Robinson  
 2016 6411 R287 Mrs EJ Roe  
 601 4645 R287 Mr S Rufus  
 995 4845 R287 Mr BD Rushton  
 1654 5596 R287 Mr P Saxton  
 1655 5599 R287 Mrs JL Saxton  
 2066 6532 R287 Mr DG Saxton  
 2067 6536 R287 Mr C Smith  
 584 4336 R287 Mrs J Spencer  
 590 4339 R287 Mr PJ Spencer  
 2068 6539 R287 AE Stevenson  
 1359 5243 R287 Mr A Tomkins  
 1360 5247 R287 Mrs I Tomkins  
 1854 5988 R287 Mr M Tomlinson  
 2069 6542 R287 Mr E Turney-Johnson  
 2070 6546 R287 Mr L Turney-Johnson

Nottinghamshire Wildlife Trust

1245 5204 R287 Mr DJ Twells  
 2071 6551 R287 Mr P Virgo  
 2072 6555 R287 Mrs S Virgo  
 279 4182 R287 Miss VR Warren  
 2073 6558 R287 Mrs J Wood  
 1657 5604 R287 Mr B Woodards  
 1859 6000 R287 Mrs LA Wright  
 1858 5997 R287 Mr LA Wright

**EM2 New Business Park**

1163 2463

1155 2505

1006 1911

1420 3733

1155 5101 R288

1133 2365

1218 2895

748 2594

1133 2880

1178 2734

889 1626 Mrs M Adams

1366 3509 Mr A Adams

190 317 Mrs A Aiston

1183 3012 Mrs E Allen

1221 2907 Mr JP Allen

1288 3148 Mr DA Allsopp

1352 3363 Dr J Ambler

1351 3360 Mrs EV Ambler

180 289 Mr K Andrews

165 248 Mrs I Andrews

1146 2310 Mr JJ Anthony

1191 2802 Mr GS Armfield

1189 2797 Mrs H Armfield

191 320 Mr S Arundel

1187 2789 Mrs A Astle

1188 2794 Mr IJ Astle

985 1842 Mr JA Baines

1342 3327 Mrs CA Baker

1349 3353 Mr MG Baker

236 454 Mr AJ Baker

1317 3249 Miss EE Baker

393 740 Mr K.E Baker

1272 3104 Mr D Bamford

1413 3707 Mrs J Bamkin

193 326 Dr JG Banton

192 323 Mrs DM Banton

613 1177 Mr S Barber

194 329 Mrs J Barker

181 292 Mr GD Barker

CPRE

CPRE (Broxtowe District Group)

Greasley Parish Council

Andrew Thomas Planning

Nuthall Parish Council

Browne Jacobson Planning Unit

Bellway Estates & Giltbrook Landowners Consortium

Shoosmiths Solicitors

Greasley Parish Council

Andrew Thomas Planning

William Davis Ltd.

Nuthall Action Group

Antony Aspbury Associates

David Wilson Homes North Midlands

David Wilson Estates

William Davis Ltd.

Metropolitan & District Developments Ltd.

Shoosmiths Solicitors

Ministry of Agriculture, Fisheries & Food  
 Farming & Rural Conservation Agency

Trustees of the Barnes Settlement & Estates  
 Walter Scott & Ross Solicitors

CPRE (Broxtowe District Group)

Broxtowe Real World Coalition

604	1159	Mrs C Barker	
997	1878	Mrs J Barksby	
993	1866	Mr A Barksby	
1092	2053	Mr J Barksby	
1484	4042	Mr J Bartlett	
1171	2598	Mr A Bartram	Nuthall Action Group
1415	3714	Mr K Bartram	
1414	3711	Ms C Bartram	
582	1114	Mrs L Barwick	
195	332	Mr A Bates	
440	844	Mrs AP Bee	
1253	3046	Miss J Beedall	
807	1467	Mrs E Benton	
816	1481	Mr I Benton	
179	286	Miss LJ Berry	
1404	3687	Miss J Betteridge	
1244	2987	Mr BW Bingham	
1369	3438	Mrs BM Binks	
1370	3441	Mr D Binks	
422	790	Mr L Birkin	
237	457	Mr RJ Bolton	
431	817	Mrs AP Booth	
430	814	Mr S Booth	
196	335	Mrs S Booth	
155	219	Mr ME Bostock	
533	996	Mr SA Bosworth	
1367	3856	Mrs D. Boughey	
1368	3435	Mr M Boughey	
643	1238	Mr RT Bowery	
575	1091	Mrs C Bowery	
660	1289	Mr RA Bradley	
1485	4045	Mr G Bramley	
1230	2944	Mrs M Briggs	
197	338	Mrs EA Briggs	
987	1848	Mrs ML Broughton	
151	3234	Mr M Brown	
198	341	Ms JE Brown	
415	769	Mrs K Brown	
1257	3058	Miss ME Brown	
598	3517	Mr I Brown	CPRE - Broxtowe Group
513	965	Mrs C Brown	
1467	3892	W Brown	
414	766	Mr WH Brown	
238	460	Mr AW Browning	
239	463	Mrs JE Browning	
1227	2935	Mrs HJ Buck	
199	344	Mrs SA Buckland	
240	466	Mr D Buckley	
241	469	Mrs S Buckley	
927	3341	Mr RP Bullock	
641	1232	Mr DA Burnett	
642	1235	Mrs SM Burnett	
1290	3154	Mrs CJ Burrows	
1389	3624	Mr C Burrows	
189	314	Mr MR Bushnell	
188	311	Mrs C Bushnell	
142	182	Mr D Buxton	
1334	3302	Miss AL Campbell	
1082	2028	Mr F Campbell	
1332	3296	Mrs YR Campbell	
1333	3299	Mr IS Campbell	



990	1857	Mr J Campion	Nuthall Action Group
1110	2156	Mrs IS Carlin	
1223	2921	Mrs CJ Carr	
1224	2926	Mr MG Carr	
1418	3720	Mrs Chamberlain	
1343	3331	Mr GS Chapman	
201	350	Mr TE Chapman	
200	347	Mrs IA Chapman	
505	942	Mr P Charity	
583	1117	Mrs P Charity	
1228	2938	Mr J Clarke	
609	1166	Mrs M Clarke	
1318	3253	Mr EC Clarke	
1421	3725	Miss ER Clarke	
1319	3256	Mrs EB Clarke	
242	472	Mr ST Clarke	
1315	3245	Mr AC Clarke	
649	1256	Mrs CM Clarke	
421	787	Mr DW Clay	
202	353	Mr AW Clements	
141	179	Mrs NJ Clements	
182	295	Mr E Clements	
1383	3537	Mr S Clifton	English Nature East Midlands Team
509	954	Miss L Colvin	
203	356	Mrs JB Cook	
244	478	Mr J Cooke	
205	363	Mr KM Cooke	
204	360	Ms A Cooke	
243	475	Mrs V Cooke	
454	866	Mrs JE Cooke	
1438	3782	Mrs CM Cooper	
989	1854	Ms H Cooper	
1312	3218	Mrs B Coulson	
655	1274	Mr JH Cracknell	
379	730	Mr M Craig	
1235	2960	Ms L Craven	
1430	3764	Mr CP Crews	
1431	3767	Mrs HM Crews	
1197	2822	Mr G Crooks	
171	266	Mr T Cullingworth	
419	781	Mr G Davies	
245	481	Mr M Davies	
1070	1998	Mr B Davies	
1340	3321	Mr CA Davis	
1136	2263	Mr ID Dearman	
1138	2282	Mr DE Dearman	
1137	2273	Mrs JE Dearman	
207	369	Mrs I Dempster	
206	366	Mr DM Dempster	
1051	1966	Mrs C Dewey	
1055	1972	Mr DM Dewey	
573	1085	Miss C Dewey	
162	240	Mrs BF Disney	
163	243	Mr C Disney	
1259	3064	Mrs HA Doar	
1260	3067	Mr WH Doar	
1205	2854	Mr AM Dobbin	
1204	2851	Mr SD Dobbin	
638	1223	Mrs MR Dodd	
639	1226	Mr LS Dodd	
1275	3113	Mr BP Doran	

1274	3110	Mrs B Doran	
1330	3292	Mr B Dowham	
465	884	Mr J Doyle	
1287	3145	Mrs S Draper	
1286	3142	Mr S Draper	
650	1259	Mrs B Dring	
208	372	Mr TJR Dring	
210	378	Mrs J Duff	
209	375	Mr IC Duff	
1328	3285	Mr HJ Duffin	
1326	3281	Mr M Duffin	
970	1798	Mrs JR Duffin	
1392	3647	Mr B Eames	
1346	3345	Mrs LA Eames	
1394	3653	Miss E Eames	
1393	3650	Miss K Eames	
1422	3728	Ms C Easom	
1427	3749	Mr C Edis	
1428	3752	Mrs M Edis	
662	1294	Mr BA Edson	
211	381	Ms J Edwards	
144	190	Mr RW Edwards	
235	451	Mrs L Edwards	
972	1804	Mr O Elliott	Notts Transport 2000
135	164	Mrs C Ellis	
635	1215	Mrs AE Ellis	
1311	3215	Mrs BP Ellis	
212	384	Mr A Elson	
979	1825	Mr MJ Elston	
1325	3277	Mrs S England	
1324	3273	Mr RA England	
1248	2998	Mrs FR Entwisle	
900	1655	Mrs D Ewing	
901	1659	Mr D Ewing	
511	959	Mr J Ewing	
511	958	Mr J Ewing	
512	962	Miss NH Ewing	
1337	3312	Miss BD Fahey	
436	832	Mr SH Farmer	
460	874	Mrs J Farmer	
1068	1993	Mr MR Fawcett	
246	484	Mr M Fisher	
1423	3731	? K Fisher	
646	1247	Mr RJ Fitchett	
493	925	Mr J Fletcher	
1381	3482	Ms F Forgham	Government Office for the East Midlands Government Office for the East Midlands Nottinghamshire County Council Nottinghamshire County Council Nuthall Action Group
599	3583	Mr G Foster	
599	3223	Mr G Foster	
1173	2619	Mrs LC Franks	
213	387	Mrs SC French	
1488	4063	Miss NJ French	
986	1845	Mrs J French	
1449	3817	Mr R. Fretwell	
184	301	Mrs ML Garton	
183	298	Mr M Garton	
632	1206	Mrs P Gaunt	
1371	3444	Mr B Gaunt	
529	990	Mr D Gent	
967	1789	Mrs JE Gibbons	
977	1819	Mr D Gibbons	

1056	1975	Mr V Gilbert	
974	1810	Mr RP Gillott	
314	649	Mr JH Ginger	
437	835	Mr B Gleadhill	
1486	4048	Mr J Gough	RJB Mining (UK) Ltd Fuller Peiser
652	1265	Mrs K Gough	
976	1816	Mr M Green	
975	1813	Mr G Green	
1233	2953	Mr I Green	
1250	3034	Mr KW Green	
1234	2956	Mrs W Green	
1236	2963	Mr M Green	
1237	2966	Mr E Green	
1190	3239	Mrs S Greener	
247	487	Mrs T Gretton	
897	1648	Mr KA Groves	
555	1043	Mrs J Groves	
981	1831	Mr BA Gunby	
1465	3885	Mr MA Gwynne	
1458	3855	Mr R Hadfield	Nuthall Group for the Protection of the Green Belt
1446	3812	Mrs N Hall	
418	778	Mr RW Handley	
578	1100	Mrs M Handley	
249	491	Mr WP Hanson	
248	2241	Mrs PM Hanson	
1184	2777	Mr AN Hardy	
251	497	Mrs M Harris	
633	1209	Miss CJ Harris	
656	1277	Mr SJ Harris	
593	1133	Mrs BJ Harris	
1466	3888	Mr C Harris	
250	494	Mr C Harris	
657	1280	Mr SJ Harris	
988	1851	Mrs K Harris	
149	205	Mr DW Harrison	
186	307	Mrs CE Harrison	
185	304	Mr JT Harrison	
558	1107	Mr R Harvey	
1300	3182	Mr DR Harwin	
252	500	Mr B Haslam	
253	503	Mrs M Haslam	
1426	3746	Mr IR Hawes	
1425	3743	Mr MA Hawley	
1252	3042	Mr G Hayes	
1424	3740	Mrs C Heath	
416	772	Mr MB Hempstock	
1303	3191	Mr B Henderson	
1308	3206	Mr A Henderson	
1307	3203	Mr R Henderson	
1306	3200	Mr P Henderson	
1269	3095	Mrs J Henderson	
1243	2984	Mr R Henderson	
1094	2057	Mrs JA Henkel	
1096	2061	Mr HAF Henkel	
991	1860	Mr GE Hewins	
984	1839	Mrs PM Hewins	
1172	2603	Ms S Hickling	
160	234	Mr TG Hickling	
159	231	Mrs A Hickling	

1297	3173	Mr FT Higgins	
905	1666	Mr A Highton	
1469	3911	Mr A Hindle	
254	506	Mr D Hodgson	
1242	2981	Mrs PJ Hodgson	
1412	3704	Mr J Hoe	
143	185	Mr LR Hollingworth	
403	752	Miss MJ Hopkinson	
1408	3697	Mr DA Hopkinson	
1411	3701	Mrs J Hopkinson	
146	195	Mr G Horlington	
147	199	Mrs B Horlington	
166	251	Ms DM Horobin	Kimberley Town Council
170	263	Ms B Housden	
665	1305	Mr JS Housley	
136	167	Mr PH Howkins	
1302	3188	Mr M Hubbard	
1291	3157	Mr G Hughes	
559	1053	Mr P Hunt	
255	509	Mrs D Hunt	
1268	3092	Mrs M Hutchby	
1267	3089	Mr DA Hutchby	
556	1046	Mrs A Hutchinson	
1098	2073	Mr N Hutchinson	
969	1795	Mrs M Irvin	
1151	2333	Miss M Jackson	
982	1834	Dr R Jackson	
522	981	Mrs T Jackson	
429	811	Mr WM Jackson	
148	202	Mrs MA Jepson	
1203	2848	Mrs M Johnson	
153	213	Mr N Johnson	
504	939	Mr KC Johnson	
167	254	Mrs DC Johnson	
547	1018	Mr R Johnson	
798	1457	Mr GW Jones	
1358	3379	Mrs H Jordan	
1487	4060	Mr D Joyce	
215	392	Mrs W Kemp	
490	916	Mr TR Kemp	
216	395	Mrs S Kent	
169	260	Mr PJS Kimbrey	
423	793	Mr R Kinton	
664	1302	Mr KA Kirk	
1170	2591	Mrs RC Knight	
1270	3098	Mrs A Knight	
1264	3080	Mr P Knight	
1283	3133	Mr P Knowles	
438	838	Mrs ME Langham	
1231	2947	Mr TT Langham	
145	193	Mrs SE Lawther	
1225	2929	Mrs H Lees	
1226	2932	Mr WD Lees	
565	1069	Miss EJ Legg	
508	951	Mrs M Lewin	
507	948	Mr DR Lewin	
1157	2375	Mr J Lewis	
663	1299	Mrs M Lewis	
1450	3823	Mr T Lewis	
1109	2153	Mrs J Lievesley	
992	1863	Mrs MR Lishman	

1386	3589	Mrs M Littleton	
1387	3593	Mr GB Littleton	
1261	3070	Mr B Littleton	
1350	3357	Miss RF Littlewood	
217	398	Mr JK Lodge	
1000	1887	Mr M Lomas	
218	401	Mrs MA Lomas	
546	1015	Mrs M Lomas	
489	913	Mr J Lomas	
482	904	Mr HA Lomax	
1362	3394	Mr WJ Longdon	
994	1869	Mr H Lord	
1419	3880	Mr AJ Lovell	
602	1154	Mrs MA Lowth	
600	1150	Mr GM Lowth	
1211	2875	Mrs A Macaulay	
1202	2845	Mr J Macaulay	
1451	3829	Mr P Makin	
1198	2825	Mrs A Males	
1462	3866	Ms A Males	Watnall Pre-school Playgroup
445	852	Mr LR Maltby	
			Antony Aspbury Associates
219	404	Mrs JAE Mankelow	
221	410	Mrs JE March	
222	413	Mr PW March	
220	407	Mr GT March	
1452	3831	Miss A Marr	
1453	3834	Mr C Marr	
223	416	Mr A Marshall	Moorgreen Show
1379	3464	Mrs SE Marshall	
154	216	Mr C Martin	
1176	2636	Mr P Mason	
1139	2292	Mr K Mason	
1140	2295	Mrs SL Mason	
1175	2631	Mrs M Mason	
420	784	Mrs GR Matthews	
1454	3842	Mrs Y Matthews	
256	512	Mr MJ McCarthy	
257	515	Mrs S McCarthy	
224	419	Mrs K McKay	
502	936	Mrs B Meadows	
158	228	Mrs LM Mearon	
1278	3122	Mr KF Medlock	
1336	3309	Mr S Mellors	
1335	3306	Miss A Mellors	
1299	3179	Mrs MD Miles-Langley	
225	422	Mr E Miles-Langley	
226	425	Mr D Minkley	
463	877	Mrs W Mooney	
596	1141	Mrs DJ Moore	
597	1145	Mr CB Moore	
610	1171	Miss LV Moore	
648	1253	Mrs V Morgan	
157	225	Mr SJ Murphy	
1145	2307	Mrs J Murphy	
168	257	Mrs JA Murphy	
971	1801	Mrs DM Napier	
1310	3212	Mr RG Naylor	
515	969	Mr IR Naylor	
890	1631	Mrs S Naylor	
1375	3452	Mr CL Needham	

1378	3461	Mr GL Needham
1263	3077	Mrs SF Neilson
1262	3074	Mr HF Neilson
1166	2836	Mrs B Neville
398	745	Mrs PD Newcombe
1348	3826	Dr E Nicholls
1347	3348	Mr TL Nicholls
1329	3288	Mrs LM Nicholls
1341	3820	Mr RJ Nicholls
1314	3242	Mr A Nield
1256	3055	Mr A Nix
486	909	Mr JW Nixey
1147	2315	Mrs CM Noble
1148	2318	Mr PI Noble
434	826	Ms C Nulty
425	799	Mrs P Nuttall
424	796	Mr T Nuttall
1402	3677	Mrs M Oldham
1377	3458	Mr A Oldroyd
1376	3455	Mrs JE Oldroyd
634	1212	Mrs L Osborne
227	428	Mrs M Osborne
541	1007	Mrs J Owen
1298	3176	Mr R Owens
228	431	Ms SE Page
1295	3167	Mrs NC Page
898	1651	Mr WF Peart
1455	3846	Ms P Peck
537	1001	Mr CJ Pendleton
594	1136	Mrs CA Pendleton
1045	1956	Mrs KM Pendleton
625	1193	Mr FH Pendleton
229	434	Mrs TJ Pendleton
1258	3061	Mr RJ Penney
491	919	Mrs SE Perrett
1285	3139	Mrs SA Pike
653	1268	Mr J Pike
1289	3151	Ms CA Porter
1406	3690	Mr J Preece
1407	3693	Mrs G Preece
1037	1943	Miss JL Priestley
259	521	Mr DG Priestley
258	518	Mrs BE Priestley
1320	3260	Miss L Purser
1209	2867	Mrs J Radford
417	775	Mr KW Rawdin
1229	2941	Mrs S Reece
1192	2807	Mr S Rhodehouse
172	269	Mrs V Rhodes
1304	3194	Miss PE Richardson
448	855	Mrs S Richardson
1305	3197	Miss MJ Richardson
260	524	Ms C Roberts
973	1807	Mr RW Roe
261	539	Mrs HP Rose
1282	3130	Mr GM Rowland
1141	2298	Mrs PA Rowlands
1097	2066	Mr MB Rowlands
637	1220	Mrs AM Rowley
560	1056	Mr IA Rowley
1293	3161	Mr B Rowley

Nottingham City Council. Development Department

Watnall WI

601	3005	Mr S Rufus	Nottinghamshire Wildlife Trust
995	1872	Mr BD Rushton	
1193	2811	Mr R Rushton	
1194	2814	Mrs L Rushton	
427	805	Mrs M Rushton	
1186	2785	Mr PSR Russell	
1177	2641	Mrs JV Russell	
262	542	Mr C Sanderson	
263	545	Mrs S Sanderson	
1322	3267	Mrs L Saunders	
231	440	Mr G Savage	
1238	2969	Mrs T Saxton	
1240	2975	Mr R Saxton	
647	1250	Ms AE Saxton	
651	1262	Mrs JL Scott	
1048	1961	Mrs H Searly	
640	1229	Mr BE Seed	
644	1241	Mrs K Seed	Watnall W.I
1255	3052	Mr W Sharp	
1254	3049	Mr P Sharp	
472	890	Mrs CM Shaw	
1405	3684	Mrs MA Shaw	
1344	3334	Mr R Shaw	
1062	1985	Mr P Shaw	
557	1049	Mr PR Shaw	
161	237	Mrs C Shaw	
1321	3263	Mr J Shearing	
1271	3101	Mr L Simpson	
1273	3107	Mr RA Simpson	
1041	1950	Mrs MA Sladen	
577	1097	Mr DF Sladen	
1456	3849	Mrs S Smereka	
1457	3852	Mr J Smereka	
265	551	Mrs TE Smith	
661	1291	Mrs CA Smith	
1239	2972	Mrs J Smith	
1241	2978	Mr T Smith	
439	841	Mrs A Smith	
264	548	Mr S Smith	
1403	3679	Mr IC Smith	
1296	3170	Ms T Smith	
232	443	Mr G Smith	
576	1094	Mr KA Smith	
1434	3774	Mrs SD Speight	
1433	3771	Mr JD Speight	
590	1129	Mr PJ Spencer	
584	1121	Mrs J Spencer	
1073	2005	Mr SP Spinks	
1075	2011	Mrs MM Spinks	
1074	2008	Mr JE Spinks	
1076	2014	Mr RM Spinks	
1232	2950	Mr N Squires	
579	1103	Ms S Stafford	
1355	3372	Mr NR Stanesby	
1354	3369	Mrs JM Stanesby	
428	808	Mrs JM Stark	
234	448	Mrs EJ Stevenson	
139	176	Mr W Stevenson	
266	554	Ms UM Stira	
1079	2023	Mr NS Stirland	Erewash Countryside Volunteers
267	557	Mr I Stirland	



1309	3209	Mrs LR Stoddart	
1281	3127	Mr P Stokes	
156	222	Mr JP Stone	
187	560	Mrs DE Summers	Nuthall Action Group
1072	2002	Mr GJ Swallow	
1059	1980	Mrs M Swallow	
1210	2871	Mrs AL Szyszlak	
268	563	Mrs C Szyszlak	
1195	2817	Mr N Tandy	
563	1062	Mr R Taylor	
968	1792	Mrs W Taylor	
636	1218	Miss V Taylor	
567	1082	Mr MR Taylor	
1090	2044	Miss C Terry	
1091	2048	Miss EJ Terry	
1086	2034	Mr CR Terry	
1089	2041	Mr J Terry	
1088	2038	Mrs HJ Terry	
270	569	Mr SM Thomas	
269	566	Ms KB Thomas	
1200	2830	Ms SJ Thomas	
271	572	Mrs GL Thompson	
996	1875	Mrs F Thompson	
999	1884	Mr M Thompson	
272	575	Mr I Thornhill	
1284	3136	Ms TMC Thornton	
1003	1892	Mrs C Tilson	
137	170	Mr G Tilson	
138	173	Mrs J Tilson	
1360	3385	Mrs I Tomkins	
1359	3382	Mr A Tomkins	
1174	2626	Mrs SA Tomlinson	Nuthall Action Group
1313	3221	Mr T Tomlinson	
176	279	Mrs BL Tomlinson	
175	276	Mr ER Tomlinson	
1207	2859	Mr MA Topham	
1208	2863	Mrs L Topham	
658	1283	Mrs GM Topps	
1338	3315	Mrs AS Towle	
838	1521	Mr SP Towle	
1339	3318	Mr DC Towle	
580	1108	Mrs SA Traynor	
818	1484	Mr JW Turner	
273	578	Mr C Turner	
276	587	Mrs M Turton	
275	584	Mr WJ Turton	
274	581	Mr R Turton	
1245	2990	Mr DJ Twells	
554	1040	Mr JL Twells	
581	1111	Mrs KS Twells	
1158	2405	Mr G Twigger	
1459	3859	Mr R Valenti	
277	591	Mr N Varnam	
278	594	Mrs V Varnam	
1301	3185	Mr A Ventura	
477	897	Mr LJ Vibert	
607	1163	Mr D Vickerstaff	
409	760	Mrs A Vickerstaff	
1201	2842	Mr GR Wade	
629	1199	Mr M Wakefield	
659	1286	Mr IA Wakefield	

666	1309	Mrs D Walker	
1251	3038	Miss SJ Walker	
1249	3031	Mrs JM Walker	
1380	3467	Mrs E Walker	
1182	3006	Mr JH Walker	
506	945	Mr D Walker	
574	1088	Mrs BA Walton	
1461	3864	Mr C Wardle	
926	3237	Mr DW Warren	
279	597	Miss VR Warren	
766	3391	Cllr D Watts	Liberal Democrats
983	1836	Mr DJ Webb	
498	931	Mrs PL Webster	
550	1024	Mr T Webster	
178	283	Mrs L Welsh	
1327	3641	Mrs SA Wesley-Roads	
432	820	Miss S Wesley-Roads	
435	829	Mr K Wheeleker	
1277	3119	Mr J White	
1276	3116	Mrs W White	
654	1271	Mr TN Whitehouse	
645	1244	Mrs J Whitmore	
1401	3674	Mr RL Whittle	
1399	3671	Mrs LC Whittle	
1361	3388	Mrs L Whysall	
980	1828	Mrs J Widdowson	
280	599	Mr DJ Widdowson	
282	606	Mrs JM Wilkinson	
281	603	Mr P Wilkinson	
1345	3338	Mr C Williams	
526	985	Mr RLS Williams	
518	974	Mrs M Williamson	
998	1881	Mr RD Willimott	
1398	3896	Miss HJ Willows	
1356	3375	Ms D Wilmott	
1353	3366	Mrs P Wilmott	
284	612	Mr CL Winter	
283	609	Mrs MA Winter	
1219	3891	Mr GED Woodhouse	
			Ken Mafham Associates
1265	3083	Mr P Wooding	
1266	3086	Ms EH Wooding	
1215	2889	Mrs VJ Woodward	
433	823	Mr JG Woodward	
1214	2885	Mr JR Woodward	
618	1183	Mr A Woolley	
622	1188	Mrs M Woolley	
1463	3869	Mr R Woolley	
631	1203	Mrs M Worley	
173	272	Mrs FE Wright	
1294	3164	Mrs S Wright	
1441	3800	Mr MJ Wright	
1440	3797	Mrs MA Wright	
150	208	Mr S Wright	
1078	2020	Mr DE Wykes	
1077	2017	Mrs V Wykes	
285	615	Mr M Yard	
426	802	Mrs J Yarlett	

### EM3f NEW EMPLOYMENT SITE - MAIN ROAD, WATNALL

**Objections**

<b>EM3f</b>	<b><i>New Employment sites - Main Road, Watnall</i></b>	
1133 2877		William Davis Ltd.
1163 2465		CPRE
		CPRE (Broxtowe District Group)
1155 5100	R333	Greasley Parish Council
		Andrew Thomas Planning
1155 2506		Greasley Parish Council
		Andrew Thomas Planning
748 2593		David Wilson Homes North Midlands
		David Wilson Estates
1420 3734		Bellway Estates & Giltbrook Landowners Consortium
		Shoosmiths Solicitors
1218 2896		Nuthall Action Group
		Antony Aspbury Associates
1178 2735		Metropolitan & District Developments Ltd.
		Shoosmiths Solicitors
1006 1914		Nuthall Parish Council
		Browne Jacobson Planning Unit
889 1627	Mrs M Adams	
1366 3510	Mr A Adams	Ministry of Agriculture, Fisheries & Food
		Farming & Rural Conservation Agency
190 318	Mrs A Aiston	
1183 3013	Mrs E Allen	
1288 3149	Mr DA Allsopp	
1352 3364	Dr J Ambler	
1351 3361	Mrs EV Ambler	
180 290	Mr K Andrews	
165 249	Mrs I Andrews	
1146 2312	Mr JJ Anthony	
1189 2799	Mrs H Armfield	
1191 2803	Mr GS Armfield	
191 321	Mr S Arundel	
1188 2795	Mr IJ Astle	
1187 2790	Mrs A Astle	
1108 2164	Mr M Bagshaw	Stamford Homes Limited
		Barton Willmore Planning Partnership
985 1843	Mr JA Baines	
1349 3354	Mr MG Baker	
1342 3328	Mrs CA Baker	
1317 3250	Miss EE Baker	
393 739	Mr K.E Baker	
236 455	Mr AJ Baker	
1272 3105	Mr D Bamford	
1413 3708	Mrs J Bamkin	
192 324	Mrs DM Banton	
		CPRE (Broxtowe District Group)
193 327	Dr JG Banton	
		CPRE (Broxtowe District Group)
613 1176	Mr S Barber	Broxtowe Real World Coalition
181 293	Mr GD Barker	
194 330	Mrs J Barker	
604 1160	Mrs C Barker	
1092 2054	Mr J Barksby	
993 1867	Mr A Barksby	
997 1879	Mrs J Barksby	
1484 4043	Mr J Bartlett	
1414 3712	Ms C Bartram	
1171 2601	Mr A Bartram	Nuthall Action Group

1415	3715	Mr K Bartram	
582	1115	Mrs L Barwick	
195	333	Mr A Bates	
440	847	Mrs AP Bee	
1253	3047	Miss J Beedall	
816	1482	Mr I Benton	
807	1468	Mrs E Benton	
179	287	Miss LJ Berry	
1404	3688	Miss J Betteridge	
1244	2988	Mr BW Bingham	
1370	3442	Mr D Binks	
1369	3439	Mrs BM Binks	
422	791	Mr L Birkin	
237	458	Mr RJ Bolton	
430	815	Mr S Booth	
196	336	Mrs S Booth	
431	818	Mrs AP Booth	
155	220	Mr ME Bostock	
533	997	Mr SA Bosworth	
1367	3857	Mrs D. Boughey	
1368	3436	Mr M Boughey	
575	1092	Mrs C Bowery	
643	1239	Mr RT Bowery	
660	1290	Mr RA Bradley	
1485	4046	Mr G Bramley	
197	339	Mrs EA Briggs	
1230	2945	Mrs M Briggs	
987	1849	Mrs ML Broughton	
1257	3059	Miss ME Brown	
198	342	Ms JE Brown	
414	767	Mr WH Brown	
415	770	Mrs K Brown	
1467	3893	W Brown	
598	3518	Mr I Brown	CPRE - Broxtowe Group
513	966	Mrs C Brown	
151	3235	Mr M Brown	
239	464	Mrs JE Browning	
238	461	Mr AW Browning	
1227	2936	Mrs HJ Buck	
199	345	Mrs SA Buckland	
240	467	Mr D Buckley	
241	470	Mrs S Buckley	
927	3342	Mr RP Bullock	
642	1236	Mrs SM Burnett	
641	1233	Mr DA Burnett	
1290	3155	Mrs CJ Burrows	
1389	3625	Mr C Burrows	
189	315	Mr MR Bushnell	
188	312	Mrs C Bushnell	
142	183	Mr D Buxton	
1332	3297	Mrs YR Campbell	
1333	3300	Mr IS Campbell	
1082	2030	Mr F Campbell	
1334	3303	Miss AL Campbell	
990	1858	Mr J Campion	
1110	2157	Mrs IS Carlin	Nuthall Action Group
1223	2922	Mrs CJ Carr	
1224	2927	Mr MG Carr	
1418	3721	Mrs Chamberlain	
201	351	Mr TE Chapman	
200	348	Mrs IA Chapman	

1343	3332	Mr GS Chapman
505	943	Mr P Charity
583	1118	Mrs P Charity
1319	3257	Mrs EB Clarke
1318	3254	Mr EC Clarke
1228	2939	Mr J Clarke
1421	3726	Miss ER Clarke
649	1257	Mrs CM Clarke
609	1168	Mrs M Clarke
1315	3246	Mr AC Clarke
242	473	Mr ST Clarke
421	788	Mr DW Clay
182	296	Mr E Clements
141	180	Mrs NJ Clements
202	354	Mr AW Clements
1383	3534	Mr S Clifton
509	955	Miss L Colvin
203	357	Mrs JB Cook
454	868	Mrs JE Cooke
204	361	Ms A Cooke
244	479	Mr J Cooke
205	364	Mr KM Cooke
243	476	Mrs V Cooke
989	1855	Ms H Cooper
1438	3783	Mrs CM Cooper
1312	3219	Mrs B Coulson
655	1275	Mr JH Cracknell
379	731	Mr M Craig
1235	2961	Ms L Craven
1431	3768	Mrs HM Crews
1430	3765	Mr CP Crews
1197	2823	Mr G Crooks
171	267	Mr T Cullingworth
245	482	Mr M Davies
419	782	Mr G Davies
1070	1999	Mr B Davies
1340	3322	Mr CA Davis
1138	2283	Mr DE Dearman
1137	2274	Mrs JE Dearman
1136	2264	Mr ID Dearman
206	367	Mr DM Dempster
207	370	Mrs I Dempster
1051	1967	Mrs C Dewey
1055	1973	Mr DM Dewey
573	1086	Miss C Dewey
163	244	Mr C Disney
162	241	Mrs BF Disney
1259	3065	Mrs HA Doar
1260	3068	Mr WH Doar
1204	2852	Mr SD Dobbin
1205	2855	Mr AM Dobbin
638	1224	Mrs MR Dodd
639	1227	Mr LS Dodd
1275	3114	Mr BP Doran
1274	3111	Mrs B Doran
1330	3293	Mr B Dowham
1286	3143	Mr S Draper
1287	3146	Mrs S Draper
650	1260	Mrs B Dring
208	373	Mr TJR Dring
210	379	Mrs J Duff

English Nature East Midlands Team

209	376	Mr IC Duff
1328	3286	Mr HJ Duffin
1326	3282	Mr M Duffin
970	1799	Mrs JR Duffin
1394	3654	Miss E Eames
1346	3346	Mrs LA Eames
1392	3648	Mr B Eames
1393	3651	Miss K Eames
1422	3729	Ms C Easom
1428	3753	Mrs M Edis
1427	3750	Mr C Edis
662	1296	Mr BA Edson
144	191	Mr RW Edwards
211	382	Ms J Edwards
235	452	Mrs L Edwards
635	1216	Mrs AE Ellis
135	165	Mrs C Ellis
1311	3216	Mrs BP Ellis
212	385	Mr A Elson
979	1826	Mr MJ Elston
1324	3274	Mr RA England
1325	3278	Mrs S England
1248	2999	Mrs FR Entwisle
511	960	Mr J Ewing
900	1656	Mrs D Ewing
512	963	Miss NH Ewing
901	1660	Mr D Ewing
1337	3313	Miss BD Fahey
436	833	Mr SH Farmer
460	875	Mrs J Farmer
1068	1994	Mr MR Fawcett
246	485	Mr M Fisher
1423	3732	? K Fisher
646	1248	Mr RJ Fitchett
493	926	Mr J Fletcher
1381	3484	Ms F Forgham
599	3224	Mr G Foster
1173	2620	Mrs LC Franks
213	388	Mrs SC French
1488	4064	Miss NJ French
986	1846	Mrs J French
1449	3818	Mr R. Fretwell
184	302	Mrs ML Garton
183	299	Mr M Garton
632	1207	Mrs P Gaunt
1371	3445	Mr B Gaunt
529	991	Mr D Gent
977	1820	Mr D Gibbons
1056	1976	Mr V Gilbert
974	1811	Mr RP Gillott
314	650	Mr JH Ginger
437	836	Mr B Gleadhill
652	1266	Mrs K Gough
1233	2954	Mr I Green
1234	2957	Mrs W Green
1236	2964	Mr M Green
1237	2967	Mr E Green
1250	3035	Mr KW Green
976	1817	Mr M Green
975	1814	Mr G Green

Government Office for the East Midlands  
Government Office for the East Midlands  
Nottinghamshire County Council  
Nuthall Action Group

247	488	Mrs T Gretton	
555	1044	Mrs J Groves	
897	1649	Mr KA Groves	
981	1832	Mr BA Gunby	
1465	3886	Mr MA Gwynne	
1446	3814	Mrs N Hall	
418	779	Mr RW Handley	
578	1101	Mrs M Handley	
249	492	Mr WP Hanson	
248	2242	Mrs PM Hanson	
1184	2778	Mr AN Hardy	
657	1281	Mr SJ Harris	
251	498	Mrs M Harris	
250	495	Mr C Harris	
633	1210	Miss CJ Harris	
656	1278	Mr SJ Harris	
1466	3889	Mr C Harris	
593	1134	Mrs BJ Harris	
988	1852	Mrs K Harris	
186	308	Mrs CE Harrison	
149	206	Mr DW Harrison	
185	305	Mr JT Harrison	
558	1106	Mr R Harvey	
1300	3183	Mr DR Harwin	
252	501	Mr B Haslam	
253	504	Mrs M Haslam	
1426	3747	Mr IR Hawes	
1425	3744	Mr MA Hawley	
1252	3043	Mr G Hayes	
1424	3741	Mrs C Heath	
416	773	Mr MB Hempstock	
1269	3096	Mrs J Henderson	
1243	2985	Mr R Henderson	
1308	3207	Mr A Henderson	
1303	3192	Mr B Henderson	
1307	3204	Mr R Henderson	
1306	3201	Mr P Henderson	
1096	2062	Mr HAF Henkel	
1094	2058	Mrs JA Henkel	
984	1840	Mrs PM Hewins	
991	1861	Mr GE Hewins	
159	232	Mrs A Hickling	
160	235	Mr TG Hickling	
1172	2604	Ms S Hickling	
1297	3174	Mr FT Higgins	
905	1667	Mr A Highton	
1469	3913	Mr A Hindle	
1242	2982	Mrs PJ Hodgson	
254	507	Mr D Hodgson	
1412	3705	Mr J Hoe	
143	186	Mr LR Hollingworth	
1411	3702	Mrs J Hopkinson	
403	754	Miss MJ Hopkinson	
1408	3698	Mr DA Hopkinson	
146	197	Mr G Horlington	
147	200	Mrs B Horlington	
166	252	Ms DM Horobin	Kimberley Town Council
170	264	Ms B Housden	
665	1306	Mr JS Housley	
136	168	Mr PH Howkins	
1302	3189	Mr M Hubbard	

1291	3158	Mr G Hughes
255	510	Mrs D Hunt
559	1054	Mr P Hunt
1267	3090	Mr DA Hutchby
1268	3093	Mrs M Hutchby
556	1047	Mrs A Hutchinson
1098	2075	Mr N Hutchinson
969	1796	Mrs M Irvin
429	812	Mr WM Jackson
1151	2334	Miss M Jackson
148	203	Mrs MA Jepson
1203	2849	Mrs M Johnson
153	214	Mr N Johnson
167	255	Mrs DC Johnson
547	1019	Mr R Johnson
504	940	Mr KC Johnson
798	1458	Mr GW Jones
1358	3380	Mrs H Jordan
1487	4061	Mr D Joyce
490	917	Mr TR Kemp
215	393	Mrs W Kemp
216	396	Mrs S Kent
169	261	Mr PJS Kimbrey
423	794	Mr R Kinton
664	1303	Mr KA Kirk
1270	3099	Mrs A Knight
1170	2592	Mrs RC Knight
1264	3081	Mr P Knight
1283	3134	Mr P Knowles
438	839	Mrs ME Langham
1231	2948	Mr TT Langham
145	194	Mrs SE Lawther
1225	2930	Mrs H Lees
1226	2933	Mr WD Lees
565	1070	Miss EJ Legg
508	952	Mrs M Lewin
507	949	Mr DR Lewin
663	1300	Mrs M Lewis
1157	2377	Mr J Lewis
1450	3824	Mr T Lewis
545	1013	Mr RH Lewis
1109	2154	Mrs J Lievesley
992	1864	Mrs MR Lishman
1387	3594	Mr GB Littleton
1386	3590	Mrs M Littleton
1261	3071	Mr B Littleton
1350	3358	Miss RF Littlewood
217	399	Mr JK Lodge
546	1016	Mrs M Lomas
218	402	Mrs MA Lomas
489	914	Mr J Lomas
1000	1888	Mr M Lomas
482	905	Mr HA Lomax
1362	3395	Mr WJ Longdon
994	1870	Mr H Lord
1419	3881	Mr AJ Lovell
602	1155	Mrs MA Lowth
600	1151	Mr GM Lowth
1202	2846	Mr J Macaulay
1211	2876	Mrs A Macaulay
1198	2826	Mrs A Males



1462	3867	Ms A Males	Watnall Pre-school Playgroup
445	853	Mr LR Maltby	
219	405	Mrs JAE Mankelow	
220	408	Mr GT March	
221	411	Mrs JE March	
222	414	Mr PW March	
1453	3840	Mr C Marr	
1452	3832	Miss A Marr	
223	417	Mr A Marshall	Moorgreen Show
1379	3465	Mrs SE Marshall	
154	217	Mr C Martin	
1140	2296	Mrs SL Mason	
1139	2293	Mr K Mason	
1175	2633	Mrs M Mason	
1176	2638	Mr P Mason	
1454	3844	Mrs Y Matthews	
420	785	Mrs GR Matthews	
256	513	Mr MJ McCarthy	
257	516	Mrs S McCarthy	
224	420	Mrs K McKay	
502	937	Mrs B Meadows	
158	229	Mrs LM Mearon	
1278	3123	Mr KF Medlock	
1335	3307	Miss A Mellors	
1336	3310	Mr S Mellors	
225	423	Mr E Miles-Langley	
1299	3180	Mrs MD Miles-Langley	
226	426	Mr D Minkley	
463	878	Mrs W Mooney	
597	1146	Mr CB Moore	
610	1172	Miss LV Moore	
596	1143	Mrs DJ Moore	
648	1254	Mrs V Morgan	
157	226	Mr SJ Murphy	
1145	2308	Mrs J Murphy	
168	258	Mrs JA Murphy	
971	1802	Mrs DM Napier	
1310	3213	Mr RG Naylor	
890	1629	Mrs S Naylor	
1378	3462	Mr GL Needham	
1375	3453	Mr CL Needham	
1262	3075	Mr HF Neilson	
1263	3078	Mrs SF Neilson	
1166	2837	Mrs B Neville	Nottingham City Council. Development Department
398	747	Mrs PD Newcombe	
1341	3821	Mr RJ Nicholls	
1329	3289	Mrs LM Nicholls	
1348	3827	Dr E Nicholls	
1347	3350	Mr TL Nicholls	
1314	3243	Mr A Nield	
1256	3056	Mr A Nix	
486	911	Mr JW Nixey	
1147	2316	Mrs CM Noble	
1148	2319	Mr PI Noble	
434	827	Ms C Nulty	
424	797	Mr T Nuttall	
425	800	Mrs P Nuttall	
1402	3681	Mrs M Oldham	
1376	3456	Mrs JE Oldroyd	
1377	3459	Mr A Oldroyd	
227	429	Mrs M Osborne	

634	1213	Mrs L Osborne	
541	1008	Mrs J Owen	
1298	3177	Mr R Owens	
228	432	Ms SE Page	
1295	3168	Mrs NC Page	
898	1652	Mr WF Peart	
1455	3847	Ms P Peck	
537	1002	Mr CJ Pendleton	
229	435	Mrs TJ Pendleton	
625	1195	Mr FH Pendleton	
1045	1957	Mrs KM Pendleton	
594	1137	Mrs CA Pendleton	
1258	3062	Mr RJ Penney	
491	920	Mrs SE Perrett	
653	1269	Mr J Pike	
1285	3140	Mrs SA Pike	
1289	3152	Ms CA Porter	
1406	3691	Mr J Preece	
1407	3694	Mrs G Preece	
1037	1945	Miss JL Priestley	
258	519	Mrs BE Priestley	
259	522	Mr DG Priestley	
1320	3261	Miss L Purser	
1209	2868	Mrs J Radford	
417	776	Mr KW Rawdin	
1229	2942	Mrs S Reece	
1192	2808	Mr S Rhodehouse	
172	270	Mrs V Rhodes	
1305	3198	Miss MJ Richardson	
448	857	Mrs S Richardson	
1304	3195	Miss PE Richardson	
260	525	Ms C Roberts	
973	1808	Mr RW Roe	
261	540	Mrs HP Rose	Watnall WI
1282	3131	Mr GM Rowland	
1097	2067	Mr MB Rowlands	
1141	2299	Mrs PA Rowlands	
1293	3162	Mr B Rowley	
560	1058	Mr IA Rowley	
637	1221	Mrs AM Rowley	
601	3009	Mr S Rufus	Nottinghamshire Wildlife Trust
1194	2815	Mrs L Rushton	
995	1873	Mr BD Rushton	
427	806	Mrs M Rushton	
1193	2812	Mr R Rushton	
1186	2786	Mr PSR Russell	
1177	3545	Mrs JV Russell	
262	543	Mr C Sanderson	
263	546	Mrs S Sanderson	
1322	3268	Mrs L Saunders	
231	441	Mr G Savage	
1240	2976	Mr R Saxton	
1238	2970	Mrs T Saxton	
647	1251	Ms AE Saxton	
651	1263	Mrs JL Scott	
1048	1962	Mrs H Searly	
640	1230	Mr BE Seed	
644	1242	Mrs K Seed	Watnall W.I
1255	3053	Mr W Sharp	
1254	3050	Mr P Sharp	
557	1050	Mr PR Shaw	

161	238	Mrs C Shaw	
1405	3685	Mrs MA Shaw	
1344	3335	Mr R Shaw	
472	893	Mrs CM Shaw	
1062	1986	Mr P Shaw	
1321	3264	Mr J Shearing	
1273	3108	Mr RA Simpson	
1271	3102	Mr L Simpson	
577	1098	Mr DF Sladen	
1041	1951	Mrs MA Sladen	
1456	3850	Mrs S Smereka	
1457	3853	Mr J Smereka	
232	444	Mr G Smith	
576	1095	Mr KA Smith	
439	842	Mrs A Smith	
1239	2973	Mrs J Smith	
1241	2979	Mr T Smith	
1403	3680	Mr IC Smith	
264	549	Mr S Smith	
1296	3171	Ms T Smith	
265	552	Mrs TE Smith	
1433	3772	Mr JD Speight	
1434	3775	Mrs SD Speight	
590	1131	Mr PJ Spencer	
584	1123	Mrs J Spencer	
1073	2006	Mr SP Spinks	
1074	2009	Mr JE Spinks	
1076	2015	Mr RM Spinks	
1075	2012	Mrs MM Spinks	
1232	2951	Mr N Squires	
579	1104	Ms S Stafford	
1355	3373	Mr NR Stanesby	
1354	3370	Mrs JM Stanesby	
428	809	Mrs JM Stark	
139	177	Mr W Stevenson	
234	449	Mrs EJ Stevenson	
266	555	Ms UM Stira	
1079	2024	Mr NS Stirland	Erewash Countryside Volunteers
267	558	Mr I Stirland	
1309	3210	Mrs LR Stoddart	
1281	3128	Mr P Stokes	
156	223	Mr JP Stone	
187	561	Mrs DE Summers	Nuthall Action Group
1072	2003	Mr GJ Swallow	
1059	1981	Mrs M Swallow	
1210	2872	Mrs AL Szyszlak	
268	564	Mrs C Szyszlak	
1195	2818	Mr N Tandy	
968	1793	Mrs W Taylor	
567	1083	Mr MR Taylor	
563	1064	Mr R Taylor	
1090	2045	Miss C Terry	
1086	2035	Mr CR Terry	
1089	2042	Mr J Terry	
1088	2039	Mrs HJ Terry	
1091	2050	Miss EJ Terry	
1200	2831	Ms SJ Thomas	
269	567	Ms KB Thomas	
270	570	Mr SM Thomas	
996	1876	Mrs F Thompson	
999	1885	Mr M Thompson	

271	573	Mrs GL Thompson	
272	576	Mr I Thornhill	
1284	3137	Ms TMC Thornton	
138	174	Mrs J Tilson	
137	171	Mr G Tilson	
1003	1893	Mrs C Tilson	
1359	3383	Mr A Tomkins	
1360	3386	Mrs I Tomkins	
176	280	Mrs BL Tomlinson	
1174	2627	Mrs SA Tomlinson	Nuthall Action Group
175	277	Mr ER Tomlinson	
1313	3222	Mr T Tomlinson	
1207	2860	Mr MA Topham	
1208	2864	Mrs L Topham	
658	1284	Mrs GM Topps	
838	1522	Mr SP Towle	
1338	3316	Mrs AS Towle	
1339	3319	Mr DC Towle	
580	1109	Mrs SA Traynor	
818	1485	Mr JW Turner	
273	579	Mr C Turner	
274	582	Mr R Turton	
276	588	Mrs M Turton	
275	585	Mr WJ Turton	
554	1041	Mr JL Twells	
581	1112	Mrs KS Twells	
1245	2991	Mr DJ Twells	
1158	2406	Mr G Twigger	
1459	3860	Mr R Valenti	
278	595	Mrs V Varnam	
277	592	Mr N Varnam	
1301	3186	Mr A Ventura	
477	899	Mr LJ Vibert	
607	1164	Mr D Vickerstaff	
409	763	Mrs A Vickerstaff	
1201	2843	Mr GR Wade	
629	1200	Mr M Wakefield	
659	1287	Mr IA Wakefield	
1380	3468	Mrs E Walker	
506	946	Mr D Walker	
1251	3039	Miss SJ Walker	
666	1310	Mrs D Walker	
1182	3007	Mr JH Walker	
1249	3032	Mrs JM Walker	
574	1089	Mrs BA Walton	
1461	3863	Mr C Wardle	
926	3238	Mr DW Warren	
279	598	Miss VR Warren	
766	3392	Cllr D Watts	Liberal Democrats
983	1837	Mr DJ Webb	
498	933	Mrs PL Webster	
550	1025	Mr T Webster	
178	284	Mrs L Welsh	
1327	3642	Mrs SA Wesley-Roads	
432	821	Miss S Wesley-Roads	
435	830	Mr K Wheeleker	
1277	3120	Mr J White	
1276	3117	Mrs W White	
654	1272	Mr TN Whitehouse	
645	1245	Mrs J Whitmore	
1401	3675	Mr RL Whittle	

1399	3672	Mrs LC Whittle
1361	3389	Mrs L Whysall
980	1829	Mrs J Widdowson
280	600	Mr DJ Widdowson
282	607	Mrs JM Wilkinson
281	604	Mr P Wilkinson
526	987	Mr RLS Williams
1345	3339	Mr C Williams
518	975	Mrs M Williamson
998	1882	Mr RD Willimott
1398	3897	Miss HJ Willows
1353	3367	Mrs P Wilmott
1356	3376	Ms D Wilmott
283	610	Mrs MA Winter
284	613	Mr CL Winter
1266	3087	Ms EH Wooding
1265	3084	Mr P Wooding
433	824	Mr JG Woodward
1214	2886	Mr JR Woodward
1215	2890	Mrs VJ Woodward
1463	3870	Mr R Woolley
618	1184	Mr A Woolley
622	1189	Mrs M Woolley
631	1204	Mrs M Worley
1440	3798	Mrs MA Wright
1441	3801	Mr MJ Wright
150	209	Mr S Wright
1294	3165	Mrs S Wright
173	273	Mrs FE Wright
1078	2021	Mr DE Wykes
1077	2018	Mrs V Wykes
285	616	Mr M Yard
426	803	Mrs J Yarlett

**T10hW*****Distributor road relating to H2I, EM2, EM3f***

1006	1922	Nuthall Parish Council
		Browne Jacobson Planning Unit
1155	2511	Greasley Parish Council
		Andrew Thomas Planning
1133	2879	William Davis Ltd.
1218	2899	Nuthall Action Group
		Antony Aspbury Associates
		Ministry of Agriculture, Fisheries & Food
1366	3513	Mr A Adams
1342	3329	Mrs CA Baker
1349	3355	Mr MG Baker
807	1469	Mrs E Benton
598	3637	Mr I Brown
177	281	Mr RE Bruce
609	1167	Mrs M Clarke
1383	3540	Mr S Clifton
662	1293	Mr BA Edson
1325	3279	Mrs S England
1324	3275	Mr RA England
1190	3240	Mrs S Greener
1184	3232	Mr AN Hardy
1425	3953	Mr MA Hawley
1469	3914	Mr A Hindle
403	755	Miss MJ Hopkinson
798	1459	Mr GW Jones
1419	3894	Mr AJ Lovell
1348	3351	Dr E Nicholls

CPRE - Broxtowe Group

English Nature East Midlands Team

1329	3290	Mrs LM Nicholls	
1341	3323	Mr RJ Nicholls	
1280	3125	Mrs H Platts	
1279	3124	Mr AJ Platts	
1407	3956	Mrs G Preece	
1406	3955	Mr J Preece	
260	533	Ms C Roberts	
601	3501	Mr S Rufus	Nottinghamshire Wildlife Trust
1322	3270	Mrs L Saunders	
819	1486	Mr P Shrewsbury	
187	309	Mrs DE Summers	Nuthall Action Group
1357	3377	Mr K Temple	
			Antony Aspbury Associates
821	1489	Dr T Vanner	
1398	3898	Miss HJ Willows	

## **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.

## **The 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 therefore 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 Hemphill Hall Protected Open Area, Hemphill Hall itself and Nuthall Cemetery are unacceptable
48. The Hemphill 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 Hemphill Hall, which is untouched by the proposals.
49. The setting of Hemphill 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 Change**

**The Council has therefore 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 Change**

**The Council therefore 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 therefore 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 therefore 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 therefore 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:
- (i) 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;
  - (ii) 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;
  - (iii) the necessary infrastructure works will not prejudice the functions of the Green Belt and Protected Open Area that proposed routes traverse;
  - (iv) 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.

## Background

1. The concern in this Chapter is with the employment proposals EM2 and EM3f for W/N. However, these are part of proposals for a large mixed use development comprising housing (Policy H2I), 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 Proposals EM2 and EM3f separately in this section. I deal with Housing Proposal H2I and related issues separately in Chapter 4 where, I support objections to and recommend the deletion of Policy H2I. Elsewhere in that Chapter and in Chapter 10 - "Other Potential Development Sites" I identify sufficient land to meet what I conclude to be an appropriate housing and employment land provision on more suitable sites that do not involve such a large

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 justification for a strategic site for an integrated mixed-use development. To provide a context for consideration of the subsequent employment proposals particularly for those objecting only to these elements, I largely repeat my conclusions on this and other related issues from Chapter 4.

### 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 CC19 hardly suffice to explain the thought process and, as BBC conceded, no other document exists justifying the extent of the mixed uses proposed. It is unsatisfactory for the Council to regard the LP Inquiry as the only 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 (H2I), 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, do not 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). It 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. The surveyed delays 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 over 1.5 km 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 85<sup>th</sup> 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 links 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 MMS; 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 of 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 3<sup>rd</sup> 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 2<sup>nd</sup> 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 ½ - 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 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 seems to conflict with that of the then Director of Planning who observed that the study was demonstrating the difficulties in identifying a BP site which did 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 4 of the 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 others 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 puts 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's 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 NO<sub>2</sub> 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 200m 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.

#### Business Park - Policy EM2

136. Having dealt with the impacts of the overall Mixed Development proposed for Watnall/Nuthall, I now turn to the separate elements starting with the proposed BP EM2.



## Structure Plan Requirement and Need

137. BPs in the Nottingham area had their origins in the SoS decision letter on the 1991 Nottinghamshire SP which stated the clear strategic need for BP development in the Greater Nottingham area particularly in Rushcliffe Borough. This was extended in the 1996 SP (Policy 13/3 and para 13.45) to include a need for further sites for BPs and other prestige employment development on the edge of the Greater Nottingham built up area particularly in Rushcliffe Borough and in the vicinity of Jct 26 of the M1. This was in addition to Ruddington Fields.
138. Accordingly, Policy 2/6 of the SP makes provision for BPs **or** other prestige employment developments requiring a high quality setting subject to 6 criteria and restricting employment use to Class B1. BBC's claims that the Policy requires provision of a BP with exclusive B1 uses overlooks the terms of the introduction and the footnote which leaves it to LPs to decide whether an entirely B1 BP or another prestige employment site (with certain B2 and/or B8 uses) is appropriate. Neither this, Policy 2/1 or 13/3 express any preference for B1 BPs over other prestige employment developments. Thus BBC's simple reliance upon SP Policy fails to justify the case for a B1 BP on EM2 rather than a PED and restrictions of other uses. This is also in the face of objections from Wilson Bowden the prospective developer to the restricted employment uses. BBC provides no other supporting evidence for their choice. Restrictions to B1 uses may be consistent with Policy 2/6 but so are certain B2 uses as the footnote points out. SP para 2.94, which BBC quote in support, relates to areas outside Greater Nottingham and the motorway corridor, rather than advocating a solely B1 BP within them. BBC also overlook the rather strange SP para 13.42, which appears to confine employment development along PT corridors to non-prestige employment.
139. BBC put forward a series of ICs suggesting SPG to identify uses ancillary to B1, but these hardly take matters forward. Firstly, it would be difficult to reject ancillary uses in any case; secondly it fails to respond to commercial issues; a factor that apparently led to the 20 - 50 ha range. Acceptance of suitable B2 uses could provide some flexibility for WB in marketing and help in meeting large up front infrastructure costs. A more considered response would be to delete the term "solely" and add the terms "other suitable employment uses". Successful major new employment developments elsewhere demonstrate the acceptability of accommodating B1, B2 and even B8 uses, provided they are designed to secure a suitable degree of segregation.
140. SP Policy 13/3 then makes provision for BPs or other Prestige Employment Development on the edge of the built up area particularly in Rushcliffe and Broxtowe/Nottingham (in the vicinity of Jct 26). Neither this or SP Policy 2/6 specify the total scale of provision in this category, nor the provision in either Broxtowe or Nottingham. However, para 13.48 advises that the proposals could be one large site in either district or two smaller sites and it says that accordingly Policy 13/2 (and presumably Policy 2/1) contains within its levels of provision a **notional** allowance of 25 ha in each district for this type of development; not even a specific allowance let alone a requirement as BBC and NCC keep saying. Furthermore, para 13.48 does not indicate that two or more smaller sites have to

be apportioned between Nottingham and Broxtowe. They could all be confined to one district.

141. BBC, NCC, Mr Mafham, Mr Waumsley and others are thus wrong on this and on later counts to assume that confirmation of CDF left a requirement for any remaining 25 ha to satisfy SP Policy 13/3 to be allocated in Broxtowe and in this LP Review. No matter what interpretation the Councils now seek to put on the SP, there is no SP allocation or Policy requirement for 50 ha of BPs in Broxtowe/Nottingham as BBC, NCC and the Joint Study assumed and there is no remaining 25 ha requirement or a Policy requirement for an BP allocation in Broxtowe's RDDP at all, as Greasley PC rightly say.
142. Thus the Joint Study was misguided in concluding that sites A and B together would still require identification of another site to meet SP Policies 13/2 and 13/3 (CD88). It is difficult to visualise any obvious reasons for this stance except perhaps a tendency to read certain aspirations into the SP. I however, have to respect the SP's actual terms. It is ironic that site A in the event produced a development of some 24 ha rather than 17 ha, even with extremely lavish open space and landscaping.
143. The provision of 50 ha for a BP or PED would, as I concluded above, be additional to the general provision for employment development which was based upon past take up rates of employment development of all types, including BP and PED type developments. The basis for the 50 ha figure in the SP is obscure. The SP and thus BBC and others provide no evidence of need for this amount and it is their responsibility to demonstrate this to justify altering Green Belt boundaries; it is not for objectors to prove the opposite. The figure appears to be founded upon the premise in SP para 13.48 that BPs or PEDs should be in the range of 20 - 50 ha. However, the reasons for that assumption are not explained, except that it was considered necessary for development to be commercially viable, be capable of creating a parkland setting (CD88) and be of a relatively low density. The term viable was not defined nor was any evidence proffered to substantiate it or the need for a parkland setting and low densities. Indeed, there was little evidence of any significant commercial input to the BP concept at any stage; a developer interest in the site mentioned in CD88 hardly suffices.
144. The assumption is at odds with the statement in para 2.83 of the SP. This states that major sites are normally considered to be of 8 ha or more. Although para 2.91 says that BPs or PEDs should **preferably** be well in excess of the 8 ha criterion it does not insist on this or give any higher figure.
145. It is also at odds with the more up to date policy advice in RPG8 which advises that SHQES should, to be of strategic significance, provide at least 5 ha of development land or 15,000 sqm of floorspace but advises on no larger figure. It is also refuted by subsequent successful smaller BP developments such as Interchange 25 in nearby Erewash District, Phoenix Park, as well as BPs in other parts of the country. The former two, like some of the UK's most successful BPs, such as Stockley Park and Winnesh Triangle, have developed at medium rather than low densities and rely upon quality small scale landscaping rather than a parkland environment. The general experience conveyed to me on previous

occasions is that occupiers of BPs, as opposed to some planners, are more concerned with the availability of a good labour supply and good accessibility than with parkland settings (SP para 2.91), which in any case EM2 lacks. As BBC commented at the NC LP inquiry (CD74), Phoenix Park has developed at twice the density of that proposed for CDF and yet is so highly regarded by the same developer WB.

146. BBC's one time view (CD88) was that a single BP development should be of the order of 50 ha and that the requirement should not be split between two sites. Also that development of W/N as an addition to Chilwell Dam Farm was considered by them to be unrealistic. However, this view did not survive the approval of CDF and BBC is now content with a smaller BP at W/N. Mr Parry's current view is that 15 ha is about the minimum for a BP now to achieve critical mass, that urban BPs can be smaller but edge and out of town sites much larger. It depends upon support from surrounding development.
147. Provision for a BP in the vicinity of Jct 26 in SP Policy 13/3 has been met with the development of the Nottingham BP at Chilwell Dam Farm (about 24 ha). Careful interpretation of the SP shows that there is no policy imperative (or requirement), as BBC and NCC claim, for another similar sized BP in the vicinity. Even the explanatory text (SP para 13.47), which does not have the same status as policies, advises that a development or developments of **up to**, but not of 50 ha, could (not must) be provided. The levels of provision included in SP Policy 13/2 are described as a notional allowance rather than a real allowance or a specific proposal. In these matters, I differ somewhat from the NC LP Inspector (CD74a), although I share his concerns over the limitations of the Jct 26 study and the apparent difficulties in South Nottinghamshire of planning across District boundaries.
148. I also agree with some objectors' criticisms of the Jct 26 Joint Study and its constrained area (CD88). Having taken the SoS approval letter and the previous RPG8 as the origins of the BP concept, it then ignored their fundamental stricture that this should be on sites outside the Green Belt. This constraint is hardly overcome by taking sites out of the adopted Green Belt, since BPs were always inappropriate in Green Belts. Contrary to BBC's current claims there is nothing in Policy 13/3 that requires a new look at the Green Belt. BBC at the time of the Joint Study even sought re-appraisal of this Policy. The Joint Study provided no support for assumptions about the strategic economic advantages of physical proximity to Jct 26; assumptions at odds with many informed commercial opinions and MAFF's advice at the time and which now sit uneasily with actual BP developments and with changing policy emphasis. Indeed WB's own view is that visibility from the Motorway is not important.
149. The Joint Study adopted many questionable assumptions, which would have been exposed much earlier had it been subject to public consultation or other external input particularly on contemporary BP development. It should not have needed the SP Panel in 1995 to advise LPAs on the need for some commercial input. With such a specialised form of new development it should have been quite obvious. In the event, the Study failed to produce agreement between the parties on appropriate sites for BPs with BBC objecting to CDF. The Study did not specifically recommend development of a BP at W/N; it only referred to it as a

possibility. Finally the Study was, according to BBC, never even put to the Borough Council. It was thus a poor basis upon which to build future strategy and such major proposals. It appears to have provoked an unduly focussed approach to a BP/PED development to the exclusion of other factors including changing circumstances and policy directions. With the passage of time exposing more of its limitations, I afford this Study even less weight than did the NC LP Inspector.

#### Need for Further Business Parks - Existing and Committed Supply

150. Having established the lack of any specific SP requirement for a further BP/PED development in Broxtowe or even the sub-area, I now consider the issue of any remaining need that might justify such provision.
151. BBC in its PICs attempted, quite rightly in my view, to take account of current trends in housing land supply elsewhere in the sub area, particularly in Nottingham. It also, in its IC for housing site H2e, proposed some reliance on open space in Nottingham City to make good a resulting shortfall in Broxtowe. There is therefor no good reason why Nottingham or other adjacent Districts should not contribute towards any remaining need for or provision of BPs and PEDS. Indeed the SP is quite neutral on the location of these between Broxtowe and Nottingham and the terms of Policy 13/3 allows for them elsewhere in the sub-area.
152. Provision in the adjoining Erewash and Amber Valley Districts should also not be discounted since the SP (para 13.47) envisaged that BPs and PEDS would contribute to economic development of adjacent parts of Derbyshire as well as the sub area and BBC in its evidence on CDF at the NC LP inquiry cited the availability of employment land in Derbyshire in an attempt to show that CDF was not needed. The failure now to conduct a similar exercise in respect of their proposals displays some inconsistency.

#### Supply of BPs

153. Unlike Nottingham City at the time of their approved LP, BBC have had the benefits of the results of a recent survey of BPs and PEDS in the Tym Report 2000 (CD33). This concluded that, contrary to the one time view of RPG8 1994, the supply of identified sites in the Greater Nottingham Market Area represented about 20 years supply at the routine take up rate of the previous 5 years. Although they expected a higher rate in future this represents a very large supply which would extend well beyond the end of the Plan period and perhaps beyond a review. If "non approved" sites such as W/N are excluded the supply would last about 11 years which would coincide with about the end of the RDDP period. There is no evidence to support BBC's belated point that past demand may have been frustrated by a shortage in supply. The Tym Report did not take this view. Mr Parry's experience was that the period 1994/95 to 2000 was relatively good and that market demand had dropped in the 1<sup>st</sup> quarter of 2001 due to the problems in the "high tech" sectors of the economy, who had been prominent customers of BPs. The impact of this on rates of take up has yet to be identified but they may not be positive. Office rental values nationally fell during 2002 and

are expected to fall further in 2003. Empty office space, at least in London, is reaching similar levels to the property crash of the early 1990s.

154. I agree with Tym's conclusions that on quantitative grounds there is no immediate case for adding to the approved supply in the sub-area. Their comment that the demand and supply of sites should perhaps be reviewed in 4-5 years time does not necessarily imply a need for further provision at the next review, particularly in the light of new sites that have emerged since their study.
155. I note the possible effects of further major inward investment but past developments of this kind were accommodated on entirely separate sites. SP Policy 2/7 and RDDP Policy EM6 provide for these anyhow. As regards qualitative aspects, W/N was classed by Tym as quality B, with which I agree. Its provision would not extend the quality currently available.
156. The SoS proposed modifications to RPG8 (CD28) commented that the supply of land for SHQES is generally adequate but that there is shortage of readily available sites in the urban areas of Nottingham, Derby and Leicester; not in W/N. For some reason, this statement was omitted from the approved RPG8 but it still, without contrary evidence, remains the position.
157. RPG8 in Policy 15 recommends that provision be made for SHQES where supply is inadequate or shown to be inadequate to meet demand by the proposed study of employment land in Policy 12. In the case of the Greater Nottingham sub area, the Tym report already shows that supply of BPs is far from inadequate. Further commitments at this stage on top of existing provision would only compromise future RPG and LP reviews.
158. However, the Tym Report itself underestimated the supply position. It did not take into account the small BP "Interchange 25", which falls within the Greater Nottingham Market area, nor did it account for the 15 ha "Access 26 the M1 Industry and Business Centre". The latter is a former brownfield site in Amber Valley District within about 6 mins off peak drive of Jct 26 via the high grade A610. This standard of accessibility has been regarded as acceptable in commercial terms; visibility from the motorway not being essential. The SP at para 13.46 observed that whilst proximity to the motorway is a clear attraction for BP development other sites which have ready access to motorways and trunk roads will also be attractive. No account was also taken of the small office/BP development based at Strelley Hall, adjoining CDF.
159. The Tym Report was also unable to take account of the 18 ha Queens Gate site (former Royal Ordnance Depot). It matters not that this site may once have been in some employment use, its recent redevelopment complies with Note d) to SP Policy 2/1. This major site is allocated for SHQES development (B1 or B2 uses) in the Nottingham LP Review 2001 and meets the provisions of SP Policy 2/6. It is a brownfield site, situated in a main urban area in an attractive location on the main road network and within 1km of Nottingham City Centre. It is the type of urban site that the SoS Modifications to RPG8 indicated was in short supply and the type of site preferred by RPG8 in Policy 15 and to some extent Policy 18 for B1a office developments and other travel intensive uses. It represents the current emphasis in RPG8 Policies 1 and 2 on the regeneration of major urban

areas and sustainable travel patterns rather than the preference of the early 1990s for out/edge of town BPs.

160. Most surprisingly, the Tym Report seemingly made no account in the supply figures for the remaining parts of the about 19 ha Phoenix Centre BP despite identifying this as a Quality B BP (the same as W/N). This contrasts with their treatment of other BPs, which were also under development at the time.
161. The Phoenix BP/Office Park is described by Wilson Bowden (the developer of Nottingham BP and the prospective developer of the W/N BP) in a May 2001 Brochure as the final phase of one of Nottingham's most successful business parks after 5 years development. WB describe it as being successful by virtue of being highly accessible and in a prominent location with excellent PT linkage with an existing bus interchange serving the P&R site and the northern interchange for the NET which is to be completed by 2003.
162. This urban ex brownfield site is located on the A610 about 1.5 km from Jct 26 of the M1. It is nearer the Junction than the Nottingham BP and much closer than the proposed W/N BP via the proposed new spine road. It cannot be seen from the Junction, but neither can EM2 at W/N. By any reasonable measure, it is within the vicinity of Jct 26. It is a site that accords well with RPG8 Policies 1, 2 and 15.
163. It is clearly an attractive and successful BP. Its overall size (in the City and Broxtowe) meets the criteria for a major site in SP para 2.91 and virtually attains the range for BPs in para 13.47.
164. Not only was this site excluded from the supply figures in the Tym Report, it was overlooked by the Jct 26 study, the NC LP inquiry and in almost all other subsequent considerations.
165. No explanation for this was proffered. It might have been because the site is split between Nottingham and Broxtowe. It might have been that it was included as a commitment in Broxtowe's 1994 LP (11.2 ha), prior to the SP approval. However, the RDDP, like other plans, includes earlier commitments including EM1 at Phoenix Park and commitments form part of LP provision along with new allocations. Also the land provision in SP Policy 2/1 and Policy 13/2 runs between **1991** and **2011**, which includes development of Phoenix BP and which is still underway. The City's LP in 1997 allocated E1.15 (8.3 ha) at Phoenix Park for B1, B2 and B8 uses.
166. It might have been overlooked on account of its size but at about 19.5 ha combined it meets the SP's unsubstantiated and contradictory range. It might have been its acceptance of non-B1 uses, but that is compatible with the footnote to SP Policy 2/6 and has not prevented its success as a BP/PED or detracted from the prestige afforded to it by WB.
167. It might have been, as BBC said at the NC LP inquiry (CD74), that it was not recognised as a BP then, although the Nuthall Group for the Protection of Green Belt says that they drew attention to it then. However, this says little for the foresight of others involved since it was identified for business development in

Policy EM6 of Broxtowe's 1994 LP (CD20), which described it as the best economic development site in northern Greater Nottingham. Also as CD46a noted, a Planning Brief was approved in 1992, the site was committed and enabling infrastructure was completed in October 1994 and outline pp was granted 11/93 for use for business park with use classes B1, B2, B8 and A3.

168. Whatever the reasons, Phoenix Park cannot be overlooked now. It has clearly developed as a BP/PED since 1995/96 and has been described as such in glowing terms by WB the prospective developers of W/N. The fact is that it has contributed about 19 ha towards the provision of BP/PEDs within the SP period 1991 to 2011 and in the vicinity of Jct 26. It meets the terms of the SoS decision letter, the earlier RPG8 and the 1996 SP.
169. Together with the Nottingham BP, Phoenix BP provides about 43 ha and already fulfills any SP "notional allowance" of **up to** 50 ha for the provision of BPs/ PEDs in the vicinity of Jct 26. Phoenix Park has met the demand over 8 or so years from 1996 and Nottingham BP should, at similar rates, meet the demand from 2002 until about the end of the decade. There is no evidence to support the assertions by Nuthall Action Group that these are or will become "white elephants". They are clearly providing for a sector of the local employment market.
170. WB estimated that NBP could take 5 to 7 years to completion but longer if market demand does not remain active. However, this seems to be unduly optimistic since it implies a rate of development of 16,000 sq m on one site alone compared to the historical rate of 14,000 sq m for the southern sub area as a whole, excluding the City Centre. Like Mr Parry, I remain highly skeptical about the postulated rate of take up at the proposed BP EM2, given the sub regional rate, the possibility of less favorable market conditions and the competition from other BPs including the more attractive NBP. WB said that EM2 would follow on from NBP and this seems to make sound commercial sense.
171. At the NC LP inquiry, BBC criticized the CDF allocation on the grounds that NC had not demonstrated a need to allocate a green field site in the period to 2006. BBC felt it inadvisable then to look forward 15 years due to the possibility of changing circumstances and the emergence of major brownfield windfall sites.
172. BBC drew attention then to the large amount of vacant office floorspace within 5 miles including Amber Valley, Erewash, Ashfield and Rushcliffe Districts and the City Centre; well away from the vicinity of Jct 26. However, despite these earlier criticisms, BBC failed to provide similar current data.
173. BBC failed to demonstrate a quantitative or a qualitative need to allocate the W/N BP at this time. They rely instead upon what they describe as a SP "requirement", despite their criticisms of this at the NC LP inquiry (CD74), and also perhaps the results of an Inspector's Report of some 6 years ago.
174. For all the reasons above, I conclude that no need has been established for another BP/PED in the vicinity of Jct 26 and that an allocation of a BP in the Green Belt and on B&MV land at W/N cannot be supported at this time for this reason and for other reasons set out elsewhere. Accordingly, I reject NCC's view

of conformity as ill founded (CD92). Leaving aside Phoenix Park for the purposes of illustration, a 25 ha BP allocation EM2 in Broxtowe might have been judged to be in conformity with the SP Policies 13/2 and 13/3. However, this does not mean, as NCC assume, that any failure to allocate such a site places the RDDP out of conformity given the discretion afforded by the SP. NCC cannot point to any SP Policy requiring allocation of a 25 ha BP in Broxtowe in this particular RDDP or even its future Review. They cannot even point to any “clear strategic requirement” in the explanatory text, which in any case does not enjoy the same status, as PPG12 Annex A makes clear. All they might point to there is a notional allowance of 25 ha. The general allowance of up to but not necessarily of 50 ha can be in either Nottingham or Broxtowe or both; even 25 ha in one, strictly speaking meets the latter’s terms. NCC may be the author of the SP, but I am guided by its actual terms rather than by another’s interpretation and as it applies to Broxtowe, not Rushcliffe or Ashfield. I fail to see the relevance of the former case considered by the Environment Committee in 1993 some three years before approval of the current SP. NCC also ignored the effect of SP para 13.42 for Policy EM2 at W/N.

175. NCC and BBC did not demonstrate a need for EM2, as Mr Thomas pointed out; they simply relied on claims of a requirement from the SP and RPG8 1994, whose assessments were largely based upon unsubstantiated assumptions. The Councils failed to respond to recent developments and changes in policy emphasis, particularly RPG8 Revised. Neither Authority offered any good reason for ignoring the implications of the Tym Report, other recent developments and in particular the Phoenix Park BP. The Councils’ position is a poor basis upon which to promote proposals for such a large strategic mixed development and the loss of up to 100 ha of Green Belt land. However, I disagree that BPs/PEDs as such are an entirely outmoded concept from the 1960s and 1970s as suggested by Mr Russell. The changing emphasis is now on the most appropriate form and location.

#### Future Need and Supply

176. Further provision for BPs/PEDs/SHQES in the next decade does not have to be made for some time as, the Tym Report observed. Allocations in the next LP reviews could allow further land to come on stream towards the end of the decade to take over from the Nottingham BP as this reaches full development. Even confirmation of the major new Birmingham BP was deferred for some time until the existing BP was substantially completed. As Mr Robinson suggests the LPAs can wait a while.
177. Both NCC and BBC fail to recognise that the provision for BPs/PEDs can be made in LPs at any time within the SP period of 1991 - 2011, although the latter suggested as much in their evidence to the NC LP inquiry in support of their objections to CDF. The notional “up to 50 ha” was to be provided rather than taken up within the SP period 1991 to 2011 since the notional figure was not based upon any assessment of past take up rates, as with general employment land. It was an arbitrary figure on top of this.
178. Further provision should, as the Tym Report and RPG8 now suggest, be based upon a sub regional assessment of future demand for and the supply of land for



SHQES in the sub-region across county as well as district boundaries. This assessment would need to have regard to the concern in the current Nottingham LP Review about the threat of out of centre BPs to the city centre and the implications of RPG8 Policy 18. The City Council may not have objected to W/N but this does invalidate their point. However, the W/N proposals with their very high infrastructure and environmental costs could not reasonably be described as an easy option, as Mr Thomas claimed. A sub-regional assessment might also give more consideration to the contribution that Rushcliffe might make towards provision of BPs in South Nottinghamshire, as mentioned by Mr Thomas. Little was heard of Rushcliffe's role at the Inquiry even though this was the one location specifically referred to by the SoS in 1991.

179. However, the Nottingham LP Review which is currently going through public consultation already identifies further provision for SHQES. Queens Gate (former Royal Armories) a 18 ha brownfield urban site within 1 km of the city centre has recently commenced. The Review also identifies the extensive Stanton Tip adjoining Phoenix Park as a major regeneration site for mixed uses including residential, open space and employment; the latter should cover a range of possibilities including BP/PED uses. This is subject to ground investigations and a detailed master plan; preliminary findings show that further restoration and development is feasible and viable. It would be shortsighted to ignore its clear potential for further travel intensive employment uses given its location near Jct 26, the proposed NET terminus, the existing successful Phoenix Park BP, the large labour market of Greater Nottingham and its deprived residential areas as well as its use of "brownfield" urban land and the scope it offers for some mixed development with adjoining residential areas. Its location, accessibility by high grade PT, its form, prominence and surroundings suggest that B1 type uses might be more appropriate than B8 shed type developments that Mr Aspbury referred to during the inquiry, even if there may be some demand for the latter in the area. PPG13 and others advises that such PT nodes are highly suitable for travel intensive uses such as a BP/PED. Nuthall PC believe it could provide a 20 to 30 ha BP; the City Council is preparing a bid for EC funding based upon 50 ha gross for employment use. If a sub regional assessment identified a need for further BP type development in the vicinity of Jct 26, development of Stanton Tip would be a much more sustainable option than W/N. Like Mr Aspbury, I see no reason why access could not be taken through Phoenix Park.
180. Both Stanton Tip and Queens Gate meet much more fully the sequential approach advocated in Policy 1 of RPG8 Revised, the criteria in Policy 2 and Policy 15 than does EM2 at W/N. They may not be able to support the combination of land uses on site that BBC is seeking at W/N but there is no SP requirement for these, no justification for them in the RDDP or in the evidence to the inquiry.
181. If further need beyond these is established, there would be an option of a modest expansion of the developed area of the Nottingham BP, either into the very generous surrounding open space/landscaping provision or onto adjoining land, as suggested by Mr Bullock. Unlike Mr Mafham and some others, I do not regard 50% of the land take at Nottingham BP devoted to landscaping and open space as an effective use of Green Belt or B&MV land. I have more sympathy with NWT's point. The BP's visibility from the east is of limited importance and it will

take many years for landscaping to become effective in other views. The impact of these extensions on the Green Belt would be considerably less than the W/N proposal/s. Indeed the Joint Study commented that the southernmost part of site B (Nu6) did not fulfill the important Green Belt function of preventing coalescence along the A610 corridor. I prefer the allocation of the Halls Lane Tip site (Ea9) for housing and open space rather than a BP/PED development that some advocated. Allocation EM3d is better suited to a general employment park to serve the Eastwood area than a BP/PED, as suggested by Mr Hutchinson, although it might no doubt cater for somewhat similar occupiers. I reject, in Chapter 10, proposals to develop Watnall Brickworks, mainly on Green Belt, landscape and agricultural grounds. There is no realistic prospect of a new junction on M1 to serve this site as suggested by the Nuthall Action Group. I also reject mainly on Green Belt grounds suggestions to expand the Moorgreen Colliery employment estate and to develop at Awsworth/Ilkeston Junction, as suggested by some objectors and to develop site AC6 suggested by the Trustees of the Barnes Settlement and Estates. I have no evidence of land being available at Stanton and Staveley works, as suggested by Mr Speight and others. This lies in Derbyshire and any potential to meet some of Broxtowe's needs would need to be co-ordinated through the regional studies, as would other potential elsewhere in Erewash District, as suggested by Mrs Saunders.

182. During the Jct 26 study BBC proposed a re-assessment of the "requirements" of SP Policy 13/3. The events of the intervening years have not strengthened the case for another BP/PED at the Jct rather the opposite. Other sites have emerged with more than equal economic potential which sit better with the changing emphasis towards sustainability issues; brownfield sites within urban areas close to major PT interchanges and large populations, particularly the more deprived sections. These factors have re-enforced BBC's earlier concerns.
183. EM2 may be attractive to a developer. However, its location, as Mr Waumsley pointed out, fails significantly when judged against the criteria in RPG8 Policy 15. Its accessibility by PT will depend upon a special shuttle bus service and inconvenient interchange. It has no accessibility to rail. It falls into category c) of Policy 1. As a grade B site, according to Tym, it adds little to the range of BPs/PEDs in the sub-region. It does little to help regenerate the areas of greatest need in the main urban area of Greater Nottingham and, as Mr Mafham points out its accessibility to the large labour market of Greater Nottingham is lower than sites to the east of the M1. It has a severe negative impact upon the Green Belt, local landscape and agriculture and its access from M1 is somewhat indirect. The Tym Report and other developments demonstrate sufficient supply to meet historical rates of demand.
184. Like Mr Thomas and others, I therefor see no need for the proposed allocation EM2 and no exceptional circumstances to justify such major alterations to approved Green Belt boundaries. I recognise the role that a EM2 BP might play in the boosting the Borough's civic image, as Mr Tilson suggested. However, set against this is the irreversible damage that it and its associated proposals would do to the Borough's Green Belt environment and to its image in protecting this over many years. It is located in one of the most critical parts of the area between Watnall and Nuthall, the M1 and Greater Nottingham and would have the most serious effects upon the purposes of this important Green Belt gap. It would

enhance the submergence of Broxtowe within Greater Nottingham in physical, if not administrative terms. On its own as shown on the PM, the BP EM2 would relate poorly to existing urban form and to landscape features in this area of countryside. It would be a prominent intrusion.

185. As on other development sites the Highway Authority requested a cross-reference to Policy T1 to make its requirement clear to developers. However, I conclude elsewhere that such references are unnecessary, as the Plan should be read as a whole. It is not always possible to identify which Policies would apply and selective references could be misleading. There is a need to keep Plans concise and simple and avoid over elaboration. However, I recommend deletion of Policy EM2.

#### Employment Land EM3f

186. I conclude earlier that the general provision for employment land based upon various past rates of land take up embodies a very large margin for choice and flexibility. I also conclude that some allowance for choice is generally to be supported to allow for the particular workings of the employment land market. I also see no sound basis to exclude certain committed sites, as some objectors wished. However, I shall treat the SP figures as guidelines not targets as Policy 2/1 advises. As the notional allowance of 25 ha for BPs and PEDs in Broxtowe was added to the requirement based upon past take up rates, I see no need to identify land to replace allocation EM2. The “flexibility” allowances are generous enough to cater for this. My concern is to support suitable sites that are in total of the same order as the SP general employment land provision; about 90 ha inclusive of completions and commitments. As Mr Thomas points out, SP para 2.72 advises that the general level of provision is in excess of what is likely to be actually developed during the Plan period.
187. Allocation EM3f of RDDP provides for some 13 ha of employment land at W/N. This is split between three sites. The two northern sites account for just over half the provision. Although they adjoin existing employment development they would on their own represent a major intrusion into the open Green Belt and onto B&MV agricultural land. They would not relate well to the existing settlement form, the edge of which has been softened by planting. The eastern boundaries of both allocations are related to other development proposals rather than natural features.
188. Despite poor communications with Eastwood and to a lesser extent Kimberley, the provision of some employment land at W/N is desirable to provide some additional local employment opportunities and to provide scope for employers wishing to expand and/or relocate in this area.
189. The southern allocation, however, has rather different characteristics. It is in use as a large coal depot and could in many respects be regarded as a brownfield site, although coverage by buildings is low. It is an unattractive site. It is secluded behind the large bakery complex and is quite well screened from external views by peripheral planting, which it would be desirable to retain. However, some minor adjustment of the eastern boundary would be needed to accord with existing features.

190. I note the conclusions of the 1984 LP Inspector. However, I am faced with a different situation now of needing to identify some employment land to meet SP provision to provide for the needs of local businesses to expand, to relocate and to form. Whilst the Green Belt to the east and north are sensitive, I did not perceive the coal yard site itself as part of the open countryside, either from without or within. Its development would therefore not involve any significant encroachment into the countryside nor would it involve serious sprawl of the built up area when viewed on the ground being contained by development to the south and west and by strong mature planted boundaries. With the existing peripheral planting, its development for employment uses should not impact upon the open countryside to the east and north to any great degree. It should not seriously increase the perception of coalescence with the Greater Nottingham area to the east of the motorway as existing development to immediately to the south already extends further east. The prospects of it being returned to agriculture are remote and its development for employment would help to re-generate a degraded and underused site. I note that Nuthall PC did not object to the use of the coal yard for development if undertaken sensitively and protecting local amenities and it also appears to have some support from the NWT. The major constraint on this site is the current single-track access, which would be quite unsuitable for a new employment development, as Mr Rushton points out. Improvement of this access would involve development of the adjoining EM1j, which I support earlier, and/or the use of some Bakery land or use of part of RC4, perhaps as part of a one way system. This should not interfere with Trough Road, as Mr Rushton suggests, in view of the degree of separation. I note that British Bakeries Ltd supported allocation EM3f to the rear of the Bakery.
191. It adjoins the existing built up area, although not a main urban area as Stamford Homes point out. It is quite well related to the settlement and existing employment development. It lies within 400 m of Main Road, albeit with a relatively poor bus service and slightly further away from the few village facilities. Main Road is adequate in physical terms to take the employment traffic generated and already caters for a range of local industries. Although it is heavily congested at peak times, the existing use of the site already generates an amount of HGV traffic and possibly has potential to generate more from the existing use. Also some of the new traffic generated by new employment uses would be contra the main flow. In the medium term the M1MMS offers the prospect of significant improvements to Jct 26 and Nuthall Island. New employment here would offer the opportunity of work to some people from the locality, who might then be able to avoid the congested journey into Nottingham. Whilst not ideal, in the circumstances the net increase in traffic from this employment development is insufficient to militate against other benefits of new employment development on this site.
192. Bearing in mind the need to take some Green Belt land somewhere for employment land provision, I regard this southern part of EM3f as acceptable and in accordance with many of the locational and sustainability criteria in RPG8 Policies 1 and 2. It would provide on my estimates about 5.5 ha of employment land. I make up the shortfall of about 7.5 ha resulting from the deletion of the two northern parts of the allocation, which I find unacceptable with the allocation of about 7 ha on site Nu1 adjoining the Blenheim Estate, which I support.

## Land at New Farm Lane

193. I deal with land at New Farm Lane in a later Chapter under sites Nu7 and Nu8 and under H2I in the preceding Chapter. Like BBC, I find New Farm Lane and Spencer Drive inadequate to serve any substantial new development, apart from objections on Green Belt and other grounds.

## Summary Conclusions

194. As BBC accepted, changes to the Green Belt should not be made lightly. I find no compelling need for allocation EM2 for a BP in view of the supply within the SP period of land for this type of development and other emerging opportunities in the vicinity of Jct 26 and in the general area, which do not have any adverse impact upon the Green Belt, the open countryside or B&MV agricultural land and which instead make good use of brownfield sites within major urban areas. Contrary to the contentions of BBC and NCC I find no imperative in the SP Policy or in its supporting text for a further BP allocation in Broxtowe at this stage. Even if one existed, it would be wrong to ignore the current supply situation and the avoidable implications for Green Belt, greenfield and agricultural land and other valuable resources. I therefore find no exceptional circumstances to justify altering approved Green Belt boundaries at W/N. As BBC accepted on site H2X it is difficult to demonstrate exceptional circumstances whilst suitable sites outside the Green Belt exist. Furthermore, it would be short sighted to ignore the potential of the proposals to compromise the M1MMS proposals, which are of great significance to the future economic and environmental health of the sub area.
195. I find the two northern parts of allocation EM3f unacceptable due to their adverse impact on the Green Belt, the countryside and B&MV agricultural land. However, I find the southern allocation worthy of support in view of its limited impact upon these important resources.

## Recommendation

196. I recommend that the RDDP be modified by the deletion of Policy EM2, the supporting text and the development brief. I recommend that the two northern parts of EM3f be deleted and that the boundaries of the southern part be amended to accord with existing site boundaries. I recommend the deletion of the spine and link roads T10 and T10h and all references to them. I recommend the deletion of Policy allocation RC8k.

## 5.64 New Employment Sites

### 5.64

601 2873

### ***New Employment sites***

Mr S Rufus

Nottinghamshire Wildlife Trust

### ***EM3***

1178 2741

### ***New Employment Sites***

Metropolitan & District Developments Ltd.

Shoosmiths Solicitors

1163 2464

CPRE

			CPRE (Broxtowe District Group)
599	3584	Mr G Foster	Nottinghamshire County Council
967	1790	Mrs JE Gibbons	
1419	3878	Mr AJ Lovell	

**EM3 R294                      New Employment Sites - Amended site area - Ordnance Depot**

1331    5238    R294                      Defence Estates East, MoD  
GVA Grimley

601/2873 Nottinghamshire Wildlife Trust

1. Do not support the over allocation of land in order to provide additional choice for developers. This approach will lead to developers seeking only to develop areas that have been provided by the Local Plan, while not examining the opportunities for redevelopment of other appropriate sites that may come forward through the plan period within urban areas. The employment land allocation should be provided at the minimum acceptable figure.

*Council's Response:*

2. The Revised Deposit draft amended paragraph 5.64 (R290) and subsequently policy EM3 (R297). The revision reduces the level of employment provision on newly allocated sites from a slight over-provision to meeting the Structure Plan guideline figures exactly. This revision illustrates the Council's commitment to sustainable development, preventing the unnecessary allocation of greenfield land, taking into account the Structure Plan's in-built flexibility allowance. Seemingly the revision satisfies the objection to this paragraph and to EM3.

**Inspector's Conclusions**

1. I have already dealt with the substance of this objection above in relation to employment land provision. Whilst noting that the SP provision includes a substantial extra allowance for choice and flexibility over the historical development rates, I conclude that this is generally appropriate because of the requirements of the employment land market. As the needs of new employment development may be so particular, choice of site size, location and other features are important in meeting the needs of firms to expand and re-locate. The NWT provides no evidence to support their claim that this approach will lead developers to ignore re-development opportunities in urban areas. Indeed, even the prestigious new Raleigh HQ and national distribution centre has targeted an empty factory building in Eastwood. However, I treat the SP levels of provision as a guideline not a target as the SP itself advises.

**Recommendation**

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

**EM3 New Employment Sites**

1178/2741: Metropolitan & District Development Ltd

1. The overall allocation of 41.8 hectares for new sites is insufficient to meet total employment land requirements. Firstly, as expressed elsewhere in our objections it is doubted that the "committed"

sites identified in Policy EM1 will all be capable of development within the Plan period. There must also be some doubt that those sites and indeed the sites identified under EM3, will actually provide the area of land for employment use identified. For all these reasons a 10% flexibility allowance in terms of the total Structure Plan requirement of 115 hectares is recommended and additional sites or a site should be identified under Policy EM3 to accommodate this.

*Council's Response:*

2. Paragraph 2.72 of the Structure Plan states that the Structure Plan requirements are above the level necessary to continue past development rates and in excess of what is likely to be actually developed during the plan period. This is, amongst other reasons, 'in order to provide flexibility'. A flexibility allowance is therefore already built into the Structure Plan requirement and it would be inappropriate to increase the figures further. Refer to Employment Round Table Paper.

1163/2464: CPRE

3. We note that 41.8 hectares of the land has been allocated compared to the 39 hectares required. In addition two of the significant developments are proposed within the existing Green Belt. Of these two, we are particularly concerned over the allocation of 13 ha at Watnall (Greasley). In our view this allocation should be reduced to 8ha in two ways: by removing the over-allocation of 2.8 ha noted above, and by absorbing the remaining 2.2 ha at appropriate locations elsewhere in the borough.

*Council's Response:*

4. Provision in the Revised Deposit Draft has been reduced to meet the Structure Plan figure exactly. Site specific issues relating to allocation of EM3f are dealt with in the Council's response to objections to that policy (proof 014).

599/3584: Nottinghamshire County Council

5. It is recommended that all site specifics for housing and employment development make reference that developers may be expected to contribute towards walking, cycling and public transport measures in accord with Policy T1.

*Council's Response:*

6. Policy T1 relates to all new development. This policy and the explanatory text has been expanded in the Revised Deposit Draft. The Council does not consider that specific reference to Policy T1 is required for each individual site. In accordance with the advice in the Planning Officers Society's "Better Local Plans" publication (p.18), 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.

967/1790: Mrs J E Gibbons

7. Loss of greenfield site, create urban sprawl, increased traffic on Nuthall Island, loss of view, footpaths and wildlife, pollution. Delete the site.

*Council's Response:*

8. Site specific issues relating to employment site EM3f are dealt with in the Council's response to objections to that policy (Proof 014).

1419/3878: Mr A J Lovell

9. Sites EM3a and EM3b should be built on before permission is granted for any other site because both are brownfield sites where environmental impact is the least. Another priority site, which should be built on after the above have had permission, is site EM3c.

*Council's Response:*

10. The Council does not consider that a general phasing policy for employment land would be appropriate. It does not have support from the Structure Plan or from national policy guidance. It would risk serious implications for job creation in the borough if sites in the early phase did not come forward as hoped. Most allocated sites are on brownfield land, and furthermore it is important that a variety of sites are available to encourage employment development. It should however be noted that the land allocated at Watnall is part of a larger comprehensive scheme and a phasing plan for the employment development will be required in this case.

**R294 - EM3a Ordnance Depot, Attenborough - Amended Site Area**

1331/5238: Defence Estates East, MOD

11. Defence Estates submitted an 'in-principle' objection to the proposed allocation under Policy EM3a of the deposit draft to the identification of part of its surplus land for employment purposes. Following the discussions with Broxtowe, Defence Estates is now willing to accept the principle of some employment use being retained and allocated on part of the site. It therefore supports, in principle, the proposed revisions showing a reduction in the employment allocation from 5ha to 3.2ha and an increase in the residential allocation from 7.2ha to 9.1ha, plus 0.8ha of open space. Having accepted the principle, a consequence of the revision is that Defence Estates has now addressed the appropriateness of the detailed matters which Broxtowe seek to impose through the additional wording of R294 (part B1 only), the text of para 5.55 (now 5.65) and the development brief in this respect. Defence Estates maintains its original objection to Policy EM3a and para 5.65 with regard to the restriction of use to B1 only on part of the employment site. The Council seeks to maintain employment use in the area and Defence Estates has accepted this. Nevertheless, the use classes proposed for the site must recognise that the existing storage use is established and may continue until such time as the site is redeveloped for employment purposes.
12. Delete '(part B1 only)' from EM3a and amend para 5.65 as follows 'i) Delete 'unused' from line 4 ii) amend fourth sentence to read, 'Land adjacent to the proposed housing (policy H2a) would be redeveloped from Class B1 uses although the existing storage use could continue until such time as an appropriate redevelopment scheme comes forward'.

*Council's Response:*

12. The general support for the amended site area is noted. With regard to the requirement that land adjacent to the proposed housing is developed for B1 uses only, this has been the Council's view from the start and is reflected in the original Deposit Draft text. As a large part of this site is being reallocated for housing development it is important to ensure that the juxtaposition of development is appropriate. Defence Estates East recognise in their original objection that "Class B2 and B8 uses .... are not necessarily suitable in, or close to, a residential use". This is also the Council's view and is why the restriction to 'B1 only' has been placed on the area of land in the vicinity of the proposed housing.

**Inspector's Conclusions**

1. I have already dealt with Metropolitan's objections above, where I conclude that the level of SP employment land provision provides a large extra margin for choice and flexibility over historical development rates.



2. Similarly I have dealt above with the CPRE's, Mr Lovell's, NCC's and the Defence Estates' objections. The units were unused on my visit but reference to a continuation of storage uses prior to a redevelopment is unnecessary.
3. I deal with Mrs Gibbons objection above in relation to EM3f, where I recommend that the allocation be reduced to the area of the coal depot off Main Road, Watnall.
4. I agree with the Council that it is unnecessary and potentially misleading to mention the provisions of policies such as T1 in respect of individual allocations, housing or employment. As the Council say, the Plan should be read as a whole and Policy T1 and others apply to planning proposals as appropriate. The introduction should make this clear (IC118) and most developers will be well aware of the potential requirements upon their developments without constant reminders. In any case, the LPA and the Highway Authority certainly will and would no doubt inform applicants accordingly. Repetition as the County Council seek would only add to an already lengthy document. Furthermore, it is not possible to identify in advance every policy that might apply to a particular proposal. Also it will often depend upon the circumstances at the time of the planning application. It would be misleading to mention selective Policies in each allocation; the inference might be drawn that others did not apply.

### **Recommendation**

5. I make my recommendations on these objections earlier in this Chapter.

## **EM3a EMPLOYMENT SITE, SWINEY WAY, ATTENBOROUGH**

### **Objections**

1178	2743	Metropolitan & District Developments Ltd c/o Shoosmiths Solicitors
1331	3402	Defence Estates East, MOD c/o GVA Grimley
1331	5238 R294	Defence Estates East, MOD c/o GVA Grimley

### **Summary of Objection Issues**

#### **1178/2743 - Metropolitan & District Developments Ltd**

1. The objectors consider that the land at the Ordnance Depot is an existing employment site with existing buildings and capable of use by another occupier, arguably without the need for any planning permission. Even if planning permission were needed, it could and almost certainly would be forthcoming without the need for allocation. As such, this site should be considered as an existing employment use and, like the Siemens site (EM3b), considered for protection under policy EM4. It should be deleted from EM3.

#### ***Council's Response:***

2. This issue was dealt with at the Round Table Session on Employment on 10 October 2001. The Notes of the Session (CD83) refer to the County Council's statement that, contrary to points made by some participants, land that was previously in employment use but available for development could legitimately be counted as going towards meeting the requirement for employment land (paragraph 3.1 of the Notes).
3. The Council's views on this issue were set out in paragraphs 5.1-5.6 of its "Round Table Paper 2" on Employment Land Issues. To reiterate, the Council considers that the allocation is fully in accordance with guidance in the Structure Plan (CD15) and the associated Technical Report 2 (CD39). Footnote (d) to policy 2/1 of the Structure Plan states that where employment uses have ceased and the site is proposed for redevelopment for an employment use, such sites may form part of the provision of employment land which is needed to meet Structure Plan requirements. Similarly, paragraph 5(a) of Appendix 1 to the Technical Report indicates that where employment uses have ceased and the site is proposed for redevelopment, sites will be included in identified land schedules and will therefore be treated as contributing towards Structure Plan requirements. It is important to note that the County Council has made no objection to the inclusion of this site, or site EM3b to which Metropolitan also object, either individually, or collectively in respect of conformity issues.
4. Employment uses ceased several years ago at the storage sheds within the Ordnance Depot land which is the subject of policy EM3a. The allocation is therefore quite legitimate in Structure Plan terms. There is a limited supply of employment land in the south of the borough, as identified in section 2.6 of the Council's Economic Development Strategy (CD54) and the allocation will help to alleviate this difficulty by drawing the attention of potential developers to the site and so increasing its prospects of development. Allocation will also help to prevent alternative uses from eroding the supply of good employment land. Policy EM4 would not automatically provide this protection because the existing Ordnance Depot use may be "sui generis" and permission may therefore be needed for any redevelopment or change of use for employment purposes. Even if this was not the case, due to the period of time for which the buildings have been unused there might be scope for doubt as to whether they constitute existing employment buildings in terms of policy EM4.

#### 1331/3402 - Defence Estates East, MOD

5. The objectors considered that the employment allocation in the first Deposit Draft should be deleted and replaced by a housing allocation. This objection has now been "conditionally withdrawn", subject to the increased residential allocation and reduced employment allocation in the Revised Deposit Draft being accepted and adopted.

#### *Council's Response:*

6. The changes made in the revised Deposit Draft have satisfied the objectors' concerns in this respect.

#### 1331/5238 (R294) - Defence Estates East, MOD

7. The words "(part B1 only)" should be deleted from policy EM3a. In the fourth line of paragraph 5.65, the word "unused" should be deleted, because "the existing storage use is established". The fourth sentence of paragraph 5.65 should be amended to read: "Land adjacent to the proposed housing (policy H2a) would be redeveloped for Class B1 uses although the existing storage use could continue until such time as an appropriate redevelopment scheme comes forward".

#### *Council's Response:*

8. The words "part B1 only" were added to policy EM3a by revision R294 in order to ensure consistency with paragraph 5.65 and Development Brief A, which already stated that part of the site should be for Class B1 uses only. In addition, the objectors' proposed rewording of the fourth line

of paragraph 5.65 indicates that they accept that part of the site should be redeveloped for Class B1.

9. The Council understands that the storage sheds have been vacant for several years and therefore considers that the word “unused” is an appropriate description. This does not directly affect any potential issue as to whether the storage use is legally “established” or lawful.
10. The issue of whether “the existing storage use could continue until such time as an appropriate redevelopment scheme comes forward” would be a matter of planning law. It might involve questions of whether or not the Ordnance Depot has a “sui generis” use, the size of the relevant planning unit and what the “established” or lawful use of the allocated site may be. It would not be appropriate for detailed legal issues such as this to be dealt with by way of policy or reasoned justification in a local plan.

### Inspector’s Conclusions

1. I have already dealt with the principle of Metropolitan's objection earlier in this Chapter. Straightforward re-use of existing employment buildings would not count towards the employment land provision of the SP. However, the intention here is to redevelop these rather unsightly military buildings for B1, B2 and B8 employment development. They may have been used for storage purposes by the barracks but they are unsuitable and unattractive to modern employment development even B8 uses. Development of existing employment uses, as the footnote to SP Policy 2/1 and CD39 make clear, contributes to employment land provision. Whether this involves the re-development of existing outworn buildings, such as the barracks, or the development of unused open areas within a large employment complex such as part of the Siemens site both offer the same opportunity for firms to expand and re-locate as do greenfield sites and there is no logical reason to discount them. Such sites were included in data for historical land take up on which the SP levels of provision were based. Neither the SP nor the LP are concerned with maintaining a particular level of employment; their concern is to meet the needs of existing, new and incoming firms to expand and re-locate by means of new employment development. They can, as Raleigh have shown, do this by redeveloping existing employment sites and government and regional planning policies are directed towards the re-use of brownfield sites where ever possible.
2. I have already dealt with the Defence Estates concerns about restrictions to B1 uses in the part of the employment allocation adjoining the housing allocation on the site.

### Recommendation

3. I make my recommendations regarding these objections earlier in this Chapter.

## **EM3b EMPLOYMENT SITE, SIEMENS, BEESTON**

### Objections

1165 2522

Siemens Properties Ltd  
c/o Colliers Erdman Lewis

1178 2742

Metropolitan & District Developments Ltd

## **Summary of Objection Issues**

### 1165/2522 - Siemens Properties Ltd

1. The proposals map should be amended to “reflect potential land for redevelopment”. The policy should acknowledge B1, B2 and B8 uses as acceptable. The policy should acknowledge that access(es) in addition to, or as an alternative to, Technology Drive will be considered subject to a TIA. The need to retain trees and to provide a landscape strip along the railway line should not be a pre-requisite.

### *Council's Response:*

2. After discussions this matter has been agreed between the parties in accordance with the attached joint statement (Proof 022a) leading to IC89.

### 1178/2742 - Metropolitan & District Developments Ltd

3. The objectors consider that the land at the Siemens site is not in fact an allocation of new employment land, but in fact an existing site in existing employment use which is merely currently surplus to the occupier's requirements. The explanatory text to policy 2/1 of the Structure Plan advises that sites such as this in existing employment use should not be included in new allocations unless the employment use itself has ceased and the site is proposed for redevelopment for an employment use, the example is given of derelict colliery sites or other major redevelopment sites. The Siemens site is part of the current and existing employment land provision within the borough, does not need identification or allocation to bring it forward as a development site and could be developed in its current form without allocation in the Deposit Draft Plan and indeed the existing buildings on site could be used for employment purposes without the need for any planning permission whatsoever. The development of this site would not provide any new employment opportunities, but merely replacement or refurbishment of the existing employment provision and is not therefore new land.

### *Council's Response:*

4. This issue was dealt with at the Round Table Session on Employment on 10 October 2001. The Notes of the Session (CD83) refer to the County Council's statement that, contrary to points made by some participants, land that was previously in employment use but available for development could legitimately be counted as going towards meeting the requirement for employment land (paragraph 3.1 of the Notes).
5. The Council's views on this issue were set out in paragraphs 5.1-5.6 of its “Round Table Paper 2” on Employment Land Issues. To reiterate, the Council considers that the allocation is fully in accordance with guidance in the Structure Plan (CD15) and the associated Technical Report 2 (CD39). Footnote (d) to policy 2/1 of the Structure Plan states that where employment uses have ceased and the site is proposed for redevelopment for an employment use, such sites may form part of the provision of employment land which is needed to meet Structure Plan requirements. Similarly, paragraph 5(a) of Appendix 1 to the Technical Report indicates that where employment uses have ceased and the site is proposed for redevelopment, sites will be included in identified land schedules and will therefore be treated as contributing towards Structure Plan requirements. It is important to note that the County Council has made no objection to the inclusion of this site, or site EM3a to which Metropolitan also object, either individually, or collectively in respect of conformity issues.
6. Employment uses have ceased incrementally over several years at the buildings within the Siemens land which is the subject of policy EM3b. The allocation is therefore quite legitimate in Structure Plan terms. There is a limited supply of employment land in the south of the borough, as

identified in Section 2.6 of the Council's Economic Development Strategy (CD54) and the allocation will help to alleviate this difficulty by drawing the attention of potential developers to the site and so increasing its prospects of development. Allocation will also help to prevent alternative uses from eroding the supply of good employment land. Policy EM4 would not automatically provide this protection because, due to the period of time for which the buildings have been unused, there might be scope for doubt as to whether they constitute existing employment buildings in terms of policy EM4.

### **Inspector's Conclusions**

1. About a quarter of the accommodation has been demolished since 1966 and of the remaining buildings about 15% (11,620 sqm) is unused and vacant. The prospects are that another 9,290 sqm will be vacated shortly within the plan period (2004) with the declared intention of Marconi to relocate. The majority of the buildings date from the 1940s and 1950s and would not meet the requirements of modern industry. If the land is surplus to Siemens own requirements then it is available to meet the need of local employers or incoming firms to expand or re-locate. In these circumstances, it is in principle no different to any greenfield allocation in meeting the SP and LP's intentions which is to provide for past rates of employment development plus a considerable margin for choice and flexibility. There is no logical reason to discount the Siemens site in the provision for employment land as the footnote to SP Policy 2/1 makes clear.
2. IC89 sets out the agreed position between the BBC and Siemens and should be supported.

### **Recommendation**

3. I recommend that the RDDP be modified as set out in IC89 otherwise I recommend that no modification be made to the RDDP in respect of these objections.

## **EM3c NEW EMPLOYMENT SITE - SOLOMAN ROAD, COSSALL**

### **Objections**

1221	2911	Mr JP Allen	Trustees of the Barnes Settlement & Estates
			Walter Scott & Ross Solicitors
599	2681	Mr G Foster	Nottinghamshire County Council
601	2883	Mr S Rufus	Nottinghamshire Wildlife Trust

### **Summary of Objection Issues**

#### **1221/2911: Trustees of the Barnes Settlement and Estates**

1. The site AC6 (North of Coronation Road, Cossall) would provide a "natural" development as opposed to the "endangerment" of the Soloman Road site in this "artificial" proposal.

#### ***Council's Response:***

2. The Council does not consider EM3c represents an “artificial” proposal; the allocation represents the reuse of previously developed land adjoining existing employment land and is well served by the road network and public transport services. The redevelopment would also result in the provision of a country park. Site AC6 has none of the above benefits (Refer to the Council’s Proof on AC6, Proof 092).

599/2681: Nottinghamshire County Council

3. This proposed allocation has a medium to high potential for containing features or remains of archaeological significance and should be subject to a requirement for the predetermination evaluation of the site. The need for archaeological work here should be stated in the Plan.

*Council’s Response:*

4. Policy EXX (R102) has been added in the Revised Deposit Draft and in the Council’s opinion this will provide an appropriate safeguard for any potential archaeological significance on the site. Archaeological issues are dealt with further in the Council’s proof 073.

601/2883: Nottinghamshire Wildlife Trust

5. Concerns about this site as it is in the Green Belt. However, we note the content of the Local Plan which indicates the special considerations that would be placed on this site and the apparent relatively high sustainability of this site despite its Green Belt location.

*Council’s Response:*

6. Comments noted.

**Inspector’s Conclusions**

1. I deal with site AC6 in a subsequent Chapter, where I recommend that no modification be made to the RDDP. This is principally due to that site’s importance to the purposes of the Green Belt in this highly sensitive location between Awsworth and Ilkeston, notwithstanding the need to make some incursions into the Green Belt somewhere to meet employment and housing land requirements. However, in assessing various sites put forward my concern has been with the degree to which they harm the purposes of the Green Belt in the locality.
2. Contrary to Mr Ross’s contentions on behalf of the trustees, development of site EM3c would have a quite different impact to site AC6 upon the purposes of the Green Belt. Unlike AC6, it is effectively screened from Coronation Road and the Awsworth bypass by the factories on the adjoining small industrial estate and it is screened by the local topography from Cossall village. It may be seen from the Erewash Valley railway line and from the backs of premises in Ilkeston immediately to the west but any development would be edge on and would only extend the existing estate southwards by about 50 m. The impact of this extra depth of built development would not increase the perception of coalescence on the fringes of Awsworth and Ilkeston. Confined as it is by the sloping ground it would not represent urban sprawl or encroachment into the countryside. I note the qualified objections from the NWT but the loss of some Green Belt land is inevitable, as I concluded in Chapter 3, due to the very tight Green Belt boundaries in the earlier LPs which left few opportunities outside the Green Belt to meet longer term

development needs. I also noted the NWT's objection to one employment allocation outside the Green Belt (EM1f) which had I upheld would have put further pressure on Green Belt sites.

3. Although it is currently part of a well-treed bank, it is part of proposals to redevelop a former ski slope into a new recreation park. I cannot see why this new recreation facility should be incompatible with nearby employment development. It also adjoins the disused Nottingham Canal, which is an attractive and popular recreation facility. Pedestrian access to the new park could be obtained from the canal as well as through the employment estate, which could also provide vehicular access for the site. I fail to see why such arrangements would be unworkable. The ski slope has been disused for some years and is an obtrusive feature on this hillside. There is no evidence that it is likely to be re-used for skiing in the foreseeable future
4. As building development is man made, I cannot see how it could be termed natural and I take no criticism from the term artificial. Development of EM3c would entail breaking into sloping ground taking some well-established planting, as Mr Ross's photographs illustrate. However, the completed development should have a satisfactory relationship with the adjoining factory estate and the proposed recreation area to the south. It would entail moving the banking further up the slope. Although this may involve significant earth moving, there is no evidence that this would render development unviable.
5. Development on the site could take advantage of the adjoining estate road with a saving in access costs. The adjoining estate appears to be thriving, despite one vacant factory. It is well located to serve employment needs in the area with good access to the main highway and public transport networks. It is also within walking and cycling distance of parts of Awsworth and Ilkeston and is in many respects a sustainable location. It is not in agricultural or any other use. Although it has some limited amenity value, the wider recreational proposals could incorporate planting to compensate for the loss of vegetation on the site.
6. The objections of NCC appear to be their standard response with little evidence to support their claims. However, R102 to the RDDP makes reference to the possibility of an archaeological interest, which would have to be evaluated when detailed development proposals are made. As the Plan should be read as a whole, the references sought by the County Council are unnecessary and inappropriate. They and the LPA will be able to inform applicants accordingly at the appropriate time.
7. Overall, the very limited impact upon the Green Belt and local landscape coupled with the possibility of reclaiming the former ski slope justify this minor extension to this small employment estate.

### Recommendation

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

**EM3d NEW EMPLOYMENT SITE - EAST OF A610, EASTWOOD****A2E APPENDIX 2E, DEVELOPMENT BRIEF: LAND EAST OF A610, EASTWOOD****Objections**

<b>5.68</b>			<b><i>New Employment sites - East of A610, Eastwood</i></b>
1382	3495		Mr M Radulovic Eastwood Town Council
<b>5.68 R317</b>			<b><i>New Employment site - East of A610, Eastwood - Addition of sentence - extra explanation</i></b>
601	4591	R317	Mr S Rufus Nottinghamshire Wildlife Trust
<b>5.68 R318</b>			<b><i>New Employment site - East of A610, Eastwood - Addition of access requirement and suitable uses</i></b>
599	4501	R318	Mr G Foster Nottinghamshire County Council
<b>5.68 R319</b>			<b><i>New Employment site - East of A610, Eastwood - Addition of locational details and new access requirements</i></b>
599	4502	R319	Mr G Foster Nottinghamshire County Council
<b>EM3d</b>			<b><i>New Employment site - East of A610, Eastwood</i></b>
1178	2744		Metropolitan & District Developments Ltd.
			Shoosmiths Solicitors
1155	2443		Greasley Parish Council
			Andrew Thomas Planning
552	1030	Mrs CA Barson	SABRHE
553	1033	Mr CC Barson	SABRHE
1149	2328	Mr JW Baylis	Inland Waterways Association
598	1604	Mr I Brown	CPRE - Broxtowe Group
1106	2224	Mr R Hepwood	Miller Homes East Midlands
1419	4025	Mr A J Lovell	
601	1603	Mr S Rufus	Nottinghamshire Wildlife Trust
551	1027	Mrs J Savage	
1085	2258	Mr JM Tebbs	SABRHE
1061	2102	Mr MA Topliss	
885	1612	Mr NL Topliss	
843	1581	Mrs R Weir	SABRHE
<b>EM3d R296</b>			<b><i>New Employment site - East of A610, Eastwood - Amended site area</i></b>
1419	5359	R296	Mr AJ Lovell
<b>EM3d R320</b>			<b><i>New Employment site - East of A610, Eastwood - Amended site area and addition of reference to access</i></b>
1155	5091	R320	Greasley Parish Council
			Andrew Thomas Planning
<b>EM3d R321</b>			<b><i>New Employment site - East of A610, Eastwood - Deletion of spine road requirement and addition of road access to south</i></b>
1419	5363	R321	Mr AJ Lovell
1155	5080	R321	Greasley Parish Council
			Andrew Thomas Planning
<b>Appendix 2e - Development Brief</b>			
599	3659		Mr G Foster Nottinghamshire County Council

**Summary of Objection Issues****5.68 New Employment Site - East of A610, Eastwood**



1382/3495: Eastwood Town Council

1. Object to link between A610 and A608, as this will be a rat-run.

552/1030: Mrs C A Barson (SABRHE)

553/1033: Mr C C Barson (SABRHE)

551/1027: Mrs J Savage

2. The road is described, as a distributor road for development but most of the traffic flow would be as a by-pass from Eastwood. The road would divert traffic through Brinsley from existing roads such as the A610 and A38, which are better suited for carrying through traffic to the M1. The road may open up the area of Brinsley and Nethergreen to further development. The land should remain in the Green Belt until it has been demonstrated as being suitable for development.

*Council's Joint Response:*

3. The spine road requirement has been deleted from the Revised Deposit Draft (Revisions R319, R321, R501) and therefore the concerns regarding the use of the spine road as an Eastwood bypass are no longer applicable. The Council however continues to believe that this site is well placed to provide employment opportunities for the north of the borough.

### **5.68 - R318/R.319 East of A610, Eastwood: Addition of access requirement and suitable uses. Addition of locational details and new access requirements.**

599/4501: Nottinghamshire County Council

4. Revision R318 (and revisions R501/R504) state that access is taken solely from the A610. Further justification is required in terms of likely traffic impact, particularly the impact upon Eastwood Town Centre. Given the lack of information on traffic impact it is not possible to ascertain whether existing junctions will require alteration.

599/4502 Nottinghamshire County Council

5. Revision R319 indicates that the site is close to frequent bus services whereas most of the site is in fact well beyond the recommended maximum 400 metres walking distance from existing services. Further justification is required as to how this site can be integrated with suitable public transport arrangements.
6. This revision also indicates that a replacement access for the Mushroom Farm employment area will also be provided through the proposed development. Whilst this is welcomed, there still may be a need to allow bus access through the point of closure. Given the lack of information of transportation impact it is not possible to ascertain both the impacts of newly generated traffic and the effects of redistributing existing Mushroom Farm employment area traffic and whether existing junctions require alteration.

*Council's Response:*

7. A Transport Assessment has been undertaken, in order to fully assess both the traffic impact and the public transport access.
8. Both Nottinghamshire and Derbyshire County Councils have confirmed that a new access road leading to the west of the Langley Mill by-pass (A610), to serve new development proposed in the Amber Valley Local Plan Review Deposit Draft (2001), could also feed into the A610 at the roundabout junction proposed for site EM3d. Because of the change in ground level between the

A610 and the land to its west, the new access road proposed on its western side would need to be routed along the line of a former railway under the A610, to connect to it from the eastern side.

### Inspector's Conclusions

1. I deal with objections to the principles of developing this employment allocation below.
2. R319, R321 and R501 deleted the proposals for a new spine road in the RDDP and should have met those objections such as Eastwood TC, Mr Allan, Mrs Bailey, SAHBRE, CPRE, Mr Topliss and many others to this element of the FDDP. I recognise the resulting disappointment felt by the Greasley Parish Council and Mr Lovell, although the cost effectiveness of that new road would be relatively low in view of the limited amount of by-passable traffic travelling toward Brinsley and Underwood. It would be unreasonable to expect the developer of EM3d to provide this link and the Councils have no intention of doing so. In consequence, I am unable to recommend its re-instatement.
3. A TA has been undertaken and has demonstrated that the proposed employment development causes no significant problems on the highway network including Jct 26, subject to the caveat below regarding office uses. A road access to site EM3d is proposed via a new roundabout on the A610 adjoining the site. Neither the NCC nor the DCC object to the principle of development nor the proposed access and have also agreed to serve a proposed employment development in the adjoining Amber Valley District with a link road from this roundabout junction passing under the A610 via a former railway formation. Any restored route for the Cromford Canal, if it ever became a possibility, could, as BBC points out, run alongside the proposed link road. This should meet some of the concerns of the IWA. The concerns of the CPRE about traffic speeds at roundabouts are too detailed for a LP.
4. The TA did not test the impact of accommodating B1a (office) uses on the site as this reflected the promoter's aspirations, as RPS's letter of the 23<sup>rd</sup> April 2002 confirms. However, the Highway Authorities had some outstanding concerns because of the potential higher traffic generation of offices. To overcome this, the BBC firstly put forward IC92, IC93, IC94, IC95 and IC96 to various parts of the RDDP. These had the effect of limiting employment development to B1b, B1c, B2 and B8 uses unless a further TA demonstrates that such restrictions are unnecessary.
5. Whilst restrictions on stand alone offices might be justified on highway and other grounds, it would be undesirable and impracticable, as the BBC recognise, to reject offices uses associated with manufacturing, research and storage and distribution uses. It would also be wrong to unduly constrain important employment sites without very strong reasons. Normally any problems revealed by the TA would be dealt with by further highway improvements. If these prove to be impracticable a certain degree of traffic congestion may have to be accepted at peak times, even in Eastwood Town Centre, in the interests of the economic future of Eastwood as a whole. After all, as Mr Lovell points out later, this section of A610 is relatively lightly used in marked contrast with that section approaching and to the east of Jct 26 where NCC are quite happy to accept considerably more traffic from much larger new developments, including a large B1 BP. Congestion is already quite

widespread in the Greater Nottingham area and conditions around Eastwood are unlikely to approach the severity of some locations, which NCC already tolerates. A key issue would be whether there were other suitable locations for a large employment development that would experience significantly less congestion problems than EM3d. My experience through this inquiry suggests that there are not. Eastwood urgently needs a major new employment estate to help to revitalise the town. In view of this and the longevity of the proposed allocation, I cannot support the Highway Authority's view that the allocation is premature.

6. The site can be satisfactorily served from the A610 and I have few doubts that the traffic generated by the proposed development should be capable of being satisfactorily accommodated on the highway network. It should not have a major extra impact upon Eastwood Town Centre even if some workers have to pass through the town centre to reach the A610 and then the proposed site access. Detailed mitigation measures can be reasonably left to the planning application stage and for the time being the ICs put forward by the BBC should be supported. They reflect the promoter's current intentions but afford them the opportunity to change these should circumstances alter.
7. Subsequently, the BBC drew attention to the uncertainty over the level of traffic to be generated by the proposed employment developments in Derbyshire and the effects that this might have on the acceptance of B1a uses on site EM3d. They concluded that this was a matter that could be dealt with at the later planning application stage when more details of prospective developments could be tested in a new TA. As a result they put forward IC132 and IC133 which left it to this TA to determine the particular mix of B1, B2 and B8 uses. The terms of these effectively replace ICs 92, 93, 94 and 95 but not 96.
8. Whilst there may be no need for another TA if detailed proposals for EM3d avoid B1a uses, there still remains the issue of the impact of developments proposed in adjoining Amber Valley. It is clearly important that land use and transport planning for the area as a whole is properly co-ordinated. It is also important that the most effective use is made of previously developed land, as RPG8 Policy 30 advises, and of proposed new major highway infrastructure. It is clear that only one new junction could be accepted on this stretch of the A610 by pass and that this should cope with the developments proposed in both Eastwood and in Langley Mill. If subsequent detailed proposals for the two Districts differ significantly from those already tested in the TA, then it would be entirely appropriate that a further assessment of transport impacts should be undertaken. As a result IC132 and IC133 seem to be sensible and should be supported. Clearly if no significant changes are mooted a revised TA could be unnecessary.
9. The Council put further revisions to their Supplement to Proof 37 in a letter of 29<sup>th</sup> April to the Highways Section of NCC to clarify the traffic position and to meet concerns of the promoters, raised by RPS, and the Highway Authority. Although they noted that it was too late for them to put them forward as ICs, it is unclear how they would wish them to be included as modifications as they seek to change their Proof rather than the RDDP. Nevertheless, as they simply represent the latest clearest situation, it would be sensible to incorporate them, where appropriate, in any modifications to the RDDP.

10. It is intended that the development would provide a new vehicular access to the Mushroom Farm industrial estate to replace the existing unsatisfactory access from Derby Road, although that access would remain open to cycles and buses.
11. The site is about 400 m to 700 m from bus services on Derby Road and in the town centre and over 500 m from limited services on Mansfield Road. Whilst this may exceed the 400 m, which the County Council regard as the maximum walking distance, many people are prepared to walk somewhat further as the IHT recommendations illustrate (CD127). It would be short-sighted to reject otherwise satisfactory sites that fall just outside this rather arbitrary distance as I conclude on other sites where the issue has been raised. NCC should also bear in mind the difficulties of identifying sites for employment development in Broxtowe that are acceptable on a broader range of factors. There are very few sites, even EM2 and EM3f, which they support, that lie wholly within 400 m of existing frequent PT services. In the circumstances, either new services may be needed or NCC would have to accept lower standards of PT accessibility, bearing in mind the need to make provision for employment land. I also note that the NCC's other rules do not provide school transport unless walking distances for vulnerable school children are considerably in excess of 400 m that NCC applies to adults of working age. In any case, the intention with EM3d is to connect the new employment estate to the town centre with a dedicated bus service, not unlike that proposed for W/N, which NCC accept. The BBC put forward IC134 to the development brief to make this clear, which should be supported. This also proposes pedestrian and cycle routes to Eastwood and to Langley Mill. I see no need to mention the provisions of Policy T1 in this or any other allocation. This will apply if appropriate and the Plan should be read as a whole.
12. The BBC put forward IC85 to realign the northern boundary of the employment estate along the line of a tree-lined ditch. This would better respect local landscape features and improve the relationship with the proposed road link under the A610. It should be supported. However, in these circumstances the opportunity should be taken to extend the building development area of EM3d further north into the previously proposed landscaping strip, notwithstanding some immature planting in the latter. A new landscaping strip could be based upon the existing line of trees and strip of land along the ditch. The effect of this could be to increase the scale of the employment allocation by about 2.5 ha. This would help to capitalise upon the new infrastructure involved, improve the potential of this key new employment estate for Eastwood without any significant extra impact upon the Green Belt and countryside to the north or ecological interests in the vicinity. It would be a waste of valuable land resources simply to increase the depth of the northern landscape strip. Whilst landscaping is desirable, it is important to strike an appropriate balance remembering that excessive landscaping on allocated sites entail further incursions into the Green Belt in other locations. Landscaping should aim to soften the impact of new development; it can rarely screen it without creating some incongruous feature itself. The extra traffic impact of a modest additional development area would need to be considered in any revised TA, but again the need to balance this against the other benefits of an enlarged site should be borne in mind.

13. I deal with other matters of principle below. I deal with objections to the deletion of Eastwood Hall and Hall park from the Green Belt in Chapter 3, where I support the proposals of the RDDP.

### **Recommendation**

14. I recommend that the RDDP be modified as set out in IC85, IC96, IC132, IC133, IC134. I also recommend that the Council give consideration to incorporating in appropriate sections of the RDDP, the information contained in their letter of the 29<sup>th</sup> April 20002, referred to above, detailing changes to their Supplement to Proof 37.

### **EM3d New Employment Sites – East of A610, Eastwood**

#### 1178/2744: Metropolitan & District Developments Ltd

1. Site EM3d, land west of Eastwood Hall is considered inappropriate and to be of doubtful deliverability within the Plan Period given the extensive reclamation costs, the need to provide new access from the A610 and the requirement for new highway works to provide a link beyond the site to the north of Eastwood. The implications of these constraints are that the site cannot reasonably be considered readily developable without major constraint, or that there can be any certainty it will be available within the Plan Period. The text to Policy EM3d recognises that the site is still partly under restoration and the development Brief recognises that the Council is yet to be satisfied that the loading capacity of the ex lagoon areas which cover a substantial portion of the site has been established. It is submitted that there can be no certainty that this site will become available within the Plan Period, or be developed and consequently should be deleted from the new employment allocations in Policy EM3. The implication of this site's deletion would reduce employment land allocation by some 16 hectares. This will result in a shortfall of some 33% in employment land supply, which should be met by identifying of an alternative site, or sites to accommodate the reduced land supply.

#### *Council's Response:*

2. The Council considers that this site will be deliverable within the Plan period. It should be noted that the spine road is no longer required and has been removed from the development brief requirements (refer to revisions in the Revised Deposit Draft R319, R321, R501). Whilst the Council will obviously need to ensure that the loading capacity of the ex lagoon areas is suitable for the development proposed, the site investigations already undertaken indicate the site is suitable for development in principle. There is no reason why development on this site could not commence in the first part of the Plan period. The site need not be deleted and therefore no shortfall in employment land would result.

#### 1155/2443: Greasley Parish Council

3. Although support the allocation of this site for employment use, object to the proposed development area of the site. There is a possibility that further land can be incorporated within the site, which maintains the logical rounding off the site and which does not impact adversely on the Green Belt.

#### *Council's Response:*

4. In response to an objection by P J Plant Ltd, the Council considered the merits of allowing a narrow parcel of land to be released from the Green Belt on the northern side of this allocated site. It was confirmed at the Council's Cabinet meeting on 30 October 2001 that the Council could support this extra release, which would thus form a proposed Inquiry Change (IC85). The plan attached to this proof identifies this area. This would be added to the proposed landscaping strip on the north side of the proposed employment site, and it is not intended to expand the developed area northwards

from the position shown in the Revised Deposit Draft. The Green Belt adjustment is a relatively minor alteration and in the Council's view does not undermine the purpose of Green Belt in this locality. The Council is also aware of the need for compatibility with proposals emerging in the Amber Valley Local Plan Review, which may require a road under the A610 taking part of this parcel of land. Derbyshire and Nottinghamshire County Councils, as highway authorities, have indicated that there would be no objections to this highway new pattern of development. More detail is given in the second addendum to proof 003, which deals specifically with the P J Plant objection and proposes Inquiry Change IC85. This is also appended to this document for information.

1419/4025: Mr A J Lovell

5. The site should be extended to 25 hectares and should be allocated for a business park. (The A610 is a high quality under-utilised existing road, whereas the proposed business park at Watnall would require an inappropriate new route).

*Council's Response:*

6. The site could not be extended to the size required for a business park without unacceptable harm to the Green Belt and without the loss of a defensible Green Belt boundary. Whilst the A610 is capable of serving the proposed development, a larger site would have its own access and traffic problems. The County Council's requirement for a business park, as described in policy 13/3 of the Nottinghamshire Structure Plan, is that it must be within the vicinity of Junction 26 of the M1 motorway. This site is at the outer end of the Nottingham-Eastwood public transport corridor, and certainly beyond "the vicinity" of Junction 26.

1149/2328: Inland Waterways Association

7. We object to this proposal as the land is too close to the Green Belt between the urban areas of Eastwood and Langley Mill, and it will be too visible from the A610 road and the west of the Erewash Valley. Although the proposed tree planting will ultimately have an effect on the view this will be in the very long term and does nothing to alleviate any environmental problems or disturbance to the Nethergreen Brook, situated between Mushroom Farm and the proposed site. We were concerned with the crossings, disturbance and dumping of spoil into the Nethergreen Brook during the construction of Mushroom Farm site, and the Nethergreen Brook should be cleaned out, as part of this proposal, if it is allowed. We should welcome the new access road through this area as part of the proposed development as it would reduce the volume of traffic through the particularly awkward traffic lights by the Sun Inn, Eastwood, but we are concerned by other possibilities. We believe that it would increase the traffic problems at the A610/M1 Junction 26 and at Langley Mill and Codnor in Amber Valley. The Engineering Study by Binnie and Partners on the restoration of the Cromford Canal from Langley Mill to Ironville used the redundant railway bridge under the A610 road access for the restored canal. We request that, if constructed, the new road and traffic island does not prejudice this route.

*Council's Response:*

8. The Council consider that the revised Green Belt boundary will be defensible and the loss of Green Belt will not affect the gap between built up areas. The site is partially screened by a colliery spoil hill to the north, and screening will be supplemented with a planting belt around the site. Planting will also take place around Nethergreen Brook in order to enhance the existing landscape quality. Disturbance to Nethergreen Brook will be minimised, in recognition of its water quality, and of the SINC (Site of Importance for Nature conservation) on its northern bank within the site.
9. The Revised Deposit Draft removes the requirement for a new spine road and therefore concerns regarding traffic problems at the A610/M1 Junction 26 and at Langley Mill are no longer applicable. The route of the Cromford Canal, if it ever became restored, would run alongside the new access road to Langley Mill proposed by Amber Valley District Council and described in paragraph 7 above.

601/1603: Nottinghamshire Wildlife Trust

10. This site is in part a potential SINC and is adjacent to a SINC. Concerned thus that development would have an adverse affect on nature conservation interests. Recommend that this site be withdrawn from the local plan unless a further ecological survey and a mitigation package can demonstrate that development could occur with no net loss of nature conservation interest.

601/4591: Nottinghamshire Wildlife Trust (objection to 5.68 - R317 East of A610, Eastwood - Addition of sentence for extra explanation)

11. We reiterate our comments on this site from our response to the deposit draft. We recommend the site be deleted to preserve the Green Belt and its associated nature conservation value.

*Council's Response:*

12. Since the Development Brief for the site was prepared, a Site of Importance for Nature Conservation (SINC) has been confirmed in a small part of the southern edge of the site, generally contained within the proposed landscaping strip on the north side of the Nether Green Brook. It has a diverse flora including common spotted orchids, herbs, and heavy ragwort; the latter supports cinnabar moths. This habitat should be able to be maintained and managed as part of the proposed open space fringing the development.

1061/2102: M A Topliss

13. Loss of Green Belt.

598/1604: CPRE - Broxtowe Group

14. Loss of Green Belt. Development would create less protection for Eastwood Hall and grounds. The site is next to Nethergreen and Hall Park and industrial units should not be placed near these. Land may not actually be suitable for building on - should be proven as suitable before land is taken out of the Green Belt. Any tree planting should be of native species of local provenance. The feasibility of a greenway should be explored.

*Council's Joint Response:*

15. The proposal to release this area of Green Belt for development follows a full consideration of all other opportunities for new employment land elsewhere, taking into account the need to connect directly to the main highway network and to be well related to frequent public transport services. Eastwood Hall will retain the high level of protection afforded to listed buildings, and its setting will also benefit from the large number of tree preservation orders in its grounds. Industrial units will not be placed close to Nethergreen or Hall Park and there will be a landscaped area using native species around the edge of the development. Finally, site investigations already undertaken on the site show that the land is suitable to build on.

1106/2224: Miller Homes East Midlands (formerly Birch plc)

16. Support the proposal to allocate 16 ha of land at Eastwood Hall, a previously used site. However object to policy insofar as it seeks to restrict development close to the eastern boundary of the site to class B1 of the use Classes Order 1987. Birch believes that this is unduly restrictive and that the kind of operation proposed can be controlled through traditional development control policies.

*Council's Response:*

17. The Council considers that it is reasonable to restrict development to B1 uses close to the eastern boundary due to the proximity of Eastwood Hall, a conference centre including accommodation blocks. General Industry uses are not appropriate in close proximity to residential occupants and conditions would not be effective in controlling amenity problems that might result from these uses.

1085/2258: Mr J M Tebbs - SABRHE

18. The land is unstable and should not be removed from Green Belt until it is proven to be suitable.

*Council's Response:*

19. The Council has no reason to believe this land is unstable. The Council will obviously need to be satisfied that the loading capacity of the ex-lagoon areas is suitable for the development proposed, but this will be assessed when an application is submitted. However, site investigations already undertaken show the site is suitable for development.

885/1612: Mr N L Topliss

20. Additional footpaths and cycle tracks should link Brinsley and other areas to the north in line with policies T2, T1 and T9. The original footpaths between the A608 and Stoney Lane and the Erewash could be re-established. These would provide greenways for tourists and local residents alike.

*Council's Response:*

21. The footpaths and cycle tracks shown on the development brief are extensive. There is already a link proposed through to the A608. However, it is not considered reasonable to require developers to extend the links through to Brinsley and other villages, well beyond the application site.

843/1581: Mrs R Weir

22. Since the demise of the coal industry we should be seeking to improve the general area since it is linked to heritage and not to fill the area up with a jumble of industrial or other development.

*Council's Response:*

23. The proposal to release this area of Green Belt for development follows a full consideration of all other opportunities for new employment land elsewhere. However, it is important to provide new employment opportunities especially since the demise of the coal industry. This site will be designed and landscaped in accordance with Policy E1 and would not be acceptable as a "jumble" of development.

**EM3d - R296/R320 - East of A610, Eastwood: Amended site area and addition of reference to access**

1419/5359: Mr A J Lovell

24. Object to area for allocation should be 18 hectares not 14.8.

1155/5091: Greasley Parish Council

25. Object to reduction in site area; this site should have been enlarged. May place pressure on other sites. (Therefore also object to R500 in the Brief).

*Council's Joint Response:*



26. The area of the allocated site was reduced at Revised Deposit Draft stage (from 16ha to 14.8ha) in order to properly provide a landscaped edge along the proposed Green Belt boundary. Overall, the Plan's employment requirement was still met, through compensating additions to the total stock of employment facility provide new allocations elsewhere.
27. Further consideration has since been given to an area of land measuring 2.5ha immediately to the north-west of the site, being part of a former railway line. This area was subject of an objection to its continued inclusion in the Green Belt. Inquiry change IC85 has been proposed in response to this objection, as detailed in paragraph 12 above.

### **EM3d - R321 East of A610, Eastwood: Deletion of spine road requirement and addition of road access to south**

#### 1155/5080: Greasley Parish Council

28. Object to deletion of link road as this could have an adverse impact on traffic pressure on the town centre main junction. Therefore also object to R501.

#### 1419/5363: Mr A J Lovell

29. Object to removal of link road, as it would improve safety for pedestrians particularly on Mansfield Road by removing through traffic on the Central Eastwood part of the A608, and also reduce noise here.

#### *Council's Joint Response:*

30. A Transport Assessment has been undertaken to assess the traffic impacts. The use of a Green Travel Plan and alternative means of transport would assist in minimising extra traffic pressure on Eastwood Town Centre.

### **Inspector's Conclusions**

1. The proposed spine road was deleted from the RDDP, which answers one of Metropolitan's one-time concerns regarding viability and certain other objections to the FDDP.
2. Neither Metropolitan nor SABRHE provided evidence of their own to support their one time contention that ground conditions render the site undevelopable. Instead they relied upon BBC's own reference in the development brief. However, the LPA consider that the latest investigations demonstrate the suitability of the site in principle for industrial development. The proposed new access would involve major highway improvement works but there was again no evidence from Metropolitan that the scale of these would render the development of EM3d unviable. These works are recognised by the prospective developers of EM3d as a pre-requisite of development and their intentions seem undiminished; indeed as RPS indicate the site has already attracted considerable interest from prospective occupiers.
3. Furthermore, it is intended that the new access would also serve proposed developments in Langley offering the opportunity to spread the costs. The development of site EM3d is important, not only in itself to the Eastwood area, but in the opportunities it affords to develop other neighbouring areas on a

comprehensive basis. Although substantial in scale the highway improvements appear to be quite straightforward and have been agreed in principle by the Highway Authorities. There is no evidence that these improvements could not be completed in good time to allow employment development to take place well within the plan period. It may be possible to constrain occupation rather than construction of employment development pending completion of transport improvements. Any alternative site of this scale would also be likely to involve major infrastructure costs and be subject to some lead in period. Furthermore, the SP levels of provision, as I conclude earlier in this Chapter when responding to Metropolitan's other objections, include a large allowance for choice and flexibility. This, as I conclude, would allow for the development of some parts of allocations to extend beyond the Plan period without a land shortage arising.

4. The site has been in the adopted Green Belt. However, some incursions into the Green Belt are inevitable somewhere in order to meet the SP levels of provision for employment and housing. This is because there is insufficient brownfield or other suitable land in urban areas and because the adopted 1994 LP made insufficient provision for safeguarded or "white land" outside the Green Belt to meet longer-term development needs. The NWT has also objected to employment development on the urban site EM1f and to EM3c. Neither they nor the CPRE indicate where new development to meet local needs should otherwise be accommodated, although the CPRE appeared to support employment opportunities on this site. Urban capacity studies show only limited potential in urban areas.
5. The contraction of the coal industry may have led to some improvements to the environment but this has led to social and economic problems for Eastwood and some of its residents. Unemployment locally is relatively high, as are some levels of social deprivation, which are sometimes associated. Heritage and tourism are clearly important but they cannot meet all employment needs and there is nothing incompatible between sensitively planned employment development and heritage interests as previous industrial development has demonstrated. Furthermore, it is important to the health of the wider economy that local firms have the opportunity to form, to expand and to relocate to improve their efficiency and prospects. It is also important that the area should offer some scope for incoming firms from other areas to widen the local economic base.
6. This site is unused and classed as derelict in Policy E28. Unlike others, it does not constitute B&MV agricultural land. Indeed it has little or no agricultural potential. It is contained to the east by the substantial development that has taken place in the grounds of Eastwood Hall; so substantial that I support, in Chapter 3, proposals to remove this site from the Green Belt. It is adjoined to the south beyond the Nethergreen Brook by the Mushroom Farm industrial estate and Hall Park, whose removal from the greenbelt I also support in Chapter 3. I cannot see any sound planning reason why employment development should not take place close to the Green Belt or near to the urban Hall Park or Eastwood Hall with its major new conference accommodation blocks, although it may be desirable, as BBC propose, to restrict adjoining development on EM3d to B1 uses. This would be implemented, as necessary, through development control functions, as Miller Homes suggest, although it is appropriate that the LP and development brief should draw attention to this possibility. The proposals also provide for a landscaped planted strip along its eastern border. The proposals also envisage a significant landscape strip along

the southern side of EM3d, which incorporates existing maturing planting. This and careful construction should help to protect the integrity and the environment of the Nethergreen Brook, to meet IWA's, SABRHE's and CPRE's concerns, as well protecting the adjoining Hall Park.

7. Development in Langley Mill to the west of the A610 already extends further to the north and development of EM3d would be compatible with this settlement pattern. The land to the north to the east of the A610 has been reclaimed for grazing. It rises steeply and helps to screen site EM3d from longer views from the north and from the nearest settlement of Brinsley. From the A610, development of EM3d would only be visible approaching the site and would be seen from the west against a background of the built up areas of Eastwood beyond. I disagree with IWA that it would look obtrusive or out of place in this location.
8. The revised northern boundary now coincides with a recognisable feature in the landscape; a drain and a line of trees. Beyond this the land begins to rise to the north. In all these circumstances, development of the site would not lead to any coalescence with Brinsley or other settlements to the north. It would not significantly increase the perception of coalescence between Eastwood and Langley Mill beyond that already existing. It would not represent unrestricted sprawl, being contained on three sides by existing built development. Nor given these circumstances and its current use and appearance, would it involve any serious encroachment upon the countryside. It assists in the recycling of previously developed and now derelict land. I can find no preference in RPG8 to return sites like this to nature; indeed Policy 30 advises their priority for development. This by comparison with other sites does little harm to the purposes of the Green Belt in this locality.
9. There is a small SINC towards the centre of the southern boundary that extends beyond the site to the south. It should be possible to incorporate much of this habitat within the proposed landscape strip. However, this locally important resource does not merit the same degree of protection as those of national designation and the LPA should be careful to avoid any undue sterilisation of valuable employment land as this can, in time, only be at the expense of Green Belt land elsewhere. I can see no support in RPG8 revised for returning unused degraded sites like this to nature, as SABRHE suggested.
10. In response to objections from the promoters of the development, BBC put forward IC85 to extend the northern boundary northward to largely coincide with a tree-lined ditch. As this is a noticeable feature in the local landscape and a realignment is more compatible with proposed access arrangements to prospective developments in Langley Mill to the west of A610, this adjustment should be supported. This would add about 2.5 ha and increase the gross area of the site to about 24.1 ha.
11. However, BBC's intention to incorporate this extra land within an extended landscaping strip is questionable. It would devote over 38% of the gross area to informal open space and landscaping. This is a profligate use of employment land situated on the edge of the built up area and adjoining countryside to the north, Hall Park to the south and the grounds of Eastwood Hall to the east. Such a generous provision may help to soften some of the opposition to the overall scheme but its implications are that more land would otherwise need to be taken out of the Green

Belt elsewhere in due course. A northern landscaping strip reinforcing the existing tree lined ditch should prove as effective as the original thoughts based upon some immature planting on the reclaimed site. The fashion for screening major employment developments with large scale planting and mounding as proposed at W/N and elsewhere is, in my view, misplaced. It takes a long time to mature; it is rarely a wholly successful screen; it introduces unnatural features into the local landscape; it fails to alter the perceptions of local people who are well aware of the presence of development rather than countryside; it is often a profligate use of Green Belt land.

12. There should be no reason why new employment development should not be seen as part of the town and planned to enhance its character, as with some modern factories along the A610, such as the Microlise development. Some modest landscaping to soften the appearance of large buildings would be more appropriate. I therefor accept the criticisms of Mr Lovell and Greasley Parish Council. However, I am only able to recommend increasing the size of the employment area by 2.5 ha to 17.3 ha, although I hope that in the detailed planning the opportunity might be taken to increase the developable area further.
13. Although a pedestrian/cycleway is proposed through Hall Park linking Mansfield Road with the new employment park, this is not so convenient for residents of Brinsley or Underwood as a route along the private roadway immediately to the north of Eastwood Hall. The LPA should investigate the potential for using this and the adjoining track to the west as a concessionary route and perhaps the basis for a greenway, as suggested by the CPRE. However, I accept the impracticalities of developing new routes over the open land to the north.

### **Recommendation**

14. I recommend that the RDDP be modified as set out in IC85 save that the employment area in Policy EM3 and in the development brief in Appendix 2 should be increased to 17.3 ha and that the northern landscaping strip be generally confined to the additional area added by IC85. I also recommend that the Council give consideration to the possibility of negotiating a concessionary pedestrian/cycle route along the private roadway and track immediately north of Eastwood Hall.

### **Appendix 2E - Development Brief**

#### 599/3659: Nottinghamshire County Council

1. Whilst the principle of this development has been accepted in highway terms, further justification is required in terms of traffic impact on Eastwood Town Centre. Reference should be made to possible contributions to walking and cycling.

#### ***Council's Response:***

2. The Council considers that the text is clear concerning the requirements for development. A Transport Assessment has been undertaken to assess the traffic impacts. It should be noted that at Revised Deposit Draft stage additional reference to walking and cycling measures was made (R505).

### **Inspector's Conclusions**

1. I have dealt with these issues above.

### **Recommendation**

2. I make my recommendations regarding these objections above.

## **SUPPLEMENT TO PROOF 037**

### **LAND EAST OF A610, EASTWOOD: NEW EMPLOYMENT SITE EM3d**

The purpose of this supplement is to update previous information on these proposals, on highway and ecological issues.

### **Ecological Issues**

1. The areas of greatest nature conservation value are mainly confined to the edges of the allocated site as follows:
  - The northern edge contains open grassland and woodland spinneys
  - To the west the verges of the A610 contain a grassland of wild flora interest.
  - The southern edge is woodland along the Nether Green Brook with open areas of floristically interesting grassland.
2. There are two small areas which are confirmed as a Site of Importance for Nature Conservation. One is on the south facing slopes of the site down to the Nether Green Brook and one along the road verges of the A610, to the south-west of the allocated site.
3. The landscaping area for the development will incorporate the nature conservation interest along the southern slopes running down to the brook. There is opportunity to replace any of the A610 verge area (not a SINC) lost in the proposed roundabout construction with a similar and larger habitat along the verges of the new roundabout.
4. In addition the overall landscape proposals will incorporate a variety of new habitats:
  - Native woodland belts and spinneys
  - Open grass and wildflower swathes
  - Areas of damp grassland and
  - Open lagoons

Importantly these habitats will be accessible to the public as footpaths and bridleways are proposed to pass through the landscaped areas.
5. These measures and proposals are consistent with policies contained in the Revised Deposit Draft Local Plan, specifically E1f & g, E21a and E17 (para 3.115, first sentence). They also support Policy E21 on the Greenwood Community Forest in particular E21a and E21b. They respond to the concerns expressed by the Nottinghamshire Wildlife Trust.
6. In conclusion the landscape proposals are wholly based around the principle of habitat protection and creation.

### **Transportation Assessment**

7. The Transportation Assessment (TA) has been prepared by Highway Solutions Limited (HSL) following detailed consultation with Nottinghamshire County Council and Derbyshire County Councils. Neither Authority questions the principle of the development, nor the principle of the proposed means of access.
8. Derbyshire County Council has requested that the access from the A610 to site EM3d should be capable of accommodating traffic associated with the potential development of land in the Aldercar area as proposed for allocation in the First Deposit of the Amber Valley Local Plan. The TA has allowed for these proposals at the access to the Eastwood site.
9. The TA includes a detailed assessment of the proposed site access and the off site locations at which assessment was required by Nottinghamshire and Derbyshire County Councils including the gyratory in Eastwood town centre. All are shown to function satisfactorily in the agreed assessment year with the proposed development in place. However it is assumed in the TA that there will be no Class B1(a) office uses on the site, because of uncertainty about the level of traffic generation which could result from the total of development sites served by this proposed access on to the A610.
10. It is considered necessary to make an inquiry change to reflect this uncertainty, which at present turns on the final content of the Amber Valley Local Plan review in respect of the Aldercar land. It is necessary therefore to insert text stating the need for a further Transport Assessment at the planning application stage, by which time this issue may be clarified. If the access road under the A610 to Aldercar is confirmed, it may be necessary to restrict B1(a) office uses from being developed on the Eastwood site, (except where ancillary to other uses) because of the likelihood of higher traffic generation from this use having an unacceptable impact on the local highway network.

### **Inquiry Change**

11. **The Council has therefore recommended that the following additional text be inserted:**

- |              |   |
|--------------|---|
| <b>IC132</b> | <b>(a) in para 5.68, added as a new fifth sentence; and</b>   |
| <b>IC133</b> | <b>(b) in Development Brief E (Appendix 2E), added to the second bullet point under “Effects of policies relating to the site”, as follows:</b> |

**“A planning application will need to be submitted for the whole of the site, in the form of a master plan, to allow an overall assessment of development proposals to be made. Detailed transport assessment work will be necessary in conjunction with any planning application submitted for this site, in order to determine the acceptability of any particular mix of B1, B2 and B8 uses”.**

### **Other access issues**

12. Revised access arrangements are proposed to Meadowbank Way. The access road within site EM3d will be linked through to the industrial area on Meadowbank Way following which an off site road closure to all traffic except cycles and buses shall take place to Old Derby Road to convert that road to a cul-de-sac for other traffic. This will be an improvement on the existing unsatisfactory access to the Mushroom Farm employment area which passes residential property on Old Derby Road. In view of this situation, an inquiry change is proposed to the relevant text in the Development Brief, as detailed below.

### **Inquiry Change**

- IC134** 13. **The Council has therefore recommended that in Development Brief E (Appendix 2E), in the fifth bullet point under “Effects of policies relating to the site”, the words “and buses” should be inserted after “cycles” in the last sentence, and “for all other traffic” should be added at the end of the sentence.**
14. The measures to support and encourage travel to and from the site by bus, on foot and by bicycle have been identified. There are frequent bus services in the vicinity of the site. A new bus service is also proposed which would link the site to Eastwood town centre. This will allow good access for Eastwood residents and ready interchange with the wide range of bus travel opportunities.
15. Footway and road links on the site will be configured to facilitate easy access from individual properties on the site to bus stops. The internal road layout will be configured to permit bus penetration.
16. Pedestrian and cycle access is proposed to be taken from the following locations:
- Via Meadowbank Way to Eastwood and Langley Mill
  - Via proposed pedestrian/cycle links to the south east of the site to Eastwood and beyond.
17. The proposed development will therefore integrate well with the existing pedestrian and cycleway facilities in the area and will offer easy access for cyclists and pedestrians.
18. It is proposed that the development would be subject to planning conditions requiring the production and delivery of a green travel plan which would seek to maximise use of non-car modes of travel to and from the site.
19. In conclusion the TA has demonstrated that all effects on the highway network and sustainability issues have been fully addressed.

### **Confirmation of amendment of a section of the proposed Green Belt boundary northwards**

20. For completeness, it is confirmed that in response to the objection (883/1608) on this matter, and in the light of the emerging proposals for development west of the A610 Langley Mill by-pass at Aldercar, the Council has agreed to propose, as an Inquiry Change (IC85), a northwards realignment of a section of Green Belt boundary. This is shown on a plan attached to the Addendum to Proof 003, sent out with Proof 037. This proposed inquiry change was endorsed by the Council's Cabinet on 30 October 2001.

### **Inspector's Conclusions**

1. I have already dealt with these issues above. Nature conservation issues fall into two categories. SINC's which are afforded some measure of protection by Policy E17 and other areas of concern. The proposed development should try to preserve much of the SINC to the south of the site. The verge to the A610 and its ecological value is man made. In view of this, the possibility of introducing this type of resource elsewhere and the importance of allocation EM3d to the local economy, I afford this verge little weight.

### **Recommendation**

2. I make my recommendations with regard to these issues elsewhere and support IC132, IC133 and IC134.

### **EM3e, PROPOSED EMPLOYMENT SITE, FORMER DYGGOR GAYLORD OFFICES, NOTTINGHAM ROAD, GILTBROOK AND SX, NEW SHOPPING POLICY PROPOSED BY OBJECTORS**

#### **Objections**

#### **EM3e New employment site - Nottingham Road, Giltbrook**

1120 2186

599 2680 Mr G Foster  
1419 3882 Mr AJ Lovell

Morus Investments Ltd.  
c/o Town Planning Consultancy Limited  
Nottinghamshire County Council

#### **SX Proposed new shopping policy**

1117 2181

Ikea Ltd & Morus Investments Ltd  
c/o Town Planning Consultancy Limited

#### **Introduction**

This proof deals with objections to Policy EM3e and also with the objection by Ikea Ltd and Morus Investments Ltd proposing a new shopping policy (SX) relating to the Ikea site and adjoining land. The latter is dealt with in this proof because it raises very similar issues to those raised by Morus in respect of policy EM3e, because it relates to land adjacent to site EM3e and because both objections are dealt with together in the objectors' proofs. Objections proposing other, unrelated new shopping policies are dealt with in a separate Council proof (number 042b). Issues raised in the objectors' proofs concerning policy T1, which will be the subject of a separate inquiry session, are also dealt with in a separate Council proof (number 040). Issues raised relating to policy EM4 were dealt with at the employment round table session. They are referred to in Section 13 of the Council's employment round table paper and paragraphs 3.25-3.27 of the notes of the employment round table session (CD83).

#### **Summary of Objection Issues**

##### 599/2680 - Nottinghamshire County Council

1. The archaeological potential is defined as medium/high on this allocated site, which should be subject to a predetermination evaluation of the site.

##### ***Council's Response:***

2. Policy EXX (R102) has been added in the Revised Deposit Draft and in the Council's opinion this will provide an appropriate safeguard for any potential archaeological significance on the site.

##### 1419/3882 - Mr A J Lovell

3. The site should be used as a park and ride site serving Eastwood and reducing pressure on the A610/B600 corridor and the A610/Ikea/Giltbrook junctions.

##### ***Council's Response:***



4. There is no support for a park and ride site at this location from the highway authority (Nottinghamshire County Council) or the M1 multi-modal study. A park and ride site in this location would risk exacerbating, rather than improving, conditions on local roads and junctions.

1120/2186 and 1117/2181 Morus Investments Ltd/Ikea Ltd

5. The objection to policy EM3e (1120/2186) proposes that the site should be identified as being suitable for retail development, with corresponding amendments to the reasoned justification. The objectors' proofs indicate that the site should be identified for retail development "which cannot be accommodated on suitable town or edge of centre sites" (TPC para 4.11) and/or for "bulky goods retail use" (BWB para 8.1). The other objection (1117/2181) proposes that the Ikea and Decathlon stores and associated land should be allocated as an existing retail location and that a new policy should give priority to development on or adjacent to identified existing locations, for "large space retail operators which it has been demonstrated cannot be reasonably accommodated within traditional town or district centres".
6. Plans submitted as part of the objectors' proofs suggest that site EM3e should be developed partly for employment and partly for retail purposes, whilst adjacent existing employment land on Giltway should be redeveloped for retail purposes. Parts of the objectors' proofs refer specifically to retailing of DIY goods.

*Council's Response:*

7. The Council disagrees with the objections on the basis of retail policy, loss of employment land and highways implications.
  - a. Retail policy
8. The objections, if accepted, would allow for a very substantial retail development in an out-of-centre location. In the Council's opinion this would be contrary to the objectives of retail policy at national, regional, county and local level. For example:
  - PPG6 (CD16/d) states that the government's objectives include "to sustain and enhance the vitality and viability of town centres" and "to focus development, especially retail development, in locations where the proximity of businesses facilitates competition from which all consumers are able to benefit and maximises the opportunity to use means of transport other than the car" (para 1.1).
  - The Secretary of State's Proposed Changes to Draft RPG8 (CD28) state that out-of-centre facilities do not perform the full range of community, civic, cultural, entertainment and leisure functions, "nor are they located to encourage sustainable development" (para 4.23).
  - The Structure Plan (CD15) states that, in general, "retailing, apart from that to meet purely local needs, should be located within or on acceptable sites adjoining existing shopping centres" (para 6.24). (This statement is subsequently qualified in respect of certain types of retail activity, however it should be noted that the Structure Plan pre-dates the ministerial statement which supplements PPG6 and which is appended to this proof).
  - The Revised Deposit Draft's aims and objectives include promoting the role of the town centres as "shopping and service centres for the local community" and minimising the need to travel (paras 7.31-7.32).
9. These objectives are backed by policies which broadly oppose out of centre retailing, including Draft RPG policy 19, Structure Plan policy 6/2 and Revised Deposit Draft policy S3. Complementary policies encourage investment in town centres, including Draft RPG policy 20, Structure Plan policy 6/1 and Revised Deposit Draft policy S1.

10. The County Council is currently preparing a Greater Nottingham Retail Study which will include, amongst other things, assessments of the need, if any, for additional retail floor space within and outside the county's town centres. This Study will have an input into the forthcoming Structure Plan review and the next round of local plan reviews. The Council does not consider that it would be sensible for it to produce an assessment of need, within Broxtowe alone, in advance of the publication of the County's Study, as issues relating to need cross both district and county boundaries (as demonstrated by the catchment referred to in the objectors' proof). The ministerial statement which supplements PPG6 makes clear that out-of-centre proposals will not be acceptable unless it has been demonstrated that there is a need for the proposals and that a sequential approach has been applied. PPG6 itself also states that one of the key considerations is the likely impact of the development on the vitality and viability of existing town centres (para 1.16). In the absence of the forthcoming Greater Nottingham Retail Study, and taking account of the information provided in the objectors' proofs, the Council believes that:
- there is no demonstrated need for these proposals;
  - there is no convincing evidence that, if need had been demonstrated, this would be the most suitable site;
  - and there is no evidence that the development would not harm the vitality and viability of existing town centres.
11. Outline permission for the site of the existing Ikea and Decathlon stores was granted by the Secretary of State in 1992 and was for 23,220 square metres gross retail floorspace (approximately 250,000 square feet). This floorspace has been fully taken up by Ikea (approximately 189,000 square feet) and Decathlon (approximately 61,000 square feet). A copy of the Secretary of State's decision letter, the inspector's report and the application forms are appended to this proof. The permission, and its renewal in 1995, pre-dated the current PPG6, which introduced a much more restrictive approach to out-of-centre retailing. In addition, the presence of only Ikea and Decathlon on the existing sites means that visitors to the proposed development would have very limited opportunities for joint-use trips, compared with the opportunities which would be available in respect of a town centre or edge-of-centre location. The Council therefore considers that the presence of the existing stores is of very little relevance to proposals for additional retail floorspace at this location.
12. The Council believes that there is good reason to be concerned about the potential impact of the proposed development on the vitality and viability of nearby town centres. An illustration of the reason for this concern is the fact that vacancies in Eastwood town centre rose from 7% of all units in 1996 to 12% in 2000, whilst vacancies in Kimberley town centre rose from 16% to 23% in the same period. The Ikea store draws from a distinct market within a regional catchment and may therefore be expected to have had only a limited impact on these figures, however a more general bulky goods' store could reasonably be expected to have a more severe impact.
- b. Loss of employment land
13. The objections would, if accepted, result in the loss of up to 2.0 ha of employment land allocation at site EM3(e) and up to 2.6 ha of existing employment land at Giltway. If the Council is to meet the expectation of the Structure Plan for employment land provision, there would therefore be a need to allocate an equivalent amount of land elsewhere. Given the severe constraints on the availability of land outside the Green Belt (which were discussed at the employment round table) this would be very likely to result in further unnecessary incursion into the Green Belt. The Council considers that both the existing and proposed sites are well suited for employment use, having regard to the facts that there are existing employment uses adjacent to the site, site EM3e was previously in employment use, the site has good accessibility to the road network and has reasonable accessibility by public transport for employees.
- c. Highways implications
14. A development of this size has the potential to cause major disruption to the local highway network. The Council notes that a full transport assessment has not been submitted and that no agreement

has been reached with the County Council (the highways authority) in respect of the transport information which was submitted as part of the objectors' proofs. The Council understands that the County Council has strong reservations about the proposals and that it is involved in continuing discussions with the objectors about transport issues. There is therefore no convincing assurance that the proposals would not result in serious highways problems. There are also other proposals for housing and employment development in close proximity to this site, at sites Ea8 north of Nottingham Road and Ea12 south of the A610, and this raises serious concerns about the potential cumulative impacts of these developments (should be allowed).

### Additional comments on the objectors' proofs

#### a. TPC proof

15. There appears to be a discrepancy between paragraph 1.17 of PPG6 and the reference to it in paragraph 3.12 of the objectors' proof. PPG6 does not state that it "is appropriate" to combine new retail development with existing out of centre developments, but rather that it "may be appropriate", subject to there being a clearly defined need and an inability to accommodate the use in or on the edge of existing centres.
16. The objectors suggest that there is a "quantitative need" on the basis of "surplus expenditure" (paragraphs 6.23-6.24). Even if the "surplus expenditure" figure could be accepted without reservation, the ministerial statement states that showing the availability of expenditure within a catchment does not constitute fulfilling the requirement to demonstrate need.
17. The objectors' assessment of qualitative issues (paragraphs 6.25-6.36) appears to the Council to be somewhat limited. For example, no details are given as to what is thought to constitute a "poor retail offer" and a "poor shopping environment" (paragraph 6.27). Reference is also made to field surveys of stores surrounding the catchment area, suggesting that checkouts and car parks are heavily used, even at quieter times of the day (paragraph 6.34). However no details are given of these surveys. It is also unclear to the Council why stores within the catchment area were excluded from these surveys.
18. The criteria used in the objectors' sequential approach appear to the Council to be somewhat vague (paragraph 7.11). For example, the criteria appear to suggest that some sites within or adjacent to town centres might not be able to serve the catchment area, might not be close to a "suitable labour force" or might be subject to "undue planning constraints". The criteria do not specify what "scale and size" of site was being sought and in this context it is not clear that reference has been made to paragraph 1.12 of PPG6, which states that "developers and retailers will need to be more flexible about the format, design and scale of the development". The objectors state that no town centre or edge of centre sites were identified (paragraph 7.12), however no details are given of how the search was undertaken and it is not clear that the objectors have complied with paragraph 1.9 of PPG6, which places the onus on the developer "to demonstrate that he has thoroughly assessed all town centre options". In the Council's opinion, the fact that a site is not available elsewhere of the size proposed in the objectors' proof would not justify the proposed location, as smaller sites should also be considered.

#### b. BWB proof

19. The objectors suggest that Cotmanhay is within a reasonable walking distance of the site (paragraph 4.4.1). However the western fringe of Cotmanhay is approximately 2.0km from the site "as the crow flies", and considerably further by any practical route. The Council therefore considers that there are negligible prospects of significant numbers of pedestrians visiting the site from Cotmanhay. With regard to Awsworth, Kimberley and Eastwood, the Council draws attention to paragraph 3.14 of PPG6, which states that "most shoppers are unlikely to wish to walk more than 200 to 300 metres, especially when carrying shopping". This paragraph also draws attention to the importance of topography and barriers to pedestrians such as major roads. In this respect the Council notes that journeys from the site to Eastwood, Kimberley and Awsworth are all up hill and that the A610 represents a significant barrier to pedestrians.

## Background

1. I deal with the objections seeking the designation of this site for bulky goods retailing in Chapter 7, where I support the objections. This provides about 2 ha of land for employment development on an adjacent re-development site so that the overall effect upon employment land provision is broadly neutral.

## Inspector's Conclusions

2. I endorse the allocation of about 2 ha of employment land at Nottingham Road, Giltbrook adjacent to allocation EM3e.

## Recommendation

3. I recommend that the RDDP be modified by allocating the site of about 2 ha at Nottingham Road, Giltbrook for employment.

## **EM4 PROTECTION OF EMPLOYMENT LAND AND PREMISES**

### **Objections**

<b>EM4</b>	<b><i>Protection of employment land and premises</i></b>	
1126 2213		Sun Life Assurance of Canada King Sturge
1120 2195		Morus Investments Ltd. Town Planning Consultancy Limited
1316 3265		British Telecommunications Chapman Warren
1116 2374		Wimpey Homes Stoneleigh Planning Partnership
601 3010	Mr S Rufus	Nottinghamshire Wildlife Trust

### **Summary of Objection Issues**

#### 1126/2213: Sunlife Assurance of Canada

1. The policy is insufficiently flexible to promote investment into the Borough at suitable locations or in appropriate circumstances. Propose two further criteria : 'd) Their alternative use or development relates well to proposed or existing adjoining or nearby land use and infrastructure; or e) Their alternative use or development assists or facilitates other policies and objectives contained in the Plan, concerning principally, but not exclusively, public transport improvements'.

#### 1120/2195: Morus Investments Ltd

2. Additional criteria should be included: 'The applicant is able to bring forward other land suitable for employment purposes in the locality or is able to bring about the refurbishment which off sets the need for the land for employment use.'

#### *Council's Joint Response:*

3. The concept of protecting existing employment development from changes of use to other types of development is long established (dating back to the 1980 Nottinghamshire Structure Plan). The premise has been that a limited stock of employment land should not be eroded because of the threat to County and Borough objectives of achieving a prosperous economy. Such a policy is a

logical complement to the allocation of land for new employment development within the local plan. There is little advantage in seeking to add to the stock of employment land and buildings if there is no protection against the loss of this stock. This perspective is reaffirmed by Structure Plan Review policy 2/8, which the Local Plan policy reflects.

4. Strong pressures exist from other uses particularly retail and residential uses which increase land values higher than those reached for employment land. This conflict is most obvious in the south of the Borough where residential property values are higher than in the north, leading potentially to a continued loss of employment development land if the Council does not resist such proposals. 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 applied across the Borough and one accepted by an Inspector in a recent appeal decision at the former Redfern's Depot, Trowell.
5. The Council considers that diluting the policy with additional criteria as proposed would weaken the objectives of the policy, as explained. However well related alternative proposals may be, they should not be an alternative to the protection of existing sites.
6. In relation to the objectors (1126/2213) circumstances, as outlined in their objection - they have a freehold interest in Eldon Road Estate, Attenborough, where significant refurbishment works are needed and consequently retail or quasi retail are seen as more economically viable uses on the Nottingham Road frontage. The Council considers that criterion (c) of the policy adequately embraces this situation, where the onus is on the applicant to demonstrate that the accommodation is no longer suitable for employment use.

#### 1316/3265: British Telecommunications

7. It has not been demonstrated that there is an overriding need to prevent employment land and premises from being developed for other purposes. Include an additional criterion : 'The alternative use would assist in meeting other objectives of the plan'. Policy EM4 is overly restrictive, and may prevent the most sustainable re-use of previous employment land or property. EM4 is contrary to advice provided at paragraph 42 of PPG3.

#### *Council's Response:*

8. The concept of protecting existing employment development from changes of use to other types of development is long established (dating back to the 1980 Nottinghamshire Structure Plan). The premise has been that a limited stock of employment land should not be eroded because of the threat to County and Borough objectives of achieving a prosperous economy. Such a policy is a logical complement to the allocation of land for new employment development within the local plan. There is little advantage in seeking to add to the stock of employment land and buildings if there is no protection against the loss of this stock. This perspective is reaffirmed by Structure Plan Review policy 2/8 and its supporting text, which the Local Plan policy reflects.
9. The advice given in PPG3 (para 4.2) led the Council to undertake a review of all sites to assess their suitability and potential for reallocation from employment to housing. The result of this assessment is the list of allocated sites in Policies H2 and EM3. Any remaining employment land should therefore remain in that use, and will need protecting, hence policy EM4. There is nothing in PPG3 to support the argument, put forward by the objector, that a mixed-use development should be promoted in preference to an employment use. In addition, PPG3's preference for housing to be built on previously developed land cannot reasonably be taken to infer that all non-residential uses should cease in favour of housing development. The Council takes the view that this guidance refers to land which is underused or unused in its present form.
10. The policy attempts to ensure a sustainable pattern of development is maintained. The loss of existing employment sites or buildings to other uses can lead to shortfalls in particular areas,

upsetting the economic balance and leading to economic problems and potentially increased journeys to work. Without such a protection policy there is risk of running counter to the objective of providing a range of realistic and commercially viable sites for employment development at all times - and for the longer term economic future of the borough. Loss of existing employment sites could also lead to an increased demand for new land which could in turn place pressure on the Green Belt and environmentally sensitive sites in built-up areas.

11. For these reasons the Council does not consider any additional criteria appropriate. Such criteria, as proposed, would risk weakening the policy, running counter to its objectives. However well an alternative use would assist in meeting other objectives of the plan, it would not be an alternative to the protection of existing employment sites.

#### 1116/2374 Wimpey Homes

12. The plan needs to be more positive in its encouragement of alternative uses on employment sites which have identified environmental problems. In recognition of the need to actively seek to retain significant, appropriately located employment sites, the Plan should draw a distinction between those sites and other more problematic or less significant employment sites where redevelopment for an alternative land-use would be likely to bring about an environmental benefit and/or planning gain.

#### *Council's Response:*

13. The concept of protecting existing employment development from changes of use to other types of development is long established (dating back to the 1980 Nottinghamshire Structure Plan). The premise has been that a limited stock of employment land should not be eroded because of the threat to County and Borough objectives of achieving a prosperous economy. Such a policy is a logical complement to the allocation of land for new employment development within the local plan. There is little advantage in seeking to add to the stock of employment land and buildings if there is no protection against the loss of this stock. This perspective is reaffirmed by Structure Plan Review policy 2/8, which the Local Plan policy reflects.
14. Strong pressures exist from other uses particularly retail and residential uses which increase land values higher than those reached for employment land. This conflict is most obvious in the south of the Borough where residential property values are higher than in the north, leading potentially to a continued loss of employment development land if the Council does not resist such proposals. 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 applied across the Borough and one accepted by an Inspector in a recent appeal decision at the former Redfern's Depot, Trowell.
15. The Council does not consider it necessary to amend the wording of the policy. Criterion b) which refers to environmental problems is sufficiently positive about such sites. It is the applicants' responsibility to demonstrate that the change of use would bring about environmental relief. Alternative wording would risk diluting the policy, weakening the objectives of the policy. Accordingly, the Council does not consider it appropriate to try to distinguish between those sites which are 'significant' and 'appropriately located' and those which are 'less significant'. Each application would be considered individually using justified and balanced arguments about whether a site would benefit from a change of use due to environmental problems.

#### 601/3010: Nottinghamshire Wildlife Trust

16. Broadly support this policy as it is presented but believe that the Council should make further efforts to ensure that environmental considerations should be at the heart of all decisions that may have to be considered.

*Council's Response:*

17. All applications will be assessed with regard to environmental issues, such considerations are identified in the Plan's objectives and further considered in the Environment chapter of the Plan. All the policies in the plan are mutually consistent, with the purposes of one policy not being achieved at the expense of another.

**Inspector's Conclusions**

1. It is difficult to identify suitable employment land in most parts of the borough. Exceptional circumstances have justified the allocation of some sites in the adopted Green Belt. The SP employment land provision is based upon a continuation of historical rates of employment development plus a generous allowance for choice and flexibility. This provision is necessary to meet the needs of local firms to establish, to expand and to relocate and to attract some incoming firms from other areas. If the former are frustrated they may be unable to grow their business and/or achieve necessary efficiencies to compete in the market. As a result they may contract or even close or move. If the latter are not catered for the local economy will be unable to diversify to make good some of the contraction that has taken place in its traditional industries. In both cases there would be a detrimental effect on the local economy, which will have a knock on effect on other activities such as the housing market and retail trade. Thus it is important that sufficient land is made available in appropriate locations to meet future employment development needs.
2. I accept, earlier in this Chapter the case for an allowance over past rates of development because of the highly individual demands of the employment development market. Many developing firms have specialised demands in terms of plot size, location and other characteristics. This requires the availability of a reasonable choice of plots and also results in some plots taking some time, perhaps even beyond the plan period before they are developed. It is quite common to find large employment estates taking 15 or more years from first development to completion. Thus the fact that a plot has remained undeveloped for many years does not necessarily imply that it is intrinsically unsuited to employment development; rather it may mean that its particular characteristics have yet to match a developer's requirements.
3. I consider that these reasons demonstrate the importance of safeguarding employment land, particularly Plan allocations, which have realistic prospects of employment development, but not necessarily completion, within the Plan period. Contrary to BT's contentions, there is nothing in PPG3 that advises against safeguarding employment land subject to the above caveat. S54A of the 1990 Act provides for the policies of the development plan to be applied unless material circumstances dictate otherwise. The development plan system should provide clarity and reasonable certainty, not only to developers and landowners but also to the public. I have examined the Plan's employment allocations and I am satisfied that all those that I endorse have a reasonable prospect of being taken up during the Plan period and are compatible with Policies in PPGs and RPG8 revised. I have also considered all non-housing allocations with PPG3 in mind. However, in Broxtowe it is as difficult, if not more so, to identify suitable employment land as it

is to identify housing land. Broxtowe's economy, unlike some areas, needs strengthening. Furthermore, as I conclude earlier, the operation of the employment land market often requires a somewhat longer view than the short time period remaining in this LP. However, criterion a) provides for a situation where there is sufficiency of employment land and helps to meet PPG3's concern.

4. Having said that, there will also be circumstances in the case of sites and particularly buildings that have been in employment use where re-use or redevelopment for employment purposes is impracticable or undesirable for planning, transport or environmental reasons as the SP text recognises. One example of this is the former Maltings building in Beeston, others are site H2h at Giltbrook and site Ki6 at Kimberley.
5. However, contrary to the objector's concerns, criterion c) covers the former situation and criterion b) the latter. They also cover the same criteria as SP Policy 2/8
6. Sun Life's proposed criterion d) is similar to EM4 b) but lacks the positive benefits of the latter, which is to be preferred. The fact that alternative uses may relate well to nearby uses or infrastructure is not sufficient. The key factor is whether employment uses relate so poorly that alternative uses bring environmental benefits. SL's criterion e) is also covered by the broader criterion EM4 b) and by my own consideration of objections to employment allocations. PPG12 para 2.22 also warns against too many specific policies and, in para 3.1, against over elaboration. BT's criterion is similar to if shorter than Sun Life's criterion e) and is equally unnecessary. I see no great advantage in this case in a positively worded Policy.
7. Morus's suggested criterion covers exceptional circumstances, which apply to their particular site-specific objection, which I consider in Chapter 7. RP's letter of the 16 April 2002 adds little to the earlier case. Their contention of a lack of harm would only apply if the alternative land could not otherwise be expected to come forward and this concerns the particular circumstances of their site. It is always open to an applicant to show material circumstances that may justify a departure from the policies of the development plan and this is provided for by S54A of the 1990 Act. However, it would be wrong to attempt to embody some exceptional circumstances in a Policy and impracticable to cover them all. For example, parts of the borough may have needs for other land uses as well as employment development. Where the Plan fails to make adequate provision for these, it would be open to an applicant to cite this in support of their proposals. BBC has presumably accepted such arguments previously when permitting developments such as Porcelanosa at Chilwell.
8. I recognise Wimpey's concern over problem sites but consider that criterion b) and c) should cover most circumstances. It is difficult in the absence of proposals from developers for BBC to be more positive over alternative uses. However, where these have arisen in the course of the inquiry I have taken them into account. It may be difficult for the LPA to be certain that re-use or redevelopment for employment uses is impracticable, as there may be some financial advantage to the developer in promoting an alternative use. Developers need to recognise these concerns in the information they make available to support their proposals if they seek a positive response.



9. I do not consider Policy EM4 to be overly restrictive. It did not prove so in the case of the Maltings site. It serves an important and justifiable purpose but permits exceptions in clearly justifiable circumstances. It will be up to landowners such as Sun Life, BT and Morus to demonstrate that these apply to any proposals they may put forward. However, this is not the place to consider the re-use of part of the Eldon Road employment estate in the absence of specific objections to the LP. However, such proposals would need to be judged not only against Policy EM4 but against shopping and other Plan policies.
10. I am unsure what the NWT mean by their objection. Decisions on planning applications should be based upon the policies of the Plan unless material circumstances dictate otherwise. If environmental policies are material they should be taken into account. However, the weight to be attached to particular policies and considerations is a matter for the decision taker, as the courts have ruled.

### Recommendation

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

## **EM6 EXCEPTIONAL DEVELOPMENTS**

### Objections

<b><i>EM6 R334</i></b>	<b><i>Exceptional Developments - Amendments for clarification</i></b>		
2207 6789	R334	Mr W Davies	Highways Agency
<b><i>EM6</i></b>	<b><i>Exceptional Developments</i></b>		
1384 3542			EWS Railway Lambert Smith Hampton

### Summary of Objection Issues

#### **R334 - 5.77 Exceptional Developments - Amendment for clarification**

2207/6789: Highways Agency

1. The wording of revision 334 does not reflect the Highways Agency's position. This objection would be withdrawn if the wording were amended to: The Local Plan will enable details of the rail freight depot to be considered as and when the current uncertainties concerning the possibility of direct access to the A52, which will not be permitted by the Highways Agency in its current form, and traffic impact on M1 junction 25 have been resolved.

#### ***Council's Response:***

2. The supporting text has been amended in order to give a clearer explanation of the current uncertainties. The Council considers the revised wording is successful in conveying the general position. However, the Council now proposes to delete this part of paragraph 5.77 and to add a similar reference in the Transport chapter - see IC129 below.

## EM6 Exceptional Developments

### 1384/3542 - EWS Railway

- 1 The reasoned justification refers inappropriately to a rail freight development at Toton as an 'exception' to policy, whereas it is explicitly provided for in the Structure Plan. This is contradictory, illogical and inappropriate to a plan-led system. The local plan should implement the Structure Plan. A separate objection deals with the omission of a specific local plan policy for Toton.

### *Council's Response:*

2. Although Structure Plan policy 5/3 encourages the provision of a rail freight interchange facility to the west of Toton, at Toton Sidings, the Council does not feel that an allocation for development in that area is appropriate at this time. There is no agreement over the access arrangements, specifically direct access to the A52, and the Council seeks agreement on this matter before removing the area from the Green Belt. In addition a continuing concern over its impact on the Green Belt has contributed to the Council's standpoint.
3. After further consideration, the Council considers that the issue of a rail freight depot is more appropriately dealt with in the Transport chapter rather than the Employment chapter.

### Inquiry Change

IC129

4. **The Council has recommended that the final two sentences of paragraph 5.77 should be deleted and that the following section should be added at the end of the Transport chapter:**

#### **"TOTON SIDINGS**

**6.63 Structure Plan policy 5/3(d) makes provision for a rail freight depot to the west of Toton. This land is currently in use for rail purposes and lies within Green Belt forming part of the open break between Long Eaton and Toton.**

**6.64 While the Council recognises the strategic potential for such a freight depot, this proposal has been under discussion for at least 10 years without resolution as to how the site can be successfully accessed. The Council would require any rail freight depot at Toton to have direct vehicular access to the A52 (T). However, access arrangements have not yet been agreed with the Highways Agency. The principal use of such a site would be as a freight interchange. It is unclear how much associated employment/warehousing development might be appropriate in connection with any rail freight depot. In light of these uncertainties, it is inappropriate for a site for a rail freight depot to be allocated in this Plan. Should any agreement be reached concerning access and other matters, any proposals could be considered under Policy EM6 relating to exceptional development".**

### Inspector's Conclusions

1. Toton sidings has potential, as recognised in the SP Policy 5/3, for a rail freight depot of regional significance. The former sidings to the east of the main lines

could provide land to accommodate sidings, roadways, freight storage buildings and other facilities. This area is effectively screened from the residential estate to the southeast by a high man made embankment and to a lesser degree by self set birch trees. This provides some amelioration of potential noise and visual impacts although additional screening may be required to the south. The site is also fairly well screened from other external viewpoints. These together with the character of a rail freight depot could combine to limit the impact of development on the landscape and on the Green Belt, since rail facilities have been recognised as part of this Green Belt for many years.

2. However, the suggestion of developing warehousing on the rising and elevated farmland to the east of the sidings would result in the destruction of the Green Belt that separates Chilwell and to some degree Stapleford from Long Eaton in Derbyshire and which is vital to prevent their coalescence and thus to preserve their separate identities. A sub-regional freight depot may be important but it should not be at the expense of this important part of the Nottingham Green Belt.
3. I understand the concern of EWS and also the Liberal Democrat Party that despite SP Policy 5/3 BBC proposes to deal with a potential rail freight depot as an exception to Policy under LP Policy EM6. As EWS say, this seems somewhat contradictory, illogical and inappropriate. It also lacks clarity and certainty in view of the broad terms of EM6. However, as the Liberal Democrats observe, so little has been done to progress this SP proposal in over 10 years even in respect of basic issues such as the scale of associated buildings involved, impact upon the Green Belt, impact on neighbouring land uses and means of vehicular access. In these circumstances, it would be wrong to take a site out of the Green Belt, which would be necessary with a LP allocation for a rail freight depot, since such uses are not among those regarded by PPG2 as appropriate development in the Green Belt.
4. Instead, I recommend in Chapter 3 that Toton sidings and certain other sites be identified as major existing developed sites in the Green Belt and subject to the provisions of PPG2 Annex C. This is in my view preferable to dealing with such sites under Policy EM6, which should be reserved for new proposals of which there is no current knowledge. The advantage of designation as a major existing developed site is that proposals that meet the criteria in Annex C would not be inappropriate development in the Green Belt and would not involve reference to the GOEM. The LPA would gain rather than lose control over development proposals, since they would be subject to clear explicit criteria, rather than the less certain and more general criteria of Policy EM6; as Annex C makes clear Green Belt policies would continue to apply. After at least 10 years, the LPA should have been able to resolve their attitude to the impact of a rail freight depot on the Green Belt at Toton sidings. It is not clear what further enlightenment they expect in coming years.
5. I consider BBC's objections to the principles of such designations when considering the Bramcote Hills School campus in Chapter 3. I do not repeat these here. The extent of this designation at Toton should be confined to the sidings area and should not extend to the agricultural land to the east.
6. The Highways Agency's suggested rewording of R334 is defective as it begs the question of what is meant by "its current form". The current form of the direct

access, whatever this might be, has no standing in this Plan and warrants no mention.

7. I find it disappointing that such a potentially important facility as a strategic rail freight depot to serve the region and relieve the main highway network of HGVs should have seen so little progress in respect of access arrangements and traffic generation in the last 10 years or so. It is clear that suitable locations for such a freight depot are in limited supply. If the HA is adverse to any local impact of extra HGVs on Jct 25 it would be more productive for them to indicate this so that other possibilities can be explored. However, traffic generated by a rail freight depot would be spread throughout the day not concentrated in peak periods like BP's, employment estates and major housing developments that the HA have appeared to countenance in other perhaps even more congested locations. Jct 25 and this section of A52 may experience some congestion on some slip roads at peak times but it flows relatively freely at others. In my experience, queuing here is significantly less than on the M1 at Jct 26. I am obliged to use my own observations since neither the Agency, the Highway Authority nor highway consultants were able to produce any surveys of queuing to the inquiry. The Agency will need to weigh the wider benefits of a rail freight depot against any minor increase in HGVs through Jct 25 at peak periods.
8. It is also clear that a rail freight depot at Toton sidings would need a direct access to the A52 to be commercially attractive and because the local road network is unsuitable. There are again only a few options available and it should not be too difficult to determine the acceptability of these in principle and help to take matters forward.
9. A link from Toton Lane to the east could be costly and could bring extra pressure on the narrow section of Green Belt between Stapleford and Chilwell. It might be expected to come under pressure from any extension of the NET. Such a link to Toton Sidings would be a significant intrusion into the prominent farmland to the east of the sidings and could bring pressures for warehousing development.
10. A link from Bardill's roundabout could bring complications to this busy junction particularly if a P&R facility is to be developed off Toton Lane to serve the NET. The NCC's revised traffic controlled junction at Banks Road has resulted in traffic queues almost extending to the roundabout at peak times. A link road from the roundabout could also impact upon the school and possibly housing in the vicinity.
11. Bessell Lane, which passes under the A52, is wide and tall enough to take HGVs particularly with single way working. It might be possible to build east-facing slip roads on both sides of A52 from Bessell Lane. On the north side this would involve the redevelopment of one currently used and one unused freight depot. The unused depot appears in need of redevelopment due to its condition and highly specialised form. On the south side it could involve WWTW land and facilities. It should be possible in the distance available to achieve an acceptable gradient for HGVs joining the A52. This arrangement would be cheaper than a new roundabout junction on A52 and could have the advantage of keeping weaving traffic away from Jct 25, which apparently concerns the Highways Agency. Its disadvantages apart from some property redevelopment is that HGVs from the west would have to double back from the Bardill's roundabout. However,

the extra distance and time involved for HGVs would be relatively insignificant at off peak times when most HGV movements may be expected.

12. I have no aversion to the reference to Toton sidings being transferred to the Transport Chapter; indeed it accords better with my recommendation that Toton Sidings be identified as a major existing developed site and dealt with under Policy E8 of Chapter 3 of the RDDP. It is unnecessary to refer to uncertainties over the scale of associated employment/warehousing; this will become clear in due course, provided that such development has a functional rather than a funding association.
13. I therefor support IC129 except that the last three sentences should be deleted and the following should be substituted: Toton sidings is identified as a major existing developed site within the Green Belt and any proposals affecting it will be considered under Policy E8 of the RDDP and against the criteria for development on such sites contained in PPG2 Annex C.

### **Recommendation**

14. I recommend that the RDDP be modified as set out in IC129 except that the last three sentences should be deleted and the following should be substituted: Toton sidings is identified as a major existing developed site within the Green Belt and any proposals affecting it will be considered under Policy E8 of the RDDP and against the criteria for development on such sites contained in PPG2 Annex C.

## **EMx AND EMx1 NEW EMPLOYMENT POLICIES AND PARAGRAPHS**

### **Objections**

<b>EMx</b>		<b>New Employment policy</b>	
1122	2190	Mrs MM Daykin	
1439	3793	Mr P Geldart	Country Landowners Association
1164	2516	Ms T Gray	Railtrack PLC
1363	3416	Mr D Herd	Countryside Agency - East Midlands Region

<b>EMx1</b>		<b>New Employment paragraph</b>	
1388	3626	Ms E Marshall	Environment Agency, Lower Trent Area

### **Summary of Objection Issues**

#### **EMx New Employment Policy**

##### **1122/2190: Mrs M M Daykin**

1. Object to the omission of a specific policy to address potential development at Toton Sidings as opposed to relying on Policy EM6 (exceptional developments) which has led to speculative planning applications for extensive B8 development in Green Belt outside the Sidings site. The Toton Sidings site is annotated as a specific location for a Regional Freight Depot/Interchange in the Structure Plan (Policy 5/3) and in current draft RPG (map representing the Three Cities Sub-Area). Central Railways plc have recently identified Toton Sidings as a potential intermodal interchange which, in principle, meets Government transport objectives. If these plans meet with

Government approval, it is likely that development of the Toton Sidings site will need to be addressed during the period covered by this Local Plan Review (2001-2011).

### *Council's Response:*

2. Although Structure Plan policy 5/3 encourages the provision of a rail freight interchange facility to the west of Toton, at Toton Sidings, the Council does not feel that an allocation in that area is appropriate at this time. There is no agreement over the access arrangements, specifically direct access to the A52, and the Council seeks agreement on this matter before removing the area from the Green Belt. In addition a continuing concern over its impact on the Green Belt has contributed to the Council's standpoint.
3. After further consideration the Council now considers that the issue of a rail freight depot is more appropriately dealt with in the Transport chapter rather than the Employment chapter. Therefore, IC129 in proof 137 proposes that the final two sentences of paragraph 5.77 should be deleted and that the following section should be added at the end of the Transport chapter:

#### **"TOTON SIDINGS**

6.63 Structure Plan policy 5/3(d) makes provision for a rail freight depot to the west of Toton. This land is currently in use for rail purposes and lies within Green Belt forming part of the open break between Long Eaton and Toton.

6.64 While the Council recognises the strategic potential for such a freight depot, this proposal has been under discussion for at least 10 years without resolution as to how the site can be successfully accessed. The Council would require any rail freight depot at Toton to have direct vehicular access to the A52 (T). However, access arrangements have not yet been agreed with the Highways Agency. The principal use of such a site would be as a freight interchange. It is unclear how much associated employment/warehousing development might be appropriate in connection with any rail freight depot. In light of these uncertainties, it is inappropriate for a site for a rail freight depot to be allocated in this Plan. Should any agreement be reached concerning access and other matters, any proposals could be considered under Policy EM6 relating to exceptional development".

### 1439/3793: Country Landowners Association

4. Although agriculture is, and will remain, at the heart of the rural economy, there will be a need for farmers and landowners to find other uses for their assets which are not traditionally agricultural. The employment chapter should therefore include policies which provide for the re-use of redundant agricultural and other rural buildings for employment purposes.

### *Council's Response:*

5. The Revised Deposit Draft allows for farmers and landowners to make applications for changes of use of existing buildings and these will be assessed with regard to policies E8 and E9.

### 1164/2516: Railtrack Plc

6. Notwithstanding that para. 5.2 states that both road and rail communications are good in the Borough, there is no reference within this Chapter to encouraging uses, in particular storage and distribution, which have the potential to be rail served in terms of either the proposed allocations or as a requirement if employment proposals come forward within the Plan period. The exclusion is not consistent with either the Structure Plan Policy 2/4 or Government Guidance.

### *Council's Response:*

7. The new employment sites have been selected with regard to accessibility by a variety of means of transport. An urban capacity study has been undertaken to identify sites available and suitable for development. Whilst there are very few sites that are available within the urban area, any proposals that did come forward for development would be assessed with regard to policy K7 Access and Transport.

#### 1363/3416: Countryside Agency – East Midlands Region

8. The Agency recognises that the plan currently seeks to address rural employment issues via the policies for the Green Belt, in Chapter 3 – mainly policies E8 and E10. Chapter 5 included objectives em/h and em/l. The latter (prevention of unacceptable incursion into the countryside) is addressed by policies EM1 and EM2. However objective em/h seeks to diversify the rural economy, but there appears to be no policy in the Chapter to achieve this.

#### *Council's Response:*

9. The policies within Chapter 3: Environment are intended to allow a proper and full assessment of proposals which may have an impact on the environment. The Council considers that the policies within the Revised Deposit Draft would allow proposals for rural diversification to be properly assessed. It is not for the Council to 'achieve' the rural diversification itself, although policy E8 indicates that applications for changes of use will constitute appropriate development and the text in paragraph 3.90 also gives general support for this form of development.

#### Inspector's Conclusions

1. I have already dealt above with objections relating to a rail freight depot at Toton sidings. I conclude that, because of the issues of principle that remain to be resolved after so many years, it is inappropriate at the present time to remove the site from the Green Belt and to allocate it as a regional freight depot. Instead, I conclude that the site should be identified as a major existing site subject to Policy E8 of the LP and the criteria in Annex C of PPG2, rather than be dealt with as an exception to LP and national policies under Policy EM6 or as a separate Policy. It is hoped that this might provide the stimulus to carry matters forward either to development or to a more specific proposal in the next LP review.
2. I have already dealt earlier with most elements of the CLA's objections. Turning to those of the Countryside Agency. Most of the rural areas and farmland in Broxtowe are covered by Green Belt. Policy E8 f) provides for the change of use of agricultural and other buildings to employment and tourism uses which help to diversify the economy, provided their location and design does not adversely affect the open character of the Green Belt. This Policy goes towards meeting objective e/r in Chapter 3 and in Broxtowe's situation it also addresses objective em/h and em/ i in Chapter 5. Notwithstanding the location of the latter objectives, I see no need to duplicate Policy E8 in Chapter 5 and a similar policy there would cause confusion. The Plan should be read as a whole. It is more important that appropriate policies cover the relevant issues than in which particular Chapter they appear. It is logical to include all aspects of development in Green Belts under one Policy, E8. New buildings would be restricted to those appropriate to agriculture and forestry and certain other appropriate uses, in accordance with government policy in PPG2. Furthermore, as far as the rural economy itself is concerned, as opposed to the need for farm diversification, most of Broxtowe's rural areas are situated very close to towns, which already provide a wide range of jobs, services

and facilities. There is therefore less need and scope to develop local service/employment centres in the rural areas of Broxtowe than some more remote Districts.

3. Turning to Railtrack's objection. SP Policy 2/4 makes provision for employment development in and adjoining urban areas and along public transport corridors in South Notts. It also requires a choice between public and private transport and good access to the national transport network. It makes no specific reference to heavy rail as opposed to light rail or bus networks; it also applies more to passengers than to freight. I sympathise with Railtrack's concern but there are very few suitable employment sites that have direct rail access. R310 and R311 to the RDDP allocated an employment site at Bowden Drive, Beeston, which has some potential for rail, based facilities. However, I conclude in a later Chapter that the old Maltings, Beeston is more appropriately developed for housing rather than for employment uses. Objection site Ea12 at Bennerley promoted by objectors for employment uses has sidings and direct access to the Erewash Valley line. Notwithstanding this advantage, I find it unacceptable mainly in terms of its impact upon the purposes of the Green Belt between Awsworth and Eastwood and Ilkeston. Most new as well as existing employment sites will need instead to utilise rail freight depots. Unfortunately, the proposals in SP Policy 5/3 for a regional depot at Toton sidings have seen little progress in intervening years.
4. Policy K7 of the RDDP requires new development to be located and designed to minimise the need to travel and to encourage accessibility by PT, cycling and walking. In view of the very limited opportunities, it would be impracticable for a LP policy to include a similar requirement in respect of rail freight transport.

### **Recommendation**

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

## **EMx1 New Employment Paragraphs**

### 1388/3626: Environment Agency

1. The Agency wishes to strongly promote the use of Sustainable Urban Drainage Systems as an effective means of managing surface water run-off. Encouragement will be given to the use of infiltration ditches, ponds, attenuation lagoons and reed beds, which can in themselves form part of the attractive and natural landscaping of a development. It would be of assistance to the Environment Agency if a statement setting out the Agency's approach could be included in the Broxtowe Borough Local Plan.

### ***Council's Response:***

2. An additional sentence referring to sustainable urban drainage has been inserted into paragraph 3.142 of the Revised Deposit Draft as Revision R114.

### **Inspector's Conclusions**



1. I have already dealt with the objection of the EA in respect of sustainable drainage systems in Chapter 3 and I cannot see its direct relevance to Chapter 5.

### **Recommendation**

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

## **EM3 NEW PROPOSED NEW EMPLOYMENT SITES**

### **Objections**

#### **EM3new Derelict land to east of A610 Langley By-Pass, North of Eastwood**

883	1608		PJ Plant
			John L Booth
1395	3661	Mr S Smith	S.Smith & Sons
			C.B.Land Consultancy Ltd.

#### **EM3new Land off Bowden Drive**

1164	2517		Ms T Gray	Railtrack PLC
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### **Summary of Objection Issues**

#### **Derelict land to east of A610 Langley By-Pass, North of Eastwood**

883/1608: Mr P J Plant

1. The land allocated at EM3d is a one-sided development of such an important relief road, which will heavily relieve Eastwood from through traffic and make Eastwood a safer place. Thus, the land to the north of EM3d (part of Ea(a)) should be allocated for industrial use. The allocation would allow new pedestrian and cycle ways to be created from the old bridge that goes under the A610.

1395/3661: S Smith & Sons

2. Object to the fact that an area of derelict land to the north of the proposed boundary of EM3d (part of Ea(a)) is not included in the development site. By extending the boundary northwards to the existing natural boundary a larger more cost-effective employment area could be created. Employment land thus would be secured on either side of the proposed relief road to Eastwood and be encompassed within natural existing features.

### ***Council's Response:***

#### **3. Site Details**

Area:	1.24 hectares (3.1 acres)
Current Use:	Agricultural land (Grade 4)

Ecological Value: There are no designated wildlife sites on this land

Green Belt:	The site is in Green Belt and isolated from the built up areas of Brinsley and Eastwood
Public Transport:	There are no frequent bus services within walking distance of the site
Road Access:	New access would need to be constructed (or access provided through proposed employment allocation to the south of the site)
Other Issues:	Allocated employment site EM3d within the Local Plan, south of this piece of land

4. The Council has applied a standard set of principles in choosing sites for employment and standard criteria were also used to assess all releases of Green Belt (see the Council's housing and Green Belt Round Table Paper).
5. Issues of importance for the site were:
  - i) Significant intrusion into the Green Belt
  - ii) Development of the site would not create a new defensible Green Belt boundary
  - iii) Isolated area not served by public transport services
6. 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 development.
7. The land within this area is greenfield and situated in the Green Belt. To extend the proposed employment allocation, EM3d, northwards into the site would result in further development of the Green Belt, a designation the Council aims to protect as far as practicable, and thus a new Green Belt boundary, which would not be firm or defensible.
8. A Green Belt boundary change is however proposed, as explained in the second addendum to the Council's proof 003, a copy of which is attached.

### **Inspector's Conclusions**

1. I have already dealt with the issues raised by the former objections under site EM3d above. However, it is incorrect for BBC to assert that no submissions were made that the developed area of an extended EM3d should be increased. Both Greasley PC and Mr Lovell advocated an increase, which I support to a limited degree. The new link road may affect the northern boundary of the revised EM3d, however, IC85 should suffice for the time being. BBC should seek to maximise the development potential of this important employment allocation whilst securing protection for important nature conservation interests and a suitable level of landscaping for this edge of town site.

### **Recommendation**

2. I make my recommendations under site EM3d above.

### **Land off Bowden Drive, Beeston**

1164/2517: Railtrack Plc

1. Allocate land off Bowden Drive at Beeston. The site is currently in operational use as a railway engineer's yard and comprises in part, railway sidings and will become available for development within the plan period. Given its location and characteristics, the site represents an ideal opportunity for potential commercial rail freight uses such as storage and distribution. Its allocation would accord with sustainable development objectives, and make an important contribution to employment land provision within the borough in both qualitative and quantitative terms.

*Council's Response:*

2. The Council allocated land off Bowden Drive, Beeston (EM3x) by Revisions R310 and R311 in the Revised Deposit Draft. The site contributes 1.9 hectares of employment land to the amount allocated. The objection therefore has been overcome.

**Inspector's Conclusions**

1. R310 and R311 in the RDDP appear to meet Railtrack's objections to the FDDP.

**Recommendation**

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