

CHAPTER 6: TRANSPORT

Objections

6.22 R346 *Greater Nottingham Local Transport Plan - Deletion of TPP title and beginning of paragraph updated*

1155	5115	R346		Greasley Parish Council Andrew Thomas Planning
1771	5825	R346	Mrs C Archer	
1772	5830	R346	Mr S Archer	
2018	6417	R346	Mr R Archer	
2017	6412	R346	Mr DJ Archer	
1224	5194	R346	Mr MG Carr	
1223	5189	R346	Mrs CJ Carr	
901	4795	R346	Mr D Ewing	
900	4790	R346	Mrs D Ewing	
511	4294	R346	Mr J Ewing	
249	4169	R346	Mr WP Hanson	
248	4167	R346	Mrs PM Hanson	
1269	5209	R346	Mrs J Henderson	
1243	5200	R346	Mr R Henderson	
1360	5248	R346	Mrs I Tomkins	
1359	5244	R346	Mr A Tomkins	

6.22 R347 *Greater Nottingham Local Transport Plan - Deletion of reference to Kimberley/Beeston NET line*

1155	5116	R347		Greasley Parish Council Andrew Thomas Planning
1656	5602	R347	Mrs J Anderson	
2047	6470	R347	Miss AG Anderton	
1773	5833	R347	C Badham	
1414	5331	R347	Ms C Bartram	
2049	6477	R347	Mrs CA Bartram	
1171	5146	R347	Mr A Bartram	Nuthall Action Group
1415	5335	R347	Mr K Bartram	
2048	6473	R347	Mr M Bartram	
2050	6481	R347	A Bramley	
2051	6484	R347	Mr PR Breffitt	
1389	5308	R347	Mr C Burrows	
1290	5214	R347	Mrs CJ Burrows	
1638	5559	R347	Mrs K Butler	
1224	5195	R347	Mr MG Carr	
1223	5190	R347	Mrs CJ Carr	
1319	5229	R347	Mrs EB Clarke	
1318	5226	R347	Mr EC Clarke	
208	4142	R347	Mr TJR Dring	
650	4664	R347	Mrs B Dring	
1774	5836	R347	Mrs S Dring	
235	4160	R347	Mrs L Edwards	
144	4120	R347	Mr RW Edwards	
900	4791	R347	Mrs D Ewing	
901	4796	R347	Mr D Ewing	
511	4295	R347	Mr J Ewing	
2056	6495	R347	Mrs KJ Farnum	
2055	6491	R347	Mr HB Farnum	
1775	5839	R347	RK Fullwood	
656	4670	R347	Mr SJ Harris	
593	4343	R347	Mrs BJ Harris	
250	4173	R347	Mr C Harris	

2058	6500	R347	Miss GA Harrison
1243	5201	R347	Mr R Henderson
1269	5211	R347	Mrs J Henderson
556	4328	R347	Mrs A Hutchinson
1098	4899	R347	Mr N Hutchinson
2059	6504	R347	Mrs K Jachmann
2060	6507	R347	Mr S Jachmann
1776	5842	R347	P Lawrence
1777	5845	R347	Mrs R Lawrence
1778	5848	R347	J Lewin
220	4147	R347	Mr GT March
222	4153	R347	Mr PW March
221	4150	R347	Mrs JE March
2061	6513	R347	Mrs A Marshall
2062	6516	R347	Mr D Marshall
2063	6520	R347	Mrs E Marshall
2065	6528	R347	Miss CM Mellor
1613	5532	R347	Mr D Pickering
1779	5851	R347	Mr SW Robinson
2016	6410	R347	Mrs EJ Roe
2066	6533	R347	Mr DG Saxton
2067	6537	R347	Mr C Smith
590	4340	R347	Mr PJ Spencer
584	4337	R347	Mrs J Spencer
2068	6540	R347	AE Stevenson
1360	5249	R347	Mrs I Tomkins
1359	5245	R347	Mr A Tomkins
2070	6547	R347	Mr L Turney-Johnson
2069	6543	R347	Mr E Turney-Johnson
2072	6556	R347	Mrs S Virgo
2071	6552	R347	Mr P Virgo
279	4183	R347	Miss VR Warren
2073	6559	R347	Mrs J Wood
1657	5605	R347	Mr B Woodards
1859	6001	R347	Mrs LA Wright
1858	5998	R347	Mr LA Wright

6.22 R348 **Greater Nottingham Local Transport Plan - Addition of reference to multi-modal study**

1155	5117	R348		Greasley Parish Council Andrew Thomas Planning
1224	5196	R348	Mr MG Carr	
1223	5191	R348	Mrs CJ Carr	
901	4797	R348	Mr D Ewing	
900	4792	R348	Mrs D Ewing	
511	4296	R348	Mr J Ewing	
1269	5210	R348	Mrs J Henderson	
1243	5202	R348	Mr R Henderson	
1359	5246	R348	Mr A Tomkins	
1360	5250	R348	Mrs I Tomkins	

6.30 **Aims & Objectives**

1213	3572		Ms F Forgham	Government Office for the East Midlands
1486	4058		Mr J Gough	RJB Mining (UK) Ltd Fuller Peiser
601	3030		Mr S Rufus	Nottinghamshire Wildlife Trust

6.31 R356 **Aims & Objectives - Amendment for clarification**

601	4595	R356	Mr S Rufus	Nottinghamshire Wildlife Trust
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Summary of Objection Issues

6.22 R346 Greater Nottingham Local Transport Plan - Deletion of title and beginning of paragraph updated

1. The Council received 16 objections to this revision to the Revised Deposit Draft Local Plan. Most individuals did not give any specific reason for their objection, or in a number of cases the reasons given did not relate to the changes made. However Greasley Parish Council made a specific objection and this is responded to below.

1155/5115: Greasley Parish Council

2. As the revisions convey less certainty about future NET development, site allocations which rely upon this matter should be critically reappraised in the light of current local and national planning policies.

Council's Response:

3. Refer to individual site responses and in particular H2I (Proof 014). It should be noted that all site allocations have been appraised in light of current local and national planning policies.

6.22 R347 Greater Nottingham Local Transport Plan - Deletion of reference to Kimberley/Beeston NET line

4. The Council received 69 objections to this revision to the Revised Deposit Draft Local Plan. All objections related to the removal of reference to the route of the Kimberley extension to the NET. A number of objectors also suggest that this change puts doubt on the credence of the Watnall/Nuthall site (H2I).

Council's Response:

5. In the Revised Deposit Draft paragraph 6.22 was updated in order to present the latest information available on future extensions to the NET system. It was known that consultants were studying options for detailed route alignment, and it therefore may have been misleading to continue to include the Deposit Draft text about a line to Kimberley. This was wrongly taken as a reduction or withdrawal in the Council's commitment to a future extension along this public transport corridor. The Council has confirmed in a Cabinet resolution of February 2001 that it supports the wider extension of the NET.
6. Also refer to the Council's response to H2(I) (Proof 014).

6.22 R348 Greater Nottingham Local Transport Plan - Addition of reference to multi-modal study

7. The Council received 10 objections to this revision to the Revised Deposit Draft Local Plan. Many individuals did not give any specific reason for their objection, or in a number of cases the reasons given did not relate to the changes made. However a number of objectors also suggest that this change puts doubt on the credulity of the Watnall/Nuthall site (H2I).

Council's Response:

8. Paragraph 6.22 was updated in order to present the latest information available on future extensions to the NET system. With regard to the Watnall/Nuthall site please refer to the Council's response to H2(l) (Proof 014).

Inspector's Conclusion

1. Many of the objectors to R347 re-iterated their objections to the Watnall/Nuthall allocations, H2l, EM2, EM3f and other supporting allocations. Some like the Greasley PC cited the withdrawal of the NET extension from Cinderhill to Watnall/Nuthall as casting further doubts about the extent to which the proposed development would generate private vehicle rather than public transport journeys and the consequent impact upon the highway network.
2. I also share these concerns in my consideration of these allocations in Chapters 4 and 5. I recognise the intention to provide a dedicated shuttle bus service from W/N to the NET terminus at Phoenix Park, but express some doubts over its attractiveness in view of the well-established penalties of modal change. In the case of the proposed Park & Ride facility at least two changes on a single journey could be involved: car to bus, bus to NET. For a range of reasons, I recommend deletion of allocations H2l, EM2 and most of EM3f.
3. A few objectors such as Mr Archer advocated an extension of NET along the A610 to serve the existing communities of Kimberley and Eastwood. This recognises the potentially greater patronage of these two towns compared to that of the W/N allocations. However, there are no current plans to extend the NET west of Phoenix Park, other than the possibility of one based upon a M1 motorway Park and Ride scheme in the Final Draft Proposals of the M1 MMS. It would thus be inappropriate to identify and safeguard a NET line to Kimberley and Eastwood. The A610 itself is less central to the population of these towns than the B6010. The more obvious routes of a NET extension from W/N to Eastwood/Kimberley have been developed or compromised in recent times.
4. The Beeston extension of NET is a firmer proposal. Paragraph 6.22 should be redrafted to reflect the latest position.
5. R348 was a summary of the factual position at the time. The M1 MMS clearly has the potential to have a major impact upon the area in the vicinity of the M1 motorway and its junctions. It is appropriate therefore that the LP should make some appropriate mention of it. However, the situation has moved on since R348 and it would be more useful to include instead a reference to the latest position.

Recommendation

6. I recommend that the RDDP be modified by including in paragraph 6.22 the latest position in respect of the NET proposals and programme and of the M1 MMS.

6.30 Aims and Objectives

1213/3572: GOEM

1. At objective t/b 'promote' means 'promote enhanced supply' whereas at t/c it means 'promote usage'. For the sake of comprehensiveness it should be made clear that usage of public transport, as well as walking and cycling, is to be promoted as an alternative means of transport to the car.

Council's Response:

2. Amendments were made to t/b and t/c at the Revised Deposit Draft stage (R354/R355). The Council considers these changes overcome the objection.

1486/4058: RJB Mining UK

3. Omission of policy to address objective t/g, concerning freight transfer to rail.

Council's Response:

4. There continues to be discussion regarding the potential for a rail/freight transfer depot at Toton Sidings. However at present there remain uncertainties concerning the possibility of direct access to the A52. Policy EM6 Exceptional Developments allows for such a proposal.

601/3030: Nottinghamshire Wildlife Trust

5. Broadly welcome the council's objectives towards the provision for transport within the Local Plan, but feel that there is scope for improving the strength of the commitment being made to sustainable transport patterns by modest changes to the wording of these objectives.

Council's Response:

6. General support noted. However the Council consider the aims and objectives in the Revised Deposit Draft are clear, and already reflect the Council's commitment to the principles of sustainability.

Inspector's Conclusion

1. R354 and R355 to the RDDP between them met the GOEM's concerns at the FDDP stage. Public Transport is the specific concern of Objective t/b and I see no merit in duplicating a reference to it in t/c, as the GOEM suggest. The improvements cited in t/b should assist in providing an alternative to the private car as well as providing a better service to those dependent upon public transport. It would be inappropriate to identify the former in t/b and over elaboration to refer to both outcomes. I consider that R354 and R355 are sufficient.
2. I see no merit in The NWT's suggested amendments to t/a. This objective relates to transport; it should not be corrupted with other locational objectives, which appear in Chapters 4 and 5. R354 adopts the NWT's suggested re-wording. R355 adopts much of the NWT's suggested re-wording. The inclusion of the term "attractive" is unnecessary; it should go without saying. Objective t/f is concerned with those of limited mobility. Objective t/b is concerned with improving the

availability of PT, including those currently with a poor supply. It is unnecessary to repeat this in other objectives.

3. RJB were mainly concerned to safeguard the Bennerley coal handling facility at Awsworth and its promotion as a rail/road interchange in connection with their proposed allocation Ea12. I consider and reject site Ea12 in Chapter 10, where I recommend no modification of the RDDP. There was no dispute at the inquiry that the existing Disposal Point enjoys some existing user rights. However, there was no information forthcoming from UK Coal as to where any future coal supplies would be sourced or any reasons why this now isolated site should be re-used in future after many years of disuse. Furthermore, all the buildings and structures have now been removed by condition on a planning permission and any future structures for a coal handling or a more general rail freight facility would require planning permission. As the site lies within the Green Belt and this form of development is not appropriate development a demonstration of exceptional circumstances would be required. I am not convinced that Bennerley is the appropriate location for a rail freight facility. I prefer that identified in the SP at Toton Sidings, which I recommend be identified as a major existing developed site. Objective t/g encourages the use of rail for transport of goods.

Recommendation

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

6.31 R356 Aims and Objectives - Amendment for clarification

601/4595: Nottinghamshire Wildlife Trust

1. We feel that the emphasis here should be placed on ensuring that developer contributions favour provision for sustainable transport. We recommend that the objective be amended to promote sustainable non-car based transport.

Council's Response:

2. Other objectives focus specifically on public transport; objective t/e focuses on transport infrastructure which would benefit public and private transport. The Council does not consider this objective requires any further amendment.

6.31 t/c R355 Aims and Objectives - Addition of reference to provision for cycling and walking

1213/5170: GOEM

3. The revision to t/c does not take account of our objection, that the borough should seek to promote public transport in addition to walking and cycling. Suggest reword t/c to read 'Promote and provide for cycling, walking and public transport as alternative means of transport to the car.

Council's Response:

4. Objective t/b promotes public transport and objective t/c promotes cycling and walking. The Council considers that the objectives are effective in promoting sustainable means of transport.

Inspector's Conclusion

1. I deal with the GOEM's outstanding objection above.
2. Developer contributions might be necessary to provide for private traffic generated by a development as well as PT, cycling and pedestrian provision. The former could include new junction arrangements to afford access to the site as well as more distant off site highway improvements. PT is important but so is private transport, which will, despite all the initiatives, remain a predominant means of transport. It has thus to be managed to reduce its adverse impact upon the highway network. In these cases, it is appropriate to negotiate relevant developer contributions as t/e and R356 seek. This is another element of sustainable transport.

Recommendation

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

T1 DEVELOPERS' CONTRIBUTIONS TO INTEGRATED TRANSPORT MEASURES

Objections

6.34 *Developers' contributions to integrated transport measures*

1164	3643	Ms T Gray	Railtrack PLC
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6.XX R359 *Developers' contributions to integrated transport measures*

2207	6787	R359	Mr W Davies	Highways Agency
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T1 *Developers' contributions to integrated transport measures*

1120	2189		Morus Investments Ltd.
			Town Planning Consultancy Limited
1107	2144		Scottish & Newcastle FPDSavills
1113	2174		Hanson Family Trust FPDSavills
1165	2521		Siemens Properties Ltd
1106	3935	Mr R Hepwood	Miller Homes East Midlands
1135	2332	Mr I Moss	House Builders` Federation
1111	2169	Mr M Slattery	Bilborough College FPDSavills

Issues Raised and the Council's Responses

6.34 Developers' contributions to integrated transport measures

1164/3643 : Railtrack PLC

1. Recommend that the role the SPG, on developers' contributions to integrated transport measures, will take in determining development proposals should be clarified in the supporting text.

Council's Response:

2. The supporting text was clarified in the Revised Deposit Draft (R358).

Inspector's Conclusions

1. I deal with this and related issues below.

6.XX R359 Developers' contributions to integrated transport measures

2207/6787: Highways Agency

1. Policies such as T1 should be used to ensure adequate highway mitigation is delivered. The wording of revision 359 does not adequately address the Highways Agency's requirements for this.
2. The objection would be withdrawn if the following sentence were added: Proposals likely to have a material impact on the Trunk Road network will need to satisfy the requirements of the Highways Agency.

Council's Response:

3. The Council recognises that this would be an appropriate addition.

Inquiry Change

IC86 The Council has recommended that the following sentence should be added to paragraph 6.XX: "Proposals likely to have a material impact on the trunk road network will need to satisfy the requirements of the Highways Agency".

T1 Developers' contributions to integrated transport measures

1120/2189 - Morus Investments Ltd

4. There is no justification for a developer to provide financial contributions towards the provision and maintenance of public transport infrastructure, service improvements or facilities elsewhere in the locality. Neither is there any recognition within the policy of an attempt to manage demand on the part of the Local Authority. The financial contributions envisaged by the policy should be directly related to the proposals in terms of overcoming planning and highway objections and the measures to be financed must be reasonably related in terms of timing and proximity. All developments generate demand for travel. No definition of 'travel' is provided and no distinction between developments generating car borne, public transport and other forms of travel. The original objection and the objectors' proof submitted by the Town Planning Consultancy propose that the policy should therefore be deleted, as the aims of the policy are satisfactorily dealt with through criteria-based policies elsewhere. The objectors' proof submitted by BWB Ltd alternatively proposes that the following wording should be added to the policy: "where the need for such measures can be directly related to the development of the application site".

Council's Response:

5. The Council considers that paragraph 6.33 in the Broxtowe Local Plan review provides the basis of the justification for such a policy. The Policy complies with Circular 1/97 'Planning Obligations' and the principles in this circular will be followed in making any individual assessment of a potential contribution by developers to transport matters. The City and County Councils as joint Structure Plan authorities, have produced a document as further clarification of Structure Plan policy 5/4 which aims to provide consistency in approach when discussing the level of contribution that might be sought from development. The Interim Transport Planning Statement (ITPS) will provide a suitable basis for this approach, with its table of types of development and locations. The Council therefore strongly disagrees that the proposal should be deleted. The Council considers that the suggested additional wording is unnecessary, as the policy makes clear that the measures concerned are those which will assist in meeting the identified demand for travel generated by the development.

Objectors Raising Similar Issues

All of the following objectors raised similar concerns regarding Policy T1

1107/2144 - Scottish & Newcastle

6. The Council should only seek contributions where the proposed public transport facilities are directly related to the proposed development and fairly and reasonably related in scale and kind to the proposed development as set out in Circular 1/97. For example H2e is well related to the rail network and bus routes thus further provision and/or improved public transport facilities are unlikely to directly benefit new residents. It is inappropriate to base policy upon draft County Council supplementary planning guidance, with no statutory status.

1113/2174: Hanson Family Trust

7. The Council should only seek contributions where the proposed public transport facilities are directly related to the proposed development and fairly and reasonably related in scale and kind to the proposed development as set out in Circular 1/97. The Council needs to provide further comment with regard to the adequacy of existing public transport services and also to the fact that the development area identified at Policy H2I is widely spread, potentially served by varying levels of public transport provision. It is inappropriate to base policy upon draft County Council supplementary planning guidance, with no statutory status.

1165/2521: Siemens Properties Ltd

8. Contributions to public transport and other measures advocated by Policy T1 should be fairly and reasonably related to the development proposal. In considering the implications of proposals, regard should be had to the existing potential of sites, including the reuse of existing buildings without the need for planning permission, existing traffic generation and other material considerations. The policy should therefore be amended to reflect that every development proposal should be considered on its merits having regard to the material circumstances identified above. Only if it can be demonstrated and justified, following a Transportation Assessment, should the Council consider seeking contributions from developers.

1106/3935: Miller Homes East Midlands

9. Principle accepted, provided the contributions are directly related to the development proposed and the policy conforms with Circular 1/97.

1135/2332: House Builders' Federation

10. The policy is contrary to Circular 1/97 because it refers to all developments, which generate a demand for travel, it implies that contributions will be required rather than sought, it is vague, it suggests providing facilities, which are not directly related to the development proposed and it refers to the maintenance of public transport infrastructure. Policy T1 should therefore be deleted

and replaced with the following: “Contributions will be sought from developers of major housing and employment land proposals and other significant development to meet elements of the costs of public transport measures arising directly from the development proposed and the provision of land within the development for public transport measures directly related to the development proposed”.

1111/2169: Bilborough College

11. The Council should only seek contributions where the proposed public transport facilities are directly related to the proposed development and fairly and reasonably related in scale and kind to the proposed development as set out in Circular 1/97. For example H2k has good public transport links from Bilborough Road. The adequacy of this provision needs to be assessed before requiring significant contribution to improvements. These improvements should be related to the needs of the residents of the development site. It is inappropriate to base policy upon draft County Council supplementary planning guidance, with no statutory status.

Council's Joint Response:

12. The rationale for the ITPS is explained in Section A of the document. It is a response to the distribution of development needs throughout the county which has been developed with the involvement of all the local authorities, the development industry and the Government Office. It is designed to ensure that the transport implications of development can be rationally and consistently dealt with on a sub-area basis, as all development in the Greater Nottingham sub-area will feed into the Greater Nottingham transport system. The ITPS is a legitimate method of developing strategic policy in advance of a full Structure Plan review and builds on Structure Plan policy 5/4.
13. The Borough Council has always intended that the policy should be compliant with Circular 1/97 'Planning Obligations' and accordingly made a revision (R357) in paragraph 6.33 to confirm this. The principles in this Circular will be followed in making any individual assessment of a potential contribution by developers to transport matters. The City and County Councils have jointly produced a document, which aims to provide consistency in approach when negotiating the level of contribution that might be sought from developments. The Interim Transport Planning Statement (ITPS) will provide a suitable basis for this approach, with its table of types of development and locations. The final version was approved by the Joint City/County Planning and Transportation Committee on 14 December 2001, having been subject to considerable consultation. It remains to be approved by individual City and County Committees, this is expected to happen in April 2002. A copy is appended to this proof. It replaces the previous version CD44.
14. The ITPS, in combination with the Local Transport Plan, will be the main point of reference for negotiating the level and destination for incoming funds. The Local Transport Plan identifies particular schemes for spending in the local area, or within the particular transport sector. Examples can include enhancement of bus services, traffic calming, pedestrian and cycle measures. The ITPS includes in its table a recognition of the relative importance of improving transport accessibility for the more remote locations eg urban extensions and new development along public transport corridors, away from central areas.
15. The Council considers that there is strong support for the kind of approach taken by policy T1 and the ITPS in PPG13, published in March 2001. Paragraph 81 states that local planning authorities “should take a more pro-active approach towards the implementation of planning policies on transport, and should set out sufficient detail in their development plans to provide a transparent basis for negotiation with developers on the use of planning obligations as appropriate, to deliver more sustainable transport solutions”. Paragraph 83 states that the development plan “should indicate the likely nature and scope of contributions which will be sought towards transport improvements as part of development in particular areas or on key sites. This will give greater certainty to developers as to what will be expected as part of development proposals and also provide a firmer basis for investment decisions in the plan area”. Paragraph 84 states that planning obligations “may be used to achieve improvements to public transport, walking and

cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures”.

16. The DTLR have recently published a Green Paper, “Planning: Delivering a Fundamental Change” (CD125) and an associated consultation paper, “Reforming Planning Obligations” (CD124). The Green Paper suggests that many people feel that planning obligations are negotiated “behind closed doors” and are insufficiently “transparent” (para 5.64). The consultation paper states that the government believes that “planning obligations should be used to achieve a wider range of objectives than is permitted under current policy as set out in Circular 1/97. We want to ensure that developers are encouraged to make sustainable development choices and that the local community is not disadvantaged by accepting development in their area” (para 2.3). The provisional proposals include a system of “standardised tariffs, set through the local plan process, which would be “much more transparent than a system of planning obligations based on negotiated agreements” (paras 1.11, 1.13, 4.1). The government states that it proposes “to encourage the provision of greater information and a more structured approach to local policies as a means of improving the transparency and predictability of planning obligations” (para 4.4). The paper also states that the government intends to enable authorities to pool contributions within a sub-regional context (para 4.15). It states that it sees PPG13 as supplementing Circular 1/97 in defining the purposes for which a planning obligation may be used (para 3.4) and that enforcing more rigorously the present policy in Circular 1/97 would conflict with trends in recent planning policy on transport and housing (Annex A). Whilst little weight can be given at this stage to the detailed proposals in the green paper and the consultation paper, they represent a clear general emphasis on avoiding an unduly strict interpretation of Circular 1/97 and on reading the Circular in the context of the more recent PPG13.
17. The County Council has stated (in its statement concerning objection 3584) that policy T1 is “wholly supported and encouraged by the County Council”. The Government Office for the East Midlands (GOEM) has raised no objection to either the policy or the reasoned justification. GOEM has been involved in the consultation on the emerging ITPS and has objected to many aspects of the Broxtowe Local Plan which it considers to be significantly contrary to government policy.
18. The Inspector for the Ashfield Local Plan Review has recently recommended that a policy on the same issue in that Plan should be retained (subject to modification). Relevant extracts from the Ashfield Local Plan Review Second Deposit and the Inspector’s Report are appended to this proof.

Additional comment on the HBF’s proof.

19. Paragraph 4.2 of the objectors’ proof refers to paragraph 2.9 of the Plan. The Council has proposed that the wording of this paragraph should be amended, through Inquiry Change IC1.
20. Paragraph 4.4 of the objectors’ proof refers to policy 5/4 of the Structure Plan. The second paragraph of the ITPS states that the scope of this policy needs to be extended, bearing in mind the new national policy framework.
21. Paragraphs 4.6 and 4.10 of the objectors’ proof refer to phrases in the policy whose meaning is clarified by the ITPS itself. However the Council acknowledges that, in order to avoid reliance on a document which does not form part of the Plan, the ITPS should be included as an appendix to the Plan.

Inquiry Change

IC87 The Council has recommended that the ITPS should be added as Appendix 13 of the Plan.

22. Paragraph 4.8 of the objectors’ proof refers to “measures recognised by the local planning authority as assisting in meeting the identified demand”. The Council acknowledges that this phrase could be clarified by a reference in the reasoned justification.

IC88 The Council has recommended that the following sentence should be added at the end of paragraph 6.34:

“The Local Transport Plan for Greater Nottingham will be used to identify measures which will assist in meeting the identified demand for travel”.

23. Paragraph 4.9 of the objectors’ proof suggest that the policy implies “a potential open-ended commitment in time and money”. However the policy and the ITPS relate to one-off contributions, not continuing commitments.
24. Paragraph 4.11 of the objectors’ proof suggests that the Council are not a party to the ITPS document. However the Council’s Planning Committee endorsed the ITPS in principle on 11 September 2000. The relevant extract from the minutes of this committee meeting is appended to this proof.

Inspector’s Conclusions

1. The comments in PPG13 para 81 refer, in my view, to the previous performance of LPAs in operating the advice of Circ 1/97 rather than defects of the Circular itself. Para B7 of Circ 1/97 already emphasises the positive role of planning obligations in the planning system, which if used properly can remedy genuine planning problems and enhance the quality of development.
2. There is little in paras 83 to 85 of PPG13 that is not already covered in most respects by Circ 1/97. The latter identifies in B7 the need for new access roads and bus shelters as a result of development. It identifies in B10 provision of or contributions to new access roads, improved junction layouts and in respect of major development, inadequately served by modes other than the private car, provision of or contributions towards e.g. new/improved rail/bus stations or facilities, park and ride schemes, improved bus services/shelters and other capital items, widened access, turning spaces and improved measures for cyclists/pedestrians. It also identifies in B14 the possibility of revenue support of public transport services for a limited period in the short term.
3. Thus whatever, the criticisms in the Consultation Paper on Reforming Planning Obligations (CD124) of the range of objectives in Circ 1/97, they could hardly apply to the transport sector. As the Council points out, the lead option in the Consultation Paper at the time was for the replacement of the present system of planning obligations by a system of locally set tariffs. However, on the 18th July 2002, the ODPM announced in the statement on “Sustainable Communities – Delivering through Planning” that the government would not be seeking legislation in respect of planning obligations and thus they will not be pursuing legislation for the introduction of tariffs. Whilst the government declares its intention to create a more streamlined system to enable the community to share in the benefits arising from development, the government’s policy guidance on the matter continues to be contained for the present in Circ 1/97 and where planning conditions are involved in Circ 11/95.
4. This was acknowledged by the Council in R357, although the term “the principles set out in” is either unnecessary or suggests some qualification of government advice. As PPG12 makes clear, LPAs are required in formulating the policies in

their development plans to have regard to any regional and strategic planning guidance and to current national policies. LPAs may depart from this if they are able to demonstrate that special local circumstances apply. However, no such circumstances have been cited by the Council and I can see none that do not apply generally to most LPAs.

5. Circ 1/97 does not preclude the LPA from seeking of a developer provision of or contributions to new infrastructure in respect of highways, public transport in its various modes, walking and cycling or public transport service improvements. These are the items included in Policy T1. However, this is subject to the tests of Circ 1/97.
6. These tests are that the provision sought should be directly, fairly and reasonably related in scale and kind to the proposed development, which should not be permitted without it, as well as being reasonable in all other respects.
7. Thus Circ 1/97 makes it clear that developers should not be expected to pay for facilities which are needed to resolve existing deficiencies, a point accepted by the County Highway Authority during the inquiry on the Watnall/Nuthall proposals. The Circ cautions that planning obligations should never be used as a means of securing for the local community a share of the profits of development i.e. as a means of securing a "betterment levy". It particularly advises that Highway Authorities should be certain that there is a specific and direct connection before suggesting that LPAs seek contributions towards sustainable transport provision.
8. The implications of these principles may vary between the need for certain highway improvements/measures, other infrastructure for walking and cycling on and adjoining the site and some public transport measures.
9. The provision of on-site footways/cycleways and appropriate off-site links may be fairly and reasonably related to a development, although the extent of off-site provision will depend upon the scale of the development involved and other factors. The provision of a satisfactory access to the site including necessary works to the adjoining highway should again normally be fairly related to a proposed development. If HA standards are applied with proper discrimination any disproportionate costs might cast doubt upon the proposed development.
10. The provision or contributions to off-site highway measures may also be fairly and reasonably attributed to new development, even where this would overcome some existing problems. As Circ 1/97 makes clear, where an infrastructure problem exists prior to a planning application and although the need to improve upgrade or replace such infrastructure does not arise directly from the new development, it would be inappropriate to grant pp for a development that would exacerbate a situation which is already unsatisfactory. In this case, it advises that developers may reach agreement to bring forward an already programmed project. Where, an improvement scheme is not programmed a developer would have a choice of making the necessary provision or face the rejection of a planning application.
11. Sometimes the off-site highway improvements required can be of some scale. They can also be required to allow more than one development to proceed. Such improvements may involve a sizeable rather than a small incremental increase in

available capacity. In such cases, it is, as I conclude in other Chapters, in the interests of integrated land use and transport planning for the Highway Authority and the LPA to co-ordinate the appropriate apportionment of the costs of mutually beneficial improvements between the developers involved in the different sites. It would be unfair and potentially inhibiting for the first applicant to bear all the costs, allowing subsequent developers a “free ride”. Similarly, it would also be unfair for an applicant to take up any remaining capacity simply because he got in first, leaving a subsequent applicant to bear all the costs of a major step improvement. However, I see little in Policy T1 or in the County Council’s ITPS or in the LP that address such issues. Indeed, the Highway Authority seemed content with a series of incremental improvements to Nuthall Island to serve the W/N proposals and sites Ea8 and Ea12, with the prospects of abortive and repeated works disrupting highway capacity for different periods in a short time scale; a clearly avoidable cost. Resolution of this issue would require the Highway Authority to identify the collective improvements necessary to permit the allocations in the adopted LP to proceed and to apportion the costs of these between the benefiting developments on a fair basis related to relative usage.

12. Improvements to public transport services and facilities raise different issues. On-site or immediate off-site facilities should be quite readily related directly to most new developments and should pose few problems. Facilities further afield such as new bus lanes, the NET and Park & Ride facilities are more problematical. They are overwhelmingly related to existing problems within a corridor than to a new development except perhaps one on the scale of the Watnall/Nuthall proposals. Thus a new development might, at the most, be asked to contribute at a level fairly and reasonably related to the relative level of demand created by their development. This might be proportionate to either its relative prospective patronage or more crudely to its relative population. With most developments in most corridors this is likely to be a minor amount. The same might apply in the case of new facilities for walking and cycling beyond the immediate environs of the development site.
13. Whether there is such a specific and direct connection between a proposed development and these types of measures further afield will depend upon individual circumstances and will be peculiar to a particular development. The same could apply to the provision of bus services. In some cases, there could be spare capacity on relevant services and thus a new development that contributes extra passengers should be welcomed, if not rewarded, for contributing towards their viability. Even where a new service is required, a developer’s responsibility might, at the most, be to meet any shortfall of revenues relative to costs; not to contribute to the profits of a commercial operator.
14. All these factors create serious complications in applying the criteria of Circ 1/97 and more particularly in establishing costs fairly related in scale and kind to the proposed development. For many smaller and modest sized developments such application may be disproportionate to the benefits.
15. The County Council’s emerging ITPS seeks contributions not to on-site facilities or to immediate off-site measures to ensure the effectiveness of the former nor to local highway infrastructure improvements. It seems solely concerned with off-site public transport, cycling and walking measures in the general area or

transport corridor. It identifies a level of contributions by all developments above a threshold depending upon their land use and general location. It seeks a predetermined guidance figure that is quite independent of the circumstances of individual development proposals. It is unrelated to specific measures that directly serve a particular development site. This amounts to a tariff or levy. It is insufficient to then say that contributions would be allocated to specific schemes or packages of measures within the general area (whatever that might mean) or corridor (not defined). This does not meet the test that contributions be directly and fairly related to the demands created by a new development. It claims that its guidance figures are based upon an estimate of the total proportion of transport demand created by new development provided for in the SP related to the integrated transport measures in the Local Transport Plans. However, there are no details of such calculations and it is hard to accept that a direct and fair apportionment (on whatever basis) could produce the same figures for each zone/area, which are already very wide. Furthermore, it is unclear what measures and their costs apply to each corridor and thus potentially to each development proposal. Also LTPs cover only a short time scale less than the remaining life of the LP. Lastly the likely population of new dwellings in the sub area 2003 to 2011 is only about 7% of the existing; a hardly significant impact except on a very local scale. It would leave the Highway Authority to fund the other 93 % within a very tight timescale. It would be interesting to assess whether the costs of administering such a small proportion of the overall budget is cost effective.

16. Thus the contribution required in the ITPS is not directly related to the demands or problems arising from an individual development site. It therefore amounts to a predetermined base levy founded upon an obscure and a less than direct calculation. As a levy, it is clearly contrary to Circ 1/97. A tariff may have been mooted in the Consultation Paper, but this has since been rejected by the government as a way forward. It is difficult against such a background to accept the claim that each case could be considered on its merits in accordance with Circ 1/97. What the levy approach might gain in simplicity and in advance notice, it fails in terms of the tests of Circ 1/97 and in particular the lack of any direct relationship of individual development proposals to particular ITPS proposals.
17. The initial impression of simplicity and advance notice is however, eroded through a series of exceptions subject to negotiations. These do not make a hybrid scheme acceptable in terms of Circ 1/97 even as a starting point. The variation from the guidance figure for alternative specific transport measures to reduce car use, hardly helps since being outside the LTP such measures could have little priority or indeed be required of the development proposed. The logic of a reduction for the travel demands of a previous use (up to 5 years ago) escapes me as does the rationale for employment development helping disadvantaged areas, which also begs a definition as does the term “exceptionally high development costs”. Finally there is no indication of how an “appropriate reduction” in the guidance figures would be calculated.
18. Furthermore, the variations in contributions between the differing types of area suggest the influence of planning location policy rather than transport demand fairly and directly related to individual developments. I find it difficult to believe that an out of town retail store would generate as many PT/walking and cycling trips as a City Centre store and thus the type of general measures identified in the

ITPS. Indeed, that is why planning policy favours the latter and discourages the former. The same could be said for offices and dwellings. The operation of Circ 1/97 does not allow for the imposition of penalties. The provision of dedicated new PT services to serve more isolated developments is another matter. This may be necessary to achieve reasonable accessibility by PT. However, an on-site or adjacent site service is seemingly outside the scope of the ITPS.

19. The exceptions and variations cited in the ITPS amount to a highly selective set of circumstances, which would hardly move it towards achieving compliance with Circ 1/97. The operation of the exceptions also negates the simplicity and clarity that the guidance figures at least enjoy.
20. The thresholds are largely derived from Annex D of PPG13 but this relates to maximum car parking standards not to transport impact. These are much smaller than the thresholds suggested for TIAs relating to a material traffic impact. A housing scheme of only 12 dwellings (.4 ha @ 30 dph) would produce less than about 90 trips of all kinds per day and few PT trips. It would be most difficult to identify a need for any improvements required to allow such small developments to go ahead.
21. I take few issues with the approach outlined in paras 19 and 20 of the draft ITPS. The intention of S106 agreements to specify specific schemes or package of measures on which contributions would be used is clearly necessary to comply with Circ 1/97, as is the intention that measures should be directly related to the proposed development. However, I cannot see how this approach is compatible with the rest of the ITPS document and with measures in such wide strategic sectors or with the predetermined developer contribution figures.
22. As it stands, I have serious reservations about the concept and the operation of the ITPS. It has not, to my knowledge, yet been subject to rigorous examination at Public Inquiry. It was proposed for importation into this LP at a late stage in IC87. I am unsure what I am expected to make of the lack of opposition from the GOEM. However, this affords it no unwarranted status in the light of conflicts with Circ 1/97 and the government's change of tack last year. I am also aware that the Ashfield LP Inspector recommended its incorporation in that LP review. However, the government has since turned away from the tariff approach. I am therefore to be guided by my interpretation of the advice in Circ 1/97.
23. I am sympathetic to the need for a better balance between the provisions made for public and private transport in new developments. However, the major imbalance lies within the existing built up areas and other approaches such as private car parking levies might achieve a wider and more immediate impact.
24. The ITPS may yet evolve to meet the current criticisms and questions and to comply fully with the tests of Circ 1/97. The County and the Borough Council could then adopt it as SPG pending its incorporation in their future Local Development Document. However, in its present state I am unable to support its incorporation in the RDDP as requested in IC87 and belatedly in IC121. Paragraph 6.34 and R358 as the main reference point for implementing T1 should also be deleted for the same reasons. It should be replaced by the additional sentence in IC88, which is informative.

25. I recognise that this creates a potentially different regime at least between Ashfield and Broxtowe Districts. However, this is a consequence of the fragmented approach countenanced by the County, City and District Councils. Consistency on its own is insufficient to overcome my own reservations.
26. Turning to the Policy itself. The generation of a travel demand in itself does not justify any contribution. It might well be that a development helps to sustain an existing PT service by providing passengers for a route with spare capacity. A contribution could only be fairly sought if a proposed development requires provision of new or improved facilities or services that would not otherwise have the necessary capacity. Thus the first part of the Policy is flawed. The last part of the Policy is also controversial. The term elsewhere within the locality is too vague. Such works may or may not be related to the requirements imposed by the new development. The last part should be redrafted. The term “maintenance” is misleading; the term “provision” in any case may embrace an ongoing, if short term commitment. IC120 very belatedly proposes to delete the term but falls within my recommended modifications. However, I fail to see why a development should provide revenue support for an existing loss making service in addition to providing extra patronage. The modification that I recommend should help to implement SP Policy 5/4 with more assuredness.
27. Circ 1/97 also warns authorities that attempts to secure additional benefits may be counter-productive; if they seek more than is justified. They may frustrate worthwhile development proposals or put at risk their plans for their areas. The LPA might reflect upon the impact of all the “charges” they seek to make upon new development when housing has reached record high prices and now reportably stands beyond the reach of millions of people. The concept of affordable housing provision by the private sector may well be unsustainable at the sort of levels implied by these sorts of figures. Integrated transport is important but it is questionable whether it and many other desired aims should have the same priority as the need of each household for a decent home.
28. IC86 seeks to add a sentence referring to the need to satisfy the requirements of the Highway Agency in the case of trunk roads. Whilst this applies, whatever the Plan says it is harmless enough and should be supported. IC119 introduced very belatedly and not included in the Council’s Skeleton Report seeks to take account of other LP developments and should thus be supported.

Recommendation

28. I recommend that the RDDP be modified as set out in IC119 and by deleting paragraph 6.34 and by substituting the following for Policy T1: “Planning Permission will not be granted for developments which generate a requirement for the provision of new or improved transport infrastructure and services within, directly serving or in the transport corridor serving the site until an appropriate contribution has been negotiated towards the provision of such measures in accordance with Circ 1/97 and its successors”. I also recommend that the RDDP be modified as set out in IC88, subject to the above qualifications, and as set out in IC86.

T2 IMPROVEMENTS TO BUS FACILITIES

Objections

601 3040 Mr S Rufus Nottinghamshire Wildlife Trust

Summary of Objection issues

601/3040 Nottinghamshire Wildlife Trust

1. Welcome the stated intention to support proposals, which improve or enlarge the provision of bus services in the borough. However the policy, which is designed to improve public transport facilities, should also refer to the need for the new services or improvements to also consider integration with other public transport, be it existing bus service connections or other modes of transport such as trains.

Council's Response:

2. General support is noted. The Greater Nottingham Local Transport Plan (LTP) will ensure that improvements are integrated.

Inspector's Conclusions

1. If integration of bus services with other PT facilities such as NET and rail improves the provision or operation of bus services then it would fall within the terms of Policy T2. It merits no separate mention as suggested by the NWT; this is unnecessary elaboration.

Recommendation

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

T3 BUS FACILITIES IN NEW DEVELOPMENT

Objection

1381 3569 Mr M Gorman Government Office for the East Midlands

Summary of Objection Issues

1381/3569: GOEM

1. It is unclear whether this policy relates to all development sites or only to residential development.

Council's Response:

- The title and reasoned justification have been amended in the Revised Deposit Draft to make clear that the policy relates to all development sites.

Inspector's Conclusions

- R363 usefully clarifies the scope of Policy T3 and meets the GOEM's justified objection to the FDDP.

Recommendation

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

T4 PARK AND RIDE FACILITIES**Objections**

6.41		Park-and-ride facilities	
1135	2337	Mr I Moss	House Builders` Federation
6.42		Park-and-ride facilities	
1166	2528	Mrs B Neville	Nottingham City Council. Development Department
T4		Park-and-ride facilities	
1124	2212		Granada Hospitality Limited Weatherall Green & Smith CPRE
1163	2470		Nuthall Parish Council
1006	1915		Browne Jacobson Planning Unit Metropolitan & District Developments Ltd. Shoosmiths Solicitors
1178	2753		Nuthall Action Group Antony Aspbury Associates CPRE - Broxtowe Group
1218	2898		English Nature East Midlands Team
598	2623	Mr I Brown	
1383	3538	Mr S Clifton	
1122	2194	Mrs MM Daykin	
1138	2284	Mr DE Dearman	
1137	2276	Mrs JE Dearman	
1136	2265	Mr ID Dearman	
662	1295	Mr BA Edson	
972	1805	Mr O Elliott	Notts Transport 2000
T4		Park-and-ride facilities - Beginning of Policy re-phrased	
601	4597	R365 Mr S Rufus	Nottinghamshire Wildlife Trust

Issues Raised and Council's Response**6.41 Park-and-ride facilities**

1135/2337: House Builders' Federation

1. There should be no requirement for new development to contribute to park and ride facilities.

Council's Response:

2. Refer to response to the House Builders' Federation Objection (2332) relating to Policy T1. (Proof 040). The contributions required will be related to the proposed development and the location of that development. Park-and-ride facilities are recognised as an integral part of the transport measures needed for the borough. The M1 Multi-Modal Study's recommendations help to identify their importance, and will inform subsequent Local Transport Plans for Greater Nottingham to achieve their implementation.

Inspector's Conclusions

1. The HBF are correct that the provision of most proposed Park and Ride sites are related to transport demands arising from existing development, rather than new development. However, this was not the case universally. Indeed, the only P&R allocation in the RDDP is at Watnall/Nuthall and is associated with the major housing and employment allocations there. However, as I recommend the deletion of these allocations elsewhere in my Report, the sentence in paragraph 6.41 to which the HBF objected could be misleading and should be deleted. Paragraph 6.42 should also be deleted, as it is now redundant.

Recommendation

2. I recommend that the RDDP be modified by the deletion of the second sentence from paragraph 6.41 and by the deletion of paragraph 6.42.

6.42 Park-and-ride facilities

1166/2528: Nottingham City Council

1. The Plan should identify the preferred location for a park and ride site within the A52(W) corridor on the Proposals Map.

Council's Response:

2. The Council is not in a position to identify a preferred location for a park and ride site within the A52 corridor. However the policy text allows for such a proposal to come forward in the future.

Inspector's Conclusions

1. This objection has apparently been withdrawn, although this is at odds with the City Council's recent letter of the 15 April 2002. However, the Borough Council is not in a position to identify a preferred location in the A52 corridor, as it will depend upon a number of factors. A reference in paragraph 6.41 to a proposed Park and Ride Site in this corridor related to a NET extension would be informative.

Recommendation

2. I recommend that no modification be made to the RDDP in respect of this objection except for a reference in paragraph 6.41 to a Park & Ride site in the A52 corridor.

T4 Park-and-ride facilities

1124/2212: Granada Hospitality Limited

1. Support the policy, however in order to target the most motorists, park and ride facilities need to be easily accessible from the strategic routes. Strategic routes into city centres are by their very nature located in the Green Belt. Suggest thus as with all development within the Green Belt, Park and Ride should be subject to E8's replacement policies.

Council's Response:

2. Any proposals for park and ride facilities will be assessed with regard to all relevant guidance and policies. However, Granada Hospitality Limited will be aware that recent government guidance has indicated that park and ride facilities can be treated as appropriate development within the Green Belt (refer to Annex E of PPG13).

Objectors Raising Similar Issues

3. All of the following objectors raised similar concerns regarding the Watnall Park and Ride allocation at the Watnall/Nuthall mixed use allocation.

1163/2470: CPRE

4. Whilst supporting the general objectives of the park and ride sites - including the reduction of private car usage and congestion within the built-up area of Nottingham and the overall reduction in private car mileage - Nottingham CPRE has concerns relating to park and ride in general and this site in particular. Park and ride schemes should lead to an overall reduction in car mileage. However some schemes have had the opposite effect - where existing bus services have seen a reduction in patronage as passengers transfer back to their own cars for part of the journey and use the park and ride service for the remainder. In addition park and ride schemes can lead to an increase in car traffic gaining access to park and ride sites. In the case of the proposed Watnall site, the site and the proposed new spine road are located such that car traffic to it, likely to be from Eastwood, Kimberley, Awsworth and beyond, will lead to an increase in traffic on local residential roads such as Newdigate Road and Larkfield Road. Much traffic along the A610 Nuthall By-pass would have difficulty in gaining easy access to the proposed - and so would be unlikely to make use of it.

1006/1915: Nuthall Parish Council

5. Proposed Public transport inadequate - if the public transport was sufficient no need for Park and Ride, thus increased traffic, Loss of Greenfield site, Loss of Green Belt, Loss of secure boundary, Create urban sprawl, Loss of agricultural land, No need/demand for such facilities and the public transport benefits of the site are not proven, Poorly related to main urban area.

1178/2753: Metropolitan & District Developments Ltd

6. Objection is raised to the identification of a park and ride site at Watnall as identified on the proposal map. It is considered the site is inappropriately located to make any contribution providing access to public transport for existing travellers, to reduce car use generally, or to intercept car users travelling into the City of Nottingham by Junction of the M1.

1218/2898: Nuthall Action Group

7. Whilst the scale of development proposed in the Watnall area, is manifestly to fund new infrastructure, that infrastructure is required largely to mitigate the basic deficiencies of the scheme and is thus an inefficient use of community assets and resources. Any shortfall or delay in the introduction of public transport infrastructure is likely to lead to those undertaking journeys to-and-from the development at Watnall committing themselves to the use of the private motorcar, exacerbating congestion.

Council's Joint Response:

8. Regarding the appropriateness of the Watnall/Nuthall park-and-ride site allocation, the Council considers that it complies with criteria in the policy. The public transport spine of the proposed infrastructure route through the centre of the development will itself form a strategic route and offer an opportunity for car travellers to transfer to public transport. It is considered to be a valuable facility in its own right which would complement other park-and-ride sites. It would be used mainly by those travelling from the north (B600) via the spine road who would wish to transfer to NET/bus shuttle at the earliest opportunity. When the M1 Multi-Modal Study's proposals are implemented, the slip roads from the M1 motorway (the proposed "Junction 26A") will give greater weight to the strategic importance of a park-and-ride facility in this area.

Objectors Raising Similar Issues

9. The following two objectors raised similar issues regarding the environmental impacts of the Park and Ride site, within the Watnall/Nuthall mixed use allocation.

598/2623: CPRE - Broxtowe Group

10. The proposed park and ride should consider its effects on Watnall Cutting and woodland.

1383/3538: English Nature East Midlands Team

11. The allocation is close to the eastern end of the Kimberley Railway Cutting SSSI. In its comments on the consultation Draft of the Plan, English Nature expressed concern about developments near to this SSSI.

Council's Response:

12. Although the park and ride is sited close to the eastern end of an SSSI, the allocation is sufficiently generous for the amount of parking envisaged to allow the retention of a natural or landscaped margin which can be wider at the western edge if desired, to help protect the qualities of the SSSI.

1122/2194: Mrs MM Daykin

13. Object to the explanatory statements in respect of the two above policies, that car parking would be considered to be an appropriate exception to normal Green Belt policy. Permanent development under concrete or tarmac for whatever reason could lead to extensive and permanent erosion of Green Belt landscapes. It could result in the loss of semi-natural and natural habitats or landscape features which it is rarely possible and usually too expensive to restore. For these reasons, I am concerned that in the absence of detailed criteria regarding the maximum permissible scale of any such schemes that this type of development is at variance with Green Belt Guidance.

Council's Joint Response:

14. The Council wishes to draw attention to PPG13 Transport (2001) which formally amends PPG2 (Green Belts) regarding the appropriateness of park-and-ride sites in Green Belt. It will usually be

possible to ensure sensitive design and layout in such circumstances in order to minimise damage to the Green Belt's open character.

Objectors Raising Similar Issues

The following objectors all raised general concerns regarding the Watnall development and cited Policy T4 among many others relating to the site.

1138/2284: Mr D E Dearman

15. 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.

1137/2276: Mrs J E Dearman

16. 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.

1136/2265: Mr I D Dearman

17. 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.

662/1295: Mr B A Edson

18. Loss of Green Belt, Increased traffic on Nuthall roundabout and A610, Pollution, Loss of Greenfield site.

Council's Joint Response:

19. These objections relate to the principle of the whole Watnall mixed development area, and the points raised have been answered in the Council's Proof 014.

972/1805: Mr O Elliott

20. Proposed Public Transport inadequate, Loss of nature reserve.

Council's Response:

21. Regarding the appropriateness of the Watnall park-and-ride site allocation, the Council considers that it complies with criteria in the policy. The public transport spine of the proposed infrastructure route through the centre of the development will itself form a strategic route and offer an opportunity for car travellers to transfer to public transport. It is considered to be a valuable facility in its own right which would complement other park-and-ride sites. It would be used mainly by those travelling from the north (B600) via the spine road who would wish to transfer to NET/bus shuttle at the earliest opportunity.
22. Although the park and ride is sited close to the eastern end of an SSSI, the allocation is sufficiently generous for the amount of parking envisaged to allow the retention of a natural or landscaped margin which can be wider at the western edge if desired, to help protect the qualities of the SSSI.

T4 R365 - Park-and-ride facilities - Beginning of Policy Re-phrased

601/4597: Nottingham Wildlife Trust

23. We do not feel that it is appropriate to state that planning permission will be granted without there being greater stipulations on the conditions that need to be met. While we cannot comment on the section dealing with the stipulations, we refer the Council to our comments on the Deposit Draft in which we raised the issue for the need to assess the impacts not just on the local environment, but what impacts the scheme would have on the behaviour of potential users. It is unclear if Park and Ride schemes reduce or increase overall road miles travelled, and they may in fact undermine the integrity of rural public transport facilities. Without clearly demonstrating the effects on these aspects of the schemes, we feel that it is inappropriate for the Council will state it will grant permission for such proposals.
24. We recommend that the first sentence be amended to read as follows, "Subject to evidence of real benefits to sustainable transport behaviour, planning permission will be considered for the provision of park and ride schemes".

Council's Response:

25. This objection to revision R365, requires evidence to be submitted to demonstrate the effectiveness of park-and-ride in any particular circumstances. The council is satisfied that park-and-ride, where endorsed by the highway authority, is a valid part of its integrated transport measures and that no evidence needs to be submitted to justify it. In the case of the Watnall development, this proposal has been assessed as a component of the overall Transport Assessment.

Inspector's Conclusions

1. A number of objections are to the Park and Ride allocation as part of other allocations at Watnall/Nuthall. They raise a range of issues, which I consider in Chapters 4 and 5 under sites H2I, EM2 and EM3f. I agree with Metropolitan, the CPRE and others that the W/N P&R site itself is not well placed to achieve a diversion to the NET of much existing car traffic destined for Nottingham, particularly that using the A610. Its attractions would be confined mainly to the proposed new development area, existing local traffic and that from further afield in the B600 corridor. It could lead to an increase of traffic on the northern parts of the B600 and other local roads as the CPRE observe, but it could also reduce traffic on the southern section of Main Road. However, I recommend the deletion of this P&R allocation and of allocations H2I, EM2 and Em3f (part) from the RDDP elsewhere in my Report. The M1 MMS proposes a very large strategic Park & Ride Site to serve M1 to Nottingham traffic located to the west of Low Wood Road. It is not clear yet whether this would replace previous NET proposals for a P&R facility at Phoenix Park, which is the currently planned terminus.
2. PPG12 Annex E makes it clear now that Park & Ride development is not inappropriate development in Green Belts, provided that 4 criteria are met. Thus the last sentence of paragraph 6.41, to which Mrs Daykin objects, is inaccurate having been overtaken by PPG13 Revised. Granada's proposed amendment is an inaccurate summary of only one of these criteria and is misleading. The last sentence of paragraph 6.42 should be replaced by a suitable reference to PPG13 Annex E. There is no specific need to repeat the 4 criteria of Annex E in the RDDP, although the Council may wish to do so in the interests of completeness.

3. This may help to meet some of the NWT's concerns about the operation of the Policy. However, their own suggested Policy is flawed on a number of counts. The term "considered" is inappropriate; it is the Council's duty to consider all planning applications submitted whether they accord with LP policies or not. The term tells the reader nothing. The benefits to sustainable transport behavior arise where P&R sites assist in achieving modal shift away from use of the private car. The Policy needs no further elaboration.
4. Park and Ride schemes clearly involve the use of cars before transfer to public transport, as Transport 2000 observe. Such schemes may encourage some existing PT passengers to use their car for part of their new journey but they may be in a minority. Such schemes might not reduce the overall miles traveled by car, however this may not necessarily be the main purpose. Many schemes are rightly designed to reduce car traffic on the most congested parts of the highway network such as city centres and city radial routes. The generation of more car trips in outer areas to P & R sites may have to be tolerated in order to improve conditions on the parts of the highway network under most pressure.
5. I see no direct connection between the provision of Park & Ride Sites and the availability of rural bus services; the main aim being to achieve a modal shift from cars. In any case the extent of rural areas is limited in Broxtowe. Where existing bus services are re-routed to a P&R site some existing passengers may be disadvantaged. However, this is a result of decisions on bus networks, not the P&R site itself. In consequence, I see no merit in NWT's suggested amendments. In taking decisions on planning applications the LPA must have regard to the Plan Policies and to other material considerations, which may include some of the factors mentioned by the NWT. However, it is unnecessary to state this in each and every policy, it being a requirement of the Act.
6. CPRE's suggested addition to criterion b) is unnecessary. The term "local environment" covers local residents, wildlife and other environmental concerns.
7. Ticketing arrangements are a matter for the NET operator and are too detailed for a LP. Publicity material indicates that the operator envisages that a tram ticket will entitle the purchaser to free parking. It is not clear whether combined bus and NET ticketing will be available.

Recommendation

8. I recommend that the RDDP be modified by substituting for the last sentence of paragraph 6.41 a suitable reference to the advice of PPG13 Revised Annex E regarding P&R sites in the Green Belt. Otherwise no modification should be made to Policy T4 in respect of these objections.

T5 SOUTH NOTTS RAIL NETWORK (SNRN)

Objections

6.44				South Notts Rail Network (SNRN)			
1135	2341	Mr I Moss		House Builders` Federation			
T5				South Notts Rail Network (SNRN)			
1116	2372			Wimpey Homes			
				Stoneleigh Planning Partnership			
1122	2196	Mrs MM Daykin					
601	3044	Mr S Rufus		Nottinghamshire Wildlife Trust			

Summary of Objection Issues

6.44 South Notts Rail Network (SNRN)

1135/2341: House Builders` Federation

1. There should be no requirement for new development to contribute to GNARDS. Delete the sentence: 'Developers may be expected to contribute towards the costs of the provision of GNARDS facilities, in accordance with Policy T1.

Council's Response:

2. The rationale for the Interim Transport Planning Statement (ITPS) is explained in Section A of the document. It is a response to the distribution of development needs throughout the county which has been developed with the involvement of all the local authorities, the development industry and the Government Office. It is designed to ensure that the transport implications of development can be rationally and consistently dealt with on a sub-area basis, as all development in the Greater Nottingham sub-area will feed into the Greater Nottingham transport system. The ITPS is a legitimate method of developing strategic policy in advance of a full Structure Plan review and builds on Structure Plan policy 5/4.
3. The Borough Council has always intended that the policy should be compliant with Circular 1/97 'Planning Obligations' and accordingly made a revision (R357) in paragraph 6.33 to confirm this. The principles in this Circular will be followed in making any individual assessment of a potential contribution by developers to transport matters. The City and County Councils have jointly produced a document which aims to provide consistency in approach when negotiating the level of contribution that might be sought from developments. The Interim Transport Planning Statement (ITPS) will provide a suitable basis for this approach, with its table of types of development and locations. The final version was approved by the Joint City/County Planning and Transportation Committee on 14 December 2001, having been subject to considerable consultation. The document will be endorsed by City and County Councils in April/May 2002.
4. The Council considers that there is strong support for the kind of approach taken by policy T1 and the ITPS in PPG13, published in March 2001. Paragraph 81 states that local planning authorities "should take a more pro-active approach towards the implementation of planning policies on transport, and should set out sufficient detail in their development plans to provide a transparent basis for negotiation with developers on the use of planning obligations as appropriate, to deliver more sustainable transport solutions". Paragraph 83 states that the development plan "should indicate the likely nature and scope of contributions which will be sought towards transport improvements as part of development in particular areas or on key sites. This will give greater certainty to developers as to what will be expected as part of development proposals and also provide a firmer basis for investment decisions in the plan area". Paragraph 84 states that planning obligations "may be used to achieve improvements to public transport, walking and cycling, where

such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures”.

5. Further endorsement of the part that can be played by improvement to heavy rail facilities within the borough is contained in the M1 Multi-Modal Study documents produced in 2002, which will inform subsequent Local Transport Plans for Greater Nottingham.

Inspector's Conclusions

1. I deal with Policy T1 above. The HBF is again correct in saying that the provision of new rail stations is largely designed to meet the needs arising from existing developed areas rather than any new developments. In this case, the contributions from most new developments would according to the advice of Circ 11/95 and 1/97 be difficult to establish. However, there are only three new railway stations proposed in the RDDP at Ilkeston North, Ilkeston South and possibly Stapleford/Sandiacre. The only allocation within the vicinity of any of these is EM3c, which being very small, adjacent and an employment rather than a housing allocation is unlikely to give rise to the need for facilities such as secure cycle storage and bus transfer. There might be a stronger case for a development of former allocation H2j to contribute to a new station on the adjoining railway line in order to enhance the sustainability of a housing allocation. However, regrettably a station there seems to be ruled out on operating grounds, although these are not entirely clear or convincing. In any case I support PIC6 to delete this allocation from the RDDP. I note R357 to an earlier paragraph but on its own this is insufficient. It does not excuse misleading statements elsewhere. In these circumstances, the 5th and 6th sentences in paragraph 6.44 should be deleted.

Recommendation

2. I recommend that the RDDP be modified by deleting the 5th and 6th sentences of paragraph 6.44.

T5 South Notts Rail Network (SNRN)

1116/2372: Wimpey Homes

1. The plan proposes a new railway station at South Ilkeston adjacent to Ilkeston Road, Trowell. Wimpey Homes Holdings control a site at The Forge, approx. 200m to the south which would provide a significant area of parking for park and ride site. The proposed station site would not appear to have that potential.

Council's Response:

2. The Council considers the proposed site at Ilkeston South is suitable for a new railway station and has adjoining land which could accommodate sufficient parking spaces. The draft final package of measures recommended in the consultants' report for the Multi-Modal M1 Study (CD122) includes this proposal. There is no justification for the alternative parking site, which is relatively remote

1122/2196: Mrs MM Daykin

3. Object to the explanatory statements in respect of the policies T4 and T5, that car parking would be considered to be an appropriate exception to normal Green Belt policy. Permanent development

under concrete or tarmac for whatever reason could lead to extensive and permanent erosion of Green Belt landscapes. It could result in the loss of semi-natural and natural habitats or landscape features which it is rarely possible and usually too expensive to restore. For these reasons, I am concerned that in the absence of detailed criteria regarding the maximum permissible scale of any such schemes, that this type of development is at variance with Green Belt Guidance.

Council's Response:

4. It is considered that the SNRN will make an important contribution to improving sustainability. Any impact on the Green Belt will be limited to a few sites - the visual impact on the Green Belt will be assessed and every effort made to minimise the harm to the open character or visual amenity of the Green Belt.
5. Advice contained in PPG13, Annex E states that 'the countryside immediately around urban areas will often be the preferred location for park and ride schemes. In many instances, such land may be designated as Green Belt. The Government's commitment to maintaining the openness of the Green Belt means that when seeking to locate park and ride development, non-Green Belt alternatives should be investigated first. However, there may be cases where a Green Belt location is the most sustainable of the available options. The PPG confirms that park and ride facilities can be "appropriate development" in Green Belts.

601/3044: Nottinghamshire Wildlife Trust

6. Support any proposals to improve public transport facilities in the drive to reduce dependency on the private car. However concerned if the proposals in this plan are to lead to development of new rail stations, which would have an adverse effect on land with current nature conservation interest. The sites indicated on the proposals map include the station at Ilkeston South which according to our information is an area with an existing SINC and a proposed SINC. It is important that this current land value of the area be considered in drafting plans for the improved rail service and that every effort be made to avoid such sites.

Council's Response:

7. General support for the policy is noted. The Council is committed to protecting SINC sites whenever possible; Policy E17 in the plan would apply. However in some cases the benefits (special reasons) outweigh the recognised value of the site and the Council considers that Ilkeston South station is one of those cases. Nevertheless every effort will be made to mitigate the impact on the SINC sites. SINC 2/266 is described as 'A grassland with a flood meadow character and scrubby herb rich areas', grade 2 in value; this is wholly to the west of the A609 and unlikely to be affected by the station proposal. SINC 5/13, now confirmed as a recently-designated SINC, is also described as grassland but would be likely to be seriously affected by the development of the station and its associated facilities.

Inspector's Conclusions

1. The Council seem satisfied that adequate parking could be provided to serve a new station at Ilkeston South, without the need for Wimpey's land, which as the Council say would involve a unnecessary walk.
2. If new rail stations, particularly in the locations depicted on the PM are to be successful in achieving some transfer from private to PT for a least part of the journey, they would need to provide for Park and Ride facilities close by to attract the private motorist. Thus it may be necessary permit such facilities on greenfield sites and even in the Green Belt. PPG13 revised Annex E makes it clear that Park and Ride facilities may not be inappropriate development in Green Belts subject to

certain criteria. Thus the last sentence of paragraph 6.44 of the RDDP is now wrong and should be replaced with a suitable reference to the advice of PPG13 Revised Annex E.

3. Detailed planning should seek to avoid valuable resources. However, the location of new stations is clearly strongly related to operating factors as Railtrack PLC made clear in the 4 essential criteria mentioned in their letter of support. It may not be possible to meet these whilst avoiding some impact on some resources such as SINC's. However, these local designations do not merit the same level of protection as national designations and it may be necessary to develop on SINC's in the wider interests of promoting less reliance on the private car.

Recommendation

4. I recommend that the last sentence of paragraph 6.44 be replaced by a suitable reference to the advice of PPG13 Annex E on Park and Ride sites in the Green Belt.

T6 NOTTINGHAM EXPRESS TRANSIT (NET)

Objections

6.46 R369	Nottingham Express Transit - NET - Addition - updated reference	
1155 5096 R369	Greasley Parish Council Andrew Thomas Planning	
6.46 R370	Nottingham Express Transit - NET - Addition of sentence to protect future NET routes	
1155 5097 R370	Greasley Parish Council Andrew Thomas Planning	
6.47	Nottingham Express Transit - NET	
1166 2527	Mrs B Neville Nottingham City Council. Development Department	
T6	Nottingham Express Transit - NET	
1218 3644	Nuthall Action Group Antony Aspbury Associates	
1006 1936	Nuthall Parish Council Browne Jacobson Planning Unit	
1155 2512	Greasley Parish Council Andrew Thomas Planning CPRE - Broxtowe Group	
598 3638	Mr I Brown	
151 3233	Mr M Brown	
1383 3539	Mr S Clifton	English Nature East Midlands Team
1184 3231	Mr AN Hardy	
1322 3269	Mrs L Saunders	
1130 2231	Mr R Walters	Hallam Land Management
T6 R371	Nottingham Express Transit - NET - Addition of support for proposals which would facilitate the expansion and operation of the NET system	
1155 5095 R371	Greasley Parish Council Andrew Thomas Planning	
601 4598 R371	Mr S Rufus	Nottinghamshire Wildlife Trust

Summary of Objection Issues

6.46, 6.47 R369 and R370 Nottingham Express Transit (NET)

1155/5096 & 5097: Greasley Parish Council

1. No reason has been given for renegeing on the Deposit Draft's commitment to provide a NET extension to Kimberley/Eastwood. There should be a safeguarded line on the Proposals Map taking the NET to Kimberley/Eastwood.

Council's Response:

2. The amendments R369 and R370 update the references to the Nottingham Express Transit. The Council remains committed to the provision of a NET extension to Kimberley/Eastwood. The precise route has not yet been established. Regarding the first stage to Watnall/Nuthall, the text states "in order to avoid the scheme being jeopardised, development will not be permitted in the vicinity of the preferred route shown on the Proposals Map. If an alternative route becomes the preferred route, this restriction may then be transferred".
3. The NET team has been concentrating on Line 2 options in the south of the borough, pending the outcome of the M1 Multi-Modal Study work which has more direct implications for the north of the borough. The consultants' final package of schemes for the Multi-Modal Study, published in March 2002, includes a strategic park-and-ride site to be served by a NET extension at Nuthall. This will give weight to a further NET extension to Kimberley and Eastwood in due course.

Inspector's Conclusions

1. R369 and R370 simply represented the latest thinking of the NET team at the time, whose priorities have changed. There is no identified NET route to Kimberley or Eastwood on the PM and the Parish Council does not suggest one. Indeed, all the more obvious routes from the Nuthall/Watnall allocations have been developed or compromised. Perhaps the B6010 now offers the clearest route to serve these two towns. The M1 MMS proposes an extension of the NET westwards from Cinderhill/Phoenix Park to serve an M1 based Park and Ride facility. This could be either to the east of M1, as illustrated in the MMS, or to the west. I consider these in more detail in Chapters 4 and 5.
2. As I recommend deletion of the allocations in the RDDP at Watnall/Nuthall the 4th and 5th sentences of paragraph 6.46 are no longer appropriate and should be deleted.

Recommendation

3. I recommend that the RDDP be modified by deleting the 4th and 5th sentences of paragraph 6.46.

6.47 Nottingham Express Transit - NET

1166/2527: Nottingham City Council

1. A defined route for NET to Kimberley/Eastwood (including beyond proposed Watnall development) should be safeguarded and shown on the Proposals Map. Similarly land should be safeguarded and shown on the Proposals Map for the proposed line to Beeston. Park and Ride facilities should be designed and located to attract users from beyond the immediate catchment area of each line.

Council's Response:

2. At this stage, with NET consultants' investigations still pending, it would not be possible to show a continuation of safeguarded line towards Kimberley and Eastwood, or a new line to Beeston. If the line was to change in the future, an arbitrary line now would create unnecessary blight. It may be possible to define routes at the Proposed Modifications stage of this Plan. Details of any route would still be subject to further examination through the Transport and Works Act procedures. Park-and-ride facilities are included in the Local Plan adjoining the proposed NET extension to Watnall/Nuthall, and would be likely to attract users from beyond the line's immediate catchment.

Inspector's Conclusions

1. I have dealt with this above. No route has been identified and none is suggested for a NET route to Kimberley and Eastwood and therefore I am unable to recommend one.

Recommendation

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

T6 Nottinghamshire Express Transit (NET)

1218/3644: Nuthall Action Group

1. The Watnall development is ultimately dependent for its (transport) sustainability credentials on the construction of the NET extension, which scheme may well take many years to be implemented, if at all. This is because any new conventional bus infrastructure at realistic levels of commercial viability would not have the capacity to accommodate the number of journeys likely to be generated without the introduction of very large numbers of buses at high frequencies, especially at peak times, necessitating huge investment in vehicles. Any shortfall or delay in the introduction of public transport infrastructure is likely to lead to those undertaking journeys to-and-from the development at Watnall committing themselves to the use of the private motor car, exacerbating congestion.

Council's Response:

2. The safeguarded route shown on the Proposals Map to the centre of the Watnall/Nuthall mixed development is a key feature of the overall planning of this major proposal. This is expected initially to be operated as a dedicated shuttle-bus route over which the NET can be constructed at a later date. Whether it is operated by buses or trams, it provides further modal choice on a busy public transport corridor, and is aimed to take some pressure off traffic congestion in the area of Nuthall roundabout. The tram could easily be constructed within the plan period and investigation will continue regarding its onward extension towards Kimberley and Eastwood now that the M1 multi-modal study has itself progressed further.

1006/1936: Nuthall Parish Council

3. Do not object to safeguarding NET extension routes on the basis of a clearly defined public transport strategy, however this is not part of such a strategy. Thus it means a Loss of agricultural land, Loss of Green belt, The route crosses a Protected Open Area (Policy E13), No overriding need for the development.

1155/2512: Greasley Parish Council

4. The plan states that there is an intention to extend the NET to Kimberley/Eastwood. However the extension of the NET route into the new development area proposed by policies EM2, H2I and EM3f does not seem to provide for such a future extension. As the plan stands it is not clear if the current route would prejudice a future extension. There may be a case for requiring the provision of NET extension to Kimberley/Eastwood as part of the overall proposals at EM2/H2I - this should become clearer when further information is available. We therefore suggest that Policy T6 is amended to provide for an extension to Kimberley/Eastwood at this point in time.

598/3638:CPRE - Broxtowe Group

5. The proposed route of the NET should be the same as T10h in order to minimise disruption and loss of farmland.

1184/3231: Mr A N Hardy

6. Green Belt land should stay Green Belt land. Impact on environment just too large to measure.

1322/3269: Mrs L Saunders

7. The area for a new business park, defined as in the “vicinity of Junction 26 of the M1”, has been interpreted by the planning authority too narrowly and therefore has prejudice the full consideration of the alternative locations elsewhere within the Borough. The physical proximity to the motorway should be assumed to correlate to the most convenient in travel times and alternative modes of transport. There are possible sites in the Erewash Valley which can take advantage of the proposed railway station at Ilkeston (proposed in the plan) and the quicker journey times along the A610 west of the motorway to the IKEA junction (compared to east to reach the proposed business park). Such locations would still be within the A610 corridor and within proximity of the motorway junction in journey times. Improved public transport is reliable within the plan period and the light rapid transit could still be route Nottingham to Eastwood to have full regard to this alternative business development. The current proposal for business park prejudices the full consideration of the light rapid transit route, prejudices the location of other employment sites (EM3(f) and prejudices the housing consideration (H2(I)). The proposed route of the light rapid transit and the new distributor route T10(h) will bring an urban feel to the narrow green belt east of the motorway and therefore undermine the effectiveness of the green belt to determine future development potential in the area east of the motorway and west of Low Wood Road. The potential fragmentation of the agricultural land in this area by the existence of the proposed routes has not been fully considered by the planning authority - the route may change following further consultation and the timescale for construction is beyond the period of this plan review.

Council's Joint Response:

8. Like any other transport facility which connects places separated by Green Belt, it must inevitably run through Green Belt. Efforts would be made to minimise any undesired visual impact, including in the case of this route, the sinking below ground level of long sections. In the protected open area at the east end of the route, its ground level is already well below that of the surrounding roads and relatively out of prominence. However there is a high landscape quality which will be respected when dealing with the details of a planning application for this route.

9. The loss of high grade agricultural land to create this route is inevitable given the prevalence of Grade 2 land within the vicinity of Junction 26. It will not be possible to satisfy the county Structure Plan's requirement for a business park in this location, served by a sustainable transport system, unless Grade 2 land is taken. Every effort will be made to ensure continuity of farm holdings which the route runs across. Its alignment runs as practically close to the spine road T10a as possible.
10. No decisions have yet been made about the best route to continue the NET line further west to Kimberley and Eastwood. However the Council is satisfied that the route shown on the Proposals Map to Nuthall/Watnall does not prejudice future decisions. Minor adjustment may be required as a result of subsequent investigative work on the merits of different options to proceed further westwards.

151/3233: M Brown

11. Promise of a tram is a lever to obtain the development. Commuters neither need nor use the tram system. Those who could use the tram will need a car to get to it therefore defeating the objective.

Council's Response:

12. The objector suggests that the Council is encouraging inappropriate development for the sake of achieving the implementation of the NET system. The Council refutes this objection and considers the NET will provide a further modal choice on a busy public transport corridor.

1383/3539: English Nature East Midlands Team

13. The allocation is close to the eastern end of the Kimberley Railway Cutting SSSI. In its comments on the Consultation Draft of the Plan, English Nature expressed concern about developments near to this SSSI.

Council's Response:

14. The NET route need have no disruptive or damaging effect to Kimberley Railway Cutting SSSI. The detailed issues would be dealt with when a planning application is forthcoming.

1130/2231: Hallam Land Management

15. Object to the siting of the preferred route of the NET. The route would be better positioned on the northern side of the proposed link road.

Council's Response:

16. If desired, when the details of development are submitted, the NET route could be realigned along the northern side of the spine road, as opposed to its southern side. The reason for the choice of the southern side was to maximise the potential for existing residents to conveniently walk to a stop on the route, without crossing the spine road.

T6 R371 Nottingham Express Transit - NET - Addition of support for proposals which would facilitate the expansion and operation of the NET system

1155/5095: Greasley Parish Council

17. Policy wording change to favour "facilitating" proposals needs to be better explained; policy should revert to Deposit Draft wording and there should be a safeguarded line on the Proposals Map taking the NET to Kimberley/Eastwood.

Council's Response:

18. In the Revised Deposit Draft, a paragraph related to the NET (para 6.22) was updated in order to present the latest information available on future extensions to the NET system. It was known that consultants were studying options for detailed route alignment, and it therefore may have been misleading to continue to include the Deposit Draft text about a line to Kimberley. This was wrongly taken as a reduction or withdrawal in the Council's commitment to a future extension along this public transport corridor. The Council has confirmed in a Cabinet resolution of February 2001 that it supports the wider extension of the NET.

601/4598: Nottinghamshire Wildlife Trust

19. While we support the NET in principle as an alternative mode of transport which scores more highly than road based transport in the area, we feel that this policy has been amended in such a way that the delivery of the NET will take precedence over other policy recommendations. We do not feel that it is appropriate to look favourably at development proposals purely in order to deliver a particular transport option. Any transport proposal should be designed to meet the need that exist and reduce the impact on the existing infrastructure. Proposals which facilitate the expansion of the NET may also contribute significantly to the impacts on other transport modes. This is particularly pertinent to the proposed development East of Main Roads, Watnall. While a development of this scale would be reasonably expected to contribute funds to the improvement of the transport infrastructure serving the site, it is not acceptable to allow the release of large areas of land for the purposes of delivering such a scheme. This development also raises serious concerns about the capacity of the existing transport network to absorb the additional traffic that would be generated. Therefore promoting a development in order to deliver transport proposals could well lead to further adverse effects on the transport infrastructure, and cause considerable environmental harm.
20. We recommend that the Council revert to the former phrasing in this policy text, which places the emphasis on protecting opportunities for this transport option rather than on development to encourage it.

Council's Response:

21. The objector suggests that the amended wording encourages inappropriate development for the sake of achieving the implementation of the NET system. The Council considers that the delivery of the NET will not take precedence over other policy principles, and refutes this objection. The extension of the NET westwards has its own momentum provided by the outcome of the Multi-Modal M1 Study, which recommends a strategic park-and-ride site at Nuthall to be served by the NET.

Inspector's Conclusions

1. In Chapters 4 and 5, I recommend the deletion of allocations H2I, EM2 and part of EM3f and the associated proposals including T6, T4 and T10h. I do not repeat my conclusions here. However, in view of the final draft proposals on the M1 MMS it would be appropriate to retain and safeguard the route of the extension of the NET (T6) from Phoenix Park westwards as far as the M1.
2. Policy T6 applies to other potential extensions of the NET and should be supported.

Recommendation

- I recommend that the RDDP be modified by deleting Proposals T6, T4 and T10h, except for that section of the former as far west as the M1 motorway.

T7 CYCLING ROUTES AND FACILITIES

Objections

6.49 ***Cycling routes and facilities***
 1135 2483 Mr I Moss House Builders` Federation

Summary of Objection Issues

6.49 Cycling routes and facilities

1135/2483: House Builders` Federation

- The paragraph suggests that contributions will be required for cycle facilities unrelated to new development. Delete the sentence: 'Developers may be expected to provide or contribute towards the cost of cycling facilities in accordance with policy T1'.

Council's Response:

- Revision R373 in the Revised Deposit Draft stresses the importance of linking new development with the cycle network, and it is this type of provision the developers will be required to contribute to under Policy T1.
- The rationale for the Interim Transport Planning Statement (ITPS) is explained in Section A of the document. It is a response to the distribution of development needs throughout the county which has been developed with the involvement of all the local authorities, the development industry and the Government Office. It is designed to ensure that the transport implications of development can be rationally and consistently dealt with on a sub-area basis, as all development in the Greater Nottingham sub-area will feed into the Greater Nottingham transport system. The ITPS is a legitimate method of developing strategic policy in advance of a full Structure Plan review and builds on Structure Plan policy 5/4.
- The Borough Council has always intended that the policy should be compliant with Circular 1/97 'Planning Obligations' and accordingly made a revision (R357) in paragraph 6.33 to confirm this. The principles in this Circular will be followed in making any individual assessment of a potential contribution by developers to transport matters. The City and County Councils have jointly produced a document which aims to provide consistency in approach when negotiating the level of contribution that might be sought from developments. The ITPS will provide a suitable basis for this approach, with its table of types of development and locations. The final version was approved by the Joint City/County Planning and Transportation Committee on 14 December 2001, having been subject to considerable consultation. It remains to be approved by individual City and County Committees; this is expected to happen in April/May 2002. A copy is appended to proof 040. It replaces the previous version CD44.
- The Council considers that there is strong support for the type of approach taken by policy T1 and the ITPS in PPG13, published in March 2001. Paragraph 81 states that local planning authorities "should take a more pro-active approach towards the implementation of planning policies on transport, and should set out sufficient detail in their development plans to provide a transparent basis for ... negotiation with developers on the use of planning obligations as appropriate to deliver more sustainable transport solutions". Paragraph 83 states that the development plan "should indicate the likely nature and scope of contributions which will be sought towards transport

improvements as part of development in particular areas or on key sites. This will give greater certainty to developers as to what will be expected as part of development proposals and also provide a firmer basis for investment decisions in the plan area". Paragraph 84 states that planning obligations "may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures".

Inspector's Conclusions

1. It might be appropriate for a developer of a new development to contribute towards a cycle link from their development to the cycle network and also to provide on-site cycle facilities. These could be related to the new development itself. It would not be proportionate to expect a developer of a new housing or employment scheme to contribute towards the provision a general cycle network, which would largely meet the needs of the much larger existing development rather than the limited needs of small scale new developments. Any other course would be contrary to the clear advice of Circ 1/97. R357 to an earlier paragraph is insufficient on its own. Thus the last sentence of paragraph 6.49 is misleading in suggesting a wider contribution than could reasonably be sought. It should be redrafted as follows "Developers may be expected to provide or contribute towards the cost of these links and other on-site facilities".
2. R374 referred to the Greater Nottingham Cycle Route Network, which should have satisfied Nottingham City's objection to the FDDP.
3. I have dealt with elsewhere SABRHE's concern to extend footpath and cycleway links from allocation EM3d to Brinsley. No routes are suggested and I am not able to identify any in addition to those that already exist.
4. Neither the Borough Council or PEDALS put forward a comprehensive set of cycleway routes. I am thus unable to recommend any beyond those already shown on the PM. R374 now refers to the Greater Nottingham Cycle Routes Network and R373 stated that further schemes will be identified through the LTP.

Recommendation

5. I recommend that the last sentence of paragraph 6.49 be modified as follows: "Developers may be expected to provide or contribute towards the cost of these links and other on-site facilities".

T8 MILLENNIUM CYCLE ROUTE

Objections

T8 *Millennium cycle route*
1163 2473 CPRE

Summary of Objection Issues

T8 Millennium cycle route

1163/2473: CPRE

1. The needs of other types of path users, such as pedestrians and horse-riders, should be taken into account in the design of new cycle routes.

Council's Response:

2. In the case of the Broxtowe section of the Millennium cycle route, this is almost wholly urban in character and unavoidably alongside and crossing busy traffic roads. In these circumstances, it is unlikely to be attractive or practical for horse-riders. Pedestrians are normally able to use footpaths along the same route. Thus for the Millennium route it is unnecessary to make specific alternative provision for other path users.

Inspector's Conclusions

1. This objection relates more to Policy T7 than T8, which applies to one route only. It is inevitable that many cycle routes will be surfaced in materials that are conducive to all types of cycles and thus may have hard surfaces and a somewhat urban character. However, I have not observed that such surfaces make them unusable by horse-riders and walkers who regularly use metalled roads and footways. Retention of soft surfaces could inhibit many cyclists and thus defeat the purpose of new cycle routes and the objective of achieving a modal transfer to cycling. I therefore consider it inappropriate to modify either Policy T7 or T8, as suggested by the CPRE.

Recommendation

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

T9 PEDESTRIAN ROUTES AND FACILITIES**Objections**

6.54 **Pedestrian routes and facilities**
1135 2344 Mr I Moss House Builders` Federation

T9 **Pedestrian routes and facilities**
598 2624 Mr I Brown CPRE - Broxtowe Group

Summary of Objection Issues**6.54 Pedestrian routes and facilities**1135/2344: House Builders' Federation

1. The paragraph suggests that contributions will be required for pedestrian routes and facilities unrelated to new development. Delete the sentence: 'In accordance with policy T1, developers may be expected to provide or contribute towards the cost of pedestrian facilities, which may include signal controlled crossings'.

Council's Response:

2. Developers will be required to make provision for pedestrians within new development, and in relation to links to adjacent areas and other forms of transport; as such Policy T1 will require contributions for pedestrian routes and facilities that are related to new development.
3. The rationale for the Interim Transport Planning Statement (ITPS) is explained in Section A of the document. It is a response to the distribution of development needs throughout the county which has been developed with the involvement of all the local authorities, the development industry and the Government Office. It is designed to ensure that the transport implications of development can be rationally and consistently dealt with on a sub-area basis, as all development in the Greater Nottingham sub-area will feed into the Greater Nottingham transport system. The ITPS is a legitimate method of developing strategic policy in advance of a full Structure Plan review and builds on Structure Plan policy 5/4.
4. The Borough Council has always intended that the policy should be compliant with Circular 1/97 'Planning Obligations' and accordingly made a revision (R357) in paragraph 6.33 to confirm this. The principles in this Circular will be followed in making any individual assessment of a potential contribution by developers to transport matters. The City and County Councils have jointly produced a document which aims to provide consistency in approach when negotiating the level of contribution that might be sought from developments. The ITPS will provide a suitable basis for this approach, with its table of types of development and locations. The final version was approved by the Joint City/County Planning and Transportation Committee on 14 December 2001, having been subject to considerable consultation. It remains to be approved by individual City and County Committees; this is expected to happen in April/May 2002. (A copy is appended to proof 040). It replaces the previous version CD44.
5. The Council considers that there is strong support for the type of approach taken by policy T1 and the ITPS in PPG13, published in March 2001. Paragraph 81 states that local planning authorities "should take a more pro-active approach towards the implementation of planning policies on transport, and should set out sufficient detail in their development plans to provide a transparent basis for ... negotiation with developers on the use of planning obligations as appropriate to deliver more sustainable transport solutions". Paragraph 83 states that the development plan "should indicate the likely nature and scope of contributions which will be sought towards transport improvements as part of development in particular areas or on key sites. This will give greater certainty to developers as to what will be expected as part of development proposals and also provide a firmer basis for investment decisions in the plan area". Paragraph 84 states that planning obligations "may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures".

Inspector's Conclusions

1. Again the statement introduced by R357 does not justify potentially misleading statements in other paragraphs of this Chapter. Development might fairly be related to the provision of on-site footpaths and links to the wider footpath network and other facilities. However, it will be less well related to the development of a new footpath network, which is designed to meet the needs of the greater existing population than the modest new developments proposed in the Plan. The last sentence of para 6.54 is too broad. It should be replaced with the following: "Developers may be expected to provide or contribute towards new pedestrian facilities, which are required as a result of their development."

Recommendation

2. I recommend that the last sentence of paragraph 6.54 be modified as follows: “Developers may be expected to provide or contribute towards new pedestrian facilities, which are required as a result of their development.”

T9 Pedestrian routes and facilities

598/2624: CPRE - Broxtowe Group

1. Safe routes for pedestrians need to be planned at the onset of new developments, including provision of crossings over major roads.

Council's Response:

2. The Council has shown key pedestrian routes in connection with new developments in its development briefs (Appendix 2). In the Revised Deposit Draft, revisions R378 and R379 introduce new wording to reflect the importance of creating links to employment and transport facilities.

Inspector's Conclusions

1. The needs of pedestrians include safety as well as other factors such as convenience. It is thus unnecessary to include this term within the Policy. R379 introduced the need for links to other forms of transport and went some way to meeting the CPRE's earlier objection to the FDDP. Policy T9 is now wider in its scope than that suggested by the CPRE and is to be preferred.

Recommendation

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

T10a PROPOSED ROAD SCHEMES - A6007 AND A6002

Objections

T10a Proposed road improvement - A6007 & A6002, Ilkeston Rd & Coventry Lane

613	1616	Mr S Barber	Broxtowe Real World Coalition
108	4037	Mr M Spencer	

Summary of Objection Issues

T10a Proposed road improvement - A6007 & A6002, Ilkeston Road & Coventry Lane

Objectors Raising Similar Issues

1. The following objectors raised similar issues regarding the road improvements to the A6007 and A6002.

613/1616: S Barber

2. Lack of footpaths. Blind summit at the railway bridge.

108/4037: Mr M Spencer

3. Improvements not necessary. Increased traffic on Coventry Lane.

Council's Joint Response:

4. Objections relating to the Coventry Lane and Ilkeston Road improvements have been overtaken by events. The Deposit Draft referred to these as committed improvements, and reconstruction of Coventry Lane is completed.

Inspector's Conclusions

1. As this road improvement has now been completed there is nothing before me to decide.

Recommendation

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

H2 (d) HOUSING SITE, LAND TO THE NORTH OF NEWTONS LANE, AWSWORTH A2(b)APPENDIX 2B, DEVELOPMENT BRIEF: LAND TO NORTH OF NEWTONS LANE, AWSWORTH

Objections**4.42 *New housing sites - Newtons Lane, Awsworth***

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

H2d *New housing sites - Newtons Lane, Awsworth*

748	4701	R179		David Wilson Homes North Midlands
				David Wilson Estates
1155	2402			Greasley Parish Council
				Andrew Thomas Planning
1154	5057			W. Westerman Ltd
				DPDS Consulting Group
748	6983	PC2		David Wilson Homes North Midlands
1006	7042	PC2		Nuthall Parish Council

1155	7026	PC2		Browne Jacobson Planning Unit
				Greasley Parish Council
				Andrew Thomas Planning
1155	5122	R152		Greasley Parish Council
				Andrew Thomas Planning
748	1688			David Wilson Homes North Midlands
				David Wilson Estates
748	4699	R180		David Wilson Homes North Midlands
				David Wilson Estates
1006	4849	R152		Nuthall Parish Council
				Browne Jacobson Planning Unit
496	927		Ms DE Agnew	
286	620		Mrs AJ Allen	
287	621		Mr W Allen	
442	846		Mrs YJ Allen	
441	845		Mr CJ Allen	
130	158		Mr T Aram	
288	622		Mrs CA Aram	
478	895		Miss NC Bacon	
479	896		Mrs SP Bacon	
1108	4973	R180	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
1108	4958	R152	Mr M Bagshaw	Stamford Homes Limited
				Barton Willmore Planning Partnership
289	623		Miss S Ball	
471	886		Ms RL Ballard	
474	889		Mrs WA Ballard	
473	888		Mr SH Ballard	
290	624		Mrs M Barker	
536	999		Miss A Barlow	
291	625		Mrs AM Barlow	
292	626		Mr R Barlow	
293	627		Mrs D Barlow	
294	628		Mrs B Barnett	
1417	3717		Mrs J Basri	
1416	3716		Mr M Basri	
501	934		Mr J Bennett	
367	707		Mr DS Berry	
368	708		Mrs J Berry	
782	1435		Mr K Black	
781	1434		Mrs B Black	
480	898		Mrs H Blackmore	
481	900		Mr SC Blackmore	
295	629		Miss MN Blatherwick	
450	858		Mrs SJ Blyton	
449	856		Mr R Blyton	
296	630		Mrs SA Bowley	
362	702		Mrs TJ Bradshaw	
361	701		Mr PR Bradshaw	
452	861		Mr G Bramley	
451	859		Mrs S Bramley	
499	930		Mr TL Brown	
500	932		Mrs B Brown	
598	1686		Mr I Brown	CPRE - Broxtowe Group
476	892		Mrs A Brown	
2272	7006	PC2	Mr T Brown	Walter Scott & Ross Solicitors
297	631		Mr D Brunell	
299	633		Mr ED Bull	
298	632		Mrs EN Bull	
300	634		Mrs J Burton	

301	635		Mrs BA Buxton	
302	636		Mr DW Buxton	
521	977		Mr D Cadman	
305	639		Mrs B Chadwick	
304	638		Mr A Chadwick	
365	705		Mr NN Chamberlain	
366	706		Mr CL Chamberlain	
390	732		Mr I Chamberlain	
303	637		Mr G Chapman	
908	1682		Mr D Cheeseman	
458	869		Mr S Clarke	
307	641		Mr P Collins	
306	640		Mrs M Collins	
308	642		Mr KJ Cooper	
376	716		Mrs SM Corbett	
375	715		Mr DJ Corbett	
309	643		Mr G Cox	
484	903		Mr SJ Curry	
359	699		Mr P Darlison	
360	4224	R180	Mrs LM Darlison	
360	700		Mrs LM Darlison	
359	4223	R180	Mr P Darlison	
1100	2084		Mrs A Deamer	
1099	2080		Mr M Deamer	
378	718		Mrs C Deane	
380	719		Mr D Deane	
374	714		Mr A Deane	
310	644		Mr GL Duff	
411	761		Mr AR Dyer	
125	151		Mrs ME Edwards	
544	1012		Mrs SM Elliot	Cossall Parish Council
488	910		Mr P Ellis	
495	924		Mrs JA Ellis	
542	1009		Miss EF Fisher	
312	646		Mrs JA Fletcher	
311	645		Mrs I Fletcher	
599	1685		Mr G Foster	Nottinghamshire County Council
539	1004		Mr ES Fraser	
396	738		Miss K Frearson	
313	647		Mr FA Freeman	
1443	3807		Ms R Freeman	
128	156		Mrs AJ Gentry	
497	928		Miss J Glover	
316	652		Mr WS Granger	
315	651		Mrs B Granger	
317	653		Miss PJ Gregory	
386	726		Mrs C Gregory	
387	727		Mr A Gregory	
461	872		Mrs SL Hall	
459	870		Mr SA Hall	
318	657		Mrs C Harmer	
319	658		Mr P Harmer	
320	659		Mr E Harris	
516	970		Ms D Harrison	
321	660		Mrs JM Hartshorn	
453	863		Miss LD Haystead	
1106	4924	R180	Mr R Hepwood	Miller Homes East Midlands
1106	4920	R152	Mr R Hepwood	Miller Homes East Midlands
1106	7008	PC2	Mr R Hepwood	Miller Homes East Midlands
1106	4906		Mr R Hepwood	Miller Homes East Midlands
532	993		Mr TM Hicks	

405	751		Mr R Holland	
323	662		Mr JE Holland	
322	661		Mr E Holland	
1396	3662		Mrs M Hornby	Awsworth Parish Council
517	971		Mr E Horsfield	
503	967		Mrs MA Horsfield	
324	663		Mr J Hutchby	
325	664		Mrs A Johnson	
325	4211	R152	Mrs A Johnson	
399	742		Mr BK Jones	
400	744		Mrs SD Jones	
358	698		Mr TJ Kayes	
456	865		Miss MR Kemp	
911	1689		Mr K Lee	Shilo North Forum
910	1684		Mr SA Leonardi	
1419	3998		Mr AJ Lovell	
126	154		Mr TW Lowe	
1480	3995		Mr TW Madden	
1481	3996		Mrs AD Madden	
134	162		Mrs B Marshman	
133	161		Mr TJ Marshman	
446	851		Mrs J McCartney	
540	1005		Ms SA McCullough	
492	921		Mr A McMillan	
494	923		Mrs M McMillan	
455	864		Mr GJ Moore	
381	721		Mr DR Morley	
382	722		Mr DS Morley	
383	723		Mrs RJ Morley	
780	1433		Mrs DH Morley	
1135	2427		Mr I Moss	House Builders` Federation
1135	5030	R152	Mr I Moss	House Builders` Federation
327	666		Mr GJ Murden	
326	665		Mrs LJ Murden	
392	734		Mrs A Newton	
391	733		Mr GI Newton	
487	908		Mrs C Nicholls	
328	667		Mrs L Nichols	
329	668		Mrs J Nix	
412	762		Mr N Norris	
413	764		Mrs EE Norris	
397	741		Mr A North	
330	669		Mrs GA O'Connor	
331	670		Mr JE O'Connor	
332	671		Ms CH Oldfield	
371	711		Mrs B O'Neill	
528	986		Mr MJ O'Neill	
394	736		Mr AJ O'Reilly	
228	675		Ms SE Page	
333	672		Mr RE Palmer	
896	1646		Mr A Parish	
784	1437		Miss D Parish	
466	880		Mr PJ Parkes	
462	873		Miss EM Parkes	
464	879		Miss SJ Parkes	
467	881		Mr BJ Parkes	
468	882		Mrs PA Parkes	
364	704		Mr DE Parnham	
363	703		Mrs J Parnham	
369	709		Mrs KA Parr	
370	710		Mr N Parr	

336	676		Mrs SM Pass	
335	674		Ms LM Pass	
334	673		Mr BM Pass	
384	724		Mrs JE Poundall	
385	725		Mr J Poundall	
778	1431		Mrs LM Powell	
785	1438		Mr A Powell	
777	1430		Mr H Powell	
538	1003		Mr R Quail	
337	677		Mr M Reveley	
909	1683		Ms HG Roberts	
388	728		Mr K Robins	
389	729		Mrs J Robins	
2218	6800	R152	Cllr RS Robinson	
407	756		Mrs PM Roe	
406	753		Mr GA Roe	
527	984		Mr BJ Ruddle	
601	1687		Mr S Rufus	Nottinghamshire Wildlife Trust
601	4615	R152	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4575	R179	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4576	R180	Mr S Rufus	Nottinghamshire Wildlife Trust
447	854		Mrs C Rule	
906	1680		Mr DR Sadler	
338	678		Mr K Sault	
				P. Gaughan Building Consultant
339	679		Miss M Shelton	
340	680		Mrs P Shelton	
373	713		Mrs K Slaney	
372	712		Mr M Slaney	
543	1010		Mr MB Smedley	
341	681		Mr A Smith	
395	737		Mr AR Smith	
914	4815	R180	Mr M Smith	
914	4811	R179	Mr M Smith	
913	4803	R179	Mrs J Smith	
913	4801	R180	Mrs J Smith	
913	4799	R152	Mrs J Smith	
475	891		Mr F Smith	
913	1691		Mrs J Smith	
914	1693		Mr M Smith	
914	4818	R152	Mr M Smith	
444	849		Mr S Smithurst	
776	1429		Miss A Spencer	
408	757		Mrs G Spibey	
410	759		Mr A Spibey	
342	682		Mr WP Staniland	Horizons Lifts UK
483	902		Mr B Stanley	
343	683		Mr PJ Stapleton	
485	906		Mr PC Stevenson	
344	684		Miss C Stirland	
345	685		Mrs R Stirland	
443	848		Mr PD Streets	
346	686		Mrs L Stroud	
907	1681		Mr EA Szymanski	
347	687		Mrs M Taylor	
348	688		Mr PJP Taylor	
132	160		Mrs JE Thomas	
131	159		Mr LH Thomas	
535	998		Mr RS Thompson	
534	995		Mrs L Thompson	
349	689		Mr AM Tivey	

351	691		Mrs MA Tolan	
350	690		Mr A Tolan	
469	883		Mr M Tyler	
470	885		Mrs C Tyler	
353	693		Mr T Vickers	
352	692		Mrs JS Vickers	
775	1428		Mr MA Waldrom	
1374	3450		Mr DM Walker	
1373	3449		Mrs L Walker	
1130	2229		Mr R Walters	Hallam Land Management
1130	7038	PC2	Mr R Walters	Hallam Land Management
1130	5003	R152	Mr R Walters	Hallam Land Management
1130	5006	R180	Mr R Walters	Hallam Land Management
1460	3861		Mrs C Ward	
354	694		Mr F White	
519	973		Mr N White	
530	988		Mr WJ Whitlam	
779	1432		Mrs JM Whitten	
783	1436		Mr JE Whitten	
524	980		Mr KJ Whitten	
523	979		Mrs DA Whitten	
355	695		Miss AE Whysall	
525	982		Ms A Wild	
402	748		Mrs KW Wilkinson	
401	746		Mr P Wilkinson	
520	976		Mrs J Willis	
531	992		Mr P Willis	
514	968		Mr R Wilson	
404	749		Ms IN Wilson	
457	867		Ms NJ Wolvin	
357	697		Mrs S Wolvin	
356	696		Mr RW Wolvin	
377	717		Mrs MD Wood	
912	1690		Mr AJ Wright	
1442	3802		Mrs M Wright	
786	1439		Miss T Wright	
1464	3883		Ms S Wright-Grainger	

A2b Appendix 2b - Newtons Lane, Awsworth

748	4696	R476		David Wilson Homes North Midlands
				David Wilson Estates
748	4698	R482		David Wilson Homes North Midlands
				David Wilson Estates
496	4281	R479	Ms DE Agnew	
496	4280	R476	Ms DE Agnew	
496	4279	R474	Ms DE Agnew	
442	4251	R474	Mrs YJ Allen	
441	4250	R474	Mr CJ Allen	
2079	6571	R474	Mrs LA Ball	
2079	6570	R476	Mrs LA Ball	
2079	6569	R482	Mrs LA Ball	
2079	6572	R479	Mrs LA Ball	
1824	5934	R479	Mrs A Bamford	
291	4187	R474	Mrs AM Barlow	
291	4188	R479	Mrs AM Barlow	
1825	5935	R474	Miss A Barlow	
1825	5936	R479	Miss A Barlow	
2082	6578	R479	Mr SH Barry	
2082	6577	R474	Mr SH Barry	
2081	6575	R474	Mrs R Barry	
2081	6576	R479	Mrs R Barry	

1826	5938	R479	Mrs M Bennett	
501	4289	R479	Mr J Bennett	
501	4288	R474	Mr J Bennett	
1826	5937	R474	Mrs M Bennett	
2077	6567	R479	Mrs SD Berry	
2078	6568	R474	Mr DR Berry	
295	4191	R479	Miss MN Blatherwick	
295	4189	R474	Miss MN Blatherwick	
295	4190	R476	Miss MN Blatherwick	
1827	5939	R479	Mrs AM Brewster	
1828	5941	R474	Mr DG Brewster	
1828	5942	R479	Mr DG Brewster	
1827	5940	R474	Mrs AM Brewster	
598	4386	R473	Mr I Brown	CPRE - Broxtowe Group
499	4284	R479	Mr TL Brown	
2015	6408	R474	Mr S Brown	
2015	6407	R479	Mr S Brown	
499	4285	R474	Mr TL Brown	
500	4286	R479	Mrs B Brown	
500	4287	R474	Mrs B Brown	
598	4388	R479	Mr I Brown	CPRE - Broxtowe Group
598	4387	R475	Mr I Brown	CPRE - Broxtowe Group
299	4197	R479	Mr ED Bull	
298	4192	R474	Mrs EN Bull	
298	4193	R476	Mrs EN Bull	
298	4194	R479	Mrs EN Bull	
299	4195	R474	Mr ED Bull	
299	4196		Mr ED Bull	
521	4307	R479	Mr D Cadman	
521	4306	R474	Mr D Cadman	
1829	5943	R474	Ms J Cliff	
308	4201	R473	Mr KJ Cooper	
308	4199	R476	Mr KJ Cooper	
308	4203	R482	Mr KJ Cooper	
308	4198	R474	Mr KJ Cooper	
308	4200	R479	Mr KJ Cooper	
308	4202	R480	Mr KJ Cooper	
1830	5945	R479	Ms L Corbett	
1830	5944	R474	Ms L Corbett	
2019	6418	R479	Mrs K Curry	
484	4267	R479	Mr SJ Curry	
1100	4903	R474	Mrs A Deamer	
1100	4902	R479	Mrs A Deamer	
1099	4901	R479	Mr M Deamer	
1099	4900	R474	Mr M Deamer	
1833	5952	R479	Miss NA Dyer	
411	4246	R479	Mr AR Dyer	
411	4244	R474	Mr AR Dyer	
1832	5950	R479	Mrs GJ Dyer	
1832	5949	R474	Mrs GJ Dyer	
1831	5948	R479	Mrs AJ Dyer	
1831	5947	R476	Mrs AJ Dyer	
1831	5946	R474	Mrs AJ Dyer	
411	4245	R476	Mr AR Dyer	
1833	5951	R474	Miss NA Dyer	
1834	5954	R479	Mr MA Eardley	
1834	5953	R474	Mr MA Eardley	
1733	5737	R479	Mr EJ Edwards	
1733	5736	R476	Mr EJ Edwards	
1733	5735	R474	Mr EJ Edwards	
544	4320	R474	Mrs SM Elliot	Cossall Parish Council

544	4319	R479	Mrs SM Elliot	Cossall Parish Council
544	4318	R476	Mrs SM Elliot	Cossall Parish Council
488	4270	R479	Mr P Ellis	
488	4271	R474	Mr P Ellis	
1835	5955	R474	Mr A Fletcher	
1835	5956	R479	Mr A Fletcher	
1836	5957	R474	Mrs J Fletcher	
1836	5958	R479	Mrs J Fletcher	
1734	5738	R474	Mr IR Gentry	
1734	5739	R476	Mr IR Gentry	
128	4113	R479	Mrs AJ Gentry	
128	4112	R476	Mrs AJ Gentry	
128	4111	R474	Mrs AJ Gentry	
1734	5740	R479	Mr IR Gentry	
497	4282	R479	Miss J Glover	
1837	5959	R479	Mr JM Glover	
1839	5961	R479	Mrs G Glover	
317	4204	R474	Miss PJ Gregory	
1840	5962	R474	Mrs J Hall	
516	4301	R479	Ms D Harrison	
516	4300	R474	Ms D Harrison	
1106	4909	R482	Mr R Hepwood	Miller Homes East Midlands
1106	4917	R476	Mr R Hepwood	Miller Homes East Midlands
1106	4937	R474	Mr R Hepwood	Miller Homes East Midlands
1106	2141		Mr R Hepwood	Miller Homes East Midlands
1106	4939	R482	Mr R Hepwood	Miller Homes East Midlands
1841	5964	R476	Mrs M Holland	
323	4205	R474	Mr JE Holland	
323	4206	R476	Mr JE Holland	
1841	5963	R474	Mrs M Holland	
405	4239	R479	Mr R Holland	
1396	5320	R479	Mrs M Hornby	Awsworth Parish Council
1396	5321	R476	Mrs M Hornby	Awsworth Parish Council
1396	5322	R474	Mrs M Hornby	Awsworth Parish Council
1396	3666		Mrs M Hornby	Awsworth Parish Council
1396	5323	R482	Mrs M Hornby	Awsworth Parish Council
517	4303	R474	Mr E Horsfield	
517	4302	R479	Mr E Horsfield	
1842	5965	R474	Mrs B Hutchby	
1844	5969	R474	Mr O Hutchby	
1843	5968	R479	Mrs EM Hutchby	
1843	5967	R476	Mrs EM Hutchby	
1843	5966	R474	Mrs EM Hutchby	
324	4210	R479	Mr J Hutchby	
324	4209	R476	Mr J Hutchby	
324	4208	R474	Mr J Hutchby	
400	4235	R479	Mrs SD Jones	
400	4234	R474	Mrs SD Jones	
399	4233	R479	Mr BK Jones	
399	4232	R474	Mr BK Jones	
1847	5972	R474	Mrs RL Kelvey	
1845	5970	R474	Mrs J Kelvey	
1848	5974	R476	Mr KM Knowles	
1848	5973	R474	Mr KM Knowles	
1848	5975	R479	Mr KM Knowles	
1850	5980	R476	Mrs JS Love	
1850	5981	R479	Mrs JS Love	
1849	5978	R479	Mr A Love	
1850	5979	R474	Mrs JS Love	
1849	5977	R476	Mr A Love	
1849	5976	R474	Mr A Love	

446	4256	R474	Mrs J McCartney	
446	4257	R479	Mrs J McCartney	
446	4258	R474	Mrs J McCartney	
492	4273	R476	Mr A McMillan	
494	4278	R479	Mrs M McMillan	
494	4276	R474	Mrs M McMillan	
492	4274	R479	Mr A McMillan	
494	4277	R476	Mrs M McMillan	
492	4272	R474	Mr A McMillan	
1851	5982	R479	Mr R Mee	
1851	5983	R474	Mr R Mee	
382	4227	R479	Mr DS Morley	
382	4228	R474	Mr DS Morley	
381	4226	R479	Mr DR Morley	
381	4225	R474	Mr DR Morley	
1135	2376		Mr I Moss	House Builders` Federation
487	4268	R479	Mrs C Nicholls	
487	4269	R474	Mrs C Nicholls	
329	4213	R474	Mrs J Nix	
329	4212	R479	Mrs J Nix	
329	4214	R476	Mrs J Nix	
332	4215	R474	Ms CH Oldfield	
332	4216	R479	Ms CH Oldfield	
1852	5984	R479	Mr D Perkins	
2075	6563	R474	Mrs L Phillips	
2075	6564	R479	Mrs L Phillips	
2074	6561	R474	Mr D Phillips	
2074	6562	R479	Mr D Phillips	
538	4317	R479	Mr R Quail	
538	4316	R474	Mr R Quail	
337	4218	R479	Mr M Reveley	
337	4217	R474	Mr M Reveley	
1853	5987	R479	Miss MS Rose	
1853	5985	R474	Miss MS Rose	
1853	5986	R476	Miss MS Rose	
527	4310	R474	Mr BJ Ruddle	
527	4312	R479	Mr BJ Ruddle	
527	4311	R476	Mr BJ Ruddle	
601	4608	R476	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4607	R474	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4606	R473	Mr S Rufus	Nottinghamshire Wildlife Trust
601	4646	R479	Mr S Rufus	Nottinghamshire Wildlife Trust
447	4259	R474	Mrs C Rule	
447	4260	R479	Mrs C Rule	
1735	5743	R479	Mr M Sault	
338	4220	R476	Mr K Sault	
338	4221	R479	Mr K Sault	
1735	5741	R474	Mr M Sault	
1735	5742	R476	Mr M Sault	
338	4219	R474	Mr K Sault	
1650	5592	R474	Mrs J Sears	
1650	5591	R479	Mrs J Sears	
914	4817	R476	Mr M Smith	
395	4230	R474	Mr AR Smith	
395	4231	R479	Mr AR Smith	
914	4813	R473	Mr M Smith	
914	4819	R474	Mr M Smith	
914	4814	R479	Mr M Smith	
2076	6566	R474	Mrs M Smith	
2076	6565	R479	Mrs M Smith	
475	4262	R474	Mr F Smith	

475	4263	R476	Mr F Smith	
475	4264	R479	Mr F Smith	
913	4806	R479	Mrs J Smith	
913	4805	R473	Mrs J Smith	
913	4800	R474	Mrs J Smith	
444	4255	R474	Mr S Smithurst	
410	4243	R479	Mr A Spibey	
410	4242	R474	Mr A Spibey	
408	4240	R474	Mrs G Spibey	
408	4241	R479	Mrs G Spibey	
483	4266	R474	Mr B Stanley	
483	4265	R479	Mr B Stanley	
1855	5991	R476	Mrs P Streets	
1855	5992	R479	Mrs P Streets	
1855	5990	R474	Mrs P Streets	
443	4253	R476	Mr PD Streets	
443	4252	R474	Mr PD Streets	
443	4254	R479	Mr PD Streets	
1857	5996	R479	Mr DA Taylor	
1860	6004	R476	Mrs N Taylor	
1860	6003	R474	Mrs N Taylor	
1860	6005	R479	Mrs N Taylor	
1857	5994	R474	Mr DA Taylor	
1857	5995	R476	Mr DA Taylor	
1590	5506	R479	Mrs SA Thompson	
1861	6006	R474	Mrs A Tipping	
1861	6008	R479	Mrs A Tipping	
1861	6007	R476	Mrs A Tipping	
349	4222	R474	Mr AM Tivey	
1863	6011	R479	Mr D Utterson	
1863	6010	R474	Mr D Utterson	
1130	5021	R479	Mr R Walters	Hallam Land Management
1130	5022	R482	Mr R Walters	Hallam Land Management
1130	5020	R476	Mr R Walters	Hallam Land Management
1130	5019	R474	Mr R Walters	Hallam Land Management
1866	6014	R474	Mr SK Ward	
1460	5388	R474	Mrs C Ward	
1866	6015	R479	Mr SK Ward	
1460	5389	R479	Mrs C Ward	
530	4313	R474	Mr WJ Whitlam	
530	4314	R479	Mr WJ Whitlam	
525	4309	R479	Ms A Wild	
525	4308	R474	Ms A Wild	
520	4305	R479	Mrs J Willis	
520	4304	R474	Mrs J Willis	
2080	6574	R479	Ms K Willis	
2080	6573	R474	Ms K Willis	
514	4298	R479	Mr R Wilson	
514	4297	R474	Mr R Wilson	
404	4238	R479	Ms IN Wilson	
404	4237	R474	Ms IN Wilson	
1871	6021	R474	Mrs B Wood	
1873	6026	R479	Mrs JL Wood	
1873	6025	R476	Mrs JL Wood	
1871	6020	R476	Mrs B Wood	
1871	6022	R479	Mrs B Wood	
1873	6024	R474	Mrs JL Wood	
1876	6029	R479	Mr J Yeomans	

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

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

Issues raised on objections prior to Pre-Inquiry Changes

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

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

- (a) The proposed development involves the loss of Green Belt and a greenfield site.
- (b) There would be a loss of wildlife value.
- (c) The proposed development would spoil the area and the village.
- (d) Extra noise and pollution would be created.
- (e) There would be increased fears about security.
- (f) There would be a decrease in property values for existing residents.
- (g) There is no demand for housing here.
- (h) Traffic would be increased in the area.

(i) There would be extra pressure on local facilities.

(a) The proposed development involves the loss of Green Belt and a Greenfield site

7. The Council accepted at an early stage in this plan review that the scale of new housing development to be provided to meet Structure Plan requirements was such that encroachment into Green Belt and greenfield land was unavoidable, in several locations in the borough.

8. The Green Belt generally protects the open character of the Erewash Valley and in so doing provides separation of built-up areas in Derbyshire from those in Nottinghamshire. The proposed housing development on this site would have provided a well-defined new Green Belt edge along a perimeter road, emphasised by planting. The Council believes that the overall character of the Green Belt on this stretch of the Erewash valley would not have been harmed by the development. The site lies to the eastern side of the Awworth by-pass and has a proposed landscape buffer between that road and the edge of the proposed development. It is well related to the existing built-up area of Awworth.

9. Regarding loss of greenfield land, proper regard was had to the site-searching sequence in PPG3 in the Revised Deposit Draft, such that greenfield land was only allocated once opportunities for building on previously developed land had been exhausted.

(b) There would be a loss of wildlife value

10. As part of the wider process of site selection the Council has adopted (in line with other Councils in Nottinghamshire) a process of site identification for wildlife interest through an audit of sites of importance for nature conservation (SINCs). It should be noted that there are no SINCs within the proposed housing site. If it was to emerge that there were any protected species on the site, any planning application for development would be considered in relation to policy E18.

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

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

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

(d) Extra noise and pollution would be created

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

(e) There would be increased fears about security

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

(f) Loss of property values

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

(g) No demand for housing

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

(h) Increased traffic

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

(i) Pressure on facilities

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

Background

1. Many of these objections are to the allocation H2d and its associated access arrangements, including the new access road shown of the Proposals Map and in the Development Brief. I deal with all these issues in Chapter 4, where I support PIC2 to delete the housing allocation and associated designations. However, I recommend that the site should not be retained within the Green Belt but should be designated as safeguarded land under Policy E11 from the FDDP.

Inspector's Conclusions

2. In view of my conclusions on allocation H2d, the access road proposal T10h should be deleted from Policy T10 and from the Proposals Map as put forward in PIC2.

Recommendation

3. I recommend that the RDDP be modified as put forward in PIC2.

EM3d NEW EMPLOYMENT SITE - EAST OF A610, EASTWOOD

A2E APPENDIX 2E, DEVELOPMENT BRIEF: LAND EAST OF A610, EASTWOOD

Objections

5.68			<i>New Employment sites - East of A610, Eastwood</i>
1382	3495		Mr M Radulovic Eastwood Town Council
5.68	R317		<i>New Employment site - East of A610, Eastwood - Addition of sentence - extra explanation</i>
601	4591	R317	Mr S Rufus Nottinghamshire Wildlife Trust
5.68	R318		<i>New Employment site - East of A610, Eastwood - Addition of access requirement and suitable uses</i>
599	4501	R318	Mr G Foster Nottinghamshire County Council
5.68	R319		<i>New Employment site - East of A610, Eastwood - Addition of locational details and new access requirements</i>
599	4502	R319	Mr G Foster Nottinghamshire County Council
EM3d			<i>New Employment site - East of A610, Eastwood</i>
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
EM3d	R296		<i>New Employment site - East of A610, Eastwood - Amended site area</i>
1419	5359	R296	Mr AJ Lovell
EM3d	R320		<i>New Employment site - East of A610, Eastwood - Amended site area and addition of reference to access</i>

1155 5091 R320

Greasley Parish Council
Andrew Thomas Planning**EM3d R321 New Employment site - East of A610, Eastwood - Deletion of spine road requirement and addition of road access to south**

1419 5363 R321 Mr AJ Lovell

1155 5080 R321

Greasley Parish Council
Andrew Thomas Planning**Appendix 2e - Development Brief**

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. These objections relate to the proposal in the FDDP for a distributor road to the north of allocation EM3d linking the A610 and the A608 roads. This link road was deleted from the RDDP by R319, R321 and R501, which should have met the objectors' concerns in that respect. I deal with other objections related to allocation EM3d in Chapter 5 where I support the allocation with some modification to the northern boundary.

Recommendation

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

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. I deal with these objections in Chapter 5.

Recommendation

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

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 deal with the Development Brief in a later Chapter.

Recommendation

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

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

Objections

For full list see Appendix 1.

Issues Raised by objectors**Need and locational issues**

- (a) A business park is not needed in Broxtowe.
- (b) Watnall/Nuthall should not be the preferred location for a business park.
- (c) It is not appropriate for substantial housing, employment and other development to be proposed together with the business park.
- (d) The loss of green belt land is not justified.

Transport issues

- (e) The transport and traffic implications of the development are not acceptable; the principal points are:
 1. traffic congestion will be increased, especially at Nuthall roundabout;
 2. uncertainty whether the NET will be extended to the site during the Plan period;
 3. current bus services are poor and proposed services are uncertain and/or inadequate.
- (f) An extra sentence should be added to the Development Brief relating to requirements of the Highways Agency.
- (g) The junction of the spine road with the B600 is in an inappropriate position.
- (h) The development is likely to result in further development in the vicinity of the spine road and link road; no landscaping is proposed adjacent to these roads.

Other possible adverse impacts

- (i) The loss of high quality agricultural land is not justified.
- (j) The impact on wildlife is unacceptable.
- (k) The impact on landscape is unacceptable.
- (l) The impact of the development on public footpaths is unacceptable, and increased use of the footpaths would result in problems for existing residents.
- (m) The development will place undue pressure on existing facilities.
- (n) The retail proposals would have a significant impact on Kimberley town centre.
- (o) The development would result in a significant loss of identity for local Communities.
- (p) The impact on the Moorgreen Show ground is unacceptable.
- (q) The impacts on the Hemphill Hall Protected Open Area, Hemphill 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 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 Hempshill Hall, which is untouched by the proposals.

49. The setting of Hempshill Hall is formed by the open meadow immediately to the north of the driveway from Low Wood Road. The land which will be affected by the new route is further south and not so directly in view of the listed buildings, and therefore does not contribute to its setting. The route runs south of the buildings, at a lower level, and south of the mature woodland which obscures views of the buildings from this direction.
50. Nuthall cemetery is on the edge of the urban area and unfortunately is already badly affected by noise from the M1 motorway, which spoils the quiet contemplation that visitors to a cemetery might expect. The proposals would introduce mounding and planting in the immediate vicinity of the cemetery, in particular to its east side, which would help to reduce the effect of the motorway. The south-east corner of the business park development area will be close to the cemetery, but this will also have a landscaped edge and particular care will be taken to protect the setting of the cemetery.
- (r) New and existing residents would be significantly affected by noise and pollution
51. Residential and business park development should not give rise to unacceptable levels of noise or pollution. The general employment allocations, within which B2 and B8 uses are acceptable, are located away from existing or proposed residential areas. At the only point where proposed employment and housing come within 100 metres of each other, in the north-west part of the development as depicted in the Development Brief, there would be an open space buffer with opportunities for planting and mounding to aid separation of the uses.
52. As regards the potential effects of noise and pollution from the motorway on future residents and occupants of the business park, it should be noted that an Air Quality Review and Assessment has been undertaken for Broxtowe by NETCEN (October 2000), to consider whether Air Quality Management Areas should be designated within the borough. This has indicated that it is likely that the air quality objectives for nitrogen dioxide and particulates will be met at all locations assessed near the M1 and major roads in Broxtowe, where members of the public might be exposed for the relevant periods. The report specifically considered the Watnall/Nuthall proposals and notes that the distance between the housing development and the M1 carriageway is a minimum of 200 metres. The report states that “at this distance the emissions from traffic on the M1 would have insignificant impact on the exposure of residents in the proposed housing according to the Design Manual for Roads and Bridges”. Monitoring for nitrogen oxide continues to take place at 17 sites throughout the borough, including some points close to the M1 at Nuthall, which will allow a future review of the issue.
- (s) There are significant problems on the site in respect of drainage and ground stability
53. The Environment Agency has not raised any issues relating to drainage for this development site. It is accepted that the watercourse under Low Wood Road close to the proposed underpass would need to be diverted and treated carefully to preserve its function and appearance. An inquiry change referred to in para.32 above introduces a reference to this requirement.
54. The Council is not aware of any issues relating to ground stability on the development site or on the route of proposed roads. The area was not previously mined, or subject to landfill and therefore no problems of this nature are anticipated.
- (t) There are significant archaeological features on the site which may not be adequately safeguarded
55. A full detailed report has been carried out on the potential archaeological interest of the site, and is appended as Appendix 5. The Revised Deposit Draft includes a policy (EXX, R102) which deals with protecting and recording new archaeological finds.

- (u) The development would have a significant impact on Nuthall Conservation Area
56. There are no elevated parts of Nuthall Conservation Area which offer views over the development site, and conversely there are no views from parts of the development site, or its proposed access roads, in which the Conservation Area is prominent. Open land is retained in Green Belt separating the development site from the northern edge of the Conservation Area along Back Lane. Therefore there is no detrimental effect caused to the Conservation Area.
- (v) The development would have a significant impact on safety and security for existing residents
57. There is no reason for assuming that the proposed development would lead to any problems of safety or security for existing residents. When detailed layouts are drawn up for the development, care will be taken to assess these under Policy E1 of the Broxtowe Local Plan Review, which includes as criterion (d): “A safe and secure environment, where necessary including crime prevention features”. Liaison on these matters takes place with the police authority’s crime prevention officers, with reference to the principles contained in ‘Planning Out Crime’.

Policy details

- (w) The business park should not be restricted to solely Class B1 use
58. The developers consider that non-B1 uses should be allowed within the business park. The requirement for B1-only development is consistent with policy 2/6 of the Structure Plan and with paragraph 2.94 of the Structure Plan, which indicates that areas within Greater Nottingham and the M1 corridor are likely to be able to support entirely Class B1 business parks. Nevertheless the Council is prepared to introduce further text which indicates that Supplementary Planning Guidance would be prepared, covering the issue of the acceptable uses on the business park, and indicating that some uses which are ancillary to B1 uses will be acceptable.

Inquiry Change

The Council has recommended that the following change should be made:

IC79 At the end of the first paragraph of Policy EM2, the following should be added: “..., or be ancillary to B1”.

Delete third sentence of para. 5.61 and replace with:

IC80 Supplementary Planning Guidance will be prepared for the business park which will set out development principles and expand on which uses can be considered as ancillary to B1 use.

IC81 In Development Brief H, under section 2, an extra sentence should be added to the first point as follows:

“Supplementary Planning Guidance will be prepared for the business park which will set out development principles and expand on which uses can be considered as ancillary to B1 use”.

In the previous sentence, the word “solely” should be deleted, in recognition of the possibility of acceptable ancillary uses to B1.

(x) Various minor changes should be made to Development Brief H and Policy H2(l) relating to transportation issues

59. Nottinghamshire County Council has proposed that three amendments should be made to Development Brief H and one to policy H2(l). The Council accepts that these would be appropriate minor changes to the Plan.

Inquiry Change

The Council has recommended that the following changes should be made:

IC71 (a) On the second page of Development Brief H, the final sentence of the second paragraph should be replaced with the following: “A transport assessment will be required for the whole site, with a green commuter travel plan to guide appropriate parking provision for the employment land”.

IC72 (b) On the fourth page of Development Brief H, an additional bullet point should be added to the second paragraph: “Walking and cycling facilities in the vicinity of the site”.

IC73 (c) On the fifth page of Development Brief H and on the Proposals Map, an additional section of bus route should be shown adjacent to the link road and joining the new junction on the A610.

IC74 (d) The final paragraph of policy H2(l) should be replaced with the following: “A master plan shall be negotiated specifying a scheme of phasing for this housing development in relation to the provision of the spine road, new bus lanes and services, and off-site highway improvements including to the A610 roundabout, together with an agreed schedule of financial contributions to these measures”.

(y) The policy for the business park is excessively detailed

60. The Government Office considers that policy EM2 appears over-detailed and suggests that the Council considers the level of detail necessary in the policy. Having re-considered this matter, the Council remains of the view that the policy is of an appropriate level of detail to provide clear guidance to potential developers and members of the public.

(z) There will be inadequate provision of affordable housing

61. Some objectors consider that the housing development is likely to consist predominantly of large, expensive dwellings with insufficient “starter homes” and “affordable” housing. However, policy H3 will ensure that the development provides a variety of house types and sizes to cater for a range of housing requirements, whilst policy H5 will ensure that at least 25% of dwellings will be “affordable”. The need for “affordable” housing is referred to in the Development Brief for the site (third page, second paragraph). The issue of affordable housing was dealt with more generally at the Housing Round Table Session.

- (aa) The proposed housing density is inappropriate and the phrase “minimum net housing density” in policy H2(l) is unclear
62. Some objectors have argued that the proposed density is too low, others that it is too high. The issue of housing density was discussed at the Housing Round Table Session on 2-4 October. The Council’s views are given in paragraph 13.1 of its Round Table Paper and details of the discussion are given in paragraphs 1.56-1.69 of the Notes of the Round Table Sessions. With regard to the Watnall/Nuthall site, the proposed minimum net density has been increased from 30 dwellings per hectare (dph) in first Deposit Draft to 40 dph in the Revised Deposit Draft. The Council considers that the figure of 40 dph will accord with government guidance in PPG3 (particularly paragraphs 57-58), which encourages development at higher densities than has been achieved in the past, and will ensure efficient use of the land, whilst avoiding densities which would be so high as to be seriously out of character with the surrounding area. This density is also consistent with policy H6, which gives guidance on densities for developments throughout the borough.
63. Some objectors also object to the use of the phrase “minimum net housing density”. This phrase is used at various points in the Housing Chapter and it was therefore discussed at the Housing Round Table Session. The Council accepted that the phrase could be clarified (as mentioned in paragraph 1.61 of the Notes of the Round Table Sessions) and the Council will therefore address this matter as an Inquiry Change or at the Modifications stage of the review.
- (bb) The reference in Policy H2(l) to “further education provision” is inappropriate
64. Some objectors have objected to the use of the phrase “further education provision” in policy H2(l). The Council acknowledges that the phrase “secondary education provision” would be clearer and would be consistent with the phrase used in Development Brief H (third page, sixth paragraph).

Inquiry Change

IC75 The Council has recommended that, in the ninth paragraph of policy H2(l), the phrase “further education provision” should be replaced with “secondary education provision”.

- (cc) The proposed school may not have adequate access and security
65. The County Council considers that the location of the school in the Revised Deposit Draft may result in security and access difficulties. However the Borough Council considers that detailed access and security arrangements, together with the precise positioning of the school, can be resolved at the detailed planning application stage.
- (dd) There is no mechanism which will ensure that formal sports provision is actually made
66. Sport England considers that there should be a mechanism to ensure that formal sports provision is actually made and that a requirement for a maintenance sum to be set aside should be included in policy H2(l) rather than only in the brief. However the Council is confident that, though the normal Section 106 procedures, it will be able to ensure that the required provision is made without the need for a formal “mechanism”. The wording of the policy was amended in the Revised Deposit Draft to strengthen the emphasis on sports provision. However, in order to provide further clarity, an additional reference to this matter is now proposed.

Inquiry Change

- IC76** **The Council has recommended that, in the final paragraph of policy H2(l), after the words “phasing details”, the words “, associated facilities” should be added.**
- (ee) Land at New Farm Lane could be satisfactorily developed independently of the remainder of the development
67. The Hanson Family Trust considers that their site could be accessed satisfactorily from New Farm Lane and could therefore be developed independently. However the Council has consulted the county highway authority on this issue and can confirm that there is, in the opinion of the two councils, no satisfactory means of accessing the site except from the proposed spine road. Both New Farm Lane and Spencer Drive are of inadequate width to provide suitable access, and problems may also be caused at the junctions of these roads with Watnall Road. The objectors have not demonstrated that there is any viable means of access to the site. In addition, if the remainder of the proposed Watnall/Nuthall development did not proceed, this site would be unlikely to be suitable for allocation in its own right as it would represent piecemeal encroachment of the green belt without proximity to good public transport or local facilities.
- (ff) Detailed changes should be made to the requirements of policy H2(l), relating to the 200m set back along the eastern boundary and requirements for recreation including a brick-built pavilion
68. The developers have raised an objection covering the justification for the 200m set back along the eastern site boundary, inconsistency in its width and specific requirements for recreation including the need for a brick-built pavilion. The developers have also proposed that the spine road should revert to the route shown in the first Deposit Draft or, failing this, it should take an alternative route cutting through the site, as shown on the plan accompanying objection 748/4712.
69. The objectors do not specify what changes they are seeking with regard to the set back or the recreation provision. However the set back is required in order to provide substantial planting and to protect residents from noise and pollution from the motorway. The Government Office has recently decided that Air Quality Management Areas do not need to be designated in Broxtowe, based on a report produced for the Council in October 2000 (entitled “Air Quality Review and Assessment - Stage 3 for Broxtowe”). This report was based in part on the explicit assumption that there would be no housing development at Watnall within 200m of the centre of the M1 (paragraph 3.1). Any housing development within this distance would raise concerns about potential impacts from nitrogen dioxide and particulate matter.
70. The inconsistency in the width of the set back is because part of it would be adjacent to housing, where people would be exposed to noise and pollution for longer periods, whereas part would be adjacent to the proposed business park, where exposure would be for shorter periods and where sensitivity to noise would be less. It is also easier for employment buildings, rather than dwellings, to be designed so as to counteract the effects of noise.
71. The Council considers that its requirements for recreation facilities, including a brick pavilion, are entirely reasonable for a development of this scale and nature. Given the extent of the playing fields and the lack of existing facilities, changing rooms will be required. The reference to ‘brick built’ is merely to demonstrate the importance of providing a substantial and high quality structure. Accepting that this may not actually need to be brick built, then a more appropriate description should be applied to this part of the policy and the development brief.

Inquiry Change

The Inspector is therefore invited to recommend 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.

Conclusion

79. It is important to appreciate that any environmental or other shortcomings of this mixed development allocation must be weighed against the economic benefits of this major injection of business park and other employment in this location. The Nottinghamshire Structure Plan in Policy 13/3 identifies the need for major development in this area, implicitly acknowledging the sensitivity on the issues of loss of Green Belt and higher grade agricultural land. These issues are common to any site which might have been chosen “in the vicinity of Junction 26”. The selected site at Watnall/Nuthall gives the opportunity to create a more sustainable development through the juxtaposition of housing and employment land alongside the business park, together with appropriate local facilities including a primary school and shopping to produce a more self-contained community.
80. Other potential business park sites in the vicinity of Junction 26 would have encroached upon the valuable Green Belt gap to the east of the motorway, between Nuthall and Nottingham. No other site would have satisfactorily offered the advantage of creating a mixed use development with its own facilities, without effectively abandoning this Green Belt gap altogether. The area to the south-west of Junction 26 is higher land and more attractive in landscape terms, and is wholly covered by a Mature Landscape Area designation.
81. Finally therefore the Council is satisfied that:
- a business park is needed “in the vicinity of Junction 26” and that the long-standing acceptance of what is meant by this term is still the correct definition;
 - the Watnall site as allocated under policies H2I, EM2 and EM3f, plus its associated open space and local facilities, offers the best opportunity for a business park augmented with other uses to form a sustainable development;
 - the necessary infrastructure works will not prejudice the functions of the Green Belt and Protected Open Area that proposed routes traverse;
 - the proposed transport measures are appropriate to serve the development and to minimise impact on the existing highway network, as advised by the Highway Authority;
 - the overall development is deliverable within the plan period and would be attractive and successful in economic terms;

- (vi) any adverse impacts on the existing local environment would be compensated for by new opportunities created by the development, and should also be balanced against the major economic advantages which the development will bring to Nottingham and its region.

APPENDIX 1

Objections

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
1366	3513	Mr A Adams	Ministry of Agriculture, Fisheries & Food
1342	3329	Mrs CA Baker	
1349	3355	Mr MG Baker	
807	1469	Mrs E Benton	
598	3637	Mr I Brown	CPRE - Broxtowe Group
177	281	Mr RE Bruce	
609	1167	Mrs M Clarke	
1383	3540	Mr S Clifton	English Nature East Midlands Team
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	
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	

Background

1. I deal with these objections in Chapters 4 and 5 where I recommend the deletion of allocations H2I, EM2 and part of EM2f along with associated designations including T10h, T4 and T6, although the reservation of the latter from Phoenix Park up to the east side of the M1 motorway could be justified in the light of the final draft proposals of the M1 MMS for a strategic Park and Ride facility served by an extension of the NET.

Inspector's Conclusions

2. In the light of this, designation T10h at W/N should be deleted from the Proposals Map and from reference in Policy T10.

Recommendation

3. I recommend that the RDDP be modified by deleting T10h from the Proposals Map and from reference in Policy T10.

T11 GUIDANCE FOR PARKING PROVISION

Objections

T11		Guidance for parking provision	
1125	2206		Aldergate Properties Ltd
1107	2145		Scottish & Newcastle FPDSavills
1163	2475		CPRE CPRE (Broxtowe District Group)
599	2718	Mr G Foster	Nottinghamshire County Council
1127	2217	Mrs PN Johnson	Healey & Baker
1419	4026	Mr AJ Lovell	
1105	2131	Mr H McClintock	PEDALS
T11 R383		Guidance for parking provision - Deletion of reference to Interim Standards in paragraph plus addition of reference to latest standards in policy	
1132	5023	R383	WM Morrison Supermarkets plc Peacock and Smith

Summary of Objection Issues

T11 Guidance for parking provision

1125/2206: Aldergate Properties Ltd

1. Amendment to protect emerging PPGs. Should be made clear that guidance offered is a "maxima". Level of policy in each case to be "matter for developer/occupier".

1107/2145: Scottish & Newcastle

2. The guidance has since been superseded by more flexible thinking. Revised PPG13 has moved to maximum car parking standards, and discouraging the use of the private car. Inappropriate to include parking standards that require minimum car parking provision.

1163/2475: CPRE

3. Nottingham CPRE is concerned that the parking provision outlined in Appendix 4 - C3 is over-generous. We would expect new housing close to transport nodes to have more limited parking provision - thus enable sites to be developed to higher densities than proposed in this Plan. We note that in adjoining Local Authority areas, good design at over 40 dwellings per hectare has been possible. We would expect the same to be the case in Broxtowe - particularly where both the proposed major housing sites are in sites are in the Green Belt. Every effort should be made to reduce the requirement for new Greenfield land to a minimum - including the provision for realistic, rather than generous parking space for new development.

Council's Joint Response:

4. The Revised Deposit Draft amended the text of paragraph 6.59 and Policy T11 (R383). The standards are also now expressed as maxima (R544). The nature, size and location of development, will be taken into account when assessing car parking provision.

599/2718: Nottinghamshire County Council

5. The terms 'adequate provision', 'satisfactory provision' and 'sufficient space' could be misinterpreted as catering for parking demand. The term 'appropriate provision' is preferred. Holding objection: The car parking standards do not conform to national or local transport policy.

Council's Response:

6. Following further consideration the Council wishes to suggest an amendment to the text of policy T11. The Council considers this change overcomes the above objection and is in full accordance with PPG13.

Inquiry Change

- IC127
7. **The Council has recommended that the word 'satisfactory' is deleted and replaced with the word 'appropriate' and the word 'standards' is deleted and replaced with the word 'guidelines'.**

1127/2217: Healey & Baker

8. It is noted that the parking standards put forward are to be the subject of a review in line with emerging Regional Guidance. Object to any reduction in the standards proposed (one space per 20 metre square for general retail and one space per 10 metre square for food retail) on the basis that developments in town centres provide a dual function for visitors making linked trips.

Council's Response:

9. The borough council considers that in line with government guidance standards should be revised. The County Council will be consulting districts on a Supplementary Planning Guidance document on parking during 2002, which will be in place when this plan is adopted. Town centres generally provide the best access by public transport and standards should reflect this. It should be noted that whilst the staff element of retail parking is to be deleted, the customer standards are not amended.

1105/2131: PEDALS

10. Object to current wording because it does not contain specific commitment to cycle parking, given the enhanced importance of cycle parking in the revised PPG13. In addition the policy generally does not conform to the latest Government guidance with the emphasis in the new PPG13 on maximum car parking provision rather than minimum.

Council's Response:

11. Policy T11 provides guidance for parking provision. Policy T7, Cycling Routes and Facilities, relates to the needs of cyclists and conforms with the latest Government guidance.

T11 R383 Guidance for Parking Provision - Deletion of reference to SPG and addition of reference to latest standards in policy

1132/5023: W M Morrison Supermarkets Plc

12. These representations relate to car parking standards for food retail shopping provision, and comprise an "objection" to the Plan contains an omission in this respect. It should be noted that our client has no objection to either the wording of Policy T11 (revision 383) or the approach adopted at Appendix 4 to the Plan which sets out the car parking standards. Our client considers, however, that consequent upon both Policy T11 and Appendix 4 the shopping objectives of the Plan set out at Written Statement para 7.32 should be amended.

Council's Response:

13. The Council does not consider that any changes are needed to paragraph 7.32 which clearly and concisely sets out the objectives with regard to shopping and town centres.

Inspector's Conclusions

1. IC127 meets the Highway Authority's concerns regarding terminology and should help to avert misunderstandings.
2. I deal with objections relating to car parking guidelines in Chapter 9 - Appendices. There, I take criticisms of the provision suggested in Appendix 4 of the RDDP and recommend its replacement by the latest agreed guidelines of the County Council. Healey and Baker advance little reason for their objection to any reduction in parking standards for retailing. I fail to see how a propensity for linked trips could increase parking demands; it should if anything lower them.
3. Policy T11 and Appendix 4 relate to vehicle parking and servicing, which should include motorcycles. However, it would be confusing to include a reference to cycle parking. This is covered by Policy T7 relating to cycle facilities, although I am unaware of any local guidelines for the latter.

Recommendation

4. I recommend that the RDDP be modified as set out in IC127.

Tx AND Tx1 NEW TRANSPORT POLICIES AND PARAGRAPHS

Objections

Tx		New Transport policy	
1124	2216		Granada Hospitality Limited
			Weatherall Green & Smith
1384	3838		EWS Railway
			Lambert Smith Hampton
741	2994	Mr P Bell	Broxtowe Green Party
1164	3500	Ms T Gray	Railtrack PLC
108	1628	Mr M Spencer	
Tx1		New Paragraph	
1213	2887	Ms F Forgham	Government Office for the East Midlands

Summary of Objection Issues

Tx New Transport Policies

1124/2216: Granada Hospitality Limited

1. No mention of the function of motorway service areas and the safety function that they provide within the supporting text or within any of the policies under Chapter 6.

Council's Response:

2. Broxtowe Borough Council has one MSA within its area, and little potential for further MSAs. As such the Council does not consider a policy or background information is needed within the Local Plan.

1384/3838: EWS Railway

3. Object to the omission of a specific policy for Toton Sidings to implement the Structure Plan. The plan-led system requires clarity and certainty for investment. Toton is identified positively in the Structure Plan for rail freight development. This should be carried forward through the Local Plan. Reliance on a subsequent 'departure' from the Local Plan to implement the Structure Plan policy is a negation of the plan-led system. Our reasons have been previously articulated at consultation stage.

Council's Response:

4. There are various uncertainties concerning the rail freight depot that need to be resolved prior to any development at Toton Sidings. The Council considers that policy EM6 will allow a reasoned assessment of any proposal for Toton Sidings, without encouraging speculative planning applications (see proof 137).

741/2994: Broxtowe Green Party

5. There should be a policy to secure an area for public car parking and bus "turn-around" facilities for railway travellers on Siemens car park adjacent to the railway station.

Council's Response:

6. The land described is under private ownership and is not vacant. However, any application received for this land would be assessed with regard to policy K7 'Access and Transport'. Some of the land referred to will be incorporated in employment allocation EM3b, as amended by Inquiry Change IC89; it may be practical to consider shared use car parking in the appropriate part of this site.

1164/3500: Railtrack Plc

7. The encouragement of rail freight is a key transport objective of the Government's White Paper "A New Deal for Transport". Therefore, object to the omission of a policy, which encourages the movement of goods by rail. Without such a policy the Council will lack an adequate basis with which to promote the required and predicted growth in rail freight.

Council's Response:

8. Policy EM6 – Exceptional Development would allow a reasoned assessment of any proposal for a rail freight depot. Policy K7 'Access and Transport' encourages accessibility by public transport. The Council does not consider any further policies are required in this regard.

108/1628: Mr M Spencer

9. No provision has been made for the implementation of traffic calming/reduction/exclusion measures in the area bounded by Park Road and Grove Avenue, Chilwell.

Council's Response:

10. Measures including traffic calming and exclusion measures are the responsibility of Nottinghamshire County Council and do not require new land allocation. As such these works are not covered by policies within the Broxtowe Local Plan. The Local Transport Plan, which is drawn up annually, covers this type of work. Suggestions for specific areas for traffic management will be assessed to gauge their priority, and the Borough Council is consulted in this process.

Inspector's Conclusions

1. I deal with objections relating to the Trowell MSA and a potential railfreight depot at Toton Sidings in earlier Chapters, where I support their designation as major existing developed sites in the Green Belt.
2. Objective t/g encourages the use of rail for the transport of freight and it is difficult to frame a land-use based Policy that takes matters much further. Railtrack should be quite able to safeguard sites which they judge to be operationally, technically and commercially viable without any call upon the LPA's planning powers. It would be a matter for the LPA to determine proposals for any alternative use of redundant sites. In view of my support for a major Rail Freight facility at Toton Sidings, I see no basis for a Policy to designate and protect the Bennerley Coal handling facility. The owners are quite capable of the latter without any intervention from the LP.
3. Objective t/d aims to improve road safety, which will include traffic calming and other initiatives. However, these will be generally implemented by other powers and in most cases by another authority. They do not necessitate a Policy of this

Plan. Issues of highway safety should be taken up with the County Highway Authority.

Recommendation

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

Tx1 New Transport Paragraph

1213/2887: Government Office for the East Midlands

1. The latest revision of PPG13 sets out (at paragraph 16) a requirement for transport assessments to illustrate the likely modal split of journeys to and from sites as a result of major developments, and to provide details of proposed measures to improve access by public transport, walking and cycling, and to reduce the number and impact of motorised journeys.

Council's Response:

2. Paragraph 6.XX (R338) has been inserted in Chapter 6: Transport to clarify what is required to be shown by a Transport Assessment for a major development.

Inspector's Conclusions

1. R338 should have met the objection of the GOEM to the FDDP.

Recommendation

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