

CHAPTER 10 – Proposed Potential Housing and Employment Sites

AC(b) NORTH OF ROBINETTES LANE, COSSALL

Objection

1185 2780

Simms & Co

Shoosmiths Solicitors

Summary of Objection Issues

1185/2780: Simms & Co

1. The site at Oakwood Grange/Mabey Depot, Robinettes Lane, Cossall should be included for housing because:
 - (i) It is a brownfield site consistent with Government Policy.
 - (ii) It would improve the living environment of adjoining residents.
 - (iii) It would accord with the aims and objectives of the plan for housing.
 - (iv) It would improve the local environment.
 - (v) It would reduce HGV use of narrow roads through Cossall.

Council's Response:

2. Site Details

Site area:	5.5 hectares (13.5 acres)
Location:	The site is situated approximately 300m east of Cossall village, a rural village clustered around a narrow road. It also lies adjacent to the Cossall Conservation area (see attached map for location). The site was originally part of Cossall colliery which closed in the 1950s.
Current use:	An enclave of development occupying industrial uses, some residential and open land (part used for dumping manure). The site is part greenfield, part previously developed land.
Ecological value:	No designated wildlife sites exist on the site although part of the site is in a Mature Landscape Area. However it is proposed that this part is deleted from the MLA designation in this Local Plan Review.
Green Belt:	The site is situated in the Green Belt and isolated from any built-up area.
Public transport:	There are no frequent bus services within walking distance, or 400m. A frequent bus service exists 1.6km away on Coronation Road with services running to Nottingham, Nuthall, Kimberley and Ilkeston/Hallam Fields.
Road Access:	From a private road leading off Robinettes Lane.

Site Assessment

3. The Council has applied a set of principles in choosing housing sites and standard criteria were also used to assess all releases of Green Belt land (the Council's Round Table Papers on Housing and Green Belt).
4. The following site specific factors were of particular importance in assessing this site:

- (i) Development of the Green Belt site would constitute a significant intrusion into the countryside/green belt and wider landscape.
 - (ii) This is an isolated rural site not well served by frequent public transport services.
 - (iii) This site is very poorly related to the existing character and form of development.
 - (iv) Development could detrimentally affect the Cossall Mature Landscape Area (MLA), and the adjacent Cossall Conservation Area which includes distinctive listed buildings.
 - (v) The site is not in close proximity to any services or facilities.
 - (vi) Robinettes Lane is not a satisfactory access in terms of highway standards.
 - (vii) Development would result in the loss of numerous silver birch trees.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Housing Round Table Paper.
6. The site has had the same consideration as other potential development sites. In this instance Site AC(b) was not preferred which led the Council to select other sites in preference to accommodate new houses. The reasons for this are presented below.
7. The criteria which governed the selection of allocated sites as set out in the Council's Round Table papers, listed the importance of taking into account the guidance contained in PPGs and in the County Structure Plan. The Council considered that allocation of this site for housing would be wholly inconsistent with this guidance. Development would be contrary to the principles set out in PPG3, PPG2 and the Structure Plan Review (SPR) and would not conform to the criteria the Council has consistently applied.

Government and Strategic Guidance

8. One of the primary objectives of PPG3 is that sustainable patterns of development should be promoted. Paragraph 30 requires the use of a sequential approach when identifying areas and sites for residential development starting with the re-use of previously developed land and buildings within urban areas. The SPR strategy also supports this perspective by encouraging development to be concentrated within and adjoining urban areas and at locations along public transport corridors. The site is in part previously developed land where currently occupied by the industrial buildings and their curtilage, and in part greenfield - the wooded area to the north-west of the site which can be considered to be part of the natural surroundings. Although partly previously developed land it is not consistent with Government policy to develop previously-developed land situated in the Green Belt and isolated from an urban area. For that reason the site does not conform with PPG3's search sequence.
9. In SPR terms Cossall is regarded as a village (Para 1.65) and is not part of the urban areas as defined by the SPR. The site does not however adjoin Cossall village, in fact the site is separated from it by fields. Hence the site is situated in an isolated position and consequently is remote from public transport, in fact no buses serve the village itself or pass the site. The nearest services are located in Trowell or on Coronation Road to the north which are beyond recognised walking distances of 400m. The site also relates poorly in terms of its proximity to services and facilities, which Cossall village lacks. This would inevitably lead to the use of the private car as a means of accessing these. Locating development here would as a result fail to maximise the opportunity to seek to minimise the need to travel and the distance travelled, in line with government guidance.
10. The SPR (para 1.74) does not look favourably upon the development of sites isolated from existing settlements. Outside urban areas Policy 1/3 states that limited provision could be made within villages. PPG3 addresses the issue of village expansion in paragraphs 69-71. It is clear that the proposals for this site in its isolated situation do not accord with this guidance.

Green Belt

11. It is the Council's opinion that development of the site would be unacceptable in terms of Green Belt policy. The site assists in safeguarding the countryside from encroachment. PPG2 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently

open. The Council does not support the development of sites which would prejudice the open character, or other Green Belt purposes of adjacent land which will remain in the Green Belt.

12. The objector considers that the site should also be recognised as a major developed site in the Green Belt. The Council does not consider that within Broxtowe Borough, there are any major existing developed sites situated in the Green Belt that merit designation as defined by PPG2 Annex C. Accordingly this site is not considered appropriate for such designation. The Council considers the site area and the level of development on it to be too small to be regarded as a 'major' or 'substantial' site (para C1). As such redevelopment of the existing uses will be restricted to development considered appropriate within the Green Belt.

Cossall Conservation Area

13. The site is situated adjacent to the Cossall Village Conservation Area. The designation is intended to preserve the clearly defined form of the village and particularly the attractive street form, the skyline and grouping on the hilltop. The Council considers that it is important to preserve the unique setting and character of the area, which has historical connections with D H Lawrence. Development of this site would risk ruining the special character and appearance of the area as a clearly defined village. Development would not enhance the village even if buildings were designed to have regard to the scale, height, design and materials of the conservation area.
14. In 1996, as part of an overall review of conservation areas, an extension of the Cossall Conservation Area was created in conjunction with an Article 4(1) Direction to control agricultural development which might affect the setting of the village. This extension included the fields to the east of the village, adjoining this site, demonstrating the sensitivity of views of the village from this direction, and confirming the Council's desire to protect the openness of this part of the greenbelt.
15. It is clear due to its proximity to the conservation area that new development would only be appropriate at a low density so as not to detrimentally impact upon the character or appearance of the locality. This would be contrary to the Council's objective of achieving sustainable patterns of development to ensure the more efficient use of land in the development of new housing.

Cossall Mature Landscape Area

16. Part of the site, a small area to the west, is currently part of a Mature Landscape Area designation (MLA), a local countryside designation which seeks to protect those parts of the County's landscapes which have been least affected by adverse change. As part of the Local Plan Review the County Council have reappraised the boundaries of the Borough's MLAs. Current MLAs have been examined to assess whether land should be included or removed from the designation. Stringent definitions and criteria taken from PPG7 have been applied to such areas. As a result of this evaluation, changes have been proposed by the County Council to the Cossall MLA and are part of the Council's Inquiry Changes. It is proposed to adjust the outer boundary of the MLA affecting this site, to bring it in line with Robinettes Lane and in line with the field boundary to the west. This realignment of the boundary allows for a more definable boundary to be achieved. Consequently this site would not include any part of the MLA. However, development of the site could potentially harm the value of the mature landscape features which the site borders.

Accessibility

17. The Council would question the ability of Robinettes Lane to adequately cope with additional traffic from any new development due to its narrowness and the poor visibility when turning right from Mill Road/Dead Lane and Robinettes Lane. Robinettes Lane is less than 6 metres wide and for much of its length is less than 4 metres wide, with no footways. Development proposals would be detrimental to highway and traffic safety.

Conclusion

18. The Council considers that development of a low density development in an isolated greenbelt location adjacent to a sensitive area to be contrary to current government guidance and the principles of sustainable development. The Council does not wish to develop Green Belt sites unless there are exceptional circumstances. In this case development would undermine long established Green Belt policy.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress made in meeting SP housing requirements. I also accept in Chapter 5, the SP employment land provisions except that I see no requirement now for allocation EM2 at Watnall/Nuthall nor any need to make any compensating allocation.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing and employment requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this and associated allocations be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location, Site Search Sequence and Green Belt

4. The objection site lies within the approved Green Belt. Although, a substantial part at least is previously developed land according to the criteria of PPG3 Annex C, it's suitability for housing and or employment development needs to be assessed in relation to Green Belt purposes and other criteria.

5. It lies in the countryside beyond the built up area of Cossall Village, which is itself included within the Green Belt and where PPG2, at least, does not allow even for limited infilling. It lies some distance from and in the open countryside between the nearest towns of Kimberley, Stapleford and Nottingham in Nottinghamshire and Ilkeston in Derbyshire. Although the site contains a number of shed type buildings in some commercial uses and a substantial area of open storage of plant and materials, this is a recognisable anachronism in the countryside and it does not have a densely developed character; indeed part of the site is open and unused and another part is wooded. The proposed development would by contrast involve the creation of an isolated new housing estate or an intensified employment estate in the countryside well outside the village limits. This would constitute a sporadic form of development, increase encroachment upon the countryside and would further detract from the Green Belt gap between neighbouring towns. Its development would therefore be contrary to the first three purposes of Green Belts in PPG2. As other more suitable and sustainable sites can be identified to meet SP requirements, it also helps to assist in urban regeneration the 5th purpose of Green Belts.
6. Contrary to the objector's claims, the site's development would not be consistent with government policy towards brownfield land. PPG3 and RPG8 give priority to previously developed sites and other suitable land within urban areas. The next priority in the search sequence are suitable sites adjoining urban areas and lastly suitable sites beyond the urban areas, which are or will be well served by public transport particularly where this involves the use of previously developed land.
7. However, this site, although partly previously developed, is not suitable for Green Belt and other reasons and it would not be well served by public transport. It lies a considerable distance from even basic local services and could not be regarded as a sustainable location for a modern housing development or employment development and its occupiers would be almost entirely dependent upon and would encourage the use of private vehicles contrary to government objectives. I am able to identify other more suitable sites that are higher in the search sequence of RPG8 without the need to look for sites such as this well beyond the edge of the urban areas.

Conservation Area and Mature Landscape Area

8. The site adjoins the Cossall Conservation Area, which lies to the west, and the Mature Landscape Area, which lies to the west and south. The Council proposes an Inquiry Change to delete MLA designation upon the western and southern edges of the objection site, which I support as it better reflects conditions on the ground. I have dealt with the objection on this basis. The site's development for a modern housing estate or an intensified employment estate would be an intrusion into the adjoining countryside and would have a detrimental impact upon the setting of the Conservation Area and the adjoining MLA. In particular, it would extend intensive development towards the west and the south, whereas the existing uses on the objection site are concentrated towards the north and east. It would also be likely to require some widening of Robinettes Lane and its junction with Mill Lane and thus change its character and appearance from a country lane to that of an estate road. Although existing development may use the Lane, this is unlikely to be acceptable for a major new development.

9. I recognise that nearby residents may experience some disturbance from commercial uses on the site but the latter are long established and their existence was apparent to those moving house since. Associated HGV movements also have to use unsuitable country lanes with some detriment to the environment, to the Conservation Area and to its residents. However, the resolution of such problems are insufficient to outweigh the harm that a modern housing development would cause to the character and purposes of the Green Belt and to the setting of the Conservation Area and of the MLA and which would also generate extra traffic movements. I am thus unable to support the objection.

Recommendation

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

AC1 NORTH OF BARLOW'S COTTAGES, AWSWORTH

Objections

1131 2233

Allen Homes (East Midlands) Ltd
Steedman Planning & Land

Summary of Objection Issues

1131/2233: Allen Homes (East Midlands) Ltd

1. Failure to allocate AC1 as a housing site. Considered to be well related to existing development and suitable for allocation in the plan for housing development.

Council's Response:

2. Site Details

Area: 1.4 hectares

Current use: Agricultural land (Grade 4)

Ecological Value: Site of Importance for Nature Conservation (SINC) covers approximately 70% of the site (for location see attached map).

Green Belt: Site is in the Green Belt and on the edge of the urban area. It occupies part of the gap between Awworth and Giltbrook.

Public Transport: Infrequent bus services along Main Street/The Lane are within walking distance (400m). Services travel to Nottingham, Nuthall, Kimberley, Ilkeston and Hallam Fields.

Road access: From Barlow's Cottages.

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).

4. Issues that were of particular importance for this site were:
 - (i) The site is very prominent from the north and development would have a significant negative effect on visual amenity.
 - (ii) Development would result in the loss of Green Belt countryside and would reduce the width of the narrow gap between Awsworth and Giltbrook.
 - (iii) Development of the site would result in loss of trees and mature hedgerows.
 - (iv) Most of the site is a Site of Importance for Nature Conservation (SINC No.2/256: 'Glasshouse Yard Grassland' - a herb rich grassland).
 - (v) The site is generally beyond walking distance of local facilities (shops, school, doctors).
 - (vi) Access to the site is only possible via Barlow's Cottages, which would have to be made up to adoptable standards.
 - (vii) Site is close to two sources of noise; the Awsworth by-pass and a scrap yard.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Paper on housing.
6. The Council has assessed the site using the same criteria as for other sites. Whilst the site is reasonably well related to existing development, there are a number of problems with the site which have led the Council to select other sites in preference to AC1. Of those issues identified above, the most important were Green Belt issues, the prominence of the site from the north, and the designation of most of the site as a Site of Importance for Nature Conservation.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Green Belt

4. The site lies in the approved Green Belt. However, it is bounded to the south by a recent housing development; to the west by some dwellings and various structures; to the east partly by Barlow Cottages and their long gardens and beyond these by Main Street. It is bounded to the north by the Awsworth bypass with its footpath/cycleway and heavily planted verge, which effectively cuts the site off from the open countryside which lies to the north of the bypass. The site itself has little of the character or appearance of countryside. Although it slopes down towards the bypass it is much more closely associated with the adjoining settlement. In this situation, its development would not involve encroachment into the countryside to the north of the bypass. Being such a small site contained within such strong boundaries its development would not constitute sporadic development or urban sprawl.
5. Housing on the site would be most prominent when seen from the north. However, it would be viewed partly in substitution for and against a background of the new housing development to the south within the built up area. It would not look incongruous or prominent. It would instead relate well, as the Council accept, to existing development. In these circumstances, it is difficult to see how its development could be regarded as having a negative effect on visual amenity. The sheds, trailers, plant and materials on the site did not present an attractive view from the by pass and from the north. With its high degree of containment its development would not lead to any danger or even increased perception of coalescence, notwithstanding the presence of some sporadic commercial uses in the Green Belt gap to the north, which are largely seen as anachronisms.
6. Its northern boundary lies about 600 m from the nearest development at Giltbrook and Kimberley lying to the north of the A610 by pass. However, development of this site bears comparison with that of site H1b, which BBC endorse and which extends significantly closer to the edge of Kimberley and is somewhat more central in this Green Belt gap. As a Phase 2 greenfield site the release of this objection site for development would be dependent upon the availability of brownfield land and thus its allocation should not jeopardise urban regeneration.
7. In consequence, the site fulfils very little Green Belt purpose; most certainly in comparison to other Green Belt sites including allocation H2I. It is also of very little or no value to agriculture and should be preferred to H2I on this count also. I recognise that on its own it is no substitute for that large allocation but this is no detriment. It can in conjunction with others help to fulfil this role.

Location, Services, Search Sequence and Access

8. The site is very close to Main Street with its reasonably frequent bus service serving Kimberley and Ilkeston. It may lack a frequent service to Nottingham but the NET extension to Phoenix Park with its Park and Ride facility would be well placed to serve travellers from Awsworth and should encourage use of PT. Local shops, a Post Office, a Public House, a recreation ground and St Peters Church are less than

400 m away. The Primary School and other shops and Public Houses lie just beyond this distance. It is as accessible to these local facilities as site H1b. It may not be within 400 m of a town centre but then very few potential development sites are. It is a sustainable site in locational terms and according to the criteria in Policy H6 should be developed at a density of 40 dph. It falls into category c) of the search sequence of RPG8 Policy 1 and meets many of the criteria of Policy 2. It accords with SP Policy 1/3.

9. Access could be readily obtained from the new road constructed to serve the recent Wimpey's development immediately to the south. I note the site's north facing slope in CD21, but this is not so severe that it cannot be dealt with in the layout and the design.

Noise

10. The site is subject to some noise from traffic on the A610 bypass and on Main Street but no more so than housing site H1b. It is also unlikely to be of the same duration and intensity as sites alongside the M1 or even the parts of the A610. The evidence is that traffic flows on the latter are significantly lower than on the former during critical nighttime hours and that HGV movements during these times are very low. There is also a wide verge along the A610 bypass to the north of the site. As the quite dense planting matures it will help to screen views of the by pass and help to mitigate traffic noise slightly. This could be augmented on the northern boundary of the site and an acoustic fence could also be installed if needed. Although not noticeable on my visits to the area, the Council feel that dwellings on the site might experience occasional noise from operations at the scrap yard which lies a little distance away on the other side of the bypass. However, other housing lies as close if not closer and noise attenuation measures should be capable of addressing any problem that this yard creates for the local community. Also, parts of site H1b lies adjacent to a builders yard and a HGV garage with nearby movement of goods, plant and vehicles and the Council seem unconcerned about the potential effects of this in their support for that allocation.

Landscape and SINC

11. The site contains some mature trees and hedges, some of which could be incorporated into any development scheme. New planting could compensate for those that are inevitably lost, as on other allocations. It is not a factor that has precluded the Council from allocating some other sites elsewhere.
12. Part of the site is designated as a Site of Importance for Nature Conservation, apparently being a herb rich grassland. This is a local County designation, which does not merit the same degree of protection as national designations such as SSSIs. It is however, a very small site amounting to less than 1 ha and was apparently grade 2; of more local value. There is no access to visitors and I was unable to assess its current merits as they are can hardly be appreciated from the adjoining highways. However, it appeared to be heavily grazed by ponies. This type of SINC is always prone to degradation and even destruction from quite legitimate activities such as overgrazing and the use of herbicides. In view of these factors, I consider that the merits of developing this otherwise highly suitable site outweighs its limited and perhaps ephemeral value to nature conservation.

There are very few sites on the edge of the urban areas that are entirely free of some constraint. This site has very few and is to be preferred to others such as H2I to which nature conservation objections are also raised. I note that on some other sites the Council considers that the interests of development should take priority over the interests of nature conservation as with the SINC on former site EM1f. I take a similar view here.

Synthesis

13. The contribution of this sustainable small site to the potential housing supply outweighs its dubious value to nature conservation and its historical but obscure value to Green Belt purposes. In consequence, I consider that this site should be allocated for housing development in Phase 2 of Policy HX. In view of its proximity to frequent bus routes it merits a density of 40 dph under the criteria of Policy H6. I consider this to be an appropriate density even for this small site with some existing planting.

Recommendation

14. I recommend that the RDDP be modified by allocating this site of 1.4 ha for housing in Phase 2 of Policy HX at a density of 40 dph.

AC4 AND ADJACENT LAND WEST OF AWSWORTH LANE/SOUTH OF NEWTONS LANE, COSSALL

Objections

1106	3686	Mr R Hepwood	Miller Homes East Midlands
748	2390		David Wilson Homes North Midlands
			David Wilson Estates
1222	2917	Mr JR Holmes	Holmes Antill
1128	2226	Mr D March	Harvey Ingram Owston

Summary of Objection Issues

1106/3686 Miller Homes East Midlands

1. The land to the south of Newtons Lane, Awsworth should be allocated for residential development to make up the shortfall demonstrated in other representations. Birch believe that this land is well placed, being within the transport corridor and is well related to the built up area of Awsworth.

748/2390: David Wilson Homes North Midlands

2. The site is suitable and available for residential development. The analysis contained in the Consultation Draft was favourable and the site was recommended for further detailed investigation in October 1998 as a preliminary to the preparation of the Deposit Draft. Given its planning merits it is unclear why this site has been excluded.

1222/2917: Holmes Antill

3. The land should be allocated to complement land allocated north of Newtons Lane and to replace the unreliable potential of site H1(b).

1128/2226: Mr D March

4. Object that site AC4 and an extension into AC5 to the south of the site is not included as a housing option in the Plan. No information of why is included. Its nature, setting, visual containment etc is considered suitable for housing. No physical, legal or land use constraints prevent the site coming forward at an early stage for development.

Council's Response:

5. Site Details:

Site Area: 14.8 hectares (Site AC4 as defined in the Consultation Draft is 11.6 hectares).

Current use: Agricultural land (Grade 4) and former nursery.

Ecological value: No designated wildlife sites.

Green Belt: The site is situated in the Green Belt on the edge of Awsworth village.

Public Transport: Infrequent bus services run within walking distance on Awsworth Lane, travelling to Nottingham, Nuthall, Kimberley and Ilkeston. The site is within 1km of the proposed new railway station at Ilkeston Junction.

Road access: Access would be from Awsworth Lane and/or Newtons Lane.

Site Assessment

6. The Council has applied a standard set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
7. Issues that were of particular importance for this site were:
 - (i) Development would result in the significant narrowing of, and intrusion into, the Green Belt gaps between Awsworth and Ilkeston/Cossall Marsh.
 - (ii) Development of the site would result in a loss of countryside and a reduction in access to the countryside.
 - (iii) The site is close to a source of noise pollution - the Awsworth by-pass.
 - (iv) Western parts of the site are visually prominent.
 - (v) The site is not well related to existing facilities (shops, schools, doctors).
 - (vi) Development of the site would result in the loss of mature trees and hedgerows.
8. These issues feed into the site assessment together with the more strategic factors identified in the Council's Round Table Paper on housing.
9. The same criteria have been used to assess this site as for other sites. In this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to AC4. Of those issues identified above the most important were; the loss of the gaps between, and the loss of the separate identities of, Awsworth, Cossall Marsh, and Ilkeston; the loss of an area of accessible Green Belt countryside which includes mature trees and hedgerows; and the need to protect Awsworth's form and character.
10. Development of the site would significantly reduce the Green Belt gap. Furthermore the form of the development would make the coalescence of Awsworth with Ilkeston and Cossall Marsh more likely. It is also considered that a development of this size (providing over 400 houses with new density requirements) would be difficult to integrate within Awsworth. Any extensions to Awsworth have to be carefully judged to ensure the feel of the community is not unbalanced. It was

considered that this site would unbalance and detract from the existing development. Finally this site includes Cossall Common and a number of well used footpaths. The feel of this area of open countryside is characterised by a number of mature hedgerows and mature trees. As such the development of this site would result in a significant intrusion into the Green Belt that would also reduce access to the countryside.

11. In specific response to points raised by objectors the Council would wish to draw attention to the following points.
12. David Wilson Homes comment that “the analysis contained in the Consultation Draft was favourable”. However, there was in fact no analysis in the Consultation Draft; this document purely gave factual information about the sites. The site underwent further detailed investigation after the publication of the Consultation Draft; this investigation concluded that the site should not be allocated for the reasons stated above.
13. Birch plc state that the site should be allocated to “make up the shortfall demonstrated in other representations”. There is however no shortfall as is evidenced in the Council’s Housing Round Table Paper. As already explained the Council does not consider that the site would be well related to Awwsworth.
14. Holmes Antill suggest the site should be allocated to replace the unreliable potential of site H1(b). The Inspector should note that the site H1(b) has been removed from the Revised Deposit Draft as development has commenced.
15. Mr D March states that the site is suitable for housing and there are no physical, legal or land use constraints to prevent the site being developed. Whilst the Council has not identified any legal or physical constraints that would prevent development, the Council (as detailed in the previous paragraphs) considers that the site is not suitable for housing.

Background

1. I accept in Chapter 4 the Council’s revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council’s legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council’s Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify

altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Green Belt

4. This site lies within the approved Green Belt. Whilst it is well contained on its most of its northern and eastern boundaries by built development, it is much less contained on its southern boundary with at least one objector arguing that the site should be extended south to include site AC5 and elsewhere AC6. An extension of housing development into AC5 and then AC6 would constitute unrestricted sprawl contrary to the 1st purpose of Green Belts in PPG2 para 1.5. Even on its own, development would represent a major southward extension of Awsworth beyond its current clearly defined limits and a substantial encroachment into this area of countryside. It would significantly reduce the open Green Belt gap between the main built up part of Awsworth and the edge of Ilkeston to about 600 m and the gap to the adjoining Coronation Road industrial estate to about 250 m. This open break between the two settlements is already compromised by frontage development along Awsworth Lane and by the industrial estate. The site is therefore important in terms of the 2nd and 3rd Green Belt purposes in PPG3 para 1.5. It is distinguishable in these respects from site H2d to the north, which has strong finite limits, and presents no danger of coalescence with Ilkeston. An extension of development on site AC4 into site AC5 advocated by one objector and AC6 would link the main built up area of Awsworth with the Coronation Road industrial estate significantly increasing the degree of coalescence of the settlement with Ilkeston.
5. The impact of development upon the countryside and the Green Belt would be evident from the neighbouring highways, the footpaths crossing the site and from further afield in parts of Ilkeston/Cotmanhay and from Cossall village to the south. Development on the western part of the site would be prominent when viewed from the west.

Location

6. The site lies within 400 m of Awsworth Lane with bus services to Ilkeston and Kimberley. It lies within 300 m to 800 m from the Primary School and a little further from most of the local shops. It is not such a sustainable location in these respects as some other sites, although it lies within about 550 m and 1000 m of the proposed new passenger railway station at Ilkeston junction, which would be a significant benefit particularly for journeys to Nottingham. Road access to the site could be readily obtained from Newtons Lane and Awsworth Lane. The site's agricultural value is grade 4 and it is to be preferred on this count to some allocations such as H2I. Some trees and hedges might be lost to development but many could be preserved and supplemented by planting. Development would

detract from the rural character of footpaths crossing the site and from a small section of the Nottingham Canal.

Noise

7. The western parts of the site may experience some noise from traffic on the bypass but this is not likely to be as intensive or so extended as that on the M1 and even parts of the A610. Planting and acoustic barriers could help to mitigate any undue noise impacts. I note that CD21 identified the potential for gassing from a former tip but that this may be overcome by appropriate precautions if necessary. I note the other factors included in that assessment such as south facing slopes and proximity to town centres but their relevance to my conclusions are limited.

Consultation Draft Plan

8. The introduction to the Appendix “Potential Development Sites” of the Consultation Draft Plan (CD14) emphasised that the Council neither approved nor disapproved of the sites that were primarily put forward for possible development by developers and landowners. It made clear that the Council would take account of all comments received before putting forward a preferred selection of sites in the FDDP. The brief assessment of site AC4 and other sites implied no preference on the part of the LPA. The selection of preferred sites clearly involves weighing their relative merits and their drawbacks, which is not undertaken in CD14. It is mainly a description of factual information. Technical Report CD21 contains some appraisal of potential development sites. The assessment of site AC4 contains a number of negative and positive effects, which I have considered. I can see nothing in CD14, CD21 or any other published document that might have led Charterswood to believe that officers were emphatic that site AC4 was suitable for release from the Green Belt and should be allocated for residential development in the FDDP. However, in the event it was not allocated.

Synthesis

9. According to the LPA, development has commenced upon site H1b. In any case, I see no sound reasons to “abandon” that site at this stage well before the end of the Plan period. There may be no legal or physical constraints to the development of site AC4 but I find strong objections on planning and environmental grounds.
10. The value of the site to important Green Belt purposes and the impact of development on the rural landscape outweigh its few merits in particular its proximity to a potential new passenger rail service. I can identify other sites in equally if not more sustainable locations elsewhere that have significantly less effect upon important Green Belt purposes and mostly on high grade agricultural land.

Recommendation

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

AC6 AND ADJACENT LAND NORTH OF CORONATION ROAD, COSSALL

Objections

1221	2912	Mr JP Allen	Trustees of the Barnes Settlement & Estates Walter Scott & Ross Solicitors
1159	2425	Mr C Welsh	

Summary of Objection Issues

1221/2912: Trustees of the Barnes Settlement & Estates

1. Walter Scott & Ross object to the exclusion of site AC6 (as defined in the Consultation Draft) on the grounds that its allocation as employment land would:
 - (a) Allocate land with minimal agricultural merit.
 - (b) Be consistent with surrounding land uses.
 - (c) Give defendable Green Belt boundaries.
 - (d) Give easy access to the M1 on existing infrastructure.
 - (e) Promote employment in the Borough.
 - (f) Promote and use the proposed Ilkeston Junction rail facilities.
 - (g) Provide mixed development in the Cossall/Awsorth area.
 - (h) Provide a natural development as opposed to the enlargement of the Soloman Road site in artificial proposal EM3 (c).
 - (i) Provide proper use of a part of the Borough not now in substantial beneficial use using existing infrastructure and transport (and that proposed) to best advantage.
 - (j) The loss of Green Belt land would be minimal.

1159/2425: Mr C Welsh

2. Charles Welsh wishes the Council to examine allocating AC6 and adjacent land for housing.

Council's Response:

Site Details:

3.

Site area:	14.5 hectares (site AC6 as defined in the Consultation Draft is 4.8 hectares).
Current use:	Agricultural land (Grade 4).
Ecological Value:	Site includes Nottingham Canal which is a designated Local Nature Reserve and Site of Importance for Nature Conservation (SINC No. 1/1 'Nottingham Canal': species-rich grassland - see attached plan for location).
Green Belt:	The site is in the Green Belt.
Public transport:	Infrequent bus services run along Coronation Road and Awsorth Lane, adjacent to the site. The site is also within 1km of the proposed new Ilkeston North railway station.
Road access:	From Coronation Road and/or Awsorth Lane.

4. The site was assessed using a standard set of locational principles detailed in the Council's Round Table Papers on Employment and Housing. Standard criteria were also used to assess all releases of Green Belt land.
5. The following site specific factors were of particular importance in assessing this site:
 - (a) The site is Green Belt land, and development would significantly narrow the Green Belt gap between Awsworth/Cossall and Ilkeston.
 - (b) The site would relate poorly to the existing character and shape of the area. (The site would be equi-distant from the built-up areas of Ilkeston and Awsworth).
 - (c) Development would greatly influence the setting of Chatterley House Hotel.
 - (d) Development would have a significant visual impact on the approach to Awsworth from Ilkeston.
 - (e) Development of the site would constitute a significant intrusion into the countryside, and would ensure that virtually the whole length of road between Ilkeston and Awsworth is built-up.
 - (f) Development would obscure views of the wooded embankment to the canal.
 - (g) Whilst the site has been back-filled it has been reclaimed successfully and is greenfield land.
6. In summary therefore, AC6 and the adjacent land are large sites proposed for development that would be very poorly related to existing development, and would constitute a significant intrusion into the countryside.
7. The basic locational principles used to identify employment sites across the borough are identified in the Council's Employment Round Table Paper. The need to protect, as far as practicable, the Green Belt and the environment has resulted in proposed new development being focused on previously developed land. Whilst to accommodate sufficient growth some encroachment into the Green Belt is inevitable, this should be within or adjoining urban areas. However, the site AC6 is not well related to existing urban areas and is not brownfield land.
8. Walter Scott & Ross draw attention to the enlargement of the Soloman Road site which they refer to as 'artificial'. However, the extension to the Soloman Road site relates to the developed part of the former Ski 2000 ski-slope development. It therefore represents the re-use of previously developed land adjoining an existing employment site. The proposed extension to Cossall industrial estate will have an area of 1.8ha and will require the provision of a 9ha country park.
9. Charles Welsh suggests the site should be allocated for housing. The general arguments given above would also apply for housing development although there would be additional problems with regard to lack of local facilities and issues of sustainability.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.

2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham at Phoenix Park and the Royal Armouries. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence, I do not regard any slight shortfall of allocations as significant. The SP provision of land for BPs is on top of the general provision and is not based upon past take up rates.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Introduction

4. Objection 2912 relates to site AC6 and promotes its allocation for employment purposes. Objection 2425 promotes the allocation of the site and adjoining site AC5 with a small extension to the north west for housing purposes. Objection 2226 promoted a housing allocation on site AC4 to the north and its extension onto site AC5 to the south.

Consultation Draft Plan

5. The introduction to the Appendix to the Consultation Draft Plan "Potential Development Sites" (CD14) emphasized that the Council neither approved nor disapproved of the sites that were primarily put forward for possible development by developers and landowners. It made clear that the Council would take account of all comments received before putting forward a preferred selection of sites in the FDDP, which did not include sites AC6 or AC5. The brief assessment of site AC6, AC5 and other sites implied no preference on the part of the LPA. The selection of preferred sites clearly involves weighing their merits and their drawbacks, which is not undertaken in CD14. It contains mainly factual information. The sites thus met no standard criteria.

Green Belt

6. The embankment and traffic on the Awsworth bypass are currently visible from the site AC6 and from Coronation Road. However, their impact will be softened in time as planting along the roadside verges matures. Planting on the embankment to the disused canal is more established though not so extensive and this embankment presents an interesting and attractive feature. Neither feature could be described as town-like nor do they give the site an urban character or appearance. Major roads and canals commonly cross the countryside and in such locations are not perceived as industrial or urban developments. They may be man made but so are other developments in the countryside and Green Belts. Neither are such developments inimical to Green Belts as PPG2 para 3.13 indicates.
7. Similarly, hotels may also be found in the countryside as well as the towns and the Chatterley House Hotel has only a limited impact on the largely open site AC6, which is in rural uses. The land beyond site AC6 to the west, east and north is open countryside also within the Green Belt. The view to the south is of the small industrial estate in the middle ground but with countryside and Cossall village beyond extending to the skyline. Despite the claims, site AC6 is not within any urban enclosure or urban curtilage and there is nothing inconsistent or anomalous about its openness. Despite the presence of the hotel, the industrial estate and the bypass, the site has a rural character and setting. Development upon it would involve encroachment into the countryside contrary to the 3rd purpose of Green Belts set out in PPG2 para 1.5.
8. Site AC6 may have clearly defined boundaries but this does not mean that urban development could be contained within it as objections seeking allocations on the adjoining sites AC5 and AC4 clearly demonstrate. It would be difficult to justify the allocation of site AC6 whilst rejecting those on sites AC5 and AC4. Thus the inclusion of all these sites in the Green Belt is important in checking urban sprawl and meets the 1st purpose of Green Belts. The approved Green Belt boundaries along the southern edge of the main built up part of Awsworth and around the industrial estate are also clear and quite defensible. The bypass may be a major feature but the imperative is to take those boundaries that achieve Green Belt purposes, not simply a dominant feature. Adoption of the bypass as a boundary in this location would allow for development of sites AC5 and AC4 as well as sites H2d and RC8h. I, like the RDDP, regard the latter two sites being finite and presenting less danger of coalescence of Awsworth with Ilkeston as less important to Green Belt purposes than sites AC4, AC5 and AC6.
9. The openness of sites AC6 and AC5 are highly important in maintaining the open break between Awsworth and Ilkeston. Its importance is enhanced not diminished by the presence of ribbon development along Awsworth Lane and the industrial estate to the south. The presence of the latter in no way justifies development of the remaining open break to the north of Coronation Road. There are many cases where important Green Belt breaks exist on only one side of a road; this provides no basis for developing the other side. The sites in their current situation therefor help to maintain the open break between Awsworth and Ilkeston, preventing an increase in their degree of coalescence and meeting the 2nd purpose of Green Belts. Development in Ilkeston extends up to the railway

line and effectively up to the County boundary. The open Green Belt land on the Ilkeston side of the by pass lies due west of site AC6 and is part of the same modest stretch of open countryside. Its width along the north side of the road into Ilkeston would only be about 150 m between the roundabout and the railway; a quite inadequate Green Belt gap.

10. In consequence, I consider that sites AC6 and AC5 are important to the purposes of the Green Belt in this vulnerable area between settlements in Broxtowe and neighbouring ones in Derbyshire.
11. Site AC6 is divorced from the neighbouring industrial estate by Coronation Road. I fail to see how it relates well to Awsworth and Cossall. Both of these lie some 450 m away and are separated by open farmland. Even if it were suitable for development, the site would fall in the last category (d) in the search sequence in Policy 1 of RPG8. Contrary to the objector's claims, development on the site would be visible from Cossall as their accompanying photographs clearly show.
12. Whilst I see no particular merit in preserving the setting of the Hotel as a building, I find its setting, despite the nearby industrial estate, to be largely rural. The most vulnerable parts of Green Belts are very often on the urban fringe and one of the purposes of them is to contain further encroachment of urban development into the countryside.

Landscape

13. Development on site AC6 would be prominent when viewed from the bypass, from Coronation Road and from the area around Cossall village. It would also be seen from parts of Ilkeston and Cotmanhay to the west and only from some angles against the existing industrial estate to the south. It would also be prominent at very close quarters from the adjoining section of the Nottingham Canal, which is a most attractive linear feature, a LNR and a SINC, and a popular walk extending some distance to the north and south. Employment development on the site would detract from the rural setting and the recreational experience of this section of the Canal.

Agriculture

14. Site AC6 is grade 4 in the ALC and is divorced by linear features from neighbouring agricultural land. It is to be preferred on this count to sites such as EM2 and those parts of EM3f, which involve the use of B&MV land. It is nevertheless in some use for grazing and allotments on a small part. Its value to this vulnerable part of the Green Belt outweighs its limited agricultural value, its proximity to good communications road, buses and potentially rail and the provision of further local employment. I have no doubts that if allocated it would attract the interests of developers but the same is true of other sites and allocations.

EM3c

15. I also have reservations relating to the smaller allocation EM3c, although less on Green Belt grounds since it is well contained by land form to the south and the

existing industrial estate to the north. It is a very minor extension to the rear of the latter. My main concern is that it appears to involve major earthmoving and the destruction of well established planting with some amenity value for very little and some awkward shaped new employment land. However, I recognise that these negative aspects are offset by the prospect of reclaiming the former ski slope and the creation of an open space on allocation RC8f. There is no evidence that the ski slope is likely to be re-used. It matters little now that it is a fairly recent development.

Open Space

16. I fail to see how open space on RC8f, which extends high up the slope and some distance to the south into an area of countryside and adjoining a Mature Landscape Area could be regarded as being surrounded by industrial development. Furthermore, open space is not out of character with adjoining industrial uses; it can provide recreational opportunities close at hand for local workers. I can see no problems with an access to this proposed open space from the industrial area if that is what is eventually decided. The main pedestrian access would clearly be from the adjoining section of the Nottingham Canal, an already popular linear feature and walkway.
17. Whilst residential development on site AC6 and on AC5 would probably involve smaller buildings, its impact upon the Green Belt, the countryside and the Nottingham Canal would be essentially similar to employment development.
18. I am able to find more suitable sites elsewhere that have significantly less impact upon the purposes of the Green Belt and the countryside.

AC5

19. Site AC5 plus a small extension lying more centrally between Awsworth and the Coronation Road industrial estate, is also poorly related to the settlement pattern of the area. Its development for housing would consolidate the ribbon of development along Awsworth Lane and create a more isolated form of development in this Green Belt gap. It would establish considerable pressures for the subsequent release of the remaining gaps sites AC4 and AC6. It would constitute urban sprawl, an encroachment into the countryside and would increase the degree of coalescence of neighbouring settlements. Its continued protection is highly important to the 1st, 2nd and 3rd purposes of Green Belts in PPG2. The suggestions of some recreation/open space provision provide inadequate compensation. Proposal RC8f already envisages a sizeable new recreation area to the south of Coronation Road. The site's reasonably sustainable location in respect of bus services on Awsworth Lane and the potential new railway station and its low agricultural value are insufficient to outweigh substantial Green Belt objections.

Recommendation

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

Be(a) SOUTH OF TRENT VALE ROAD, BEESTON

Objection

1165 2519

Siemens Properties Ltd
c/o Colliers Erdman Lewis

Summary of Objection Issues

1165/2519: Siemens Properties Ltd

1. Part of the site should be allocated for residential development.

Council's Response:

2. After discussions the Council has reached agreement with Siemens that the proposals for new housing development at the Trent Vale sports ground should not be pursued and that other means will be sought to improve the existing sports facilities and bring the ground into publicly accessible uses. This is considered by the Council to be community benefit to which weight has been attached when considering the new employment development allocation on the main site. As a consequence Siemens Ltd have now conditionally withdrawn their objection in respect of Trent Vale Road.

Inspector's Conclusions

1. As this objection is apparently not being pursued there is nothing now for me to consider.

Recommendation

2. I recommend that no modification be made to the RDDP.

Be(b) OPEN SPACE OFF QUEENS ROAD, BEESTON

Objections

595 3839

Beeston Lads' Club
c/o Austin Blowers

Summary of Objection Issues

595/3839: Beeston Lads' Club

1. The site (the Lads' Club playing field) should be allocated for residential development.

Council's Response:

2. This issue is dealt with in the attached joint statement agreed by Broxtowe Borough Council, David Wilson Homes and Beeston Lads' Club. It has been agreed that the residential allocation H2e

Chapter 10 - Proposed potential housing and/or employment development sites should be enlarged to include part of site Be(b), as shown on the attached plan. IC94 in proof 023 formally proposes this change and the objection has been conditionally withdrawn on this basis.

Inspector's Conclusions

1. I deal with the substance of this objection under site H2e in Chapter 4 where I recommend support for IC94, which satisfies the objector.

Recommendation

2. I recommend that the RDDP be modified as set out in my recommendations on site H2e in Chapter 4 including as set out in IC94.

BE1 HASSOCKS LANE ALLOTMENTS, BEESTON

Inspector's Conclusions

1. As this objection is listed as being unconditionally withdrawn there is nothing for me to deal with.

Recommendation

2. I recommend that no modification be made to the RDDP.

Br1 WEST OF THE HOME CROFT, BRAMCOTE

Objections

1155 2428

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2428 Greasley Parish Council

1. Object that the site has not been allocated in the Plan. This site should be allocated for housing as it is within the existing built-up area and therefore maximises the use of vacant urban land and reduces the pressure on greenfield land, which is more sensitive. This thereby meets the objectives of sustainable development.

Council's Response:

2. Site Details

Site Area: 0.6 hectare

Current Use: Lock-up garages, open land – not situated in the Green Belt.

Ecological Value: There are no designated wildlife areas within this site.

Public Transport: There is a bus service along Chilwell Lane, which adjoins the site.

Road Access: This would need to be from Home Croft via the St John's College access off Chilwell Lane.

3. This site was granted planning permission for 5 new dwellings in July 2000 (00/00161/FUL). As such the site has not been allocated in the Local Plan.

Inspector's Conclusions

1. As this site was granted planning permission in July 2000 there is nothing now for me to determine. I would simply observe that it was of a size to be allocated in the FDDP and that the approved density of about 8 dph falls so substantially below the minimum density of 30 dph of Policy H6 that I would have expected some explanation. I recognise its small rather awkward shape, its position in the Conservation Area and the density of adjoining development. However, given its well screened character, the prospects for the adjoining development and the fact that even in Conservation Areas new development does not have to mimic that existing none of these factors appears to offer any convincing reasons for such an extremely low density. None were identified in CD14; rather the opposite. It contrasts with the Council's criticism of the suggested density on site Br (a).

Recommendation

2. I recommend no action in respect of this site.

Br(a) WEST OF CHILWELL LANE/TOWN STREET, BRAMCOTE

Objections

572 1080

The Catesby Property Group

Antony Aspbury Associates

572 1079

The Catesby Property Group

Antony Aspbury Associates

Summary of Objection Issues

572/1079: The Catesby Property Group

1. Object to the omission of 8.9 ha of land to the west of Town Street and between Town Street in the south and Moss Drive/Atlantic Drive in the north including landscaped grounds and the footprint of what was Bramcote Hall - for 40 houses. The area is inherently sustainable, having regard to its strategic location. Amongst other things it offers neighbourhood services and community facilities, with a frequent bus service along Town Street/Chilwell Lane. It also offers a very high quality residential environment which is comparatively rare within the conurbation and one which is normally only provided by villages in the rural areas of South Nottinghamshire. With regard to the special character of the area, development should be for low density dwellings (4-5 per ha) respecting the woodland habitat. Development could also be a catalyst and funding agent for the restoration of the balance of the historic grounds of Bramcote Hall, opening it up to better public

access. However it is recognised the highway infrastructure is a major constraint - propose a one-way system.

572/1080: The Catesby Property Group

2. Object to the omission of 3ha of land for 90 houses in the triangular area to the west of Orton Avenue, and north of Sunnyside Road and Great Hoggett Drive, Bramcote. It is considered an inherently sustainable area having regard to its strategic location. It offers local neighbourhood services and community facilities and there is a frequent bus service along Bramcote/Chilwell Lane and Inham Road. Built up areas that immediately adjoin and contain it to the north east and south visually dominate this area and its development would not intrude upon, nor effectively narrow, the open gap between the northern side of Chilwell and Bramcote that the Green Belt designation explicitly protects here. Development here could be the catalyst and funding agent for the landscape enhancement of the agricultural land immediately to the north of the site, opening up the public access. Considered in isolation the site is landlocked with no independent vehicular access. Subject to agreement it would be possible to secure access to-and-from Orton Avenue, Sunnyside Road and/or Great Hoggett Drive.

Council's Response:

3. Site Details

Site area	:	25.5 hectares (63.0 acres)
Current use	:	Agricultural land (10% Grade 2, 90% Grade 3a)
Ecological value	:	Approximately 15% of the site is designated as part of a Mature Landscape Area in the 1994 Broxtowe Local Plan.
Green Belt	:	The site is in the Green Belt on the edge of the urban area. It occupies part of the narrow Green Belt gap between Bramcote and Stapleford .
Public Transport	:	The southern part of the site is within walking distance of frequent bus services on Inham Road. The eastern part of the site is within walking distance of an infrequent bus service on Chilwell Lane/Town Street.
Road Access	:	From Chilwell Lane and/or Town Street.
Other Issues	:	Part of the site is designated a Prominent Area for Special Protection. In addition, approximately 15% of the site lies within Bramcote Conservation Area.

Site Assessment

4. The Council has applied a standard set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
5. Issues that were of particular importance for this site were:
 - (i) The loss of Green Belt and significant intrusion into the countryside, as a result of development.
 - (ii) Development of the site would result in the loss of the prominent gap between Chilwell and Bramcote.
 - (iii) Development would impact significantly on a Mature Landscape Area and a Prominent Area for Special Protection.
 - (iv) Development would detrimentally impact on the Bramcote Conservation Area.
 - (v) Loss of woodland and mature hedgerows and trees.
 - (vi) Access difficulties by car and public transport.

6. These issues fed into the site assessment together with the more strategic factors identified in the Housing Round Table Papers.
7. The same criteria have been used to assess this site as for other sites. In this instance a number of difficulties have been identified which have led the Council to select other sites in preference to Br(a). Of those issues identified above the most important were: the need to retain this important Green Belt gap between Chilwell and Bramcote; the impact on a Mature Landscape Area, a Prominent Area for Special Protection, and Bramcote Conservation Area; and the access difficulties.
8. The Council does not consider that “the area is inherently sustainable, having regard to its strategic location” as stated by the Catesby Property Group. Furthermore the suggestion of “low density dwellings (4.5 per ha)” would be highly unsustainable and contrary to PPG3: Housing.

Background

1. These objections are now listed in CD30 as being withdrawn. However, as the Council have included their statement in this Skeleton Report I deal with that put before me in accordance with the agreement at the Pre-Inquiry Meeting. I set out my brief observations below.

Inspector's Conclusions

2. This site falls into three distinct parts. (1) the area south of Common Lane; (2) the area north of Common Lane and west of Southfield House (3) the area north of Hall Gardens and east of Burnt Hill. All three areas lie in the adopted Green Belt; the latter lies in a Prominent Area for Special Protection under Policy E14 and partly within a Mature landscape Area and within the Bramcote Village Conservation Area. Area (2) lies partly in a Mature Landscape Area.

Area (1)

3. Development of the site would create a danger of unrestricted urban sprawl contrary to the 1st Green Belt purpose. Much of the land is B&MV agricultural land. SP Policy 3/13 and government policy favour the development of land of lower agricultural value unless there is no reasonable alternative. The site on the edge of the built up area falls within category (c) of the search sequence of Policy 1 of RPG8. Access could be obtained from Chilwell Lane like H2f and/or from estate roads to the south. It is a reasonably sustainable location in relation to local services and facilities. Its value to the Green Belt and its agricultural value outweigh the site's other merits.

Area (2)

4. Dwellings on site (2) would be prominent when viewed from the south and any in the northwest corner could probably be seen on the skyline from Stapleford to the north. It intrudes less into the important gap between Bramcote and Chilwell but its development would represent a significant encroachment into this prominent area of countryside contrary to the 3rd purpose of Green Belts in PPG2. Its development would be poorly related to the built form of Bramcote village and would involve sprawl. Access would be difficult to obtain independently of site (1) above. It is

further away from the more frequent bus services to the south. This area is important to Green Belt purposes and contains B&MV agricultural land. These factors are decisive.

Area (3)

5. Although this small north eastern area of about 3.5 ha is included in a Prominent Area for Special Protection, views into and out of the area are screened by the dense planting on and particularly around the site. The southern and northern parts included in the MLA coincide with this dense planting. This small area is unused and appears to form part of the curtilage of the former Atlantic House complex with internal roadways and vestiges of bases and with empty and almost derelict former accommodation blocks and a former community building lying immediately to the east just outside the area. According to the criteria in PPG3 Annex C the whole curtilage should comprise previously developed land.
6. The interior of the area clearly lacks the appearance and character of countryside and its development/redevelopment would involve no encroachment. Being so well contained, its development would not represent sprawl or sporadic development. Neither would it present any danger of increased coalescence between Bramcote and Stapleford which, although only 350 m away, is out of sight below the hill. Its value to Green Belt purposes is marginal. Being so well screened, development would have little impact upon the Prominent Area for Special Protection and the Mature Landscape Area around its fringes, both of which extend to the north and west; with the PAFSP including some buildings. It occupies a reasonably sustainable location. Its redevelopment could be well related to the form of the existing village.
7. It lies within an extensive Conservation Area, which includes development in some depth on the east side of Town Street and parts of the MLA to the west. Most of the site is well screened from Town Street and the main built up part of the Conservation Area. Its redevelopment should not detract from the character and appearance of the Conservation Area or its setting; indeed the redevelopment of the unused Atlantic House buildings could enhance the Conservation Area. Conservation Area control should be more than sufficient without the less relevant complications of Green Belt policy. Policies E14 and E15 should provide no handicap to an appropriate development within the central parts of this and the adjoining area to the east.
8. This area represents a clear underused asset. Some minor works to the junction with Town Street may be necessary but it should be possible with some imagination to design these so as to preserve the character and appearance of this part of the Conservation Area, particularly bearing in mind that drivers on Town Street are already subject to and are expecting sub standard highway conditions.

Recommendation

9. As the objections have apparently been withdrawn, it is not appropriate to make any recommendations. However, the Council may wish to reflect upon my conclusions regarding Area 3. They can ill afford to overlook such opportunities.

By1 LAND NORTH OF CORDY LANE, BRINSLEY

Objections

1181	2771		Beazer Homes Limited
			Shoosmiths Solicitors
1119	3837	Mr J Booth	
			John L Booth
1419	4021	Mr AJ Lovell	

Summary of Objection Issues

1181/2771 Beazer Homes Limited

1. The site identified is recommended for inclusion within the list of proposed new housing sites. The total site area is some 27.9 hectares, although taking account of landscape, access and open space requirements, this would leave a net developable area of approximately 15 hectares. It is considered that the site fulfils strategic locational requirements of Policy 1/3 of the Nottinghamshire County Structure Plan and it may also be considered to lie as a natural extension to the Nottingham to Eastwood public transport corridor. The location has many of the characteristics of this public transport corridor, having a good and frequent public transport service linking to the main urban areas of employment, social, educational facilities, etc.
2. Residential development on this site would also have the sustainability advantage of assisting in supporting existing facilities within the village of Brinsley, notably the local school and shops and also creates the opportunity to provide enhanced facility in this respect for existing residents in the village. This will also assist in reducing car use and improving sustainability.
3. The site fulfils the National Policy objectives of development of Brownfield sites, being effectively degraded land, previously subject to mining operations and of no significant agricultural value. The site lies within reasonable proximity to existing and proposed employment opportunities on the north side of Eastwood and has good public transport links to those employment opportunities.
4. A need has been identified in the Brinsley area for facility to accommodate elderly persons and development of the site would create the opportunity to provide facilities in the form of hospice care unit, nursing home and sheltered accommodation for rent. The site has been assessed in terms of infrastructure requirements, access, drainage, etc, and these facilities can be provided without undue difficulty or expense and within the area controlled or the public highway as appropriate. The site does not contain any designated wildlife of ecological interests and the opportunity exists to create a strategic landscape feature and woodland along the eastern boundary of the site to screen some of the existing, unsightly uses on Winter Closes, provide a woodland framework that would accord with the objectives of the Greenwood Community Forest and appropriate visual and physical separation between the villages of Brinsley and Underwood. This would also provide a long-term defensible Green Belt boundary thus also achieving strategic Green Belt objectives.
5. This site does not perform any particular important strategic Green Belt function and indeed many respects of development would be seen as "rounding off" the existing settlement boundary. This site was considered in the Council's appraisal of potential development sites to have the potential to provide housing and all the strategic and technical advantages that lead to that selection remain unchanged.

1119/3837 Mr J Booth

6. The land is “Brownfield”/Grade 4 agricultural land and should be developed in preference to Grade 2 agricultural land at Watnall, site H2I.

1419/4021 Mr A J Lovell

7. Part of the site should be allocated for 50 dwellings.

Council's Response:

8. Site Details

Site Area: 29.3 hectares

Current Use: Agricultural land (Grade 4).

Ecological value: No designated wildlife sites.

Green Belt: Green Belt on edge of village.

Public Transport: The site is not accessed by a frequent bus service. Infrequent services run on Cordy Lane and Broad Lane.

Road Access: Access would be from Red Lane via Broad Lane and from Cordy Lane. Improvements would be necessary to these roads to gain safe access.

9. The Council has applied a standard set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
10. Site-specific issues that were of importance for this site were:
 - (i) Development would result in the significant narrowing of the Green Belt gap between Brinsley and Underwood.
 - (ii) Loss of open Green Belt countryside.
 - (iii) The need to protect Brinsley's form and character.
 - (iv) The site is not on a public transport corridor.
 - (v) Development would result in the loss of trees and hedgerows.
 - (vi) The amenity value of footpaths which pass through the site would be significantly harmed.
11. These issues fed into the site assessment together with the more strategic factors identified in the round table papers on housing and Green Belt.
12. The same criteria have been used to assess this site as for other sites. In this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to By1. Of those issues identified above the most important were; the need to retain Brinsley's village form and character, the significant intrusion into the Green Belt and the site's location outside a public transport corridor. Furthermore, the allocation of site By1 for housing would be contrary to the Structure Plan and PPG3, due to its greenfield, village location outside a public transport corridor.
13. Whilst Beazer Homes Limited consider that development of this site would “have the sustainability advantage of assisting in supporting existing facilities within the village of Brinsley”, the Council disagrees and considers that a development of this size would be difficult to integrate with Brinsley and would unbalance the existing village community. Furthermore the development's rural siting would make it unsustainable and contrary to government guidance.

14. The Council disagrees that the site can reasonably be described as “brownfield” and considers that it is clearly a greenfield site within the terms of PPG3 Annex C.

Background

1. I accept in Chapter 4 the Council’s revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council’s legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council’s Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector’s Conclusions

Site Search Sequence

4. The site is clearly well outside the Nottingham to Eastwood PT corridor, lying over 1.7 km from the northern edge of Eastwood and 2.5 km from the town centre. With only limited bus services operating along Cordy and Broad Lane (3 hourly for most of the day) it cannot be described as a natural extension of this corridor, even had the SP contemplated this. Development on the scale envisaged would be contrary to Policies 1 /2 of the SP.
5. SP Policy 1/3 makes limited provision in villages identified in LPs, elsewhere for appropriate small scale development in villages and exceptionally for major development on the edge of suitable villages where specifically identified in LPs. It explains that suitable sites for limited development should normally be located

within villages and be identified through the local plan process. In villages covered by the Green Belt, development will usually be restricted to infill sites for one or two dwellings. The Local Plan has not identified Brinsley, or other villages, as settlements for limited provision or for major development.

6. The objectors have put forward no convincing reasons for identifying Brinsley, exceptionally for major development. The need for a nursing home/hospice/sheltered accommodation is a local not a strategic matter and does not amount to exceptional circumstances. If needed, this specialised type of accommodation could be provided independently of a major housing development; indeed the village already has an elderly persons home. The village seems relatively well provided with low cost housing. The turnover of existing houses should provide young people with opportunities to live in the village.
7. Planting to screen the depot on Winter Closes is purely a local matter and is, in any case, of dubious value to the existing village, since any glimpses they might catch would be replaced under the objector's proposals by views of a large housing estate. Contributions to the objectives of the Greenwood Community Forest also provide no special factors. It is something that other sites could and do offer. In some cases, I conclude that extensive planting can be wasteful of development land leading to unnecessary pressure to develop other green field and Green Belt sites. The RDDP defines a village envelope as sought by the CLA. However, the objection site lies outside it. Numbers at the primary school may be under role but there is no evidence that its viability is threatened.

Agriculture

8. The site is not degraded but is in agricultural use mainly for grazing like much of the land hereabouts. It is not brownfield land according to the criteria in Annex C of PPG3 and thus fulfils no national policy objectives. It may be of a poor quality having been subject previously to mining, but the same could be said of much of the land hereabouts. Whilst it may be preferable to allocation H2I on agricultural grounds, it performs much less well on other factors and in any case I recommend the deletion of that allocation and the substitution of other less objectionable sites.

Relationship to Brinsley

9. A site of 28 ha or 15 ha, with some planting and open space, could not be described as providing for small scale development. It would increase the size of Brinsley substantially and would be quite out of scale with the existing settlement. It could in no respects be seen as rounding off. This term describes development that completes the existing form of a settlement. Instead, development of the objection site would extend the village well beyond its existing well defined boundaries some 500 m northwards into the countryside. It contrasts with the small infill developments identified by the SP as appropriate to Green Belt villages.

Location and Services

10. Brinsley is a relatively isolated rural village some distance from the towns. Its location does not fall within the search sequence for the selection of land for development in RPG8 Policy 1 as it could not be described as being well served by

public transport compared to many other locations. According to the Council, bus services on Cordy and Broad Lanes are now regarded as infrequent. The location does not meet the sustainability criteria in Policy 2, particularly in respect of its level of accessibility to public transport services, to town centres, employment, shops, services and to social infrastructure. The few local shops in Brinsley may cater for some day to day needs but the village lacks the range of shops and services of Eastwood, Kimberley and other towns. The site's location would involve commuting out to the towns for employment, almost inevitably by car. Development of a large number of new houses might help to sustain existing shops and other facilities and may even stimulate the provision of more. However, there are no reasons to select Brinsley for any special treatment. It has a better range of shops than some villages. In any case, pursuit of such a strategy would simply place more people in less sustainable locations.

Green Belt and Landscape

11. The site's northern and eastern boundaries relate poorly to local landform and landscape. Much of the latter follows administrative boundaries. The former extends onto a local ridgeline. Development of this site would produce an awkward form of development inconsistent with the existing pattern. It would constitute sprawl contrary to the aims of the 1st purpose of Green Belts in PPG2 para 1.5. I am unimpressed by the proposals to define new Green Belt boundaries by planting. Firstly, this indicates deficiencies in the proposed boundaries. Secondly it is a ploy that could be advanced time and again at subsequent plan reviews to extend sites. The artificial nature of the eastern and northern boundaries raises a clear danger of pressures to extended development further north towards Underwood at subsequent reviews of the Ashfield LP.
12. Development would clearly involve encroachment on the countryside contrary to the 3rd purpose of Green Belts in PPG2. It would reduce the gap significantly between the main built up parts of Brinsley and Underwood, to about 350 m at its narrowest. This would increase substantially the degree of coalescence of the two settlements contrary to the aims behind the 2nd purpose of Green Belts. I note the ribbon of existing development between the two villages. However, this reinforces not diminishes the need to maintain the site in the Green Belt.
13. The introduction to the Appendix to the Consultation Draft Plan "Potential Development Sites" (CD14) emphasised that the Council neither approved nor disapproved of the sites that were primarily put forward for possible development by developers and landowners. The brief assessment of the site and other sites implied no preference on the part of the LPA. The selection of preferred sites clearly involves weighing their merits and their drawbacks which is not undertaken in CD14. It contains mainly factual information. The site was not seen to have any strategic or technical advantages. CD14 made clear that the Council would take account of all comments received before putting forward a preferred selection of sites in the FDDP, which did not include site By1. I recognise that the site could be provided with its infrastructure requirements with no undue difficulty or expense, but I would expect much the same of the allocations that I endorse. I also note the one time possibility of providing some form of bypass but the existing road already bypasses the larger part of Brinsley. Neither this, the possible provision of

social/recreation facilities and its lack of any wildlife designations overcomes the range of objections to development.

14. The site fulfils important Green Belt purposes. I can identify no exceptional circumstances to justify altering established Green Belt boundaries. I can identify sufficient other more suitable and sustainable sites for housing elsewhere. I note SABRHE's comments but see no reason to withdraw the historical CD21.

Recommendation

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

By2 EAST OF CHURCH LANE, BRINSLEY

Objections

1180 2763 Mr T Anthony

Summary of Objection Issues

1180/2763: Mr T Anthony

1. Allocate site By2 (in Consultation Draft) for housing because the development could be designed and situated in a position which would blend well into village infrastructure and would make minimal visual impact on the countryside. It is low lying thus would not be obtrusive on the landscape from surrounding areas. The church and church hall, the playing fields, bowling green and village hall would become a more integral part of the village. Development would improve the village's environment and enhance its heritage. It has easy access to public transport routes i.e. bus service and the Robin Hood Line. Location is easily accessible to existing business parks and proposed business parks. The land has been open-casted and the restoration has left the land low-grade agricultural land – it is better to develop on this type of land. A village green could be added to the development as well as a new bowling pavilion as the existing is old. (Note: the site proposed in the objector's proof is smaller than that identified as By2 in the Consultation Draft).

Council's Response:

2. Site Details

Site Area	:	12.9 hectares. (The site identified as By2 in the Consultation Draft is 18.6 hectares).
Current Use	:	Agricultural Land (Grade 4)
Ecological Value	:	There are no designated wildlife sites on this land
Green Belt	:	The site is in the Green Belt and on the edge of Brinsley village
Public Transport	:	Infrequent bus services runs along Church Lane, which bounds the site, and Cordy Lane.
Road Access	:	From Church Lane and/or Cordy Lane.

3. The Council has applied a standard set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
4. Issues that were of particular importance for the site were:
 - (i) Development would result in the loss of Green Belt and significant intrusion into the countryside.
 - (ii) The Council wishes to retain Brinsley village's form and character.
 - (iii) The loss of mature hedgerows and trees could result from development.
 - (iv) The site is not on a public transport corridor and does not have good public transport facilities.
 - (v) The proposal represents an extension to a village and therefore falls outside the search sequence identified in PPG3 paragraph 30.
5. These issues fed into the site assessment together with the more strategic factors identified in the Council's Round Table Papers on Housing and Green Belt.
6. The same criteria have been used to assess this site as for other sites. In this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to By2. Of those issues identified above the most important were; the need to retain Brinsley's form and character, the significant intrusion into the Green Belt and the site's location outside a public transport corridor.

Rebuttal of Evidence submitted by Objector

7. The objector promoted site By2 at the consultation stage of the Broxtowe Local Plan. An assessment of the site led the Council to conclude that there were more suitable sites on which to develop. Above the Council has set out details of the assessment carried out and the specific criteria considered important in this case. While not repeating this evidence it is appropriate to provide additional information and clarification on some of the points raised in the objector's proof.

Previously Developed Land

8. The site is not previously developed under the terms of PPG3 Annex C. The land has been reclaimed and the whole site has blended back into the countryside. Although the Council accepts that this land is of poor agricultural grade, it is nevertheless agricultural land situated within the Green Belt.

Green Belt

9. The site lies within Nottinghamshire Green Belt and makes an important contribution to the purposes of Green Belt - checking the unrestricted sprawl of the built-up area, preventing neighbouring towns from merging into one another, and assisting in safeguarding the countryside from encroachment.
10. The objector considers the existing Green Belt boundary has been badly drawn. The Council disagrees - the existing boundary is secure and there is no reason to conclude that Brinsley Brook would represent a more secure boundary. Furthermore PPG2 does not refer to the concept of a 'natural boundary' (objector's proof paragraph 2) and government guidance does not suggest that natural boundaries have an advantage over man made features such as roads.

Public Transport Corridors

11. There are infrequent bus services running along Church Lane and Cordy Lane that would be within walking distance of the site.
12. Whilst Brinsley has a reasonable level of facilities for a village, trips to Eastwood town would be required for shopping, leisure and many community facilities. As such an extension to any village will not generally be as sustainable as an extension to an urban area. It is in recognition of this that the Structure Plan advises that major new housing development (sites over 5 ha) should be allocated within and adjoining the main urban areas and along public transport corridors. By2 meets neither of these criteria.

Form and Village Identity

13. The objector states that the proposed development will not alter the form or character of Brinsley and should be seen “as a rounding off of the existing village - a small natural growth”. However, to accord with the density requirements of PPG3 and to ensure efficient use is made of this Green Belt land, a density of at least 35 dwellings per hectare would be required. The gross area of the site, excluding the proposed country park and the retained grazing area, is 7.15 hectares. The area proposed for housing is 5.75 hectares - at a density of 35 dwellings per hectare this equates to 201 houses. The Council considers an increase of 20% on the current housing stock would be difficult to integrate with Brinsley and would affect both the form and character of the village.

Benefits

14. The objector considers the development would improve the village and enhance its heritage. Whilst the Council does not consider any of the listed benefits would enhance Brinsley’s heritage, it is accepted that some of the promised facilities would benefit Brinsley. However, these benefits do not outweigh the other policy considerations referred to above. Furthermore the objector does not appear to have carried out a full cost analysis and the potential for deliverability of the various ‘benefits’ is unknown.

Background

1. I accept in Chapter 4 the Council’s revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council’s legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council’s Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.

3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Previously Developed Land

4. The objector takes issue with the Council's interpretation of PPG3 Annex C. He relies on the lack of any restoration conditions on the land identified in footnote 4. However, he overlooks that this footnote relates to minerals and waste sites which were subject to some planning controls and which are to remain unrestored after use. This is not the case with this site which has been restored, albeit poorly. This may have produced land of poor agricultural quality (grade 4) but this is not the test nor is it unusual in the area. The site may be unsuited to arable crops and beef farming but it is in use for some agricultural purposes (hay and grazing) as some of the objector's statements and my site visits made clear. I am not in a position to deduce any more from an inspection of soils on the site than the objector when he purchased the farm in 1977. Grimshaw's observations apply to large areas of land, not simply the objection site. They provide no case for abandoning large parts of the countryside to housing development.
5. The 2nd paragraph of Annex C explains that the definition (of previously developed land) excludes land and buildings that are currently in use for agricultural or forestry purposes. I am thus in no doubt that the site does not fall within either the terms or the intentions of Annex C with regard to the definition of previously developed land.

Site Search Sequence and Services

6. PPG3 para 30, contrary to assertions, does not advise LPAs to start their search sequence with previously developed land, wherever it is situated. More careful reading indicates that this refers to land and buildings within urban areas. The Council followed this advice in carrying out their Urban Capacity Study (CD 21a). The criteria in PPG3 para 31 have no weight attached to them, they are all important. They and para 32 apply to the search sequence in para 30, which starts with sites in urban areas.
7. This point is further emphasised in the recent RPG8, which in Policy 1 identifies the locational priorities for development in the East Midlands region. The sequence is as follows: category a) includes previously developed sites within urban areas; category b) other suitable locations within urban areas; category c) suitable sites adjoining urban areas well served by public transport, particularly where this involves the use of previously developed land; category d) suitable sites in locations not adjoining urban areas which are well served by public transport particularly where this involves the use of previously developed land.

8. This site quite clearly lies well away from urban areas. As only infrequent bus services run along Church and Cordy Lanes, the location could not be regarded as being well served by public transport nor is there any evidence of any significant improvement. Three buses per hour may be frequent for villages like Brinsley, but it is a poor level of service compared to other locations that are more favourably regarded by PPG3 and RPG8. The RDDP at R251 regards a service of at least every 15 minutes during weekday daytime as frequent. Thus the site falls outside even category d) of the search sequence for development in this region.
9. The criteria in PPG3 para 31 refer to accessibility to jobs, shops and services by other modes than the car. Whilst Brinsley has local shops catering for some day to day needs, its range is limited compared to those in the main urban areas. Commuting out of the village to the towns for employment would be necessary for most new as well as existing residents, almost inevitably by car.
10. PPG3 paras 69 – 71 applies to villages in general; PPG2 is specifically concerned with villages in Green Belts. Larger scale additional housing might help to support existing shops and facilities in Brinsley. However, there is no evidence that the provision of local services here would become unviable without some modest population growth; they already provide a reasonable range for a village. In any case, there is no good reason to select Brinsley for such a strategy; it is not identified as, nor has any claims to be a local service centre. Any benefits that might result for local services would be more than offset by placing more people in a less sustainable location. There is no evidence that development on this scale and in this location is needed to meet local needs such as affordable or sheltered type housing, or that this is needed to help secure a mixed and balanced community. Indeed, Brinsley appears to have quite a high proportion of lower cost dwellings.

Green Belt

11. PPG3 para 68 makes it clear that the government is strongly in favour of maintaining the Green Belt. It advises that whilst an extension of an urban area into the Green Belt may be preferable to new development on a greenfield site in a less sustainable location, this should be an exceptional policy that should not compromise the purposes for which Green Belts were designed.
12. Development of this site would be an extension of a village not of an urban area. There is no good reason to select a natural rather than a man made feature for a Green Belt boundary. The critical factor is that boundaries selected should help to fulfil Green Belt purposes. The present boundary largely follows Church Lane and the rear of a few properties on Cordy Lane. It is clearly defined. It protects the countryside to the east of the village from encroachment by housing development, in accordance with the 3rd purpose of Green Belts in PPG2 para 1.5. A tight boundary drawn around the existing built up framework of the village is intended to restrict housing extensions. There is nothing undue about this; it respects SP Policies 1/3 and 3/2 which only allow limited infilling within villages, except in certain special circumstances that do not apply here. It accords with the advice of PPG2 para 2.11, which applies to Green Belt villages.

13. The eastern boundary of the objection site might be clearly marked by the tree lined Brinsley Brook but the southern boundary is particularly weak. There is no significant difference in the character of the land either side. This would leave the area to the south highly vulnerable to pressures for further development at a future LP review. This area to the south is also contained by Church Lane in the west and Bentley Brook in the east and by a ribbon of dwellings outside the Green Belt to the south. If the present objection site was to be developed the case for this southern area would be as strong if not stronger. I fail to see how a bridleway would offer any long term protection.

Country Park, Village Green

14. The need for a country park beyond the Headstocks and a village green has not been established and in any case these and a new bowling green pavilion do not justify development of this large housing area in this unsatisfactory location. I am unable in this type of inquiry to take S106 or other agreements and I can afford the objector's offer very little weight. It is also clear that the proposed benefits do not persuade the LPA.

Settlement Form

15. Development of the site could not be regarded as rounding off the settlement. That form of building completes the existing pattern of development making it whole. In contrast, development of the objection site would be a large artificial addition to the village in the form of a new estate extending towards the east and cutting this area of countryside arbitrarily in half. It would not be contained by existing built development to any significant extent. It would not blend well into the village but would relate poorly to the existing form. In these respects it would constitute sprawl contrary to the aims of the 1st purpose of Green Belts in PPG2. There is nothing natural or small in the proposals.
16. I fail to see how the proposed development would make the Church, Church Hall, Village Hall, playing fields and bowling green a more integral part of the village, even if there was such a need. These are quite well located to serve the existing village and benefit from their open setting to the east. There are existing dwellings close by as well as the adjoining road to provide some supervision. I fail to see how the new development could significantly help this. It is in any case a minor factor set against other objections to the housing development.

Landscape

17. Development on the scale envisaged and on this site, despite its levels, would be obtrusive in the local landscape. It would be clearly seen from higher ground as a large extension of the village. In particular it would destroy the pleasant views from the village of the tree lined Bentley Brook with attractive rising countryside beyond and from some angles of the historic Brinsley Headstocks, to which SABRHE draw attention. It would involve a large increase in the size of the village. With the indicative layout and the government's and the RDDP's minimum density it could add up to about 200 dwellings; a sizeable increase out of scale with the village. Without the country park, the retained grazing, the village green and extensive planting areas, it could add almost double this number. I have concluded on other

occasions that prospective development sites that include excessive open space and landscaping represent a wasteful use of land that puts unnecessary pressure on other green field sites elsewhere. In this location, development on either scale would be major development contrary to SP Policy 1/2.

18. I accept that the few trees and hedges that might be lost to any development could be more than adequately compensated for by new planting. It is not a factor to which I attach any weight. I would not at this stage expect a full cost analysis of prospective benefits at this stage; it has not been provided by the Council in respect of their own allocations. I attach more importance to the accessibility of prospective housing areas to employment, shops and services than ease of access to the national trunk road network, which is in any case quite good throughout most of the Plan area. The site is well beyond normal walking or cycling distance of the Robin Hood Line.

Synthesis

19. I recognise the agricultural limitations of this land. However, the same could be said for other land in the Plan area that has been subject to opencast mining. PPG2 para 1.6 makes it clear that whilst the retention of land in agriculture is one of the objectives of Green Belts, the extent to which the use of land fulfils these is not a material factor in the inclusion of land in Green Belts or its continued protection. It is the purposes of including land in Green Belts, which is of paramount importance. Whilst the development provides little danger of merging with another nearby settlement, I consider that the site is important in fulfilling the 1st and 3rd Green Belt purposes. I recognise the disadvantages of allocation H2I at Watnall/Nuthall and recommend its deletion from the Plan. I have identified other preferable sites to the present objection site in more sustainable locations, mostly outside the Green Belt to meet the SP requirements for housing land. Accordingly I do not consider that this site should be allocated in whole or in part for housing.

Recommendation

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

Ch1 WEST OF FIELD LANE, CHILWELL

Objections

1108 2163 Mr M Bagshaw

Stamford Homes Limited
Barton Willmore Planning Partnership

Summary of Objection Issues

1108/2163 Stamford Homes Limited

1. The objection is to the non-allocation of land at Wheatgrass Farm, Chilwell which is genuinely available for house building. Need for the allocation because of a shortfall in housing provision

Chapter 10 - Proposed potential housing and/or employment development sites (544 dwellings). It adjoins the main urban area (Policy 1/2 of Structure Plan); Well served by public transport and provides the opportunity for enhanced public transport provision; Development in a landscaped setting improving the quality of the ridgeline and views; Close to Beeston/Stapleford centres for employment and shopping facilities; Close to leisure/recreation facilities; within walking/cycling distance of local schools; Would not prejudice the aims of the Green Belt; Capable of accommodating 400-800 dwellings; Continue to benefit from E14, E15 and RC4.

Council's Response:

2. Site Details

Site Area: 18.9 hectares

Current Use: Agricultural land. Grade 2 (30%), Grade 3a (55%) and Grade 3b (15%).

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

Green Belt: The site is in Green Belt on the edge of the urban area. It occupies a large part of the narrow Green Belt gap between Chilwell and Stapleford.

Public Transport: Frequent bus services run along Field Lane and Inham Road which are within walking distance from the eastern part of the site. Services run to Chilwell, Beeston and Nottingham.

Road Access: From Inham Road and/or Field Lane.

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).

4. Issues that were of particular importance for this site were:

- (i) Development would result in the significant narrowing of the Green Belt gap between settlements, to less than 300m.
- (ii) The new Green Belt boundary would not be clearly defined and not defensible.
- (iii) Significant negative effect on visual amenity as the site is highly visible.
- (iv) Development would result in reduction in access to the countryside and harm to the amenity value of heavily used public rights of way within and adjacent to the site.
- (v) Development would result in significant encroachment into the countryside.
- (vi) Loss of best and most versatile agricultural land.
- (vii) High voltage overhead lines cross the south of the site.
- (viii) Difficult site access; major development could cause traffic difficulties on nearby roads.

5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Housing and Green Belt Round Table Papers.

6. The same criteria have been used to assess this site as for other sites. In this instance a number of difficulties have been identified which have led the Council to select other sites in preference to Ch1. The most important of the issues identified above is the significant narrowing of the Green Belt gap between settlements. The Council does not consider there is any shortfall in housing provision, and therefore there is no reason to allocate for development sites such as this with serious shortcomings.

Rebuttal of Evidence Submitted by Objector

7. The objector promoted site Ch1 at the consultation stage of the Broxtowe Local Plan. An assessment of the site led the Council to conclude that there were more suitable sites on which to develop. Above the Council has set out details of the assessment carried out and the specific

Chapter 10 - Proposed potential housing and/or employment development sites

criteria considered important in this case. While not repeating this evidence, it is appropriate to provide additional information and clarification on some of the points raised in the objector's proof.

Green Belt

8. The Green Belt in this area makes important contributions to the purposes of Green Belt - checking the unrestricted sprawl of the built-up area, preventing neighbouring towns from merging into one another, and assisting in safeguarding the countryside from encroachment.
9. The gap is critical in this area in order to retain the separate identities of the two built-up areas. The gap separates the towns of Stapleford and Chilwell/Beeston. The existing gap is 500m (0.5km) - this is less than ideal and heightens the importance of ensuring the 'open zone' is not eroded further. The site Ch1, if developed, would reduce the gap to 290m (0.29km) - a significant reduction that may make the Green Belt untenable in this area.
10. With regard to the nature of the proposed Green Belt boundaries, they do not appear strong or secure. The existing hedgerows are ill defined and further hedgerows exist in the surrounding area that are similar in nature. Arguments could be put forward in the next Local Plan Review for a further amendment to the Green Belt Boundary. It should be noted that the adjacent land has already been put forward as an omission site at this inquiry (part of site To2). As such the allocation of site Ch1 may result in a precedent being set for further development with urban sprawl the result.
11. The site consists of attractive open countryside that is prominent from surrounding areas. The site is also crossed by well-used footpaths. Development of this site would clearly result in encroachment into the countryside.

Landscape

12. The objector confirms that existing hedgerows will need to be reinforced. Also proposed are extensive landscape measures to provide a "buffer" between Chilwell and Stapleford. The Council consider the best way to provide a buffer is to retain the existing Green Belt Gap between the settlements. The openness of the existing land provides the strongest "buffer" between the two urban areas. Furthermore the Council is concerned that the site is highly prominent; it is not considered that landscaping will overcome this concern.

Agricultural Land

13. The site consists predominantly of the best and most versatile agriculture land as defined by PPG7.

Shopping Facilities

14. Site Ch1 does lie between the two major centres of Beeston and Stapleford, but the site is a considerable distance from both. Ch1 is 3km from the edge of Beeston town centre, and 5.1km from the edge of Stapleford town centre. The route by car to the Co-op Supermarket would be approximately 4.8km - involving a circuitous route around Chilwell Ordnance Depot. Furthermore it should be noted that the parade of shops at Blenheim Drive is over 1km from the site, and has only very limited shopping facilities.

Public Transport and NET Route

15. Site Ch1 would be accessed from Field Lane. Field Lane is served by a frequent bus service that would be within 500 metres of any development on Ch1.
16. With regard to other forms of public transport, the NET route has not yet been decided. NET Line One is under construction and programmed for completion in 2003, at which point work on lines two, three and four should commence. At present consultation is being undertaken with regard to possible routes for lines two, three and four. The possible route for line two does run

Chapter 10 - Proposed potential housing and/or employment development sites adjacent/across site Ch1 as can be seen on p.6 of the attached consultation document. However, even if this route is chosen, it would not justify development in this important Green Belt gap.

17. The objector also refers to the site being highly accessible by walking and cycling. However, as already stated the town centres are some way distant, and would not be within reasonable walking distance. Cycling will also not be particularly attractive given the distances involved.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other sustainability factors.

Inspector's Conclusions

Site Search Sequence

4. The site comes second in the search sequence outlined in PPG3 para 30, but falls into category c) in Policy 1 of RPG8. PPG3 at para 67 elaborates the merits of urban extensions echoing SP Policy 1/ 2. In para 68 PPG3 points out that the government is strongly in favour of maintaining the Green Belt. Where Green Belt boundaries have been tightly drawn there may be a case for reviewing these boundaries and planning for development where this would be the most sustainable of the available options. It cites by way of example that an extension into the Green Belt may be preferable to new development on a greenfield site in a

less sustainable location. Nonetheless, the government regards this as an exception that should not compromise the objectives for which Green Belts were designed.

5. Sustainable locations for development extend beyond minimising the need to travel and accessibility to and integration with good public transport services, which are emphasised in the SP, PPG3 and PPG13 in particular. They should include other factors such as environmental objectives and the conservation of natural resources as PPG1 para 5 and RPG8 in Policy 2 make clear. There is nothing in the former to support the objector's claims that one of these objectives is foremost. RPG8 Policy 6 differs somewhat from the SoS's Proposed Modifications and prior to any alterations to boundaries largely defers to Policies 1 and 2 and to PPG2. I note the SP's comments relating to prominent areas and ridgelines. Where these serve Green Belt purposes they are rightly included in the Green Belt. However, I prefer the more specific designation of PAFSP in the RDDP. The approved Green Belt justifiably covers other areas.

Landscaping

6. The objectors place some store by the proposed planting in the indicative principles to mitigate the impact of the proposed housing development upon the Green Belt and the local landscape.
7. What many such landscape schemes overlook is that they can be promoted anywhere to justify development in the countryside and the Green Belt. They can take many years to become reasonably well established and yet may not outlast the buildings. Unless they are of substantial width they can be of limited efficacy, particularly in winter months. They can often introduce a new feature into the landscape, often artificial. They can have little effect upon the perception of local people of the extent of development. Local people will be well aware that a site is built up even if it is completely screened from view, just as most travellers along the A52 are well aware that Woollaton Park is not countryside despite being screened from view by dense planting. Such planting can ignore the impact of development upon people travelling through a Green Belt gap, either by vehicle or on foot.
8. The indicative strategic landscape buffers around the site are about 20 m in width; barely sufficient to accommodate more than a single line of small trees. I do not accept that these and the re-inforcement of existing hedges both with their strong gridiron pattern are either sympathetic or would enhance the landscape of this area. Despite the extent of existing planting, there is intervisibility across the site between parts of the built up area of Stapleford and the northern edge of Chilwell, as Photograph 1 and my own observations confirm. Development on the site (7888/p2b) would extend about 400 m into the gap between these settlements reducing it to about 300 m at the nearest point. At this close distance a high degree of detail may be perceived.

Green Belt

9. The objection site, even if it is marginal less sensitive than other parts of this open area, is nevertheless an important and integral part of this area of countryside. Its

development would involve a major incursion into this essentially open break increasing markedly the degree of coalescence of these two distinct neighbouring settlements. The proposed planting would at best have a softening effect in time. It would be unlikely to screen the development from Stapleford or vice versa. The increased degree of coalescence will also be experienced by walkers on the footpaths between the settlements. This width of open break is not substantial and is insufficient in normal circumstances to maintain a satisfactory degree of separation. It is particularly so in this case where the gap is compromised to some degree by nurseries to the north west. Accordingly, I consider that the proposed development would be contrary to the 2nd purpose of Green Belts in PPG2.

10. The proposed allocation clearly involves encroachment into the countryside contrary to the 3rd purpose of Green Belts in PPG2 para 1.5. It would involve the development of a substantial amount of B&MV agricultural land contrary to SP Policy 3/13 and government policy, whilst land of lower grades is available in other sustainable locations. Development would detract from the recreational experience of walkers on the apparently popular footpaths in this narrow area of countryside between two major built up areas.
11. The proposed housing area relates more to hedgerows than to the form of the built up area of Chilwell and could not be regarded as a logical rounding off of its present form. Acceptance of development on this site would make it very difficult to reject proposals to develop parts of site To2, whose northern boundary lies further away (400 m) from the built up area of Stapleford, either at this or a future plan review. Furthermore, the proposed planted boundaries may be recognisable but they may not be defensible at future reviews; they would be all too easily replicated further afield. In all these respects, development of this objection site would lead to urban sprawl, contrary to the 1st purpose of Green Belts in PPG2. The phasing policy that I support envisages the prior development of previously developed land and helps to serve the 5th purpose of Green Belts.

Services and Transport

12. The site is within walking distance of frequent bus services on Field Lane. It is also within reasonable walking distance of a PS and a SS. However, the nearest local shops are about 1km away and Beeston Town Centre is about 3 km away, beyond normal walking and perhaps for the latter even cycling distance. It is reasonably accessible to employment in the Nottingham conurbation, although local opportunities are few.
13. The proposals to extend the NET to the Bardill's Island would, if and when implemented, improve the site's accessibility to a new high grade form of public transport with the prospects of a quick, comfortable and reliable service to Beeston Town Centre and the City Centre in particular. Due to its ability to avoid road congestion, unlike many bus services, the NET has the potential to attract travellers who might otherwise use private transport. It would thus enhance significantly the site's sustainable location in public transport terms, particularly in comparison with the proposals at Watnall/Nuthall, where as the objector points out there are no plans as yet to extend the NET to those allocations. A shuttle bus service to a NET terminus at Pheonix Park would provide a lower level of service with interchange penalties. However, I reach conclusions elsewhere that the proposals at

Watnall/Nuthall should be deleted from the Plan for a range of reasons, including some cited by this objector.

14. Whilst the proposed NET extension could improve the PT accessibility of the site, its main purpose is the provision of a new Park and Ride site near Bardills Island rather than to serve a new housing development. As well as the NET line and its infrastructure, this would involve a large area of surface car parking, access roads, lighting, ancillary buildings and structures, internal and peripheral landscaping all in this narrow Green Belt gap between Chilwell and Stapleford. This would have a major impact on the Green Belt purposes of the whole of this confined Green Belt area. This may be unavoidable in the wider interests of encouraging the transfer of existing traffic from private to public transport and Annex E to PPG13 advises that, subject to certain criteria, P&R development is not inappropriate in Green Belts. However, in these circumstances, it would be wrong to compound this impact with a large new housing development in the same Green Belt gap. Green Belts remains a key element of national planning policy.
15. The detailed alignment of a NET line across this area, the location of access roads and the car parks and their extent are not as yet defined. The impact on the Green Belt could be reduced if the line ran close along the northern edge of Chilwell in the Teesdale Court area, with parking and other facilities between the line and the existing built up area and with access off Stapleford Lane or a parallel access off Bardill's roundabout. Whether this would leave some remnants of land on the northern edge of Chilwell that then fulfil no useful Green Belt purpose and that might be suitable for a small housing development is at present unclear. It would need to be assessed at a future Plan review when more precise details are available. It would also be wrong to fetter a NET extension and its associated P&R facility with large housing allocations or even areas of safeguarded land in this narrow Green Belt gap.

Synthesis

16. I recognise the potential benefits in the proposed new woodland areas to screen the stark edge of development in the Marriott Avenue area. However, neither this, the proposed greenway extension, nor the site's potentially high accessibility to a NET extension are of sufficient weight to offset the harm that the proposed development would do to Green Belt purposes and the recreational value of this narrow and vulnerable wedge of open countryside. I am able to identify other sustainable and more suitable sites for development mostly outside the Green Belt and areas of B&MV agricultural land. The few small areas of Green Belt that I identify for new development have a much lower impact upon important Green Belt purposes. Whatever the merits of a comprehensive review of the Green Belt at this stage, the reality is that the Council have not undertaken one. Nor am I in a position to do so. All I am able to do is to consider those objection sites put before me and after assessing the degree to which they fulfil Green Belt purposes make my recommendations. As a result, I recommend that certain sites should be defined as safeguarded land. However, for the reasons above I recommend that this objection site remain in the Green Belt.

Recommendation

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

PART OF Ea1 LAND ADJACENT TO EASTWOOD HALL, WEST OF MANSFIELD ROAD, EASTWOOD

Objections

748 1722

David Wilson Homes North Midlands
David Wilson Estates

Summary of Objection Issues

748/1722 David Wilson Homes North Midlands

1. Objection to land forming part of Ea1 (top right hand corner containing Hall Farm) not being allocated. This area is suitable and available for development. The analysis contained in the Schedule of Potential Development Sites accompanying the Consultation Draft Local Plan Review, was favourable and part of the overall site was recommended for further detailed investigation in October 1998 as a preliminary to the preparation of the Deposit Draft. Given its continued planning merits it is unclear why Hall Farm has been excluded from the Local Plan Review, either on its own merits as a development site, or as part of the proposed allocation of land under Policy EM3d but with a residential component at the eastern end of the site ref. Ea1.
2. Site Details

Site Area:	4.1 hectares
Current Use:	Hall Farm and surrounding grade 4 agricultural land.
Ecological Value:	There are no designated wildlife sites on this land.
Green Belt:	The site is in the Green Belt.
Public Transport:	Infrequent bus services run along Mansfield Road (A608).
Road Access:	From Mansfield Road
3. The Council has applied a standard set of principles in choosing sites for housing and employment, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
4. Site-specific issues that were of relevance for this area of land, to the north-east of allocated site EM3d, were:
 - (i) Protecting Hall Farm, a listed building, and its setting.
 - (ii) Protecting open Green Belt countryside from encroachment.
 - (iii) Protecting the Green Belt gap between Eastwood and Brinsley.
 - (iv) Retaining a robust boundary for the Green Belt.
 - (v) Protecting Eastwood Hall, a listed building, and its setting.

5. These issues fed into the assessment of the site together with the more strategic factors identified in the Round Table papers on housing and employment.
6. The same criteria have been used to assess this site as for other sites. In this instance a number of difficulties have been identified which have led the Council to exclude this area of land from the EM3d allocation. Of those issues identified above the most important were protecting the listed buildings and their settings, and protecting the Green Belt gap.

Background

1. This is another site listed in CD30 as being withdrawn. However, as it is included within the Council's Skeleton Report I deal with what is set before me in accordance with the agreement at the Pre-Inquiry Meeting. It is also related to the rest of site Ea1, which I deal with in Chapter 2.

Inspector's Conclusions

2. Hall Farm is a fine collection of 19th century farm buildings arranged symmetrically around a south-facing open square. With the exception of the cottage on the south west corner, the buildings appear to be unused and although their general condition appears to be sound, a continuation of their unused state would not help to preserve their integrity. Their re-occupation for agricultural purposes seems remote in view of the form of the buildings. Conversion to another use appears to offer the best prospects of preservation. Residential use or accommodation for the adjoining conference centre could maintain much of their character and appearance. Conversion to modern offices with their strict demands might be less compatible and other employment uses might find them unattractive. Although conversion of existing buildings may not be inappropriate development in the Green Belt, Green Belt designation might inhibit such proposals and begs the question of the most effective use of the remainder of the site.
3. I recognise the importance of preserving or enhancing the setting of this listed building. However, this does not imply an embargo on any new building close by as the range of new buildings at the nearby Eastwood Hall demonstrates. Examples elsewhere illustrate that even close additions to listed buildings can be acceptable and are often most successful when they adopt a distinctly differing style. The land around the listed buildings is grade 4 in the ALC and is rather cut off from other agricultural land.
4. I support the exclusion of the rest of site Ea1, including Eastwood Hall, from the Green Belt. Although this remnant of Ea1 lies within the Green Belt between Eastwood and the village of Brinsley, it is not visible from the latter being screened from view by the reclaimed hillside to the north. It is also well contained by a substantial belt of trees along Mansfield Road and along its northern boundary. It appears to be part of Eastwood and its northern boundary corresponds with the "Welcome to Eastwood" sign on Mansfield Road. It is closely related to Eastwood Hall and its grounds of which glimpses can be obtained between mature trees. Being such a small and well contained site, it is not so important in safeguarding the countryside from encroachment and development on it would not involve urban sprawl. It would extend Eastwood about 200 m to the north but a gap of about 550 m would remain between it and the nearest part of the village envelope at Brinsley

and over 750 m to the main built up part of the village, out of sight to the north. In these circumstances it would not markedly increase the degree of coalescence between the two communities. The site's importance to maintaining Green Belt purposes is at best modest.

5. Imaginative proposals are needed soon to ensure a suitable use for a listed building, which must have been known to the author D H Lawrence and also for effective use of the remainder of the site. The provisions relating to listed buildings are the most appropriate to secure this, Green Belt policies less so. As a consequence of this and of the deletion of Eastwood Hall and grounds from the Green Belt, consideration should be given to the Green Belt status of this small area around Hall Farm as part of an in depth appraisal of the various options for the existing buildings and the rest of the site.

Recommendation

6. As a consequence of the deletion of Eastwood Hall and grounds from the Green Belt, the Council should give consideration to the Green Belt status of this small area around Hall Farm.

Ea4 NETHER GREEN, EAST OF MANSFIELD ROAD, EASTWOOD

Objections

1155 2480

Greasley Parish Council

748 2394

Andrew Thomas Planning

David Wilson Homes North Midlands

David Wilson Estates

Summary of Objection Issues

1155/2480 Greasley Parish Council

1. Object that the site is not included in the plan. Although not convinced that a case has been put forward to justify the release of Green Belt, if this is proven to be justified we consider that if no more sustainable opportunities exist, this site should be considered for deletion from the Green Belt and allocation for housing. The site should provide a link road to ultimately serve employment and housing development to the east with proposed employment site to the west of Eastwood Hall. The site is well concealed and the line of the dismantled railway forms a defensible boundary to enable an appropriate redefinition of the Green Belt in this location.

748/2394 David Wilson Homes North Midlands

2. The site is suitable and available for residential development. The analysis contained in the Consultation Draft was favourable given its continued planning merits, it is unclear why this particular site has been excluded. Site Ea4 should be included as a housing land allocation. Policy H2 should be amended accordingly along with the Green Belt boundary and area for allotments.

Council's Response:

3. **Site Details**

Site Area:	18.0 hectares.
Current Use:	Agricultural land (Grade 4)
Ecological Value:	There are no designated wildlife sites on this land
Green Belt:	The site is in the Green Belt and on the edge of the urban area. The western part of the site contributes to the Green Belt gap between Eastwood and Brinsley.
Public Transport:	Infrequent bus services along Mansfield Road would be within walking distance of western parts of the site.
Road Access:	From Mansfield Road or Engine Lane.

4. The Council has applied a standard set of principles in choosing housing sites and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers CD93).
5. Issues that were of particular importance for the site were:
 - (i) Development would result in significant encroachment into the Green Belt countryside.
 - (ii) Development would result in narrowing of the Green Belt gap between Eastwood and Brinsley.
 - (iii) The site includes an area allocated for new allotments.
 - (iv) Development would result in the loss of a large number of mature hedgerows and trees.
 - (v) The site is visually prominent from historic parts of the town centre to the north.
 - (vi) Two bridlepaths cross the site.
 - (vii) Accessibility to public transport facilities is not good.
 - (viii) Access to town centre facilities involves lengthy and steep uphill walks.
 - (ix) The dismantled railway does not represent a sufficiently readily recognisable feature (as required by PPG2 paragraph 2.9) and development would risk setting a precedent for further encroachment into the countryside and erosion of the Green Belt gap at future local plan reviews.
6. These issues fed into the site assessment together with the more strategic factors identified in the Council's Round Table Papers on Housing and Green Belt.
7. The same criteria have been used to assess this site as for other sites. In this instance the publication of PPG3: Housing and the identification of a number of site specific difficulties led the Council to select other sites in preference to Ea4. Of the specific issues identified above, the most important were Green Belt considerations, particularly the need to retain the Green Belt gap between Eastwood and Brinsley, and accessibility to public transport facilities.
8. Having discussed the matter with the county highways authority, the Council considers that link roads, of the kind proposed for this site and land to the west (site EM3d) by Greasley Parish Council, would be harmful to traffic conditions in the locality. The original proposal for a link road associated with site EM3d has therefore been deleted in the Revised Deposit Draft.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard

greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.

2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other sustainability factors.

Inspector's Conclusions

Consultation Draft Plan

4. The introduction to the Appendix to the Consultation Draft Plan "Potential Development Sites" (CD14) emphasised that the Council neither approved nor disapproved of the sites that were primarily put forward for possible development by developers and landowners. The brief assessment of the site and other sites implied no preference on the part of the LPA. The selection of preferred sites clearly involves weighing their merits and their drawbacks, which is not undertaken in CD14. The analysis was not favourable but factual. CD14 made clear that the Council would take account of all comments received before putting forward a preferred selection of sites in the FDDP, which did not include site Ea4.

First Deposit Draft Plan

5. The new road referred to has since been deleted from the RDDP and any benefits from it would no longer accrue. I am unable to understand any need for woodland planting on the north western part of the site since the dismantled rail line is quite well treed.

Green Belt

6. Although, the site is quite well contained and slopes down towards the edge of the town, development of the site would represent a major encroachment into the countryside, which forms an attractive green backcloth and is prominent in local

views from the town. It is also crossed by apparently popular footpaths/bridleways, which afford recreation to residents of the adjoining residential areas. The central part of the site occupies the skyline when viewed from Mansfield Road and development here would be prominent. The site thus fulfils the 3rd purpose of Green Belts set out in PPG2.

7. Being reasonably contained by the well planted former railway line, which is a recognisable feature in the landscape, and the general land form, I do not accept that development of this site would lead to irresistible pressures for further encroachment onto land to the north at future Plan reviews. I do not therefore consider that its development would constitute urban sprawl provided it was set below the skyline. It would reduce the open break between Eastwood and Brinsley on the east side of Mansfield Road by about 350 m. A gap of about 530 m to the ribbon of development and about 800 m to the main part of the village would remain and the site is quite well contained along Mansfield Road, although less so than the Hall Farm area. In these circumstances, development of the site would increase the degree of coalescence of the two separate settlements but only to a modest degree. Development might be seen from D H Lawrence sites in Eastwood, as SABRHE say, but largely across a built up area in the foreground.

Location, Services and Search Sequence

8. The site is served by only infrequent bus services and is between 700 m and 1km from Eastwood Town Centre. It lies beyond the Public Transport Corridor favoured in SP Policy 1/ 2 for major development. It is a similar distance from the nearest PS and SS. It is not such a convenient location as some other sites in terms of access to PT and other services and facilities. As a greenfield site on the edge of the urban area the site falls within category c) of the search sequence in Policy 1 of RPG8.

Agriculture

9. Like much of the land hereabouts the ALC is grade 4. However, that in itself is no justification for development. It may be preferable on at least this count to the allocation H2I at Watnall/Nuthall, but I recommend deletion of this in Chapter 4 and I recommend other more suitable sites in substitution.

Development Factors

10. Many of the trees and hedges on the site could be preserved in a sensitive development and could be augmented by new planting as the LPA propose on their own allocations. The proposed allotment site could be retained or re-sited if a suitable alternative could be found. Neither present any significant constraint upon development.

Synthesis

11. However, the site performs important, if limited, Green Belt purposes, provides an attractive setting for the town and a valuable area of countryside recreation for adjoining residential areas.

12. I am able to identify other more suitable sites for housing development mostly outside the Green Belt in sustainable locations. The few sites in the Green Belt that I support for development or for safeguarding land fulfil Green Belt purposes to a lesser degree than this site.

Recommendation

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

Ea5 NORTH OF MILL ROAD, BEAUVALE, EASTWOOD.

Objections

1123 3632

Pickering Developments Ltd
Freeth Cartwright Hunt Dickins

Summary of Objection Issues

1123/3632: Pickering Developments Ltd

1. I consider that this site should be released from the Green Belt and brought forward for development. It is situated on the edge of Eastwood within one of the main transport corridors. It would constitute an appropriate extension of the built-up area and given existing residential development to the south and west would constitute rounding off of the urban boundary. It would not mean the coalescence of Eastwood with any other settlement. Close to existing employment opportunities on Engine Lane. Access achieved via neighbouring roads including Telford Drive. Development could be achieved without any undue prominence in landscape terms. The site is low grade agricultural land and there are no other ecological or environmental constraints.

Council's Response:

2. Site Details

Site Area: 4.4 hectares

Current Use: Agricultural land (Grade 4)

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

Green Belt: The site is in the Green Belt on the edge of the urban area. It lies between Eastwood and Moorgreen.

Public Transport: There are no frequent bus services within walking distance.

Road Access: Part of the site might be accessed from Telford Drive. Access might also be obtained from Engine Lane or from Beauvale, both involving land outside the site.

3. The Council has applied a standard set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).

4. Site specific issues that were of relevance for this site were:
 - (i) Development would significantly encroach into the Green Belt countryside and would narrow the Green Belt gap between Beauvale and Moorgreen.
 - (ii) Development would result in a very poorly defined Green Belt boundary.
 - (iii) Difficult site access and unacceptable impact on existing road system.
 - (iv) Development would relate poorly to the existing form and shape of the area.
 - (v) The site is generally beyond walking distance of local facilities (shop, school, doctors etc).
 - (vi) The site is very prominent and development would have a significant negative effect on visual amenity.
 - (vii) The site is not within walking distance of frequent public transport services.
 - (viii) The amenity value of the footpath which passes through the site would be significantly adversely affected.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Paper on housing.
6. The same criteria have been used to assess this site as for other sites. In this instance however a number of difficulties have been identified which have led the Council to select other sites in preference to Ea5. Of those issues identified above the most important were: the impacts on the Green Belt; the prominence of the site; the poor relationship with existing development; the poorly defined Green Belt boundary; and the lack of public transport and local facilities.
7. Pickering Development's assertion that the development of the site would "constitute rounding off of the urban boundary" is refuted, and access via Telford Drive would be likely to generate unacceptable levels of traffic flow on adjacent roads.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred

and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I shall have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

4. As an edge of urban greenfield site it falls within category c) of the search sequence in Policy 1 of RPG8. It lies over 550 m from the frequent bus services on Nottingham Road, B6010, which form the basis for the Nottingham to Eastwood Public Transport Corridor favoured as a location for major development in SP Policy 1/ 2. This is a little beyond a convenient walking distance and is likely to encourage the use of private transport by residents of this site rather than the bus. The site is close to the local Primary School but is about 1.4 km from the new combined SS. Local shops are some distance away. Employment opportunities on the Engine Lane estate and in Eastwood Town Centre are within reasonable walking and cycling distance and may encourage these modes rather than the car. However, they would provide only a limited range of jobs and residents of the proposed development could be expected to work further afield and predominantly use private transport. The site is not so convenient in its accessibility to PT and other services as some others.

Green Belt, Landscape and Settlement

5. Although, the site is contained by an existing housing estate on its western boundary and by houses along parts of its southern boundary, it is much less contained in terms of land form when viewed on the ground rather than on a two dimensional plan. Its eastern boundary is quite arbitrary, following a weak hedgerow. There is little to justify adopting this rather than another further east.
6. Development would encroach into the countryside on this prominent hillside, contrary to the 3rd purpose of Green Belts in PPG2. It would not in the above circumstances constitute reasonable rounding off. It would not complete the pattern of existing development making a logical whole. The land form and the weakness of its eastern boundary instead mean that development onto the site would constitute urban sprawl beyond the well defined limits of the existing settlement. These comprise well established hedges and a footpath along the western boundary and hedges and trees on part of the southern boundary. Development would intrude arbitrarily across part of this open prominent hillside. In these respects the proposed allocation would be contrary to the 1st purpose of Green Belts in PPG2. It would destroy the rural environment of the footpath crossing the site and of that bordering its western boundary, detracting from the recreational experience of walkers using them. It is accepted that the site does not play any significant part in maintaining the separation of neighbouring towns.
7. The site's allocation for housing would inevitably commit a similar allocation of DD1 to the south, whose inclusion in the Green Belt I support. It would also place

pressure on part of DD2 to the east, at this or subsequent Plan reviews, whose retention within the Green Belt I also support.

Agriculture

8. The site may be grade 4 in the ALC but this in itself does not justify development as PPPG2 makes clear. Also, much of the land hereabouts is similarly graded. It may be superior in this respect to allocation H2I at Watnall/Nuthall, but I recommend the deletion of this allocation. I note the site's lack of ecological constraints and the potential to secure road access but these factors do not favour development of this site in the face of Green Belt and landscape objections.

Synthesis

9. In consequence, I do not regard the proposed allocation as appropriate development. I consider that the site is important in fulfilling two of the purposes of Green Belts to an important degree. I am able to identify other more suitable sites for housing development mostly outside the Green Belt in sustainable locations. The few sites in the Green Belt that I support for development or for safeguarding land fulfil Green Belt purposes to a significantly lesser degree than this site.

Recommendation

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

Ea7 EAST OF PINFOLD ROAD, GILTBROOK

Objections

1155 2444

Greasley Parish Council
Andrew Thomas Planning

1419 3719 Mr AJ Lovell

Summary of Objection Issues

1155/2444 - Greasley Parish Council

1. Object to the site not being allocated for housing. The site is situated within the existing built-up area and therefore maximises the use of vacant urban land. It can therefore assist in the reduction in pressure on more sensitive greenfield land and meet sustainable development objectives.

1419/3719 - A J Lovell

2. Suggests that this is a sustainable site for housing development.

Council's Response:

3. Site Details

Site Area: 0.6 hectare

Current Use: Garden/paddock.

Green Belt: The site is not situated in the Green Belt.

Ecological Value: There are no designated wildlife areas on this site.

Public Transport: There is a frequent bus service along Nottingham Road within walking distance of the site. Services run to Nottingham, Eastwood, Heanor, Ripley, Kimberley, Beeston, Toton, Derby and Hucknall.

Road Access: From Pinfold Road.

4. The Council has applied a standard set of principles in choosing housing sites. (See the Council's Housing Round Table Paper).
5. Site-specific issues that were also of significance for this site were:
 - (i) The owners have not objected to the non-allocation of the site and the Council understands that it is not available for development.
 - (ii) The steep topography of the site means access and development would be difficult.
 - (iii) Mature hedgerows and trees would be likely to be harmed.
6. The Council therefore considers that the site is unsuitable for allocation.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Site Search Sequence

4. This site lies within the urban area. The Council provide no view on whether the site comes within the category of greenfield or previously developed land according to the criteria of PPG3 Annex C, although they describe it as a garden/paddock. A garden would qualify as previously developed land.
5. The Council did not maintain their earlier resistance to the allocation of greenfield sites in urban areas following the publication of RPG8 which clarified a notable omission from para 30 of PPG3. Whether it is previously developed or greenfield land it comes within either category a) or b) of the search sequence in Policy 1 of RPG8. In this respect, it takes priority over sites on the urban edge particularly those in the Green Belt.

Location

6. The site lies in the Nottingham to Eastwood Public Transport corridor which the SP favours as a location for major development. It is clearly a favourable location for smaller developments. The site is within easy walking distance of frequent bus services along Nottingham Road. It is also accessible to PSs. It is a sustainable location in terms of access to public transport and would according to Policy H6 normally merit a minimum density of 40 dph.

Development Factors

7. The Council cites a number of reasons for its none allocation. The frontage which slopes steeply up from Pinfold Road is marked by a high hawthorn hedge containing a number of mature trees. There is no reason why the majority of this planting could not be retained in a sensitive development. The hedge with some trees extends to the south in front of numbers 20 to 24, which also lie on rising ground. Neither the hedge, whose character has been largely retained, nor the slope up from Pinfold Road has prevented the development of these dwellings each with individual driveways. A single access road off Pinfold Road to the site, even with its stricter requirements, should have only a limited impact upon the hedge and trees, none of which are apparently protected by TPOs. There is also a potential opportunity to access the site from Main Street via the site of the demolished former number 238 which has a road frontage of about 22 m.
8. The interior of the site is relatively level with a hawthorn hedge running across the centre and with some internal trees, again none of which appear to be protected. I see no good reason to preserve all or even the best of these for their own sake particularly at the cost of developing an urban site in such marginal use. The other boundary hedges and trees could be retained in a housing development preserving much of the character and appearance of the site to most external views. This is the important planning factor rather than the preservation of all individual species even with group TPOs.

9. The site's public amenity value, despite its attractive frontage, is limited. It has not been identified by the RDDP or the Council as land to be protected for amenity purposes. It may be valued by neighbours for its appearance, but much of this could be preserved. In any case, there are no rights to particular or unchanging private views. Such considerations have also to be weighed against the need to maximise the development of suitable land in urban areas in order to protect the countryside and the Green Belt. Clearly at .6ha, plus the adjoining vacant plot, it is no substitute in itself for large sites such as H2I at Watnall/Nuthall. However, it can with other urban sites play an important part. In its present use it represents an underused asset.
10. The Council cite the lack of objections from the site's owners to its none allocation and believe that it is not available for development. They do not provide any reasons behind this. However, many reasons and even ownership are temporal and subject to change, as site Ki7 illustrates. The Plan period runs until 2011 giving some time for a change in either. Allocation of the site and the adjoining vacant plot may be the catalyst to stimulate interest in development and to take advantage of the current opportunity for a co-ordinated development even if the Council was reluctant to take any more active steps using their quite adequate powers.
11. Despite some doubts over availability, I consider that the suitability of this small urban site for development justifies its allocation for housing along with the vacant plot of the former 238 Main Street. In view of the potential for a co-ordinated development and their previously developed status, both sites should be included in Phase 1 of Policy HX. I see no reason why a minimum density of 40 dph could not be achieved even on this small site whilst preserving much of the peripheral planting.

Recommendation

12. I recommend that the RDDP be modified by allocating site EA7 and the adjoining plot occupied by the former number 238 Main Street for housing in Phase 1 of Policy HX at a minimum density of 40dph.

Ea8 EAST OF BAKER ROAD/NORTH OF NOTTINGHAM ROAD, GILTbrook

Objections

1420 3722

Bellway Estates & Giltbrook Landowners
Consortium
Shoosmiths Solicitors

Summary of Objection Issues

1420/3722: Giltbrook Landowners Consortium

1. Object to the exclusion of the site from the Plan. The development of this site for residential purposes would round off the irregular present boundary of the settlement and provide a new and sustainable hard edge to the Green Belt boundary at this point without compromising the gap

between settlements of Giltbrook and Kimberley. The site is essentially a Brownfield site consisting wholly of degraded land where once part of it was used for open cast coal mining. The site is located within a major public transport corridor and is well served by existing public transport. All main services are currently available to the site and its development would make best use of the existing infrastructure and local amenities. The site is well placed to take advantage of local employment opportunities including the on-going redevelopment adjoining the nearby Ikea site, without extensive use of the car and would be particularly well placed to meet any labour requirements arising from a Business Park or other employment opportunities generated by a development of degraded land close to the Awsworth roundabout. Development of this site would comply with the criteria identified in the Strategic Aims and Key policies of the Housing Policy and would deliver sustainable development.

Council's Response:

2. Site Details

Site Area:	24.5 hectares (61.0 acres).
Current Use:	Agricultural land (Grade 3b and 4) and disused former colliery/tip with authorised use as Corporate Event Activity Site.
Ecological Value:	Sites of Importance for Nature Conservation cover approximately 20% of the site. Part of a Mature Landscape Area also covers approximately 10% of the site, along Gilt Brook.
Green Belt:	The site is in the Green Belt and on the edge of the urban area. It occupies a significant part of the gap between Eastwood and Kimberley.
Public Transport:	Frequent bus services along Nottingham Road within walking distance (400m) of the southern part of the site. (Approx. 9 buses per hour on Nottingham Road. Approx. one bus per hour on Baker Road. Services to Nottingham, Eastwood, Alferton, Kimberley, Beeston, Toton, Derby, Heanor and Hucknall).
Road Access:	From Nottingham Road, possibly with links to Baker Road. A new roundabout may be required on Nottingham Road to gain this access.

Site Assessment:

3. The Council has applied a standard set of principles in choosing housing sites and standard criteria were also used to assess all releases of Green Belt land (see the housing and Green Belt Round Table Papers).
4. Issues that were of particular importance for this site were:
 - (i) The narrowing of the important Green Belt gap between Eastwood and Kimberley.
 - (ii) Impact upon Sites of Importance for Nature Conservation and Mature Landscape Area.
 - (iii) Significant negative effect on visual amenity.
 - (iv) No ready access to public transport for part of the site.
 - (v) The loss of mature hedgerows and trees.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Round Table Paper on housing.
6. The same criteria have been used to assess this site as for other sites. In this instance however a number of difficulties have been identified which have led the Council to select other sites in preference to Ea8. Of those issues identified above the most important was the narrowing of the important Green Belt gap between Giltbrook and Kimberley. It is considered this land is very sensitive as it serves one of the main functions of Green Belts, to prevent neighbouring towns from

merging into one another. As such the Council consider the development of this site would compromise the gap between Eastwood and Kimberley. Furthermore the Council does not consider that this is a 'brownfield site' as stated by Giltbrook Landowners Consortium; whilst part of the site was "New London colliery" and later a tip it is not now considered previously developed as defined by PPG3 as the site has blended into the landscape and now makes a significant contribution to nature conservation.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP. I consider the objector's criticisms of the allocations at Watnall/Nuthall elsewhere in my report. In consequence, I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I shall have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria including sustainability factors. PPG2 para 1.7 makes it clear that the extent to which the use of land fulfils the objectives in para 1.6, or LP Policy E10 for that matter, is not in itself a material factor in the inclusion of land within the Green Belt or in its continued protection.

Inspector's Conclusions

Role

4. As an alternative to the Watnall/Nuthall allocations, this site does not, on its own, need to provide a BP, or other employment land or a total of 750 dwellings. I see no sound reasons, let alone any imperative, to provide for a mixed development or

one of that precise scale on this or any other site. This objection site could, with other suitable sites, provide sufficient replacement dwellings for allocation H2I and there are a number of landuse planning benefits, rather than disadvantages, in achieving a wider distribution and a lower concentration of new dwellings within the Borough. A new BP, even if it were needed at this stage, might, with any other employment land, be developed on other sites. I therefore find no substance in the Council's criticisms of this objection on these grounds.

Location and Search Sequence

5. This large site/s adjoins the edge of the built up area of Giltbrook on the edge of Eastwood. It falls for the most part within category c) of the search sequence in Policy 1 of RPG8. This includes suitable sites in locations adjoining urban areas, which are or will be well served by public transport, particularly where this involves the use of previously developed land.
6. Although the site does not lie on the edge of a main built up area, as defined in SP Policy 1/ 2, the southern part adjoins Nottingham Road with its range of frequent bus services. In terms of access to PT it is a highly accessible location. The whole site clearly lies within the Nottingham to Eastwood Transport Corridor which SP Policy 1/ 2 also favours for major development.
7. SP Policy 1/ 4 covers areas traditionally dependent on mining employment as well as disadvantaged areas of Nottingham City but the priority for action is in the provision of economic development, services and environmental improvements rather than new housing. However, I accept that the latter can help to re-vitalise some run-down areas. SP Policy 1/5 only requires re-definition of Green Belt boundaries to meet SP development requirements. Beyond that, paras 1.86 to 1.88 leave the provision of safeguarded land to the discretion of LPs.
8. The northern part of the site may be up to 800 m away from Nottingham Road, but it is within 400 m of a less frequent bus service on Baker Road. I note the Highway Authority's standard walking distance of 400 m. Although this reflects the IHT Guidelines for bus stop location in "Planning for Public Transport in Developments" (CD114), this publication also advises that these guideline distances should not be followed slavishly if that would lead to complex or indirect bus routes. This standard contrasts with the same Authority's much longer thresholds for children walking to Primary Schools, with the 500 m in PPG13 "A Guide to Better Practice". It also contrast with the IHT's desirable walking distance of 500 m for commuting/school/sight seeing, its acceptable distance of 1000 m and its maximum distance of 2000 m (CD127); based upon a more detailed and discriminating assessment. BBC's criticism implies that major new development along these Transport Corridors should form a ribbon not exceeding 400 m in depth irrespective of other land use factors or alternatively a diversion of trunk bus routes. Clearly neither is logical.
9. The site lies within about 600 m to 800 m of the nearest Primary Schools and about 2000 m from both Eastwood and Kimberley SSs. There are a few local shops on Nottingham Road within about 100 m. Eastwood and Kimberley Town Centres are about 1600 m away and are accessible by frequent bus services; the IKEA and Marathon superstores are about 400 m away. There are small factory estates to

the northwest and southwest and the site is accessible to employment locations in Eastwood/Kimberley, Awsworth, Ilkeston and in Nottingham. The residents of the proposed development would help to sustain and perhaps enhance some of the local facilities, but no more so than other sites in the area that I endorse. It is unclear how the development of a new peripheral housing estate on the scale/s envisaged would otherwise help to build communities. However, it is, in terms of accessibility to PT and some local services, a convenient and sustainable location.

Agricultural Land Value

10. The majority of the site is grazing land predominantly grade 4 with a smaller area of 3b, which SP Policy 3/13 and government policy favours, wherever possible, for development rather than B&MV land such as at Watnall/Nuthall. This agricultural area is clearly greenfield land according to the criteria in PPG3 Annex C. It does not fall within the curtilage of any previously developed land.

Previously Developed Land

11. The site includes a small area of about .8 ha in the southwest corner currently occupied by large shed buildings, which could be regarded as previously developed land, although it is unclear whether they are former agricultural buildings. It also includes the plot of a dwelling on Baker Road, although alternative access points exist. It might also include a small industrial estate to the northwest depending upon the access arrangements.
12. The main area of none agricultural land is a former colliery tip area in the north of the site. This, like site Ea9, is included as derelict land within Policy E28, although the LPA has no proposals for its reclamation. The NLUD may include derelict land in its description of previously developed land. However, the site is not now vacant or abandoned and I am guided principally by the advice of PPG3 Annex C.
13. This former mining site is not subject to any restoration condition. The test of Annex C is that the site has blended into the landscape not the natural landscape, as the objectors submitted. The permitted use has left bare tracks and areas and various structures exposed to view from close quarters, as illustrated in Mattinson's photographs 8, 11 and 12, which are taken on the site itself. Notwithstanding this, the site can reasonably be considered to be part of the natural surroundings, particularly from most external views. However, even this is not the end of the matter. The confusing 3rd paragraph of Annex C contains two main clauses, which the comma serves to separate. In consequence, I do not regard them as dependent.
14. The tip area has planning permission for and has been put to a recreational use. This may not be everyone's ideal. However, it fulfils a need. It supports a small business on the adjoining factory estate engaged in maintaining the sports vehicles. I was not aware of any nuisance caused to residential properties or others nor did I find the site an eyesore viewed from footpaths in the area, even though small areas of bare shale may be seen from some. It also has some value for nature conservation and the southern part is covered by SINC 5/271. The permitted use may have damaged parts of the SINC but other undisturbed areas remain.

15. I see no clear benefit in replacing the amenity of this essentially open recreation use with built development or some anodyne open space in this Green Belt location. The site may stand out in contrast with much of the adjoining countryside, which is rather bland. However, it is mostly well planted and from most external views it is not an unattractive feature. Also, regrading to a lower more congruous profile, either for housing development or open space would destroy the existing vegetation and the value of the SINC. It would also remove one of the last vestiges of the mining industry, which is part of local history. It would also expose the objection site more to views from the north and from the important viewpoint around Greasley Church.
16. In view of this, the site cannot be regarded as requiring re-development. This provides a clear reason that outweighs other re-use of the site in terms of Annex C. In all these circumstances, I do not regard this former tip area as previously developed land in the terms of PPG3 Annex C.

Reclamation

17. The LPA's inclusion of the site in Policy E28 is confusing given the planning permission they granted in December 1999. It is uncertain what other after use or condition of the land they seek and even more confusing is how this would accord with the designation of part of the site as a SINC. If the current use was judged incompatible with the aims of Policy E28, as the LPA at one time suggested, it was open to them to refuse planning permission, but they chose otherwise. Similarly the permitted use did not prevent its designation as a SINC.
18. It is not clear what the Council intend when they say that reclamation does not necessarily involve development; the recent planning permission clearly did. It is also unclear when they say that they do not wish to see much more than what is already there. If all they envisage is enhancement of the SINC and/or further planting it would have been more appropriate to deal with the site under Policy E17 or E21, than E28. Without some clearer idea of the purposes of reclamation and intended after uses, I fail to see how the site could be considered for inclusion in the County Council's land reclamation programme, which presumably has many other important calls upon its resources.

Green Belt Purposes

19. The majority of the site, including the former tip area, is countryside. The proposals under any of the options would involve substantial encroachment into the countryside between Eastwood and Kimberley contrary to the 3rd purpose of Green Belts in PPG2 para 1.5.
20. Much of the northern part of the smaller Option 2 is contained on two and most of the third side by existing development. However, due to its scale and its impact on the Green Belt, it could not be regarded as logical rounding off an indentation or a natural extension of the urban area. The use of the term "limited extension" is misleading; its normal meaning is simply an extension within boundaries rather than a small extension, which it is clear not.

21. Option 2 may not substantially narrow the existing gap between Eastwood and Kimberley towards the south of the site. However, the gap along Nottingham Road is already very narrow, which I measure at about 500 m at its minimum. It is here that it is vulnerable and most exposed to public view. Even a small development, such as a new road with housing beyond, on this narrow northern frontage would unacceptably erode the degree of separation between Eastwood and Kimberley.
22. The boundary shown on the PM is that of the Green Belt not settlements. It excludes the narrow built up/allocated area on the south side of Nottingham Road between Eastwood and Kimberley but it in no way recognises these as one contiguous settlement or separate parts of the same settlement. Para 1.65 of the SP recognises Eastwood and Kimberley as separate urban areas. Unlike with site H2j at Stapleford, Eastwood and Kimberley are clearly separate and distinct settlements with their own individual character and sense of place, as the objectors eventually conceded. They each have their own Town Centre, their own SS and other local services and facilities. Eastwood and Kimberley are both populous places bigger and less rural than a village; they merit the description of town.
23. The objector's one time argument taken to the full would condemn the whole intervening area to development and the complete merger of these two towns. This open Green Belt break may not be so critical as those between Broxtowe's settlements and the main built up area of Nottingham, such as at Watnall/Nuthall. However, it is still highly important in terms of Green Belt purposes, whatever its function may be in landscape terms. As PPG2 para 1.7 makes clear it is the former not the latter that should determine whether land is included within the Green Belt and its continuing protection. PPG2 does not distinguish between large towns and smaller towns in para 1.5. The separate identity of Eastwood and Kimberley would be jeopardised by the objector's proposals. The objection site may not include a major ridgeline or one of the hills around the Greater Nottingham urban area but these are protected by another more specific Policy. However, it clearly forms an open break between distinct settlements along a Public Transport Corridor referred to in SP Policy 1/ 2, which SP Policy 1/5 states should remain in the Green Belt.
24. The importance of this open break is enhanced, not devalued, by the almost continuous development on the south side of the road. Option 2 would erode the Green Belt between the towns on a broader front in the central and northern parts of the site, when viewed from the existing urban edge. It would narrow the open break for users of the footpaths between Eastwood and Kimberley and along the Gilt brook. The development of public open space to the east would take on an urban rather than a countryside character and would be perceived more as part of the urban area.
25. This option would also represent a wasteful use of Green Belt land. It is difficult to justify an area of 17 ha of open space on this type of land in this one location to serve a housing site of 7.7 ha, despite some local deficiency in space for outdoor sports, but not in informal open space (CD21d). The main purpose seems designed to limit the impact of the housing proposals on the Green Belt. Site Ea9, most of which is degraded and unused, offers more appropriate provision to meet open space deficiencies.

26. The open space area could be vulnerable to further encroachment of housing development at some future LP review, when the logic of developing partly up the valley side could be raised. It could also lead to arguments at future reviews to build on the upper parts of the Kimberley side of the valley as a complementary development.
27. In consequence, option 2 would be contrary to the 2nd purpose of Green Belts. The extent of the residential development area proposed is more related to squaring off some developments on a map rather than to features on the ground. Its southern boundary partly up this valley side would appear arbitrary and I consider that it would constitute urban sprawl contrary to the 1st purpose of Green Belts. Sprawl does not simply include ribbon development but also development that strays from the main urban form.
28. The larger Options 3 and 4 would extend almost to the valley bottom. They would make more effective use of Green Belt land. However, they would extend Eastwood even closer to Kimberley in the central and northern parts of the site. Hill top towns with development extending down the slopes to the valley bottom may be a feature of some towns in the Erewash Valley area, but it is not such a strong feature of Giltbrook and much less so of Kimberley. These options would create even more imbalance in the spread of development down the slopes of the Gilt brook valley. The main undeveloped western slopes currently vary from about 350 m to about 200 m in depth in contrast to the steeper eastern slopes of generally 400 m to 550 m in depth, with most of Kimberley over the ridge line to the east. Options 3 and 4 would be contrary to the 2nd and 3rd purposes of Green Belts.
29. The objection site thus performs valuable Green Belt purposes. The 4th purpose does not, by common consent, apply and the Phasing Policy that I endorse largely serves the 5th purpose.

Landscape

30. A very narrow belt along both sides of the Gilt brook is designated a Mature Landscape Area, apparently to protect its tree lined course. However, the objector's proposals preserve this belt and its immediate vicinity. The development proposals would clearly change the setting of this very small MLA, but this is not a factor that figures in Policy E15, unlike Policies E9 and E6. The Notes on the Character and Qualities of the Greasley and Watnall Fields MLA and the Landscape Strategy and Key Recommendations clearly relate to the larger section to the north not to this narrow belt. I did not find the various national, regional or county landscape character assessments of much assistance in my own assessment of Green Belt purposes and landscape impact, either on this or other objection sites.
31. Views to the south are contained by existing development off Nottingham Road and the IKEA and Marathon stores beyond. Views to and from the north are contained by the elevated former tip site with its trees and scrub. Views to the east and west are contained by the edge of the towns. Despite this, the impact of surrounding development and the former tip, its relatively weak field definition and poor tree cover, I did not find the site to be degraded in appearance unlike much of Ea9. The

area is pleasant open countryside of value as a setting to the nearby urban areas and for informal recreation. Footpaths 35, 36 and 28 appear to be popular (there is an information display on the eastern section of FP 36) and development on the site would be prominent to users of these. Given its location, it is not surprising that the site has more of an urban fringe character than the rural area to the north. However, so have many Green Belt areas but they are no less valuable for this. Indeed, the most vulnerable parts are often those on the urban fringe. Development on the edge of the urban area is likely to affect the views from some existing properties. However, this is inevitable somewhere if towns are to remain compact and there is no entitlement to a particular or an unchanging private view.

Nature Conservation

32. There are three SINC on the objection site. I find it difficult to accept NBGRC's unsubstantiated view that a site of local/district category 2 is automatically of regional importance or its description as one of Nottinghamshire's best examples of neutral grassland. It needs to be recognised that SINCs do not justify the same level of protection as national designations such as SSSI. Furthermore, PPG9 advises that LPAs should not refuse planning permission for development even in or near SSSIs if it can be subject to conditions that will prevent damaging impacts or if other material factors are sufficient to override nature conservation considerations.
33. SINC 2/253 is, like the MLA, based upon the Gilt brook that runs along the southeastern boundary of the site. Both options 2 and 3 provide a parallel area of open space. There should be little impact on this SINC from these proposals.
34. Option 2 appears to avoid much of SINC 5/271. I found the objectors' ideas for reclaiming this former tip almost as obscure as those of the Council. I fail to see how regrading this tip could retain 70% of this SINC untouched and at the same time deal with what they regard as an alien feature in the landscape and a negative impact upon the MLA. According to my site inspection the SINC occupies the deepest, not the lowest, part of the former tip above natural ground level and directly adjoins the MLA. It would be possible with option 2 to leave the SINC virtually untouched and allow eroded parts to re-generate. However, it is questionable whether the resulting landform would be that compatible with development of dwellings on adjoining areas including the part of the tip outside the SINC. It would of course be possible to avoid the tip entirely but the advice of PPG3 regarding previously developed land applies specifically to land allocated for housing.
35. Options 3 and 4 appear to leave some parts of the tip and SINC along the northern and eastern edges but there is some doubt whether this would be compatible alongside new housing development. The possibility is that this SINC and this example of the former mining industry could be largely destroyed.
36. The main access road crosses SINC 2/274, which is currently unused. However, all three options preserve the greatest part of this SINC and would allow it to colonise adjoining areas. They also offer the prospects of an improved management regime, particularly for the southeastern part, which has been

invaded by scrub and Japanese Knapweed. Unless this is dealt with it is likely to destroy the integrity of an increasing part of this SINC. Like the Council, I see some benefits in the objectors' proposals for this SINC. I do not recognise this SINC's constituent group. SINC's 2/253 and 5/271 are the nearest in this area of countryside and are quite different; they are not predominantly grassland.

37. I find the limited potential harm to SINC's on the site to be no major constraint to housing development. Two at least could be largely protected by planning conditions or agreements.
38. I can set little store by discussions at such a late stage with the County Council on the protection and management of SINC's. The vulnerability of such local designations to damage and degradation from common agricultural practices should have long been obvious. The NBGRC has apparently not even informed landowners of designations and the RDDP Proposals Map currently fails to show them either. NBGRC also appears to be reluctant to reveal the criteria on which designations are based which makes it difficult for landowners to verify them. I have questioned elsewhere the purposes that SINC's are intended to serve and the means of achieving these. It instils little confidence that all these issues have still to be addressed so many years after designation began.

Sites and Monuments

39. The only SMR records for the objection site itself relate to the disused New London Colliery on the former tip area in the north of the site and some evidence of bell pits elsewhere. I do not see how this constitutes medium to high archaeological potential. While some pre-development investigations may be warranted on parts of the site, there should be few constraints to most of the development on archaeological grounds, other than perhaps on the former tip, which may have some historical value.

Access, Traffic and Public Transport

40. I am satisfied that suitable vehicular accesses can be provided from Nottingham Road and from Baker Road to serve development of the site/s under options 2, 3 and 4. This may involve some property acquisition and demolition but this is not abnormal with developments of this scale and should provide no constraint in financial or any other terms. This is particularly as the first phases of development could happily rely upon a single access from Nottingham Road leaving ample time to resolve any issue of a secondary access from among the options available.
41. The illustrative spine road could, if necessary, accommodate bus services including any diversion of services from Baker Road. However, these are details for a later stage. Any thoughts of diverting services to reduce walking distances to bus stops would need to be carefully balanced against the effect upon service frequency and timing of trunk bus routes. An enhanced footpath and a new cycleway network could be provided to link the development with the neighbouring towns.
42. Developments on the scale of options 2, 3 and 4 would generate significant extra traffic onto the road network. I am satisfied that Nottingham Road in the vicinity of the site should have sufficient capacity to accommodate this subject to some

improvements to cater for turning traffic and for the free flow of ongoing traffic. It is unimportant to the principles of an allocation at this stage whether the junction with Nottingham Road requires a new island or a priority junction with turning lanes. I am satisfied that either arrangement could be secured.

43. The traffic generated would, with that from other new developments, have an impact further afield; in particular on the IKEA and the A610 islands. Again I am satisfied that, with some relatively minor improvements, these could accommodate the extra traffic and that the scale of improvements would be quite within the budget of developments of this scale.
44. TAs on the lines requested and submitted are much more suited to the planning application stage when details of new works need to be identified and designed. At this stage, all I need is to be assured that access and any necessary highway improvements are achievable and acceptable with a development of this scale. It is quite unnecessary for me to consider the level of detail requested of some aspects of the TAs. Details of contributions to ITPS are not my concern and I deal with the principles of this in Chapter 6. However, I note that the Highway Authority is satisfied that the TA demonstrates that the site, in isolation, can be accommodated onto the highway network and can be considered appropriate for access to PT services. I also note that the Highways Agency is satisfied that technical solutions to the extra traffic generated by the development of sites Ea8 and Ea12 should be possible and deliverable. They have no objections in principle to the proposals subject to certain assurances that relate mainly to the developers funding the necessary mitigation measures. This they are more than capable of requiring at any planning application stage without any mention in this LP.
45. I sympathise with some of the objectors' concerns at the requirements for a joint TA at this stage covering the impacts of this site and site Ea12. However, I cannot accept their suggested approach or that of the Highways Authority for the more detailed planning application stage. Whilst the sequential approach advocated may have been the practice of most authorities, it can, in my experience, create an inefficient, unfair and inequitable outcome that is the antithesis of integrated land use transport planning. I see nothing efficient in a system that encourages a succession of TAs and their resulting minor highway improvements rather than one co-ordinated TA and a highway solution based upon the aggregate proposals in the adopted LP. I see nothing equitable in the first applicant taking any spare capacity, leaving the next applicant to finance a significant step improvement, which is then used by later applicants and by earlier new developments; particularly as there is no guarantee over the commencement let alone the completion of planning permissions. Indeed, such a system could act as a major deterrent to some developments being brought forward. The responsibility lies with the Highway Authority to identify the transport improvements necessary to cater for the adopted LP proposals and to agree an equitable apportionment of the total costs involved over the period of the Plan.
46. Some residents on this site would undoubtedly seek work in Nottingham; the most concentrated and greatest range of jobs in the sub-region. Those travelling by bus would use the interconnecting services utilising the new bus facilities on the route into the City Centre. Those travelling by car, even to a Park & Ride site at Phoenix Park, would have to negotiate not only Nuthall Island but also Jct 26. Both of these

currently experience very long queuing on their approaches and major delays during peak periods. The traffic generated by this new development would add to this, but would be minor in comparison to current flows.

47. The M1 MMS study recognised that the scale of these existing problems is such that they need to be addressed by a number of major improvements. These draft proposals include free flow slip roads from M1 north to by pass Jct 26 and Nuthall island together with a strategic Park & Ride facility to serve M1-Nottingham traffic based upon an extension of the NET from Phoenix Park. It also proposes, according to the NCC, a A610 flyover of Jct 26. Although these draft final proposals have to be endorsed by regional, central and local government, their impact would be so strategic and far reaching that I would have expected more consideration of their implications than of some of the more detailed matters put to me at this early stage.
48. If approved, their provision seems likely within about the Plan period. Thus the purpose and value of a series of minor improvements to Jct 26 and Nuthall island designed to achieve no worsening of conditions relative to that otherwise arising must be questionable. The TAs requested and submitted anticipated only a similar highway network to that existing. There was little consideration of the impact of the M1 MMS proposals that would in all probability obviate the need for this series of minor works. Even with a delay in these major improvements, it is questionable whether it is more cost effective to suffer minor extra congestion for a short time than to bear the costs and disruption of a series of minor works; a factor sometimes ignored by Highway Authorities. Alternatively, it may be prudent to defer major land use proposals to a later date. This is what I understand by the integration of land use and transport planning.

Other Matters

49. The Council and I are satisfied that any former shallow workings and ground contamination that might exist in parts of the site could be dealt with in the normal course of development. Also that land ownership issues should provide no significant constraint to developments on this scale. The Council submitted that they would as a matter of principle use their CPO powers to secure implementation of adopted LP allocations. Policy RC3 includes provision for additional school facilities attributable to new developments.

Synthesis

50. Although the site meets a number of the criteria in SP Policy 1/1 and RPG8 Policy 2, its value to Green Belt purposes outweighs any benefits of its highly accessible location, of re-using small areas of previously developed land, of using poorer grade agricultural land and of its potential to provide open space, footpaths and cycleways and to preserve a small area of MLA and most of the SINC's. This site may well perform better than allocation H2I at Watnall/Nuthall in CD21 and on other counts, but this is not the decisive comparison. I am able to identify other more suitable sites to meet the SP housing requirement. These are mostly outside the Green Belt in sustainable locations and generally on lower grade agricultural land. The few sites that I identify in the approved Green Belt fulfil Green Belt purposes to

Chapter 10 - Proposed potential housing and/or employment development sites
only a very limited degree, in contrast to this site. This also applies to those few areas that I identify for safeguarding land.

Recommendation

51. I recommend that no modification be made to the RDDP.

Ea9 LAND NORTH OF A610 EAST OF NEWMANLEYS ROAD GILTBROOK

Objections

1419 4023 Mr AJ Lovell

1121 2187 Mr P Matkin

Derek Lovejoy Partnership

Summary of Objection Issues

1419/4023 Mr A J Lovell

1. 15.20 hectares of the site should be allocated for employment development.

1821/2187 Mr P Matkin

2. The site is "Brownfield"/ungraded agricultural land. Part of the land (9 hectares to the north) is suitable for built development and the remainder is suitable for a golf course. The site has good accessibility by public transport. Development would enhance the environment of the area.

Council's Response:

3. Site Details

Site Area:	22.9 hectares (57.0 acres)
Location:	The site is situated at the southern edge of the Eastwood built up area, flanked to the north and west by residential areas. (See attached plan)
Current Use:	Greenfield land (not previously developed) as defined by PPG3, Annex C. Agricultural land (ungraded). Part of the site is a former brickworks subsequently used as a tip and then restored and levelled. The site is not in the Green Belt.
Ecological Value:	Sites of Importance for Nature Conservation (SINC) occupy approximately 15% of the site. Both are grassland SINCS. (See attached plan for location)
Public Transport:	Frequent bus services (every 15 minutes) run along Smithurst Road, which is within walking distance (400m) of the majority of the site, which connects to a frequent service on Nottingham Road to a range of destinations including Nottingham, Eastwood, Alfreton, Beeston, Derby and Hucknall. Approximately 2.5 to 3 km away from Langley Mill railway station.
Road Access:	Small areas of development might be accessed from Chewton Street and Newmanleys Road. The majority of the site does not have a suitable means of access. Direct access from the A610 would not be deemed suitable by the Council.

Other Issues: The site is protected for open recreational use (Policy RE18a) in the 1994 Adopted Local Plan, and designated under Policy E28h: Derelict Land in the Revised Deposit Draft.

Site Assessment

4. The Council has applied a standard set of principles in choosing housing and employment sites. (Refer to the Council's Round Table Papers on housing and employment).
5. Issues that were of particular importance for consideration of the site for development were:
 - (i) Concerns of gas generation and migration. The majority of the site contains three connected landfill sites, often treated as one, used for waste disposal and commonly known as Eastwood Landfill. The site was in use from 1972 until 1985 after which it was restored to grazing land. In 1991 landfill restoration took place.
 - (ii) Parts of the site are covered by SINC designations. (No.2/257 - 'Eastwood Bypass dismantled railway': a complex of habitats along the line of the long dismantled railway and No.2/144 - 'Newthorpe Common Pasture': An important horse-grazed grassland.)
 - (iii) Development would have a significant effect on visual amenity as it is very open in character and is highly prominent, visible from Cotmanhay and Awworth across the valley.
 - (iv) Development could harm the character and visual amenity of the attractive part of the Green Belt adjacent to the site in accordance with Local Plan policy E9 and para 3.15 of PPG2.
 - (v) Development would result in the loss of a recreational area including well used footpaths/public rights-of-way that cross the site.
 - (vi) There is not suitable access to the site.
6. These issues fed into the assessment of the site together with the more strategic factors identified in the Housing and Employment Round Table Papers.
7. The Council's Urban Capacity Study examined all urban land in the borough to assess the potential for allocating development. A lack of available and suitable previously-developed sites, meant the need to locate development on greenfield/green belt sites. Although a greenfield site, site Ea9 is situated on the edge of the urban area, a sustainable option for development within the sequential approach identified in PPG3. However in this instance a number of difficulties have been identified which have led the Council to select other sites in preference to Ea9 to meet the Structure Plan's Housing and Employment requirements.
8. The Council does not consider this site to be suitable for development due to the presence of significant amounts of landfill gas being generated within the site. This was first highlighted at the Local Plan Review Consultation Draft Stage in 1998 when the Environment Agency noted that the site was at very high risk due to gas yield and migration problems. (Refer to letter dated 13 October 1998 in Appendix 1, specifically the final paragraph.) The Council considers that this is such a significant constraint that development on the land would not be justified. However, the northern and eastern parts of the site are proposed for housing development by the objector JS Bloor (Measham) Ltd (objection 1121/2187). There is conflicting evidence about the true extent of the site which has been used as landfill, however it is most probable that the fill extends to the areas proposed by the objector.
9. The Council's Environmental Health Department recommend that housing with private gardens should not be built near a landfill site, where methane and carbon dioxide concentrations exceed 1% and 1.5% by volume respectively, even if there is an adequate gas control system for the landfill. Evidence suggests the landfill gas levels on the site exceed this maximum. Monitoring information gathered by the Council's Environmental Health Department illustrates the extent of the problem. These issues are considered in more detail in the complementary statement made by the Environmental Health Department.
10. Policy E29 'Gassing Landfill Sites' contained in the Revised Deposit Plan outlines the Council's position on landfill sites. The Policy states that development of land within 250m of that part of a landfill site, which is producing gas, will not be permitted unless proposals are supported by a

detailed study. It is important to note here that no objections have been made to any part of the policy or reasoned justification. Although the policy is intended to control development and not to consider the allocation of a site, the Council would not allocate a site that is not proven to be developable.

11. The detailed study to which the policy refers should include information on the gas being produced and the results of a gas-monitoring programme. Remediation details should be also submitted including the feasibility of providing services for the site such as foul sewers. Objector 1121 recognises that landfill gas is being emitted on the site, although this is as a result of 'limited initial investigations'. Further investigations and risk assessments are proposed. (Objectors Proof - Derek Lovejoy Partnership, paragraph 8.2.2 - 8.2.6.) Such investigations and assessments would inevitably take a considerable period of time. It is the Council's opinion that such work should have been carried out well in advance of this Inquiry and submitted as evidence to affirm the objector's confidence in the developability of the site. Without any evidence to the contrary the Council strongly opposes any kind of development on the site.
12. The Council does not wish to allocate land which has any physical or environmental constraints that would consequently result in the land being unable to come forward within the Plan period (PPG3, para 31). The Council considers that realistic account should be taken of physical constraints on the release of land, following advice in Circular 17/89, which advises local authorities to exercise due caution for development on or near landfill sites. Some flexibility has, however, been written into the wording of Policy E28h, 'Derelict Land' to allow any longer term development potential to be considered on the site, at such time as the Council is satisfied that the site is physically capable of accommodating development and is not subject to gas migration.
13. The Council considers the nature conservation designations on a site to be an important consideration in assessing its suitability for development. Any development on the site would damage the existing SINC's particularly removing the interest at the north east corner (SINC No 2/144). Policy E17: 'Sites of Local Nature Conservation or Geological Interest' within the Revised Deposit Draft does not favour development which would damage or devalue the interest of such sites unless there are special reasons which outweigh the recognised value of the sites. In this instance, the Council does not consider there to be any such justified reason. The SINC's are classified as Grade 2 Biological sites. These sites show some characteristics of semi-natural habitat at a district level of importance and may contain rare and notable species. Destruction of these would be a major loss to the district.
14. Objector 1121 identifies one of the SINC's present on the site, that adjacent to the southern boundary located along the dismantled railway line. The objector identifies that the site could be developed without affecting this SINC, with additional planting to ensure its preservation. However, the larger SINC designation to the north east of the site has not been acknowledged (Refer to the objector's Proof, paragraphs 8.3.1 - 8.3.2). This 3.5 hectare designation lies within the area proposed for housing development and as such no reference is made to the potential damage this proposal would have to the SINC's value.
15. The original submitted objection by objector 1121 proposes the development of a golf course and integrated leisure facility on the southern and central areas of the site. the objector's proof proposes the development of sports facilities on this part of the site to include: a pavilion and adjacent car park, a number of pitches for games and training, and part of the site for use as informal open space. The Council does not consider the site suitable for such uses, for the reasons explained and from advice obtained from the Environment Agency. The Environment Agency was consulted on this matter in response to an enquiry received from the Council regarding the use of this site for the same purpose as proposed by the objectors (see letter dated 28 March 2001 in Appendix 2). The Agency identifies that the waste compaction methods available during the operational period of the site were less than efficient compared to today's methods and may consequently lead to continual settlement of the waste material over a period of time. Thus, any buildings constructed on the site including any tarmaced areas could be adversely affected.

16. It has yet to be demonstrated that the site has suitable means of access for any proposed development. The objector's proof (paragraph 6.1.3) refers to preliminary discussions that have taken place with the Highways Authority to confirm suitable access arrangements. However, it should be noted that the County Council has not approved the proposals described and illustrated within the proof. In fact the County Council would need to consider a Transport Assessment before being able to comment on the proposed access arrangements.
17. The density policy in the Revised Deposit Draft Plan sets minimum net densities of 35, 40 or 45 dwellings per hectare depending on proximity to frequent public transport services. This policy is in accordance with PPG3, which requires Local Authorities to encourage higher densities than those achieved in the past (paragraphs 57-58). If the Inspector considers site Ea9 suitable for housing development a minimum net density of 35 dwellings per hectare would be required equivalent to that required on the adjacent housing site H2x (since removed by pre-inquiry changes). Objector 1121 proposes a density of 30 dwellings per hectare which would not be acceptable and unlikely to be considered as sustainable development.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing and employment land requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Previously Developed Land and the Site Sequence

4. Although, the former tip area is unused and classed as derelict by the Council in Policy E28, the site does not come under the category of previously developed land according to the criteria in Annex C of PPG3, although it shares many of its characteristics. As the site adjoins the urban area of Eastwood/Giltbrook rather being within it, it falls within category c) of the search sequence in Policy 1 of RPG8. However, it is excluded from the Green Belt and is well contained by existing development and the A610 bypass.

Location and Services

5. The proposed housing area lies within an acceptable walking distance of frequent bus services on Smithurst Road and less frequent services on Chewton Street. It is within about 600 m to 900 m of Nottingham Road, the main bus route in the area which forms the spine of the Nottingham to Eastwood Transport Corridor favoured for major development by SP Policy 1/ 2. Although this is somewhat beyond the Highway Authority's normal walking distance standard, the site is within easy walking distance of frequent bus services within this corridor. I am satisfied that residential development here should satisfy many of the objectives in paras 1.66 to 1.73 of the SP as a location for major development. The site is within 500 m – 700 m of the nearest PS, about 1100 m – 1700 m of the local SS and about 500 m of the nearest medical centre. It is within 800 m – 1100 m of Eastwood Town Centre with a few local shops nearer on Plumtree Way, Brookhill Leys Road, Newthorpe Common and Smithurst Road. It is accessible to existing and proposed employment sites in Eastwood, including the new Raleigh HQ and Distribution Centre about 600 m away.

The Proposals

6. The objection site is about 22.9 ha. Of this a housing allocation of about 9 ha is proposed on the northern and eastern fields with the remaining 13.9 ha, largely comprising the former tip site, being proposed for the development of sports facilities for Kimberley Miners Welfare F.C. with a pavilion and changing facilities. There would be pitches for training and games, informal open space and a local nature conservation area in the southeast corner of the site. This superseded earlier proposals for a 9-hole pitch and put golf course and associated leisure facilities. Mr Lovell's one time proposed employment allocation of 15 ha would extend over the former tip area and was not integrated with open space provision.

Agricultural and Derelict Land

7. The northern fields are grazed by horses; in some parts severely over grazed. The former tip area is unused, as is the adjoining land to the east. The site is ungraded in the ALC. SP Policy 3/13, government policy and the RDDP Policy E19 and the Locational Principles favour the development of land such as this to that of B&MV land, wherever possible. The former tip site is clearly degraded and is included as derelict land in Policy E28h for reclamation but with no development proposed. However, Policy K3, in providing for the new dwellings requirement in the SP seeks to make the best use of degraded land as well as previously developed land, wherever possible.

Relationship to Settlement Form

8. As the site as a whole is excluded from the Green Belt, the tests of PPG2 para 1.5 do not apply. Although situated on the edge of the urban area, the objection site is contained on its northern and western sides by housing and employment development. It is largely contained on its eastern side by existing housing and a proposed housing allocation that I support on allocation site H2X. It is contained on its southern side by the A610 bypass, which to the east and the west defines the southern boundary of Eastwood/Giltbrook.
9. Housing development on the northern and eastern fields may, like much of the southern side of Eastwood and Giltbrook, be visible from Awsorth and the Cotmanhay area of Derbyshire to the southwest. However, it would be seen against a background of the existing town and would reflect the wider urban form. It would not look obtrusive or incongruous, but would in many respects complete the pattern of existing development. Views of the present edge of town are softened by intermediary hedges rather than planting along the backs of properties. Retention of the former with new planting around the proposed housing and recreation areas could help to enhance this. I distinguish this planting from that promoted on certain other sites, which is more designed to screen unacceptable proposed developments from having an adverse impact upon the Green Belt.

Landscape

10. The site enjoys no landscape designation and apart from its green openness it has limited visual amenity value. In any case, the greater part of the site is proposed for open uses with most of the housing tight up against the urban edge. Thus the character of the longer distant views that concern the Council would be largely preserved. Also from these distant vantage points the modest southwards extension of housing would be viewed in the context of development further to the east and west extending down towards the A610. Employment development once proposed by Mr Lovell would be more visually intrusive and less well related to the existing form of the town to the north.
11. The objection site is separated by the dualled A610 by pass from the Green Belt area to the south. I cannot understand how the housing and recreational proposals for this objection site could be thought to harm the character and visual amenity of this Green Belt area. Policy E9, which the Council quotes, is concerned with the open character of the Green Belt. However, the open space proposed on the southern part of the objection site could hardly effect this or its visual amenity. The proposed housing areas would lie further north and would be scarcely visible from narrow neck of Green Belt in Nottinghamshire. They would no more harm the openness or amenity of the Green Belt than the existing development to the east and west, including some employment allocations. The land to the south of the bypass is also a Mature Landscape Area, based upon the River Erewash. However, the Council raises no objection upon this count.

Recreation and Footpaths

12. The Council objected to the loss of a recreational area and well used footpaths. However, public footpaths could be retained and extended and it is difficult to

identify any medium sized site for development that does not affect some footpaths. Apart from this, the site has no obvious recreational value other than for some unofficial walking/play. However, the proposals envisage major new recreational provision.

Access, Traffic and Transport

13. The Council said that the Highway Authority would need to consider a TA before being able to comment on the proposed access arrangements. They, of course must speak for themselves, although I found the level of detail required of some TAs to be quite out of proportion to this stage of the planning process and indeed unhelpful to the inquiry. For my part, I am satisfied that this site and site H2X could obtain accesses to a housing scheme along the lines proposed in the Conceptual Master Plan, via Chewton Street and Halls Lane/Smithhurst Road. This may involve some third party land and property demolition but this should be no obstacle to a development of this scale.
14. Some 400 or so dwellings, including site H2X, could generate about 3,000 vpd and over 230 vph in the peak. Chewton Street and Smithhurst Road should, from my observations, be capable of accommodating this additional traffic. It may justify some measures on both roads and at their junctions with Nottingham Road, but these, again, should be quite within the scope of this scale of development. The details can be resolved later at a planning application stage. There is some doubt about a separate access off Newmanleys Road to serve the recreational area, but this is another detail that could be left to a later stage, particularly as an access could always be obtained from the housing area if needs be.

Nature Conservation

15. There are two SINC's within the objection site. They are not identified on the PM but IC17, which I support, proposes that all SINC's should be. SINC 2/257 based upon a former railway line lies wholly within the proposed local nature conservation area and which it is intended to conserve, enhance and manage.
16. SINC 2/144 relates to the two fields in the north east part of the site. These apparently show some characteristics of semi-natural habitat of District importance and may contain rare and notable species. This site was designated in 1989 but the survey by NBGRC noted that the site had apparently been sprayed with herbicide. As a consequence, it was re-surveyed, it now appears in 1996, when the survey notes described it as "a semi-improved neutral horse pastureland ... overgrazing seems to be a problem and although retaining a variety of grass species, the herb species were not very evident". It has not been re-surveyed since. The objector's consultant was unable to confirm its value at the time of the year.
17. I find it surprising that a site sprayed with herbicide should have been designated in the first place. Although it may be regretted by the Council and by nature conservation interests, this, along with overgrazing is a quite lawful and not uncommon agricultural practice. The NBGRC has not informed landowners of these designations, the criteria for them or the features of special interest. Thus a landowner may destroy or damage a site inadvertently. SINC's are more vulnerable to these types of activity than from building development from which

they enjoy some protection under Policy E17. Thus the value of even the best sites may be somewhat ephemeral. Furthermore, it is unclear what purpose SINC such as this are intended to serve; conservation of species, field study, education or public amenity. In this case, PFs cross the site so that, unlike some other SINC, there is access to it and the public might appreciate some of whatever value it might have.

18. It is also surprising that following a re-survey, which revealed that herb species were not very evident, the designation remained and that no further re-survey has been undertaken since apparently 1996.
19. I observed heavy grazing and few species on my visits and little discernible difference between these and adjoining undesignated fields. Even the Council are unaware of any rare or notable species. I cannot see that it has recognised value in terms of Policy E17. Conjecture is not in the circumstances of this particular SINC sufficient to outweigh its potential contribution to meeting the SP housing requirement. It may also be possible to provide some compensation by means of an alternative habitat in the extensive proposed open space with some translocation of any important species as at SINC 2/1097 at Holly Road Watnall. The Council's earlier attitude to this now unproven SINC contrasted with that on the more obviously valuable SINC 2/247, which allocation EM1f would largely destroy. However, they subsequently agreed that the issue of SINC 2/144 on this objection site was not one of principle.

Reclamation

20. The Council seeks under Policy E28h the reclamation of most of the objection site including part of the SINC. The Policy specifies no development. This presumably is intended to mean no built development, since most reclamation activities involve development in terms of the 1990 Act. Not for the first time, it is unclear what after uses the Council seek and how they intend to achieve them. The 1994 LP allocated the site for open space but this was dropped from the current review Plan due to a lack of resources and high gas levels. The northern part of the site is in agricultural uses and this was presumably the intended after use of the rest. However, there is little benefit in reclamation to agricultural after use, particularly of low grade, and there appears to be no mechanism for achieving this anyhow. The RDDP makes a general reference to planting initiatives under the Community Forest Scheme but there is no suggestion that this would be appropriate on this site. Indeed the poor vegetation on the former tip site suggests the need for some remedial measures, which may be beyond that of an extensive woodland area.
21. On the other hand the Eastwood Wards are, according to CD21/d, deficient in facilities for outdoor sport relative to the NPFA standards, by about 3 ha. The Giltbrook Ward is also deficient in space for outdoor sport by a larger margin, about 11.8ha. Mr Matkin's proposals offer the opportunity to redress some of this deficiency. A pitch for Kimberley Miners Welfare F.C. presumably comes within the same category as Eastwood Town F.C., which is included within the list. Also there should be considerable scope for wider public access to playing facilities on this substantial site and the objector envisages that about 7 ha would be available for public use. One thing that seems certain is that these proposed recreational

facilities would not come forth without some cross subsidy from the housing development proposed, leaving the Council's aspirations under Policy E28h unfulfilled. As tipping ceased in 1984/85 settlement has already largely taken place and further potential is reduced.

Landfill Gas

22. The remaining issue was the susceptibility of the housing site and buildings on the recreation site to landfill gas migration. The proposed housing site itself is natural ground and not tipped but is subject, as tests show, to gas migration from the adjoining tip. An employment site of 15 ha, at one time proposed by Mr Lovell, would encroach on the former tip site.
23. Although I can see none myself, the Council say that some flexibility has been written into Policy E28h to allow longer term development potential to be considered on the site. This is at such time as the Council is convinced that the site is physically capable of accommodating development and is not subject to gas migration. It is not clear what the Council are awaiting. If they are waiting until the tip ceases to produce gas they would have to wait a very long time; well beyond a number of future Plan reviews. On this time scale there seems little or no purpose in mentioning it at all in this Review.
24. However, it is unnecessary to wait this long as there are well established techniques for arresting gas migration from the former tip area before it reaches existing as well as proposed housing areas. Also, at least in the latter case, design and construction methods can avert any potential danger from gas collecting under or within buildings or services. There are also more active measures for dealing with gas produced on the former tip site itself than the current passive venting. Again special design and construction methods can be employed in any recreational buildings erected on the tip to deal with problems of stability and of gas build up.
25. The Council's original position was that it had no evidence that migration of gas could not occur and that there would be no risk to the proposed development from landfill gas. They had a record of some migration of gas from the tip site to the south west but not onto the proposed housing site. The objector's survey however, confirmed the presence of gas on the housing site in a notable number of boreholes; in some cases at high concentrations. The current very shallow gravel filled trench around the landfill being inadequate and ineffectual. Tests show that gases present on the site have a very high proportion of modern gas and are predominantly landfill in origin; contributions from coal gas are so small as to be insignificant.
26. NCC drawings show that the landfill had a maximum depth of 20 m plus or minus 2 m. The objector proposes to prevent gas migration onto the housing site with an engineered system involving construction of a vertical gas barrier some 20-25 m deep together with a venting system to provide a preferential route for gas. The latter should avoid gas migrating to the south away from the wall. Given the strata, I accept that gas flowing under the barrier is improbable. Additional deeper boreholes would determine the precise depth. If gas were detected at say 30 m the barrier would extend to that depth.

27. This system would, with an extension, protect existing properties neighbouring the site, which boreholes indicate are a matter of some concern; current protection methods being inadequate. Some of these properties are within 10 m – 15 m of the edge of the landfill. There are powers to serve a remediation notice on the owners of the site but the Council had no plans to do this.
28. The proposed engineering system has been utilised by large contractors in the UK and the USA. Examples in the UK include houses built within 15 m of the landfill. Although mostly of a shallower depth to that envisaged on the objection site, one scheme had a cement/bentonite wall, 1800 m in length and 27 m in depth at a contract value of £2M. This is significantly longer than the 1000 m or so envisaged on the objection site. If further site surveys reveal very high flow rates and very high pressures it might be necessary to employ two membranes and increased venting capacity. This would be a matter for detailed design. The objector had reports of another scheme 40 m in depth. The objector sees no engineering or financial problems in constructing a suitable barrier to protect the proposed housing site. There was no evidence that a 15 ha employment site, at one time proposed by Mr Lovell, could be protected.
29. Protective measures in the design and construction of dwellings and services would provide a secondary safety system to deal with any gas that might migrate. Whilst WMP27 advises that houses should not be built within 50 m of a landfill and gardens not within 10 m, this is on the basis that no remedial measures are taken, which is not the case proposed here. The Council accepted that this distance could be disregarded if effective remediation measures are employed. BRE 212 and the Building Regulations allow building on gas contaminated land provided that appropriate precautions are taken. The EA and BRE booklet published in 2000 sets out detailed advice on preventing landfill gas ingress. There has been no repeat of the Loscoe incident.
30. The Council wished to see a longer period of monitoring but their purpose was unclear. The objector's survey demonstrates that there is migration of gas onto the proposed housing site and further surveys are unlikely to reveal any significant difference in the principles of the proposed protection measures, which the Council was eventually prepared to accept. The further surveys proposed by the objector would be used as the basis for refining the principles in the detailed design and these could be completed by early in 2003. The Council's technical officer accepted that sufficient information would be available to devise a suitable remediation scheme. This provides the certainty the Council seek and resolves any constraint on this count to the site's allocation for housing in this Plan review, though not for employment.
31. The examples of previous barriers provide assurances that these are a practical engineering proposition. As regards the financial implications, the developers are well aware of the requirements for such measures in order for the housing development to proceed. They are unlikely to embark upon this venture with the expense of detailed surveys without a sufficient margin of viability. However, the developers are most unlikely to install an expensive gas barrier in advance of planning permission for the housing and much in advance of construction of dwellings. They and their advisors have at the end of the day a duty to safeguard

future occupiers from hazards and they would have to sell any dwellings they build. The Council's concern for future dwellings, which would be protected by a dual remediation system, contrasts with their seeming acceptance of risk to existing dwellings, which enjoy no effective measures of protection and little prospect of any unless the objector's proposals proceed.

32. The former NCB had no evidence of mine workings under the housing site but investigations should reveal whether they exist. Any such workings could have implications for foundations design. The barrier wall would intercept gas migration from the landfill and shallow workings should not produce mines gas.

Synthesis

33. The site is of little use or value in its current state. It is in a sustainable location for major development. It is to be preferred on most counts to the development of sites within the Green Belt, as the Council agree, and sites on the B&MV agricultural land such as H2I at Watnall/Nuthall. Mr Matkin's scheme would achieve reclamation of the site to beneficial uses. It would fulfil the aims of Policy E28 and the Council accepted the benefit of this. It accords with the advice of PPG23 para 4.1 to recycle contaminated land. It would bring some community benefits in the form of playing fields and open space of which there is a local shortage. It would also achieve the protection of existing properties, which could otherwise be at some danger from landfill gas migration.
34. Like some brownfield sites, it is clear that the site is not without its difficulties and that these may take some time to deal with. However, this is no excuse for procrastination or for taking easier Green Belt and greenfield sites, as the Council concedes. Its development within the plan period would be quite feasible as the Council agreed, particularly if, as an exception, the site is included within Phase 1 of Policy HX. This would allow time for all the necessary preparatory works to be undertaken. It would also allow time for monitoring and review if unforeseen difficulties are encountered. This is an example of the Plan, Monitor and Manage approach in action and the site, due to its condition, is relatively high in the search sequence, as the Council agrees. It is higher than most other greenfield sites.
35. The majority of the housing site is within 400 m of a frequent bus service and should according to Policy H6 justify a minimum density of 40 dph. It would provide capacity for about 360 dwellings. It should, as I conclude above, be included in Phase 1 of Policy HX. Access should be provided from Chewton Street and Smithhurst Road and provision should be made for calming measures on these roads and any necessary improvements to their junctions with Nottingham Road. Provision should be made to prevent the migration of landfill gas onto the site and into existing residential properties and appropriate measures should be incorporated into the design and construction of individual dwellings on the housing site to provide a secondary system of protection. Provision should be made to reinforce the planting along the southern boundaries of the housing site. Provision should be made for new footpaths and cycleways and the retention of existing ones. Policies RC6 and RC3 require provision to be made towards open space to serve the development and for any additional capacity that might be required in local schools, which seems likely from the evidence supplied by the Education Authority on other proposed sites in the neighbourhood. They do not require separate mention here

as the Plan should be read as a whole. The recreation area and the extended SINC should be allocated on the Proposals Map. Appropriate conditions should be attached to the housing development to secure their provision and their benefit to the community. Housing and open space are to be preferred on a number of counts to employment development.

Recommendation

36. I recommend that the RDDP be modified by allocating within site Ea9 a site of about 9 ha off Halls Lane, Giltbrook for housing at a minimum density of 40 dph in Phase 1 of Policy HX and subject to the provisions in the preceding paragraph and by allocating a site of about 13.9 ha for new playing fields and new informal open space under Policies RC7 and RC8 and also by the designation of SINC 2/257 as shown on the objector's illustrative master plan.

Ea12 - OMISSION SITE - BENNERLEY COAL DISPOSAL PLANT AND ADJACENT LAND, AWSWORTH

Objections

1155 2484	Greasley Parish Council
1178 2745	c/o Andrew Thomas Planning Metropolitan and District Developments Ltd
1486 4048	c/o Shoosmiths Solicitors UK Coal Mining Limited (formerly RJB Mining (UK) Ltd) c/o Fuller Peiser

Issues Raised by Objectors

- (a) The proposed development would not harm the objectives of Green Belt policy.
- (b) The proposed development would not harm visual amenity.
- (c) The proposed development would be in compliance with Structure Plan policies for the location of business parks.
- (d) The proposed development would not harm the setting of Bennerley Viaduct.
- (e) The proposed development would not harm wildlife.
- (f) The proposed development would have good transport arrangements.
- (g) The site comprises previously-developed land and low grade agricultural land.

Council's Response:

Site Details

Site Area: Approximately 65 hectares

Current Use: Disused coal disposal point and agricultural land (Grade 4)

Ecological Value:	The site contains a Site of Importance for Nature Conservation (SINC) and a 'SINC under review'.
Green Belt:	The site is in the Green Belt and on the edge of Awsworth and Giltbrook. It comprises a large part of the Green Belt gaps between Awsworth, Giltbrook and Cotmanhay.
Public Transport:	The north-eastern corner of the site is within 400m of frequent bus services along Nottingham Road, Giltbrook/Gilthill, Kimberley.
Road Access:	From the A610 and/or Awsworth By-Pass.

Proofs referred to:

Proof of Mr C H Waumsley of Shoosmiths Solicitors on behalf of Metropolitan and District Developments Limited.

Proof and Appendices of Mr J M Dunshea of Fuller Peiser on behalf of UK Coal Mining Limited.

Proof of Mr M E P Parry of Fuller Peiser on behalf of UK Coal Mining Limited.

Proof and Appendices of Mr S P Dudhill of Highway Solutions Limited on behalf of UK Coal Mining Limited.

Proof and Appendices of Mr N Mattinson of Landscape Design Associates on behalf of UK Coal Mining Limited.

Introduction

1. This proof deals with the three objections listed above. UK Coal's objection proposes that land in their ownership should be allocated for a business park and other employment development. The site is similar to, although smaller than, that shown as Site Ea12 in the Consultation Draft Potential Sites Booklet (CD14). Metropolitan's objection proposes that the UK Coal Site, plus additional land in Metropolitan's ownership, should be allocated for a business park and other employment development. Greasley's objection proposes that a somewhat smaller site, also based on Site Ea12, should be allocated for a business park only. In order to avoid unnecessary duplication, the three objections and the three slightly different site boundaries are dealt with together in this proof.
2. Appendix 3 of Mr Waumsley's proof also refers to a small adjacent area of land, currently in employment use, which is indicated as being for C1 and D2 uses. However this land is outside the "site boundary" as defined in appendix 1 and the suggested uses are not referred to in the text of the objectors' proofs. The Council therefore understands that this land does not form part of the current objection.

Green belt and visual amenity issues

(i) The Council's case

3. In the Council's opinion the proposal is unacceptable in terms of Green Belt policy because it would fill the Green Belt gap between Awsworth and Giltbrook and very nearly fill the northern part of the Green Belt gap between Awsworth and Cotmanhay. It would not be feasible to protect the visual amenity of the area surrounding this highly prominent position by landscaping, due to the topography of the area.
4. All the proposals indicate that the Green Belt gap to the north of Awsworth, between Awsworth and Giltbrook, would be filled by the development. Metropolitan's proposals (Mr Waumsley's proof, appendix 3) indicate that part of the Green Belt gap to the west/north-west of Awsworth, between Awsworth and Cotmanhay, would be filled as far as the borough boundary, leaving a Green Belt

gap of between 70m and 200m on the Erewash side of the boundary. UK Coal's proposals (Mr Mattinson's proof, section 2.3.1 and appendix A, drawing no. 1530.3LO/8) suggest that an additional Green Belt gap of approximately 200-250m might be retained on the Broxtowe side of the boundary, however it appears that this would not apply if the suggested rail connections were to be implemented (Mr Dunshea's proof, paragraph 6.6.4, etc).

5. PPG2 states that one of the purposes of including land in Green Belts is to prevent neighbouring towns from merging into one another. The proposals would result in the merging of Awsworth and Giltbrook. They would also result in Awsworth and Ilkeston becoming so close together that they would be virtually merged and the remaining strip of Green Belt would be so narrow as to be virtually worthless. In the Council's opinion therefore the proposals are fundamentally in conflict with PPG2 and would cause major harm to one of the purposes of the Green Belt in this part of the borough. The proposals would also represent encroachment into the countryside, contrary to another of the purposes of Green Belts as defined in PPG2.

(ii) Rebuttal of objectors' points

6. Points made by the objectors include the following:
 - visual maintenance of the gaps could be achieved by landscaping (paragraphs 7.8 - 7.9 of Mr Waumsley's proof);
 - the presence of existing buildings within the site and significant areas of development adjacent to the site compromise the contribution of the site to Green Belt functions (paragraph 7.7 of Mr Waumsley's proof);
 - a significant distinction can be made between the roles of the Green Belt in the Erewash Valley and the Lower Gilt Brook Valley (section 2.3.1 of Mr Mattinson's proof, paragraph 6.4.8 of Mr Dunshea's proof).
7. The objectors suggest that "visual maintenance of the gaps" could be achieved by landscaping and therefore, in terms of the aims and purposes of Green Belt policy, they suggest that the existing situation will in many respects be enhanced. However in the Council's opinion Green Belt gaps cannot be maintained by landscaping alone; at best, it might theoretically be possible to create the illusion of gaps. However, even the illusion of gaps is not achievable in this case because the site is surrounded by higher land (as illustrated, for example, in Mr Mattinson's appendix A, drawing 1530.3 LO/4). Therefore, as viewed from Awsworth, Kimberley, Eastwood/Giltbrook or Ilkeston/Cotmanhay, the site would be seen in the context of the adjacent towns and it would be very evident that the Green Belt gaps had been filled.
8. The Council also does not agree with the suggestion that the presence of the existing disposal plant buildings within the site, or of "significant areas of development" adjacent to the site, compromises the contribution of the site to the performance of Green Belt functions. On the contrary, the proximity of towns on three sides emphasises the importance of the site in preventing the merging of these towns. In the Council's opinion the disposal plant buildings do not significantly compromise the openness of the site. However, in any case the site is required to be cleared of all buildings, machinery and equipment by condition 1 of notice of permission reference 5/09/80/1024 (CD95). This matter is currently being pursued by the County Council and the Borough Council understands that UK Coal have given informal assurances to the County Council that the condition will be complied with in the near future.
9. The objectors draw a distinction between the "strategic" function of the Green Belt along the Erewash Valley "corridor" and the "more local value" of the Green Belt within the Lower Gilt Brook Valley. Whilst such subtle distinctions might be relevant when, for example, preparing detailed landscaping proposals for a development, they are not recognised in Green Belt policy at national, county or borough level. Both of the affected Green Belt gaps lie within the Erewash Valley and, in any case, the maintenance of gaps between all towns within the borough is a fundamental objective of Green Belt policy.

Compliance with Structure Plan policies 1/2, 2/6 and 13/3

(i) The Council's case

10. The Council considers that the location is unsuitable for a business park in relation to Structure Plan policies 2/6 and 13/3 as it is not on the edge of the Greater Nottingham built-up area and not in the vicinity of junction 26 of the M1. Other business park options at Watnall and north of Chilwell Dam Farm are also more strongly in compliance with policy 1/2.
11. Policy 1/2 of the Structure Plan states that major new development will be concentrated within and adjoining the "main urban areas" and along the defined public transport corridors. Paragraph 1.65 states that the "main urban area" in South Nottinghamshire comprises the Greater Nottingham conurbation, which includes the City of Nottingham but not Eastwood, Kimberley or Awsworth. In contrast with the other options for a business park, therefore, the Awsworth site cannot be said to lie adjacent, or very close, to a "main urban area". Development of the Awsworth site would not therefore be as strongly in compliance with policy 1/2 as the other options.
12. Policy 2/6 is a county-wide policy on business parks which, amongst other things, says that business park proposals should comply with policy 13/3, whilst policy 13/3 itself relates to business parks specifically in the South Nottinghamshire sub-area. Policy 13/3 states that business parks in the Broxtowe/Nottingham part of the South Nottinghamshire sub-area should be "on the edge of the built up area". Paragraph 13.45 confirms that, consistent with policy 1/2, the reference in policy 13/3 to "the built up area" should be read as implying "the Greater Nottingham built-up area" which, as defined in paragraph 1.65 excludes Eastwood, Kimberley and Awsworth. (This point is reiterated in paragraph 13.46 which indicates that a location at the end of a public transport corridor, such as on the edge of Eastwood, would not be in accordance with policy 13/3.) Again, the Awsworth site cannot be said to lie adjacent, or very close to, the Greater Nottingham built-up area. Development of the Awsworth site would not therefore be in compliance with policy 13/3.
13. Policy 13/3 also states that business parks for Nottingham/Broxtowe should be "in the vicinity of junction 26". The Awsworth site is approximately 3.0km at its closest point from junction 26 "as the crow flies", (compared with about 1.0 km for the Watnall site). The distance by road is about 3.2 km (compared with about 2.3 km for the Watnall site, as mentioned in paragraphs 4.13-4.14 of Mr Dudhill's proof). The issue of what constitutes an appropriate degree of proximity to junction 26 to meet Structure Plan requirements was carefully considered by all the South Nottinghamshire districts and the County Council, as a result of the Structure Plan Examination in Public in 1995. The results of this consideration were published in 1996 as the "Junction 26 Land Use/Transportation Study - Study Group Summary Report - Stage 2" (CD88). The area of search, covering all sites which were considered to be potentially suitable, is defined in Map 1 of the junction 26 report and the individual sites are specified in Map 2. The Awsworth site is not included in either of these maps, indicating clearly that it was agreed by all the authorities concerned that the site would not be in sufficient proximity to junction 26 to be potentially suitable for a business park.
14. The Awsworth site would not be visible from the M1, in contrast to the other options for business park sites. Visibility from the motorway would increase awareness of any business park and therefore help to make it a more attractive proposition for potential investors and occupiers. The Awsworth site would therefore be at a disadvantage compared with the other business park options in terms of its prospects for full and successful development.

(ii) Rebuttal of objectors' points

15. Points made by the objectors include the following:
 - the potential economic benefits of the proposals for Ilkeston are a significant consideration (paragraph 3.2.4 of Mr Parry's proof, paragraph 6.18 of Mr Waumsley's proof).
16. Paragraph 2.91 of the Structure Plan confirms that Structure Plan policies concerning business parks are intended to take maximum advantage of the economic potential within the county of Nottinghamshire. The objectors refer to the potential economic and employment benefits of the

Awsworth site for Ilkeston, which is in Derbyshire. In the Council's opinion the economic and employment needs of Ilkeston, and of Derbyshire generally, are appropriately dealt with by structure plan and local plan policies within Derbyshire. It would not be appropriate for the objectives of the Nottinghamshire Structure Plan to be compromised by a site selection which was aimed, at least in part, at meeting the objectives of plans in Derbyshire. The relative remoteness of the Awsworth site from junction 26 and from the edge of the Greater Nottingham built-up area (as defined in paragraph 1.65 of the Structure Plan), contrary to policy 13/3, would therefore be detrimental to the objective of taking maximum advantage of the County's economic potential.

Effects on the setting of Bennerley Viaduct

(i) The Council's case

17. In the Council's opinion the development would harm the setting of the listed viaduct. This applies to views from close to the viaduct and to views from the wider surrounding area.
18. Bennerley Viaduct is a Grade II* listed building which, as noted by Mr Mattinson (paragraph 4.4.1 and Viewpoint 9) is a prominent local landmark, both within the site and in the wider landscape. It is prominent from within the Erewash Valley and from the higher land to the west, east and north of the site.
19. The Council is concerned that any substantial development within the site is likely to be harmful to the setting of the listed viaduct. Development close to the viaduct is likely to be most harmful, however development elsewhere within the site is also likely to be harmful to views of the viaduct along and across the Erewash Valley.
20. The viaduct carried the former Great Northern railway across the Erewash Valley in an open setting between Awsworth and Ilkeston. Consequently the historic setting of the structure is within an area of open flat landscape in the Erewash Valley. Development of the kind proposed would seriously harm the historic value of the physical link between the settlements.

(ii) Rebuttal of objectors' points

21. Points made by the objectors include the following:
 - a proposed buffer zone will provide adequate protection for the setting of the listed building. (Drawing number 1530.3LO/7 and section 2.3.2 of Mr Mattinson's proof - see also drawing number 1530.3LO/8 of Mr Mattinson's proof, appendix 3 of Mr Waumsley's proof, paragraph 6.6.4 etc of Mr Dunshea's proof.)
22. UK Coal's proposals incorporate a "buffer zone", intended to ensure that an open view through the viaduct and along the river valley is maintained. The "buffer zone" comprises a semi-circular area in front of the majority of the viaduct, with a radius of approximately 170m. Given the wide areas from which the viaduct is prominent, the Council does not consider that a "buffer zone" can provide adequate protection for the setting of the listed building. In addition, the size, shape and location of the proposed zone would allow development immediately adjacent to the eastern part of the viaduct and directly in front of it, so harming views through the viaduct and along the river valley. The development proposals of both UK Coal and Metropolitan show development directly in front of part of the viaduct. If any rail terminal were to be implemented then it appears very likely that there would be further development directly in front of the viaduct, which would cause further harm to its setting.

Effects on wildlife

(i) The Council's case

23. The Council considers that the development would be harmful to the ecological value of the area. This is due both to its potential effects on the SINC and the 'SINC under review' within the site, and its potential impact on the Erewash Valley wildlife corridor of which the site forms a part.

24. Broxtowe's Nature Conservation Strategy (CD61) identifies the River Erewash and its associated habitats as the most important wildlife corridor in Broxtowe, linking numerous wildlife sites (page 20 and subsequent map, page 48). Bennerley Marsh Wildlife Group's "Systematic List" (p.42) notes that this part of the Erewash Valley acts as a corridor for migrating birds, whilst their "Response to Broxtowe Borough Council's Local Plan Review Strategy" (final page) indicates that the British Trust for Ornithology considers that the proposed development would be harmful to this migration path and also harmful to an important wintering area for several birds. (The Wildlife Group's documents are appended to this proof.)
25. The site contains a SINC, the Gilt Brook, and a "SINC under review" which includes the viaduct embankment and the de-acidification ponds. As noted by Mr Mattinson (section 3.4.7), the ponds may have future potential for designation as an SSSI. These are shown in appendix 8 of the Nature Conservation Strategy and in appendix A, drawing 1530.3LO/5, of Mr Mattinson's proof. The Nature Conservation Strategy (p.45) emphasises that the wider countryside, outside SINC's, also supports a range of important habitats and species. The Bennerley Marsh Wildlife Group's "Response" document (p.3) indicates that the Erewash Valley contains a range of habitats that cannot be found in such a small area for several miles, whilst their document "Bennerley Coal Processing Plant and Adjacent Land" (p.3-4) indicates a high level of bio-diversity within the area in and around the coal processing plant, with large numbers of species of dragonflies, butterflies and other groups. The Council is concerned that the proposed development would be likely to threaten the wildlife value of both the site itself and the important wildlife corridor of which it forms a part. Mr Davis of the Bennerley Marsh Wildlife Group will present more detailed evidence in this respect on the Council's behalf and Mr Davis' statement and associated documents are appended to this proof.

(ii) Rebuttal of objectors' points

26. Points made by the objectors include the following:
 - a proposed undeveloped zone would protect the wildlife value of the site (section 6.4 etc and drawing number 1530.3LO/8 of Mr Mattinson's proof).
27. The Council notes that UK Coal's proposals incorporate an undeveloped zone adjacent to the viaduct, intended in part to retain the continuity of the river meadowland along the Erewash Valley bottom. However this zone would be limited to a width of under 250m, whereas the majority of the width of the valley bottom would be developed. It would also be, at best, heavily compromised by any rail terminal proposals.

Transport issues

(i) The Council's case

28. In the Council's opinion there is no reason to believe that the development will not result in a significant deterioration in traffic conditions. The Council's concerns relate, amongst other things, to the impact on the Nuthall roundabout and junction 26 of the M1.
29. No detailed transport assessment (TA) for the proposed development has been submitted to the inquiry. The Council understands that a TA has now been submitted to the County Council but that the County Council considers that it contains incomplete information. At the time of writing, therefore, the Borough Council has not seen the TA and no agreement on it has been reached with the County Council. There is therefore no reason to assume that the transport impacts of the proposed development will be acceptable. The Council believes that any major development along the Nottingham-Eastwood corridor is liable to have significant implications for traffic in the area, particularly at the Nuthall roundabout and junction 26. In the case of the Watnall proposals, it has been demonstrated at the previous inquiry session that carefully prepared measures have been drawn up, to the satisfaction of the County Council, to ensure that there will be no significant

deterioration in traffic conditions. In the case of the Awsworth proposals, there is no such assurance.

(ii) Rebuttal of objectors' points

30. Points made by the objectors include the following:

- the proposed new railway station at Ilkeston North will be valuable for employees of the proposed business park (paragraph 4.31 of Mr Dunshea's proof, paragraph 3.2.5 of Mr Parry's proof - see also paragraph 4.29 of Mr Dunhill's proof);
- there may be opportunities for the site to be connected directly to the rail network (eg paragraph 6.9 of Mr Dudhill's proof, paragraph 6.6.4 of Mr Dunshea's proof);
- Draft Regional Planning Guidance policy concerning regional scale distribution sites is relevant (paragraphs 5.2.7, 6.6.2 of Mr Dunshea's proof, paragraph 6.9 of Mr Waumsley's proof, paragraph 6.2 of Mr Dudhill's proof).

31. The objectors suggest that the site is well-placed for employees to travel to/from the proposed new railway station at Ilkeston North and then complete their journey on foot or by cycle. However, the proposed station is 1.2 km from the nearest part of the site "as the crow flies", (it is not "adjacent to the south western boundary of the site") and 1.5-2.5 km from various parts of the site by road. The Council considers it very unlikely that significant numbers of employees would be likely to walk or cycle these distances to or from the station. For comparison, Beeston station is approximately 1.0 km from the town centre. Unfortunately, the government's decision to place Railtrack in administration also raises doubts about when the station will proceed. Railtrack were recently quoted as saying that "future developments are very much in the hands of the government", whilst National Express, which owns Central Trains, said that it "doesn't know" what will happen to future rail development proposals such as the Ilkeston North station. (Nottingham Evening Post 17.10.01, CD94).

32. The objectors suggest that there may be opportunities for the site to be connected to the rail network. However no specific proposals are included and there is no suggestion that future users of the site would be limited to those which could provide and use any link to the rail network. On the contrary, in the Council's opinion the Class B1 uses which are proposed for the business park are unlikely to use any rail link to a large extent. Attention is drawn to a study by Halcrow Fox (appendix 10), which concludes that the site "offers a good opportunity for development as a major intermodal rail-freight terminal" (paragraph 5.1.6). However the objectors are proposing a Class B1 business park and associated B2/B8 development, rather than a "major intermodal rail-freight terminal" and the report is therefore, in the Council's opinion, of only limited relevance to the current proposals. Nevertheless, to the limited extent that the report is relevant, the Council wishes to make the following points:

- (a) The report states that detailed market studies are needed, involving research amongst local businesses and other organisations, as part of further exploration (paragraphs 2.8.4, 3.10.5, 3.10.8).
- (b) The report states that opportunities tend to be in distribution-based businesses (ie Class B8) (paragraph 3.9.3).
- (c) The report states that rail is unlikely to be a cost effective option for small to medium sized companies (paragraph 3.10.4).

In addition, as noted previously, any proposals for rail connections, or a rail-freight terminal, would, at best, heavily compromise the proposals for an "undeveloped zone" in front of the viaduct and adjacent to the railway.

33. The objectors refer to policy 15 of the Secretary of State's Proposed Changes to the Draft Regional Planning Guidance (CD28). In the Council's opinion this policy is not relevant, as it relates to "regional scale distribution sites". This does not appear to be what is being proposed by the objectors and there would be no support for such a regional distribution site at this location in either the Structure Plan or the Local Plan. Policy 5/3 and paragraph 5.38 of the Structure Plan indicate that Toton Sidings is the favoured location in the East Midlands for a regional road/rail

freight interchange. Similarly the Local Transport Plan for Greater Nottingham (CD25) indicates that Toton Sidings is the only suitable site in the region for a possible rail freight terminal (p.13, p170). Paragraph 5.77 of the Revised Deposit Draft supports the Structure Plan and Local Transport Plan in this respect.

Agricultural land quality

(i) Rebuttal of objectors' points

34. Points made by the objectors include the following:

- recent changes to PPG7 reiterate the importance of the issue of agricultural land quality (section 2.3.5 of Mr Mattinson's proof).

35. The objectors draw attention to paragraph 2.17 of PPG7 (as revised) and emphasises the statement that "local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality". The Council acknowledges that, in contrast to the other options for a business park, the agricultural land quality of the Awsworth site is low. However, the Council wishes to emphasise the words immediately following those highlighted by the objectors: "except where other sustainability considerations suggest otherwise".

36. The Council considers that the recent changes to PPG7 are highly significant in this respect. Previously, paragraph 2.18 advised that, in circumstances where sufficient lower grade land was available, the need to protect high grade agricultural land could only be outweighed by a statutory landscape, wildlife, historic or archaeological designation. Now, however, paragraph 2.17 indicates that a wide range of non-statutory "sustainability" considerations, including accessibility to workforce and markets, and the quality and character of the landscape, can justify using areas of higher quality land in preference to those of lower quality. The Council believes that, during the inquiry sessions on the Watnall site, it has demonstrated that there are several "sustainability" issues that justify using an area of higher quality land in this case.

Additional points relating to objectors' proofs

37. The Council considers it necessary to comment briefly on a few further points raised by the objectors. These points are:

- Draft Regional Planning Guidance policy concerning major investment sites is relevant (paragraphs 6.6-6.7 of Mr Waumsley's proof);
- there is a need for a range of business park sites (paragraph 6.8 of Mr Waumsley's proof);
- Draft Regional Planning Guidance policy concerning future Green Belt reviews is relevant (paragraph 6.10 of Mr Waumsley's proof);
- existing bus services are adequate (paragraph 7.3 of Mr Waumsley's proof - see also paragraphs 5.1-5.6 of Mr Dudhill's proof).

38. The objectors suggest that policy 14 in the Secretary of State's Proposed Changes to the RPG is relevant. However in the Council's opinion this policy is dealing with developments of a different nature to those envisaged by Structure Plan and Local Plan policies for business parks (for example, there has been no suggestion that Broxtowe's business park should be safeguarded for a single user or that it would be at such a scale that it would be significant in international markets). All participants at the Employment Round Table appeared to agree that policy 17, rather than policy 14, is relevant in respect of business parks. If policy 14 were considered to be relevant, the implication would be that no "major investment sites" of the kind envisaged should be identified, because the necessary "comprehensive assessment of the existing employment land supply" has not yet been carried out at a regional level.

39. The objectors suggest that the Watnall site would "compete directly" with the Chilwell Dam Farm development and that there is a need for a "range" of business park sites in terms of quality, size and location. However, it has been demonstrated during the Watnall inquiry sessions that the

Watnall development would complement, rather than compete with, the Chilwell Dam Farm development. There is no requirement in the Structure Plan for a “range” of business park sites and such a “range”, as suggested by the objectors, could only be provided by failing to comply with the clear locational requirements of Structure Plan policy 13/3.

40. The objectors suggest that policy 7 of the Secretary of State’s Proposed Changes to the RPG is relevant to Green Belt revisions in this Local Plan Review. However the “Reasons for Proposed Changes” document (CD28/a, p78) makes clear that it is the next roll forward of structure plans which will provide the context for the review of the Green Belt for the period to 2021. Policy 7 will therefore be relevant to the next Local Plan Review, via its effect on the forthcoming Structure Plan Review. (This issue was covered in the Round Table sessions.)
41. The objectors suggest that the Consultation Draft identified frequent bus services along the eastern boundary of the site, “ie the Awsworth Bypass”. However the Consultation Draft said that “frequent bus services are accessible from eastern parts of the site”, referring to buses through the centre of Awsworth and those serving the B6010 Nottingham Road, Giltbrook. Limited parts of the site are within 400m of these routes, the latter requiring awkward journeys on foot across the A610. At the time of the Consultation Draft, “frequent” services were defined as half-hourly (p.4 of the “Potential Development Sites” booklet, CD14) whereas now, following advice from the County Council and others, “frequent” is defined as a 15 minute service (paragraph 4.XX/R251 of the Revised Deposit Draft). Mr Dudhill’s proof (paragraphs 5.1-5.6) acknowledges that existing bus services are inadequate to satisfactorily serve the proposed development.

Summary and conclusion

42. In summary, the Council considers that the proposed development is unacceptable for the following main reasons:
- The Green Belt gap between Awsworth and Giltbrook would be filled by the development.
 - The northern part of the Green Belt gap between Awsworth and Cotmanhay would be very nearly filled by the development.
 - The development would be in a highly prominent position and detrimental to the visual amenity of the surrounding area.
 - The location is unsuitable for a business park in relation to Structure Plan policies 2/6 and 13/3.
 - The development would be harmful to the setting of the listed Bennerley Viaduct.
 - The development would be harmful to the ecological value of the Erewash Valley wildlife corridor.
 - There is no reason to believe that the development will not result in a significant deterioration in traffic conditions, including at Nuthall roundabout and M1 junction 26.

Appendices

Statement of Mr Reg Davis, Chairman, Bennerley Marsh Wildlife Group.

Bennerley Marsh Wildlife Group: “Bennerley Coal Processing Plant, Future Usage Document”.

Bennerley Marsh Wildlife Group: “Bennerley Coal Processing Plant and Adjacent Land, The Natural Choice”.

Bennerley Marsh Wildlife Group: “The Systematic List of the Flora and Fauna of the Bennerley Marsh Wildlife Group Recording Area - to the year 2000”.

Bennerley Marsh Wildlife Group: “Response to Broxtowe Borough Council’s Local Plan Review Strategy”.

Bennerley Marsh Wildlife Group: “Annual Report 1999”.

Background

1. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP.
2. I have to identify other more suitable sites for development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham at Chilwell Dam Farm, Phoenix Park and the Royal Armouries. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence I do not regard a slight shortfall of allocations as significant. The SP provision of land for BPs is on top of the general provision. It is not based upon past take up rates and offered a further margin of flexibility.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries, as many objectors and the Council point out. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors. The need for development does not imply that the loss of important parts of the Green Belt is necessarily acceptable. PPG2 para 1.7 makes it clear that the extent to which land fulfils objectives in para 1.6 (or RDDP Policy E10) is not material in its inclusion within the Green Belt or its continued protection.
4. I am guided by RPG8 (2002) which supersedes RPG8 (1994), which some quote. Policy 6 of the former is somewhat different to the similar Policy 7 in the SoS Proposed Modifications. It does not advocate a critical review of Green Belt boundaries until the next review of Structure Plans (if there is one) but neither does it preclude any alteration to boundaries before that provided it takes account of Policies 1 and 2 and the wider principles and purposes of existing designations in PPG2. However, as I point out on other objections, the Council has not undertaken a comprehensive review of existing Green Belt boundaries and the SP did not require this. I have no means of doing so and it would serve no sensible public purpose to "return" the LP to the Council to undertake it at this stage; this would only delay important development allocations.

5. UK Coal's objection relates to land in their ownership, which they promote for the development of a BP and other employment development. Metropolitan and District Development's objection site covers the former and some additional areas for similar developments. Greasley PC's objection site proposes a BP on a somewhat smaller site as a substitute for allocation EM2 but provides little justification for this. I deal jointly with their common elements distinguishing as appropriate any significant differences. UK Coal confirmed that there was no reason why the adjoining builders yard and scrap yard could not be incorporated into their proposed scheme; Metropolitan have some agreements with the owners. I understand that a very small part of the objection site falls within Erewash District. I have no remit there but I note that the Erewash Borough Council supports Broxtowe's position and thus no potential conflict arises in that respect.

Inspector's Conclusions

Employment Land

6. In Chapter 5, I recognise that the SP and the RDDP employment land requirement is concerned with providing sufficient land to meet the needs of firms wishing to expand, re-locate and form and not with the attainment or maintenance of a particular level of employment. I also recognise that some allocations and planning permissions for employment land may take some years to develop depending upon the operation of the land market. However, after examining outstanding employment commitments, I have few doubts as to their eventual development.
7. I reject calls for a flexibility allowance. The SP employment land provision in Policies 2/1 and 13/2 is based upon past take up rates and already includes a 58% allowance in South Notts case (not 50% as stated in CD39) and an 88% allowance in Broxtowe's case if the notional 25 ha for a BP/PES is included (48% without). This allowance is intended to provide for choice and flexibility and more than caters for any minor delays in developing some committed or allocated sites. At the SP rate (2.7 ha pa) the provision of 115 ha would last 42 years (to 2033) and at the 1995 to 2000 rate (2.9 ha) it would last 39 years. On any measure these are very large, perhaps excessive, allowances.
8. The SP also makes it clear in the footnote to Policy 2/1 that the provision should be considered as guidelines rather than precise targets or limits on development. Furthermore, the RDDP is expected in mid decade to be rolled forward and topped up as necessary with additional employment land. Thus there should be little prospect of employment land shortages arising over the plan period as a whole. Any special unforeseen proposals can always be considered under Policy EM6. As a consequence, I see no imperative in Chapter 5 to endorse LP allocations that sum to the SP figures in Policies 2/1 and 13/2.

The Need for Business Parks and Prestige Employment Development

9. I note in Chapter 5 that Policy 2/6 of the SP makes provision for BPs or other prestige employment developments. BBC's claims that the Policy requires exclusive B1 uses overlooks the footnote. Contrary to the Council's assertions, neither Policy 2/6 nor 13/3 specify the total scale of BP provision. The overall

figure for employment land in Policy 13/2 does not distinguish between BPs and other employment land provision. The explanation in para 13.48 refers to a notional allowance not a requirement. Para 13.47 advises that a development or developments of **up to**, but not of 50 ha, could be provided in either District. However, neither enjoys the status of a development plan policy.

10. I conclude in Chapter 5 in considering Policy EM2 that there is no residual SP Policy requirement for a BP in Broxtowe in addition to those already provided in Nottingham (at Nottingham BP and Phoenix BP) as the Council and some objectors have assumed. Two or more smaller sites in the one district would comply with SP policies and the supporting text in para 13.48. The Council conceded on objection site Nu6 that it does not matter whether all the BP sites are in one District.
11. The provision of up to 50 ha for BPs/PEDs would be additional to the general provision for employment development based on past take up rates. I conclude in Chapter 5 that the basis for this figure and the 25 ha figure is obscure and is at odds with SP para 2.83 which states that major sites are normally considered to be of 8 ha or more. It is also at odds with the more up to date policy advice in the current RPG8, which advises that SHQES should, to be of strategic significance, provide at least 5 ha of development land. It is also refuted by subsequent successful smaller BP developments. UK Coal indicates that BPs are now seldom less than 15 ha, although urban BPs can be smaller. Their acceptable parking ratio exceeds that recommended by RPG8 by some margin.
12. I note that RPG8 in Policy 15 recommends that provision be made for SHQES where supply is inadequate or shown to be inadequate to meet demand by the proposed study of employment land in Policy 12. In the case of the Greater Nottingham sub area, the Tym Report in 2000 (CD33) demonstrated that supply was far from inadequate, contrary to the views in RPG8 (1994). Identified sites for BPs represented about 20 years supply at the take up rates of the previous 5 years. If "non approved" sites such as W/N are excluded the supply would last about 11 years. The problems of the technology industry, which have appeared since 2000 could dampen demand for some BP developments.
13. I conclude in Chapter 5 that even the Tym Report underestimated the supply position. Its calculations did not include the small BP "Interchange 25", nor the 15 ha "Access 26 - M1 Industry and Business Centre" within about 6 mins off peak drive of Jct 26, nor the small office/BP at Strelley Hall. Nor, most surprisingly, its calculations did not include the 19 ha Phoenix BP, despite identifying it as a Quality B BP (the same as W/N) and which is described by Wilson Bowden (the developer of Nottingham BP and the prospective developer of EM2) as one of Nottingham's most successful business parks.
14. It was also unable to take account of the 18 ha Queens Gate site (former Royal Ordnance Depot) whose redevelopment for SHQES development (B1 or B2 uses) has only just commenced. Furthermore, the Nottingham LP Review also identifies the extensive Stanton Tip adjoining Phoenix Park as a major regeneration site for mixed uses including residential, open space and employment and the City Council is actively pursuing implementation of the latter. Although, this is subject to ground investigations and a detailed master plan it has clear potential for further travel intensive employment uses given its location near Jct 26, the proposed NET

terminus and the established Phoenix Park. It would use degraded urban land and provide scope for mixed-use development. Its form, prominence and surroundings suggest that B1 type uses might be more compatible than shed type developments that some mentioned during the inquiry. As with brownfield housing land, there is no good reason why Nottingham should not contribute towards any need for BPs/PEDs particularly as the SP is quite neutral on the location of these between Broxtowe and Nottingham.

15. I agree with the present objectors that the Ea12 proposals could be of benefit to Derbyshire as well as Nottinghamshire. The Council read too much into the first sentence of SP para 2.91 which, unlike Policy 2/6 that it purports to explain, is concerned with a high quality environment and parkland setting rather than a location of the edge of Greater Nottingham, which neither EM2 nor Awsworth posses. Neither do they enjoy a parkland setting, although contrary to the Council's assertions there is no basis for this requirement in Policy 2/6 of the SP nor in the experience of BP developments in the UK. SP Policy 2/6 requires high standards of design, layout and landscaping which is quite different.
16. The Council also overlooked the more specific reference in para 13.47, which envisages that BPs/PEDs would assist adjacent parts of Derbyshire. By the same token, provision in the adjoining Erewash and Amber Valley Districts could clearly assist the adjoining Broxtowe District. Indeed, at the NC LP inquiry BBC cited the availability of employment land in Derbyshire in an attempt to show that CDF was not needed. I see no sound reason for them to alter their position now. As they accepted, there are no barriers to cross county commuting and benefits can flow in both directions. As the Council conceded, the advice of RPG8 para 4.41 to look beyond local authorities boundaries could also be applied to some employment provision.
17. In Chapter 5, I therefore conclude that the Nottingham and Phoenix BPs already fulfill any "requirements" of the SP in terms of the provision of BPs and PEDs in the vicinity of Jct 26. I conclude that there is currently no need for another BP and that EM2 or Ea12 cannot be supported at this time. For all the above reasons, I disagree with NCC's assessment of conformity.
18. Further provision for BPs/SHQES in this decade does not have to be made for some time as, the Tym Report observed. Allocations in the next LP reviews could allow further land to come on stream before the end of the decade to take over from the Nottingham BP as this reaches full development. Provision for BPs can be made in LPs at any time within the SP period of 1991 – 2011 as BBC suggested in their evidence to the NC LP inquiry. Even confirmation of the major new Birmingham BP was deferred for some time until the existing BP was substantially completed. The choice that the objectors envisage would be provided by Ea12 would involve competition with Nottingham BP. This appeared to concern BBC but they overlook that it would result also from EM2.
19. In view of the foregoing I see no need to make provision for the nominal 25 ha included in Policy 13/2 for a BP. I also identify in considering objection site Nu6, the future potential for a modest expansion of the Nottingham BP whose impact on the Green Belt would be considerably less than the W/N proposal/s. I support the allocation of about 7.9 ha of employment land on objection site Nu1 to make good

general employment land provision and for parts of EM3f that I recommend be deleted. Although this site is in the Green Belt, its value in this respect is significantly lower than either Ea12, and its 11 ha of B1/B2/B8 uses, and also much of EM3f. It would form another modest extension to the successful Blenheim Industrial Estate and occupies a sustainable location on the edge of the main urban area of Greater Nottingham in accordance with SP Policy 1/ 2. I also in Chapter 5 recommend a small extension to allocation EM3d, which I support, and which should with other developments in the area help to improve the employment and economic prospects of the locality.

20. RPG8 recommends a regional assessment of the need for one or more major investment sites for a single user in the medium term but Policy 13 advises against any additional allocations for such sites until this assessment has been carried out; this reflects the current situation. This type of site would cater for a different user than would EM2 and EM3f. EM2 relates more to Policy 15 and SHQES. As I conclude in Chapter 5, EM2 and Ea12 could, depending upon their timing, compete with the Nottingham BP but perhaps less so with the former as the same developer is involved with both. The timing of the Nottingham BP means that it continues on from the Phoenix Park BP which has catered for development needs since 1996 but which is now reaching completion. At similar development rates the Nottingham BP will meet needs until about the end of the Plan period or later depending upon the market and the degree of competition from the Royal Armouries site. The Stanton Tip site could then provide for a continuation of provision into the next decade. Whatever, the views of the untested Joint Study, I conclude in Chapter 5 on the “clear” locational requirements of SP Policy 13/3. I repeat my main conclusions below.

The Location of Business Parks and Prestige Employment Development

21. SP Policy 1/ 2 concentrates major development within and on the edge of the main urban areas and along 4 Public Transport Corridors. Policy 13/3 also states that BPs should be on the edge of the built up area which para 13.45 advises should be the edge of the Greater Nottingham built up area. According to para 1.65 this excludes Eastwood, Kimberley and thus Watnall/Nuthall as well as Awsworth; which is presumably why the Council sought to delete this point from their statement of evidence. It clearly includes the Nottingham and Phoenix Park BPs.
22. Para 13.46 explains that this will ensure that developments are accessible to a wide catchment population. This includes the adjoining outer estates of Greater Nottingham which are among those favoured for priority action for economic development, services and environmental improvements in SP 1/ 4 and RPG8 Policies 3 and 84. The latter in Policy 15 lists a number of criteria for identifying any SHQE sites that might be needed to meet demand, including the opportunity to regenerate areas in Policy 3. The above two BPs also provide the conditions for some of those benefits that the Council envisage for mixed developments. RPG8 Policy 18 however, is clear that major office development and other travel intensive uses should be located in town centres or PT interchanges within main urban areas, such as Phoenix Park. Neither EM2 nor Ea12 meet these descriptions.
23. Policy 1/ 2 also includes the Nottingham to Eastwood Corridor as a location for major development. However, SP para 13.42 identifies PT corridors for non-

prestige employment development, which excludes BPs. The Eastwood corridor is clearly based upon the frequent bus routes operating along the B6010 and within Nottingham the A610, where the LTP proposes a number of improvements designed to help bus services operations. The objectors' sites at Awsworth lie about 350 m to 2100 m away from this route compared to about 600 m to 1600 m for the Watnall/Nuthall proposals.

24. The RDDP seeks to resolve the isolation of the W/N proposals with a new branch PT corridor based upon a feeder bus service from a Park & Ride facility at Phoenix Park with the possibility of an extension of the NET later. However, with no identified potential to extend this branch corridor, EM2 could be in conflict with the advice of SP para 13.46. This indicates that a location at the end of a PT Corridor would not accord with Policy 13/3 as it would not be accessible to a large catchment population.
25. Although much of the eastern part of objection site Ea12 lies within desirable and acceptable walking distances of the bus services on the B6010 according to CD127, there is no reason why the Awsworth site could not also be served by a feeder bus system. The western part of the objection site also lies within about 1200 m of a proposed new passenger rail station at Ilkeston Junction, which might be regarded as an extension of the Nottingham to Trowell PT Corridor, particularly as so few development opportunities have been identified there so far. Despite recent changes in the structure of the railway industry there is no indication that this proposed new station will not proceed at some time. Parts of site Ea12 are also within acceptable and preferred maximum walking distances from parts of Eastwood, Awsworth, Kimberley and Ilkeston (CD127) and within cycling distance.
26. The SoS in 1991 identified a need for BP development in Greater Nottingham but outside the Green Belt and specifically only in Rushcliffe and Ashfield Districts. RPG8 (1994), which some are prone to quote but only in part, advised that sites for BPs would not be appropriate in Green Belt areas and LPAs should explore the possibility of sites within urban areas on previously developed land.
27. Notwithstanding this, the contemporary SP Policy 13/3 also proposed that BPs in the Greater Nottingham area should be in the vicinity of Jct 26 of M1. Awsworth may have been excluded from the untested Joint Study Area by the participating authorities but the basis for the definition of this area was not at all clear; it seems to have been confined to areas alongside the motorway for some unspecified reason. Ea12 is about 3.2 km away by road compared to about 2.3 km for EM2. I see little distinction between them on this measure and in terms of travel time the former is the closer, as the Council accepted. However, neither could be said to be near or close. Given the definition in the SP of "the edge of built up area", the EIP Panel's conclusions hardly help either Ea12 or EM2. Furthermore, their and Tym's views were coloured by their assumptions on the prospects of urban BPs; assumptions that have been confounded by the progress of Phoenix Park and Royal Armouries.
28. UK Coal, Metropolitan, the Leicestershire SP and the NW Leicestershire LP Inspector may conclude that drive times of 5 mins from BPs/PEDs to motorway junctions are appropriate. However, in my experience, locations up to about 7 mins off peak drive times by high quality roads can be acceptable to occupiers and

developers. In any case, the former would cover Stanton Tip and probably Access 26 in Langley Mill. Also as UKC and SP para 13.46 pointed out other sites which have ready access to trunk roads will also be attractive. This includes the Royal Armouries site.

29. EM2 is about 1 km away from Jct 26 as the crow flies compared to about 3 km for Awsworth. The former is unlikely to be visible from the junction itself, although it could be seen from the M1 to the north. Contrary to the Council's original assertions, I know of no evidence that visibility from the motorway is that important to potential occupiers, although it might be to some planners. Indeed, research by DTZ has showed that occupiers are much more concerned with accessibility to a suitable labour market. Also, neither Stockley Park, perhaps the UK's foremost BP, or the local Phoenix Park, described by the promoter of EM2 in glowing terms, are visible from a motorway and the extensive landscaping proposed for Nottingham BP seems designed to screen it from motorway views. In any case, the Council's point conflicted with its apparent intention to "screen" EM2 behind a 100 m plus landscaping strip.

Site Search Sequence

30. The objection site Ea12 falls within category c) of the site search sequence of policy 1 of RPG8. It also contains some areas of previously developed land, although the objectors propose that the largest part of this would remain undeveloped. Opencasted areas do not necessarily qualify. In the sequence, the site follows, as the Council agreed, sites within the urban areas such as Phoenix Park, Stanton Tip and the Royal Armouries.

Green Belt

31. The objection site extends about 1700 m from the Giltbrook area of Eastwood to the northern edge of Awsworth and then to within about 100 m of the edge of Cotmanhay in Derbyshire. It is separated from Giltbrook only by the A610 by pass, from Awsworth by the A6096 by pass and from Cotmanhay by the railway line, river and canal with an intervening narrow strip of land. Its development would effectively lead to the coalescence of these separate settlements, as UKC largely accepted. This would be contrary to the 2nd purpose of Green Belts in PPG2. The presence of some existing development between Awsworth and Giltbrook provides no sound reason to abandon the remaining parts of this open break. The proposals would greatly exacerbate the limited effects of existing development on and around the site. Whilst strong Green Belt boundaries are desirable, their primary purpose is to facilitate the achievement of Green Belt purposes. There is nothing to be gained from choosing a prominent rather than a less prominent boundary if the former fails to maintain Green Belt purposes.
32. The suggestions for a buffer zone of about 425 to 450 m might well be better than a development without one, but it would be insufficient to achieve a satisfactory degree of separation from Ilkeston/Cotmanhay. It may have been compromised in the past by buildings and structures on the coal disposal site, but these have now been cleared. Any resumption of coal stocking would have less effect upon the openness of this Green Belt break. The effectiveness of this proposed buffer zone could be compromised further by the proposed rail freight facilities. Also after

removal from the Green Belt it could be vulnerable to further erosion at some future LP review, when its limited value to Green Belt purposes could be exploited. It would also do nothing to maintain the separation of Awsworth and Giltbrook.

33. The Green Belt breaks between settlements in Broxtowe and those in neighbouring Erewash are as important as those between the former and Greater Nottingham. However, neither the SP, PPG2 nor RPG8 identify “strategic” Green Belt areas nor infer that “local” areas between Broxtowe settlements are somehow dispensable. Whilst the SP may pick out major ridge lines for special mention, it is doubtful whether this relates to a Green Belt purpose rather than landscape factors and they are protected by a more specific Policy E14. However, in addition to these, SP Policy 1/5, if not para 1.91, makes clear that the open breaks between distinct settlements are also highly important parts of the Green Belt, particularly in the PT corridors in Policy 1/2, into which the objection site/s, at least in part, is claimed to lie.
34. The area south of the A610 and north and west of the A6096 is seen from most viewpoints as a whole and as part of the broader valley of the River Erewash. It is illogical to attempt to segregate the land adjacent to the River as being of greater significance to that of the Lower Gilt Brook, which merges into the broader plain of the Erewash, as LDA’s Map LO/4 and photographs show. Apart from its banks, I did not perceive any well-defined valley form of the lower Gilt Brook south of A610. Nor did I perceive any prominent physical feature distinguishing the Erewash flood plain from adjoining land as LO/7 bears out. There is no basis to distinguish the floodplain itself in terms of any Green Belt purpose. It cannot be appreciated on the ground, except when flooding occurs and the extent of this changes over the years.
35. Like many areas of Green Belt, the objection site/s and adjacent sites contain a number of scattered existing uses and structures. However, these historic uses do not compromise the purposes of this area of Green Belt; it still retains an essentially open character and appearance and I do not find that the site generally has an industrial character. Their presence however, militates against any further extension or intensification of built development. Any benefits of further planting to screen them would be minor compared to the impact of the objectors’ employment development proposals. The objection site/s and neighbouring land already provided a clear zone of essentially open land. Contrary to Metropolitan’s view, development of the undeveloped areas on the site/s would clearly compromise the fundamental aim of Green Belt policy in PPG2 para 1.4 which is to prevent urban sprawl by keeping land permanently open. It is unsurprising that many inner Green Belt areas have an urban edge character, but this in no way reduces their importance. However, in this case the site/s and adjoining land are well separated from the main urban edges by major roads, a canal, a river and a railway line.

Coal Stocking

36. The rail disposal point facility preceded planning controls and Green Belt designation; planning permission for coal stocking was granted in 1955 without time limit or restoration conditions. However, this does not justify its subsequent replacement with inappropriate development. Some witnesses seemingly ignored the requirement for the site to be cleared of all buildings, machinery and equipment

by a condition of the planning permission. This was well underway at the time of my visit and already has a positive effect upon the listed viaduct and the Green Belt. Low key restoration by grass seeding would not create a sterilised landscape or be out of keeping with the surroundings; the Bennerley Marshes are themselves relatively featureless. I see no great benefits in further enhancement on landscape or nature conservation grounds, particularly if this involves employment development on neighbouring areas. Very poor grade grassland could be suitable for a range of fauna.

37. The possibility of some resumption of a lawful use of coal stocking on 10 ha of the site/s in no way justifies employment buildings on part of it and on the adjoining land. It does not seem likely that this site, which has been mothballed since 1993, would see coal stocking again given its location in relation to the remaining mines and ports. UKC were unable to predict its use or where the coal might come from. They also confirmed that any ancillary structures would all require planning approval. Nevertheless, the resumption of this use and the prospect of the land lying largely idle for an indefinite period would be more acceptable than permanent employment buildings on the objection site/s in the Green Belt.
38. The proposals involve a very substantial encroachment into the countryside of the valley as my site visit and the Council's photographs show. This would be contrary to the 3rd purpose of Green Belts in PPG2. The quality of the landscape is not material, as PPG2 para 1.7 points out, to the site's inclusion within the Green Belt or its continued protection. However, it is a quite pleasant open area. Even the coal disposal site, after clearance, will have more in common with the character of the countryside and the Green Belt.

Landscape

39. As UKC say, the site is irregular in shape. The form of development proposed is poorly related to the local landscape and to the existing settlement pattern. Local settlements generally occupy the hilltops with development extending down the slopes to varying degrees. Even in Derbyshire where settlements extend further down the valley sides they mostly avoid the valley floor. The north western boundary of Ea12, in particular, would be vulnerable at future LP reviews on the grounds that an open zone similar to that on the objection site could be provided. That land's greater potential to flooding could be addressed in a number of ways. The form of the proposed development strays from the main urban areas and is, in my assessment, urban sprawl contrary to the 1st purpose of Green Belts.
40. Like others, UKC seek to reduce the impact of their proposals by substantial new planting to supplement that existing. Whilst, skilful landscaping of acceptable new developments is to be welcomed, its deployment to reduce the impact of otherwise unacceptable proposals on the countryside and the Green Belt is flawed.
41. New planting takes some years to mature, as Mr Mattinson pointed out on EM2; yet it may be most needed in the early stages. It may not outlast built development. Most native trees, unless planted in considerable depths, lose some of their effectiveness in winter months. New trees belts can introduce alien elements into the local landscape rather than respecting the more natural form. Planting may avoid the impression of solid development but it will not create the illusion of

countryside, no matter how green. It will not alter the perception of local people of the presence of an employment/BP development and the loss of countryside and Green Belt. The latter would lose its openness, which as PPG2 points out is its most important attribute. Excessive landscaping can be “wasteful” in the use of Green Belt land. Devoting a high proportion of the Green Belt land take to landscaping such as at Nottingham BP, Watnall/Nuthall and as proposed here (over 1/3rd) can result in the need for further Green Belt incursions elsewhere. Lastly, it is an approach that could be employed almost anywhere in an attempt to justify otherwise unacceptable developments. As PPG7 remarks, the fact that even a single house would be unobtrusive is not in itself a good argument; it could be repeated too often.

42. In the case of this objection site/s, the problems are compounded by its location on the valley floor adjoined by the A610 and the A6096 and surrounded by the hilltop towns of Awsworth, Eastwood/Giltbrook and Ilkeston/Cotmanhay, which would allow views of buildings on the site from close and elevated vantage points, even with the planting proposed. From some of the towns, the site may be seen through and with existing development in the background, but it still presents an important open countryside middle ground that clearly helps to separate these distinct communities. Detail can be readily seen from some distance away but in any case the proposals would involve large buildings whose impact, filtered or not, would clearly be observed and would destroy the area’s predominantly open and countryside character. Planting may at times present a green appearance but this would not enable the continuity or integrity of the valley corridor to be retained, let alone enhanced, either in landscape and more importantly in terms of Green Belt purposes.
43. I support the Council’s view that the proposed development, which comprises buildings, roads, footpaths, car parks, lighting as well as landscaping would fill the gap between Awsworth and Giltbrook and nearly fill the gap between Awsworth and Cotmanhay. It does not matter that the site would not entirely comprise built development; very few development sites do. The proposed landscaping, on which the objectors rely, would be seen as an integral part of the employment estates not some separate element with a countryside or Green Belt character. The proposals would replace open land adjoining the existing network of planting with major employment buildings with a fundamental change in character and appearance no matter how fine the architecture may be. The negative impact of some existing uses on visual amenity suggested by UKC, does not prevent them from siting prestigious B1 development alongside; in the case of two cells with no intervening planting proposed.
44. Strict controls of building heights, footprint and materials in deference to the site’s high visibility could also inhibit the development of a successful BP and employment site. As UKC stated, unit sizes of B2 and B8 developments are becoming larger. Development would also be intrusive when seen from the bridleways and footpaths around and across the site/s and would significantly damage their recreational experience; this would more than outweigh any benefits of enhancement arising out of the proposed employment development.

The Setting of Bennerley Viaduct

45. The western part of the site adjoins the Bennerley Viaduct to the south. This Grade II* listed structure is one of only two remaining wrought iron bridges in GB. It is about 450 m in length and is prominent and highly distinctive in the now open valley floor; its detailed lattice iron work may be seen silhouetted against the sky or a distant hillside from a number of view points. As UKC state, it is the dominant feature in this part of the valley and can be seen from considerable distances. The Act requires that in considering development proposals regard should be had to its setting. This encompasses not only views of the structure from various points around the valley but views outward from the structure itself.
46. Whilst the proposed buffer zone would allow study of its engineering at close quarters it would be inadequate to preserve longer views, even direct views of the whole structure from Newton's Bridge, let alone more oblique views and views from other vantage points. From these points, parts of the viaduct would be seen to varying degrees with buildings in the background, foreground and/or alongside. Rendering of buildings to show off the viaduct's lattice structure would add to the former's general prominence. Equipment and storage facilities for a rail depot on the western part of the site could also damage the structure's setting.
47. The viaduct like other railway structures was the product of an early industrial age but this does not imply its compatibility with modern employment buildings as some reflection upon other listed railway structures should illustrate. This impact is an issue of principle that bears upon the appropriateness of a LP allocation and cannot be left to a later planning application stage. Modern buildings would, in my view, have a more detrimental impact, in physical and in historic terms, than any resumption of coal stocking; an activity much more associated with this railway's origins and, as UK Coal pointed out, was prevailing at the time of listing. The buildings and plant associated with the former disposal point are being cleared and their replacement would require planning permission.
48. The viaduct may be redundant and isolated in terms of its previous railway use but there are plans to re-use it as part of a long distance trail in future. Although UKC were at one time seemingly unaware, the RDDP proposes a greenway (RC17c) and a long distance trail from Nuthall to Awsworth with one over the Bennerley viaduct (the Great Northern Path) (RC16b) apparently to be provided by Sustrans as part of a sub-regional/national network. This would afford a panoramic view of much of the valley and afford some impression of its setting in historic times. It would, as the objectors' accepted, afford significant views over the objection site and proposed employment buildings. I note the objectors' doubts about the trail's implementation, but it is premature to dismiss it at this stage. It has the potential to provide a memorable walking experience. Contributions from UKC to the viaduct's preservation might be welcomed, but not at the expense of damaging its setting with an employment estate. The advice of PG15 paras 1.4 and 1.5 are mainly concerned with finding economic uses for historic structures, which the RDDP proposals seek, and with general economic prosperity. They in no way support detrimental impacts on their setting.
49. Apart from the high architectural merit of its construction and, for most observers, its appearance, the viaduct is highly important to the history of a locality, which is placing great emphasis on its heritage. The preservation of its setting militates against development of at least the western part of the objection site.

Footpaths and Bridleways

50. Other footpaths cross and skirt parts of the site, including the popular former Nottingham Canal towpath, which is also used for fishing and nature study. The proposed employment buildings would, even with intensive planting, alter the experience of walkers and others. They would change an essentially rural area to a large employment park.

Nature Conservation

51. The Erewash Valley is an important corridor for migrating birds but it varies in width according to CD61, which is indicative. There is little evidence that most of site Ea12 itself plays such an important part in these functions, although adjoining areas to the north and south may do. Birds, dragonflies and butterflies can overfly the development and feed elsewhere as they do in other parts of the valley. A relatively open corridor could be maintained alongside the River Erewash for migrating mammals. Parts of the valley, particularly to the north and south are important for wintering birds and there is evidence that the disposal site, particularly the bunds, is used by roosting birds in some numbers and by about 20 listed species for breeding. I see nothing wrong in the records of wildlife groups; this is the basis for BTO surveys. Such surveys require knowledge but no professional qualifications in ecology. Recording species within areas of relatively homogeneous habitats also appears to be relevant for most purposes rather than on any more detailed basis. Part of the former coal disposal land and more importantly the adjoining bunds could be retained as open land in the objectors' proposals. This would reduce some of the concerns of the local wildlife group, although care would be needed in designing detailed proposals, as some species are not very tolerant of disturbance.
52. The objection site/s contains a SINC 2/251 based upon the Gilt Brook, which is of local rather than of County significance. It also contains a SINC under review, which includes the viaduct embankments and de-acidification ponds but not the former coal disposal site as a whole. The immediate environs of the former SINC could be incorporated within an open suitably landscaped strip in the proposals. This with appropriate road crossings, measures to maintain water levels and prevent pollution could help to preserve and even enhance its wildlife value, although employment development would clearly detract from the recreation experience. The ponds, which are apparently important for newts, dragonflies and water voles, could be preserved along with the embankments, which contain grasses, orchids and breeding and roosting birds. Equally important to the newts is nearby rough ground for the lengthy period of the year spent out of water. It is unlikely that the disposal point area has in the past played much function in this but the proposed buffer zone could and with the embankment and bunds adequate ground should be available for this and for other species. I am not convinced that a rail terminal itself would so compromise the wildlife value of the objection site/s.
53. SINC's do not enjoy the same degree of protection as SSSIs and LNRs. PPG9 advises that development affecting these national designations should not be refused planning permission if the impact can be addressed by planning conditions. I recognise the attachment of local wildlife organisations to the valley, but strictly in

respect of wildlife factors I am satisfied that development could be designed and conditioned to preserve much of the site/s' wildlife value and even offer the prospect of some enhancement. It should also conserve any protected species.

54. I am not sure how the Wildlife Group's future usage of the former coal processing area could be achieved given the site's relative elevation. A large water body and reed bed would seem more realistic on land adjoining to the south and north and I am unsure how practical and compatible woodland would be either. The settling ponds apart, Bennerley Marshes would appear to offer more scope for a nature reserve than the coal site as a whole. I am not convinced that general public access to the Marshes, the bunds and the viaduct embankment, as proposed by UKC, would prove to be in the best interests of nature conservation. The marshes are quite observable from surrounding roads.

Agricultural Land

55. The objection site/s is of low agricultural quality. Both the SP Policy 3/13 and government policy favour the use of this rather than B&MV land, as at Watnall/Nuthall, wherever possible. I see no sustainability considerations that suggest otherwise. However, the objection sites' low quality and use limited to grazing does not in itself justify its replacement with built development. It is a feature of much of the land in the area.

Drainage and Development Factors

56. The site is elevated above neighbouring land and should be at little risk of flooding. The objectors' proposals for sustainable drainage schemes should avoid exacerbating the flooding problems downstream on the River Erewash.
57. I note the Council's concerns over the possible impact of the WWTWs on the adjoining BP to windward. In my view, water companies should not sterilise any genuine development potential of neighbouring land. There are techniques for arresting odours and the companies should employ these as necessary. There are examples of WWTWs as good neighbours.
58. I see no insuperable problems in a major employment area catering for a range of employment uses, including B8, provided that the uses and HGV traffic can be suitably segregated. There are a number of such successful developments, including Jct 41 (M1) and Kings Hill; the W/N proposals also envisage a range of uses on neighbouring sites. B1 developments can be of two to three storeys and quite prominent itself. The proposals for Ea12 are capable of being phased and the infrastructure costs appear modest, particularly compared with the proposals at Watnall/Nuthall. Its potential rail facilities could be of particular attraction to logistics/distribution operations and provide an advantage over EM3f.

Transport

59. I have to consider the impact of traffic generated by the proposals in the future rather than that generated by the disposal point, which ceased years ago. Considerable time and effort was expended on the requirements for TAs for this site and in conjunction with site Ea8, as well as for other sites. I have expressed

concern elsewhere about the degree of detail that appeared to have been required at this stage. This involved considerable and in some respects unnecessary work not only for the objectors, but for the Planning and Highway Authorities as well as for the inquiry. In my view, the LP stage should concentrate more upon issues of principle; in particular whether any insuperable constraints on transport grounds are likely to prevent the proposed development proceeding at the planning application stage. The latter is the appropriate time to consider detailed highway improvement/mitigation measures. A more timely and more co-operative approach and the exercise of more professional judgement at this stage could save time and effort and might prove less combative. The absence of the Highway Authority to answer questions at the inquiry on their outstanding concerns was also unsatisfactory. It tended to encourage protracted correspondence and leave certain issues unresolved.

60. There is much to commend the Highways Agency's attitude that technical solutions to the impacts of the proposed developments on the highway network should be possible and deliverable. I note that the Agency had no objections to the Awsorth and Giltbrook sites subject to subsequent detailed assessments and assurances on developer contributions to mitigation/improvement measures. However, the latter is unnecessary at this stage; most developers will be well aware of the consequences of any shortcomings in this respect. I also note the LPA's submissions that, few, if any highway problems arise.
61. I was in few doubts that suitable highway accesses to the A6096 and to the A610/A6096/B6010 rotary could be obtained to serve the proposed employment parks on Ea12. Modelling the impact of the combined scheme may show a worsening of conditions at the A610/A6096 junction compared to the base scenario. However, as the Highway Authority point out, this does not suffer high levels of congestion except at some weekends; unlike many other junctions in the Greater Nottingham area. In my view, the issue is not whether conditions would be worse with the development/s but whether they would be unacceptable in the context of those prevailing generally in the sub area. A queue of 5 or even more vehicles on the site exit in the evening peak is of more concern to site workers and occupiers than to the highway network. Other queues may increase substantially in relative but much less significantly in absolute terms. The improvement scheme is designed to avoid queuing back onto the A610 itself. The gyratory would operate with reserve capacity in the am and pm peaks.
62. The modelled extra queuing on and on approaches to the junction pale almost into insignificance when compared to queues on the M1 and the A610 approaching Jct 26 and the Nuthall Island. It is sufficient at this stage for the objectors to outline the means of overcoming the Highway Authority's reservations without going into such fine detail. It is quite normal to point to other locations where proposed solutions have been accepted and it is the Authority's responsibility to justify any objections to them, not simply to disagree. I see no insuperable difficulties in improving forward visibility around the A610/A6096 Island or in the operation of traffic lights on only certain days of the week; even variations during the day are quite commonplace. It needs to be recognised that standards are guidelines. They need to be applied not as a matter of course but with some discretion as regards local circumstances and to any resultant harm. Reduction of traffic speed limits may eventually require other's approval but it is questionable whether the principle

should be in doubt when two of the three feeder roads are already subject to similar or lower limits and lower speeds may be the practice and be more efficient.

63. The purpose of all the TAs was to demonstrate that with mitigation measures no worsening of conditions on the highway network would result from the proposed developments compared with the base situation. However, this does not mean that acceptable conditions would exist everywhere. TAs took the Highway Authority's assumptions about the growth of traffic with no attempt to assess the robustness of these. The Nuthall Island and Jct 26 may be unable to cater with more traffic in the peak hours but this will not necessarily deter more motorists from travelling as CD25 accepts. In practice, peak spreading is likely to occur with extended queuing on the approaches to these junctions. TAs failed to adequately replicate existing conditions and to indicate the true extent of queuing. In the absence of surveyed data I was obliged to rely upon my own observations and the evidence of local witnesses.
64. Traffic in the am peak regularly queues back up the south bound off slip at Jct 26 on to the M1 itself, sometimes back to the mile marker. Apart from the inconvenience and costs of congestion, this creates potentially hazardous conditions on this section of the motorway. In the same peak, queues on the A610 east bound approaching Jct 26 can extend for up to about 1.5 kms. None of the mitigation measures proposed by the Awsworth/Giltbrook or the Watnall/Nuthall proposals to Jct 26 and Nuthall Island would improve these existing conditions significantly, although this objectors' proposals could improve the operation of the gyratory at Jct 26.
65. It was surprising therefor that more attention was not paid to the implications of the proposals emerging from the M1 MMS, particularly by the Highway and Planning Authorities. These proposals include new slip roads from M1 north bypassing both Jct 26 and Nuthall Island, an associated Park & Ride site based upon an extension of the NET to serve M1 - Nottingham traffic, and, according to NCC, a A610 flyover of Jct 26. These would if and when implemented bring significant improvements to Jct 26 and Nuthall Island providing "spare capacity". They call into question the usefulness of the series of "interim" minor measures to these islands and their approaches put forward in mitigation of development proposals. UKC and others were unable to say how many of these would then be needed. This at least raises the issue of the timing of major developments or alternatively whether worsening conditions should be tolerated for a few years. The weight to be attached to these draft proposals might be low when dealing with a S78 appeal. However, the LP stage is concerned particularly with the integration of land use and transport planning. It can quite legitimately avoid land use proposals that might prejudice or compromise key transport schemes; selecting others that do not. It may phase other proposals to take more timely advantage of anticipated new transport facilities. In the circumstances of this RDDP, I consider that, in this respect at least, the proposals for Watnall/Nuthall and for Awsworth are premature prior to confirmation and timing of these major new highway schemes. DCC's proposed link road from A610 to the centre of Ilkeston could also obviate the need for improvements to the junction of Newton's Lane with A610.
66. Although SP Policy 5/1 seeks a network of Park & Ride sites and LP Policy T4 supports provision of such sites in strategically appropriate locations there is, as the

objectors agreed, no identified need on Ea12. Such a facility here would be based upon a bus or feeder bus service. It's role in relation to a P&R site at Phoenix Park, 4.5 km to the east on the A610 and/or a site related to the M1 both based upon an extension of the NET, is unclear.

Rail Freight Facility

67. I recognise the opportunity to create a rail freight facility on the site, as identified by HF. I also recognise that Ea12 alone of all the employment sites put forward offers the potential to serve new employment development by rail as well as road. I appreciate the strong support given in PPG13 and RPG8, particularly in Policy 76, to this form of transport. However, I identify another strategic location for a rail freight interchange at Toton based upon the extensive sidings. This is identified by RPG8 as a rail freight terminal, is favoured by the SP in Policy 5/3 and the Local Transport Plan (CD25) for a regional road/rail interchange and is of interest to the railway freight company. This site is also situated in the Green Belt but I consider that its impact would be limited by local topography and the extensive railway infrastructure on and adjoining the site. I recommend in Chapter 3 that it should be identified as a major existing developed site in the Green Belt. Whilst, in principle a more local rail facility on Ea12 could be worthwhile in the interests of a more sustainable transport strategy, the benefits are insufficient to outweigh the objections on other grounds to the development of associated structures and an adjoining large employment estate and BP. The importance which HF attach to good highway access, the constraints of the existing and the expense of improved access could also inhibit the development of a stand alone rail freight facility.

CD14

68. I note the comments in CD14. I disagree with that assessment in respect of the setting of the Bennerley viaduct. I have seen no evidence of need for a country park or of the desirability of woodland planting on the northern part of the site.

Synthesis

69. The proposals for this objection site/s meet many of the criteria of RPG8 Policy 2, Policy 15, Policy 32 and Policy 76 and in part Policy 30. In most of these respects, it performs somewhat better than the Watnall/Nuthall proposals. But like those proposed allocations, it critically offends the area's natural resources and environmental and cultural assets due to its damaging impact upon this area of importance to Green Belt purposes contrary to Policy 6 and PPG2 and upon the setting of the listed Bennerley Viaduct and its future use as part of a long distance recreational route. In the light of this the site/s is also unacceptable as safeguarded land.

Recommendation

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

Ea13/H2x NEW HOUSING SITE - LAND OFF HALLS LANE, GILTBROOK**4.XX R203 Halls Lane Giltbrook - Addition describing newly-allocated site**

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

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

1420	5368	R204	Bellway Estates & Giltbrook Landowners Consortium Shoosmiths Solicitors	
599	4524	R204	Mr G Foster	Nottinghamshire County Council

H2x R159 New housing site - Land off Halls Lane - Insertion in table of new allocated site

1006	4854	R159		Nuthall Parish Council Browne Jacobson Planning Unit K&G Consultants
2223	6998	PC5		Greasley Parish Council Andrew Thomas Planning
1155	7030	PC5		Nuthall Parish Council Browne Jacobson Planning Unit
1006	7045	PC5		Greasley Parish Council Andrew Thomas Planning
1155	5129	R159		W. Westerman Ltd DPDS Consulting Group
1154	5063	R159		Stamford Homes Limited Barton Willmore Planning Partnership
1108	4965	R159	Mr M Bagshaw	Nottinghamshire County Council
599	4521	R159	Mr G Foster	
2267	6976	PC5	Mr MH Hodgkinson	
1419	6892	PC5	Mr AJ Lovell	
1419	5357	R159	Mr AJ Lovell	
1135	5037	R159	Mr I Moss	House Builders` Federation
228	6818	PC5	Ms SE Page	
123	4105	R159	Mr D Woodhouse	

H2x R205 Halls Lane Giltbrook - Insertion of policy for newly - allocated site

1108	4979	R205	Mr M Bagshaw	Stamford Homes Limited Barton Willmore Planning Partnership
599	4525	R205	Mr G Foster	Nottinghamshire County Council

H2x R206 New housing sites - Halls Lane Giltbrook - change to the Proposals Map - addition of allocated site

1499	5413	R206		Mr G Allen
1647	5586	R206	Mr AE Bacon	
500	5414	R206	Mr JW Beech	
1720	5721	R206	Miss K Bradbury	
1501	5415	R206	Mr B Brentnall	
1502	5416	R206	Mr H Brentnall	
1503	5417	R206	Mrs D Brooks	
1874	6027	R206	Mr K Calder	
1504	5418	R206	Mr KI Chamberlain	
1505	5419	R206	Mr PJ Cheese	
1596	5512	R206	Mrs D Cliffe	Erewash Riders Association
2041	6458	R206	Mrs CA Cresswell	
1721	5722	R206	Mr M Cutler	
1506	5420	R206	B Fletcher	

1604	5520	R206	Mr R Fletcher	
2138	6719	R206	Mr ML Franklin	
2139	6720	R206	KA Franklin	
1508	5422	R206	Mr FS Goddon	
1507	5421	R206	Mr D Goldsmith	
1631	5550	R206	Mrs J Halford	
1632	5551	R206	Mr P Halford	
1634	5553	R206	Mr SD Halford	
1633	5552	R206	Miss SJH Halford	
2137	6718	R206	Mrs A Haslam	
2136	6717	R206	Mr W Haslam	
1509	5423	R206	Mr TF Heaps	
2132	6701	R206	L Heath	
2130	6698	R206	Mr C Hedges	
1722	5723	R206	Mrs J Hedges	
1510	5424	R206	Mrs J Holland	
1511	5425	R206	Mrs M Housley	
2133	6702	R206	Miss N Johncock	
1875	6028	R206	Mrs D Kelly	
2140	6721	R206	Mr WJ Kruczkowska	
2141	6722	R206	Mr SL Kruczkowski	
1495	5409	R206	Mr A MacKay	
1512	5426	R206	Mr BN Mapleston	
1489	5404	R206	Mrs J McKellar	
1490	5405	R206	Mr AG McKellar	
1877	6030	R206	Mr DP Mitchell	
1513	5427	R205	Mr CM Mullen	
1514	5428	R206	Mrs E Murphy	
1517	5431	R206	Mr G Nequest	
2224	6805	R206	Miss R Newcombe	
1630	5549	R206	Mrs N Nicholson	
1518	5432	R206	Mrs L Norris	National Federation of Bridleway Associations
1521	5435	R206	Mr L Parnham	
1520	5434	R206	Miss B Parnham	
1519	5433	R206	Mr B Parnham	
1523	5437	R206	Mrs I Pearson	
1522	5436	R206	Mr AM Pearson	
1524	5438	R206	Mr BT Reynolds	
1526	5440	R206	Mr PJC Sapte	
1629	5548	R206	Mr A Selby	
1527	5441	R206	Mrs S Shipston	
1723	5724	R206	Mrs D Spence	
1724	5725	R206	Mr PN Spence	
2134	6703	R206	Mr M Stravino	
1528	5442	R206	Ms M Stuart	Giltbrook Preservation Group
1530	5444	R206	Mr W Syson	
1529	5443	R206	Mrs K Syson	
1605	5521	R206	Mrs FE Wharmby	
1532	5446	R206	P Wiggington	
1606	5523	R206	Mrs WM Wild	
2219	6801	R206	Mrs W Wild	Giltbrook Preservation Group
1838	5960	R206	Mr AA Wild	
1725	5726	R206	Mrs M Winfield	
1725	5727	R206	Mrs M Winfield	
1726	5728	R206	Mr MD Winfield	
1533	5447	R206	Mrs NL Winter	

Ea13 Omission of housing site west of Halls Lane, Giltbrook

1160	2447		Mr M H Hodgkinson	
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Council's response to objections made to the Pre-Inquiry Changes

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

Issues raised on objections prior to Pre-Inquiry Changes

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

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

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

- (o) There would be increased fears about security.
- (p) There would be a loss of privacy to existing residents, and potentially a decrease in property values.
- (q) The minimum net density figure set for the site is inappropriate.

Council's Responses:

(a) The loss of a greenfield site

7. The Council undertook an urban capacity study during its plan preparation which clearly indicated that some greenfield land would be needed for development, as previously-developed opportunities would be insufficient to meet Structure Plan requirements. The search for suitable greenfield land was undertaken using the sequential approach advised by PPG3 and included land on the edge of built-up areas. This site is not included in the Green Belt and has been restored from former colliery use to blend back into the landscape; it is therefore classified as greenfield land. It has been used for horse-grazing in recent years.

(b) Sequential approach not followed

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

(c) Too much development in the Giltbrook area

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

(d) The site is not in a sustainable location

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

(e) Setting a precedent for future development

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

(f) Loss of recreational value, including paths

12. The site is not open to the public, and therefore any recreational purpose it may have served has been only incidental and unofficial. Bridlepaths run along its western and northern boundaries respectively, and these would continue on their present alignments when development takes place. It is accepted that a section of these paths would become less rural in character when housing development occurs, but there need be no disruption to users. The short section of bridleway to be

Chapter 10 - Proposed potential housing and/or employment development sites
used as an emergency access to the site is straight with good visibility and therefore this arrangement need not compromise the safety of users of the bridleway such as horse-riders.

(g) Loss of wildlife value, including hedgerows

13. There are no designated wildlife sites within the site and the schedule produced in 2001 by the Nottinghamshire Biological and Geological Records Centre confirms that the site is not a "SINC under review". If it were to emerge that there were any protected species on the site, any application for development would be considered in relation to policy E18. Part of the former hedgerow on the north side of the bridleway to the north of the site has been affected by the adjoining housing development. However, hedgerow has been substantially retained adjoining the most recent Beazer Homes development, and in a similar fashion it will be possible to achieve protection of most sections of hedgerow on the western boundary of the proposed housing site. In fact the more significant hedgerow is on the opposite (western) side of this western boundary bridleway, and would not be affected by the development. Additional planting will be needed along the site's southern boundary, to act as a buffer against employment land, which will in part compensate for any removed sections of hedgerow.

(h) The site is affected by migrating landfill gas

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

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

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

(j) Noise and pollution

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

(k) Pressure on facilities, including schools

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

(l) Access across third party land

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

(m) Access should be from Halls Lane or A610

20. The land associated with the bridleway to the north-west of the site provides the only possible means of direct access to Halls Lane. This is impractical due to its restricted width and the acute angle at which it meets Halls Lane. It is also not possible to secure access direct to the A610, as this major road already has several points of access serving employment premises, for which there is greater justification than for residential use. If the site had no convenient access to the local road network, future residents would not be able to easily reach local facilities or public transport.

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

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

(o) Increased fears about security

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

(p) Loss of property values and privacy

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

(q) Inappropriate density

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

Background

1. I deal with this site in Chapter 4 where I recommend its allocation for housing in Phase 1 of Policy HX.

Recommendation

2. Refer to Chapter 4.

Ki(c) WEST OF CHURCH HILL, KIMBERLEY

Objections

1483	3999	Mr W Clay	Cleggs Solicitors
1482	3997	Mr J Clay	Cleggs Solicitors

Summary of Objection Issues

1483/3999: Mr W Clay

1482/3997: Mr J Clay

1. This is an objection to this site not being included for residential development. It is proposed that part of Ki(c) should be released from the Green Belt to accommodate a modest scheme for residential development. The Local Plan includes this site within an area of Mature Landscape (MLA). The release of part of the site will not significantly affect the MLA or the quality of view of wider landscape. The site is designated as a SINC. Since the designation, however, the site has lost the qualities that led to such designation. The removal of part of the site will not significantly affect such designation. The Local Highway Authority has been consulted and has informally confirmed that the use of the existing access is suitable for modest residential development. Development of the eastern portion of the site would not be affected by noise from the Council Depot adjoining the larger site or the A610.

Council's Response:

2. Site Details

Site Area	:	0.43 hectares (1.1 acres)
Location	:	The site is situated on rising ground on the edge of the Kimberley urban area. It is bounded to the north by Kettlebrook Lodge and the Church Hill Centre: Broxtowe College of Further Education. A former railway embankment creates the southern boundary, which forms an existing long distance trail and greenway.
Current Use	:	Greenfield, sheep grazed agricultural land (unclassified).
Ecological Value	:	The land forms part of a Site of Importance for Nature Conservation (SINC) and is also designated as part of a Mature Landscape Area (MLA). (See attached plan for location).
Green Belt	:	The site is in the Green Belt on the edge of the urban area of Kimberley.
Public Transport	:	The site is within walking distance (400m) of a frequent bus service along Eastwood Road/Main Street. (Approx one bus every eight minutes to Nottingham, Eastwood, Alferton, Beeston, Toton, Derby, Hucknall and Newthorpe).
Road Access	:	From Church Hill

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Round Table Papers on Housing and Green Belt).
4. Issues that were of particular importance for this site were:
 - (i) Development would result in the loss of a prominent area of Green Belt that contributes to the open character of this part of Kimberley.
 - (ii) The site is part of a SINC designation No.2/276 'Church Hill Meadows, Kimberley': (a neutral grassland SINC - rich meadows).
 - (iii) Development would have a detrimental impact on the Mature Landscape Area known as Babbington and Verge Wood MLA (see Appendix A).
 - (iv) Church Hill is narrow and very steep, and the proposed access would not be able to cope with any traffic from more than three dwellings.
 - (v) The anticipated density of development would be an inefficient use of greenfield/green belt land.
 - (vi) The site is under 0.5 hectares and is thus too small for residential allocation within the Local Plan.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table paper on Housing.
6. The Council's Urban Capacity Study examined all urban land in the borough to assess the potential for allocating development. A lack of available and suitable previously-developed sites, led to the need to locate development on greenfield/green belt sites. Although a greenfield site, site Ki(c) is situated on the edge of the urban area, a sustainable option for development within the sequential approach identified in PPG3. However, in this instance a number of difficulties have been identified which have led the Council to select other sites in preference to Ki(c). The reasons for this are presented below.
7. This site, as it is under 0.5 hectares is too small for allocation in the Local Plan for residential development. The Council does, however, consider that the same issues apply in the determination of this site for development as those which would be taken into account if brought forward as a windfall site. It is important to note that the Council have made no allowance for windfalls to come forward on greenfield land, reflecting advice in PPG3, para. 36 and in 'Tapping the Potential' page 19. This site is greenfield land.
8. The Council considers that the site contributes greatly to the quality of the countryside on this side of Kimberley, performing the important Green Belt purpose of checking the unrestricted sprawl of large built up areas and assisting in safeguarding the countryside from encroachment as identified in PPG2. The land enhances and retains the attractive landscape close to where people live, and is clearly visible from the surrounding settlement edge and the A610. The Council wishes to maintain the openness of this important part of the Green Belt. Built development on this site would be intrusive and harmful to the visual amenity. The existing Green Belt boundary is well defined, drawn tightly around the built settlement. The Council do not consider that any exceptional circumstances exist to alter this appropriate boundary. The area of Green Belt the site is situated within has been consistently designated and protected through successive local plans.
9. Policy E15 of the Revised Deposit Draft - 'Mature Landscape Areas' outlines the Council's commitment to the protection of MLAs, as identified by Policy 3/3 of the Structure Plan Review. Development would not be permitted which could damage or destroy the value of a Mature Landscape Area. MLAs are a local countryside designation which seeks to identify and protect those parts of the County's landscapes which have been least affected by adverse change. They were first developed by the County Council in 1992 and are adopted throughout the county. PPG7, para 4.16 states that authorities should rigorously consider the function and justification of local countryside designations, and only maintain or extend them where normal planning policies cannot

provide the necessary protection. The County Council commissioned an independent review of the need for and the effectiveness of the MLA designation as a whole in 1997. The review endorsed the need for MLAs to be identified as well as the way in which the designation has been developed and applied. As part of the Local Plan Review the boundaries of the Borough's MLAs have been reappraised. Current designations and new areas within these have been looked at applying stringent definitions and criteria taken from PPG7 and the recommendations outlined in the David Tyldesley Report, 'Nottinghamshire Landscape Guidelines'. The review, to be considered as part of the Council's Inquiry Changes, defines the additional areas and qualities that require protection and provides justification for the new boundaries.

10. In this case the site is situated within Babbington and Verge Wood MLA and no changes, as a result of the review, within the area in question are proposed. Appendix A, an extract from the County Council's Committee Report 10/9/01 outlines the overall character and interest of this area. The area is of County importance as it is a stretch of landscape close to the urban edge that still retains many landscape features that give the area its particular character. It goes on to explain that it is necessary 'to ensure that this predominantly pastoral landscape close to the urban edge is retained and landscape character is not eroded away by inappropriate development. The Council would not support the destruction of this landscape. The site significantly contributes to this designation. It is worth noting that the objectors did not make an objection to the Council's Mature Landscape Areas Policy.
11. The Council considers nature conservation designations on a site to be an important consideration in assessing its suitability for development. Part of a Site of Importance for Nature Conservation (SINC) is designated on the site (SINC No. 2/276) and any development would remove the interest here. Revised Deposit Draft Policy E17 'Sites of Local Nature Conservation or Geological Interest' does not favour development which would damage or devalue the interest of such sites unless there are special reasons which outweigh the recognised value of the sites. In this instance, the Council does not consider there to be any justified reasons.
12. It is clear from the Nottinghamshire Biological and Geological Records Centre (NBGRC), included in Appendix 5 of the objector's proof, that parts of the SINC, relating to grassland near Church Hill, has been damaged. However, it is still considered to be of importance and is part of a larger area which is worthy of designation. No information has been received to the contrary to suggest the area should be excluded from the designation. Indeed, information received by the Council from NBGRC in June 2001 identified the area as a confirmed SINC.
13. The objectors fail to mention in their proof the density of development which would be proposed on the site other than a 'modest development'. It is evident that a maximum of only three dwellings could be accommodated due to the highway constraints from the site onto Church Hill. This is indicated in Appendix 7 of the objector's proof in the letter from Nottinghamshire County Council. The Council considers this an inefficient use of greenfield, Green Belt land. The density is equivalent to 7 dwellings per hectare. This is not in accordance with advice in PPG3 and is contrary to the Council's objective of embracing the principles of sustainable development.
14. This site is protected for its important landscape qualities and its importance to the character of the wider area. Alongside the site's contribution to the purposes of Green Belt the site is part of a designated SINC and Mature Landscape Area. Development here, however limited in terms of dwelling numbers, would be wholly inappropriate.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a

revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.

2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I shall have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Search Sequence

4. The objection site itself is about .43 ha. However, it forms part of a small field, which with a small adjoining field has a total area of about 1.6 ha. It is a greenfield site situated on the edge of the urban area. As such it falls within category c) in Policy 1 of RPG8. I have seen no evidence that a few large releases from the Green Belt are more sustainable in principle than a greater number of smaller releases. It clearly depends upon their individual circumstances. The former may concentrate rather than extend public antagonism, but this is not a land use issue. There is no SP support or sound evidence for excluding small sites from the Plan strategy. However, there are constraints now on obtaining planning approval for greenfield sites and suitable sites should be allocated in the LP.
5. The land is situated within 50 m or so of Nottingham Road with its frequent bus services and thus it lies well within the Nottingham to Eastwood Transport Corridor which SP Policy 1/ 2 favours for major development. It is within 400 m of the nearest PS, about 600 m of the SS and within 200 m or so of Kimberley Town Centre with a good range of shops, services and facilities. It is in terms of accessibility one of the most sustainable locations for new housing development in the Plan area.

Agriculture

6. Both fields are in agricultural use as grazing land. They are not B&MV land in the ALC and are a small isolated parcel quite divorced and some distance from any

other land holding. Their value to agricultural is negligible and their development is to be preferred under SP Policy 3/13 and government policy to B&MV land wherever possible.

Green Belt and Landscape

7. The northeastern boundary of the objection site is formed by Church Lane and the rear of properties fronting the Lane. The southeast boundary adjoins a well-treed former railway line; the eastern part in cutting, the western part on embankment. The northwestern boundary adjoins a modern building with a car park occupied by a local scout group and play group. The objection site's southwestern boundary is unmarked; cutting arbitrarily across this small field. A little further west is a remnant hedge, which separates it from a small adjoining field, also in grazing, which extends down to an area of scrub and trees, beyond which is the A610 by-pass on embankment.
8. Despite the Council's original contention, the site is not a prominent area of Green Belt. Views to and from the countryside to south are highly restricted by planting, the by pass and by landform. Views to the east are curtailed by the landform and the well-treed former rail line. The two fields may be seen from Church Hill on the edge of the built up area but this view is not attractive as the Council suggests but is dominated by the unattractive and intrusive Council Depot which extends towards the by-pass, partly on Green Belt land. The opinion expressed in the July 1990 Report that the extension to the Depot would not substantially prejudice the open character of the site was clearly a vain hope that has been confounded in practice. This western part contains plant, machinery, materials and portable buildings. The fields may also be seen from the Depot access and Scout Club Car Park but with these buildings in the foreground and the well-treed former rail line on the horizon. Views of the two fields from the A610 by-pass are also dominated by the Depot and are seen against a background of the town among trees on rising ground beyond.
9. In consequence, these two small fields lack the appearance and character of countryside; they have more the character of overlooked land in an urban area. Development of these two fields would not involve any encroachment into the countryside. They contribute little to the 3rd purpose of Green Belts in PPG2. PPG2 para 1.7 makes it clear that the extent to which Green Belt land serves the objectives in para 1.6 is not a material factor in its inclusion in the Green Belt or its continued protection.
10. With their weak field pattern, lack of trees and the impact of the unattractive Council Depot, these two fields have none of the distinctive pastoral landscape of the Babbington and Verge Wood Mature Landscape Area described in the Council's Appendix A. The two fields lie on the north west periphery of this MLA which extends over the wooded and well-treed landscape to the east and the rolling open countryside to the south of the A610. The two fields are isolated and quite divorced from the wider MLA in visual terms and thus contribute little to its unity; the restricted view from the high part of the site of a very small area of rising ground to the south of the A610 hardly achieves integration. The reverse view is dominated by urban development.

11. The two fields could not be described as a landscape resource of County importance; they possess nothing to merit this designation themselves. Given these features it is difficult to see how the site and the two fields could be regarded as contributing significantly to the MLA designation. The Council were unable to explain the nature of this contribution; indeed they later conceded that the loss of the site would not affect the wider MLA. The comment in CD21 that the development would significantly affect the quality of view of the wider landscape is clearly incorrect. It is also at odds with the Council's subsequent view that MLA designation would not restrict development if this were found to be otherwise acceptable.
12. The recommendations in the Council's Appendix A appear to be unrelated to these two fields. There is no evidence that these two fields have been individually assessed in respect of their contribution to the wider MLA. NCC's information relates to the whole of the MLA. The Council is incorrect in saying that parts of the MLA lie outside the Green Belt in this LP and the suspicion remains that the boundary of the MLA followed the Green Belt boundary. The well-treed former railway line to the southeast forms a more logical boundary to the MLA on the north side of the A610. Local people almost anywhere may prefer views of fields to a housing development on the edge of the settlement. However, balanced against this is the clear priority for edge of urban sites expressed in PPG2, PPG3, RPG8 and the SP. In this case, views through the restricted gap on Church Lane, which is an exception, is dominated by the Council Depot, which the Council agrees is not attractive. The fields could not be described as an attractive landscape. Their loss is small compared to most other locations. I see nothing in the lack of a separate formal objection to the MLA; it is clearly bound up with the objection for a housing allocation. It is somewhat unsatisfactory that the public is unable to object to the designation of MLAs by the County Council, other than through LPs prepared by District Councils when the authors are not present to defend their designations.
13. Being so tightly contained, as the Council conceded, development would not constitute urban sprawl. Indeed, it would be a logical completion of the adjoining urban development, when seen from the town and from the by pass. It plays no part in terms of the 1st Green Belt purpose in PPG2. Its development would not extend further than the existing council depot with its buildings and its collection of plant and materials. It would be over 850 m from the edge of Awsworth out of sight beyond the A610. It would not increase the degree or perception of coalescence of Kimberley with Awsworth when seen from the A610 or from the interconnecting footpath along the former rail line. From these viewpoints, the A610 is the clear logical Green Belt boundary to the urban area, as it is to the west. The site does not, as the Council conceded, fulfil the 2nd Green Belt purpose. The 5th purpose can be served by Phasing Policy HX that I support, given that some greenfield land somewhere is needed to meet SP requirements.
14. I have no means of knowing what lay behind the unsuccessful attempt to exclude the site from the 1989 Green Belt LP. However, the two fields now perform very little Green Belt purpose and there is some need to take Green Belt land to meet SP requirements. Most casual observers would not recognise these two small fields or the rear part of the Council Depot as Green Belt whose current designation does little for the credibility of Green Belt policy. There is no clear

necessity to keep this highly contained local area open on Green Belt grounds. The current Green Belt boundary is not well defined in this location it cuts arbitrarily through the Council Depot.

Nature Conservation

15. The site is designated as a SINC grade 2 on the previous classification. This is a local designation that does not merit the same degree of protection as national designations. Grade 2, is apparently of local rather than County importance. It is of some concern that NBGRC were apparently not prepared to make available their criteria for designation either on the old basis or on the new basis. This is unhelpful. Taking matters so much on trust is particularly difficult in this case in view of the differing opinions expressed by various NBGRC's personnel and I afford more weight to the site surveyor whose opinion, which did not seem to have been denied, was that SINC designation could no longer be justified. NBGRC's attitude and approach leaves landowners ignorant of the features on their land that merit preservation. It leaves such sites open to destruction and degradation from commonplace agricultural practices. Indeed, apparently landowners are not even informed of their land being designated and they are not identified on the PM, contrary to the advice of PPG12, although IC17 is put forward to rectify this. These issues raise questions about the purpose of SINCs.
16. LP Policy E17 may afford some protection against building development but there is no protection from much more likely everyday agricultural practices. As such SINCs particularly those like this are likely to have a somewhat ephemeral value. There seems to be no clear strategy for their continuing preservation. Unlike with SSSIs, there is little indication of the occurrence of sites such as this locally and at the County level. This is not helped by the failure to disclose criteria and the internal decision to abandon grading. There is a paucity of information as to the purpose of such SINCs and whether it is species protection, public appreciation, field studies etc. The protection of SINCs from development is left to District Council's in their LPs but they have only limited knowledge of the sites and the criteria applied. As the Council submitted, it is difficult to ascribe much weight to this SINC due to the lack of information.
17. There is some confusion among NBGRC's site notes. The 2000 survey reported the fields to be uncut and ungrazed with a standing hay crop. The 1996 note reported that the series of pastures, which has been described as species rich, was now heavily grazed by sheep and apparently sprayed with herbicide as the diversity did not appear to be great.
18. The EMEC survey of December 2001 found that much of the grassland was species poor, dominated by a few species common in agriculturally improved fields. A few very localised patches contained a greater diversity and led to a classification of semi-improved grassland although it is not a high quality example of this as very few typical species were present with extremely restricted distribution. Their view was that semi-improved grassland is not considered to be as high a conservation priority as unimproved grassland. However, they suggest that due to the rarity of the latter (particularly in central and eastern parts of the County) semi-improved grassland of this type may be important in a local context. All recorded species were common and widespread at national and county scale and none are listed as

being of conservation concern on the national Biodiversity Action Plan or the Nottinghamshire BAP. None of the species are protected by the Wildlife and Countryside Act.

19. My visits at different seasons revealed a similar paucity of species with little discernible difference between the two fields, which have been close grazed by sheep. As the fields contained only commonplace widespread species, their value is very limited. However, the presence of a SINC is but one consideration. In this case it is outweighed by the highly sustainable location for housing development. The Council took a similar view in the case of site EM1f and a more obviously notable SINC. The few peripheral patches of more varied species does not justify sterilising the whole sites. I see little merit in the owners' offer of preserving the southern field alongside a smaller development, either in conservation, landscape or Green Belt terms.
20. A smaller development on the objection site itself would look quite arbitrary in this highly localised area in terms of Green Belt purposes, landscape, urban form and meaningful nature conservation. No matter how an intermediate boundary is treated it would leave the southern field highly vulnerable to further encroachment at future LP reviews.

Access and Traffic

21. I note the comments of the Highway Authority. With issues of highway safety it is difficult to accept unsatisfactory standards simply for a smaller development. Visibility to the left may be below the recommended standard but PPG13 and DB32 make clear that such standards have to be related to local circumstances. In this case, approaching vehicles are negotiating a steep hill which would improve their braking performance, help to contain their speed and deter overtaking onto the near side carriageway. The latter could be re-enforced by carriageway markings. Visibility could be improved by reducing the height of the wall to the adjoining cottage garden. A second or an alternative access might be obtained over the Scout Club car park to the north opening up both fields for development and perhaps some other small adjoining areas. These should be able to generate sufficient value to secure access over adjoining land.

Noise

22. The edge of the southern field is about 110 m from the nearest carriageway on the A610. This should, with appropriate mitigation measures in the design and construction of dwellings and perhaps some peripheral acoustic barriers, ensure that satisfactory noise levels are attained within dwellings and without. I note that the Council visualises no noise problems with a development on the northern part of the site; yet the southern part, although slightly nearer, enjoys more screening. Allocation H2i and recently constructed housing extend closer to A610, which does not generate the same intensity or duration of traffic noise as the M1 motorway. The fields adjoin a Council Depot with some capacity to generate daytime noise. However, most vehicle movements on the depot are shielded by buildings and measures are available to contain workshop noise. The presence of an adjoining depot did not prevent the Council from allocating site H1b and I see no reason why

it should here. The design of development, including landscaping could contain the unattractive views of the depot.

Synthesis

23. The objection site and the two fields are of very little value to the Green Belt, to the MLA, to agriculture and to nature conservation. On the other hand they occupy a highly sustainable location in terms of accessibility to PT and to services and facilities. They represent a significant under used opportunity. It makes little sense to develop the objection site alone in isolation. The two fields should be developed comprehensively and case law rules that Inspectors may have regard to the implications of their conclusions on land adjoining objection sites. With the possibility of another access I see no reason why these sites should not achieve an average site density of 40 dph, with perhaps lower density on the upper parts and higher on the lower parts. As a greenfield site they should be included in Phase 2 of Policy HX which should provide time to resolve the access issues.
24. The objection site and the adjoining fields should be excluded from the MLA and from the Green Belt. Consideration should also be given to excluding from the Green Belt the remainder of the Council Depot and the small triangular field to the west, drawing the Green Belt boundary along the A610 and the western side of the disused railway cutting, in order to achieve a clear logical boundary that reflects that immediately to the west.

Recommendation

25. I recommend that the objection site Kic, the remainder of the field and the adjoining field be excluded from the Green Belt and the MLA and allocated for housing at a minimum average density of 40 dph in Phase 2 of Policy HX. Consideration should also be given to excluding the remainder of the Council Depot and the small triangular field to the west from the Green Belt, drawing the Green Belt boundary along the A610 and the western side of the disused railway cutting.

Ki(1) NORTH EAST OF ALMA HILL, KIMBERLEY

Objections

1819 5929 Trustees of the late Mrs J M Wild Ian Bazley & Associates

Summary of Objection Issues

1. This is an objection to revised allocation H2I which even in its revised form does not overcome the overriding and unsurmountable objections. It should be deleted from the Plan. As this would result in a substantial shortfall in the housing requirement the proper application of site selection principles for new housing allocations set out in the Report of Consultation 1998 would result in the identification of a more appropriate series of small and more environmentally appropriate and sustainable sites around the urban edge of Kimberley/Watnall/Nuthall. A number of sites were considered and rejected in the CDP despite greater conformity with criteria for releases from the Green Belt. A reassessment of these sites should be undertaken to substitute for the inappropriate H2I.

Subsequently, in their statement of evidence site Ki(1) from among the sites in the CDP was put forward for release from the Green Belt to accommodate a modest scheme for residential development.

Council's Response:

2. Site Details

Site Area	:	1.9 hectares (4.7 acres)
Location	:	The site is situated on rising ground on the north western edge of the Kimberley urban area.
Current Use	:	Greenfield, agricultural land (Grade 3a)
Green Belt	:	The site is in the Green Belt on the edge of the urban area of Kimberley.
Public Transport	:	The site is about 550 m of a frequent bus service along Nottingham Road and about 650 m of a bus service on Main Road Watnall.
Road Access	:	From Branklene Close and/or Soarbank Close.

Background

1. On receipt of the objector's statement of evidence, the Council wrote to the agents on 13th November 2001 arguing that no duly made objection had been made in respect of allocation H2I as a whole and that it was not acceptable to propose an alternative site within the context of objections to R220. They referred to the regulations that only objections to changes could be made at the RDDP stage.
2. The objector responded in a letter of the 27th November 2001 that they were not informed of the deposit of the FDDP despite their involvement in the CDP. Following the closing date for objections, the objector became aware of the FDDP and were advised by Council officers to object to sites at the RDDP stage and thereby introduce the objection site, which was considered at the previous CDP stage.
3. The Council replied on the 29 November 2001. They enclosed a letter dated 21st August 2000 from the Council to the objectors which stated that as the representations were not made within the deposit period the objector would not be entitled to appear at the inquiry. They pointed out that in the duly made objection to the RDDP they were not advised that a new site at Alma Hill was sought.
4. I dealt with the Council's letter of the same date at the opening of the inquiry session previously scheduled for this objection on the 29 November 2001. I referred to the Pre-Inquiry Meeting in July when I specifically drew the Council's attention to a number of objections that had been made to the RDDP, which appeared to me to relate to the FDDP. I drew the Council's attention to government advice in PPG12, which suggested that the Council should have rejected objections such as these as not duly made. I advised that if the Council pursued this approach, they should advise the objectors accordingly and well

before the start of the inquiry so as to allow them time to mount any challenge and avoid jeopardising the inquiry timetable. However, I stressed that it was for the Council and them alone to decide which objections were duly made, although clearly they should act consistently. My responsibility was to deal with the objections that the Council had accepted and put before me. At the PIM, the Council acknowledged the issue but advised that they wished me to deal with all the objections that they had accepted and which were to be included in CD 30.

5. This objection is included on page 140 of CD30. At the inquiry, I referred to my advice at the PIM and to the Council's response and assurances. I knew of no provisions that allowed me to reject objections that had been accepted by the Council as duly made. The Council confirmed that they were unaware of any. I drew attention to the dangers of the Council acting inconsistently in respect of some objections but not others and at such a late stage in the programme. It was not for me to reject objections that had been accepted by the Council upon seeing the detailed evidence. I would, as the Council had requested, deal with those objections put before me whatever their nature; nothing more and nothing less. The Council gave assurances that they would not re-visit the issue.
6. The objector in seeking the deletion of H2I in its revised form, had, by way of substitution, suggested some re-assessment of those sites around Eastwood/Kimberley/Nuthall that had been rejected at the CDP stage. In the light of this, it was clearly open to the objector to put forward all of these sites. I could find no criticism that they then confined it to one of the sites rejected at the CDP stage.
7. The Council's letter of the 21st August 2000 was misleading. It would have been more accurate to inform the objector that a none duly made objection would not be put to the Inspector holding the inquiry. However, it is for the Inspector not the Council to decide whether to hear at inquiry those objections that had been accepted. In view of these factors, I ruled that I would hear the objector at the scheduled inquiry session.
8. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP. I have to identify other more suitable sites for housing and employment development.
9. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

10. This greenfield site of about 1.9 ha lies on the edge of the built up area of the town of Kimberley. It falls within category c) of the search sequence in Policy 1 of RPG8. It is about 550 m from frequent bus services along Nottingham Road, which is the spine of the Nottingham to Eastwood PT Corridor identified in SP Policy 1/ 2 as a preferred location for major development. This may be somewhat beyond the NCC's optimum walking distance of 400 m to frequent PT routes but the IHT advise that whilst this is a desirable walking distance to bus stops, 500 m is acceptable and standards need to be applied with discretion (CD127). The site is about as close as former allocation H2d to a less important bus route and is closer to the PT Corridor than site H2I at Watnall/Nuthall. LP Policy H6 clearly anticipates some housing allocations beyond 400 m walking distance of frequent bus services.
11. Furthermore, CD127 suggests desirable and acceptable walking distances of 500 m and 1000 m for commuting/school. There is also an hourly bus service along Hardy Street about 200 m away. The site is within 200 m of the nearest PS and within just over 800 m of the SS and about 700 m from the edge of Kimberley Town Centre. There is a PH within about 100 m and a local shop a little further away. It may not be the most accessible of locations, but it is not remote either and is reasonably sustainable; more so than former allocation H2d and other potential housing sites.

Agriculture

12. Like most of site H2I the land is B&MV, its ALC being grade 3a. It is SP Policy 3/13 and government policy to prefer the development of lower grade land such as on H2d and H2j wherever possible. However, this site would only be a small and very limited loss to agriculture.

Green Belt

13. The site is bounded to the southeast and to the southwest by the rear of dwellings on the northern edge of Kimberley. It is contained to the northwest partly by development. The land slopes down to the south from the hedge, which forms the north-eastern boundary. There is also a well established hedge along the south-eastern and north-western boundaries, which helps to soften the urban edge, but the south-western boundary, marked by a fence, presents a raw urban edge.
14. Due to its topography and to a lesser extent its vegetation this is a secluded site and development on it would not be visible at any distance from the open countryside to the north or west. It would only be seen from the edge of the town immediately to the east and south and from the adjoining PF to the north, which already has views off the adjoining town. The next nearest settlement is Watnall over 600 m away to the north east out of sight beyond the ridge. Newthorpe/Giltbrook lies over 800 m away on the other side of the valley. Development of the site would not lead to any increase in the degree or perception of coalescence of settlements. Being so well contained within the landform

development on the site would not constitute sprawl. However, as the objector accepted the adjoining field to the northwest has a similar landform and is largely contained on its northwestern boundary by existing development. Development of site Ki(1) would make it difficult to resist the development of this adjoining land at some future Plan review when similar arguments could be advanced.

15. The objection site and the adjoining site's development would involve encroachment into the countryside, contrary to the 3rd Green Belt purpose in PPG2. However, this would be on a small scale and its impact would be limited by the topography of the land. Its impact upon the open character of the Green Belt north of Kimberley would be minor both in absolute and relative terms. The 5th Green Belt purpose is largely served by the phasing Policy that I recommend that includes most greenfield sites in Phase 2 and thus assists urban renewal by encouraging recycling of derelict and other urban land.
16. The site is of very limited value to the purposes of the Green Belt. Although not subject to an objection, consideration should also be given to excluding the adjoining land to the northwest which has a similar character and which is also contained by development, the topography and a continuation of the hedge along the north east boundary. Case law establishes that Inspectors may make consequential recommendations relating to land outside an objection site. It is preferable to resolve this issue now than to revisit it at a future review when it would detract from the public concept of the permanence of Green Belt boundaries. The adjoining site could also be dependent upon the objection site for vehicular access. Development on the combined sites would round-off the existing pattern of development at this point in terms of urban form, topography and landscape. It would appear as a natural extension of the town and would in no way look intrusive or incongruous.

Access

17. Development on the objection site could take ready access from either or both of the adjoining Closes to the south. Access to the adjoining land to the north west would probably need to be via site Ki(1), whose development should provide for this. Development of the site would provide the opportunity to soften the existing hard edge to the town.

Synthesis

18. This is a small site of little value to the purposes of the Green Belt. It lies on the edge of a urban area in the Nottingham to Eastwood PT Corridor favoured for major development in SP Policy 1/ 2, although its size falls below the SP threshold for major development the SP does not preclude smaller scale development in PT corridors. The site is highly accessible to schools and reasonably so to other local services including PT routes. Its development would involve the loss of a small but acceptable amount of B&MV agricultural land. However, it would as a greenfield site only be brought forward for development in Phase 2 of Policy HX if it is shown to be needed by monitoring housing land supply and completions. This site's major advantage is that it would appear to have few development constraints and should be capable of being brought forward at short notice for development, which may be important given possible constraints on some other sites. It's intrusion into the

Green Belt and countryside would be very limited in scale and extent and indeed hardly noticeable, unlike site H2j and to a lesser extent H2d. At a density of 35 dph it could provide about 66 dwellings. If the adjoining site of about 1.5 ha is allocated, the total development could bring forward about 119 dwellings.

19. In these circumstances, the site should be allocated for housing development under Policy H2 at a density of 35 dph and included in Phase 2 of Policy HX. Consideration should be given to allocating the adjoining land (1.5ha) to the Northwest.

Recommendation

20. I recommend that the RDDP be modified by the allocation of site Ki(1) (1.9 ha) for housing development under Policy H2 at a density of 35 dph and inclusion in Phase 2 of Policy HX. Consideration should be given to allocating the adjoining land (1.5ha) to the northwest with the same density and phasing.

Ki2 SOUTH OF A610/EAST OF AWSWORTH LANE, KIMBERLEY

Objections

748 2397

David Wilson Homes North Midlands
David Wilson Estates

Summary of Objection Issues

748/2397: David Wilson Homes North Midlands

1. The site is suitable and available for development. Employment use is the preferred use, although alterations including commercial, leisure, tourism or transport could be appropriate. It has previously been used for open casting and has been back filled. Consequently it could well be defined as 'Brownfield' or previously developed land.

Council's Response:

2. Site Details

Site Area	:	5.9 hectares
Location	:	The site is situated to the south of the A610 which forms its northern boundary, with a dismantled railway and public house forming the southern boundary. The dismantled railway is included within the Babbington and Verge Wood MLA. The A6096/Awsorth Lane runs adjacent to the site's western boundary.
Current Use	:	Agricultural land (Grade 4).
Ecological Value	:	There are no designated wildlife sites on this land.
Green Belt :		The site is in the Green Belt and on the edge of the urban area. It occupies the majority of the gap between Kimberley and Awsorth.
Public Transport	:	The north-western part of the site is within walking distance of frequent bus services on Eastwood Road and Gilt Hill (approximately 7 buses

Chapter 10 - Proposed potential housing and/or employment development sites per hour). Services run to Nottingham, Nuthall, Kimberley, Ilkeston, Eastwood, Alfreton, Beeston, Derby and Hucknall. Infrequent services run along Gin Close Way.

Road Access : Access would have to be from Gin Close Way and road improvements would likely to be needed.

3. The Council has applied a standard set of principles in choosing sites for employment and standard criteria were also used to assess all releases of Green Belt land (see the Council's Round Table Papers on Employment and Green Belt).
4. Site-specific issues that were of significance for this site were:
 - (i) Development would result in the loss of a substantial area of Green Belt, which would result in the coalescence of Kimberley and Awsworth.
 - (ii) Development would result in the loss of open countryside.
 - (iii) Development would not relate well to the built-up area of Awsworth.
 - (iv) The site would be adversely affected by noise from the A610.
 - (v) Only a small part of the site is within reasonable walking distance of frequent bus services. Walking to and from these services requires awkward crossings of the A610.
 - (vi) It may be difficult to achieve satisfactory vehicular access to the site.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Papers on Employment and Green Belt.
6. The same criteria have been used to assess this site as for other sites. In this instance the Council has selected other sites in preference to Ki2. The reasons for this are presented below.
7. The most important of the issues identified was the fact that any development would fill part of the narrow Green Belt gap between Kimberley and Awsworth. The loss of the gap to development would be an unacceptable breach of Green Belt function as set out in PPG2 resulting in the coalescence of Awsworth and Kimberley. The Council considers that the separation of these two settlements is particularly important in retaining the identity and form of each. The land provides both a visual and physical separation of the settlements, where no special circumstances exist which are sufficient to outweigh the strong presumption against inappropriate development in the Green Belt.
8. Development would result in encroachment into attractive open Green Belt countryside, further enhanced by the well-wooded disused railway embankment which is adjacent to the site.
9. The Council has continually resisted development in this area including proposals for retail and housing development, to protect the sensitive Green Belt gap in this locality. The further difficulties identified strengthened the Council's view that this site is not suitable for employment or other development.

Background

1. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this

stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham at Phoenix Park and the Royal Armouries. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence I do not regard any slight shortfall of allocations as significant. The SP provision of land for BPs is on top of the general provision. It is not based upon past take up rates and offered a further margin of flexibility.

2. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location

3. This site lies within about 250 m to 450 m of Eastwood Road with its frequent bus services. Pedestrian access to these could be conveniently obtained via the subway under the A610 and Awsworth Avenue, rather than via the A610 and the Gilt Hill islands; the maximum distance involved being about 600 m from the western end of the site. Reasonably frequent services also operate along Gin Close Way to serve the western end of the site. Vehicular access could be obtained from Gin Close Way, desirably in conjunction with the existing access to the garden centre and builder merchants. It could also be obtained via Awsworth Lane. The site is located within the Nottingham to Eastwood Transport Corridor favoured for major development in SP Policy 1/ 2. The site is a sustainable location in transport terms and would be well placed as an employment site to serve the Eastwood, Kimberley, Awsworth and Ilkeston areas by public as well as by private transport. It is also well placed to serve a range of transport, tourism, leisure and commercial uses, principally by car.
4. The site's ALC is grade 4 and its development is to be preferred, other factors permitting, to that of B&MV agricultural land such as at Watnall/Nuthall. Lying adjacent to the A610 and its slips and the A6096, the site is affected by traffic noise. However, this should not prove to be a significant handicap to most of the uses envisaged for this south facing site; traffic on the A610 and A6096 does not generate the same intensity or duration of traffic noise as the M1.

Search Sequence

5. The site has been restored and is in agricultural use for grazing. It does not therefor come within the definition of previously developed land according to the criteria in PPG3 Annex C, even though it has been mined by open casting in the

past. It comes within category c) of the search sequence for development in Policy 1 of RPG8.

Green Belt

6. The site is separated from the main built up area of Kimberley by the A610 by pass and its slip roads. It adjoins to the south a public house and two dismantled railways, which are now well treed, the easterly of which is included in a MLA. Immediately to the south of the latter is a collection of uses in the area between Awsworth and Kimberley, which include a garden centre, builders merchants, a petrol filling station, an HGV depot, a small industrial estate and a PH; all excluded from the Green Belt.
7. The objection site would after the development of site H1b be the only open land on the eastern side of Gin Close Way between Awsworth and Kimberley except for the traffic islands which have an urban character in these locations. Despite its limited frontage of only 200 m, the site is highly important in preventing the physical merger of Kimberley and Awsworth at this point. It is also prominent as an open break when viewed from a section of the A610 by pass and its off slip road and from some parts of Kimberley to the north; particularly as from this angle the collection of urban uses to the south is largely screened by dense planting along the southern boundary of the site. Although it is included within the Green Belt, the A610 with its slips and island has an urban character over this section and is quite insufficient on its own to maintain a reasonable open break between the settlements. Although there is a narrow open break on the west side Gin Close Way, this again is insufficient on its own to maintain the separation of Awsworth from Kimberley and Giltbrook. Thus the site is highly important in serving the 2nd purpose of Green Belts set out in PPG2 para 1.5.
8. Although tightly confined, the site has some of the character of countryside and is not so dominated by neighbouring urban uses, due to the planting to the south. It thus serves to a more limited degree the 3rd purpose of Green Belts. Its development would be contained and would not involve urban sprawl. Where other more suitable land is identified, this site also assist in meeting the 5th Green Belt purpose.

Synthesis

9. The site's value to maintaining the last open part of this break between these two sizeable settlements is sufficient to override its locational and other advantages and is decisive on its own to condemn the proposals. I identify sufficient more suitable employment sites elsewhere.

Recommendation

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

Ki5 NORTH-WEST OF HARDY CLOSE, KIMBERLEY

1155 2415

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2415: Greasley Parish Council

1. Object to the site not being included in the plan. Suggest this site should be allocated for housing. The site lies within the existing urban area and is within a wholly/primarily residential area. The development of this site would utilise vacant urban land, reducing pressure on more sensitive greenfield land and therefore meet the objectives of sustainable development.

Council's Response:

2. Site Details

Site Area:	0.5 hectare.
Location:	The site adjoins the Kimberley Conservation Area at its south west side, and Hardy Close bounds the eastern side, which is adjacent to the Kimberley Railway cutting SSSI.
Current Use:	Open land held for possible future expansion by Kimberley Brewery.
Green Belt:	The site is not situated in the Green Belt.
Ecological Value:	There are no designated wildlife areas within this site. Two trees with TPOs straddle the northern boundary of the site.
Public Transport:	The site is within walking distance of frequent bus services along Eastwood Road. Services run to Nottingham, Eastwood, Alfreton, Nuthall, Kimberley, Ilkeston, Beeston, Toton, Derby, Heanor and Hucknall.
Road Access:	This would be from Hardy Close although major improvements would be needed.

3. The Council has applied a standard set of principles in choosing sites for housing (refer to the Council's Round Table Paper on Housing).
4. Issues that were significant for this site were:
 - (i) The owners of the site have advised the Council that the site is not available for development.
 - (ii) It would be inappropriate for access to a new residential development to be taken through the grounds of an employment site (the adjacent Kimberley Brewery premises).
 - (iii) Hardy Close is a narrow track which does not provide an appropriate standard of access. Improvements to the access arrangements may have adverse impacts on the adjacent conservation area and SSSI.
 - (iv) There may be adverse impacts on mature hedgerows and protected trees.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Paper on Housing.
6. The same criteria have been used to assess this site as for other sites. In this instance a number of difficulties have been identified which have lead the Council to select other sites in preference to Ki5. Of those factors identified above the most important were the unavailability of the site for

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Location

4. This site is some 200 m to 300 m from Eastwood Road with its frequent bus services. It is situated within the Nottingham to Eastwood Transport Corridor which SP Policy 1/ 2 favours as a location for major development. It is about 100 m from the nearest PS, about 400 m from the SS and is about 400 m from Kimberley Town Centre. It is by any measure a highly accessible and sustainable location for new housing development.

Search Sequence

5. The site of about .5 ha is unused rough grassland. It does not appear to be previously developed land and as an urban site it would fall within category b) of the search sequence in Policy 1 of RPG8 and is to be preferred to land on the

urban fringe which is in category c) and in particular to land within the adopted Green Belt such as at Watnall/Nuthall.

Access and Development Factors

6. Hardy Close is surfaced alongside the offices and car park. It should be capable of being improved within its about 7 m width without any adverse impact upon the SSSI or the adjoining Conservation Area. The former designation has not prevented housing development immediately adjacent to and partly on this SSSI only 300 m away to the north east. The CA extends some distance to the south and southeast. Its designation would appear to be based upon other factors than those presented by this unused site. CA status does not preclude appropriate development and it does not seem to have prevented the development of some substantial structures on the main brewery site and housing and other developments elsewhere.
7. Visibility from the junction of Hardy Close with Hardy Street falls below normal highway standards and is restricted to the east by a bend in the road. However, it already serves a small office car park and some residential properties and its greater use should not lead to any significant problems of road safety as traffic approaching the bend would be slowing. A secondary access might be available via Lulworth Court. The protected trees along the northeastern boundary should be capable of being retained in a sensitive housing scheme. The broken hedge and a few unprotected trees along the south western boundary might also be retained unless the adjoining unused strip could also be developed, in which case they would be no great loss, either in themselves or to the adjoining Conservation Area. New planting could provide adequate compensation. The lone tree on the southeastern boundary could be retained.
8. The site is clearly an underused asset. The Council believes that it is held for possible future expansion by Kimberley Brewery who has indicated to them that the site is not available for development. However, the Council overlooks a number of factors. The site is detached by Hardy Street from the main part of the Brewery to the south west; only a small office and workshop lie to the north. There is a much greater extent of vacant land to the south adjoining the main brewery complex that appears to offer more obvious potential for possible brewery expansion. The site is appreciably higher than Hardy Street and is separated from it by a narrow landscaped strip and a deeper unused strip. The site is adjoined by residential properties to the northeast and northwest whose amenities could be adversely affected by some brewery activities, that do not fall within a B1 use class. The Council even object to using an access, which already serves an office building (a B1 use) and its small car park and some dwellings.
9. I note the current position of the owners and whilst I see no evidence that the site, or the adjoining unused strip of land, offer any realistic potential for further brewery development, particularly when other apparently more suitable land is vacant and unused, I am unfortunately not in a position to question the matter further. However, the Council has some responsibility to try to maximise the potential of unused urban land in order to save greenfield and Green Belt land from unnecessary or premature development. I consider that they should seek further discussions on the future of this site and the adjoining land with the Brewery

Company taking the above factors in mind and I believe that an allocation for housing on this and the adjoining strip of land should act as an appropriate stimulus. Inclusion in Phase 2 should give the Council ample time for discussions and whatever other measures they find appropriate. It merits a density of 40 dph according to the criteria of Policy H6.

Recommendation

10. I recommend that the RDDP be modified by allocating this site Ki5 (.5 ha) and the adjoining strip of land for housing at a minimum density of 40 dph in Phase 2 of Policy HX.

Ki6 BUILDER'S YARD, EASTWOOD ROAD, KIMBERLEY

Objections

1155 2417

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2417: Greasley Parish Council

1. Object that this site was not included in the plan, as it was allocated in the current adopted plan – HO2g and no circumstances have changed. The site lies within the existing urban area, wholly within a residential area. In maximising the potential of vacant urban land, it can reduce the pressure on more sensitive greenfield land, forming a sustainable type of development.

Council's Response:

Site Details

2. Site Area: 0.9 hectare (2.2 acres)

Current Use: Former builder's yard, garages and storage areas on existing allocation, builder's yard on possible additional allocation.

Green Belt: The site is not situated in the Green Belt.

Ecological Value: There are no designated wildlife areas within the site.

Public Transport: The site is within walking distance (400m) of frequent bus services along Eastwood Road. Services run to Nottingham, Eastwood, Alfreton, Kimberley, Beeston, Nuthall, Ilkeston, Toton and Derby.

Road Access: This would be from Eastwood Road. Land acquisition may be needed to provide suitable splays. Maws Lane would be unsuitable.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing (refer to the Council's Round Table Paper on Housing).

4. Issues that were of particular importance for this site were:
 - (i) Lack of suitable access
 - (ii) Loss of existing employment land
5. The issue that was of particular importance for site Ki6 was the lack of suitable access which remains unresolved. Without the ability to achieve the necessary highways standards for an access to the site, development is not possible.
6. Part of site Ki6 was allocated in the 1994 Local Plan as site HO2g to accommodate 15 dwellings, at a density of 30 per hectare. However, it was not reallocated in this review at the request of the owners who wished to retain the site in employment use. The Council would apply the current density policy - Policy H6, and would expect a net density of at least 40 dwellings per hectare for residential proposals here; which may perpetuate the access difficulties.

The Council considers that this site provides valuable employment land within the urban area of Kimberley; and strives to prevent the depletion of such sites.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Location and Search Sequence

4. This objection site of about .9 ha is about 30 m from Eastwood Road and its frequent bus services and thus is within the Nottingham to Eastwood Public Transport Corridor favoured by SP Policy 1/ 2 as a location for major development. It is about 400 m from the nearest PS and about 900 m from the SS. It lies about 700 m from Kimberley Town Centre. In terms of accessibility, it is a most sustainable site. Most of this .9ha site is a former builders yard which appears to have been largely disused for years and has a run down degraded character, although it is well secured. The remainder is occupied by 23 lock up garages in various states of maintenance and some vacant areas that are subject to parking and fly tipping. Adjoining to the northwest is another unused plot of about .2 ha occupied by piles of rubble, which has a 14 m wide frontage to Maws Lane.
5. The site is a previously developed urban site according to the criteria in PPG3 Annex C. It is to be preferred to all other types of site according to the search sequence in PPG3 and Policy 1 of RPG8. It falls within Category a) in Policy 1 of the latter.

Employment Use

6. The Council considers that this site provides valuable employment land within the urban area of Kimberley. However, they fail to allocate the site for employment purposes. Furthermore a builder's yard does not fall under the employment uses in the UCO, but is, according to case law, sui-generis. Lock up garages and casual parking areas are not employment land either. Thus it is questionable whether Policy EM4, which is concerned with land and buildings in employment use, should apply. However, the criteria of this Policy EM4 offer some basis for assessing the merits of this unallocated site.
7. The buildings on the site in terms of their nature and condition offer no reasonable prospect for re-use, other than for some partial low grade storage. They are deteriorating and an eyesore. Redevelopment of such a small site for employment purposes is unlikely and such uses would have stricter access requirements than housing. Thus the premises meet criterion c) of Policy EM4.
8. The site has a most unattractive, degraded appearance. It is tightly surrounded by residential properties whose amenities already suffer in a number of ways from the state of the site. Any redevelopment for employment uses would have to be restricted to B1 uses in the interests of preserving the amenities of these residential properties. This would further restrict the site's employment development potential. In addition there would always be a danger of friction between any employment uses and the surrounding dwellings.
9. Whatever the owners previous wishes were and these can change as other sites have shown, the site has lain largely disused for quite a number of years without any steps to re-use or re-develop it for employment uses. The prospects are that a continuing faith in the re-introduction of employment uses is likely to result in a worsening condition of the site and buildings and more nuisance from fly tipping, casual parking and other activities to neighbouring residential properties. I am

surprised that the Council has not already come under some pressures to achieve some clean up the site.

10. The site's allocation instead for housing is more likely to provide the catalyst to bring forward its redevelopment and the resolution of these poor environmental conditions. There is also the prospect that a housing scheme could assist in rationalising rear access and parking provision for the dwellings fronting onto Eastwood Road, thus helping to relieve that road of some on street parking problems. In both the above respects, re-development of the site for housing would bring substantial relief of environmental problems and thus meet criterion b) of Policy EM4.
11. The Council provides no explanation why they allow the re-development of an existing employment business (probably in B1 use) for housing on site H2h, when they seek to introduce a new employment use on this long abandoned builders yard and LUGs. Site H2h is only about 1,500 m to the west off Eastwood Road and indicates the Council's opinion that there are sufficient sites for employment purposes in the immediate locality and the wider area. Both sites are located in residential areas and are surrounded by dwellings. There is clearly a need for consistency in the RDDP.

Access

12. The Council cites the lack of a suitable access as a reason why housing development on the site is not possible, although they supply no details of the anticipated problems. Their point however, overlooks the stricter access requirements for employment re-use and redevelopment, which the Highway Authority are likely to seek on any planning application for such purposes. Planning permission would be necessary for a change of use from a builder's yard to an employment use. Thus the Council's current stance is likely to condemn the site to continuing disuse and further deterioration.
12. DB32 advises that highway standards should be applied with some discretion according to the circumstances of each case. This is not always the practice, although I also observed that it appears to have been exercised with the access to the recently constructed Wentworth Court just to the east.
13. DB32 advises that standards may be reduced but not to a level where danger is likely to be caused. The Highway Authority would also need to bear in mind that the site in its present state allows for the use of 23 lock up garages and areas of open parking and the use of the former builders yard by HGVs, all of which would use the existing unimproved access, whose safety record could be checked. A redevelopment scheme for housing with improved visibility at the access should improve highway safety conditions over what could otherwise prevail. A new housing scheme might generate slightly more private vehicle movements but this is not the key issue; it would also generate potentially fewer HGV movements
14. The existing access is about 7 m wide at its junction with Eastwood Road; about adequate to allow for an access road to a modest housing development. Visibility to the right of approaching traffic is partly obscured by the front garden wall of neighbouring frontage properties and to some extent by on street parking. This

could probably be improved to provide an acceptable degree of safety with a reduced “x” distance by lowering the front wall to number 48 and possibly number 46. A redevelopment scheme could also help to relieve on street parking problems and improve road safety on this section of Eastwood Road. Visibility to the left appears to be reasonably safe, but it could be improved by modifications to the front wall of number 44. These works are quite minor and there should be a reasonable prospect of their implementation. Also some minor adjustment to Eastwood Road could improve visibility.

15. The unused plot adjoining the objection site to the northwest offers some prospect of a secondary access to Maws Lane. An adequate standard of visibility should be achievable to the Lane. The Highway Authority’s concern over an access adjoining a section of priority working is not entirely consistent with their own introduction of set outs on the heavily trafficked Chilwell Lane with a busy access to a Secondary School. The Authority has also permitted within that section a new access to a nursing home and a housing development on County Council owned land. I see no reason why an access onto Maws Lane, with perhaps a mini island, should not work and continue to afford priority for north bound traffic on the southern section.
16. This objection site and the unused plot to the northwest are clearly underused assets in a highly sustainable location. Their re-development for housing would be in keeping with the aims of PPG3 para 42 and of LP Policy EM4. They also meet many of the criteria of Policy 2 of RPG8. Their suitability for housing has been previously recognised with the residential designation of the objection site in the 1994 LP. A housing allocation would be preferable to allowing the site/s to deteriorate further and to using green field sites. As the Council accept, it is difficult to justify the development of Green Belt land while sites such as this exist. Although they are clearly no substitute on their own for Green Belt sites such as H2I, they can play an important part along with other similar sites.
17. Like other brownfield urban sites this site is not without its problems, otherwise they would have already been developed. In order to meet government targets and to preserve greenfield land, the Council may need to use some initiative and even their powers to bring brownfield sites forward for development. Indeed it is somewhat disquieting that the identification of this and other urban sites should have rested upon the initiative of Greasley Parish Council. It hardly conveys confidence in the Council’s Urban Capacity Study. The Phasing Policy and the Plan Review process allows for green field sites to be brought forward to meet any shortfall resulting from a lack of progress on brownfield sites. However, it would be counter productive to the Plan Monitor and Manage approach to ignore the potential of sites such as this at this stage and simply to allocate greenfield and Green Belt sites instead because of some ownership and other possible constraints.
18. This site should be allocated for housing at a density of 40 dph to reflect its accessibility to PT and, as previously developed land, included in Phase 1 of Policy HX. Also as a consequence, the adjoining unused plot to the northwest should be similarly allocated to achieve a comprehensive development scheme. This would bring the combined allocation to about 1.1 ha.

Recommendation

19. I recommend that the RDDP be modified by allocating objection site Ki6 (.9 ha) for housing at a density of 40 dph and within in Phase 1 of Policy HX. Also as a consequence, I recommend that consideration be given to including in the housing allocation the adjoining unused plot (.2 ha) to the northwest.

Ki7 SOUTH OF EASTWOOD ROAD, KIMBERLEY

Objections

1155 2418

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2418: Greasley Parish Council

1. Object to the site not being included in the plan. Suggest this should be allocated for housing. The site is within the existing urban settlement pattern and would therefore reduce the pressure on more sensitive greenfield sites and so form sustainable development.

Council's Response:

2. Site Details

Site Area:	1.0 hectare
Current Use:	Open land, extended garden.
Green Belt:	The site is not situated in the Green Belt.
Ecological Value:	There are no designated wildlife areas within the site.
Public Transport:	The site is within walking distance of frequent bus services along Eastwood Road. Services run to Nottingham, Eastwood, Alfreton, Kimberley, Beeston, Nuthall, Ilkeston, Toton and Derby.
Road Access:	This would be from Eastwood Road, achievable by demolition of the landowners' present house (number 59).

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing (refer to the Council's Round Table Paper on Housing).
4. The site consists of previously developed land and in general terms would be considered suitable for development if suitable access could be provided. However, the key issue in this case concerned the availability of the site for development. The Council understood that the site would not be available for development and as such the site was not allocated. However recent correspondence from the owner indicates that these circumstances may have changed. Whilst this correspondence was received after the pre-inquiry changes and too late to allow an allocation within the Local Plan, it is possible that development of this site could contribute to the windfall figures.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Location and Site Search Sequence

4. This site of about 1 ha lies outside the Green Belt towards the edge of the built up area of Kimberley. It is part of an extended garden to the rear of number 59 Eastwood Road, a large modern bungalow on a wide frontage plot. As such it falls within the definition of previously developed land according to the definition in PPG3 Annex C and in the view of the Council.
5. It is situated about 50 m of Eastwood Road with its frequent bus services and within the Nottingham to Eastwood Transport Corridor, favoured by SP Policy 1/ 2 as a location for major developments. It is about 400 m from the nearest PS, within 900 m of the SS and about 500 m from Kimberley Town Centre. It is in most respects a highly sustainable location in terms of accessibility. It is of no value to agriculture.
6. The site is contained by existing development to the north, east and west and by the heavily treed embankment of a dismantled railway to the south, which is included within the Green Belt along with an unused field to the south and a major Council depot and site Kic to the east. It has all the appearance and character of an urban site and thus falls within the highest category in the search sequence for

housing and development sites in PPG3 and in Policy 1 of RPG8. It takes priority over other greenfield urban sites and greenfield sites on the edge of the urban area, particularly those in the adopted Green Belt.

Amenity and Access

7. The rear gardens of the surrounding properties vary in depth from about 30 m/40 m to about 68 m. These are quite generous by modern standards for urban areas and development could take place on the objection site without any undue impact on the amenities of these neighbouring dwellings. These have no rights to a particular or an unchanging view. With a sensitive development scheme they should not suffer any undue loss of light and sunlight or dominance. Development on the site itself is screened from the A610 by the well treed former railway embankment and should not experience any undue traffic noise nuisance, but there are mitigation measures that can be taken to dwellings and to sites.
8. The Council considers that the site would be suitable for development if a suitable access could be provided. The frontage to number 59 should be capable of providing adequate, if not standard, visibility for an access to safely serve a modest housing development. I am satisfied that a satisfactory access to the site should be obtainable.
9. The Council's failure to allocate the site was attributed to its unavailability due to personal circumstances. However, the owner after the Council's PICs indicated that the position might have changed. This demonstrates the often ephemeral nature of such constraints and suggests adoption of a longer perspective for such allocations, which may act as the necessary catalyst to promote development.
10. The Council's response that the site could contribute towards windfalls is not so appropriate in this case. Unlike, site Nua only one owner seems to be involved. Also unlike Nua, the neighbouring properties would not benefit financially from the development and might object to a planning application unsupported by a Plan allocation. The site is of sufficient size for an allocation, which would provide more certainty to facilitate development of a sustainable, suitable site which with others can help to meet the SP housing requirement without any need for allocation H2I. In view of its location, a density of 40 dph would be appropriate according to Policy H6 and as a previously developed land it should be included in Phase 1 of Policy HX.

Recommendation

11. I recommend that the RDDP be modified by allocating this site Ki7 of about 1 ha for housing development at a density of 40 dph in Phase 1 of Policy HX.

Nu(a) WEST OF THE PADDOCKS, NUTHALL

Objections

1199 2829 Mr R Reynolds

Antony Aspbury Associates

Summary of Objection Issues

1199/2829: Mr R Reynolds

1. Object to the land west of the Paddocks, Nuthall not being allocated for residential use. The site amounts to 0.8 ha comprising the southern end of the long gardens of 6 properties fronting The Paddocks and Kimberley Road, Nuthall. The site is a strongly visually-contained space on the edge of the built up area of Nuthall to which it is obviously more closely-related than to the genuinely open, rural land in the Green Belt to the south of the A610 and to the east. The site has no ecological, landscape or other environmental value. Noise levels could be mitigated by appropriate protective measures. It lies within walking distance of the frequent bus service operating on the Kimberley Road corridor.

Council's Response:

2. Site details

Site area: 0.8 hectares (2.0 acres)

Current use: Domestic gardens.

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

Green Belt: The site lies within the Green Belt and is on the edge of the built up area of Nuthall.

Public Transport: The site lies within walking distance (400m) of a frequent bus service along Kimberley Road. (Approx 8 buses per hour to Nottingham, Eastwood, Alferton, Heanor, Kimberley, Beeston, Toton).

Road Access: From The Paddocks.

Other Issues: The site is under multiple ownership. The slip road onto the A610 lies immediately to the south of the site and the area is susceptible to noise.

3. Site Assessment

The Council has applied a set of principles in choosing housing sites and standard criteria were also used to assess all releases of Green Belt land (see the housing and Green Belt Round Table Papers).

4. Issues of particular importance for this site were:

- (i) Development would result in an intrusion into the Green Belt.
- (ii) Loss of mature trees.
- (iii) Site in multiple ownership/potential for site assembly problems.
- (iv) Site adjacent to major source of noise – the A610.
- (v) Problems achieving acceptable levels of amenity.

5. The Council must be sure in its allocation of housing land that the site in practice is likely to come forward for development. In this instance the Council is not assured that all landowners are positively committed to the allocation of the land. Any proposal for housing would result in

Rebuttal of Evidence submitted by Objector

6. The Green Belt boundary has been drawn closely around the urban area of Kimberley. The boundary follows a clear, logical line, with all of the built up area of Kimberley to the north of the boundary. The Council considers the current boundary is defensible, in part at least due to its longevity; more importantly the current boundary does what is intended in terms of checking the expansion of the urban area.
7. The essential character of Green Belts is their permanence (paragraph 2.1 of PPG2). This detailed Green Belt boundary has been defined for 16 years, and should only be altered exceptionally. In this case there are no special circumstances that warrant amending the Green Belt boundary. The Council would not amend the boundary unless the land was needed to meet the Structure Plan housing requirement. However, this Council would not allocate land to meet the housing requirement unless it was suitable and clearly available for housing development, and made a significant contribution to that requirement.
8. The Council would not wish to make many small alterations to the Green Belt as this would undermine the permanence of the Green Belt and increase pressure for further releases. Whilst the objector states in their proof that 36 dwellings could be accommodated on this site the specific site characteristics may limit further the contribution this site could make to the Structure Plan requirement.
9. In terms of availability the objector only controls the eastern end of the site. There are six other owners of land within this site and none of these owners have raised an objection to the omission of this site. The Council is therefore not assured that all landowners are positively committed to the development of the land.
10. The site is very close to the A610 - a major source of noise. The objector has provided no evidence concerning noise levels and therefore the statement "noise levels are not excessive and can be mitigated by appropriate protective measures" has no foundation. In the Council's experience development this close to the A610 would suffer from unacceptable levels of noise that would be difficult to 'design out'.
11. With regard to the potential layout, the site is relatively narrow and takes land from the rear gardens of existing dwellings. As such, and given the proximity of the overbearing structure of the A610 slip road, it would be difficult to ensure that the occupiers of the new dwellings had adequate levels of amenity, and that the occupiers of the existing dwellings also retained adequate amenity.
12. No doubt in developing the site all existing trees and vegetation will need to be removed. This together with the site's size and shape and the presence of the A610, would make it difficult to achieve an attractive development in keeping with the surrounding area. Furthermore it would be difficult to ensure development did not affect the setting or the views into or out of the adjacent Conservation Area.
13. Conclusion

For the above reasons the Inspector is respectfully requested to reject this objection and uphold the existing Green Belt boundary.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that

sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.

2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Search Sequence

4. This site of about .8 ha comprises the long rear gardens of a number of dwellings on The Paddocks and Kimberley Road. These dwellings and a smaller part of their rear gardens are excluded from the Green Belt. They are situated on the edge of the urban area of Kimberley/Nuthall. Lying with the curtilage of these dwellings the site falls within the category of previously developed land according to the definition in PPG3 Annex C and in the opinion of the Council. The Council accepts that these extended rear gardens are now in lawful use. Although these gardens fall within the Green Belt, they are in terms of use, appearance, character and location part of the adjoining urban area. As such the site unusually falls within category a) of the search sequence in Policy 1 of RPG8.
5. The site lies within a short distance from Nottingham Road with its frequent bus services and in the Nottingham to Eastwood Transport Corridor favoured for major development by SP Policy 1/ 2. It lies within a short distance of a PS and a modest distance of a SS and of Kimberley Town Centre. It is in most respects a highly sustainable location in terms of accessibility.

Green Belt

6. The Council's claim that the Green Belt boundary follows a clear logical line is not supported by the evidence. The boundary, which lies slightly to the north of the objection site boundary, cuts arbitrarily across domestic gardens, corresponding with no feature on the ground. The built up area comprises both dwellings and their gardens, except in this particular case. Without reference to the Proposals Map it would not be possible to identify it as Green Belt. Thus the boundary is neither clear, logical nor consistent. It is insufficient to point to other gardens within the Green Belt. They are rightly included if they serve Green Belt purposes. The present Green Belt boundary despite its age is in conflict with the advice of PPG2 para 2.9.
7. The longevity of the Green Belt boundary provides no more defense on this site than it does at Watnall/Nuthall, nor does the lack of objections to previous Local Plans preclude an objection to the current one. The tests of PPG2 are not, as BBC claim, to check the expansion of the urban area per se but only when they meet the purposes set out in para 1.5. PPG2 para 2.12 demonstrates clearly that Green Belts are not necessarily aimed at restricting urban expansion. Similarly the openness referred to in PPG2 para 1.4 is clearly in pursuit of Green Belt purposes. The grounds of Eastwood Hall have a more open character, but this has not prevented the Council from proposing to delete them from the Green Belt. Nor has the openness of the cemetery to the west of this objection site led to its inclusion in the Green Belt.
8. The site is highly contained both physically and visually by the A610 and its slip road to the south running on a steep high well-treed embankment. As the Council accepted, the objection site cannot be seen readily from the A610 or its slip road except for the most western part from the latter. It is contained to the east by the large well-wooded area of Verge Wood, which allows little intervisibility other than on the immediate common boundary. The retention of the substantial latter area within the Green Belt, in the absence of any objections does not in itself justify Green Belt designation on the much smaller objection site. Conservation Area policies on this larger area offer a more detailed and sensitive form of control. That area should also subject to Policy E15 but this was omitted in error from the PM. As the Council accepted, the character of the objection site is suburban gardens in contrast to the land to the east, which relates more to the countryside. In this case and with the additional Policy protection it enjoys, I see no danger of development on the objection site putting any real pressure on this more extensive area to the east.
9. The objection site is clearly not countryside but suburban gardens. It is physically and visually detached from the wider countryside to the south and very largely from the area to the east, there being little intervisibility. It thus serves no part in assisting the 3rd purpose of Green Belts in PPG2. Being only 15 m to 50 m deep and being so contained its development could in no way be regarded as sprawl of the built up area; to allege otherwise is to misunderstand the term. The nearest built up area to the southwest at Swingate is effectively part of Kimberley and lies some 250 to 450 m away beyond the A610 by pass. However, the objection site is quite unrelated to it in physical and visual terms and its development presents no danger of merging or any perception of increased coalescence. The 4th Green Belt purpose, by common consent does not apply and the new Phasing Policy that I recommend goes some way to achieving the 5th purpose of Green Belts.

10. The site is no more open than most suburban gardens. It clearly fulfills no discernable Green Belt purpose. Its continued designation presents a potential danger of an ad hoc incursion into the Green Belt. Exclusion of this objection site alone from the Green Belt would leave a very small triangular area of Green Belt immediately to the west, which would be illogical. Case law has ruled that Inspectors may make consequential recommendations in such circumstances even if no objection was raised on the adjoining land. The Green Belt boundary should therefore be drawn along the foot of the A610 and slip road embankment. Although I see some merit in terms of Green Belt purposes in Mr. Aspbury's suggestions for a more radical revision of the Green Belt boundary to follow the A610 for its whole length, this was not subject of any formal objection and it does not flow so readily from my recommendations on this site.
11. Importantly, the site has potential to meet some of the SP housing requirement and thus, with other sites, help to protect from development areas that fulfill important Green Belt purposes, such as Watnall/Nuthall. This provides the exceptional circumstances to justify altering established Green Belt boundaries. Deleted sites do not each have to make a significant contribution. It suffices that they can along with others. The Council's wish not to make small alterations to the Green Belt, expressed on this occasion, did not prevent them from such alterations to Green Belt boundaries put forward in CD 21b for a range of reasons. Alterations are changes whether they add to or subtract from the Green Belt. Exceptional circumstances are necessary in both cases.

Development Factors

12. The Council doubts the suitability of the site for a housing allocation for a number of reasons. The trees on the site are mainly garden trees whose loss, if necessary, would be no detriment. There would be no reason to affect the substantial belt of trees along the A610 embankment and slip road.
13. Due to the lack of intervisibility, there is little prospect of development on the site affecting the setting or views into or out of the adjacent Conservation Area. This in any case extends over 900 m to the east to include the more open and valuable areas around The Lake and Home Farm beyond a well-treed intervening area. Furthermore this CA already adjoins residential development.
14. The site is certainly subject to raised noise levels during the daytime mainly from moving rather than queuing traffic on the A610 itself. However, due to the landform these levels appear to be no greater than those experienced by existing dwellings in The Paddock and other recent developments further west alongside the A610. Carefully sited and designed acoustic fences towards the top of the embankment could help to reduce noise to satisfactory levels for both existing and any new dwellings and the latter unlike the former could be designed and constructed to mitigate noise effects at least within the dwellings. Traffic on the A610 does not have the same intensity or duration as that on the M1. There is no evidence that the site suffers unduly from poor Air Quality standards, restricted daylight or sunlight or that the well-treed embankment would be overbearing as the Council belatedly suggested.

15. The site varies in depth from about 50 m to about 15 m, according to Mr Aspbury. This still leaves dwellings on The Paddock with rear gardens of 12 m to 22 m; quite normal for modern developments. The depth and shape of the site may provide a design challenge but there is no evidence that this is insuperable. It may result in a lower density than would normally be required by Policy H6 but it would still produce more dwellings and be a more efficient use than in its present state and this should provide the material circumstances for any departure from development plan policy.
16. Development on the objection site extending to the south up to the A610 embankment would not be out of place with the existing form of development in the area. Development immediately to the west already extends to the A610 and in any case development on the objection site would be scarcely visible from most external views, as the Council accepts.
17. The lack of objection from other landowners is not necessarily indicative of any hostility to housing development on part of their rear gardens. Their decision may possibly depend upon the returns they each expect relative to their perceived loss of amenity, which is not a Green Belt factor, as the Council submitted. The objector who owns the largest plot could stand to gain more than others. Despite the objector's discussions with his neighbours, because of the number involved, the need for comprehensive development and possibly some noise mitigation measures, the situation presents some uncertainty at this stage for a housing allocation. As the potential developers are alive to the possibility of development, an allocation is unnecessary to stimulate interest, unlike other sites such as site Ea7.
18. This does not however, condemn the case. In Chapter 4, I support the Council's assumptions of an increased rate of development on windfall sites, principally because I have identified during the course of the inquiry potential at a range of sites. This, despite its size, is one such site, particularly in view of its previously developed status. The Council should appreciate that if they are to achieve these higher rates, and monitoring will demonstrate their success, they will need to take whatever steps are needed to facilitate development of previously developed sites such as this and Eastwood Lower School. This provides the exceptional circumstances to justify alteration of Green Belt boundaries.

Synthesis

19. Accordingly, I conclude that the site should be excluded from the Green Belt. It would be inappropriate for this previously developed, potential windfall site to be subject to the safeguarding Policy E13 that I recommend. Instead it should be left unallocated and considered under Policy H8 whose criteria it should be able to meet.

Recommendation

20. I recommend that the RDDP be modified by excluding this objection site from the Green Belt and by showing it without notation on the Proposals Map. As a consequence, consideration should be given to also excluding the small areas of Green Belt outside the objection site immediately to the north and to the west

Chapter 10 - Proposed potential housing and/or employment development sites and drawing the Green Belt boundary along the foot of the A610 and slip road embankments.

NU(b) LAND EAST OF LOW WOOD ROAD, NUTHALL

Objections

1118 2184 Mr J Holmes

Stoneleigh Planning Partnership

Summary of Objection Issues

1118/2184: Mr J Holmes

1. Land around Hemphill Hall, Nuthall (larger than site Nu(b)) notably the parts identified as A and B on the separate plan should be allocated for housing. If the larger Watnall site and Nuthall development goes ahead then this proposal would include a park and ride with an integrated bus service. The housing proposal would encourage accessibility by means of transport other than the car and minimises the need to travel; highly sustainable due to its close proximity to the NET station and bus transport interchange. The proposal conforms with government guidance.

Council's Response:

2. Site Details

Site Area	:	1.8 hectares (4.4 acres).
Ecological Value	:	There are no designated wildlife sites on this land.
Green Belt	:	The site is not situated in the Green Belt.
Public Transport	:	Frequent bus services run along Nottingham Road, 600m away from the site, less frequent services run within walking distance (400m) on Low Wood Road and Nuthall By-pass.
Road Access	:	This would be unacceptable from Low Wood Road, and an alternative would have to be secured through private land.
Other issues	:	The land is covered by Policy EV5 in the 1994 Local Plan, designating it as protected open space. Hemphill Hall Farm is a listed building, and views across this land contribute to its setting. land to the east of the farm buildings, within the Nottingham City boundary, has been committed for residential development.

3. The Council has applied a set of principles in choosing housing sites, (see the Council's Housing and Green Belt Round Table papers).
4. Issues of particular importance for this site were:
 - (i) The development of this site would constitute a significant intrusion into the Green Belt that would significantly narrow a Green Belt gap between settlements.
 - (ii) Development would harm the setting of a listed building.
 - (iii) It is a visually prominent site.
 - (iv) Loss of a protected open area that acts as an important break between the built up areas and provides both visual amenity and opportunities for recreation by virtue of existing footpaths.

5. The objector's proposal would involve the loss of a particularly prominent and important area of Green Belt. For all the reasons given above the site was considered unsuitable for development.

SUPPLEMENT TO PROOFS 005 AND 105

Rebuttal of points made in written representations submitted on behalf of objectors 1118 and 1644 regarding Land at Hemphill Hall, Nuthall.

1. The general points about housing land in its strategic context have already been considered at the Round Table sessions (see Council's submitted Housing paper and Notes of Sessions, CD83).
2. It is accepted that the Protected Open Area for Hemphill Hall has a different character and function to other larger Protected Open Areas in the Plan. The associated text for this policy (para. 3.101, policy E13) clearly sets out the justification for each of the areas and there is no inference that all Protected Open Areas should provide separation between settlements. As it happens, the larger Protected Open Areas such as Bramcote Ridge and Beeston Golf Course do have this function.
3. In their proof, para. 3.3, the objectors claim that if a bank of tree planting was retained along the north side of the A610, the Protected Open Area could be developed without visual harm. This is not the case as there are glimpses over the site from the outside edge of the Nuthall roundabout, and views over the land are also enjoyed on foot by users of the public footpath crossing the site.
4. The complex of listed buildings including Hemphill Hall has a setting mainly appreciated from across open land to the west and north-west, within the Protected Open Area. There are important views of these buildings from Low Wood Road, and from its junction with the A610 at Nuthall roundabout. These views are across Area 1, and also to a lesser extent Area 2, as defined in para. 3.5 and Appendix 2 of the objectors' proof. Although there is no mention of "setting" in the listing description, these views allow proper appreciation of rural buildings in their landscape, and should therefore be protected.
5. Area 3, as defined by para. 3.5 and Appendix 2 of the objectors' proof is generally higher ground which would become more prominent from the A610 as a result of the road junction of the proposed spine road with the A610 in this area. Vegetation would have to be cleared, and earthworks undertaken, opening up views of this part of the City's urban edge across Area 3. The Protected Open Area's function of providing a valuable green wedge along this approach to Nottingham would be harmfully compromised by housing development on Area 3.
6. The objectors draw attention to the transport infrastructure, including the safeguarded NET line, which is proposed for this Protected Open Area. It is agreed by the Council that the area's character will be altered by these proposals, but the Council still believes that it will continue to justify its status as a Protected Open Area by remaining essentially open. More views into this land from the A610 will be created by the works necessary to implement a new road junction. Built development on any part would more drastically change its character, in that it could not then be considered as open. The Council believes that the important views of the setting of the listed buildings (as explained in para. 4 above) would not be harmed by the spine road and NET proposals.
7. The objectors wish the line to run further south, away from the Hall, close alongside the spine road to its junction with the A610 before heading further east to link with the committed Phoenix Park terminus. Detailed planning of the route has not yet been undertaken in this area, and a variation of this nature may be able to be considered at the detailed route design stage for the NET before it is scrutinised through the Transport & Works Act procedures. However, this realignment does not appear to be practical, given the pattern of built development at Phoenix Park and thus the Council does not agree to the objectors' suggested change.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

4. This objection site falls into three parts. The objector proposes housing on Area 1 about 1.25 ha and on Area 3 about .75 ha; generally corresponding to Areas A and B on the Council's Plan. They also object to the designation of the whole site as a Protected Open Area under Policy E13.
5. The sites are not previously developed land according to the criteria in PPG3 and they thus fall within category c) of the search sequence in Policy 1 of RPG8. However, they are situated on the edge of the main built up area of Nottingham and within the Nottingham to Eastwood Transport Corridor. They are on both counts favoured by SP Policy 1/ 2 in principle for major development.
6. The sites are within about 400 m of frequent bus services along Low Wood Road and/or Nottingham Road. They are within about 450 m to 850 m of the P&R site at Phoenix Park, currently based upon bus services. However, there are proposals to extend the NET to this P&R site, which would significantly enhance the sites' accessibility in terms of Public Transport. The M1 MMS also proposes a further

extension of the NET through this objection site to a strategic P&R site west of Low Wood Road, which is intended to serve M1 traffic. There are no firm proposals to extend the NET to Watnall/Nuthall, although the RDDP envisages provision of a link road through the sites from W/N allocations to the Phoenix Park Park & Ride site to accommodate a shuttle bus service.

7. The sites are within about 500 m of the nearest Primary Schools. They are about 500 m to 900 m from a local supermarket and other local shops and about 1500 m from Bulwell Town Centre. They are accessible to the Phoenix Park BP, the Blenheim Employment Park and other employment areas in Nottingham. The sites are in many respects a sustainable location for new housing development.
8. Area 1 (A) is well contained on its east and north side by development at Hempshill Hall Farm and the edge of the Hempshill Vale housing estate and on its west side by Low Wood Road. It is generally lower than the surrounding development. It is largely level open grazing land with substantial hedges to the north and west. It is distinguishable from the area to the south and south east by the latter's by dense planting and topography.
9. Area 3 (B) adjoins the southern edge of the Hempshill Vale housing estate to the north and the garden of Hempshill Hall to the west. It rises up from the heavily treed valley to the south (Area 2) (C). There is a line of trees along its northern boundary and it contains a number of other mature trees. It is more closely related in physical and visual terms to Area 2 than to Area 1.

Protected Open Area

10. The Council originally opposed development, as it would be a significant intrusion into the Green Belt. However, the whole of the objection site is excluded from the Green Belt, which covers the area to the west of Low Wood Road and which is physically and visually separate.
11. It is however included in a Protected Open Area under Policy E13. These provide important open breaks in the built up area contributing to visual amenity and recreational opportunities. This POA is regarded as important to the setting of the listed buildings and to the approach to the city on a major route.
12. Neither Area 1 or 3 is very visible from the A610, although part of Area 2 can be glimpsed briefly from Nuthall Island. They are separated from the major road by dense planting. Development on either would have little or no impact upon this approach to the city. However, the situation could change substantially within the next few years but not as a result of the proposed link road/bus/NET through Area 2 as I recommend the deletion of these proposals along with the major allocations at Watnall/Nuthall that they were intended to serve.
13. The M1 MMS in its final draft Report proposes a major improvement to Jct 26 and to Nuthall Island in the form of free flow slip roads from M1 north to connect with A610 east of the Nuthall Island. It also proposes an extension of the NET from Phoenix Park to a major strategic Park and Ride site west of Low Wood Road to serve M1 to Nottingham traffic. It also proposes a flyover for the A610 over Jct 26. No details of routes have yet been defined. However, the most obvious and

probably the only practical route would be through Area 2 and the southern part of Area 3 of the objection site. This would bring the major road and PT approach to the city closer to Areas 1 and 3 and development on the latter occupying higher ground could be prominent from these new routes. The route of a NET extension is likely to be governed by the route through Phoenix Park and the alignment of the slip roads, which could preclude a more southerly NET route.

14. These works would have a major impact upon Areas 2 and 3, which would principally become a setting for the new routes. They would increase the isolation particularly of Area 1 in physical and functional terms from the remainder of the objection site and from Areas 2 and 3 of this very small POA.

Listed Buildings

15. The Act provides statutory protection for the setting of listed buildings to which LPAs are obliged to have regard, whatever the development plan might say.
16. However, there are few views between Hempshill Hall and Areas 2 and 3 due to intervening walls, hedges and dense planting. Views from Area 1 are of the less attractive upper parts of the minor western side elevation of the Hall. It plays little obvious role in the setting of the Hall itself.
17. Area 1 is more prominent in relation to Hempshill Hall Farm House and the adjoining barns, which are within Nottingham City. However, the barns have been converted to residential use and they and the residential Farm House are now an integral part of the adjoining housing estate, albeit of a different age. These former farm buildings have lost all connections with agriculture and rural areas. I see little useful purpose in preserving a small isolated field to provide an artificial open foreground. It does not merit sterilising an otherwise suitable site capable of helping to meet part of the SP housing requirement without taking Green Belt or valuable agricultural land. The urban area contains many similar buildings that have lost their historical setting, but which are no less interesting for that. They still provide a contrast with more modern development and some reminder of an earlier age.
18. The whole of the objection site currently has some amenity and recreational value and is enjoyed by people using the popular local footpath from the A610 through Area 2 with its stream and ponds, past Hempshill Hall and along the east side of Area 1. There is no evidence according to the Note by J Samuels of a deserted medieval village or settlement.
19. However, this environment is likely to change substantially after major new transport works through Areas 2 and 3. It would lose much of its natural scenic attractiveness, its seclusion and its peacefulness. Whilst pedestrian links may be retained, their character would be dramatically altered. They would be much more dominated by major urban structures and earthworks and by heavy traffic flows. Area 2 and the southern part of Area 3 would then function more as a landscaped setting to these new transport routes, than an informal recreation area. These works would fragment the whole site and isolate Area 1, in particular. The function of this small POA would then be most doubtful. It would not provide an important open break in the built up area, or contribute to visual amenity or provide

any valuable recreational opportunities anymore. Furthermore, the site adjoins an extensive Green Belt area to the west of Low Wood Road with ample opportunities to use footpaths in a more truly rural setting. Whilst the M1 MMS proposals would be on a larger scale their impact, bearing in mind the earthworks involved, would not be so fundamentally different to the transport proposals in the RDDP, whose impact, I believe, has been underestimated by the Council.

20. If the M1 MMS proposals are eventually approved and implemented, I would then see no objection in principle to housing development on Area 1, which might provide a catalyst for works to Hempshill Hall, which appears to be in need of attention. Access could be taken off Apollo Drive. However, new dwellings on Area 1 could lie within 50 m or so of major slip roads and a NET extension and could be subject to potentially high noise levels. It is unclear how much of the existing intervening planting would remain or how effective the ground contouring might be. However, some sound attenuation measures could be needed to protect existing dwellings on the adjoining housing estate. The northern part of Area 3, which could take access from the adjoining estate roads, could due to its topography be subject to even greater noise and visual impacts.
21. I recognise that the proposed slip roads and a NET extension have yet to be approved by government, the regional organisation and by the LPA and there is no doubt about their likely impact upon the objection site and on the Green Belt area to the west. However, Jct 26 and Nuthall Island are recognised as among the most congested and hazardous locations in the County. They have a detrimental impact in social, economic and environmental terms at this major gateway to the conurbation. The M1 MMS draft proposals probably offer the only clear practicable means of addressing the problems and they are critical to the future of the area. As such they may find favour with the numerous objectors to the Watnall/Nuthall allocations who raised the existing traffic congestion as one of the major issues facing the locality. It is important that the potential implementation of the M1 MMS proposals are not jeopardised by other forms of development in the meantime. It is appropriate that the RDDP, which has responsibility for integrating land use and transport planning, provides for this. The RDDP has the scope to identify other sites for development without compromising the potential of such important new infrastructure at this stage, even though a safeguarding route cannot be shown on the PM at present.
22. A housing allocation on Area 1 and possibly on part of Area 3 would however, be premature in the present situation. The situation should be reviewed if the M1 MMS proposals proceeded. Once they have been confirmed and the appropriate details are available, it could be appropriate to re-consider the potential for housing development of Area 1, which could be brought forward quickly and independently and also possibly part of Area 3.
23. The proposals for the spine road should be deleted to correspond with my recommendations on allocations H2I, EM2 and EM3f elsewhere. The POA notation should be retained for the time being until confirmation of the M1 MMS proposals.

Recommendation

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

Nu1 SOUTH OF BLENHEIM INDUSTRIAL ESTATE, NUTHALL

Objections

1133 2250

William Davis Ltd

Summary of Objection Issues

1130/2250: William Davis Ltd

1. Land adjacent to Blenheim Industrial Estate, Nuthall (part of Nu1) should be allocated for employment purposes as it is well related to an existing employment site, does not perform a significant Green Belt function and can help meet overall need for general employment land. Given need for deletion of employment land at Watnall, this site could also compensate for that loss.

Council's Response:

2. Site Details

Site Area	:	7.9 hectares
Location	:	Land to south of Blenheim Industrial Estate and to north of Sellers Wood.
Current Use	:	Agricultural land (Grade 3b).
Ecological Value	:	There are no designated wildlife sites on this land. The Sellers Wood Site of Special Scientific Interest adjoins the site to the south. SINC designations also cover Sellers Wood and the dismantled railway to the north of the site.
Green Belt	:	The site is in the Green Belt and on the edge of the urban area. The site occupies part of the gap between Nottingham and Watnall/Nuthall.
Public Transport	:	There are no frequent bus services within walking distance.
Road Access	:	From Blenheim Industrial Estate.
Other Issues	:	Development directly to the south of the industrial estate may damage the adjacent Sites of Importance for Nature Conservation and the SSSI.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for employment and standard criteria were also used to assess all releases of Green Belt land (see the Council's Round Table Papers on Employment and Green Belt).
4. Issues that were of particular importance for this site were:

- (i) Development of this site would result in encroachment into the countryside and would reduce the Green Belt gap between Nottingham and Watnall.
 - (ii) The proposed Green Belt boundary would not be secure.
 - (iii) Development could detrimentally affect Sellers Wood (an SSSI and a SINC), and the railway embankment SINC through which access would need to be taken.
 - (iv) The site is not within 400 metres of a frequent bus service.
 - (v) Development of this site could result in an unacceptable increase in traffic on Low Wood Road, and Nuthall Roundabout.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table paper on Employment.
 6. The Council's Urban Capacity Study (CD21a) examined all urban land in the borough to assess the potential for allocating development. A lack of available and suitable previously-developed sites, led to the need to propose development on greenfield/green belt sites. However, in this instance a number of factors have led the Council to select other sites in preference to Ki(c). The reasons for this are presented below.
 7. The site proposed by William Davis Ltd is part of site Nu1 referred to in the Consultation Draft (a document that presented all sites either identified by the Council or promoted by a landowner). The whole of site Nu1 was originally promoted by William Davis Ltd and had an area of 39.4 hectares. However, the Council at no stage identified this site as one that "might be appropriate for employment use" (refer to paragraph 3.14 of the objector's proof). Indeed the assessment of the site that later took place led the Council to consider that the site was not appropriate for development. The same conclusion has also been reached in relation to the currently proposed site (refer to the attached plan).
 8. Of particular importance in reaching this conclusion was the importance of the Green Belt in this area. In the Inspector's Report into the Adopted Broxtowe Local Plan (1994) (CD80 - Appendix 4 of the objector's proof) the Inspector states in paragraph 3.7 "The Green Belt to the west of Nottingham is of necessity tightly drawn, and particularly serves to keep open the narrow tracts of land that prevent neighbouring towns from merging into one another. Land referenced in the decision letter of the Secretary of State on the 1991 Structure Plan (para 5.43 of document D27c) south of Sellers Wood lying close to the objection site, is described as being in an area 'long regarded as one of the most important and most vulnerable parts of the Green Belt'; also 'provision for development in such a sensitive area would be totally inappropriate'. I would also endorse that latter conclusion in respect of the objection site".
 9. The Council concurs with the previous Inspector's view that this is a sensitive area of Green Belt, and does not consider Ashfield's or the City's views on what are clearly separate and distinct sites (dealt with in Appendix 2 and 3 of the objectors proof) are relevant. Nu1 is a site that the Council considers fulfils the purposes of Green Belt and visually contributes to the larger Green Belt.
 10. The Council is also concerned that the proposed Green Belt boundary is not secure. Whilst the east and south of the site is bounded by woodland, the most important western boundary is not strong, consisting of an intermittent hedgerow. Other boundaries further to the west could be considered just as 'defensible'.
 11. Sellers Wood is a SSSI, a nature reserve, designated ancient woodland and a SINC. This wood contains a rich ground flora of a type characteristic of ancient woods and its overall wildlife value is complemented by the presence of a number of ponds. Ash-wych elm woodland predominates on soils derived from the Permian age marl and limestones, but where these are overlain by sandy soils the woodland changes abruptly to a birch-oak-hazel community. Well-vegetated ponds which contain a diverse aquatic fauna and which are also valuable drinking areas for woodland birds and mammals provide additional interest. Sellers Wood lies to the east and south of the proposed site, and it is the northern part of this wood that would lose its connectivity with adjacent farmland, and would become visually isolated. English Nature has expressed its concern regarding these proposals, (refer to the correspondence from English Nature dated 27 September 2001 and 29

October 2001 at the back of the objector's Appendix 1) and the Council remains unconvinced that the measures proposed will ensure the protection of Sellers Wood.

12. The embankment (Blenheim Disused Railway) to the north of the proposed site is also a SINC site. The importance of this wooded disused railway site lies in its provision and support of a valuable and rather calcareous ground flora. The creation of access would be a major undertaking cutting through the embankment. This would be detrimental to the SINC's value and to its continuity and visual amenity. An unadopted but well-used footpath runs along the top of the embankment, and at one point enjoys open views across the site. The amenity provided by this path would be severely diminished were this proposal to go ahead.
13. The Council remains concerned that the development of this site may lead to an unacceptable increase in the traffic on Low Wood Road and Nuthall Roundabout. The exact magnitude of these impacts and what mitigation measures may be appropriate is not known at present. The Highways Authority are pursuing additional information in this regard to supplement the submitted TA.
14. As the Council has stated the site is not well related to a frequent bus service. The Highway Authority have requested that additional information is provided regarding Staff Travel plans in order to demonstrate the sustainability of this location.
15. The Council has proposed sufficient employment land to meet the Structure Plan requirement. The proposals for development at Watnall have already been discussed, as have issues regarding the deliverability of particular sites. It is the Council's view that sufficient employment land has been designated and that this land will come forward for development. As such the Council has avoided the need to propose less appropriate sites such as Nu1 which the Council believes should be retained as Green Belt.
16. The Council understands that the Inspector has recommended against Ashfield's proposed extension of Blenheim Industrial Estate. However, the Inspector's Report has only just been released and therefore full details regarding this decision are not yet available. Further details regarding this issue will be provided when they become available.

Background

1. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt. I note the objector's criticisms of the Watnall/Nuthall allocations, which I consider in Chapter 4 and 5. For reasons set out there, I recommend that apart from part of allocation Em3f, the other allocations, H2I, EM2 and EM3f, should be deleted from the RDDP
2. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham at Phoenix Park, Nottingham BP, the Royal Armouries and Stanton Tip. The allocations for other employment land may have fallen slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development.

3. I recognise the long-standing nature of some small allocations/commitments but it is not unusual for employment sites to take some time before their individual attributes coincide with the requirements of a particular employer. In any case, some progress now seems to have been made with the South Street sites at Eastwood. I am confident that the Plan allocations that I endorse are all capable of development within the Plan period and it is unlikely that the criteria of Policy EM4 would apply to these. It is more likely to apply to existing employment sites, but these do not figure in the SP employment land supply.
4. The SP requirements include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence, I do not regard any slight shortfall of allocations or a delay in the commencement of some as so significant. The SP provision of land for BPs was on top of the general provision. It was not based upon past take up rates and offered a further margin of flexibility. In these circumstances, I see no sound basis for additional sites to cater for the “fall out” of certain allocations. The LP process provides the opportunity to roll the employment land supply forward at the next Review supplementing it as necessary, as revealed by monitoring.
5. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location, Site Search Sequence and Public Transport

6. This site of about 7.9 ha adjoins the Blenheim Employment Estate on the edge of the Greater Nottingham main urban area. As a green field site it falls within category c) of the search sequence in Policy 1 of RPG8. However, it is a location identified in SP Policy 1/ 2 for major development. It neighbours a large outer housing estate of Nottingham which SP Policy 1/ 4 and RPG8 Policies 3 and 84 identify as priority areas for regeneration which includes provision for economic development, services and environmental improvements.
7. The site lies slightly further away from Jct 26 than allocation EM2 and EM3f at Watnall/Nuthall, although it could from the account in SP para 13.47 be regarded as being in the vicinity of this motorway junction. It enjoys good accessibility to the motorway network, although like other sites, traffic has to pass through the Nuthall and Jct 26 Islands, which are congested at peak times. The Blenheim Estate has shown itself to be attractive to businesses seeking a prestige location. I observed few empty properties. The site itself has a high quality landscape setting in comparison to other sites. It has clear potential for development for prestige employment development as envisaged in SP Policy 2/6 and 13/3. It accords, as

the Council accepted, with the advice of PPG4 and PPG13 on the location of employment development.

8. The objection site is but one extension that is proposed to this successful employment estate. Nottingham City proposed an extension to accommodate Raleigh on the northeast side of the estate and Ashfield District allocated an employment site on the northwest side. Although, the Raleigh HQ is now destined for Eastwood some distance away to the west of the M1 and the LP Inspector recommend deletion of the Ashfield allocation on other grounds, those proposals helped to demonstrate the sustainability of this location. Some employment development may yet go ahead on these other sites at some time in the future. One of the features of effective land use/transport planning is that larger employment zones are better able to attain the critical mass to support local services, more frequent and more varied bus services and to achieve greater synergies between occupiers. I have no reservations about the sustainability of this objection site in transport and employment terms.
9. The site is located within 120 m to 300 m of peak period bus services on Dabell Avenue. Such services are appropriate for employment estates rather than a housing development. Other frequent day time services operate about 300 m to 600 m away on Snape Wood Road. This may be partly beyond the Council's 400 m standard for Policy H6 but it is within the IHT's suggested guidelines of desirable/acceptable walking distances for commuting; 500 m/ 1000 m (CD127). I therefore do not share the Council's original criticisms of this location in terms of accessibility to frequent bus service and the Council subsequently saw no barrier on PT issues. The site may not be accessible to Eastwood and Kimberley by bus without changing, but I am not aware that allocations EM2 and EM3f are either. Road access from Eastwood/Kimberley would be via the A610 and the A6002 or via B6009, A611 and A6002 avoiding Nuthall island. Walking and cycling from Watnall and Nuthall could be facilitated with the provision of a suitable link between the Blenheim Estate and footpaths 1 and 18, which already exist west of M1, and which form the basis of proposed greenways RC17m and RC17l. This link could utilise the track to the south of New Farm and either part of the disused railway line or a route through the employment site to connect with the proposed access road to Dabell Avenue. The proposed link is on land within the objector's control and would meet Mr and Mrs Harper's objections (3015/3017) in respect of proposals RC17m. I am not aware of any SP Policy that militates against employment allocations on the edge of Nottingham; rather the opposite.

Access and Traffic

10. The site could be served by a single access from Dabell Avenue on the Blenheim industrial estate to the north. Following preparation of a TA, the two Highway Authorities confirmed in January 2002 that no significant detriment to the local highway network would arise as a result of the development. Any impact upon the operation of the Nuthall Island could be mitigated by an appropriate financial contribution towards improvements as part of any planning application. The Council at one stage withdrew earlier reservations about the impact upon Low Wood Road and Nuthall Island. In this case, I am satisfied with the suitability in principle of the site on traffic and transport grounds, although I hardly found that a TA of this detail was necessary for me to reach such conclusions. It is not for me at

this stage to resolve detailed issues that are more appropriate to a subsequent planning application, but I have no doubt that this should be achievable. Even if an impact on Nuthall Island could be demonstrated contrary to the assessment of the objector's consultants, improvements might be unnecessary if the proposals for free flow slips roads to M1 are implemented.

11. I rejected the objector's submissions regarding the acceptance of a TA by the two Highway Authorities. Whilst this may be significant, it is by no means the end of the matter for myself. Indeed, I have significant reservations about some aspects of the TA for the Watnall/Nuthall allocations that apparently satisfied the Highway Authority and the Highways Agency. It was re-assuring that the current objector's transport consultant confirmed one of these reservations and my own observations that not all approaches to Nuthall Island are saturated at am peak times; in particular the outside lane to Woodhouse Way. It was also to be welcomed that an earlier request by the Highway Authority for additional information on staff travel plans was dropped as this is entirely inappropriate in advance of an allocation, a planning permission, the building of factories and their occupation by employers, let alone staff.

Green Belt

12. The Council quotes the SoS decision letter on the 1991 SP whose sentiments were later incorporated in the 1996 SP. It is not for me or others to disagree with the view that the area around Jct 26 is sensitive or that certain locations around the junction perform essential Green Belt functions, the loss of which would be an unacceptable breach of Green Belt policy. However, the only specific example offered related to the area east of the M1 and south of Sellars Wood. This current objection site lies east of the M1 but north of Sellars Wood; it therefor lies outside the area identified by the SoS and the SP. Had either thought that the area of this objection site was so sensitive they could have chosen a different northern limit to the one they did.
13. The 1993 LP Inspector in para 3.7 of his report simply concluded that the objection site before him was totally inappropriate; it was not for him to amend the SoS's views. However, this earlier objection site was significantly larger than the current one, as the Council accepts. It extended westward up to the M1 motorway and within 70 m or so of the peripheral landscaping to the BP allocation (EM2) at Watnall/Nuthall. His conclusions that this earlier objection site would represent an encroachment into open countryside and significantly reduce the narrow band of open land separating Nuthall from the urban edge of Nottingham could clearly apply with similar force to the RDDP's proposals for Watnall/Nuthall. It would apply with much less force to the smaller current objection site.
14. Although, BBC may regard an extension of the main urban area of Nottingham to be more threatening than a similar expansion of their smaller settlements, the encroachment upon the countryside and the Green Belt is similar, as is the erosion of the intervening open break. It is interesting to note the Council's acceptance that is hard to put any other interpretation on para 13.47 of the SP that it also applied to areas to the west of the M1.

15. The 1993 LP Inspector should be applauded for his foresight that Babbington Colliery could provide for prestige development. This, it appears, escaped all the LPAs involved in the Joint Study, despite the comment in the 1994 Broxtowe Plan that this site of over 20 ha was considered to be the best economic development site in the northern part of the Greater Nottingham area. Experience has vindicated both opinions.
16. The weak hedgerow along the current objection site's western boundary leaves it open to view from the M1 and even as a careful driver I did not find difficult to observe it and the neighbouring Caterpillar building. It is visible from footpaths RC17m and RC17l and from some more distant viewpoints at Watnall. The site is clearly part of a rural area in appearance and character and its development would involve some limited encroachment into the countryside contrary to the 3rd purpose of Green Belts in PPG2 para 1.5. However, the Council and I conclude that some encroachment is inevitable somewhere to meet SP requirements.
17. Development of the current objection site would not however, extend the built up edge of the Blenheim estate further west into the open gap than the large prominent factory to the north. The objection site is tightly confined physically and visually on its northern side by a disused former railway embankment with the employment estate beyond and on its eastern and southern sides by Sellars Wood. In these circumstances, its development would not constitute urban sprawl nor would it significantly further erode the open Green Belt gap between the edge of Nottingham and that of Nuthall to the west of the M1. The site and the existing Blenheim estate are within about 1300 m and 1370 m respectively from the nearest point of Watnall. It is closer to the nearest point of Nuthall, about 850 m, but this view is screened by woods and the interconnecting footpaths are more circuitous. This may be compared to the 650 m to 700 m from the edge of the proposed Watnall/Nuthall allocations to the existing Blenheim estate. Indeed, the Council accepted that allocation EM2 would have more impact upon the open Green Belt gap and would be more prominent when viewed from M1.
18. Whilst the greater part of the urban edge is, as the 1993 LP Inspector found, well screened by trees along the disused rail line and by Sellars Wood, this is not the case with the large factory to the north. This is obtrusive and unattractive when viewed from the M1 and some points to the west. It presents a built form some 250 m in width which development of the objection site would about double.
19. Whilst I have criticised some planting schemes designed to mitigate the impact on the landscape and on the Green Belt of developing other unsuitable sites, the situation here is somewhat different. Development of this objection site would offer the opportunity for new planting to soften, in time, the edge of existing as well as proposed development. In the meantime, the proposed development site would respect the form of the existing estate and would not appear incongruous or out of place in this location. It would not intrude into the open gap when viewed from the west. It would therefore not matter so much if it was not fully screened by planting or that local people were aware of its existence, particularly as parts of Bulwell beyond are also visible.
20. New planting could also serve an important conservation purpose in this particular location by providing wildlife corridors between important woods, which are rather

isolated at present among arable land. The proposed planting would in the main be outside the site on land to be retained within the Green Belt. It would not represent an inefficient use of former Green Belt land, as BBC questioned, in contrast to certain other proposals and developments, including Watnall/Nuthall. The north-south aligned belts would soften the impact of existing and proposed development; the east-west belts would reflect the form of Bullwell, New Farm and Sellars Woods. None of the proposed tree belts would appear out of place in this local landscape nor would they reduce the openness of the Green Belt hereabout beyond the objection site itself. This also distinguishes this planting scheme from most others put before me, including that at Watnall/Nuthall, which would largely destroy the open aspect along about a 2 km stretch on the west side of the M1. The Council should appreciate that planting at the Watnall/Nuthall allocations would take just as long to mature as any on the objection site, but that the former would be much more necessary.

21. The existing western boundary though identifiable on the ground is an intermittent hedge. The proposals envisage reinforcing this by new planting, which could be substantial if desired. However, it is not this that provides a defensible boundary that would endure; as I have commented elsewhere new planting can be too easily replicated further afield. The proposed boundary gains its security from the reasons behind the release of the objection site. These relate to the objection site alone and could not be applied to any extension of development further west at any future LP review. It is these factors rather than particular boundary features that provide for secure long term Green Belt boundaries.
22. In consequence, I find that this site is significantly less important to Green Belt purposes than employment allocations at Watnall/Nuthall and alternatives to these that have been put before me at this inquiry.

Agricultural Land

23. The objection is grade 3b in the ALC whose development SP Policy 3/13 and government policy prefers to that of B&MV land wherever possible. On these grounds also, the site is to be preferred to most sites at Watnall/Nuthall.

SSSI

24. The site adjoins Sellars Wood, which is an SSSI, a nature reserve and is designated as an ancient woodland. The Council was concerned that the northern part of the Wood would lose its connectivity with adjacent farmland and become visually isolated. English Nature identified a number of negative impacts such as disturbance, interrupted hydrology, pollution, fly tipping, light and dust. However, the main problem they identified was of further isolating the ancient woodland within Sellars Wood and New Farm Wood from other ancient woodland to the north. This was a major concern as connectivity with woodlands to the east and southwest has more or less been lost through increasing urbanisation. EN believes that wherever possible development should be directed to the least ecologically sensitive sites in the borough.
25. Mitigation measures originally proposed by the objector to meet EN's concerns included a 10 m minimum buffer strip to the SSSI and a 5ms strip to the SINC.

These would aim to preserve the rich and important hedgerows and edge habitats around the site and the SSSI and would be of benefit to birds and bats. They would seek to avoid root damage to trees from excavations. Surface water from the site runs through the SSSI but swales and interceptor ponds could mitigate potential pollution and prove valuable to locally breeding toads. Scraped topsoil could create bunds to contain surface water and pollution and acoustic fences and insulated buildings could contain noise. Scraped areas could allow colonisation by stress tolerant plants. Construction impacts could be mitigated through programming and techniques. Enhanced planting outside the site could improve connectivity between woodlands in the area which are currently rather isolated and which provide a particular bar to the movement of woodland invertebrates, amphibians and small mammals.

26. Although the Council was unconvinced that such measures will ensure the wood's protection, they conceded that they lacked expertise and offered no evidence to support their concerns. It is unnecessary, at this stage, to require details more appropriate to a planning application. It is sufficient to know that the measures put forward are available to mitigate any significant impact. It will be for the LPA, advised by EN, to ensure that these are incorporated into detailed development proposals. There is nothing in them that should jeopardise the viability of an employment development. Indeed the "infrastructure" costs of this site should be low compared to EM2, parts of EM3f and others put before me.
27. Subsequently in December 2001, EN accepted the substantial planting around Sellars and Bulwell Woods and the hedgerow reinforcement. They were content with a 5ms stand off to the north but preferred a 15 m stand off to the SSSI. However, seemingly at the prompting of BBC, EN subsequently maintained its objection to the proposed extension and its view that development wherever possible should be directed towards ecologically less sensitive areas.
28. EN's point of principle is understandable. It is clearly better from their viewpoint that major developments should wherever possible be sited away from ecological sensitive areas. However, their position on this occasion raises a number of questions.
29. Firstly, it fails to pay heed to the advice of PPG9 para 27 that LPAs should not refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features. Secondly, it fails to address the advice in the last part of that paragraph that other material factors may be sufficient to override nature conservation considerations and that the site may, on other counts, be the preferred location to meet SP employment requirements. Thirdly it fails to address the main problem that both EN and the Council identify; the existing isolation of the woods in the area from each other. The objector's proposals proffer a solution to this major problem that would otherwise remain.
30. Neither EN nor the Council offer any explanation for the acceptance of much more extensive allocations at Watnall/Nuthall that involve developing part of an SSSI and completely surrounding the remainder and with a new spine road severing its linkage with the former rail line to the east. Nor do they offer any explanation for EN's lack of objections to the extension of the Blenheim Estate proposed by

Ashfield DC in their review LP. This adjoins a similar SSSI in Bulwell Wood and a SINC. The Council also seemed unconcerned about the impact of the proposed W/N spine/link road on Low Wood (SINC 5/754). Not for the first time, the impression is that constraints on LPA allocations can be readily left to the detail scheme, whether they be ecological, highway, availability etc., whereas similar constraints to objectors' proposals are treated quite differently, sometimes as insuperable obstacles. Such an approach is unhelpful to the LP system.

31. The Ashfield LP Inspector's concern seems to have been with the value of that allocation site itself and its potential as unimproved grassland as well as the impact of development on the adjoining SSSI and SINC. The former considerations do not apply to this site with its arable farming regime. Whilst that Inspector regretted the lack of detailed mitigation measures for the Ashfield allocation, I am satisfied with those outlined for site Nu1.
32. On other counts, I consider that this objection site is the most suitable put before me to meet the SP employment land requirements that I endorse. I consider that the mitigation measures proposed by the objector should address all potential negative impacts upon the adjoining SSSI itself. The techniques involved are reasonable, well used and understood. They would need to be supplemented with others at the design stage covering other detailed matters such as lighting etc.
33. The proposed planting belts linking Sellars, New and Bullwell Woods would be a major benefit to the ecology of the area in the view, not only of myself, but of EN and the Council.
34. Employment development on the site is likely to have a negative visual impact on the informal footpaths towards the northern edge of Sellars Wood, however much of the Wood would be largely unaffected particularly in summer.
35. I found the description of Sellars Wood to be not entirely representative of current conditions particularly in the part closer to the objection site. Whilst, the LNR may, at one time, have been fenced off from the SSSI this was not the case on my visits when there was little to prevent people from roaming through the entire area on informal paths, one of which is accessed via the disused rail line. The predominant species at least in the northern part appears to be Birch, which has a limited life, and I observed few young replacement trees. Ground cover plants appeared to be limited with wood anemone predominating. There was erosion of paths and banks and around water areas. I observed little bird life and few species. This area at least appears to be in need of proactive management in the future. As an immediate neighbour, development of the objection site might contribute towards this in some ways, particularly as the design and construction of development would be directed to maintaining the integrity of the Wood.

SINC

36. The Council is also concerned about the impact upon the adjoining SINC 2/324 on the disused rail embankment. They consider that a cutting through the embankment would be detrimental to its value, continuity and visual amenity and that the amenity of the informal footpath would be severely diminished. Like the objector, I consider the effect of the cutting to be a negative factor. However, in

most respects this would be limited. Provision could be made for continuity of the path and for the passage of mammals, if this is desired, although it is only an informal path and it continues west for only about another 100 m. This informal path already experiences views of the employment estate to the north. Furthermore, the Council have accepted development elsewhere which impacts upon SINC and LNRs and even destroys them such as in the case of SINC 2/247 and SINC 2/1097. The site notes for this SINC record its neglected condition, its paucity of species and the evidence of dumping. SINC do not enjoy the same degree of protection as national designations and the impacts of the objector's proposals are in this case limited and acceptable.

Synthesis

37. In conclusion, I consider that this site of 7.9 ha should be allocated for employment development under Policy EM3. It may not be a direct substitute on its own for the Watnall/Nuthall allocations, but it does not need to be. The Policy wording does not need to specify the precise dimensions of buffer strips to both the SSSI and the SINC at this stage, although I accept that a 15 m strip may be more protective in terms of tree roots and other factors than a 10 m strip. It should provide for planting not only on the western boundary of the site itself, but also on the western boundary of the existing estate to the north. New planting would need to be agreed with the Council as well as EN. It may be necessary, to restrict development adjoining the SSSI to B1 uses depending upon detailed design factors. I prefer the wording below to that proffered by the objector. Provision should also be made for a footpath/cycleway to link footpaths 1 and 18 (RC17m and RC17I) with the site and with the Blenheim Estate. There is no necessity to refer to contributions towards PT; this is already covered by Policy T1.

Recommendation

38. I recommend that the RDDP be modified by the allocation of this site of 7.9 ha for employment development under Policy EM3. The Policy wording should be on the following lines: "Employment development is allocated on 7.9 ha of land to the south of the Blenheim Industrial Estate and to the north of Sellars Wood. Development of the site should include suitable measures to mitigate the impact on the adjoining Sellars Wood SSSI and the SINC on the former rail line to the north, including appropriate buffer strips. A programme of planting on the western boundaries of the objection site and the neighbouring industrial estate to the north and to improve the connection between Sellars, Bullwell and New Woods shall be undertaken as part of the development. Vehicular access to the site will be from the Blenheim estate road to the north. Access for pedestrians and cyclists from the existing networks shall be provided; in particular a footpath/cycleway to link footpaths 1 and 18 with the site and with the Blenheim Estate. Green commuter plans will be required to maximise the use of public transport, walking and cycling."

Nu5 PROPOSED BUSINESS PARK SITE, EAST OF MOTORWAY/SOUTH-WEST OF NOTTINGHAM ROAD, NUTHALL

Objections

1155 2503

Greasley Parish Council
c/o Andrew Thomas Planning

Summary of Objection Issues

1155/2503: Greasley Parish Council

1. The site should be considered as an alternative to the business park allocation, at Watnall/Nuthall, policy EM2.

Council's Response:

2. Development of the site would completely fill a particularly narrow Green Belt gap. It is unlikely that satisfactory access can be provided and development is likely to exacerbate traffic problems in the vicinity. The topography of the site means that any development would be very prominent visually. The site is of insufficient size to meet Structure Plan requirements for a business park. The site has not been promoted for development by the landowners.

Background

1. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP.
2. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham such as at Phoenix Park and the Royal Armouries. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence, I do not regard any slight shortfall of allocations as significant. The SP provision of land for BPs is on top of the general provision. It is not based upon past take up rates and offered a further margin of flexibility.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I

have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Agriculture

4. This site is in agricultural use and according to CD14 is grade 3a in the ALC. As B&MV land it is SP and government Policy to favour the development of other suitable lower grade land wherever practicable.

Location and Site Search Sequence

5. It lies between Nottingham and Nuthall/Kimberley. It lies a little beyond the urban edge and is separated from the neighbouring urban areas by major roads and narrow areas of open land. It falls within either category d) or possibly c) of the search sequence in Policy 1 of RPG8. It is situated alongside Nottingham Road with its frequent bus services. It is located within the Nottingham to Eastwood Transport Corridor which SP Policy 1/ 2 favours for major development. It is well placed between Nottingham and Kimberley/Eastwood to serve the employment needs of these large urban areas by public as well as private transport. It also lies alongside the A610, the M1 and its Junction 26 and is well located to serve a wide area of Derbyshire and Nottinghamshire, principally by private transport. Access could be obtained from Nottingham Road rather than the A610.

Visibility and Green Belt

6. It is prominent in views from the M1 alongside. The southwestern part is also prominent from a section of the A610 before it goes into cutting. Buildings on the northern part would be visible from Nottingham Road through a fine avenue of trees. The eastern corner is visible from Nuthall Island. Much of the site is visible from Home Farm in the Nuthall Conservation Area and from the New Farm area of Nuthall. It is visible from the area north of Nottingham Road and the area to the south of the A610 (site Nu6).
7. It occupies much of the remaining open break between Nuthall on the outskirts of Kimberley and the extensive housing estates in Nottingham to the south and east of Nuthall Island. Its development for a BP would bring about the physical and visual coalescence of Kimberley/Nuthall with Nottingham destroying much of their separate and distinct character. As such, the site fulfils the 2nd purpose of Green Belts in PPG2 para 1.5 to a very high degree. The M1 and Nuthall Island could not fulfil this purpose to any satisfactory degree. The undeveloped land at Hempshill Vale on the north side of the A610 would not prevent the coalescence with the large housing areas of Nottingham to the south of the A610. This open land is also threatened itself by proposals for M1 link roads and an extension westward of the NET, even though I reject the proposed link road and NET extension associated with the Watnall/Nuthall allocations, which I also reject.
8. The site is clearly part of the countryside despite being surrounded by major roads. As such the site serves to assist the 3rd purpose of Green Belts in PPG2.

9. It is difficult to identify a more sensitive Green Belt site within Broxtowe. Indeed the site must logically fall within the sensitive area south of Sellars Wood identified in the SP in para 13.43 as performing essential Green Belt functions whose loss would be an unacceptable breach of Green Belt policy and call into question much of the other land included in the Green Belt. In the light of this, its promotion, even as a replacement for EM2 at Watnall/Nuthall, is unsupportable. In consequence, I consider its allocation as a BP or any other form of development to be unacceptable.

Recommendation

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

Nu6 WEST OF WOODHOUSE WAY, NUTHALL

Objections

1115/2179		Gaintaime Limited
1155/2482		Greasley Parish Council
		Andrew Thomas Planning
1219/2905	Mr GED Woodhouse	Ken Maffham Associates
1133/2364		William Davis Ltd

Summary of Objection Issues

1115/2179 - Gaintaime Limited

1. Further provision for new employment should be made in the vicinity of J26 of M1. J26 is recognised as having great economic potential for prestigious employment development. Land lies within a strategically important location and is an important gateway to the city. On the edge of an open area and its allocation for development would enable the juxtaposing of employment and residential uses, providing the opportunity to reduce the need to travel. (The objector proposes Site Nu5 and the top portion of Nu6 for a Business Park. See the Council's proof on Nu5 - Proof 106).

1155/2482 - Greasley Parish Council

2. Object to the site not being included in the plan. Although we remain unconvinced about the sustainable nature of business parks at such a low density in line with current planning policy, should the case be proven for the need for a business park, then we believe that this site in Nuthall would be a more appropriate location than the site in the Deposit Plan. A detailed analysis will show that the site lies adjacent to a business park already allocated in the City Local Plan. This is an eminently more suitable location to complete the business park requirements in the vicinity of Junction 26 if allocated, than the proposed site. Particular care should be taken in preparing a development brief to ensure minimal impact on the Green Belt. It should also set out explicitly, the associated infrastructure requirements and any off site highway improvement works required as a result of the development.

1219/2905 - Mr GED Woodhouse

3. This site is the most suitable site within the Local Plan area to be used as a business park by reason of:- its position adjacent to the existing built up area; - reduced impact on the environment; - ability to be served by an extended public transport network; - the site is commercially attractive; - the site will result in a sustainable pattern of journeys to work.

1133/2364 - William Davis Ltd

4. Allocate site west of Woodhouse Way, Nuthall for prestige business park in preference to proposed EM2 site. It is in a more sustainable location, requires less highway infrastructure to assimilate it into the existing network, it is better located in terms of access to M1 - the principal conurbation and in conjunction with the existing allocation at Chilwell Dam Farm - can provide a more significant business park of critical mass; it does not require major Green Belt release for other forms of development in association with it; it accords with government policy in PPGs 2, 7 and 13, the Structure Plan and Regional Guidance.

*Council's Response:*5. Site Details

Site area	:	32.2 hectares (80 acres)
Location	:	The site is situated to the south of Nuthall Village and to the west of Horsendale and Assarts Farm. It is situated to the west of the A6002, Western Outer Loop Road on Woodhouse Way to the south of Nuthall Island and Junction 26 of the M1 motorway. The site is bounded by the M1 to the west and the A610 to the north.
Current use	:	Agricultural land (25% Grade 2, 65% Grade 3a, 19% Grade 3b). Previously used in 1981 to dispose of colliery waste from the Babbington Colliery and progressively restored to agriculture. Greenfield land. No public access on the site.
Ecological value	:	A Site of Importance for Nature Conservation (SINC) occupies part of the site classed as a woodland SINC. (See attached plan for location).
Green Belt	:	The site is the Green Belt on the edge of the urban area. It occupies part of the gap between Nottingham and Nuthall/Swingate.
Public Transport	:	There are currently no frequent bus services within 400m or walking distance of the site. In this context a service of at least every 15 minutes is considered by the Council to be frequent.
Road Access	:	From Woodhouse Way. Improvements are likely to be needed elsewhere on the existing network, including to the roundabout on the A610.
Other issues	:	To the south of the site, within the boundary of the City of Nottingham, permission has been granted at Chilwell Dam Farm for a Business Park, as part of Structure Plan Review Policy 13/3. Construction commenced in 2001.

Site Assessment

6. The Council has applied a standard set of principles in choosing sites for employment specifically for the Business Park and standard criteria were also used to assess all releases of Green Belt land (see CD83 the Council's Employment and Green Belt Round Table Papers).
7. Issues that were of particular importance for this site were:
 - (i) Development would result in the significant narrowing of the Green Belt gap between Nottingham and Nuthall.
 - (ii) A small part of the site is designated a SINC (No.5/755 - Woodland adjacent to the M1 motorway).

- (iii) Development of the site would have a significant negative effect on visual amenity.
 - (iv) Development would result in significant intrusion into the countryside.
 - (v) The site has no ready access to frequent public transport services, other than those which are proposed for the Business Park to the south of the site. There is no evidence at this stage that this would be sufficient to serve this additional area.
8. These issues fed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Paper on Employment.
 9. This site has had the same consideration as other potential development sites. In this the Council has selected another site in preference, to accommodate the required business park. The reasons for this are presented below.
 10. The Council recognises that this site complies with the Structure Plan Review policy for the allocation of a business park in locational terms, in the vicinity of Junction 26 of the M1 motorway on the edge of the built up area. (Policies 13/3 and 2/6).
 11. However, the Council also considers this greenfield site to be within a particularly vulnerable part of the Green Belt. The function of the Green Belt here is to prevent the coalescence of Nuthall with the City of Nottingham. The loss of this relatively narrow and vulnerable gap to development would be an unacceptable breach of Green Belt function as set out in PPG2, and contrary to Structure Plan Review policy 1/5 and Local Plan policy K5. Its loss would effectively mean an abandoning of the Green Belt gap in this locality altogether.
 12. The Inspector to the Public Inquiry into the City of Nottingham Local Plan noted the vulnerability of this gap when examining the business park allocation at Chilwell Dam Farm, situated to the south adjacent to Nu6 (CD74a). In paragraph 6.11 of Chapter 7 of this Report the Inspector noted, 'whilst Green Belt revisions may be necessary to accommodate future needs, I have no doubt that changes should not be lightly made. In looking at the Chilwell Dam Farm proposals one of the prime considerations is the Green Belt function served by this land and the effect of its removal from the Green Belt. The gap between Kimberley/Nuthall and the western fringes of the City is narrow and a sensitive one. The Green Belt here serves to stop the spread of the City and to prevent coalescence of these built-up areas'. He went on to recognise that the gap between the major built-up areas is at its most sensitive around Junction 26 of the motorway.
 13. The Structure Plan Review also identifies the highly sensitive nature of this area for development. Paragraph 13.47 observes that the east side of the M1 and south of Sellars Wood performs essential Green Belt functions. The fields here provide a sense of openness revealing the remaining areas of the countryside within what is now a generally developed area.
 14. The Council considers that the western outer loop road (A6002) provides the most appropriate and strong long term defensible Green Belt boundary, with the area between this and the M1 creating an important break in development. This boundary and break, the Council maintain, were breached with the allocation of Chilwell Dam Farm for development. However despite the Inspector of the City Local Plan allowing development in this area the development will be heavily landscaped to help assimilate it into the wider landscape. The Inspector in paragraph 6.13 of his report noted that, 'The slope of the ground should help to visually contain the proposal assisted by substantial planting in a parkland setting'. In fact the Council believes that the maintenance of the open land to the north and south of Chilwell Dam Farm is important to the setting of the development. The Inspector went further in paragraph 6.14 and commented that he was, "... quite confident that it (Broxtowe) should be able to defend the new boundary through its own Local Plan protecting the land to both north and south of Chilwell Dam Farm.
 15. The site is also unsuitable for development for reasons of size even though the site area totals 32.2 hectares. Objector 1219 outlines in their proof the amelioration measures that would be undertaken with development of the site. Existing landscape and other valuable features would be conserved and extended with further planting, this can be seen in the objectors concept map at the back of their proof, although it is difficult to assess how much additional planting is proposed due to

the absence of any scale or context. The Council would require certain measures additional to those proposed, to ensure that a high quality environment would be created. Development would need to be set back at least 100m from the M1 including substantial structural planting to act as a barrier to the constant traffic noise. As a result of these requirements and extensive landscaping the available developable area would be diminished to approximately 17 hectares. This is not considered by the Council to be adequate to satisfy the Structure Plan requirement of 25 hectares. Consequently the site would not be capable of providing sufficient land for a business park. A smaller than required allocation would unreasonably risk constraining market demand.

16. This was acknowledged in the Junction 26 Study - Stage 2, (CD88) which identified site Nu6 as Site B. Paragraph 17 summarises the issues for this site and states, 'The overall size and shape of this site make it highly likely that once parkland/landscaping areas were provided, as required by Structure Plan Review policy 2/6, the remaining area of the site would be too small to be considered for a business park development'. Consequently, the report concluded in paragraph 44 (e) that 'Sites B to I are ruled out on planning and/or transportation considerations'.
17. Development of site Nu6 would undoubtedly create an increase in traffic within the area. All motorway traffic accessing the site will go by way of Junction 26 and through Nuthall island. The Nuthall island will also be on the main route for traffic between this site and Nottingham, and there would be increased usage of Woodhouse Way. However, objector 1219 has failed to address such issues and has not acknowledged that any improvements to the existing highway network would be necessary. No evidence has been supplied to suggest that a transport assessment has been carried out to support the proposed development. This is a very important concern since the development at Chilwell Dam Farm will create a substantial increase in traffic within the same area and on the same routes. There is also no evidence to suggest that there would be any agreement with the relevant parties that bus services could be extended to service the site.
18. The Council considers nature conservation designations on a site to be an important consideration in assessing its suitability for development. A Site of Importance for Nature Conservation (SINC) is situated within the site. SINC No.5/755 is a small oak dominated woodland with evidence of a fox lair in the far eastern corner. Revised Deposit Draft Policy E17: 'Sites of Local Nature Conservation or Geological Interest' does not favour development which would damage or devalue the interest of such sites. In this case the Council has no details of how objector 1219 would conserve and enhance this SINC, as referred to in their Proof under Habitat H, or indeed how close development would border it. For clarification this area is not considered to be 'Verge Wood'. Verge Wood exists to the north west of the site situated within the Babbington/Verge Wood Mature Landscape Area.
19. For the reasons detailed above, principally those relating to greenbelt, the Council does not support any development of this site. The Council also does not consider that the site is a satisfactory alternative to the proposed Business Park (EM2) allocation at Watnall. The Council considers that a mixed-use development served by its own infrastructure and facilities incorporating additional employment land and houses will create a more sustainable development avoiding a number of smaller greenbelt releases. For details of the proposed development at Watnall, see the Council's Proof 014.

Background

1. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP.

2. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham such as at Phoenix Park, the Royal Armouries and potentially at Stanton Tip. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence I do not regard any slight shortfall of allocations as so significant. The SP provision of land for BPs is on top of the general provision. It is not based upon past take up rates and offered a further margin of flexibility.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location

4. The site adjoins the main urban area of Nottingham and is thus favoured as a location for major development in SP Policy 1/ 2. As an edge of urban site it falls within category c) of the search sequence in Policy 1 of RPG8.
5. The site lies between the frequent bus services along Nottingham Road to the north and those to be provided to serve the Nottingham BP to the south. As a greenfield site it is not well served by frequent services at present. However, a BP development could reasonably expect to secure some short extension of services from the adjoining BP; it is premature to expect operators to commit themselves to this before services to Nottingham BP have become operational.
6. The site adjoins the extensive outer suburbs of Greater Nottingham, some of which are highly disadvantaged and are favoured for priority action for economic development, services and environmental improvements in SP 1/ 4 and RPG8 Policies 3 and 84. The latter in Policy 15 lists a number of criteria for identifying any SHQE sites that might be needed to meet demand, including the opportunity to regenerate areas in Policy 3. These estates provide a large potential labour force within close travelling distance. The site is therefore sustainable in terms of potential accessibility to PT and to a large local labour force. It provides the circumstances for some of those benefits that the Council imagined for mixed developments. However, RPG8 Policy 18, which seems quite clear to me, directs major office development and other travel intensive uses to town centres or PT interchanges within the main urban areas. Neither Nu6, EM2 nor Nottingham BP meet those descriptions.

Landscaping

7. The Council and others seek extensive landscaping and open space areas for BPs despite national evidence from DTZ surveys that such environmental features come low in the priorities of occupiers as opposed to those of some developers, agents and LPAs. The former is also reinforced by the prestige gained by BPs such as Phoenix and Stockley Parks, with their more conservative and more local landscaping.
8. There is no technical justification for a 100 m set back from the motorway. This distance and structural planting would have limited attenuating effect on noise levels. By contrast, design and construction methods should be capable of achieving satisfactory noise levels within office buildings and there is less need to achieve lower external levels in a BP compared to a residential scheme. I see no evidence to justify devoting 25 % or more of a site to landscaping. The leaning of some LPAs towards this illustrates a rather parochial experience of BP development. I am not aware what the LP inspector meant by the terms “visually contain” the proposed Nottingham BP. It clearly has not been visually enclosed or screened and I doubt whether the planting envisaged could achieve this. I cannot see why open land immediately to the north and south of the new BP is important to its setting. Contrary to the Council’s assertions, SP Policy 2/6 does not require parkland/landscaping areas; it requires high standards of design, layout and landscaping which is quite different. I also fail to see the purpose of the proposed landscaping and wildlife conservation strip along the boundary of Nu6 additional to the adjoining wide landscaped area on Nottingham BP.

Business Park Development – Scale and Requirement

9. The objection site at 32 ha should, with more modest landscaping, be quite sufficient to provide a BP of the minimum 8 ha mentioned in SP para 2.91, the 20 to 50 ha range of SP para 13.48, the 25 ha of EM2 and the minimum of 5 ha for SHQES in RPG8, to which Mr Thomas draws attention. However, there is simply no remaining SP requirement for a BP of 25 ha as the Council and Mr Mafham assume. They derive this particular figure from the notional allowance for this type of development in each district. Para 13.48 suggests a range of 20 – 50 ha but no justification is offered for this or even for the overall provision of 50 ha. There is no evidence in the SP that it was based upon any assessment of critical mass, as Mr Mafham suggests. Para 2.91 quotes a figure well in excess of 8 ha to allow for low densities.
10. Neither SP Policy 2/6 nor 13/3 specifies the total scale of BP provision. The overall figure for employment land in Policy 13/2 does not distinguish between BPs and other employment land provision. The explanation in para 13.48 refers to a notional allowance not a requirement and in any case does not enjoy the status of a development plan policy. There is no SP Policy requirement for a BP in Broxtowe in addition to the one already provided in Nottingham as the Council and the Mr Mafham originally assumed. SP para 13.48 explains that provision could be one large site in either district or two smaller sites. The allowance of 25 ha in each in Policy 13/2 is purely notional; there is no requirement for a smaller site in each district. Two or more smaller sites in the one district would comply with SP policies and the supporting text. The Council conceded that it does not matter whether all the BP sites are in one District. I am guided by the SP itself and not by

any later interpretations of NCC staff.

11. In my experience, the size of BPs is more often related to achieving a critical mass to attract a range of occupiers, to provide on site facilities and to achieve some economies of scale. Those promoted are generally on a somewhat larger scale than that envisaged in EM2 and approaching the scale preferred by BBC in the Joint Study and at the City's LP inquiry, although the Council are unable to comment on the merits of one larger BP. What the Council fail to appreciate in their criticisms of the size of site Nu6 is that it would not be an isolated stand alone BP like EM2, but would function as an extension of the sizeable Nottingham BP which will already provide some critical mass.

Access and Traffic

12. Access to a BP on Nu6 could be taken preferably via Nottingham BP or from another junction onto A6002. Its development would undoubtedly generate a significant amount of additional traffic and some but by no means the majority of this would need to use Nuthall Island and Jct 26; there are many other routes available from the adjoining estates of Greater Nottingham. No TA was submitted and thus the impact of the proposal on the highway network is uncertain. However, the TAs that were submitted for the Watnall/Nuthall proposals were not without their limitations. They made questionable assumptions relating to the growth of traffic through these junctions; they failed to indicate the additional queuing and the peak spreading that would logically result; they failed to model the correct distribution of traffic in the lanes approaching the Nuthall Island, which according to the experience of myself and others demonstrated more capacity at peak am periods for movements into Woodhouse Way than other directions. Improvements to Woodhouse Way and its approach to the Nuthall Island as a result of the Nottingham BP development will increase capacity in the evening peak.
13. Significantly none of the submitted TAs related their proposals to the distinct possibility of a by pass for both Nuthall Island and Jct 26 as envisaged in the Draft Final Report of the M1 MMS, until prompted by the Inspector. Whilst these draft proposals have still to be approved and programmed it would be prudent for development plans to have regard to their potential implications as the current objector suggested in subsequent written submissions. It is hardly sustainable or a proper integration of land use and transport planning to undertake a series of piecemeal minor improvements which could well become redundant shortly after. What the TAs did demonstrate is that it is normally possible to meet the Highway Authorities requirements of no worse effect with minor additional improvements and with the modelling methods employed.

SINC

14. The SINC on the site could be protected in any BP development. Details of appropriate measure are a matter for later stages and experience should demonstrate that there should be no danger of any damage or detriment from a sensitive development scheme over which the LPA would exercise control. The juxtaposition of allocations at Watnall/Nuthall to not only SINC's but SSSIs should

provide further enlightenment. It adds little credibility for the Council to criticise objectors' sites for factors, which they tolerate in their own allocations. They also forget that on EM1f they accorded greater priority to employment development than to the protection of a perhaps a rarer type of SINC.

Green Belt

15. The Council point to SP para 13.47 but misquote it. This identifies that certain locations around junction 26 perform essential Green Belt functions the loss of which would be an unacceptable breach of Green Belt policy and call into question much of the other land included in the Green Belt. It identifies one such area east of the motorway and south of Sellars Wood, but no reasonable interpretation of this paragraph could limit its concern to this single area. If this is all the SP had intended there would have been no purpose in expressing the broader concern, which refers to locations in the plural. Nor does the example identify the southern extent of this area south of Sellars Wood. However, as it applies to areas around junction 26, it must include sites Nu2, Nu5 and at least part of Nu6; the latter two of which actually adjoin the junction. The Inspector at the Nottingham LP inquiry apparently excluded the Nottingham BP from this especially sensitive area, even though its northern boundary is about half the distance from Jct 26 than Sellars Wood itself and is more visible from the Junction. He clearly assessed the degree of sensitivity for himself. The term around means on all sides of. It includes the northwest as well as the southeast sector. I see little obvious distinction between site Nu6 and EM2 in terms of their impact upon the openness of the Green Belt gap.
16. The objection site has, and in my assessment, will retain a rural appearance and character, even after the construction of the Nottingham BP to the south. Development of the objection site would represent a major encroachment into the countryside at one of its most vulnerable locations on the urban fringe. This would be contrary to the 3rd purpose of Green Belts set out in PPG2 para 1.5.
17. Being confined by development to the south and east and by the M1 motorway and the A610 to the west and south, its development would be quite well related to the adjoining urban form, although it would extend the urban area into the whole of the open area south of A610. Its development could place pressure at future LP reviews on site Nu5 and also the area north of Nottingham Road.
18. Development on the northern part of the site would extend to within about 600 m of the built edge of Nuthall to the west of the motorway. This is a very small gap, which is already compromised to some degree by the ribbon of development along Nottingham Road.
19. Development on the site, which is the key criterion rather than the ground itself, would be prominent from the M1 and its slip roads, from some sections of the adjoining A6002 and from parts of the A610 along the northern boundary of the site. It would be visible from some dwellings on the Asserts Farm development and its screen bund, as the objector's own photographs depict. Development would also be visible from parts of Watnall and from parts of Nuthall in the vicinity of the New Farm Lane, although probably not on the nearest parts of the site according to my own site visit. However, I agree with the Council that the perception of merging

or coalescence of neighbouring settlements is not simply a matter of intervisibility. It is also experienced by people travelling through or traversing the Green Belt gap on roads such as the A610 and the M1. In both respects, development on Nu6 would add significantly to the degree and the perception of coalescence of Greater Nottingham with the separate settlement of Kimberley/Nuthall when viewed on the ground. This would be contrary to the 2nd purpose of Green Belts in PPG2 which is to prevent neighbouring towns from merging. The importance of Green Belt gaps applies well before settlements physically join. I have applied the same tests to the W/N allocations and find them similarly damaging to this sensitive part of the Green Belt.

20. The M1 performs no function in preventing coalescence; indeed the opposite. It allows views of the currently separate communities on both sides and would allow views of intervening development on Nu6, which would reduce the open gap. The experience of people travelling through Green Belt gaps is just as important in the perception of coalescence between settlements as intervisibility between them. The M1 brings that experience to very large numbers of people many of whom are relatively local travellers. I see no benefit in screening the motorway in views from the east by replacing existing generally open views with a major new BP.
21. I put little store by extensive planting to screen the impact of development on unsuitable sites. It takes a number of years to mature, yet it may not outlast the development. It is rarely wholly effective. It does not alter the perceptions of local people who are well aware of the development beyond and perceive it as part of the urban area, not the countryside. It can introduce alien features into the landscape and reduce the openness of the Green Belt. It could be deployed to mitigate the impact of unsuitable developments almost anywhere in the countryside. It can be a profligate use of land and put pressure on other Green Belt land elsewhere. I also put little weight on increased public access and new recreation areas in addition to the already extensive areas on the Nottingham BP.
22. I therefore find that the proposals for a BP on this site would seriously damage one of the most sensitive parts of the Green Belt. I find this decisive.

Agricultural Land

23. Much of the objection site was in agricultural use and is apparently mostly B&MV land according to the ALC. SP Policy 3/13 and government policy favour the use of lower grade land wherever possible.
24. Development of a BP on part if not the whole of this site may be preferable on some grounds to the site of EM2. But again that is not the key issue. I find the latter unnecessary and also objectionable. I note the criticisms of CD21 and CD88 but these are largely a matter of history now. I also note the Council's concession that the allocations at Watnall/Nuthall also fail the 5 tests in para 7 of their statement.

Future Need for BP Development

25. Experience since the Nottingham LP inquiry has demonstrated the short-lived validity of that Inspector's view of a lack of brownfield sites suitable for a BP in

Nottingham. Phoenix Park, which at about 20 ha meets the advice in SP para 13.48, has developed as one of Nottingham's premier BPs since 1996 (the developer's own assessment) and Stanton Tip and the Royal Armouries have lately emerged. It is important to the 5th Green Belt purpose that urban regeneration of these sites takes priority. Raleigh is also relocating to a brownfield site in Eastwood. Policy 13/3 indicates no sequential test, nor does para 2.2 or Policy 2/2.

26. In Chapter 5, I find no need in the immediate future to identify another BP in the vicinity of Jct 26 in view of the development of Phoenix Park BP, the potential of the adjoining Stanton Tip, the availability of the Royal Armouries and of other suitable sites in Nottinghamshire and the adjoining part of Derbyshire and the expected take up all within the relevant SP period. Should any unexpected shortfall emerge there should be ample time to address it at the next LP reviews. Unlike housing provision, the SP only requires the provision of BPs within the period to 2011, not their completion. The aim should be one of continuity of supply rather than duplication. Even, the new Birmingham BP had to await substantial completion of the existing one.
27. Should a shortfall emerge, one of the options at future reviews could be to extend Nottingham BP either on parts of its own open space or a little way to the north onto part of this objection site NU6. These could provide a more sustainable and acceptable form of development than a major new incursion into the Green Belt at Watnall/Nuthall. The area to the south is in Nottingham City and would be subject to their future deliberations; it is quite attractive and well treed but it is a local rather than a wide landscape. A small extension to the north onto the southern part of NU6 could be seen against the background of the existing BP (the peripheral planting being still immature). Extensions should involve minimum infrastructure provision. They should be commercially attractive, building upon the success of Nottingham BP. As extensions, their individual size would be of much less account than BBC now assumes. Their transport implications could be assessed in relation to the approved M1 MMS proposals. Their one obvious drawback would be that they would be perceived as Nottingham's BP not Broxtowe's. However, this is a matter of civic pride rather than a land use issue. These issues will need to be dealt with in future LP reviews when circumstances may have changed significantly particularly with the renewed concern to concentrate office development in other locations, particularly urban centres.
28. In the current RDDP the objection site in whole and in part should be retained within the Green Belt.

Recommendation

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

Nu7 WEST AND EAST OF NEW FARM LANE, NUTHALL

Objections

1112 2170

R W D Hanson and Hanson Family Trust
FPDSavills

1155 2420

Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1112/2170: RWD Hanson and Hanson Family Trust

1. Small site to the east of New Farm Lane, Nuthall, should be allocated for residential development. Could accommodate 15 new houses and provide a short term residential site to meet the more immediate requirement for housing in this location. Unlike the land to the north allocated for new housing, this site will come forward in the shorter term. This site would constitute a 'rounding-off' of the built up area and is immediately adjacent to existing residential development not adversely affecting the character and appearance of the landscape.

1155/2420 Greasley Parish Council

2. Object to this site forming part of the larger allocation at Watnall. However we support the site for housing in its own right, provided that access can be successfully attained to Watnall Road. The objection relates to the land both west and east of New Farm Lane. The land is well related to the existing urban pattern and is within a wholly residential area. It is also well enclosed by existing residential development and a dismantled railway line.

Council's Response:

3. Site Details

Site Area: 0.4 hectares

Current Use: Agricultural land (Grade 2)

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

Green Belt: The site is in the Green Belt and on the edge of the urban area. It occupies part of the gap between Nottingham and Nuthall.

Public Transport: The site is within walking distance of frequent bus services on Watnall Road.

Other Issues: The Nottingham Express Transit Route may run adjacent to the site.

4. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
5. The following site specific factors were of particular importance in assessing the site:
 - i) Development to the east of New Farm Lane would not have secure Green Belt boundaries.

- ii) Development to the east of New Farm Lane would erode the Green Belt gap that the Council has tried to maintain between Nottingham and Nuthall.
 - iii) Some of the land to the west of New Farm Lane is needed for public open space in connection with the Watnall/Nuthall development.
 - iv) The site cannot be satisfactorily accessed in isolation from the new access road which is proposed as part of the Watnall/Nuthall development. The County highways authority has advised that both Spencer Drive and New Farm Lane would be unsuitable means of access.
6. The land to the east of New Farm Lane forms part of Nu7: the rest of this site has been allocated for housing development, part of the spine road and public open space. The Green Belt boundary will run along the Greenway that follows New Farm Lane. All land to the east of this route will remain in the Green Belt. Release of this small area of land for development would make this boundary less defensible and may therefore lead to arguments for development on adjoining areas of land.
7. The release of this area of land would also not work well with the form of the new development as a whole – the land is not well related to the rest of the proposal, and satisfactory assess would not be easy to achieve.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Search Sequence

4. This site/s is within convenient walking distance of frequent bus services on Watnall Road and Nottingham/Kimberley Road. It lies within the Nottingham to Eastwood Transport Corridor favoured by SP Policy 1/ 2 for major development. As a greenfield site on the edge of the urban area it falls within category c) in the search sequence in RPG8 Policy 1. It is within about 400 m of the nearest PS and about 800 m of the SS. It is within walking distance of the limited local facilities in Old Nuthall and about 1 km from Kimberley Town Centre. It is in transport and accessibility terms a sustainable location.

The Eastern Site

5. The small site east of New Farm Lane is part also of objection site Nu8, whose allocation for housing I reject below. On its own, development of this small site would cut arbitrarily into the present fields and encroach into this small area of countryside contrary to the 3rd Green Belt purpose in PPG2 para 1.5. It would extend ribbon development along the east side of the Lane; an intrusive form of development. It would erode the Green Belt gap that exists between existing development at Nuthall, the M1 and the edge of Nottingham further east, contrary to the 2nd Green Belt purpose. Development upon it could be seen from not only the M1, particularly after widening, if this goes ahead, but from areas to the east on the edge of Nottingham. This small site with adjoining land Nu8 to the east therefor fulfils important Green Belt purposes.

The Western Site

6. The western site is allocated in the RDDP for housing as part of the Watnall/Nuthall proposals. However, I recommend their deletion in other Chapters and it is therefor necessary to consider the merits of developing this site on its own. It takes as its northern boundary the proposed spine road, which I also recommend be deleted. This leaves the northern boundary of this objection site cutting arbitrarily across an open field. An alternative boundary would be to take the line of the disused rail line to the north.
7. This western site is contained on its southern and western boundaries by dwellings on the edge of Nuthall. The eastern boundary is New Farm Lane, which over this section is undeveloped.
8. Being contained within quite well defined boundaries and rounding off this corner of the built up area, development of this western site would be quite well related to the existing urban form, as Greasley PC observe, and would not constitute urban sprawl. Although development particularly on the eastern part of the site could be seen from the edge of Nottingham to the east and sections of the M1, particularly if it is widened, development on it would have a lesser impact on the open Green Belt gap between Nuthall, the M1 and Nottingham, than the land further east. However, the site has a rural appearance and character and development upon it would encroach into the countryside, albeit to a limited degree, contrary to the 3rd purpose of Green Belts in PPG2 para 1.5.

9. New Farm Lane is constricted by development to the south such that it is difficult for even two cars to pass. It is unsuitable in its present state to serve as an access to any significant scale of new development. Its improvement would involve taking part of some front gardens. Spencer Drive is restricted in width for its whole length and is unsuitable as an access road. It is not clear whether access could be taken via New Farm Lane and Ayscough Avenue, avoiding the narrowest section of the former.
10. The M1 MMS Draft Final Report proposed widening of the M1 to 4 or 5 lanes and the construction of free flow slip roads (south bound off and north bound on), to bypass Jct 26 on the M1 and Nuthall Island to the east. The precise line of these slip roads has yet to be defined. The MMS also proposes an extension of the NET and the development of a major Park & Ride facility. The location of the latter and the route of the former are also to be defined. It seems clear that at least a new northbound slip road could effect the area west of the M1. There is some possibility that the P&R and the NET may extend to the west as well. These could run close to the north of this objection site and they present some uncertainty about their potential impact.
11. These are important strategic draft proposals put forward by the consultants to deal with mounting traffic levels and increasing road congestion at one of the County's most serious blackspots. Even though they are yet to be approved and uncertain, it would be wrong at this stage to ignore their potential implications. I recognise that due to their recent publication they are not identified in the RDDP. However, one of the main purposes of development plans is to achieve the integration of land use and transportation planning. This is another factor that tells against an allocation of the western land at least at this stage.
12. The land is apparently B&MV in the agricultural land classification. SP Policy 3/13 and government policy favours the use of lower grade land wherever possible. This is another factor that militates against allocation although the loss to agriculture is small.
13. The western site serves some Green Belt purpose. It's ALC, it's access constraints and some uncertainty regarding the impact of potential improvements in the M1 corridor militate against a housing allocation on this site and its removal from the Green Belt in this RDDP. I identify sufficient land to meet SP requirements on other more suitable sites elsewhere.

Recommendation

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

Nu8 AND ADJACENT LAND WEST OF MOTORWAY/NORTH OF BACK LANE, NUTHALL

Objections

1155	2421		Greasley Parish Council
			Andrew Thomas Planning
1130	2335	Mr R Walters	Hallam Land Management

Summary of Objection Issues

1155/2421: Greasley Parish Council

1. Objection to part of site Nu8 being allocated as public open space by policy RC8k and not allocated for housing. Access to the site could be utilised through the adjoining site to the west (Nu7). The site is well related to existing residential development and has clear defensible boundaries within which to contain development should the removal of this land from Green Belt land be proven to be justified.

1130/2335: Hallam Land Management

2. Object to the omission of the land shown on the attached plan, including site Nu8 and adjacent land, from policy H2I.

Council's Response:

3. Site Details

Site Area: 6.8 hectares. (The site identified as Nu8 in the Consultation Draft is 4.7 hectares).

Current Use: Paddocks and agricultural land (Grade 2).

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

Green Belt: The site is in the Green Belt on the edge of the urban area. Development would encroach on the gap between Nottingham and Nuthall.

Public Transport: Frequent bus services run along Watnall Road and are within walking distance of the site.

Road Access: Access could be gained from Back Lane, however, road widening and junction improvements may be needed. Alternatively, the proposed new spine road could be used.

4. The Council has applied a standard set of principles in choosing sites for housing, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).

5. Issues that were of particular importance for this site were:

- (i) Development would result in the narrowing of Green Belt gap between settlements.
- (ii) Significant intrusion into the Green Belt countryside.
- (iii) The site is beyond walking distance of local facilities (shop, school, doctors).
- (iv) Difficult road access.
- (v) Significant noise from the M1 motorway.

6. These issues fed into the assessment of the site, together with the more strategic factors identified in the Council's Round Table Paper on Housing.
7. For the above reasons and in particular the impact on the Green Belt and the likelihood of unacceptable noise disturbance from the M1, Nu8 was not considered suitable for housing development. However, sites can never be viewed in isolation, and in this instance it was felt that the northern part of this site could contribute to the provision of public open space. This area remains in the Green Belt with New Farm Lane as the secure boundary.
8. The public open space that has been proposed for allocation between the new development and the motorway provides an area of land that can be used by both the occupants of the new housing development and workers from those areas allocated for employment.
9. However, if Nu8 or the adjacent land was allocated for housing the form of the development would not be so compact, and the Green Belt gap between Watnall and the City would narrow unacceptably. It was considered to be important that the new development at Watnall was balanced and would work well with the existing settlement. As already stated this land would not, in any instance, be suitable for housing due to the proximity of the motorway.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall from the RDDP.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.
4. Hallam Land Management seek an extension of allocation H2I to include this site and a substantial part of the objector's statement covers the relationship of their proposed allocation to the RDDP proposals for the Watnall/Nuthall development which includes housing, a BP, employment, a link road, an extension of NET and

open space including allocation RC8k which covers the northern part of this objection site.

5. For reasons set out in Chapters 4 and 5, I recommend that all the W/N allocations be deleted along with the requirement to locate housing beyond 200 m. I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes. I consider that it is unnecessary in these circumstances to deal the relationship of this objection site to these other proposals that I reject. I shall therefor deal with this objection as a free standing housing allocation or as safeguarded land

Inspector's Conclusions

Location and Search Sequence

6. This site lies within 100 m and 500 m of Kimberley/Nottingham and Watnall Roads the former with their frequent bus services. It is situated within the Nottingham to Eastwood Transport Corridor favoured by SP Policy 1/ 2 as a location for major development, although SP Policy 1/5 emphasises that open breaks between distinct settlements particularly in these Transport Corridors should remain in the Green Belt. It adjoins the built up area of Nuthall on its southern and on most of its western side. It falls within category c) of the site search sequence in Policy 1 of RPG8.
7. The site is about 500 m from the nearest PS and about 1100 m from Kimberley SS. It is within a short distance of some local facilities in Old Nuthall but shops are somewhat further away. It is about 1500 m from Kimberley Town Centre. It is in many respects a sustainable location in transport terms.

Agriculture

8. The land is in use mainly for grazing ponies and horses and is apparently grade 2 in the ALC. SP Policy 3/13 and government policy favour the development of lower grade land wherever possible.

Green Belt and Landscape

9. The site is contained physically on its eastern boundary by the M1 on a planted embankment. It is contained on its short southern side by existing development and to the west partly by existing development and partly by New Farm Lane and to the north by the treelined route of a dismantled railway.
10. In visual terms, the site is less contained. Dwellings particularly on the northern part would be visible from the M1 and from parts of Low Wood Road and Woodhouse Way on the edge of Nottingham, as demonstrated by sight of a small excavator working on the disused railway line at the time of my site visits. Furthermore, the M1 MMS Draft Final Report proposes widening of the motorway over this section to 4 or 5 lanes. Although this has still to be approved and no details of land take are available, it is possible that these works could move the carriageway closer to the site and remove some of the planting and open up the site more to view.

11. Nuthall, whatever its history is now part of the built up area of Kimberley, which I regard as a town. The SP at para 1.65 defines Kimberley as an urban area and a significant population centre in contrast to other built up areas, which are referred to as villages in the policies.
12. The site occupies part of the gap between Nuthall/Kimberley and the edge of the large built up area of Nottingham. Whilst this gap has been compromised to some degree by development off Back Lane immediately to the south this is not so open to external views. The old village core, which is prominent from the M1, is seen as a largely distinct development of some character and the ribbon of houses along Nottingham Road to the east is seen as an historical anachronism.
13. Development of the objection site would consolidate the existing development within this open break and increase the degree of coalescence in this critical narrow gap between Kimberley/Nuthall and Nottingham. This would be contrary to the 2nd purpose of Green Belts in PPG2 para 1.5 and contrary to SP Policy 1/5. Development would erode the distinct character of these separate settlements. PPG2 para 2.9 refers to the general extent of the Green Belt and not to individual gaps between settlements within it. There would be little left of the Nottinghamshire Green Belt, which has been approved by the SoS and endorsed by a number of public inquiries, if all gaps of less than several miles wide were to be abandoned. Small gaps such as this between Nuthall/Kimberley and Nottingham are of critical importance to the Green Belt and its purposes.
14. The site may have a slightly different character to the more open land to the north, partly due to its greater containment and the influence of the urban fringe. However, it is at the urban fringe that the Green Belt is most vulnerable and often the most valuable in meeting Green Belt purposes. The objector also concedes that the countryside area to the north may currently give legitimacy to the Green Belt designation of the objection site. My recommendations in Chapter 4 and 5 are that this area to the north should remain in the Green Belt, apart from a small part of EM3f to the northwest.
15. Development of the site would encroach into the countryside but only to a limited extent due to its containment. Nevertheless, the site fulfils the 3rd purpose of Green Belts to some degree. Due to its containment the site's development would not constitute urban sprawl. The Phasing Policy that I support should largely achieve the 5th purpose of Green Belts and the 4th purpose by common consent does not apply hereabouts. The 2nd purpose of Green Belts is quite distinct from the 1st. The Green Belt in any particular location may serve some and does not have to serve all of the 5 Green Belt purposes; it is no less valuable for that. The objection site is of major importance in meeting the 2nd purpose of Green Belts in this location.
16. The M1 and the disused railway line may provide clear boundaries but so does the present one, which runs along the rear of properties on the edge of the urban area. There is nothing lacking in such boundaries. Indeed they are the most common of all Green Belt boundaries and are designed to arrest urban sprawl. The key factor in defining Green Belt boundaries is that they should achieve Green Belt purposes. The quotation from para 2.9 originally related to the outer not the inner edge of

Green Belts. There is little purpose in taking roads, streams and such like, as Green Belt boundaries if these would allow for increased coalescence, urban sprawl or encroachment into the countryside contrary to Green Belt purposes.

Buffer Zones and Traffic Noise

17. It is clear that the site experience's noise from traffic on the adjoining M1 motorway. There is no convincing evidence from the Council to justify an arbitrary buffer zone of 200 m to mitigate noise or air pollution. Location E on the objection site which is 190 m from the centre line of the M1 still has an average daytime Laeq of 68.1 dB; a reduction of 2.2 dB from location A. Other mitigation measures could be of equal or greater effectiveness in addressing the problem. Buffer zones might be justified on other grounds for example substantial depths of planting may be needed if the intention is to screen what would otherwise be intrusive developments from view in winter as well as summer conditions. However, this can be a profligate use of Green Belt land that puts further pressure on other Green Belt land elsewhere. Sensitive bunding combined with planting can sometimes be as effective and less wasteful than extensive buffer zones.
18. As I comment elsewhere, planting and buffer zones are rarely effective in mitigating the impact of intrusive development on the Green Belt and the countryside. They reduce the openness of the former and can introduce alien landscape features into the latter. They do not deceive local people and regular passers by, who will be well aware of the presence of development beyond the screen so affecting their perception of the extent of the effective Green Belt and the degree of coalescence. They could be proffered almost anywhere to justify otherwise unacceptable development in the countryside and Green Belt.
19. The average day and night time noise levels on the objection site, depending on the location, come within categories C or D cited in PPG24 where planning permission should normally be refused, unless in the former case there is no alternative site and suitable noise protection measures are taken.
20. Wardell Armstrong suggest a number of mitigation measures including 3 storey town houses parallel to the motorway to achieve reductions of 15-18 dB and thus achieve a daytime Laeq of 55 dB or less. They suggest special designs and glazing to reduce nighttime interior noise levels below 35 dBlaeq. They also suggest exploration of acoustic fencing and or bunding alongside the motorway. These would certainly be preferred to reliance upon residents' acclimatisation and the effects of the prevailing wind. However, there are doubts whether a satisfactory external noise environment could be achieved on this site and there is also the possibility of the proposed motorway widening bringing traffic closer to the site and removing some of the present planting. I can in any case, identify other more suitable sites for housing development elsewhere.
21. The AQ Review Assessment showed the likelihood that AQ objectives for NO2 and PM10 will be met at all assessed locations near M1.

Access

22. Access would need to be obtained via Back Lane as the southern section of New Farm Lane is constricted making it difficult for even two cars to pass. Widening of the latter would involve a loss of parts of gardens fronting the Lane.

M1MMS

23. The M1 MMS final draft proposals envisage the construction of free flow slip roads (south bound off and north bound on), to bypass Jct 26 on the M1 and Nuthall Island to the east. The precise line of these slip roads has yet to be defined. The MMS also proposes an extension of the NET and the development of a major Park & Ride facility. The location of the latter and thus the route of the former are also to be defined. The MMS illustration showed the P&R site and the NET to the east of the M1, west of Low Wood Road and to the north of Nottingham Road. This seems a logical location on transport grounds being well placed in relation to the free flow slip roads. Despite requests, the Council was unable to offer any suggestions for a route for the extension of NET to Kimberley/Eastwood.
24. It is clear that at least a new northbound slip road, if implemented, would effect the area west of the M1. There is some possibility that the P&R and the NET may extend to the west as well. Both the proposed slip road and any NET extension could affect the northern part of this objection site either directly or indirectly as the northern part of the site provides a logical route to link with the only practicable route to the east through Hempsill Vale.
25. The M1 MMS proposals are strategically important in dealing with mounting traffic levels and increasing road congestion at one of the County's most serious blackspots. Even though they are yet to be approved and details are uncertain, it would be wrong at this stage to prejudice their potential effective implementation. One of the main purposes of development plans is to achieve the integration of land use and transportation planning, although I recognise that due to their current status the M1MMS proposals are not identified in the RDDP. Notwithstanding this, this is a factor that militates against the allocation of the objection site, which is in any case subject to other decisive objections.

Synthesis

26. I am able to identify sufficient more suitable sites elsewhere to meet the SP requirements for housing land without compromising Green Belt purposes to this degree, without the need to take B&MV agricultural land, without compromising the amenity of potential occupiers through excessive noise levels and without potentially compromising the M1 MMS draft proposals. In view of these factors the objection site is not suitable either for designation as safeguarded land. I have identified some sites as suitable for safeguarded land elsewhere.

Recommendation

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

Nu9 SOUTH OF KIMBERLEY ROAD, NUTHALL

Objections

1155 2416 Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issue

1155/2416: Greasley Parish Council

1. Object to the site not being included in the plan. Suggest this site should be allocated for housing. The site lies within an existing urban area and could assist in reducing the pressure on more sensitive greenfield land. It would therefore provide a sustainable form of development.

Council's Response:

2. Site Details

Site Area: 2.0 hectares.

Current Use: Gardens.

Green Belt: The site is not situated in the Green Belt.

Ecological Value: There are no designated wildlife areas within the site.

Public Transport: The site is within walking distance of frequent bus services along Kimberley Road. Services run to Nottingham, Eastwood, Alferton, Kimberley, Beeston, Toton and Heanor.

Road Access: Edward Road and The Paddocks may be unsuitable for long extensions. Direct access to Kimberley Road would be preferable, provided landowners' co-operation can be secured to achieve the necessary width for a road.

3. The Council has applied a set of principles in choosing housing sites and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
4. The following site specific factors were of particular importance in assessing the site:
 - (i) Loss of attractive open gardens adjacent to Green Belt, Mature Landscape Area and Conservation Area.
 - (ii) The site is beyond walking distance of local facilities (shop, school, doctors).
 - (iii) The site is difficult to access.
 - (iv) Site assembly is difficult due to multiple ownership.
 - (v) The loss of mature trees.
5. The above issues, in particular the land assembly difficulties, and the impact on the adjacent designations, have led the Council to select other sites in preference to Nu9.
6. The Council must be astute in its allocation of housing land; there is no benefit in allocating land that in practice is unlikely to come forward for development. In this instance the Council is not assured that all landowners are positively committed to the allocation of the land. Indeed in this

instance a developer with no interest in the land promoted the site for inclusion in the consultation process, and no objections have been received from any of the landowners to the site's omission.

7. The difficulty of obtaining access to the site, and the loss of mature trees compound still further the conclusion that this is not a suitable site for allocation.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusion

Location and Site Search Sequence

4. This 2 ha site lies outside the Green Belt. It comprises part of the very long rear gardens, some 100 m to 140 m in length, of some of the dwellings fronting Kimberley Road which are situated on the edge of the urban area of Nuthall/Kimberley. According to the definition in PPG3 Annex C it is classed as previously developed land being part of the curtilage of existing dwellings. Although on the edge of the town the gardens are part of the urban area. As such the site comes with category a) of the search sequence for development in Policy 1 of RPG8 and first priority in PPG3.

5. It is very close to Kimberley Road with its frequent bus services. It lies in the Nottingham to Eastwood Transport Corridor, favoured by SP Policy 1/ 2 as a location for major development. It also lies within walking distance of the nearest PS and Kimberley SS and within about 600 m to 700 m of Kimberley Town Centre. Contrary to the Council's view, it is a highly sustainable location in terms of transport and accessibility to many services. Unlike the Council, I would not regard a Doctor's surgery as a local facility in these days of group practices. I suspect that only a small proportion of existing residents and proposed allocations are within walking distance of a surgery.

Access

6. Access could be obtained via the Paddocks or from Kimberley Road direct via one of the frontage plots. Its provision should present no insuperable problems for a site of this size.

Other Factors

7. The site adjoins but does not qualify for inclusion in the Mature Landscape Area and the Conservation Area to the south. Policy E15 protects MLAs but not their settings. Policy E3 allows development within or in the vicinity of a CA, which preserves or enhances their character and appearance. The Council offer no evidence on this point other than their wish to retain attractive open gardens. The rear gardens may be attractive, but they enjoy no designation and deserve no special preservation in their own right. Many of the mature trees on the site could be preserved in any development scheme, which could incorporate new planting by way of mitigation and enhancement.
8. These gardens are largely screened from the adjoining MLA and CA to the south by boundary hedges and walls and by substantial tree planting in depth in the latter areas. The objection site contributes very little to either the CA or the MLA, both of which extend well to the east and whose most notable parts are the area around the Lake, Home Farm and Old Nuthall. A sensitive housing scheme on the objection site could preserve both the appearance and the character of this highly varied Conservation Area. Housing development already extends to the same depth as the objection site immediately to the west and to east.
9. This site is highly suitable in most respects for housing development. It could with other sites help to relieve pressures on the countryside and the Green Belt and help to achieve the government's targets for the development of brownfield land. However, the owners have expressed no interest, of which I am aware, in its development for housing. It is promoted by Greasley Parish Council as an alternative to allocation H2I at Watnall/Nuthall.
10. Unlike some other sites, it is in active rather than marginal use and in these circumstances, a housing allocation at this stage would not be that appropriate. Even though it is about 2 ha in area the site would be best regarded as a windfall opportunity for the future when present or new owners may show more interest. It is the existence of sites such as this that persuades me to support the Council's more optimistic assumptions on future windfall developments. However, they must

appreciate that if these enhanced rates are to be achieved, they will need to take steps to facilitate not frustrate windfall developments.

Recommendation

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

ST(c) SOUTH-WEST OF STAPLEFORD ROAD, TROWELL

Objections

1125 2207 Aldergate Properties Ltd
1155 2442 Greasley Parish Council
Andrew Thomas Planning

Summary of Objection Issues

1155/2442: Greasley Parish Council

1. Object to this site not being included in the plan. Consider that particularly as this site was put forward for consideration at the Consultation Draft Stage, this site should be allocated for housing. It is well related to the existing urban area and would be more compatible with surrounding residential uses than the existing industrial use. This maximises the use of previously used land in accordance with sustainable development objectives.

1125/2207 - Aldergate Properties Ltd

2. Former Haulage Depot, Stapleford Road (adjacent to M1) Trowell should be allocated for housing.

Council's Response:

3. Site Details

Site Area: 1.1 hectares.

Current Use: Employment.

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

Green Belt: The site is not situated in the Green Belt.

Public Transport: The site is within walking distance of a frequent bus service along Stapleford Road.

Road Access: From Stapleford Road.

Other Issues: This site lies very close to the M1 and would be susceptible to noise pollution.

4. The site was assessed using a standard set of principles (see the Council's Round Table Papers on Housing and Employment). The most important site specific issues in this case were the loss of employment land and the proximity of the M1 motorway – a major source of noise. Noise readings were undertaken by the Directorate of Housing, Health & Leisure; the monitoring indicated that the site falls into Noise Exposure Category D (PPG24). The guidance given in PPG24 indicates that this level of noise is unacceptable for residential

development and any application should be refused. Furthermore the land is eminently suited to its current use as employment land. The borough has a shortage of employment land in the south and therefore all existing, viable employment sites need to be retained for this use. The existing 1994 Local Plan includes Policy EM8, Protection of Employment Land and Buildings and similar protection is proposed by policy EM4 of the Revised Deposit Draft. These policies mirror Policy 2/8 in the Structure Plan; all three policies seek to protect employment sites from other types of development. It is important that the existing and proposed supply of employment land and premises is not eroded, in order to maintain the objectives of the County and Borough Councils of achieving a prosperous local economy through industrial and commercial growth. A recent appeal against the Council's refusal of permission for residential development on the site was dismissed on 12 July 2001, for reasons relating to the loss of employment land and the impact of traffic noise. (Inspectorate reference APP/J3015/A/01/1060218, Council reference 00/00853/OUT; Local Plan Inquiry reference CD52).

5. For the above reasons the site was not considered suitable for residential development.
6. The objectives of sustainable development can best be met by ensuring that land is correctly allocated – employment sites located within the urban area are important because they reduce travel to work journeys. The Council does not, in any case, consider there is any major conflict between the employment site and the adjacent residential development and in this particular case the site in question is not suitable for housing due to the proximity of the M1 motorway.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Location and Site Search Sequence

4. This site of 1.1 ha lies within, albeit towards the edge of the urban area of Stapleford. It is occupied by a warehousing building, associated access and parking areas. It is a previously developed site according to the criteria in PG3 Annex C and is first priority for development in the search sequence of PPG3 and of RPG8 Policy 1. Situated towards the edge of a main urban area, as defined in SP para 1.65, it is favoured in SP Policy 1/ 2 as a location for major development. It also lies close to the ill-defined Nottingham to Trowell Public Transport Corridor, which could potentially include the Trowell to Nottingham Railway line, less than 200 m to the north, as well as the Nottingham Road bus route about 650 m to the north.
5. The site also adjoins Stapleford Road, A6007, with its frequent bus services to Ilkeston. It is about 600 m from the nearest Primary School but about 2 km from the Secondary School at Bramcote Hills. It is about 700 m from the few local shops and services in Trowell village and about 2 km from Stapleford Town Centre. It is in transport terms a reasonably sustainable location.

Noise

6. The Council considers that the site is unsuitable for housing due to its proximity to the M1 motorway and thus its exposure to traffic noise. The Council's noise measurements demonstrate that the site falls within Noise Exposure Category D of PPG 24 which advises that in such cases planning permission for noise sensitive development, such as housing, should normally be refused. However, surveys for the S78 appeal revealed that part of the site fell within NEC C. Although pp should not normally be granted, where no alternative quieter sites are available, conditions should ensure a commensurate level of noise protection. The appeal also revealed that internal noise levels could be reduced to appropriate levels by a range of mitigation measures and like that Inspector I do not share the Council's concern over the problems of closed windows during a hot summer. However, that inquiry was unable to demonstrate that external noise levels could be reduced to acceptable levels. Whether, this would now be possible with the latest acoustic fences is not clear.

Employment Land

7. The Council's main concern is with the loss of an employment site. Policy EM4 protects such sites from other forms of development. The Council made some play at the S78 inquiry and in respect of the Maltings site of the need for employment land in the south of the borough. However, I find nothing in the RDDP to support this stance. Indeed, the introduction to Chapter 5 stresses, if anything, the relatively poor position of the north rather than the south of the borough with high levels of unemployment and more distant outward commuting and fewer large local employers to rival Siemens. The south of the borough is closer than the north to the main source of jobs in the sub-region; Nottingham City. I find nothing wrong in Broxtowe being reliant on the City for employment; indeed given their

juxtaposition this is inevitable. Furthermore, the Council's concern for the south of the borough did not prevent them from reducing the size of allocation EM3a at Chilwell Ordnance Depot.

8. The basis for the SP employment land provision is, in any case, to cater for the development needs of employers for expansion, relocation and start up rather than any attempt to match jobs with population. Employers appear to be reasonably mobile, with Raleigh moving their HQ and national distribution centre to Eastwood from their traditional base in Nottingham. The City's review LP identifies further major employment land potential, some of which, such as the former Royal Armouries, is convenient for southern Broxtowe employers and residents. There is no reason why Broxtowe should not rely to some extent upon the city for some brownfield employment land as well as brownfield housing land and open space provision.
9. The site is in use for storage/distribution, although at the time of my visit this appeared to be at a fairly low level of activity. The buildings and the site appear to be in a reasonable condition and suitable for this type of use, although they might be much less suitable for many industrial uses. There is no current evidence that the site activities cause any environmental problems for the adjoining dwellings. Thus the retention of the site for employment uses appears to meet the terms of Policy EM4 at least in respect of criteria b) and c).
10. Given its current use, its questionable suitability for housing due to motorway traffic noise, the site is more appropriately retained in employment uses. I distinguish it from site Ki6 by these factors.

Recommendation

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

Sd3 NORTH-WEST OF A52, STAPLEFORD

Objections

1206	2858	Mr JL Revill	Freeth Cartwright Hunt Dickins
1206	2856	Mr JL Revill	Freeth Cartwright Hunt Dickins
1206	3709	Mr JL Revill	Freeth Cartwright Hunt Dickins

Summary of Objection Issues

1206/3709: J L Revill - Hilltop Farm

1. Object to the failure of allocating land at Hilltop farm, Stapleford for residential development. The whole site is currently used for agricultural purposes, with the exception of parts of the less accessible land in the north western corner. Part of the central area of the site is identified as being a prominent area for special protection and is in Green Belt. The site is located on the edge of the main built-up area of Stapleford and therefore in broad locational terms its release for residential development would be consistent with Structure Plan Policy. It is accepted that parts of the site are more prominent however areas of the site are not so prominent and given the topography of the

area and the arrangement of the site certain pockets could be developed without compromising the Council's intention to protect the landscape integrity of the area and to avoid prominent development on presently undeveloped land. Similarly certain parts of the site could be developed for residential purposes without prejudicing any of the Green Belt aims set out in PPG2. Access can be achieved by the existing road network. The site is also close to existing services and other facilities in Stapleford itself. The area should be identified in the local plan for selective residential development to include also the provision of additional landscaping, public recreational space.

1206/2856: J L Revill - Small Site off Baulk Lane

2. In order to ensure that a shortfall in available land does not arise during the plan period it is suggested additional land needs to be identified for residential development. It is proposed that an area of land off Baulk Lane at Stapleford be allocated for residential development. The site forms part of Hilltop Farm to the west of the A52 at Stapleford. It comprises the north eastern corner of an area of open farmland adjoining residential development to the north. The higher land is protected under policy E14 as a prominent area for special protection. Given the land form however the allocation and development of the site could be undertaken without prejudicing the aims of protection of this part of Windmill Hill since all development would be contained below the ridgeline and would not infringe on views of the higher land to the south. The development of this site would in effect lead to the rounding off of this edge of the main built area of Stapleford. The area is well contained and its development would not give rise to any conflict with the five specified aims of Green Belt set out in PPG2. Development would be contained within existing residential areas and below the ridgeline to the south which would form a clear edge to further development, forming an integral part of the built-up area of Stapleford. It would not lead to urban sprawl. Similarly it would not tend towards the coalescence of settlements in the area because of the existing form of development. Access can be provided via Baulk Lane, which can be improved at its southern end. On the edge of the main built up area, located in close proximity to the main services and other facilities within Stapleford and close to public transport links.

1206/2858: J L Revill - Small site off Sisley Avenue

3. In order to ensure that a shortfall in available land does not arise during the plan period it is suggested additional land needs to be identified for residential development. It is proposed that an area of land off Sisley Avenue, Stapleford be allocated for development. The site forms part of Hilltop Farm to the west of the A52 at Stapleford. It comprises the south eastern corner of an area of farm adjoining residential development to the west, with playing fields and further residential development to the south. Although the site is on rising ground, the land involved is all generally below the level of the adjoining residential properties to the west, and any new development on this site would not therefore be particularly intrusive against the background of the adjoining residential properties. Development could therefore take place without any conflict with the designation of the land to the north as a prominent area for special protection under policy E14. Developing the site would effectively square off the existing developed form in this part of Stapleford. As such there will be no risk of the development of this site constituting urban sprawl, or significantly reducing the existing gaps between neighbouring built-up areas. The site lies on the edge of the main built up area, it is well located to provide easy access to the main services provided in the centre of Stapleford and public transport links with Stapleford and the centre of Nottingham are available close to the site. Access could be taken from Sisley Avenue.

Council's Response:

4. Site Details

Site Area	:	Whole Hill Top Farm Area - 35.2 hectares Baulk Lane Site Area - 2.8 hectares Sisley Avenue Site Area - 4.0 hectares
Current Use	:	Agricultural land (Grade 3a)
Green Belt	:	The sites are in the Green Belt and on the edge of the urban area.

- Public Transport: The northern part of the site is within walking distance of frequent bus services along Nottingham Road. The southern part of the site is not within walking distance of a frequent bus service.
- Road Access : Access would be in the form of extended cul-de-sacs from the northern and western sides of the site, and not from the A52.
- Other Issues : A Prominent Area for Special Protection covers much of Hill Top Farm. A Greenway and a Long Distance Trail also cross this land.
5. The Council has applied a set of principles in choosing housing sites, and standard criteria were also used to also used to assess all releases of Green Belt Land (see the Council's Housing and Green Belt Round Table Papers).
 6. Issues that were of particular importance for these sites:
 - (i) Development would represent substantial erosion of an important, narrow and vulnerable Green Belt gap.
 - (ii) Development would result in the loss of mature hedgerows and mature trees.
 - (iii) Development would harm the amenity value of the bridlepath along Baulk Lane and the footpath between Cliffe Hill Avenue and the A52.
 - (iv) Development would represent significant encroachment into Green Belt countryside.
 - (v) The sites are highly prominent.
 - (vi) The sites are adjacent to the A52 – a major source of noise.
 - (vii) Development would impact on an important green 'wedge'.
 - (viii) The proposed Green Belt boundaries would not be robust and development would set a precedent for further erosion of the Green Belt in the locality at future Local Plan reviews.
 7. These issues feed into the site assessment together with the more strategic factors identified in the Round Table Paper on Housing.
 8. The same criteria have been used to assess this site as for other sites. In this instance however the problems identified above led the Council to select other sites in preference to those promoted as Sd3. In particular this area of Green Belt is particularly prominent and makes an important visual contribution to the character of the area.
 9. The small sites off Baulk Lane and Sisley Avenue would not have secure Green Belt boundaries, and are both close to the A52 – a major source of noise. As such it was not felt that any development could be accommodated within this important Green Belt gap.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.

2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Search Sequence

4. Although one of the statements submitted for the objector referred to the land at Hilltop Farm, others referred to more closely defined sites to which the Council responded. I intend to deal with these two smaller objection sites.
5. Both of these sites are situated on the edge of the urban area of Stapleford. They both fall into category c) in the search sequence of RPG8 Policy 1 and within an area favoured by SP Policy 1/ 2 for major development.
6. The northern site is within convenient walking distance of frequent bus services on Nottingham Road and the nearest Primary School. It is about 1500 m from the Secondary School and 900 m from Stapleford Town Centre. It is a quite sustainable location in terms of accessibility. The southern site lies just over 400 m from Toton Lane with a poorer bus service. It is within about 600 m of the nearest PS and 900 m of the SS. It is about 900 m from the Town Centre. It is less conveniently located in terms of accessibility to services.

Green Belt

7. Although lying on the edge of the town, both sites are in the Green Belt. The northern site on a north facing slope is contained to the north by existing development, to the east by the tree lined Baulk Lane with development extending on the east side of the Lane along about half the objection site's depth. It is adjoined on its western boundary by a house in a large garden. The southern boundary is unmarked on the ground and is appears to be defined to avoid the Prominent Area for Special Protection and the top of the ridge. The latter generally corresponds with the east west footpath some 50 m to 150 m to the south. Development on the site would not be visible from the area to the south of the ridge. As a consequence, it would not lead to any significant increase in coalescence with the neighbouring settlement of Chilwell to the south of the A52

nor with other parts of Stapleford, although it is not one of the purposes of Green Belts to separate parts of the same town. Its development would however, encroach into the countryside and destroy part of an attractive and an important green backcloth to this part of the town. It would also appear from some view points, including the popular footpath along Baulk Lane, as sky line development even if development was kept clear of the ridge top itself. In these respects its development would be contrary to the 3rd purpose of Green Belts in PPG2 para 1.5. Development on it would breach the well-established Green Belt boundaries to the north and west and extend new development into this large open field. Its development could lead to pressures at future LP reviews for further development to the west outside the PAFSP. In both these respects, its development would constitute urban sprawl contrary to the 1st Green Belt purpose. The 4th purpose does not apply and the 5th purpose is largely achieved by the new Phasing Policy that I support.

8. The northern site is thus important to Green Belt purposes. It is also apparently B&MV agricultural land. SP Policy 3/13 and government policy supports the use of lower grade land wherever possible. Due to local topography, I did not notice that it was subject to any undue noise from traffic on the A52, as the Council allege. Access could be obtained via Baulk Lane.
9. The southern site is located in a prominent position towards the top of the hill, although it actually lies outside the PAFSP. Its development would be visible from the southeast and would extend to less than 500 m from the edge of Chilwell. Although this is not much closer than existing development on the edge of Stapleford to the south, its impact would be greater due to its prominence and its extension of built development further to the northeast. Its development would increase the appearance of coalescence between the separate settlements of Stapleford and Chilwell, irrespective of the role of the A52 in limiting the further spread of development on the north western side. This would be contrary to the 2nd purpose of Green Belts.
10. Although the site is contained by existing development to the south and west and by the A52 to the east, the development of this site would not appear as rounding or squaring off development when viewed on the ground. The northern boundary is unmarked. It would be vulnerable at future LP reviews to further rolling back and an extension of development into the PAFSP since development on the site would have so compromised this area's appearance and character from most viewpoints, including the popular east-west footpath to the north. Development would appear as intrusive and somewhat arbitrary urban sprawl and encroachment into a prominent area of countryside; contrary to the 1st and 3rd purposes of Green Belts. It would exacerbate the impact of the existing quite prominent development on Sisley Avenue. The A52 may be a clear strong boundary, but this is insufficient unless it helps to fulfil important Green Belt purposes. It also does nothing in itself to protect the Green Belt areas immediately to the southeast from further encroaching extensions of the Inham Road estate.
11. The southern site is therefor important to Green Belt purposes and is apparently also B&MV agricultural land, which government and SP Policies seek to protect where other suitable lower grade land is available.

12. The southeastern part of the southern site adjoins the busy A52 but the Council proffers no evidence to support their assumptions of the site's exposure to unacceptable noise levels. Access could be taken off Sisley Avenue.

Synthesis

13. I can identify sufficient more suitable sites for housing elsewhere; mostly outside the Green Belt. In those few cases where I support alterations to Green Belt boundaries for housing or for safeguarded land the sites in question fulfil only very limited Green Belt purposes.

Recommendation

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

ST2 EAST OF COSSALL ROAD, TROWELL

Objections

1116 2368

Wimpey Homes
Stoneleigh Planning Partnership

Summary of Objection Issues

1116/2368: Wimpey Homes

1. In order to meet the current deficiency of approximately 273 dwellings, land at Uplands Farm, Trowell should be allocated for housing in addition to an area of public open space.

Council's Response:

2. Site Details

Site Area: 3.6 hectares. (The site originally identified as ST2 in the Consultation Draft is 11.9 hectares).

Current Use: Agricultural land (grades 3b and 4).

Green Belt: The site lies within the Green Belt.

Public Transport: A frequent bus service runs along Nottingham Road, which lies within walking distance of the site.

Road Access: The main access to the site would be from Nottingham Road.

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).

4. Issues that were of significance for this site were:
 - (i) Development of the site would constitute a significant encroachment into Green Belt countryside.
 - (ii) Loss of mature hedgerows and trees.
 - (iii) New development would relate poorly to the existing form and shape of the area.
 - (iv) The site is not within walking distance of local facilities.
 - (v) The site is prominent and development would have a significant negative effect on visual amenity.
 - (vi) The site is close to the M1 motorway – a major source of noise.
5. These issues feed into the assessment of the site together with the more strategic factors identified in the Council's Round Table Papers on Housing and Green Belt.
6. The Council has assessed the site using the same criteria as for other sites. Due to the issues identified above, and in particular the encroachment into Green Belt countryside, the prominence of the site, its poor relationship to existing development, the impact on mature trees and hedgerows and the proximity of the M1 motorway, the site was not selected for further investigation.
7. The Council contends that there is no deficiency in land allocated for housing, and therefore the development of unsuitable sites, such as ST2, is not required.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the

extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

4. The site, in agricultural use, is situated on the northeastern edge of Trowell, which is classed as a village not an urban area in SP para 1.65. It thus falls within category d) of the site search sequence in Policy 1 of RPG8. It is within easy walking distance of frequent bus services along Nottingham Road. It is also about 700 m to 800 m from the proposed new passenger railway station at Ilkeston Junction. It thus lies within the Nottingham to Trowell Public Transport Corridor favoured for major development in SP Policy 1/ 2, although the Council deny the existence of any major development opportunities within this Corridor. It is also within walking distance of the village Primary School and the other limited local facilities. It is about 3 km from the nearest Secondary Schools. It is reasonably sustainable location in transport terms but less so in accessibility to a range of other services and facilities. It is about 2.5 km from Stapleford and Ilkeston Town Centres.

Urban Form

5. The site adjoins the backs of developments on Nottingham Road and Cossall Road to the south and west respectively. It adjoins a stream and a track to the southeast and farmland to its eastern boundary. It adjoins a track and some farm buildings to the north. It is less contained on the ground that might appear from a map. It occupies an exposed east-facing slope that is prominent when viewed from the M1 motorway to the east and the Farm is well named in this regard. It lies outside the well-established built framework of the village. Its development would involve a significant extension of the village with a new housing estate a type of development out of keeping with the predominantly ribbon form of this and the older parts of the village. The southern part of Trowell has seen some estate developments in the past but this provides no justification to repeat this form of development north of Nottingham Road in this older largely unspoilt part.

Green Belt

6. Trowell Village is proposed to be excluded from the Green Belt in the FDDP and the RDDP. I have no criticisms of the definition of this boundary in the RDDP in this location where it serves a Green Belt purpose, notwithstanding the identification of the Nottingham to Trowell Public Transport Corridor as a favoured location for major development in the SP. SP Policy 1/5 makes it clear that open breaks between distinct settlements particularly along the 4 Public Transport Corridors should remain in the Green Belt.
7. Due to the land form and the adjoining land uses the site's development would not involve sprawl, nor would it significantly increase coalescence of Trowell with the edge of Nottingham, 2kms away and out of sight to the east. However, it would involve a prominent encroachment into the countryside contrary to the 3rd purpose of Green Belts set out in PPG2 para 1.5. The site therefor fulfils and an important Green Belt purpose.

Traffic Noise and Development Factors

8. The Council maintains that parts of the site are exposed to traffic noise from the M1 motorway, although they provided no evidence in the way of noise measurements. In view of the elevation of the M1 and the site, mitigation measures would need to include acoustic barriers along the edge of the Motorway as well as in the design of any development. It is unclear whether this could achieve as satisfactory standard of amenity within the garden areas of any dwellings. Furthermore, the M1 MMS proposes the widening of this section of the Motorway to 4 or 5 lanes, which if implemented would bring the Motorway and its noise source somewhat nearer. It could also involve the destruction of roadside planting, which helps to screen part of the Motorway; at least for a period until new planting matures. Although these are only draft final proposals they introduce another element of uncertainty as to the suitability of this site for housing development.
9. I see no reason why development should not retain most of the site's trees and hedges and new planting could provide compensation for any that may be lost and could provide for further enhancement. Access could be obtained from Cossall Road or via the track onto Nottingham Road. SP Policy 3/13 and government policy favour the use of lower grade agricultural land such as this to B&MV land, as at Watnall/Nuthall, wherever possible.

Synthesis

10. The impact of encroachment of development into this prominent area of open countryside and Green Belt are decisive in this case and are sufficient to outweigh the preferences of SP Policy 1/ 2 and the site's low agricultural value. I identify other more suitable sites for housing development elsewhere; mostly outside the Green Belt and mostly on low grade of agricultural land.

Recommendation

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

ST3 NORTH-EAST OF SMITHFIELD AVENUE, TROWELL **Objections**

1106 2246 Mr R Hepwood

Miller Homes East Midlands

Summary of Objection Issues

1106/2246: Miller Homes East Midlands

1. Object to this site (ST3) not being identified as a potential housing site. It is an ideal site, lying within the County Council's Transport Choice Corridor and is within 400m of a 20 minute bus service to and from Nottingham City Centre. Potential to enhance the public right of way along the former Nottingham canal through landscaping, planting, signage and surface treatment. Offers local benefits including contributions in terms of land or funding to the adjoining school. The land does not fulfil any of the functions of Green Belt (PPG2); enables a more logical and long term defensible Green Belt boundary following the canal if excluded from Green Belt.

Council's Response:

2. Site Details

Site Area: 2.1 hectares (5.2 acres).

Current Use: Agricultural land (ungraded).

Ecological Value: The site adjoins Nottingham Canal, which is a Site of Importance for Nature Conservation (SINC) and an important wildlife corridor.

Green Belt: The site is currently within the Green Belt but lies close to the village of Trowell, the core of which is proposed for removal from the Green Belt in this review.

Public Transport: A frequent bus service runs along Nottingham Road, which lies within walking distance (400m) of this site. One bus every 5 minutes runs within 400m of the site on Ilkeston Road. Services travel to Nottingham, Beeston, Stapleford, Ilkeston and Cotgrave. The site is also within 1km of the proposed new railway station between Ilkeston and Trowell.

Road Access: The main access to the site would be from Smithfield Avenue.

Other Issues: The northern part of the site is on relatively high land and is highly visible. Parts of the site are affected by motorway noise.

Site Assessment

3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Paper).
4. Issues that were of particular importance for this site were:
 - (i) Development would result in an intrusion into the Green Belt;
 - (ii) The site is not adjacent to an urban area;
 - (iii) The site is adjacent to a major source of noise (M1 motorway);
 - (iv) The site is adjacent to the Nottingham canal, a Site of Importance for Nature Conservation (SINC) and Local Nature Reserve;
 - (v) The site access is difficult.
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Round Table Paper on housing.
6. This is a Green Belt site that lies adjacent to the south side of the Nottingham Canal. Miller Homes East Midlands do not provide details of how they intend to enhance the canal, but in any instance development would need to be sited well away from the canal in order to protect its conservation interest. Furthermore, the motorway runs on an embankment above the site and therefore the site has the potential to suffer from noise nuisance. Access to the site is also difficult, and the Highways Authority have not agreed a suitable access.

7. Trowell is not an urban area, but a village that is not suitable for further development. As such no new housing sites have been allocated in this area. The Council's aim is to keep the village of Trowell as a compact village; in this pursuit only the core of Trowell village is proposed for removal from the Green Belt. The Local Plan Strategy concentrates development within the urban area, or where this is not possible, as appropriate extensions of urban areas (as advocated by PPG3).

Rebuttal Of Evidence Submitted by Objector

8. The objector promoted site ST3 at the consultation stage of the Broxtowe Local Plan. However, an assessment of the site led the Council to conclude that there were more suitable sites on which to develop. Above the Council has set out details of the assessment carried out and the specific criteria considered important in this case. While not repeating this evidence, it is important to provide additional information and clarification on some of the points raised in the objector's proof.
9. The issue of whether Broxtowe Borough Council has allocated sufficient land to meet its Structure Plan housing requirement, has been dealt with in the Housing Round Table Session (CD83).
10. The objector contends that the site has 'very strong defensible boundaries'. The Council disagrees - the boundary, if drawn around the site would form a clear extension of development reaching back towards the M1 motorway. The Green Belt boundary as currently proposed by Broxtowe has been drawn tightly around the compact built-up area of Trowell village. If the boundary were re-drawn as suggested by Miller Homes this would lead to further pressure for development on the other land between Trowell Village and the M1 motorway (refer to the attached plan). The motorway is not a suitable boundary for development, partly because of its likely adverse effects on future residents.
11. The facilities at Trowell are those expected of a village - the shopping facilities are particularly limited. Whilst the village is relatively well served by buses, many of the trips required for shopping and community facilities are likely to be undertaken by car.
12. Miller Homes draws attention in paragraph 3.1 to Policy 1/2 of the Nottinghamshire Structure Plan which states that major development "will be concentrated within and adjoining the main urban areas and along the following transport corridors". Whilst Nottingham to Trowell is identified as a transport corridor, Trowell is clearly not defined as an urban area. The Nottinghamshire Structure Plan confirms this position and in paragraph 1.65 states:

 “(a) South Nottinghamshire Sub Area:
 the Greater Nottingham Conurbation consisting of the City of Nottingham (including Clifton) and the adjacent areas of Arnold, Beeston, Carlton, Stapleford and West Bridgford;” and further down in the same paragraph; “Within the South Nottinghamshire Sub-Area, Hucknall, Eastwood and Kimberley are defined as urban areas. These significant population centres lie along public transport corridors named in Policy 1/2. For ease of reference, all other built-up areas in the County are referred to as “villages” in the policies”.
13. The Housing Round Table session also confirmed the special characteristics of the Nottingham to Trowell corridor. Paragraph 1.29 of the Notes of the Round Table sessions (CD83) states “The Council explained that the Nottingham to Trowell corridor was different to others identified in Policy 1/2 of the Structure Plan because it was only about a mile long in Broxtowe and wholly within the Green Belt. Therefore, it would be unusual to consider major development in such an area”.
14. The site lies within the Nottinghamshire Green Belt and in this instance there are no exceptional circumstances which necessitate a revision to exclude the proposed site from the Green Belt. The core of the village itself is proposed for exclusion from Green Belt designation on the ground that it is an existing built-up area which does not fulfil any of the purposes of Green Belt. The

proposed treatment of Trowell village is in full accordance with paragraph 2.11 of PPG2. It should be noted that it is only the core of Trowell village that is proposed to be inset; the various outlying dwellings/buildings will remain in the Green Belt in order to ensure the village character of Trowell is not lost.

15. Despite the objector's claims, the 30mph speed limit does not determine the core of Trowell village. The speed limit has been sited with reference to road traffic conditions so as to ensure road safety.
16. The objector refers to the number of green field allocations proposed in the plan. Whilst there are insufficient previously developed sites to meet the Structure Plan housing requirement, the Council has tried to avoid alterations to Green Belt boundaries wherever possible, and has in every case proposed new development adjacent to the urban areas.
17. With regard to the potential to access 'jobs, shops and services' Trowell village itself offers very limited potential. The availability of a reasonable bus service alone does not make a development sustainable, especially if the location is such that 'trips' need to be made to access virtually all facilities.
18. As already stated, Trowell village has a character which results from its location, size and history. Whilst the village has limited facilities this is typical of villages of this size. The council considers that in these circumstances a new development off Smithfield Avenue would do very little to 'build communities' and in fact is more likely to unbalance the existing settlement and detract from its village character.
19. The objector states that there are 'no known constraints to development'. The Council has above and will below draw attention to factors which it considers do constrain development.
20. The canal is a grade 2 biological site and as a Local Nature Reserve is the subject of a planned scheme for maintenance and management. The development site boundary runs adjacent to the canal, and yet the objector has given no indication as to how the canal will be protected - a substantial landscaped gap may be appropriate - however, this would clearly constrain the development of the site, especially to the north where the site comes to a point.
21. The objector states the land falls within Category B as defined in PPG24: Noise. However, the objector also states that a noise study is in the process of being updated - it would therefore seem appropriate to await the results of this updated study. (No noise reports have at any stage been submitted in relation to this site). The objector also states that further information will be provided at the Inquiry; the Council suggests that any information pertinent to the inquiry session should be submitted well before the session to give the Council reasonable time to consider and respond.
22. Whilst the details of access arrangements have not been provided, the objector has stated that the development would be accessed from Smithfield Avenue. Access onto this road from within the objection site is unlikely to be acceptable to the Highways Authority. The Council would again suggest that any information regarding access arrangements should be provided prior to the inquiry session.
23. The site is 2.1 hectares and if the density was in accordance with policy H6 Density of Housing Development the site should accommodate a minimum of 84 dwellings equating to 40 dwellings per hectare (rather than 60-75 dwellings as proposed by the objector). The Council does not dispute the objector's contention that the site is available for development, but the contribution it would make to the community has already been disputed.
24. The Council does not consider the site performs well when considered against the criteria in paragraph 31 of PPG3 as already explained. Paragraphs 67 and 68 of PPG3 appear to further

endorse the Council's view in relation to this site. Again, as already discussed, the Council do not consider this site is sustainable or would have any significant benefits for Trowell village.

25. Paragraph 5.9 of the objector's proof asks that the Inspector has reference to paragraphs 69 and 70 of PPG3 should it be found that Trowell is a village. PPG3 includes a sequential approach to development and advises local planning authorities to choose the most sustainable option for new development. Broxtowe Borough Council has met its Structure Plan housing requirement on sites it considers are more sustainable than ST3. With regard to paragraphs 69 and 70 PPG3 stresses the limited nature of development within villages and also places the onus on the developer to show what the benefits would be for the village. As stated earlier the Council consider there would be no significant benefits and instead considerable disadvantages associated with a scheme of this type. Furthermore the special cases identified by paragraphs 69 and 70 do not apply in this case; there is therefore no justification to allow development over and above limited infill which may be appropriate within the proposed Trowell village Green Belt boundary.
 26. The objector goes on to suggest that even if not allocated for development the site should be removed from the Green Belt, and states that not to do so would be 'illogical'. The Council disagrees; the land off Smithfield Avenue is open with a rural character - as demonstrated by the objectors' photographs. The Green Belt designation here has an important part to play in terms of protecting the countryside. Furthermore the guidance given in PPG2 stresses that existing boundaries should not be changed unless exceptional circumstances exist. There is no reason to remove land from the Green Belt when no development is proposed, the land is not adjacent to an urban area, and the land contributes to the purposes of including land in the Green Belt as identified in PPG2. Furthermore, as stated in paragraph 10 of this proof, the removal of this land from the Green Belt would put development pressure on further adjacent land which would be equally unsuitable for development.
 27. In conclusion, the Council considers it has allocated sufficient land to meet the Structure Plan requirement on sites that are more suitable for development and more sustainable. The proposed site is not adjacent to an urban area, would detract from the existing village community, and has severe physical and environmental constraints. Furthermore, the site plays an important role in fulfilling the purposes of Green Belt and as such the Council asks the Inspector to reject this objection.
- 1.1 In response to the objector's supplementary written representation in respect of site ST3 the Council wishes to make the following brief comments.
 - 1.2 Noise

The Council remains concerned that this site will suffer from unacceptable levels of noise. An assessment undertaken by the Council's Directorate of Housing, Health & Leisure concludes "Having undertaken limited noise monitoring I have serious concerns regarding the provision of such land for noise sensitive development" (a copy of this assessment is attached for information).
 - 1.3 Access

The access shown in Appendix 3 of the objector's supplementary evidence is outside the objection site boundary, and the landowner of the property that would need to be demolished has not confirmed its availability.
 - 1.4 SINC and Nature Reserve

Built development including access roads would need to be kept well away from the Nottingham Canal to avoid detrimental impact, as referred to in proof 030, para 20. Appendix 5 of the objector's supplementary guidance illustrates turning heads in close proximity to the canal and the SINC site.

1.5 Green Belt

Issues relating to Green Belt have already been fully explored in the original proof 030.

1.6 Conclusion

The Council's view remains that it has allocated sufficient land to meet the Structure Plan requirement on sites that are more suitable for development and more sustainable. Furthermore this site plays an important role in fulfilling the purposes of Green Belt and as such the Council asks the Inspector to reject this objection.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

4. This site of about 2.1 ha is in agricultural uses. It lies on the edge of Trowell, which SP para 1.65 classifies as a village rather than an urban area. It therefore falls within category d) of the site search sequence in Policy 1 of RPG8. It is within easy

walking distance of frequent bus services on Nottingham Road and within about 800 m of a proposed new passenger rail station at Ilkeston Junction.

5. It is within easy walking distance of the few local facilities in the centre of the village, including a PO/shop. It is adjacent to the village Primary School, which has some spare capacity, but is over 3 km from the Secondary School. It is about 2.6 km from Stapleford and Ilkeston Town Centres. Whilst it is a convenient location in respect of Public Transport, it is less so in terms of accessibility to a range of services and facilities, as might be expected in a modestly sized village. It has reasonably good accessibility to jobs particularly in Ilkeston about 1 km away. As I observe on allocations EM2 and H2I, close juxtaposition of home and jobs does not necessarily lead to significant local take up as people select their homes and jobs with other factors in mind.
6. The Council criticises the objection site's location adjoining a village rather than an urban area and against some of the criteria in PPG3 paras 31, 69 and 70 and its lowly position in the search sequence in para 30. I doubt whether the scale of development on the objection site and the adjoining land would be sufficient to enhance the few local facilities. At best, it might help to support a few of those that already exist. However, there is no evidence that local services and the P.S. would become unviable without extra population or that extra housing is needed to meet local needs. Trowell has not been identified as a local service centre.
7. However, national policy needs to be related to local policy. The site lies within the Nottingham to Trowell Public Transport Corridor favoured by the SP Policy 1/ 2 as a location for major development. Although Trowell is clearly a village according to SP para 1.65, SP Policy 1/ 2 does not confine major development within Transport Corridors to sites adjoining main urban areas. The two types of locations are quite distinct according to the terms of the SP Policies 1/ 2 and 1/3 and the explanation in SP para 13.56. Neither Eastwood or Kimberley is classed as main urban areas yet this did not inhibit the Council from proposing major development at Watnall/Nuthall on the basis that it would fall within the Nottingham to Eastwood Public Transport Corridor, if a shuttle bus service were introduced. The Policy does not confine major development to sites adjoining urban areas; it does not mention the term. Para 13.56 refers to settlements not urban areas. It is unclear what it regards as a range of services. However, the objection site would be accessible to the proposed railway station at Ilkeston Junction, unlike Watnall/Nuthall. Although this station might be towards the outer end of a Public Transport Corridor, the form of development proposed is not prestige employment development unlike that proposed for W/N.
8. Although the Council refute that there are any suitable major sites available in this particular corridor and consider SP Policy 1/ 2 to be mistaken, it is difficult to accept that the SP could have been so unaware of the nature of such a short corridor. The choice of locations for development within it is very limited and development of this objection site would be one of the least damaging in Green Belt terms. Although this site is too small to be classed as major new development on its own, it would be pedantic to eschew this slightly smaller development on such grounds. In any case, SP Policy 1/ 2 does not preclude smaller developments in the favoured locations. Its main force is to avoid them elsewhere. This objection site is also capable of expansion to the south

Green Belt

9. The site is contained to the southwest by the properties on Smithfield Avenue. To the southeast it adjoins the School and to the north the well planted embankment of the disused Nottingham Canal, a dwelling and the planted embankment to Nottingham Road, all of which are included in the Green Belt. Beyond the latter is a densely planted area to the north of the disused canal and then a ribbon of dwellings along the north side of Nottingham Road. The site's short eastern boundary adjoins the foot of the well-planted embankment of the M1, as does the small field to southeast. Only the tops of some HGVs on the motorway are visible through this planting, which should help to soften the impact of any development on the site in views from the motorway during much of the year.
10. However, the Draft Final Report of the M1 MMS proposes widening the motorway to 4 or 5 lanes between junctions. No details of this are available at present and although these works, if approved, might not effect the site physically, they could move the motorway closer and could also involve the loss of the well-established planting on the embankment. This would then open up the site more to view from the motorway. Although, not raised by the parties and awaiting consultation and approval, they are in the public domain and it would be wrong for a LP inquiry to ignore the potential implications of such proposals.
11. The FDDP and the RDDP proposed to exclude Trowell Village from the Green Belt. I support the new Green Belt boundaries put forward where they serve the achievement of Green Belt purposes as set out in PPG2 para 1.5.
12. Being so well contained physically and visually at present, development of this site would not involve sprawl. It could well lead to development of the small adjoining field but again this would not constitute sprawl as this field is also well contained physically and visually. Development would not increase coalescence with the edge of Nottingham some 2 km away and out of sight to the east. Although the site and the adjoining field are grazed by horses and may be undeveloped they lack much of the character and appearance of countryside. The site's development and that of the adjoining field would have little impact beyond their own confined boundaries. They serve very little Green Belt purpose. Their development would clearly involve an intrusion into the approved Green Belt but this does not in itself breach a Green Belt purpose.
13. The redefinition of a new Green Belt boundary around Trowell in itself constitutes exceptional circumstances in terms of the advice of PPG2. At para 2.8, it advises that it is necessary to ensure that Green Belt boundaries will endure and that they should not include land which it is unnecessary to keep permanently open. The possible adverse effects of the M1 motorway on future residents is no proper basis to reject it as a suitable Green Belt boundary, although with the possible widening its future extent is currently unknown.

Urban Form

14. The site's development would respect the form of the neighbouring part of the settlement to the south and would in many respects round off this part of the built

up area, completing its development pattern and keeping it compact as the Council wishes. The core of the old village is centred along Nottingham Road and its junction with Ilkeston Road, with some development along Cossall Road. However, this contrasts with the more extensive modern housing estates that have developed in more modern times off Ilkeston Road. These are excluded from the Green Belt along with the ribbon development on the western side of Ilkeston Road. I fail to see how development of the objection site could unbalance the existing settlement and detract from its village character when it is so dominated by modern estate developments, which are more prominent than the objection site.

Nature Conservation

15. I see no reason why development of the site should impinge physically upon the disused canal or necessarily prejudice the integrity of the SINC due to an increased local population. They are well separated and quite well screened by planting and in part an embankment. This segregation could be enhanced if necessary by other means than a wide landscaped gap. In any case, the canal is used and promoted by the Council as a long distance recreational footpath and a few more local walkers are unlikely to have any extra harmful effect. It is premature at this stage to expect details of any possible enhancement of the canal and this is hardly a material factor in assessing the site's planning status. Development would have a significant impact on the PF crossing the site. Whilst this could be retained its recreational experience would be diminished. An additional short link to the eastern end of the Canal footpath might provide suitable compensation.

Agriculture

16. The ALC of the land is apparently grade 3a which comes within the definition of B&MV agricultural land which SP Policy 3/13 and government policy seek to protect wherever sites of lower quality are available. However, this small field and that adjoining are so divorced from any large holding that their value to agriculture is marginal.

Access and Development Factors

17. The Council gives no reasons why an access off Smithfield Avenue is unlikely to be acceptable to the Highway Authority and it is difficult to give much credence to such vague assertions. However, their view is at odds with letters from the Highway Authority to the objector in 1997 agreeing an access solution in principle and in 2001 confirming this position. The fact that this may involve other's property is not such a problem. A not dissimilar situation on the spine/link road to the Watnall/Nuthall allocations appears to cause the Council little concern. A development of the scale envisaged on this objection site should be able to generate sufficient resources to obtain an access. As a greenfield site the land would be included within Phase 2 of Policy HX which provides ample time to resolve these issues. There is also the possibility of an access via Derbyshire Avenue. I see no sound reasons to reject the site on access grounds.
18. The Council points to some noise surveys, which indicate that the majority of the site falls within Noise Exposure category C. The objector's noise consultants in their most up to date conclusions state that by day and night about 50% of the site

is in category B the remainder in category C. However, unlike the earlier noise measurements, the latest ones show all three locations to be in excess of 66 Leq (Table1). As these, like the earlier readings were taken during the same mid morning period on one day in early December outside the periods of main daily traffic flows it is difficult to reconcile these with the results of computer modelling used to predict 18 hr, 16 hr and 8 hr conditions. I found this consultant's reports unhelpful and unconvincing. There is no evidence that the site would be subject to unacceptable Air Quality Standards. Indeed the latest surveys along the M1 tend to indicate otherwise.

19. PPG24 advises that planning permission for noise sensitive development such as housing should not normally be granted on sites within category C unless there are no quieter alternative sites available, when conditions should be imposed to ensure protection against noise. Both parties agree that at least half the site falls within category C and it would be illogical and wasteful to develop only the western part of the site. In the case of this LP, I am satisfied that suitable alternatives are available. The Council's measurements indicate that whilst it may be possible with noise mitigation measures to reduce internal levels to acceptable standards, these may not reduce external noise levels to the standard of 55 dba. It may be that developments in acoustic barriers could attain this standard but the situation at present is unclear. Furthermore, if the draft proposals of the M1 MMS are implemented, the likelihood is that a new motorway lane could be somewhat closer to the site and for a time, at least, less well screened. The Primary School is only about 70 m from the existing carriageway and it may be that effective noise attenuation measures would be needed to address the impact of a widened motorway on this. However, the situation at present is uncertain.
20. As a greenfield and category d) site this is well down the order for development. This and its potential exposure to excessive noise levels particularly with some uncertainty regarding future motorway widening militate against its allocation for housing at this review. I identify other more suitable sites elsewhere, mostly outside the Green Belt. However, as the site performs very little Green Belt purpose it is unnecessary to keep it permanently open. As the Green Belt boundary around Trowell is being defined for the first time in this Plan Review, the objection site should be excluded from the Green Belt and safeguarded under Policy E11 from the FDDP that I support in Chapter 3. Although not subject to any objection, case law has determined that it is in order for Inspectors to draw attention to the effects of their recommendations on adjoining land. Accordingly, consideration should also be given to excluding the adjoining small field to the south, the Primary School site and the other small field to the south, all of which are well contained by existing development and the M1 motorway and also fulfil little Green Belt purpose. The exclusion of these small areas does not mean that development is inevitable at some stage. It does mean that their merits would be considered against more appropriate tests at future Plan reviews, rather than an artificial Green Belt issue.

Recommendation

21. I recommend that the objection site be deleted from the Green Belt and designated as Safeguarded Land under Policy E11. Consideration should also be given to excluding from the Green Belt and designation as Safeguarded Land the adjoining

small field to the south, the Primary School site and the small field to the south of that.

ST7 SOUTH OF NOTTINGHAM RD, TROWELL MOOR

Objections

748	1442	David Wilson Homes North Midlands David Wilson Estates
748	2399	David Wilson Homes North Midlands David Wilson Estates

Summary of Objection Issues

748/1442: David Wilson Homes North Midlands

1. Clarification is sought over the inclusion of site Sd1 as a housing land allocation in the Deposit Draft given the analyses contained in the Schedule of Potential Development Sites accompanying the Consultation Draft Local Plan Review, April 1998 covering this particular site and site ref. ST7 South of Nottingham Road, Trowell Moor. Given a common planning background involving National, Regional and Structure Plan Policies, it remains unclear why land North of Ilkeston Road, Stapleford is preferred to land South of Nottingham Road, Trowell Moor, given similar planning merits and on what basis a choice has been made between the two.

748/2399: David Wilson Homes North Midlands

2. The site is suitable and available for residential development. The analysis contained in the Consultation Draft was favourable and given its continued planning merits, it is unclear why this particular site has been excluded. It provides an opportunity to integrate housing/employment and transport in a comprehensive and sustainable manner.

Council's Response:

3. Site Details

Site Area : 54.6 hectares.

Current Use : Agricultural land (20% Grade 2, 80% Grade 3b).

Ecological Value: The site includes part of the Nottingham Canal which is a Site of Importance for Nature Conservation (SINC) and a Local Nature Reserve (LNR). The north-western part of the site is a Mature Landscape Area (MLA).

Green Belt : The site lies in the Green Belt on the edge of the urban area. Development would considerably narrow the Green Belt gap between Nottingham and Trowell. The current strong Green Belt edge provided by Coventry Lane would be breached and a new Green Belt boundary would need to be established.

Public Transport: Frequent bus services run along Nottingham Road which bounds the northern part of the site. The eastern part of the site does not have access to frequent services.

Road Access : From Coventry Lane and Nottingham Road.

4. The Council has applied a set of principles in choosing housing sites, and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing, Employment and Green Belt Round Table Papers).
5. Issues that were of particular importance for this site were:
 - (i) Development of site would significantly narrow the Green Belt gap between settlements.
 - (ii) The loss of mature hedgerows, woodland and mature trees.
 - (iii) The proposed new Green Belt boundary would be hard to defend.
 - (iv) Development would relate poorly to the existing character and shape of the area.
 - (v) Development of the site would reduce access to the countryside.
 - (vi) Development of the site would constitute significant intrusion into the countryside.
 - (vii) Development would substantially harm visual amenity from the canal towpath and roads.
 - (viii) The site is prominent from surrounding land.
 - (ix) Development of the site would detrimentally affect the Site of Importance for Nature Conservation (SINC) which is also a Local Nature Reserve (LNR).
6. These issues fed into the site assessment together with the more strategic factors identified in the Council's Round Table Papers on Housing, Employment and Green Belt.
7. The same criteria have been used to assess this site as for other sites. In this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to ST7. Of those issues identified above the most important were; the impact on the Green Belt; the loss of the current clear Green Belt boundary; the poor relationship of the site to the character and shape of the existing area; the prominence of the site; the loss of mature hedgerows; and the impact on the SINC/LNR. David Wilson Homes comment that "The analysis contained in the Consultation Draft was favourable". However, there was no analysis in the consultation draft; this document provided factual information about the sites. Further investigation concluded that the site should not be allocated for the reasons stated above.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify

altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Consultation Draft Plan

4. The introduction to the Appendix "Potential Development Sites" of the Consultation Draft Plan (CD14) emphasised that the Council neither approved nor disapproved of the sites that were primarily put forward for possible development by developers and landowners. It made clear that the Council would take account of all comments received before putting forward a preferred selection of sites in the FDDP. The brief assessment of site ST7 and other sites implied no preference on the part of the LPA. The selection of preferred sites clearly involves weighing their merits and their drawbacks, which is not undertaken in CD14. It is mainly a description of factual information and I fail to see how the analysis could be regarded as favourable. I see little benefit in the development of a bus Park and Ride scheme in the absence of any indication of need or of a local shopping centre and recreation areas largely to serve the proposed development itself. I fail to see how development would provide opportunities for developing wildlife areas. Development on this scale is quite out of proportion to securing an improvement of the industrial estate on Coventry Lane, whatever that might be.
5. Technical Report CD21 contains some appraisal of potential development sites. The assessment of site ST7 contains a number of negative and positive effects, however, the relevance of some of them such as c), g), l) and m) escapes me.
6. I can see few similarities between this site and site H2j at Stapleford either in scale or their relative importance in serving Green Belt purposes. I deal with this site below and the latter site in Chapter 4.

Location and Site Search Sequence

7. This large site is located on the edge of the main urban area of Nottingham and within the Nottingham to Trowell Public Transport Corridor; both of which are favoured locations for major development in SP Policy 1/ 2. Being largely in agricultural use the majority of the site would fall within category c) in the search sequence in Policy 1 of RPG8.

Green Belt

8. Development of the objection site would extend the greater Nottingham built up area over 1.2 km into the open countryside. It would be a major intrusion into this pleasant gently rolling landscape, which enjoys open views from the surrounding roads, the neighbouring railway and from the Hemlock Stone Country Park and the Bramcote Hills area on higher land to the south. It would destroy or compromise a

small area of Mature Landscape in its north west corner. In its present situation the site helps significantly to fulfil the 3rd purpose of Green Belts set out in PPG2.

9. Much of the site's western boundary is unmarked on the ground and relates poorly to local landform. It would be vulnerable to further extension of urban development at future Plan reviews. Development would also be poorly related to the existing urban form, which is contained for the most part within the well-defined and defendable boundary along the line of the A6002. A breach of this further north in the shape of the Nottingham BP was seemingly justified by the imperative of providing a BP in the vicinity of Junction 26 of the M1. This provides no precedent for further sprawl of the main urban area into the relatively unspoilt open countryside on the objection site. Thus the site assists in meeting the 1st purpose of Green Belts set out in PPG2.
10. It would extend development some 1.2 km along Nottingham Road linking up with the short ribbon of dwellings on the north side. The physical edge of Greater Nottingham along Nottingham Road would then extend to within about 450 m of the M1 on the edge of Trowell village. In this gently rolling landscape it would increase the degree and perception of coalescence between the village and Greater Nottingham substantially and to an unacceptable degree. The site is thus important in fulfilling the aims of the 2nd purpose of Green Belts in PPG2. A development on this scale would also compromise the 5th purpose of Green Belts and government objectives to achieve 60% of future housing development on brownfield land, notwithstanding the effects of the Phasing Policy HX that I endorse.

Agriculture

11. The development would involve the loss of a substantial amount of B&MV agricultural land contrary to SP Policy 3/13 and government policy while ever suitable lower grade land is available.

Recreation

12. Development of the site would destroy the rural environment of the disused Nottingham Canal and its footpath, which crosses the site. It would detract from its recreational value and potentially its wildlife value.

Location and Services

13. The northern part of the site is within easy walking access to frequent bus services along Nottingham Road. The southern and eastern parts are less well served, although a development of this scale might be expected to generate a need for new bus services. The southern part of the site adjoins a railway line, although this is of little benefit without provision of a new station. Operating conditions may however inhibit provision of this as it has on site H2j to the south. The eastern part of the site is reasonably close to schools in the adjoining urban area but again this development would need its own new Primary School and perhaps some local shops.

Synthesis

14. The site fulfils important Green Belt purposes. I am able to identify other more suitable sites mostly outside the Green Belt to meet the SP housing and employment land requirements. The few Green Belt sites, which I recommend for development or for safeguarded land are significantly less important to Green Belt purposes and to agricultural interests than this objections site.

Recommendation

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

PART OF SITE To1 PROPOSED RAIL FREIGHT FACILITY, AND/OR EMPLOYMENT DEVELOPMENT, TOTON SIDINGS, TOTON

Objections

1155	2440		Greasley Parish Council
			c/o Andrew Thomas Planning
1384	3836		EWS Railway
			c/o Lambert Smith Hampton
613	1623	Mr S Barber	Broxtowe Real World Coalition
1436	3805	Mr P Wigglesworth	Erewash Borough Council
			Technical Services Department

Summary of Objection Issues

1. The objections raise similar issues and a joint response is therefore given.

1155/2440: Greasley Parish Council

2. The sidings (part of site To1) should be allocated for “employment purposes (ie possible rail freight depot)”.

1384/3836: EWS Railway

3. The sidings (part of site To1) should be excluded from the Green Belt and proposed for a regional road/rail freight interchange.

613/1623: Broxtowe Real World Coalition

4. The “section of Toton Sidings which has been industrial land” (part of site To1) should be designated as an employment site. A condition of use should be road access directly off the A52.

1436/3805: Erewash Borough Council

5. The sidings (part of site To1) should be proposed as a site for “rail or rail freight development”.

Council's Joint Response:

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

“TOTON SIDINGS

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

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

Background

1. I deal with this site in Chapter 3 where I recommend its identification as a major existing developed site in the Green Belt.

Recommendation

2. Refer to Chapter 3.

PART OF SITE To2 PROPOSED HOUSING SITE, WEST AND EAST OF STAPLEFORD LANE, TOTON

Objections

1155 2441

Greasley Parish Council
Andrew Thomas Planning

1167 3874

Bryant Homes (East Midlands)
Antony Aspbury Associates

Summary of Objection Issues

1155/2441 Greasley Parish Council

1. Greasley objected to the fact that part of site To2, plus additional land to the east (equivalent to the revised site currently proposed by Bryant), was not allocated in the Plan. They considered that the site, which will be dependent on whether it is justified to release Green Belt land, could provide land for residential use. Given provision for suitable landscaping and screening, they believe that this could provide less harmful development and reduce the pressure on more sensitive Green Belt land elsewhere in the Plan area.

1167/3874 Bryant Homes (East Midlands)

2. Compared with the land proposed for development in Bryant's proofs of evidence, their objection originally related to a larger part of Site To2, including land to the south-west of the electricity substation. It did not however relate to the additional land to the east of site To2 which is referred to in their proofs. The objection indicated that the areas either side of Stapleford Lane are visually well-contained sites, which hug the existing urban area closely and development would be neither intrusive, nor be seen to erode the effective width of the Green Belt. Road access can be achieved directly from Stapleford Lane to both component sites without difficulty. Both sites are level, well drained and do not suffer any contamination or stability problems. These characteristics, together with their size and shape mean that they can therefore be developed economically and efficiently.

Council's Response:

3. This response deals with the areas of land proposed by both objectors.
4. The site forms a substantial part of a particularly narrow and vulnerable Green Belt gap between Toton and Stapleford. Its development would therefore be contrary to two of the purposes of including land in Green Belts, as defined in paragraph 1.5 of PPG2 (CD16/a), ie to prevent neighbouring towns from merging into one another and to assist in safeguarding the countryside from encroachment. The Council concurs with the figures given in paragraph 5.3 of cpm's proof, which indicate that the width of the Green Belt would be reduced by 23% from 660m to 510m. The current gap is already very narrow compared with nearly all other existing or proposed gaps between settlements in the borough and any reduction in this gap, let alone the substantial reduction proposed by the objectors, would be unacceptable in the Council's opinion. In addition to resulting in a narrowing of the Green Belt gap in objective terms, the development would also cause a perceived narrowing in subjective terms and an associated loss of visual amenity for local residents, users of the extensive network of footpaths and bridlepaths in the vicinity of the site, (including two in very close proximity) and pedestrian and vehicular users of the B6003 Stapleford Lane/Toton Lane. The current Green Belt boundary at the northern edge of Toton,

Chapter 10 - Proposed potential housing and/or employment development sites adjacent to the B6003, approximately coincides with the edge of a plateau area between Toton and Stapleford and the proposed development would encroach into this area.

5. The site does not have good accessibility to jobs, shops and services by foot or by public transport. Its development would therefore conflict with one of the criteria in paragraph 31 of PPG3 (CD16/b). The Council concurs with the factual information in paragraphs 2.21 and 2.23 of Antony Aspbury Associates' proof and believes that this demonstrates that access to facilities by modes other than the car is poor.
6. There are also outstanding highways issues relating to the site. The county highway authority informed the objectors (by letter of 22 August 2001) that a Transport Assessment was required and the Council understands that no such Assessment has been produced. The Council also understands that the access proposals included in Antony Aspbury Associates' proof have not been agreed with the county highway authority.

Additional comments on the objectors' proofs:

7. The objectors make several references to the Government Office for the East Midlands' letter of 15 July 1998. However this letter related to the Consultation Draft version of the Local Plan Review and in particular to the fact that the Consultation Draft referred to a range of Green Belt development options which, if all had been proposed for development, would have considerably exceeded Structure Plan requirements. In the Council's opinion this letter is therefore of no relevance to the consideration of the first Deposit Draft or the Revised Deposit Draft.
8. The proof submitted by cpm refers to landscape and visual amenity issues in relation to Green Belt policy. The Council considers that the land is pleasant, attractive countryside, which adds to the importance of preventing its development. However the Council agrees with the objectors' comment (paragraph 5.10) that Green Belts are not designated on account of their landscape character and the Council therefore considers that landscape issues are peripheral to considerations of Green Belt policy. The Council therefore strongly disagrees with the suggestion (paragraph 2.23) that Green Belt policy has been applied "indiscriminately" in Broxtowe.
9. The proof submitted by cpm also appears to be based on the implicit assumption that there should be some development in the 'tongue' of Green Belt between Toton Sidings and Bramcote, as the objection site is compared only with other parts of this limited area. However the Council considers that the whole of this particularly narrow and vulnerable area serves a crucial Green Belt function and should not be developed.
10. The Council agrees with the statement (on survey sheet 53 in appendix CPM6) that the area of which the objection site forms part "functions as a perceptual and actual gap between settlements", and with the statement (in paragraph 5.4 of the cpm proof) that there is "a sense of approach to a built-up area" when approaching Toton on the B6003. These statements appear to the Council to be incompatible with the suggestion (also in paragraph 5.4) that there is "no significant awareness of a journey across a 'rural divide' between two settlements". The presence of some existing buildings, which are mainly low and reasonably unobtrusive, does not, in the Council's opinion, in any way negate the value of the Green Belt gap.
11. The site is clearly visible from considerably wider areas to the west and north than is indicated in the objectors' "summer visual envelope" (cpm paragraph 3.20 and plan CPM3), as can be ascertained by views from the site and by walking the footpaths in the vicinity of the site.
12. As a point of clarification, the Council understands that the site lies within the Nottinghamshire Coalfield Regional Character Area and the Coalfield Farmlands Landscape Type, rather than the Sherwood Area and the Village Farmlands Type mentioned in paragraph 3.7 of the cpm proof. (This point is clarified by the map on page 15 of chapter 3 of the Nottinghamshire Landscape Guidelines document, CD43).

13. Other more general points raised by the objectors, relating to the overall level and distribution of housing provision, were dealt with at the round table sessions and referred to in the Council's round table papers and CD83.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP, as sought by both objectors. I share Bryant's view that generally a greater number of smaller allocations will cause less harm to Green Belt purposes than fewer large ones, although this will depend upon the characteristics of individual sites. I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.
3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist.

Inspector's Conclusions

Site/s size and Capacity

4. I intend to deal with the latest objections on the basis of AA Plan 1. This includes an "additional area" to the east of Bryant's original objection site, which they now promote and which was, in any case, included in Greasley PC's objection. The combined objection site/s comprises an area of 2.42 ha to the west of Stapleford Lane and 3.2 ha to the east. I see no basis to reduce these for open space and landscaping provision, given the land adjoining the housing areas, which Bryant's promote for open space within the Green Belt. Thus, I estimate the capacity of the combined sites to be about 200 dwellings at 35 dph, rather than the 160 dwellings

assumed by Banners Gate. However, this higher figure makes no significant difference to the transport issues.

Consultation Draft Plan

5. I note the GOEM's criticisms of the CDDP (CD14). However, the introduction to the Appendix "Potential Development Sites" emphasised that the Council neither approved nor disapproved of the sites in the CDDP that were put forward for possible development primarily by developers and landowners.

Countryside Assessment

6. Para 2.15 of PPG7 relates to the Countryside Agency's Countryside Character Assessment and advises that it is descriptive not an additional designation. It does not advise LPAs to conduct new assessments or advocate their use in identifying areas suitable for development. Its value in reviewing Broxtowe's local countryside designations is, in my view, limited; a point partially illustrated by some confusion over the appropriate character areas. It is not surprising that CD21 was based upon a somewhat larger objection area since this appeared to reflect Bryant's intentions at the time. The Council's proof of evidence addresses the key issues facing the reduced objection site in more detail.

Site Search Sequence, Location and Public Transport

7. This edge of urban site in agricultural use falls with category c) in the site search sequence in RPG8 Policy 1. As it adjoins the main urban area of Greater Nottingham it is favoured as a location for major development in SP Policy 1/ 2. However, this Policy shows no preference for concentrating major new development on sites adjoining the main urban areas rather than along named Public Transport Corridors. Neither the SP nor the RDDP shows any preference for developing new housing in the southern part of the borough and there is little evidence of such local housing market areas. Most urban areas in Broxtowe are accessible to a wide range of jobs even with the effect of widespread road congestion.
8. The nearest local shops and Primary School are about 500 m to 700 m away down a moderate hill, not a gentle incline, to the south. The SS is within easy walking distance. Local bus services are infrequent. More frequent services lie a little beyond the Council's optimum walking distance and there is an interchange penalty even with tight scheduling. The scale of development proposed is unlikely to justify any diversion of routes or re-positioning of bus stops. The likelihood is that most trips generated on the site would be by car. Although site H2k lies a similar distance from frequent bus services walking trips there could be associated with those to a large local shopping centre which I consider should help to foster use of PT and joint purpose trips.
9. However, the proposed NET extension to Chilwell would, if and when implemented, bring this new form of public transport within easy walking distance of the objection site/s, although the primary intention of this extension is to serve an A52 related Park and Ride site rather than new development areas. An extension would significantly enhance the site's accessibility by public transport to shops,

services and jobs particularly in Beeston Town Centre and Nottingham City Centre. Given its enhanced level of service, particularly its comfort, reliability and its ability to avoid the delays of road congestion, the NET should be capable of achieving a significant transfer from private cars to public transport. In transport terms, this site is potentially a highly sustainable location.

Access and Traffic

10. I note the County Highway Authority's requirement for a TA. However, I also note the lack of a TA for the County Council owned site H2f, which with the adjoining nursing home is not so different in size compared to this objection site. The NET extension apart, development of this site raises no complex transport issues. I agree with Banners Gate that all that is needed at this stage is to demonstrate that a satisfactory access can be obtained to this modestly sized site. The LPA and I are satisfied, on highways grounds, that it can, although it could involve the felling of a number of mature trees on both sides of the Lane. A new island on Toton Lane could augment the existing measures in slowing traffic. The HA's lack of response to drawing P187/101 raises some doubts about their capacity to deal with a more extensive TA. I also found the requirements for some submitted TAs on other objection sites to be excessive and of limited value to a LP inquiry. They had a tendency to concentrate upon the minutia to the exclusion of more strategic aspects.

Agriculture

11. The Fisher German Report on agriculture has some limitations. Whilst it identifies the ALC of the land as grade 2 and 3, it fails to reveal the scale of B&MV, despite its clear relevance to SP Policy 3/13 and government policy. Both of these prefer the development of lesser grade to B&MV land (which includes grade 3a), wherever possible. The reliance upon third party reports of the presence of heavy clay is unusual, given the later emphasis of this factor and the ALC. I also noticed no appreciable western slope on the reduced objection site/s. It is unclear how FG arrives at a loss of 2.58 ha, given the size of the housing and open space sites. The viability of the current holding arrangements is principally a matter for the tenant farmer. The remaining land outside the objection site adjoins a sizeable area of agricultural land and I would not normally expect the loss envisaged in these objections to have anything but a temporary impact upon the viability of agricultural units in the area.

Green Belt and Landscape

12. Neither the CDDP, as noted, nor the subsequent FDDP and RDDP undertook a review of Green Belt boundaries, other than to accommodate specific allocations and to correct some "anomalies" listed in CD21. SP para 1.87 only requires LP reviews to make specific provision for development needs arising to 2011. Beyond this, any review of Green Belt boundaries is at the discretion of District Councils. Whatever, the merits of a longer term review and this is certainly supported by PPG2 and RPG8 Policy 6, I am clearly unable to undertake any comprehensive systematic re-assessment of the whole of the Green Belt. I can only consider those objection sites and allocations, put before me. It would serve few interests to "return" the RDDP to the Council for further review of this issue at

this stage and I can see no basis for such a step. The situation here is quite different to some LPAs elsewhere who are seeking to define Green Belt boundaries for the first time or who propose major alterations.

13. Whatever, Andrew Thomas's later criticisms of the Council's approach, I attempt to approach all sites on a consistent basis. In considering the suitability of objection sites for allocation and potential safeguarded land, I have regard to the extent to which they fulfil Green Belt purposes as well as other criteria, particularly sustainability factors. In judging the former, I have regard to the purposes set out in PPG2 para 1.5 rather than the 6 tests advocated by CPM. The former provides the objectivity and consistency necessary for a national designation and allows for the comparative assessment sought by Mr Aspbury for Bryant and also by Andrew Thomas Planning for Greasley PC.
14. In their criticisms of the extent of the Green Belt in Broxtowe, CPM misunderstands government policy towards the definition of Green Belts. PPG2 makes it clear, that the objectives in para 1.6, which include retaining attractive landscapes, are not in themselves material factors in determining the extent of Green Belts. Para 1.7 emphasises that the quality of the landscape is not relevant to the inclusion of land either within the Green Belt or to its continued protection (or its rolling back). CPM also overlook the fact that the general extent of the Broxtowe Green Belt has been tested through a number of LP inquiries. Para 3.15 of PPG2, like LP Policy E9, applies to developments outside and those inside the Green Belt that would not prejudice the purposes of including land in the Green Belt. It does not extend to inappropriate development within the Green Belt. I can see nothing in SP Policy 1/5 that refers to landscape being pertinent. SP paras 1.89 and 1.90 refer to 5 prominent areas, which do not include the objection site. CD21 page 60 refers to the significant reduction in the open break and the quality of view of the wider landscape both of which are quite capable of assessment by site visit.
15. There is no evidence to support CPM's claim that land between Stapleford and Toton in the vicinity of the objection site is the least sensitive part of the Green Belt or even of this part of the borough, whichever is meant. In order to reach such conclusions, it would be necessary to assess the whole of the Green Belt against the appropriate tests. My own conclusions on objection sites does not match CPM's assertions.
16. I also failed to see the relevance of much of CPM's Appendix 6 to the current objection site. Beeston Fields GC, as a simple check reveals, lies well outside the Green Belt. Burnt Hill, Southfields Farm/House and Windmill Hill lie some distance to the north and Bessell Lane Farm well to the west. Apart from the latter, there were no proposals to develop these prominent areas and any comparisons are hardly relevant. The extent of Area 7; its distinction from areas 6 and 9 and its description are all open to doubt. The division of Wheatgrass Farm (Ch1) is arbitrary and, contrary to CPM's view, I did not find this area to be well treed.
17. My own inspection, which like BBC's required no formal landscape assessment exercise, showed that the vegetative features on the eastern site do not obscure/restrict/limit views from a number of viewpoints to the north; as Bryant's later submitted, it is not the case that development on this site would be invisible. The trees along the southern (and part eastern) boundary of the eastern site are a

strong feature and, particularly when in leaf, they filter and soften views of the northern built edge of this part of Chilwell, which mainly lies down the slope to the south. Although some buildings beyond are still apparent, I fail to see how building in front of this notable, well-established boundary could enhance the effectiveness of the Green Belt to the north. The other notable feature on the eastern site is the avenue of trees along this section of Toton Lane. Apart from these features, the field hedges, with only a few hedgerow trees, would allow views of dwellings on the eastern site from the footpaths in the open countryside to the north and east, from a section of the A52, as CPM3 shows, from some properties in south east Stapleford and from the Windmill Hill area of Stapleford. The northern boundary of the proposed housing area is unmarked on the ground, cutting through this open field and the northern boundary of the proposed open space is only marked by a low hedge and a few poor trees. The lack of a winter visual envelope is a notable omission; as CPM accepted this envelope would be wider than that in CPM 3.

18. Dwellings on the northwestern part of the western site would be visible from the PF to the northwest. The existing built up edge of Chilwell to the south is set slightly down from the ridge, which helps to compensate for weaker boundary planting.
19. CPM's strategy for addressing this visual impact on the countryside and Green Belt is enhancement/structure planting to strengthen visual containment. However, this overlooks a number of factors. New trees take many years to establish and to become effective, yet many may not outlive new buildings. Deciduous species are less effective in winter months, unless planted in considerably greater depths than illustrated on CPM4. Belts of trees along field boundaries on a grid iron pattern are not a significant feature of this area of countryside to the north and such planting would be out of character and would harm the visual amenities of this part of the Green Belt; the line of poplars already presenting a somewhat alien feature. It would reduce the degree of openness of the Green Belt. Even if it were possible to fully screen new development, local residents would be well aware of its presence. They would perceive it not as part of the countryside or a Green Belt gap but as part of the adjoining built up area.
20. Thus whilst new planting has an important part to play in softening the effects of acceptable new development, it cannot sufficiently mitigate the impact of an unsatisfactory scheme. It does not, as claimed, present a robust long-term boundary to the Green Belt since it can be too easily replicated further out into the Green Belt at some future review and thus lead to urban sprawl. It could be put forward to justify inappropriate development in many places in the countryside and the Green Belt. There is no indication that the Council would adopt the proposed open space and, in any case, a contrived arrangement is no proof against further built development, either on it or to the north. Playing fields, in which the ward is deficient rather than informal open space, could also add to the urbanising features in this gap, since this type of open space occurs more commonly in urban than rural areas.
21. Both parts of the objection site are currently part of the countryside and housing development upon them would involve encroachment contrary to the 3rd Green Belt purpose in PPG2 para 1.5.

22. Whilst on plan the proposed development of the eastern site appears to round off an indentation in the built up area, the effect on the ground is quite different due to the well established vegetation along the existing Green Belt boundary and the marked break of slope to the south. The proposal would extend development beyond this well-defined and long established boundary into the open countryside of the plateau to the north. If endorsed, it could prove difficult to resist similar proposals in the same countryside area on objection site Ch1 to the east, either at this or future Plan reviews. In these respects, development of the eastern part of this objection site would constitute urban sprawl, contrary to the 1st Green Belt purpose.
23. The part of the objection site to the west of the Lane, although more contained by vegetation, would also extend the built up area of Chilwell over the ridge line and beyond well established boundaries into open countryside to the north. Filling a gap between the edge of the urban area and a large freestanding electricity sub station, hardly constitutes rounding off of the former.
24. Whilst the impact of the proposed development on both site/s would be experienced from some parts of Stapleford, the A52 and the countryside to the north a major impact would be on the users of B6003, Toton Lane. The existing Green Belt gap between Stapleford and the edge of Chilwell is about 660 m. This is a very narrow break in the pattern of urban areas. It should take less than a minute (off peak) to traverse by car and only a few minutes to cycle/walk. This already narrow gap would be reduced substantially to about 510 m by the proposed housing development and to less with the proposed open space. PPG2 in para 2.9 may advise that where practicable the Green Belt should be several miles wide, but this applies to its general extent not to the width of various gaps between separate urban areas. There may be narrower gaps in the Nottinghamshire Green Belt, although none were cited. However, this does not justify reducing all to the width of the narrowest.
25. Both CPM and Mr Aspbury put some store by the presence of some urbanising features in this gap, which they believe destroys any significant awareness of crossing a rural divide. Whilst these may be compromising features, they are often found in and accepted as part of Green Belts and the gap still retains a sense of openness and of lying outside the built up areas of Stapleford and Chilwell. The objection site/s is quite visible on both sides travelling along the Lane. Indeed, it is the most rural in character of the frontage land and thus of enhanced importance to this narrow gap. The sense of approaching built up areas is inevitable on the inner edges of most Green Belt gaps, but this does not undermine their essential purpose of preventing urban sprawl and neighbouring towns from merging into one another and thus preserving the latter's distinctive identity. Having criticised the urbanising influence of the uses and features which lie to the north of the largely open and undeveloped objection site/s, it is quite illogical for Bryant's to claim that this residual area of Green Belt would then still function satisfactorily on its own as Green Belt.
26. Traffic management measures and signs also have little impact on the purposes of the Green Belt and again lie mostly to the north of the proposed housing allocation. They are principally related to the needs of the nearby SS. These existing uses and features militate against rather than support any further urbanising

development in this section of the B6003. Bryant's point on urbanising features, would, if taken to its conclusion, condemn the whole of this gap to development.

27. In consequence, the proposed development would significantly increase the degree of and the perception of coalescence of Chilwell and Stapleford when experienced from the B6003, the footpaths in countryside, the A52 and parts of Stapleford to the north. The site/s thus fulfil the 2nd purpose of Green Belts in PPG2.
28. I do not regard this gap as any less sensitive than that at Watnall/Nuthall, where landscaping and planting are also proposed to mitigate the effect of development. However, I find both proposals unacceptable. By common agreement, the 4th purpose does not apply in this Plan area and the 5th purpose may be largely served by the new phasing Policy HX that I support.
29. The integrity of this narrow Green Belt gap is likely to be further eroded if and when the proposed extension of the NET towards Bardill's Island together with a strategic Park & Ride site is implemented. Such are the potential benefits to traffic in the A52 corridor that such an urbanising intrusion into this Green Belt gap might have to be accepted. Annex E to PPG13 advises that subject to certain criteria, P&R development is not inappropriate development in the Green Belt. Details of the precise line, the position and layout of the P&R site and of its access to the highway network have still to be developed. A location close to the existing edge of Chilwell on the east side of Toton Lane could have less of a damaging impact than a more central location that would further fragment the Green Belt.
30. This is another important factor that militates against the objectors' current proposals. It would be wrong to take any steps now that might compromise such a potentially important strategic project. Its development would put an even greater premium upon the remaining Green Belt area. Whether there would be any small remnants between the NET and P&R development and the built up area which would be of little or no value to Green Belt purposes should be known by the time of the next LP review.

Synthesis

31. I recognise that the objection site could be readily developed. However, this, the potential additional open space and the potential NET connection does not outweigh the value of the site to Green Belt purposes in this sensitive and vulnerable location. I am able to identify other more suitable sites elsewhere, mostly outside the Green Belt and on lower grade agricultural land. The potential for conflict with a possible NET extension is a further factor.

Recommendation

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

Wa3 EAST OF M1 MOTORWAY/NORTH OF LONG LANE, WATNALL

Objections

1220 2906 Mr J Sullivan

Ken Mafham Associates

Summary of Objection Issues

1220/2906: Mr J Sullivan

1. Object to the failure of the plan to allocate land at Watnall Brickyards for residential purposes. The land is suitable for housing development for the following reasons – it is on the edge of an existing urban area (Hucknall) and in a corridor of transport choice. It meets the sequential test set out in Nottinghamshire Structure Plan Review - Public transport routes, schools and employment opportunities are within walking distance and the site complies with Draft PPG13 - Existing landscaping can be augmented so as to minimise the visual impact of the development - The former brickworks is a brownfield site and its development would assist the Local Plan coming closer to meeting government targets that 60% of additional housing should be on brownfield sites. The site should be regarded as an expansion site for Hucknall and has fewer disadvantages than the area proposed for housing – H2I. The derelict brickworks have a damaging effect on the appearance and open character of a large part of the Green Belt. The simplest means of access would be from Long Lane at a point midway between the bridge over the motorway and Eel Hole Farm. An average density of 30 dwellings per hectare is likely to be expected from the LA, but because of the need to retain landscape features the actual net residential densities are likely to be closer to 40 dwellings per hectare.

Council's Response:

2. Site Details

Site area:	91.4 hectares (225.8 acres) (The site proposed by Mr J Sullivan does not correspond exactly to Wa3 as shown in the Potential Development Sites document).
Current use:	Agricultural land (40% Grade 2, 30% Grade 3a, 30% Grade 3b) Disused former brick works
Ecological Value:	There are no designated wildlife sites on this land.
Green Belt:	This site is in the Green Belt and the north eastern boundary of the site abuts the urban area of Hucknall (Ashfield District). It occupies part of the gap between Watnall and Hucknall.
Public Transport:	There are no frequent bus services within walking distance.
Road Access:	From Long Lane running to the south of the site, improvements would be needed.
Other Issues:	The former brickworks at the northern end of the site are designated as derelict land under policy E28 (I).

3. Site Assessment

The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Housing and Green Belt Round Table Papers).

4. Issues that were of particular importance for this site were:
 - (i) Significant narrowing of the Green Belt gap between settlements (would roughly half the Watnall/Hucknall gap).
 - (ii) The site would relate poorly to the existing form and shape of the area.
 - (iii) Development of the site would have a significant negative effect on visual amenity.
 - (iv) Development would result in significant intrusion into the countryside.
 - (v) The site has no ready access to public transport.
 - (vi) The site is adjacent to major source of noise – M1 Motorway.
 - (vii) The site is close to Starth Wood (a Site of Importance for Nature Conservation).
 - (viii) The site consists of a high percentage of the best and most versatile agricultural land.
 - (ix) Development would result in the loss of mature hedgerows and trees
5. These issues fed into the assessment of the site together with the more strategic factors identified in the Round Table Paper on housing.
6. The same criteria have been used to assess this site as for other sites. In this instance a number of difficulties have been identified which have led the Council to select other sites in preference to Wa3.
7. This site comprises a large swathe of open countryside that forms an important part of the Green Belt between Watnall and Hucknall. Whilst the site's allocation would result in the reclamation of the derelict brickworks, this does not justify the allocation for residential development of a large area of the Green Belt countryside on the edge of Hucknall. A number of the site specific factors, including the fact that 70% of the site is best and most versatile agricultural land, the proximity of the M1 motorway, and the lack of access to public transport and facilities, compound the problems with the site.

Rebuttal Of Evidence Submitted by Objector

8. The objector promoted site Wa3 at the consultation stage of the Broxtowe Local Plan. However an assessment of the site led the Council to conclude that there were more suitable sites on which to develop. Above the Council has set out details of the assessment carried out and the specific criteria considered important in this case. While not repeating this evidence, it is appropriate to provide additional information and clarification on some of the points raised in the objector's proof.

General layout:

9. The objector's preliminary ideas are difficult to follow on sketch plan one. The Council has however assumed that the brown areas represent groups of housing. No doubt the proposed scheme can be clarified at the Inquiry session.

Access:

10. The objector has not provided a TA for this site and therefore the Highway Authority have not had chance to consider the proposal. However, the objector states that access will be provided from Long Lane. The Council does not consider this single access would be suitable to serve the whole proposed development. Further access points would be required to meet highway requirements. A development of this size would need to be served off a new distributor road as defined in the Highway Design Guide (CD40).

The Sequential Test:

11. The objector refers in paragraph 2.2 to the Nottinghamshire Structure Plan Review; however, there is no such sequential test referred to in the Structure Plan. The relevant sequential test is as set out in PPG3. In the Council's opinion the objector's site does not comply with the sequential test in PPG3.

Derelict/Previously Developed Land:

12. The objector states in the supplementary proof that around 35% of the site was formerly used as a brickworks with associated access. The objector's site has an area of approximately 47 ha and the land that was formerly used as a brickworks has an area of 12 ha; therefore as a percentage of the objector's site this is 26%. Furthermore, as stated by the objector, the ancillary buildings have now been demolished, and the chimneys whilst prominent, have a very small footprint. The appearance of the site, as shown in the objector's photos, lends much to the fact that the photos were taken when the car boot sale was operating. This use does not constitute building operations and if the use ceased the site would appear very much as the surrounding countryside. Therefore in the terms of the guidance in PPG3, this land has blended into the countryside; as this land also makes an important contribution to the Green Belt gap between Watnall and Hucknall, it does not constitute previously developed land as defined by Annex C of PPG3. Furthermore the Council contends that the criteria relating to major developed sites set out in Annex C of PPG2 have no relevance.
13. The objector contends that the derelict brickworks has a damaging effect on the Green Belt. However, the Council does not consider the chimneys represent a "major eyesore" - indeed the chimneys have a function as a landmark feature which adds to the visual interest of the area. As such the Council argues that the site needs to be restored (rather than developed) as stated in policy E28 of the Local Plan. The poor state of a small part of the site in no way justifies development.
14. The objector in paragraph 2.1 of the main proof suggests that less than 30% of new dwellings within Broxtowe are to be built on brown field sites - in fact the true figure is 59% (refer to the attached extract of the Council's Round Table Paper on Housing).

Noise and Pollution:

15. The M1 motorway runs along the western boundary of the site - the objector states in paragraph 2.6 of the supplementary proof that "There will be some air pollution from the motorway". The Council contends that there would also be noise disturbance and therefore any proposed housing should be at least 200 metres from the motorway. This is the approach that is proposed at the Watnall/Nuthall development in order to achieve good levels of amenity for residents. On Site Wa3 a landscaped buffer of this width would require the layout and potentially the site boundary to be re-examined.

Land Form/Green Belt:

16. In regard to land form the objector states: "Land slopes gently north from the suburbs of Nottingham to a ridge adjacent to Common Lane, Hucknall. The southern part of the site is therefore somewhat exposed and for that reason is proposed to be kept in open uses, see photograph L1". This paragraph is not easily understood without accompanying plans, and does not appear to relate to the "Indicative Land Use Strategy".
17. The objector states that the existing built up area is exposed and unattractive; however, the existing line of the Green Belt is clear and well defined and the built up area would be far more exposed if the objection site were developed.
18. The objector states that this site should be regarded as an expansion site for Hucknall. However, Ashfield District Council considers that development in this important Green Belt gap is not

appropriate. The comments of Ashfield District Council in relation to this site are attached for information. The objector also states that the site would be less damaging than areas being proposed for development in the Ashfield Local Plan - The Inspector has not yet reported on the Ashfield Local Plan. However, in any instance Ashfield needs to meet its own Structure Plan housing requirement - Ashfield District cannot rely on sites within Broxtowe Borough.

19. The Council considers the site proposed for development comprises a large swathe of open countryside that forms a prominent and important part of the Green Belt between Watnall and Hucknall.

Landscape:

20. The objector refers to a comprehensive landscape appraisal of the area between Hucknall and the M1. This appraisal does not appear to have been submitted.
21. There are substantial woodlands within site Wa3, some of which are covered by specific designations, and the fields are bounded by good, mature hedgerows. The objector suggests reinforcing the belt of trees, and retaining existing hedgerows; however, no layout plan has been provided to show how this would be achieved.

Public Transport:

22. The objector refers to PPG13 and stresses that generators of journeys should be readily and conveniently accessible by public transport; however, this site is not accessible by public transport as development would be over 400m from frequent bus services. Whilst there is a regular bus service running to the east of the site (within Hucknall) this would in no way be adequate to serve a development of this size. No proposals have been put forward for the provision of public transport within Wa3. The objector's proof suggests that buses could be diverted along Babbacombe Way into the site, however it is not clear how this would be achieved as the site provides no links to this road.

Community and Education Facilities:

23. The objector states that the site is close to existing community facilities. Whilst schools do already exist, these will be at or near capacity due to the substantial development proposals in Ashfield District. No proposals have been put forward for the provision of educational facilities within the site (the objector states "The size of the development does not justify a new primary school"). No mention of other community facilities is made other than to state a medium sized supermarket may be provided.

Comparison with the Nuthall/Watnall Site H2(I):

24. The Watnall/Nuthall site has been discussed in proof 014 and at the recent inquiry session. The Council does not consider site Wa3 is an alternative to the Watnall/Nuthall site as it does not provide a business park and does not constitute a comprehensive mixed use development. However as a housing site for 600 houses, site Wa3 has been carefully assessed. In this instance a number of difficulties were identified which have led the Council to select other sites in preference to Wa3.

Conclusion:

25. The site does not have appropriate access, does not have good public transport links, and is not well related to existing community facilities. The objector concludes that the site 'meets' the sequential test; however, the objector refers to a sequential test which is not contained within the Structure Plan or any other government guidance. In the Council's opinion this site does not constitute an urban extension under the terms of PPG3, but rather a finger of development that

relates very poorly to the existing urban form. The objector states that 35% of the proposed allocation would be on a brownfield site - however it appears from the plan that only 26% would be on the former Watnall brickworks - land which has blended back into the countryside. Finally, the development would result in the loss of an important and prominent area of open countryside - reducing significantly the Green Belt gap between Watnall and Hucknall.

26. The Inspector is therefore respectfully asked to reject this objection.

SUPPLEMENTARY

In order to ensure clarity and accuracy, I would ask that the following paragraph 12 be substituted for that submitted in the original proof 016.

1. The objector states in the supplementary proof that around 35% of the site was formerly used as a brickworks with associated access. The objector's site has an area of approximately 74 ha and the land that was formerly used as a brickworks has an area of 12 ha; therefore as a percentage of the objector's site this is 26%. Furthermore, as stated by the objector, the ancillary buildings have now been demolished, and the chimneys whilst prominent, have a very small footprint. The appearance of the site, as shown in the objector's photos, lends much to the fact that the photos were taken when the car boot sale was operating. This use does not constitute building operations and if the use ceased much of the former brickworks would appear very much as the surrounding countryside. Therefore in the terms of the guidance in PPG3 this land has blended into the countryside. For the remainder of the brickworks site, that can reasonably be regarded as previously developed, under the terms of PPG3, the presumption in favour of using previously developed land, does not outweigh the other policy considerations (for example the land's important contribution to the Green Belt gap between Watnall and Nuthall and the site's poor accessibility and lack of relationship to existing built form). Furthermore, the Council contends that the criteria relating to major developed sites set out in Annex C of PPG2 and referred to in paragraph 4.2 of the objector's supplementary proof, have no relevance.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP housing requirements due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include a major allocation of housing land in the Green Belt; H2I at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that this allocation be deleted from the RDDP and I have to identify other more suitable sites by way of replacement and to meet the shortfall in allocations in the Pre-Inquiry Changes.

3. Where there is an outstanding need to take Green Belt sites to meet SP housing requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Previously Developed Land and the Site Search Sequence

4. It is agreed that about 26% of the objection site, not 50% as previously claimed, is occupied by the former brickworks site. On its own, the whole site's development would therefore worsen, rather than assist, the prospect of attaining the 60% target set by government for development on brownfield land, although it would be preferable, on this score at least, to wholly greenfield sites. The RDDP, particularly with my recommendations should achieve a higher figure than 26%.
5. It is a matter of opinion whether the Chimneys add visual interest to the area, although they certainly act as a landmark feature and in this sense are intrusive. However, the rest of the brickworks site, although largely cleared, has not been restored, as the Council's statement concedes. The whole of the former brickworks site, including the chimneys is included as a derelict site for reclamation in Policy E28. It appears that some recreation rather than agricultural after use is envisaged by the Council, although no scheme exists. It is also unclear whether this would involve the demolition of the Chimneys, in view of their current attractiveness to the Council. The site is currently unused except for some informal cycling/motorcycling/walking and for a Sunday market, which has the benefit of a lawful use.
6. The vestiges of the former developed use, mainly hard standings and foundations are still clear and contrary to the Council's belief I did not find that the majority of the site had blended into the landscape as part of the natural surroundings, although the western part is quite well vegetated with self set trees and scrub. An assessment must be undertaken close to as well as from some distance away. However, the whole of the curtilage of the former brickworks site falls within the category of previously developed land according to the criteria in PPG3 Annex C, which also makes clear that such land can occur in rural as well as urban areas. The rest of the objection site falls outside that curtilage and is not classed as previously developed land. The objector classes part of the site adjoining the urban area on its very short north eastern side as an urban extension which would fall within category c) of Policy 1 of RPG8. The rest of the site would then fall within category d).
7. The site lies some distance from the spine of the Nottingham to Hucknall Corridor and does not adjoin the main urban area of Greater Nottingham. Westville, Beauvale and even Hucknall being classed as urban, rather than main urban areas in SP para 1.65. The site is not a location favoured for major development, of 8 ha or more, in SP Policy 1/ 2.

Agriculture

8. About 70% of the area outside the former brickworks is B&MV agricultural land in the ALC. SP Policy 3/13 and government policy favour the use of lower grade land wherever possible.

Location and Services

9. There are infrequent bus services on Christchurch Road and Long Lane some 50 m to 800 m away. Whilst more frequent services might be diverted nearer the site to serve a large new housing area, this is a matter of conjecture at this stage. Hucknall Railway Station is about 2.5 km away, beyond reasonable walking distance. The nearest primary school is about 300 m to 900 m away. The Secondary School is about 700 m to 1500 m away. There is no evidence of any difficulty in catering for the extra numbers of pupils involved, if necessary by expanding capacity either on the objection site with a PS and on the SS campus. Local shops are some distance away and I would doubt whether even a development on this scale would support many new ones closer at hand. The Watnall/Nuthall local centre was intended to serve housing, a BP, employment estates and a P&R site; it is not comparable with this objection site. In terms of accessibility to public transport and local facilities the site is not a very sustainable location. It is quite appropriate to consider the accessibility of the furthest as well as the nearest parts of the site, particularly one so elongated as this. I agree that few allocations are within 400 m of a town centre and I regard this criterion as unreasonable.

Green Belt

10. The western boundary of the objection site is the M1 motorway; the northern boundary is a ditch and hedge and the edge of the former brickworks site; the southern boundary is unmarked in part and the remainder is a farm track. Development of this large site would extend the built up area some 500 m to 1000 m into the countryside up to the limits imposed by the M1. The site is quite exposed to view. Development on it would be seen from parts of Hucknall to the east from the M1 to the north and to the south approaching the site. It would be seen from Long Lane and from parts of the open countryside to the south. It would be a major encroachment into the countryside contrary to the 3rd Green Belt purpose set out in PPG2 para 1.5.
11. It would bring Hucknall to within about 1200 m of Watnall to the west of the motorway reducing the existing Green Belt gap by about 50%. Intervisibility is not the only test of increased coalescence. It is also perceived by those travelling through the Green Belt gap by vehicle or on foot. There would be a modest increase in the degree and the perception of coalescence travelling between these separate settlements on Long Lane. This would be contrary to the 2nd purpose of Green Belts in PPG2.
12. The form of the proposed allocation bears little relationship to that of the existing built up area. It does not round off the existing pattern of development nor does it provide a complementary new extension. Instead, it extends in an irregular and

intrusive form into the countryside. Its boundaries are artificial and illogical. The indentation in its northern and southern boundaries would leave the adjoining areas, up to the PF in the former case and down to Starth Wood in the latter, highly vulnerable at future LP reviews to pressures for further development, based upon arguments seeking to round off the irregular pattern of development. Suggestions for open space or a country park in the area to the south are unlikely to provide much protection; it could all too easily be re-sited at some future review. These are relevant factors when considering the strength of proposed alterations to Green Belt boundaries.

13. It could even lead to pressures to round off development further to the south up to Long Lane, particularly as the major site access would be taken from there. In all these respects the development of the objection site would constitute urban sprawl contrary to the 1st Green Belt purpose in PPG2.
14. The main site access from Long Lane would also have an adverse impact on the appearance and openness of the remaining countryside and Green Belt area on either side. A secondary access to the housing estate to the east would be difficult to achieve within the boundaries of the objection site. It would either involve some property demolition or a connection to minor cul-de-sacs rather than a local distributor road. However, a development of this scale should be able to fund such works.
15. The existing Green Belt boundary around the housing estate is clearly defined with well established hedges, trees and fences which for the most part softens the impact of the built edge on the adjoining countryside. The proposed boundaries offer no improvement, indeed without extensive planting they would be worse. Such planting would take time to mature and could introduce an artificial, alien feature into the landscape.

Ashfield Local Plan Allocations

16. As the parties agreed, the development of this site is more related to Hucknall in Ashfield District than to Broxtowe. The Ashfield Review LP has been the subject of a recent inquiry and made provision for the SP housing requirement. It should be clear that I am in no position to draw conclusion on the relative merits of this site compared to allocations in the Ashfield Review LP. This was something that should have been put before that LP Inspector. However, Ashfield D.C. is firmly against the allocation of this site.

Nature Conservation

17. The former brickworks is identified as a SINC 5/18 in CD61. The Target Note mentions a mosaic of habitat types and that the periphery which is left relatively undisturbed has most species rich areas. It mentions 4 species of interest. The Target Note assessment does not lend strong support for the preservation of such limited conservation value relative to other factors. Some local habitats around the periphery of the former brickworks could be preserved in a development scheme, particularly alongside the M1, and similar habitats could be created elsewhere, even through neglect.

Development Factors

18. There is no evidence that a buffer strip 200 m wide is necessary to protect residential amenities. Distance itself provides only limited attenuation of traffic noise, as measurements on sites Nu8 and ST3 demonstrate. Acoustic barriers, including bunding, dwelling design and construction are usually more effective and should allow building closer than the Council assume. AQ surveys did not reveal any significant problems near to M1 and there is no evidence to suggest anything different here. The value of recreation areas for residents alongside the motorway is questionable; they hardly provide the most peaceful or interesting of environments, particularly if they are heavily planted. They could be a profligate waste of land.
19. There is no reason why most valuable trees and hedges could not be retained in any sensitive layout. These could also be enhanced by new planting. It does not require a layout plan at this stage to illustrate how this could be achieved. The principle is clear; the details could be left to a later stage.
20. There is no evidence of any significant contamination of the brickworks site, but in any case there are well-established means of dealing with this. Whilst the land is in different ownership this does not preclude development any more than at Watnall/Nuthall. An allocation could prove to be the catalyst.
21. The site was identified, rather than suggested, at the CDDP stage (CD14). However, the introduction to the Appendix "Potential Development Sites" emphasised that the Council neither approved nor disapproved of the sites that were put forward for possible development primarily by developers and landowners. There is no evidence to suggest that the Council ever saw this site as an alternative to the allocation H2I at Watnall/Nuthall. CD21 clearly undertook an evaluation of the CDDP sites at the time. It showed that sites Wa3 and H2I were both unsuitable on the range of criteria adopted.
22. I express considerable reservations over the Council's proposals for a mixed-use development at Watnall/Nuthall and I note that the Council had no evidence of any transport benefits of such based upon research or practice. I see no need for another BP at this stage and find the allocations H2I and parts of EM3f to be unsupportable due to their damaging impact on the Green Belt and the countryside. I note the objector's criticisms of the Watnall/Nuthall allocations and take these into account in my conclusions on those allocations. However, the appropriate comparison is not between H2I and Wa3 but between these and other more suitable sites that I identify, mostly outside the Green Belt. It is unnecessary to replace H2I with another site of similar size. A larger number of smaller sustainable sites provide sufficient housing land provision, more choice of location and more flexibility and do not for the most part involve the loss of important Green Belt land.

Synthesis

23. In view of the serious impact on the Green Belt, the countryside and for much of the site its agricultural quality, its poor relationship with the existing form of neighbouring development, I cannot support a housing allocation on this site, nor

for the same reasons can I recommend its deletion from the Green Belt and its designation as safeguarding land. The potential to reclaim a derelict part of the site, the cessation of some retailing and possible improvements to PFs, the SS and bus services does not outweigh these negative factors. However, the Council has some responsibility to agree a reclamation scheme with the owners, bearing in mind its current lawful use. It is insufficient simply to list the site in Policy E28. PPG7 does not advocate housing development on unsuitable sites as a positive approach and strictly speaking the derelict land lies beyond the urban fringe. The site is derelict and could not be classed as a major developed site in the Green Belt according to PPG2 Annex C and neither the objector nor the Council seeks this.

Recommendation

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

Wa6/PART OF EM3f EAST OF MAIN ROAD, WATNALL

Objection

1155 2355

Greasley Parish Council
c/o Andrew Thomas Planning

Issues Raised and Council's Response

1155/2355: Greasley Parish Council

1. The site is in the Green Belt and should not be used for employment purposes.

Council's Response:

2. This issue is dealt with in the Council's proof 014 concerning site EM3f. In brief, however, the site is already in employment use and would form part of a comprehensive mixed use development.

Background

1. This site is dealt with under site EM3f in Chapter 5, where I support its allocation for employment purposes subject to some minor revision of boundaries.

Recommendation

2. Refer to Chapter 5.

Wa8 NORTH OF GILT HILL, KIMBERLEY/SOUTH OF MAIN RD, WATNALL

Objections

748 2403 David Wilson Homes North Midlands
David Wilson Estates

Summary of Objection Issues

748/2403:David Wilson Homes North Midlands

1. The site is suitable and available for residential development. It lies on the edge of the urban area and could be developed in a comprehensive manner, involving principally housing, employment and transport uses.

Council's Response:

Site Details

2.

Site Area	:	113.7 hectares.
Current Use:		Agricultural land (30% Grade 3a, 70% Grade 4) and woodland
Ecological Value:		Sites of Importance for Nature Conservation (SINCs) cover approximately 30% of the site. Part of a Mature Landscape Area (MLA) also covers approximately 30% of the site, in the north and around the Gilt Brook.
Green Belt:		This site is in the Green Belt and on the edge of the urban area. It occupies a large part of the Green Belt gap between Eastwood and Kimberley plus open land to the north.
Public Transport:		Frequent bus services run along Eastwood Road which is accessible from the southern edge of the site.
Road Access:		From Gilt Hill and/or Main Road. Improvements are likely to be needed to the roundabout at the Gilt Hill/Nottingham Road junction.
Other Issues:		Most of the site is elevated and very prominent.
3. The Council has applied a standard set of principles in choosing sites for housing and standard criteria were also used to assess all releases of Green Belt land (see the Council's Housing and Green Belt Round Table Papers).
4. Issues that were of particular importance for this site were:
 - (i) Development of the site would significantly narrow the Green Belt gap between Eastwood and Kimberley;
 - (ii) Development of the site would detrimentally effect the Sites of Importance for Nature Conservation (SINCs No. 2/2 - 'Watnall Wood': Deciduous Woodland (8.0 ha); No. 2/298 - 'Reckoning House Grassland': Grassland with noteworthy herb content (1.8 ha) and No. 2/297 - 'Watnall Wood Pasture': Pasture with range of species (1.8 ha)).

- (iii) The loss of mature hedgerows and trees.
 - (iv) Development of the site would relate very poorly to the existing form and shape of the area;
 - (v) Local facilities are generally beyond walking distance of the site (shops, schools, doctors);
 - (vi) Significant negative effect on visual amenity;
 - (vii) Reduction of access to the countryside;
 - (viii) Development of the site would significantly intrude into the countryside;
 - (ix) Development would have an adverse impact on a Mature Landscape Area (MLA).
5. These issues fed into the site assessment together with the more strategic factors identified in the round table papers on housing, employment and Green Belt.
6. The same criteria have been used to assess this site as for other sites. However, in this instance, a number of difficulties have been identified which have led the Council to select other sites in preference to Wa8. In particular the site constitutes a large part of a very important Green Belt gap separating Kimberley and Eastwood. Furthermore the site is prominently sited on a hillside and includes a Mature Landscape Area and Sites of Importance for Nature Conservation (SINCs). Given the topography of the site no amount of landscaping along the west boundary would help screen development of this site. Therefore, the Council considers that the principle of development on this site would be inappropriate.

Background

1. I accept in Chapter 4 the Council's revised assumptions on windfalls and conversions put forward in their Pre Inquiry Changes. However, I conclude that sufficient sites should be allocated to meet the residual Structure Plan housing requirements. I also conclude that the Council's legitimate concerns to maximise the use of brownfield land, particularly in Nottingham, in order to safeguard greenfield and Green Belt land in Broxtowe would be best achieved through a revised Phasing Policy. This would include previously developed and certain other urban allocations in Phase 1 and most greenfield allocations in Phase 2. The release of the latter for development would be dependent upon the development and availability of brownfield land and upon the progress in meeting SP housing requirements.
2. It is clear from the RDDP and the Council's Proposed Pre Inquiry Changes that some greenfield and even some Green Belt sites are likely to be needed to meet SP requirements for housing and for employment land due to the shortage of sites within the urban areas of Broxtowe. Indeed, the Pre Inquiry Changes put forward still include major allocations of housing and employment land in the Green Belt; H2I, EM2 and EM3f at Watnall/Nuthall. For reasons set out in Chapters 4 and 5, I recommend that these allocations be deleted from the RDDP. I have to identify other more suitable sites for housing and employment development by way of replacement, although I find in Chapter 5 no need to replace allocation EM2 at this stage in view of the development and availability of sufficient sites for BPs and PEDs in Nottingham such as at Pheonix park and the Royal Armouries. The allocations for general employment land may fall slightly short of the SP levels of provision but as Policy 2/1 makes clear these figures are guidelines rather than precise targets or limits on development. They also include a highly generous allowance for choice on top of the historical take up of land upon which they are based. In consequence I do not regard any slight shortfall of allocations as significant. The SP provision of land for BPs is on top of the general provision and

is not based upon past take up rates. It provides an even greater margin for choice and flexibility

3. Where there is an outstanding need to take Green Belt sites to meet SP housing and employment requirements this provides the exceptional circumstances necessary to justify altering approved Green Belt boundaries. However, as the Council accepted on site H2X at Giltbrook, sustainable sites outside the Green Belt are to be preferred and that it is difficult to demonstrate exceptional circumstances whilst such sites exist. In considering proposed allocations in the Green Belt, I have regard to the extent to which they fulfil Green Belt purposes set out in PPG2 para 1.5 as well as other criteria, particularly sustainability factors.

Inspector's Conclusions

Location and Site Search Sequence

4. This greenfield site which lies on the edge of the urban area of Kimberley falls within category c) of the site search sequence in Policy 1 of RPG8.
5. The southern part of the site is within reasonable walking distance of Nottingham Road with its frequent bus services and clearly lies within the Nottingham to Eastwood Public Transport Corridor which SP Policy 1/ 2 favours as one of the locations for major development. The central part is quite remote and the northern part is served by less frequent bus services along the B600. However, a development of this scale could generate a need for new services. The southern part is also close to a local PS, the remainder is more remote. However, again a development on this scale would need to provide a new PS and other local facilities. It is about 1 to 1.6 km from Kimberley SS.

Green Belt, Landscape, Agriculture and Nature Conservation

6. This very large site occupies a prominent position on the hillside sloping down from the western edge of Kimberley and Watnall to the Gilt Brook. It comprises the whole of the eastern slopes of the valley separating the built up area of Eastwood from Kimberley/Watnall. It is bounded on much of its eastern, a small part of its northern and its short southern boundary by built up areas. However, its extensive western and most of its northern boundary lie in open countryside. Although these are clearly defined by the Gilt Brook and the B600, the former provides no defensible boundary to further development beyond in the Green Belt countryside at this or future Plan reviews, as objection site Ea8 demonstrates. There is little logic in developing one side of this open valley rather than the other, particularly when the western slopes are less prominent and are more contained, by existing development. Development at Kimberley from most viewpoints is of development of limited depth on the skyline whilst development at Watnall lies largely beyond the ridgeline. By contrast, development on the western side of the valley extends in some depth down the slopes from the high point and it is against this background that development on much of objection site Ea8 would be seen. Development on Wa8 would extend the limited skyline development down to the Brook taking the whole of the eastern valley hillside.

7. Development of the objection site would involve a very major encroachment into the countryside contrary to the 3rd purpose of Green Belts in PPG2. On its northern part it would destroy a large SINC and a somewhat larger area of very attractive Mature Landscape and compromise an adjoining area of MLA to the west and another narrower area along the Gilt Brook. It would destroy the rural environment of a number of important footpaths linking Kimberley/Watnall with Eastwood and therefor much of their recreational value. It would involve the loss of a large amount of B&MV agricultural land contrary to SP Policy 3/13 and government policy whilst suitable sites on lower grade land are available.
8. In no respects could development on this scale and in this form be regarded as rounding off a settlement. Rather it would constitute urban sprawl contrary to the 1st purpose of Green Belts in PPG2. It would lead to pressures for further urban sprawl over site Ea8.
9. Even on its own it would virtually link Kimberley to Giltbrook and increase very substantially the degree of coalescence between the towns of Kimberley and Eastwood detracting from their distinctive separate identity contrary to the 2nd purpose of Green Belts. With development of Ea8 it would complete the merger of Eastwood and Kimberley. Development on the scale of the objection site would also seriously compromise the 5th purpose of Green Belts and objectives for attaining 60% of housing development on brownfield land.

Development Factors

10. I would expect that a development of this scale should be able to retain many of the trees and hedgerows and supplement these and the few that are lost with new planting. I would also expect satisfactory access to be obtained from Nottingham Road and the B600. However, development on this scale would generate a considerable increase in traffic, which could place the Ikea and A610 Islands and even Nuthall Island under further pressure. In the absence of a TA I am unable to reach any definite conclusions on this point. However, the results of the TAs undertaken for the smaller site Ea8 and for Ea12 raise concern at the impact of developing Wa8 even on its own.

Synthesis

11. I am able to identify sufficient more suitable sites elsewhere to meet the requirements for housing and industrial land mostly outside the Green Belt. The few Green Belt sites that I support for either development or for safeguarding land have significantly less adverse impact upon Green Belt purposes, upon MLAs and SINC's and on B&MV agricultural land than this objection site.

Recommendation

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

Wa(b) LAND WEST OF MAIN RD, WATNALL

Background

1. Objection 4022 from Mr Lovell was conditionally withdrawn. I have no information on the basis for this. Although the Council has not produced a statement of evidence in respect of this objection site, I intend to deal with it as agreed with the Council at the Pre-Inquiry Meeting.

Inspector's Conclusions

2. I note from my site visits that housing development on this site had commenced and should by now be completed. The dwellings accommodated on the site will count towards the SP housing requirement. There is nothing further to determine.

Recommendation

3. The dwellings on this and other sites that have received planning permission should be included in some form as contributing towards the SP housing requirement as recommended in Chapter 4.