



Broxtowe  
Borough  
COUNCIL

## Broxtowe Borough Council

# Monitoring Report

**1 April 2014 – 31 March 2015**

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# Broxtowe BC Authority Monitoring Report 2014-15

This Authority Monitoring Report (AMR) comprises three sections:

- Introduction and compliance with legal requirements;
- Summary of appeal decisions;
- Policy monitoring indicators.

## Introduction and compliance with legal requirements

This Authority Monitoring Report (AMR) is prepared in accordance with Section 35 of the Planning and Compulsory Purchase Act 2004, Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004.

This legislation requires the AMR to include information on:

- the implementation of the Local Development Scheme (LDS);
- policies that the local planning authority are not implementing;
- net additional dwellings;
- neighbourhood development orders and neighbourhood development plans;
- the Community Infrastructure Levy;
- the 'duty to co-operate';
- the significant environmental effects of the authority's plans.

*Part (1) of the 2012 Regulation requires the AMR to contain information regarding the implementation of the authority's LDS.*

The Broxtowe Local Plan was adopted in September 2004. This Plan is to be replaced by a combination of the 'Part 1' and 'Part 2' Local Plans. The 'Part 1' Local Plan, the 'Aligned Core Strategies' (ACS) for Broxtowe, Gedling and Nottingham City, was adopted in September 2014.

The 'Part 2' Local Plan is the sole document that is specified in the LDS. The 2013 version of the LDS indicated that the 'Part 2' Local Plan was expected to be published in winter/spring 2013/14, submitted in spring/summer 2014 and adopted in winter 2015. This timetable was delayed for reasons including work on the 'Part 1' Local Plan, the commissioning of supporting information and a change in the administration of the authority. The LDS was amended in May 2017 to indicate that the Plan is expected to be published in summer 2017, submitted in autumn 2017 and adopted in autumn 2018. The Publication version of the plan was approved by the Jobs & Economy Committee in July 2017 and will be published in early September 2017, in accordance with the LDS.

*Part (2) of the 2012 Regulation requires the AMR to contain information on policies in a local plan which the authority “are not implementing”.*

All the policies in the ACS are being implemented. Several policies in the 2004 Broxtowe Local Plan are not being implemented, for two reasons. Firstly, in 2007 the Secretary of State for Communities and Local Government decided that specified policies should not be ‘saved’ and these policies therefore ‘expired’ in September 2007. This applies to policies K1, K2, K3, K6, K7, K8, E4, E5, E6, E7, E9, E10, E11, E15, E17, E18, E20, E21, E22, E28, E30, EM4 and T8. Secondly, when the ACS was adopted in September 2014 several further policies were not ‘saved’. This applies to policies E1, E2, E3, E19, E23, E25, H2, H3, H13, EM2, T2, T3, T7, T9, RC4 and RC9.

*Part (3) of the 2012 Regulation requires the AMR to contain information on net additional dwellings.*

Full details of the provision of dwellings are included in the Council's [Strategic Housing Land Availability Assessment \(SHLAA\)](#), which is available on the Council's website.

Part (4) of the 2012 Regulation requires the AMR to contain information on neighbourhood development orders and neighbourhood development plans that have been “made”.

No neighbourhood development orders are being prepared in Broxtowe. Several neighbourhood development plans are being prepared, however none have yet been “made” (i.e. finalised). The following table gives information on the progress of these neighbourhood plans.

### *Progress of Neighbourhood Plans in the Borough*

Stage	Parish								
	Awsworth	Brinsley	Trowell	Eastwood	Nuthall	Greasley	Kimberley	Stapleford	Cossall
Area Application Submitted to Broxtowe		✓		✓	✓	✓	✓	✓	
Area Consultation		✓		✓	✓	✓		✓	
Area Designation				✓	✓	✓		✓	
Forum Application Submitted to Broxtowe				-	-	-		-	
Forum Consultation				-	-	-		-	
Forum Designation				-	-	-		-	
Pre-Submission Consultation									
Draft Plan submitted to Broxtowe									
Draft Plan Consultation									
Plan at Examination									
Examiners Report Published									
Referendum									
Adoption									

*Part (5) of the 2012 Regulation requires the AMR to contain information regarding any report prepared under the Community Infrastructure Levy Regulations 2010.*

The Council has not prepared such a report. (Options for CIL remain under consideration.)

*Part (6) of the 2012 Regulation requires the AMR to contain details of actions taken regarding co-operation with other local planning authorities, county councils, bodies and persons prescribed under the Act.*

The Council is a member of the Joint Planning Advisory Board (JPAB) for Greater Nottingham. Membership of JPAB includes all the County, City, District and Borough Councils in Greater Nottingham. The role of the Board is “to facilitate the sustainable development and growth of Greater Nottingham by discharging the Duty to Co-operate (S110 of the Localism Act), and advising the constituent councils on the alignment of planning work across the Greater Nottingham area and other spatial planning and transport matters of mutual concern”. JPAB oversees the work of all authorities in Greater Nottingham on planning policy issues. This includes: the preparation of ‘Part 2’ Local Plans; planning for the implications of HS2, including liaison with other East Midlands authorities; commissioning evidence on issues such as employment, retail and gypsies & travellers; and liaison with other organisations such as the D2N2 Local Enterprise Partnership (LEP), the Homes and Communities Agency and the Environment Agency.

At officer level the Council is involved with regular meetings of the Greater Nottingham Planning Officers Group, the Nottinghamshire Policy Officers Group and the Nottinghamshire Development Management Officers Group, all of which co-operate on planning issues of inter-authority importance.

The Council also co-operates with adjoining authorities and other organisations as and when required on specific issues, such as Green Belt Reviews, the implications of major developments and the drafting of Local Plan policies.

*Part (1) of the 2004 Regulation requires the AMR to “monitor the significant environmental effects of the implementation of each plan”.*

The ACS includes monitoring indicators relating to each policy in the Plan. These are reported on in the third section of this AMR. (In a few cases ACS monitoring indicators which are not considered to be relevant have been omitted.) This enables European legislative requirements to be complied with and helps to identify any “unforeseen adverse effects” of the Plans, as required by the Regulation. Future AMRs will also refer to the monitoring indicators for policies in the emerging ‘Part 2’ Local Plan.

## Summary of appeal decisions

This summary reports on appeal decisions received between 1 April 2014 and 31 March 2015. It also provides information on decisions over the last ten years.

In 2014/15, thirteen appeals were determined. Eleven (85%) were dismissed and two allowed.

No appeals were allowed in circumstances where the inspector considered the proposal to be contrary to policy.

Two appeals were allowed because the inspector disagreed with the Council's view that the proposals were contrary to policy. These decisions involved judgements about design quality, amenity and privacy for neighbours, and disturbance to neighbours. In topics such as these, it is inevitable that differences of opinion between councils and inspectors will sometimes occur. These appeal decisions did not involve any questioning of the policy objectives or the interpretation of policy wording, so there appears to be no need to review the policies concerned. However, the loss of one appeal (14/00443/FUL) again emphasises (as mentioned in the 2013/14 report) the importance of having evidence available if decisions are made contrary to expert advice (such as that of environmental health officers).

In previous AMRs concern was expressed about the relatively high proportion of appeals that had been allowed relating to policies H9 (domestic extensions) and S7 (food and drink retailing outside town centres). In 2014/15 there were six appeals relating to policy H9, five of which were dismissed, so the overall position has improved slightly (the proportion of appeals being allowed dropping to 32% over the ten-year period between 2005/06 and 2014/15). There were no appeals relating to policy S7 in 2014/15 (the proportion of appeals allowed therefore remaining at 50%). However it remains appropriate to review these policies as part of the production of the forthcoming Part 2 Local Plan.

Reference was also made in previous AMRs to policy E8 (development in the Green Belt). There were three appeals in 2014/15 relating to this policy, all of which were dismissed. 88% of appeals over the last ten years relating to this policy have been dismissed, suggesting little need for amendment. However, comments made in inspectors' decision letters in 2014/15 suggest that it will be important that future local Green Belt policy is as clear as possible with regard to 'disproportionate' domestic extensions and that any local variations from the NPPF are fully explained and justified.

No policies were the subject of more than two appeals that were allowed in 2014/15.

There are six policies which have been the subject of appeals in double figures over the past ten years; policies E1, E3, E8, H7, H9 and S7. Policies E8, H9 and S7 have been referred to above. Policy E1 (good design) was the subject of seven appeals in 2014/15, six of which were dismissed. 73% of appeals relating to this policy in the ten-year period 2005/06-2014/15 have been dismissed. Policy E3 (development within Conservation Areas) was the subject of one appeal in 2014/15, which was dismissed. 82% of appeals over the ten-year period have been dismissed. Policy H7 (land not allocated for housing purposes) was also the subject of one, dismissed, appeal in 2014/15. 77% of appeals over the ten-year period have been dismissed. Subject to the qualifications mentioned above, therefore, the policies which are most used are still proving to be robust on appeal. With

regard to policies which have been the subject of smaller numbers of appeals, no significant trends still seem to be emerging.

2014/15 was an unusual period in that nearly all the appeals related to relatively minor development (extensions, boundary treatments, variation of conditions etc) and only two appeals were allowed in the year. No significant general points therefore arose from the year's appeal decisions. The 2013/14 AMR referred to the importance of the five-year housing land supply; however in 2014/15 only one appeal related to new dwellings, and this (13/00783/OUT) was for a single bungalow, so five-year supply was not a significant issue in appeals during this year.

The 2013/14 AMR referred to the impending adoption of the Aligned Core Strategies (ACS). This took place in September 2014; most of the appeal decisions in 2014/15 were made after adoption and ACS policies were given significant weight. ACS policies are monitored from this year onwards. Two of the most-used policies of the Broxtowe Local Plan (BLP) referred to above, policies E1 and E3 (good design and development within Conservation Areas), were not 'saved' when the ACS was adopted. ACS policy 10 has effectively acted as a replacement for BLP policy E1; in 2014/15, there were seven appeals relating to ACS policy 10, five of which were dismissed. Similarly, ACS policy 11 has effectively acted as a replacement for BLP policy E3; there was one appeal relating to this policy in 2014/15, which was dismissed. The initial indications are therefore that ACS policies are proving satisfactory replacements for BLP policies; however the situation will continue to need to be monitored. There will be the opportunity to introduce more detailed local policies on these topics in the forthcoming Part 2 Local Plan, which may help to reduce the potential for the differences of opinion with inspectors that were referred to previously.

Details of each appeal for 2014/15 are given in the first table below. The second table summarises the outcomes of these appeals in relation to the policies that were referred to in the refusal reasons. The third table shows a similar summary for the combined results from the monitoring reports between 2005/06 and 2014/15. The fourth table shows the rate of dismissal of appeals over the ten-year period.



*Appeal decisions (received over period 01.04.14 to 31.03.15)*

Application	BLP Policy	ACS Policy	Decision	Allowed because of perceived conformity with policy	Allowed despite perceived conflict with policy
13/00299/FUL	E3		Dismissed		
13/00649/ROC	E1, H11	10	Dismissed		
13/00694/FUL	E8	3	Dismissed		
13/00783/OUT	E1, H7		Dismissed		
13/00790/FUL	E1, H9	10	Dismissed		
14/00001/FUL	E1, H9, H11		Dismissed		
14/00096/FUL	E1, H9	10	Dismissed		
14/00165/ADV			Dismissed		
14/00340/FUL	E1, E8, H9	10	Dismissed		
14/00349/FUL	E1, H9	10	Allowed	√	×
14/00443/FUL	H8	10	Allowed	√	×
14/00509/FUL	H9	10	Dismissed		
14/00521/FUL	E8	11	Dismissed		

*Summary of appeal decisions in relation to policies referred to in refusal reasons*

BLP Policy	ACS Policy	Appeals allowed	Appeals dismissed
E1**		1	6
E3**			1
E8			3
H7			1
H8		1	-
H9		1	5
H11			2
	3		1
	10	2	5
	11		1

\*\* Indicates that the policy was not 'saved' in 2014.

*Summary of appeal decisions in relation to policies referred to in refusal reasons: combined results from 2006 to 2015 Monitoring Reports*

<b>BLP Policy</b>	<b>ACS Policy</b>	<b>Appeals allowed</b>	<b>Appeals dismissed</b>
K6*		3	
E1**		24	64
E3**		2	9
E4*			1
E5*			1
E6*			1
E7*		2	
E8		4	30
E9*		1	2
E12		2	1
E13		1	1
E24		1	2
E25**			1
E28*			1
E35			3
H4		1	3
H7		10	33
H8		2	4
H9		12	26
H11		1	3
H12		1	
EM1		1	1
EM2**		2	2
EM3		1	
T6		1	
T11		3	6
S1		1	
S4			2
S6		1	2
S7		6	6
S9			2

BLP Policy	ACS Policy	Appeals allowed	Appeals dismissed
S10		3	1
RC5			1
RC8		1	-
RC12		1	1
RC13			1
	3		1
	10	2	5
	11		1

\* Indicates that the policy was not 'saved' in 2007.

\* Indicates that the policy was not 'saved' in 2014.

### *Rate of dismissal of appeals*

Year	Appeals allowed	Appeals allowed in part	Appeals dismissed	Total	Proportion dismissed
2005/06	5	1	13	19	68%
2006/07	9	0	16	25	64%
2007/08	4	0	19	23	83%
2008/09	7	1	16	24	67%
2009/10	6	1	13	20	65%
2010/11	4	0	16	20	80%
2011/12	5	0	13	18	72%
2012/13	3	0	12	15	80%
2013/14	6	0	14	20	70%
2014/15	2	0	11	13	85%
Total 2005-15	51	3	143	197	73%

## Monitoring indicators

This section details the monitoring indicators for policies in the ACS, in the order in which they appear in the Plan, together with information relating to these indicators. In some cases relevant information is not available for the current year: the Council is revising its monitoring arrangements and more relevant information will be available in future years.

### 1. Climate Change

*Department of Energy & Climate Change's 'Carbon dioxide emissions within the scope of influence of local authorities'.*

Information not currently available.

*Number of permissions in flood risk areas implemented against Environment Agency advice.*

Information not currently available.

*Number of developments incorporating Sustainable Drainage Systems (SuDS).*

Information on completed developments not currently available. However, all large developments granted permission since 1 April 2011 have either incorporated Sustainable Drainage Systems or a condition was attached in the decision requesting details for the disposal of surface water to be approved before commencement of the development.

### 2. The Spatial Strategy

*Net additional homes.*

Full details are included in the [SHLAA](#).

*Council supply of ready to develop housing sites.*

Full details are included in the [SHLAA](#).

*Planning permissions of strategic allocations.*

Full details are included in the [SHLAA](#).

### 3. The Green Belt

*Location and area of land removed from Green Belt.*

No land was removed from the Green Belt in 2014-15.

## **4. Employment Provision and Economic Development**

*Overall number of jobs in the plan area.*

Information not currently available.

*Net addition in new office floorspace.*

Information not currently available. However there was a net decrease of 7.00 ha of employment land (Use Classes B1, B2 and B8) in 2014-15.

*Available supply of industrial and warehouse land.*

Information not currently available. However the current borough total of employment land (Use Classes B1, B2 and B8) in the borough is 39.7 ha.

*Net change in supply of industrial and warehouse land.*

Information not currently available. However there was a net decrease of 7.00 ha of employment land (Use Classes B1, B2 and B8) in 2014-15.

*Planning permissions for strategic sites.*

An outline application (reference 14/00515/OUT) for Boots at Beeston has been agreed in principle, subject to the completion of a section 106 agreement. The application is for mixed-use development including up to 82,000 square metres of employment floorspace.

## **6. Role of Town and Local Centres**

*Planning permissions for retail and other town centre use development.*

Information not currently available. However in 2014-15 there were completions in centres of 323 square metres of Class A1 floorspace and 98 square metres of Class A2.

*Amount of new B1 office floorspace created in town centres.*

Information not currently available.

*Amount of retail floorspace approved outside of defined centres.*

Information not currently available. However in 2014-15 there were completions out of centres of 470 square metres of Class A1 floorspace and 173 square metres of Class A2.

## 7. Regeneration

*Completion of site or certain elements of it (e.g. sq m of offices developed).*

The ACS regeneration policy refers to the Boots / Severn Trent site in Broxtowe: no elements of this development were completed in 2014-15.

## 8. Housing Size, Mix and Choice

*Completions by dwelling type, size and tenure.*

The following table details completions by dwelling type and size. (These are gross figures which do not include losses.) Information on tenure is not currently available.

Type	No. of Beds	Awsworth	Brinsley	Eastwood	Kimberley	Main Built Up Area	Other Rural	Total
Detached	1							
	2							
	3		1	2	1			4
	4	2	1		1	7		11
	5					4		4
	6+					1		1
Semi-Detached	1							
	2			2		15		17
	3	2		13		13		28
	4			1		7		8
	5							
	6+					1		1
Terraced	1							
	2			8		2		10
	3					10		10
	4							
	5							
	6+							
Bungalow	1							
	2					3		3
	3							
	4					1		1
	5							
	6+							
Flat	1				3	20		23
	2					3		3
	3					8		8
	4					2		2
	5							
	6+					5		5
<b>Total</b>		<b>4</b>	<b>2</b>	<b>26</b>	<b>5</b>	<b>102</b>	<b>0</b>	<b>139</b>

*Affordable housing completions by Social Rent, Intermediate Housing, Affordable Rent.*

Information not currently available. However the total of affordable housing completions in 2014-15 was 55. 38 of these were in the Main Built-Up Area and 17 in Eastwood.

## **9. Gypsies, Travellers and Travelling Showpeople**

*Number of traveller plots/pitches allocated and granted planning permission and then implemented.*

No plots or permissions were allocated, granted permission or implemented in 2014-15.

## **10. Design and Enhancing Local Identity**

*Indicators to be set locally by each Council.*

New indicators are likely to be included in the emerging 'Part 2' Local Plan.

## **11. The Historic Environment**

*% and number of heritage assets at risk on national register.*

24 Listed Buildings (16% of the total), 3 Conservation Areas (19%) and 2 Scheduled Monuments (33%) are on the national Heritage at Risk register.

*Number of Conservation Area Appraisals.*

There are 9 completed Conservation Area Appraisals:

- Attenborough Village,
- Attenborough Barratt Lane,
- Beeston St John's Grove,
- Beeston West End,
- Bramcote,
- Eastwood,
- Kimberley,
- Stapleford Church Street, and
- Stapleford Nottingham Road

and another 3 which are awaiting completion:

- Brinsley,
- Chilwell and
- Strelley.

## **12 Local Services and Healthy Lifestyles**

*% of households with access to public services and facilities by public transport, walking and cycling within 30 minutes travel time with no more than a 400m walk to a stop.*

Information not currently available.

## **13. Culture, Tourism and Sport**

*Number of major sporting facilities developed.*

No such developments took place in Broxtowe in 2014-15.

## **14. Managing Travel Demand**

*Proportion of households with hourly or better daytime bus service to town, district or City Centre.*

Information not currently available.

*Number of public transport trips.*

Information not currently available.

*Plan area wide traffic growth.*

Information not currently available.

*Number of cycling trips.*

Information not currently available.

*Number of travel plans agreed.*

Information not currently available.

## **15. Transport Infrastructure**

*Implementation of individual schemes as in Infrastructure Delivery Plan.*

No aspects of the relevant schemes in Broxtowe (the HS2 hub station and the associated NET extension) have yet been implemented.



## 16. Green infrastructure, Parks and Open Space

*Number of Local Wildlife Sites under positive conservation management using Single Data List indicator 160.*

Approximately 25.

*Number of Local Nature Reserves with a management plan in place.*

There are 13:

- Alexandrina Plantation Bramcote,
- Bramcote Park Woodland,
- Brinsley Headstocks,
- Colliers Wood Moorgreen'
- Hall Om Wong Kimberley'
- King George's Park Bramcote,
- Nottingham Canal,
- Sandy Lane Public Open Space Bramcote,
- Smithurst Meadows Giltbrook,
- Stapleford Hill Woodland,
- Toton Fields,
- Watnall Green and,
- Watnall Spinney.

*Green Flag status of open space.*

Five sites, with a total area of 59.5 ha, are managed to Green Flag award standard. These are at:

- Colliers Wood,
- Giltbrook;
- Bramcote Hills Park;
- Old Church Tower, Town Street, Bramcote;
- Alexandrina Plantation / Sandy Lane, Bramcote; and
- Brinsley Headstocks.

*Number of S106 contributions related to open space.*

Information not currently available.

*Indicators to be set locally regarding increase in percentage of population with access to GI assets.*

New indicators are likely to be included in the emerging 'Part 2' Local Plan.

## **17. Biodiversity**

*Net change in the area of Local Wildlife Sites.*

The net area decreased by 1.13 ha in 2014-15.

*Number of SSSIs in a favourable condition.*

Information not currently available.

*Number of Local Wildlife Sites under positive conservation management using Single Data List indicator 160.*

As above, section 16.

*Number of Local Nature Reserves with a management plan in place.*

As above, section 16.

## **18. Infrastructure**

*Implementation of individual schemes as in IDP and in part 2 Local Plans.*

None of the relevant schemes in Broxtowe (Boots & Severn Trent, Beeston; Field Farm, Stapleford; and land in the vicinity of the proposed HS2 site at Toton) have yet been implemented.

For any enquiries relating to information contained within this report please contact the Planning Policy Team at Broxtowe Borough Council, telephone 0115 9177777 extension 3452 or [policy@broxtowe.gov.uk](mailto:policy@broxtowe.gov.uk)

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