

Policy 6.1 – Walker Street:

ID	Organisation
Duty to Co-operate / Interest Groups	
34	Nottinghamshire Wildlife Trust
48	Sport England
142	Historic England
222	Severn Trent
6276	Nottingham West Clinical Commissioning Group
Developer / Landowner	
2542	Mrs Vittanen (Represented by Featherstones)
4622	Mrs Barnes (Represented by Featherstones)
6881	Mr Taylor (Represented by Featherstones)
2652	W Westerman (Represented by Oxalis Planning Ltd)
2685	Bloor Homes Ltd (Represented by Oxalis Planning Ltd)
4200	Taylor & Burrows Property (Represented by Phoenix Planning (UK) Ltd)
Individual / Local Resident	
6849	Wylie
6921	Thomas
6935	Chamberlain

Planning Policy
Broxtowe Borough Council
Council Offices
Foster Ave
Beeston
Notts NG9 1AB

3rd November 2017

Dear Sir/ Madam

Comments on Publication Version Part 2 Broxtowe Local Plan

Thank you for the opportunity to comment on the Broxtowe Local Plan Part 2 (publication version).

Whilst recognising the need for housing provision and economic investment in Broxtowe, we have significant concerns about whether the scale of growth proposed during the plan period is necessary or sustainable.

We do not currently have resources to submit each comment on a separate form but to help with your collation of responses our comments are broadly set out by policy number, as requested on the response form (question 1). Where appropriate, we have also indicated if we query the 'soundness' of the plan, as per question 2 and 3. After putting forward our comments we have submitted suggested modifications, as per question 4 of the response form.

Our comments on individual policies are set out below:

Policy 3 Main built up area site allocations

For the reasons provided at 3.1 and 3.2 we generally support the Spatial Strategy approach. We do, however, have substantive concerns about the scale of some of the allocations. We do understand that allocation sites would not necessarily be built up in their entirety and land within the allocation boundary would potentially be set aside for Green Infrastructure (GI) provision and related requirements. However, we think that seeing sites with large red-line boundaries might be potentially confusing and of concern to many of the other consultees - certain local community groups and individuals have contacted us about their concerns about potential loss of greenfield and wildlife sites.

Policy: 3.1 Chetwynd Barracks: 500 homes (within the plan period)

If this site is to be allocated, we very much support the 'key development requirement' to "*Retain and enhance Green Infrastructure corridors around the eastern and northern areas of the site*".

Some parts of the site have developed significant habitat value. These include Hobgoblin Wood and the adjacent Chilwell Ordnance Depot Local Wildlife Site (LWS) which is located outside the redline boundary. Both areas should be protected during construction phase and be retained within GI with their management secured and paid for in perpetuity by the developer. Focusing new built development on the previously developed parts of the site whilst converting and reusing existing buildings, roads and infrastructure wherever possible would allow for a more sustainable form of development to be achieved.



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Modification sought

Include a clear statement confirming that Hobgoblin Wood, other woodland area, mature trees and grasslands will be retained and their long-term management will be secured in perpetuity.

Policy: 3.2 Toton (Strategic Location for Growth): 500 Homes

Toton sidings is at the very centre of the Erewash Valley Living Landscape area, where many partners including Broxtowe Borough Council are investing in extending and improving habitats and GI to achieve Broxtowe Borough Council's Biodiversity and GI targets.

We therefore **object** to this site as a strategic location for growth. Not only would it lead to the loss of a substantial area of Green Belt, resulting in the merging of Chilwell and Stapleford, it would cause a well-defined wildlife corridor between the Erewash Valley and Wollaton Park (via Bramcote Village and Beeston Fields golf course) to be lost. This corridor is identified as primary corridor 1.2 and secondary corridors 2.12 and 2.23 in the Broxtowe Green Infrastructure Strategy and the land between the two secondary corridors will also, in effect, function as a single wide corridor.

We cannot see how transport issues can be addressed in a location already suffering from severe congestion and where other large-scale developments are planned for the current plan period, i.e. 500 homes in connection with the Chetwynd Barracks redevelopment.

We need to point out that part of this land, especially the northern and eastern part of the sidings, are within floodplain and are at high risk of flooding. Therefore, there should be a presumption against development of these parts of the site. Also, if substantive measures are not put in place (e.g. flood storage), development of such a large parcel of land could increase risk of both fluvial and surface water flooding in adjacent areas, especially within Toton and parts of Long Eaton.

Whilst we don't support the principle of development on Green Belt and the scale of the proposed development, we welcome inclusion of open space: *"Minimum of 16ha Open Space, to incorporate Green Infrastructure of sufficient width and quality to provide attractive and usable links between Hobgoblin Wood in the east and Toton Fields Local Wildlife Site in the west and the Erewash Canal, which will blend with a high quality built environment."*

However, we would expect to see the quantity of 'informal' open space (wildlife habitat) specified in the policy wording. In the absence of this, we are concerned that:

- a). the 16ha minimum could be taken up with 'formal' open spaces, such as sports pitches, play areas etc,
- b). the open spaces would be sited in areas subject to high levels of disturbance, such as along paths, road verges etc, which will never develop high wildlife value,
- c). areas of open spaces will be too narrow to usefully function as wildlife habitat (our comments on policy 27 and our recommendation for 50 metre wide buffer are relevant to this).

We are also concerned about the loss of such a large extent of brownfield land in the sidings, which has regenerated to woodland. New open space wildlife sites cannot be recreated easily and will take many years to develop a level of wildlife value equivalent to what will be lost from the sidings, if achievable at all.

Modification sought

Removal of the allocation. If Broxtowe Borough Council is minded to allocate then all LWS habitat should be removed from the allocation, as it might never be possible to recreate habitats of the same value. Clarification that the 16ha minimum will comprise a significant amount of informal open space (wildlife habitat), including a 50m wide habitat corridor.

Policy: 3.3 Bramcote (East of Coventry Lane): 300 Homes

If the entire site is to be developed, this allocation would result in the loss of a LWS – Bramcote Moor Grassland, which we would strongly **object** to.

LWSs are defined areas identified and selected locally for their substantive nature conservation value. Their selection takes into account the most important, distinctive and threatened species and habitats within the county. They therefore comprise many of our best remaining flower-rich meadows, ancient woodlands, ponds, swamps, fens and mires and provide a home to many of our native plant and animal species, including many rare, declining or protected species. These sites can be of SSSI quality or can be even more important than SSSIs for wildlife. We therefore consider protection of this network of sites to be of the utmost importance.

Should the LWS be lost, we would consider the policy unsound as it is not consistent with local (Policy 17 of ACS) and national policy (NPPF para 118).

Modification sought

Inclusion of a sentence stating that the LWS will not be developed or removal of LWS from the allocation boundary. If the LWS would be retained, it would also need to be adequately buffered and work would be required to make the site more robust, as it will be subject to greater footfall post any development. Future management of the LWS should also be secured.

Policy: 3.4 Stapleford (West of Coventry Lane): 240 Homes

The 'key development requirements' include *"provide enhanced Green Infrastructure corridors linking urban areas of Nottingham to the east with Bramcote and Stapleford Hills, Bramcote Park, Boundary Brook, Pit Lane Wildlife Site, Nottingham Canal and Erewash Valley Trail"*.

Whilst we **object** to this allocation because we consider it is encroaching significantly into the surrounding countryside and that local needs have been met by the adjacent Fields Farm site, achievement of a strong corridor is very important. We also agree with the last point of the 'key development requirements', that the cemetery and Stapleford Hills should be adequately buffered, forming a strong and robust habitat corridor linking to Bramcote Moor Grassland LWS.

Modification sought

Removal of allocation. Clarification as to the extent of the corridor, so the site isn't over developed. The adjacent Field Farm Development is mentioned in the location description but we think this policy needs to offer some guidance in terms of how GI linkages will be provided between the two sites.



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Policy: 3.5 Severn Trent (Lilac Grove): 150 Homes

The 'key development requirements' states that the 150 homes will be located towards the north of the site, which appears to be on the former Severn Trent works, and that access will only be from the north (Lilac Grove).

We are hopeful this means the land at the end of Cornwall Avenue will remain undeveloped. It also talks about 'soft landscaping' along the canal and the importance of "Green Infrastructure" corridors. The field at the end of Cornwall Avenue is an important buffer to the Beeston Canal, which itself is a Local Wildlife Site and this should form part of the "Green Infrastructure" and remain undeveloped and long-term management of GI needs to be secured.

Modification sought

Clarification of the extent of GI, confirmation that fields along the Beeston Canal will not be developed and that long-term management of GI will be secured.

Policy: 3.6 Beeston Maltings: 56 Homes

Transport corridors can provide essential wildlife habitat. For instance our sister Wildlife Trust in Yorkshire is promoting a project to maximise their value, which is supported by the Humberhead Levels Nature Improvement Area. Given the apparent lack of buffer on the south of the railway line, we would strongly recommend some form of green link be provided along the southern development boundary.

Modification sought

Provision of green infrastructure link along the railway line under the 'key development requirements'.

Policy: 3.7 Beeston Cement Depot: 21 Homes

Transport corridors can provide essential wildlife habitat. For instance our sister Wildlife Trust in Yorkshire is promoting a project to maximise their value. We would strongly recommend some form of green link be provided along the southern development boundary.

Modification sought

Provision of green infrastructure link along the railway line under the 'key development requirements'.

Policy 4 Awsworth Site Allocation

A substantial population of common toad (Local Biodiversity Action Plan Priority species and NERC Act species of principal importance in England) was known to be present in the vicinity of the allocated site. We are aware that toad tunnels, which we understand have not been maintained, were installed underneath the Awsworth Bypass, to allow toads to migrate between breeding habitat (Nottingham Canal) and fields on the opposite side of the new bypass. Potentially, the fields subject to this allocation still provide terrestrial habitat for common toad, should they still occur. We would recommend surveys for common toad and other wildlife, possible reinstatement of toad tunnels (if required). Due to it's greenfield nature and strong hedgerow network, we think the land could provide habitat for many other species.

Common Toad is considered a biodiversity asset under policy 31, as they are a species of concern in the Notts Biodiversity Action Plan.

Should this species be subject to further adverse impacts, we would consider the policy unsound as it is not consistent with local (Policy 17 of ACS) and national policy (NPPF para 118).

Modification sought

We would wish to see removal of this allocation. If the allocation is to remain, provision of substantial green infrastructure, incorporation of existing hedges and retention of some meadows (quantity defined) and protection of common toads, should they still occur.

Policy 5 Brinsley Site Allocation

We would have preferred to have seen the alternative site included (option 2) rather than this one (option 1) for the reasons provided in our response to the Brinsley Alternative Site Consultation February 2017:

“Option 1 is located immediately adjacent to Brinsley Headstocks Local Nature Reserve and associated Local Wildlife Sites, Brinsley Brook Grassland LWS (5/2302) and Brinsley Headstocks LWS (5/3405), which are identified for their botanical interest. The wildlife value of Brinsley Headstocks, which has been well recorded, may be harmed by any substantial increases in recreational use, which would be inevitable if Option 1 is taken forward.

The LNR and adjacent land is considered locally by members of the Friends Group and others who carry out regular birdwatching locally, as being more valuable for birds. This is certainly likely because the LNR itself supports more structural diversity in its habitats, with areas of woodland, plantation, hedges alongside meadows and the Brinsley Brook. These features are largely lacking from land within Option 2, which is predominantly arable. The LNR currently has good, strong habitat connectivity along the brook and to Saints Coppice to the north, which could be adversely affected by built development if Option 1 is taken forward.

Option 1 contains areas of permanent grassland whereas the majority of land within option 2 is mainly arable, which contains no known botanical interest is less valuable in wildlife terms, apart from hedges which we would like to see sensitively retained within any development”.

Local residents have reported that the fields in the vicinity of the Brinsley allocation included in the current consultation support a number of wintering farmland bird species. We are also concerned about possible hydrological impacts on the Brinsley Brook. As this allocation is within the catchment for the watercourse there is the potential for adverse impacts on the ecology of the brook due to increased runoff rates, contamination (directly or indirectly, via any new drains) etc.

Modification sought

Replace this site allocation with ‘option 2’.

Policy 6 Eastwood Site Allocation

Walker Street Eastwood is an important Green Space in the centre of Eastwood. Whilst we welcome retention of ‘Canyons’ as open space, we would wish to see Green Infrastructure/ habitat corridors enhanced throughout the site.

Modification sought

Include a commitment to provide GI links across the wider site.



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Policy 7.1 Land south of Kimberley Depot

We find proposals to develop the exiting built up part of the site acceptable but are concerned about the impact on wildlife arising from loss of surrounding farmland and plantation woodland. Kimberley Disused Railway, on the southern boundary, is a LWS and important wildlife corridors, which should be adequately buffered from any development.

Modification sought

If this allocation is to remain, we would like to see a statement about extent of developable area, ideally limiting it to the existing built up part of the site. It is important that the allocation is sensitive to, and secures future positive management of the LWS.

Policy 7.2 Land south of Eastwood Road Kimberley

We consider this is an important area of remnant fields on the edge of urban area which, when considered with the adjacent woodland, is an important wildlife corridor. We would be concerned about inclusion of the site as an allocation.

Modification sought

Site to be excluded.

Policy 17 Place-making, Design and Amenity

We **support** the inclusion of 1(n – p):

*“n). Incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity; and
o). Uses native species of trees, shrubs and wild-flower seeds in landscaping proposals; and
p). Integrates bat and/or bird boxes into the fabric of new buildings”.*

Modification sought

Under n) adding reference to following:

- green walls,
- brown and green roofs,
- ecologically designed / focused suds schemes,
- features to assist permeability for wildlife through the built environment (e.g. gaps under fences for hedgehogs).

Under p) adding a reference to insect houses.

The policy should raise future responsibilities and funding mechanisms for management of habitats / informal open spaces. The developer should cover the costs for management of habitats in perpetuity, so that it does not fall to Broxtowe Borough Council to pay for this.

Policy 19 Pollution, Hazardous Substances and Ground Conditions

Sub section 1b). *“Lighting schemes unless they are designed to use the minimum amount of lighting necessary to achieve their purposes and to minimise any adverse effects beyond the site, including effects on the amenity of local residents, the darkness of the local area and nature conservation (especially bats and invertebrates)”.*

We **support** inclusion of point in relation to darkness and nature conservation.

Policy 27 Local Green Space

We strongly **support** this policy and welcome inclusion of the sites listed. Protection of the sites around Bramcote Hills Park and wood, Stapleford Wood and the Bramcote Schools (section 3 relating to land east and west of Coventry Lane) is welcome, as these are very important wildlife sites with historic / cultural interest.

In terms of policy wording, we are concerned about inclusion of 'exceptional circumstances' clause, as this will undermine the policy protection.

Paragraph 28.2 states, "*The greatest opportunities for enhancing the corridors will come through development, and the Council intends to work with developers to create and maintain new spaces and to improve connectivity. The details of these opportunities for enhancement will depend on the characteristics of the corridors concerned*".

Development certainly creates opportunities for enhancing corridors but we would question whether it creates the 'greatest opportunities'. Many of the corridors are in the rural landscape, not through areas allocated for potential development and significant opportunities exist through working with existing landowners and farmers, in relation to improving existing Rights of Way or strengthening important landscape features and wildlife habitats, such as hedgerows, woodlands and field margins.

Green infrastructure corridors need to be of a reasonable, specified width to be viable; otherwise they will fail to function in ecological terms. Without specified widths there is the danger the corridors will be narrow as developers will naturally seek to maximise the size of the new built development. We have carried out some research on what is considered viable widths of green corridors. In summary:

- "Corridors should be preserved, enhanced and provided, [.....], as they permit certain species to thrive where they otherwise would not. Corridors should be as wide and continuous as possible" (Dawson, 1994).
- 50m buffers [are] recommended for developments in the Local Plans of both Wakefield & Darlington Councils to protect local wildlife sites and / or river corridors.
- A 50m width allows corridors to function as a 'multi-purpose network', as defined in NECR 180, so that it includes attributes that are valuable to people, i.e. biodiversity alongside amenity, footpaths, cycleways, sustainable drainage, microclimate improvement, heritage [etc.]
- Quadrat Scotland 2002 (Appendix 1). For connectedness, to be defined as 'high' (on scale high, medium, low), the corridor needs to be at least 50m wide for more than 50% of the corridor

References

- Dawson, D. 1994. Are Habitat Corridors Conduits for Animals and Plants in a Fragmented Landscape? A Review of the Scientific Evidence. English Nature Research Reports
- Wakefield Consultation on spatial strategy: Wakefield Council Spatial Policy Areas
- Darlington consultation on draft housing allocations: Darlington Council Housing Allocations report
- Natural England Commissioned Report NECR180 (2015). Econets, landscape & people: Integrating people's values and cultural ecosystem services.



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- Quadrat Scotland (2002) The network of wildlife corridors and stepping stones of importance to the biodiversity of East Dunbartonshire. Scottish Natural Heritage Commissioned Report

Modification sought

Removal of “*except in very special circumstances*” from the final sentence of the policy wording.

State that development provides opportunities for enhancing corridors, but remove (development) ‘provides *the greatest*’.

State that corridors must be at least 50 metres wide to be considered beneficial and viable for wildlife.

Policy 28 Green Infrastructure Assets

We strongly **support** this policy and welcome that “*Development proposals which are likely to lead to increased use of any of the Green Infrastructure Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Asset(s)*”.

Policy 29: Cemetery extensions

We **support** this policy and welcome that the potential biodiversity value of new proposed cemeteries has been recognised in the supporting text.

Policy 31: Biodiversity Assets

In terms of defining biodiversity assets, 1b “*Priority habitats and priority species (as identified in the Nottinghamshire Local Biodiversity Action Plan and section 4.5 of the Green Infrastructure Strategy)*”, whilst we welcome inclusion of the reference to Nottinghamshire LBAP, we consider that the definition of biodiversity assets is missing the following:

1. Any reference to UK priority species and habitats (formerly called UK BAP priority species and habitats). Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 identifies these and they may be found both within or outside designated sites. Priority species correspond to those identified under Section 41 of the NERC Act as species of principal importance for the conservation of biodiversity in England and have to be considered under planning policy.

2. Any reference to protected species. This is different from priority species list (although some priority species may also be protected).

Due to lack of reference to S41 species and habitat NERC Act and Biodiversity Duty, Legally protected species we consider the policy is not sound as it is not consistent with local (Policy 17 of ACS) and national policy (Biodiversity paras).

Modification sought

Inclusion of a reference to NERC Act (species and habitats of principal importance) and legally protected species.

We also consider there is a requirement for a Biodiversity SPD to help protect Broxtowe’s important nature sites, habitat and species and would like to see a commitment to produce one made in the LPP2 main document. A Biodiversity SPD would also help the council to secure its aspirations set out in the Green Infrastructure Strategy and Nature Conservation Strategy.

Policy 32: Developer Contributions

We welcome that financial contributions may be sought for biodiversity for applications of 10 or more houses and therefore **support** the policy in this respect.

In terms of question 5 on the response form (participation at public inquiry), if we have resources available at the time of the hearings, we would be happy to attend public examination sessions. In any case, we are happy to be contacted by the Planning Policy Team regarding future consultations and would welcome email correspondence in connection with this and future consultations.

Please do not hesitate to contact me should you have any further queries.

Yours sincerely

[REDACTED]
[REDACTED]
Nottinghamshire Wildlife Trust



**Nottinghamshire
Wildlife Trust**

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Details

Agent	
Please provide your client's name	
Your Details	
Title	
Name	
Organisation (If responding on behalf of an organisation)	Sport England
Address	
Telephone Number	
Email Address	
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)

Question 1: What does your comment relate to? Please specify exactly

Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	Yes
2.2 Compliant with the duty to co-operate	Yes
2.3 Sound	No

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	Yes
It is not effective	No
It is not positively prepared	No
It is not consistent with national policy	Yes

Additional details

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.

Consistency with National Policy

Thank you for consulting Sport England on Part 2 of the Local Plan. The Local Plan as proposed is consistent with National Policy due to having a robust and up to date evidence base in regard to its Playing Pitch Strategy and Built Facility Strategy. Please note that it is important to keep these strategies up to date so they can remain robust. However, this is questionable as this evidence base does not appear to be considered and implemented in line with NPPF paragraph 74.

Justification of the Plan - Policy Specific Considerations

In relation to the locations identified in policies 3.1- 3.3, 3.5 & 6.1 for potential major growth, when decisions are made about these locations when they were brought forwards and their potential dwelling capacity. As the plan stands it is currently lacking justification or relevant consideration to whether any of the sites contain existing sports facilities such as playing fields which justify protection under policies 25, 27 and 28 of the plan and paragraph 74 of the NPPF.

Policy 3.1 – Site Allocation of Chetwynd Barracks – There is no mention of playing fields on site within the description. This site Contains 3 x full size football pitches, tennis courts, cricket wickets, bowls provision and a sports hall. The site is highlighted within the Playing Pitch Strategy as a football site. This site currently provides training capacity for Toton Tigers and the Playing Pitch Strategy highlights the need to convert the tennis courts to an Artificial Grass Pitch.

Policy 3.2 – Site Allocation of Toton Lane – The allocation includes a school site and playing pitches within the area. The development is marked for additional land for community facilities including education (the relocation of George Spencer Academy which is Mentioned in the playing pitch strategy as a football and cricket site) and the provision of a Leisure Centre. The proposals also include an allocation for 500homes.

Policy 3.3 - Site Allocation of Bramcote (East of Coventry Lane) – This site is referred to as being greenfield and as a former playing field associated with the adjacent school. The policy states that the site is currently unused. However, the most recent aerial view is from 2013 and shows marked pitches and is listed within the 2016 Playing Pitch Strategy. The site contains 7 x football pitches 3x mini football pitches and 3 cricket wickets. Playing Pitch Strategy states that site is needed and suggests proposals for cricket nets, Artificial Grass Pitch and a sports barn. Playing Pitch Strategy confirms that should the site be lost then equivalent or better provision is required as mitigation. The Site Allocation of Bramcote School and Leisure Centre is also included within this policy for redevelopment. The site includes 3 schools and borders existing playing fields the site contains a small sided Artificial Grass Pitch which is currently used by football, multiple courts and a sports hall which is also used by a local football club. Therefore, it will need to be insured that any development does not prejudice the use of these facilities.

Policy 3.5 - Site Allocation of Severn Trent – This site borders playing pitches therefore any development needs to ensure that there are no negative impacts to these pitches. The Playing Pitch Strategy also refers to the Nottingham casuals site which is stated as being overplayed and needing investment of £340,000 for changing room improvements and floodlighting.

Policy 6.1 – Walker street Eastwood – There is no mention of playing fields on site within the description. However, Google image from 2016 shows a cricket wicket and Google history shows site with 3 football pitches and a rounders pitch. This site does not appear to be covered by the Playing Pitch Strategy where there is a shown deficiency and no justification for pitches to be lost. The pitches should be protected from development.

Map 3 - this map includes the site allocation of Trent Vale sports club within the mixed-use commitments however the plan gives no further information on this allocation. Details of the allocation should be provided to ensure the facilities are retained as playing fields and upgraded to sufficient standards as detailed within the Playing Pitch Strategy.

Where these sites contain pitches and the evidence base highlights a deficiency in provision there is a conflict within the policies. Therefore, the extent of development in these locations should account for the need to maintain such facilities and site policies

	<p>should require the facilities to be protected or replaced. The loss of the playing fields without an agreed compensatory project being implemented would not accord with Sport England's playing fields policy or paragraph 74 of the NPPF.</p> <p>Policies 17 & 24 - Sport England supports the idea of health impact to be a design consideration for new communities and would encourage the inclusion of a design policy which encourages developments to be designed to promote active lifestyles through sport and physical activity (through use of Sport England's and Public Health England's established Active Design guidance (http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/))</p> <p>Policy 25 – Sport England seeks to ensure that a planned approach to the provision of facilities and opportunities for sport and recreation is taken by planning authorities. We are pleased that it is the council's intention to ensure policies provide adequate sport and recreation facilities as part of new developments. However, the level of provision should be determined locally and should be informed by the Playing Pitch Strategy and Green Infrastructure Strategy.</p> <p>Policy 27 - Sport England is encouraged that the emerging local plan looks to include policies to protect existing sport/leisure facilities where there is a need to do so to meet existing/future community needs which accord with paragraph 74 of the NPPF - policies that support the principle of enhancing existing sports/leisure facilities to meet community needs. However, it is thought that the plan should also include policies and to provide new sports/leisure facilities that are required to meet identified needs e.g. site allocations for new playing fields, requirements in major housing and mixed-use developments for sport/leisure provision, sports hubs allocations etc</p> <p>Policy 28 – Sport England welcomes the inclusion of policies which ensure adequate provision for new development (especially residential) to provide for the additional sport/leisure facility needs that they generate through CIL and/or planning obligations.</p> <p>If you would like any further information or advice please contact me.</p>
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Question 4

Question 4: Modifications sought	
Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.	.

Question 5

Question 5: Public Examination Attendance	
If your representation is seeking a modification, do you consider it necessary to participate at the public examination?	No
If you wish to participate at the public examination, please outline why you consider this to be necessary	



Historic England

EAST MIDLANDS OFFICE

Mr Dave Lawson
Broxtowe Borough Council

Our ref: PL00035448
3 November 2017

Dear Mr Lawson

RE: BROXTOWE LOCAL PLAN PART 2 CONSULTATION

Thank you for the opportunity to comment on the above Plan in its current form. Historic England would wish to submit the following comments:

Policy 3.1 - Chetwynd Barracks - Key Development Aspiration 2 in respect of non-designated heritage assets is welcomed and supported.

Policy 4.1 - Land West of Awworth - It is noted that heritage assets are not mentioned in the policy or subsequent text when Grade II* Bennerley Viaduct forms a key feature in relation to this site. It is recommended that a suitable sentence referring to the conservation or enhancement of heritage assets and their setting is made in the Key Development Requirements or the Key Development Aspirations for the avoidance of doubt.

Policy 5.1 - East of Church Lane, Brinsley - It is recommended that 'conserve' be used in place of 'preserve' with regard to the setting of St James' Church in line with NPPF terminology. It is noted that the site area has been reduced from that of the earlier consultation on the site in order to mitigate impact on heritage assets.

Policy 6.1 - Walker Street, Eastwood - The inclusion of the need to conserve views of DH Lawrence related heritage is welcomed and supported.

Policy 18: Shopfronts, signage and security measures - This policy is welcomed and supported since it will assist with the Council's endeavours to support the vitality of historic shopping centres in the Borough and enhancement of public realm.

Policy 23: Proposals affecting designated and non-designated heritage assets - In part 3c we recommend the use of 'conserve' rather than 'preserve' in line with NPPF terminology. Policy 23 would address the requirements of NPPF Para.139 in its current form. With regard to the supporting Para 23.6 it is noted that the Plan states that 'heritage protection may be seen as a constraint to development'. We recommend that a balanced view is provided here in that heritage can also be seen as a positive element contributing to heritage led regeneration (*Historic England: Heritage Counts 2017*).



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EAST MIDLANDS OFFICE

Policy 28: Green Infrastructure Assets - The provisions of the policy and its justification text are welcomed.

Policy 32: Developer Contributions - Financial contributions can be required in situations where mitigation measures are required in respect of heritage assets or their setting, and/or where NPPF Para 139 sites are revealed but the policy does not currently include provision for this. As such it is recommended that criteria 'h) the historic environment, heritage assets and/or their setting' or a similar alternative is included within the policy. To exclude heritage from the list would make it very difficult to negotiate any mitigation that may be required to address any harm arising when it is known and expressed in the Plan that some of the allocation sites are likely to impact on heritage assets and/or setting.

We hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

[Redacted signature]

[Redacted name]

[Redacted title]

[Redacted contact information]



[Redacted line]

HistoricEngland.org.uk



Broxtowe Borough Council

Potential impact of proposed developments on sewerage infrastructure assets

Date: 17/10/2017

NOTE: The purpose of these desktop based assessments are to indicate where proposed development MAY have a detrimental impact on the performance of the existing public sewerage network taking into account the size of the development proposals.

For most new development provided the surface water in managed sustainably through use of a SuDS the additional foul only flows will have a negligible impact on existing sewer performance but where there are pre-existing capacity constraints additional capacity improvements may be required.

Where subsequent detailed modelling indicates capacity improvements are required such work will be phased to align with development occupancy with capacity improvement works will be funded by Severn Trent Water. However, whilst Severn Trent have a duty to provide additional capacity to accommodate planned development, we also have a requirement to manage our assets efficiently to minimise our customers' bills. Consequently to avoid potential inefficient investment we generally do not provided additional capacity until there is certainty that the development is due to commence. Where development proposals are likely to require additional capacity upgrades to accommodate new development flows it is highly recommended that potential developers contact Severn Trent as early as possible to confirm flow rates and intended connection points. This will ensure provision of additional capacity can be planned into our investment programme to ensure development is not delayed.

Note: These are desktop assessments using readily available information and have not been subjected to detailed hydraulic modelling

Site Ref	Site Name	Size	Units	Sewage Treatment Works Catchment	Sewerage Comment	Potential impact on sewerage infrastructure
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Toton, Stapleford and Bramcote

3.1	Chetwynd Barracks	91.5 ha	500	Toton STW	Sewer records do not exist for Chetwynd Barracks. Therefore the current drainage at the site is unknown. It is assumed the majority of flows will join the 300 dia combined sewer on Chetwynd Road. RPA predicts flooding in a 30 year storm. D/S of Chetwynd Road there is a large flooding cluster on Crofton Road. An FA scheme has been delivered which protects properties internally up to 40 year storm and externally up to a 20 year storm. There are no pollution incidents recorded D/S at the Attenborough Lane PS. Surface Water flows can be drained to local brook running through Chetwynd barracks.	Low
	Toton	UNK	500	Stapleford STW	It is likely that a capital scheme would be required for a new gravity sewer to take foul flow from the development to Stapleford STW in the North West. There are numerous hydraulic flood incidents on incoming pipes to the STW. If foul flows were to be discharged to the south the topography suggests a pumping station would be required. Pipes on Stapleford Lane where it would be expected to discharge to are predicted to flood in low RPs. There are foul flooding incidents recorded to the south off Stapleford Lane. Surface water will be able to drain to pre-existing surface water systems in the vicinity of the development.	High
	Bramcote	UNK	300	Stoke Bardolph STW	It is expected that foul flows will be connected to 225mm dia pipe on Latimer Drive. RPA does not predict flooding in storm events up to 40 yrs. Flows from the east of the site may have to be pumped due to the topography of the site.	Low
	Stapleford	UNK	240	Stapleford STW	It is likely that a capital scheme would be required for a new gravity sewer to take foul flow from the development to Stapleford STW in the North West. There are numerous hydraulic flood incidents on incoming pipes to the STW. If foul flows were to be discharged to the south the topography suggests a pumping station would be required. Pipes on Stapleford Lane where it would be expected to discharge to are predicted to flood in low RPs. There are foul flooding incidents recorded to the south off Stapleford Lane. Surface water will be able to drain to pre-existing surface water systems in the vicinity of the development.	Med

3.6	Beeston Maltings	1.3 ha	56	Lilac Grove STW	Based on topographic levels it is likely the development will connect to the sewage system on Cartwright Way to a 150 mm dia pipe. Surface water would also drain to the existing system on this road. The model does predict flooding on low RPs D/S on Ireland Avenue. However there are no incidents of flooding reported.	Low
	Beeston Cement Depot	UNK	21		Sewage from the development is likely to join the network on Station Road into a 375 mm dia combined sewer. Surface Water will be able to be connected to local surface water network. There are no reports of flooding in the area and flooding is not predicted in low return periods.	Low
	Wollaton Road Beeston	UNK	12		The building adjacent to the proposed development site has experienced repeat floodings recently. Return period analysis predicts flooding in a storm with a two year return period. The development is unlikely to have a noticeable impact to Severn Trent's sewage infrastructure, however, the development is likely to flood.	Low

	Awsworth	UNK	350	Newthorpe STW	Surface Water from the development will be able to drain to a local watercourse. Foul water from the development will join a 225mm dia combined sewer running across the development site. Flooding in a low return period is predicted downstream and there are pollutions recorded at Awsworth - A610 TPS. There are also a large number of flooding incidents upstream of the development in the south of Awesworth.	Med
4.1	Awsworth	UNK	250	Newthorpe STW	Surface Water from the development will be able to drain to a local watercourse. Foul water from the development will join a 225mm dia combined sewer running across the development site. Flooding in a low return period is predicted downstream and there are pollutions recorded at Awsworth - A610 TPS. There are also a large number of flooding incidents upstream of the development in the south of Awesworth.	Med

	Brinsley	UNK	150	Newthorpe STW	Foul flows from the development will join a 225 mm dia combined sewer running adjacent to the development site. Surface water from the development will be able to drain to Brinsley Brook. Flooding is not predicted in low return periods locally and there are no reported flooding incidents near the development	Low
			110	Newthorpe STW	Foul flows from the development will join a 225 mm dia combined sewer running adjacent to the development site. Surface water from the development will be able to drain to Brinsley Brook. Flooding is not predicted in low return periods locally and there are no reported flooding incidents near the development	Low

6.1	Walker Street	9	230	Newthorpe STW	Foul and surface water flows will join pipes on Greenhills Avenue. Flooding is not predicted in low periods downstream of the development. However there are a number of recorded flooding incidents that additional flow could exacerbate.	Low
	Kimberley	UNK	600	Newthorpe STW	Foul flows from the development will join the 750 mm dia existing combined sewer which runs through the site. Surface Water from the development can join the existing surface water network which runs through the proposed development site. Flooding is predicted in a low return period storm on the combined system close to the development site. There is a repeat internal flooding caused by the combined sewer. The development is likely to exacerbate the flooding at this property.	Med

Steffan Saunders
Head of Neighbourhoods and Prosperity
Directorate of Legal and Planning Services
Council Offices
Foster Avenue
Beeston
Nottingham
NG9 1AB

30 October 2017

Dear Steffan

Broxtowe Local Plan Part 2 Consultation

Thank you for allowing us the opportunity to respond to your consultation document. New treatments and an aging population mean that pressures on services are greater than they have ever been, as people are living longer, often with very complex conditions. An increase in local population as a result of new housing developments compounds that pressure particularly on primary care - family doctor services. Having the right infrastructure in place in primary and community settings is crucial for the successful delivery of the Sustainability and Transformation Plan (STP) ambitions and the GP Forward View (GPFV). The ability to transform care and keep services sustainable will only be possible if efficient, fit-for-purpose, high quality facilities underpin the delivery of services.

Workforce recruitment for GPs in particular is paramount for sustaining quality general practice provision. Good quality fit for purpose primary care facilities are a key part of attracting the necessary workforce to support the existing and new population as a result of these housing developments.

In recent years there have been a number of developments approved which have had a major impact on our ability to provide primary care services. As a consequence we would like to work with the Borough Council to explore a better way of planning for care homes and retirement living facilities. We are often the last public sector organisation to find out that a care home is opening; a building has a change of use or that retirement facilities are being developed. 65% of the NHS budget is spent on the over 65s and understandably the elderly are the predominant users of health and social care services so the impact of such changes on the health and social care system are huge for a relatively small part of the population.

In terms of this consultation document, we have taken each of your options in turn and outlined our current position with regards to primary care facilities, indicating where we have areas of risk.

Potential Site Allocations Sites Adjacent to the Main Urban Area

<p>Policy: 3.1 Chetwynd Barracks 500 homes with potential for 800+ overall</p> <p>Land for Medical Centre required in order to make plan effective and therefore sound</p>	<p>The potential for 800+ dwellings (with a maximum of 1,500) presents significant concern with respect to local health service provision. The nearest facilities for this development, and where patients are likely to register, is Chilwell Valley & Meadows Surgeries which comprise a main surgery (Valley) which has no development potential; and a branch surgery (Meadows) which has some expansion potential.</p> <p>Based on 2.3 residents per dwelling we would anticipate an increased patient population of up to 3,500 patients if the total of 1,500 dwellings was achieved, which would require 2 full-time General Practitioners, over and above the current service provision.</p> <p>Given the size of this development and the potential for further development at Toton, together with the limited / non-existent expansion potential of the current facilities, we are to consider the option of a new Primary Care Centre for the Chilwell / Toton area subject to funding being made available. Therefore, in order for the plan for Chetwynd Barracks to be effective and sound, we request a reserved site within this development to provide primary care services to the residents of this area.</p> <p>We are not in a position to confirm the size of site required at this stage; however based on similar size developments it would be no more than 1 acre to serve a potential population of around 18,000 patients. Funding contributions should be sought through Section 106.</p>
<p>Policy: 3.2 Toton – 500+ homes</p>	<p>We understand that we have missed the opportunity to comment on this proposal as it stands currently at 500 homes. However, we consider that there may be further development in this area and would like to offer the following comments:</p> <p>The nearest facilities for this development is Chilwell Valley & Meadows Surgeries which comprise a main surgery (Valley) which has no development potential; and a branch surgery (Meadows) which has some expansion potential.</p> <p>We would like to consider any expansion to the Toton development over and above the original 500 houses alongside the Chetwynd Barracks development which</p>

	affects the same GP practice.
<p>Policy: 3.3 & 3.4</p> <p>Bramcote, East of Coventry Lane 300 homes</p> <p>Stapleford, West of Coventry Lane 240 homes</p>	<p>The nearest facilities to these developments are Bramcote Surgery and Hickings Lane Medical Centre.</p> <p>Hickings Lane Medical Centre has recently extended the surgery to take account of the new resident population generated by 450 dwellings (a potential of 1,035 residents based on 2.3 residents per dwelling) at Field Farm. There is potential to further expand this facility.</p> <p>Bramcote Surgery is a purpose built facility with some potential for small scale development which could assist with the expansion of patient population from these two developments.</p> <p>We are also aware of discussions regarding the development of the old Bramcote Hills Golf Course for retirement / continuing care privately owned units. This will, if it goes ahead, compound capacity issues within the existing practices.</p> <p>We ask the Borough Council to request on our behalf a Section 106 contribution to support the expansion to the physical capacity of these existing facilities in order to provide health services to the additional 1,242 residents these developments will attract.</p>
<p>Beeston (339 homes / 780 residents)</p> <p>Policy: 3.5 Seven Trent (Lilac Grove), Beeston 150 homes</p> <p>Policy: 3.6 Beeson Maltings, 56 homes</p> <p>Policy: 3.7 Cement Depot Beeston, 21 homes</p> <p>Policy: 3.8 Wollaton Road, Beeston, 12 homes</p> <p>Policy: 11 Beeston Square, 100 homes (minimum)</p>	<p>There are four GP practices providing healthcare to the residents of Beeston; Abbey Medical Centre, The Manor Surgery, The Oaks Medical Centre and West End Surgery.</p> <p>The Oaks Medical Centre is currently undergoing an extension to their purpose built facility in response to the planned housing developments underway in Beeston. However, the future developments as outlined in the Local Plan Part 2 whilst not significant when considered alone, need to be considered in its entirety together with what is underway and will have significant impact upon the physical capacity of practices to provide health services. There is some potential for small scale developments to assist with this further expansion of the patient population in particular from the Seven Trent and Beeston Square developments.</p> <p>We would ask for a Section 106 contribution to be</p>

	available to this locality to increase the physical clinical space required to meet the needs of this increase in population over and above that already underway as part of The Oaks Medical Centre expansion.
<p>Policy: 4.1 Awsworth West of Awsworth (inside the bypass) 250 homes</p> <p>Policy: 5.1 Brinsley East of Church Lane 110 homes</p>	<p>The nearest facilities to this development and where patients are likely to register are Church St Medical Centre and Church Walk Surgery in Eastwood. See below for details of the Eastwood joint public services proposed development to meet the needs of this increase in population.</p>
<p>Policy: 6.1</p> <p>Eastwood 200 homes + 30 Extra Care Units Walker Street, Eastwood (Map 24)</p> <p>Land for Medical Centre required in order to make plan effective and therefore sound</p>	<p>A new health centre for Eastwood is the CCG's top priority within its Strategic Estates Plan. The old Eastwood Health Centre was considered no longer fit for purpose and has been recently disposed of resulting in there being no local facilities for extended, community based health services in Eastwood.</p> <p>Both GP practices in Eastwood are in separate facilities which can no longer be extended. They are intending to merge into one practice as of April 2018 to provide GP services to 20,000 local residents.</p> <p>We have been working with Nottinghamshire County Council, the land owners, on the preferred solution which would be a One Public Estate public services hub incorporating a new health facility on the Walker Street site (Map 24). Alongside library services and third sector organisations this new facility would also house the two merged GP practices (Church Street Medical Centre and Church Walk Surgery in Eastwood) plus supporting community health service provision.</p> <p>In order that the plan for Eastwood is effective and therefore sound, part of the Walker Street site must be allocated for a new, purpose built health facility to sit behind the existing library with direct access to the main road with its public transport links ensuring it is easily accessible to the community. A one acre site is required (GIA 2000m2 of two or three storeys dependent upon meeting planning requirements). Direct vehicular access would be required to Walker Street if the site is also identified as the preferred site for a co-</p>

	located blue light service base. Funding contributions should be sought for this development through Section 106.
<p>Kimberley (167 homes / 385 residents)</p> <p>Policy: 7.1 Kimberley Depot 105 homes</p> <p>Policy: 7.2 South of Eastwood Road 40 homes</p> <p>Policy: 7.3 Eastwood Road Builders Yard 22 homes</p>	<p>The nearest facility to these developments is Hama Medical Centre, Kimberley. This is a purpose built facility with potential to expand through internal re-organisation of rooms changing their use from clinical to non-clinical physical space.</p> <p>We would ask for a Section 106 contribution to be requested in order to increase the physical clinical space required to meet the demands of the increase in population brought about by the housing developments.</p>

In summary, we have considered the impact on our existing facilities for each of the potential developments detailed in the Local Plan Part 2. Our main challenges are:

- **Policy: 6.1 Eastwood** where we have had extended discussions with Nottinghamshire County Council regarding a public sector hub and require a site of 1 acre to be reserved on the Walker Street site for this;
- **Policy: 3.1 Chetwynd Barracks / Policy: 3.2 Toton** where we will do more work on a potential hub servicing this area but would ask for a reserved site on the Barracks site to be identified for a potential health facility;
- The impacts of other developments in the plan are of a smaller scale and could be resolved by relatively modest extensions and/or internal re-design. For these we ask for Section 106 contributions to fund the necessary works to meet the health needs of the increase in population.

I hope you find this of use in your considerations. Please let me know if you need any further information.

Yours sincerely

[Redacted signature]

[Redacted name]

[Redacted title]

NHS Nottingham West CCG

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	Mrs D Viitanen
-----------------------------------	----------------

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	Featherstones
Address	
Postcode	
Tel. Number	
E-mail address	

Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

If you would like to be contacted by the Planning Policy Team regarding future consultations.

Please tick here ☒

Please help us save money and the environment by providing an e-mail address that correspondence can be sent to:

For more information including an online response form please visit:

www.broxtowe.gov.uk/part2localplan

Data Protection - The comment(s) you submit on the Local Development Framework (LDF) will be used in the plan process and may be in use for the lifetime of the LDF in accordance with the Data Protection Act 1998. The information will be analysed and the Council will consider issues raised. Please note that comments cannot be treated as confidential and will be made available for public inspection. All representations can be viewed at the Council Offices.

Please return completed forms to:

Planning Policy, Legal and Planning Services, Foster Avenue, Beeston, Nottingham NG9 1AB

For more information: Tel: 0115 917 3452, 3448, 3468 or 3015 E-mail: policy@broxtowe.gov.uk

Question 1: What does your comment relate to? Please specify exactly

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
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	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	Yes, exclusion of sites.		

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	✓
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

See attached Statement

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

See attached Statement

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

✓

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

We wish to participate at public examination to explore fully the concerns we have with the soundness of the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

BROXTOWE LOCAL PLAN PART 2: PUBLICATION VERSION

Representations by FEATHERSTONES

on behalf of Mrs D Viitanen

-
1. These representations have been prepared on behalf of Mrs D Viitanen who has land interest in the site at Gilt Hill Farm, Kimberley (see attached Plan). Mrs Viitanen has serious concerns about the soundness of the Plan, particularly in relation to the approach to housing delivery. These concerns are set out below.
 2. As presented the Broxtowe Plan is unsound because it fails to demonstrate how delivery of allocated sites will be guaranteed; it fails to incorporate sufficient flexibility to respond to any failure of delivery and it fails to provide a mechanism for the release of developable 'reserve sites' equivalent to 20% of the total housing requirement (as recommended by the Local Plans Expert Group in its Report to Government of March 2016).
 3. Additional housing sites, therefore, need to be identified in order to meet the NPPF's requirement to ensure the delivery of the minimum housing provision and also to ensure that there is an appropriate 5 year land supply in accordance with paragraph 47 of the Framework.
 4. Policy 2 of the Plan fails the challenge of housing supply. Table 4 confirms a significant housing supply short fall and a persistent history of under delivery.
 5. There is demonstrably no certainty of future housing delivery.
 6. The Plan relies on housing sites which have been allocated in previous Plans for up to (and beyond) 15 years. There are clearly strong reasons why these sites have not come forward. Sites include:
 - Beeston Maltings
 - Land at Awsworth with planning permission
 - Land at Eastwood with planning permission
 - Walker Street, Eastwood
 - Eastwood Road, Kimberley (x2).Each of these sites were allocated in the 2004 Plan.

In addition, the allocation at Kimberley Depot is a refuse depot and tip, where inherent contamination could preclude or limit development.
 7. Uncertainty of housing delivery also exists at strategic sites:
 - Boots
 - Severn Trent Sewage Treatment Works (contamination)
 - Chetwynd Barracks (no commitment to land release)
 - Toton/HS2 Hub (confused aspirations)
 8. There are a range of sites and locations where additional, sustainable development can take place. Land at Gilt Hill Farm, Gilt Hill, Kimberley (identified on the Plan attached) is well related to the Kimberley Urban area, including local shops, employment and schools. It sits on

the edge of the settlement where there is no gap to distinguish it visually, physically or functionally from the urban area.

9. Releasing the site from the Green Belt and allocating it for housing development will provide the opportunity to improve the visual appearance of the site by replacing buildings in a poor condition with attractive and sustainable new buildings. It would remove a use that is non-conforming with adjacent residential and education land uses and provides an opportunity to introduce high quality landscaping and biodiversity features to ensure that the openness of the Green Belt is safeguarded. Crucially, the site is deliverable within the next five years so will help to off-set slow delivery on other sites, address immediate land supply issues and provide the certainty of delivery necessary to make the Plan sound.

Site Location Plan



Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Mrs Marjorie Barnes

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	Featherstones
Address	
Postcode	
Tel. Number	
E-mail address	

Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

If you would like to be contacted by the Planning Policy Team regarding future consultations.

Please tick here



Please help us save money and the environment by providing an e-mail address that correspondence can be sent to:

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	Policy 31: Biodiversity Assets		
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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	Yes, exclusion of sites.		

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	✓
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

See attached Statement

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Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

See attached Statement

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Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?	
Yes, I wish to participate at the public examination	✓
No, I do not wish to participate at the public examination	
If you wish to participate at the public examination, please outline why you consider this to be necessary	
<p>We wish to participate at public examination to explore fully the concerns we have with the soundness of the Plan.</p>	

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BROXTOWE LOCAL PLAN PART 2: PUBLICATION VERSION

Representations by FEATHERSTONES

on behalf of Mrs M Barnes

-
1. These representations have been prepared on behalf of Mrs M Barnes who has land interest in the site at Land off Back Lane, Nuthall (see attached Plan). Mrs Barnes has serious concerns about the soundness of the Plan, particularly in relation to the approach to housing delivery. These concerns are set out below.
 2. As presented the Broxtowe Plan is unsound because it fails to demonstrate how delivery of allocated sites will be guaranteed; it fails to incorporate sufficient flexibility to respond to any failure of delivery and it fails to provide a mechanism for the release of developable 'reserve sites' equivalent to 20% of the total housing requirement (as recommended by the Local Plans Expert Group in its Report to Government of March 2016).
 3. Additional housing sites, therefore, need to be identified in order to meet the NPPF's requirement to ensure the delivery of the minimum housing provision and also to ensure that there is an appropriate 5 year land supply in accordance with paragraph 47 of the Framework.
 4. Policy 2 of the Plan fails the challenge of housing supply. Table 4 confirms a significant housing supply short fall and a persistent history of under delivery.
 5. There is demonstrably no certainty of future housing delivery.
 6. The Plan relies on housing sites which have been allocated in previous Plans for up to (and beyond) 15 years. There are clearly strong reasons why these sites have not come forward. Sites include:

- Beeston Maltings
- Land at Awsworth with planning permission
- Land at Eastwood with planning permission
- Walker Street, Eastwood
- Eastwood Road, Kimberley (x2).

Each of these sites were allocated in the 2004 Plan.

In addition, the allocation at Kimberley Depot is a refuse depot and tip, where inherent contamination could preclude or limit development.

7. Uncertainty of housing delivery also exists at strategic sites:
 - Boots
 - Severn Trent Sewage Treatment Works (contamination)
 - Chetwynd Barracks (no commitment to land release)
 - Toton/HS2 Hub (confused aspirations)
8. There are a range of sites and locations where additional, sustainable development can take place. Land off Back Lane, Nuthall (identified on the Site Plan attached) is currently used for equestrian purposes with stables, livery and associated activity together with residential property. The site is within the defined Green Belt, however this designation no longer

satisfies the purpose or function of Green Belt land as defined within Paragraph 80 of the NPPF.

9. The removal of the Back Lane site from the Green Belt would facilitate the redevelopment of the site for up to 40 new dwellings as well as delivering improved screening and buffering from the M1 motorway to the wider benefit of existing residents.
10. Housing development on this site would assist in providing additional flexibility regarding the delivery of new housing in the Borough, helping to off-set slow delivery rates on other sites. The site is in single ownership where the intention is to progress towards a planning application as soon as possible and to bring the site to the housing market at the earliest opportunity.

Site Location Plan – Land off Back Lane, Nuthall



Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	Richard Taylor
-----------------------------------	----------------

Your Details

Title	[REDACTED]
Name	[REDACTED]
Organisation (if responding on behalf of the organisation)	Featherstones
Address	[REDACTED] [REDACTED] [REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

If you would like to be contacted by the Planning Policy Team regarding future consultations.

Please tick here ☒

Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: [REDACTED]

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	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	Yes, exclusion of sites.		

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	✓
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

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Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

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Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

✓

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

We wish to participate at public examination to explore fully the concerns we have with the soundness of the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

BROXTOWE LOCAL PLAN PART 2: PUBLICATION VERSION

Representations by FEATHERSTONES on behalf of RICHARD TAYLOR

1. This submission is made on behalf of Richard Taylor, who is the owner of land identified on the attached plan 1. Part of that land (plan 2) we contend, is suitable for housing development.
2. As presented the Broxtowe Plan is unsound because it fails to demonstrate how delivery of allocated sites will be guaranteed; it fails to incorporate sufficient flexibility to respond to any failure of delivery and it fails to provide a mechanism for the release of developable 'reserve sites' equivalent to 20% of the total housing requirement (as recommended by the Local Plans Expert Group in its Report to Government of March 2016).
3. Additional housing sites, therefore, need to be identified in order to meet the NPPF's requirement to ensure the delivery of the minimum housing provision and to ensure that there is an appropriate 5 year land supply in accordance with paragraph 47 of the Framework.
4. Policy 2 of the Plan fails the challenge of housing supply. Table 4 confirms a significant housing supply short fall and a persistent history of under delivery.
5. There is demonstrably no certainty of future housing delivery.
6. The Plan relies on housing sites which have been allocated in previous Plans for up to (and beyond) 15 years. There are clearly strong reasons why these sites have not come forward. Sites include:
 - Beeston Maltings
 - Land at Awsorth with planning permission
 - Land at Eastwood with planning permission
 - Walker Street, Eastwood
 - Eastwood Road, Kimberley (x2).

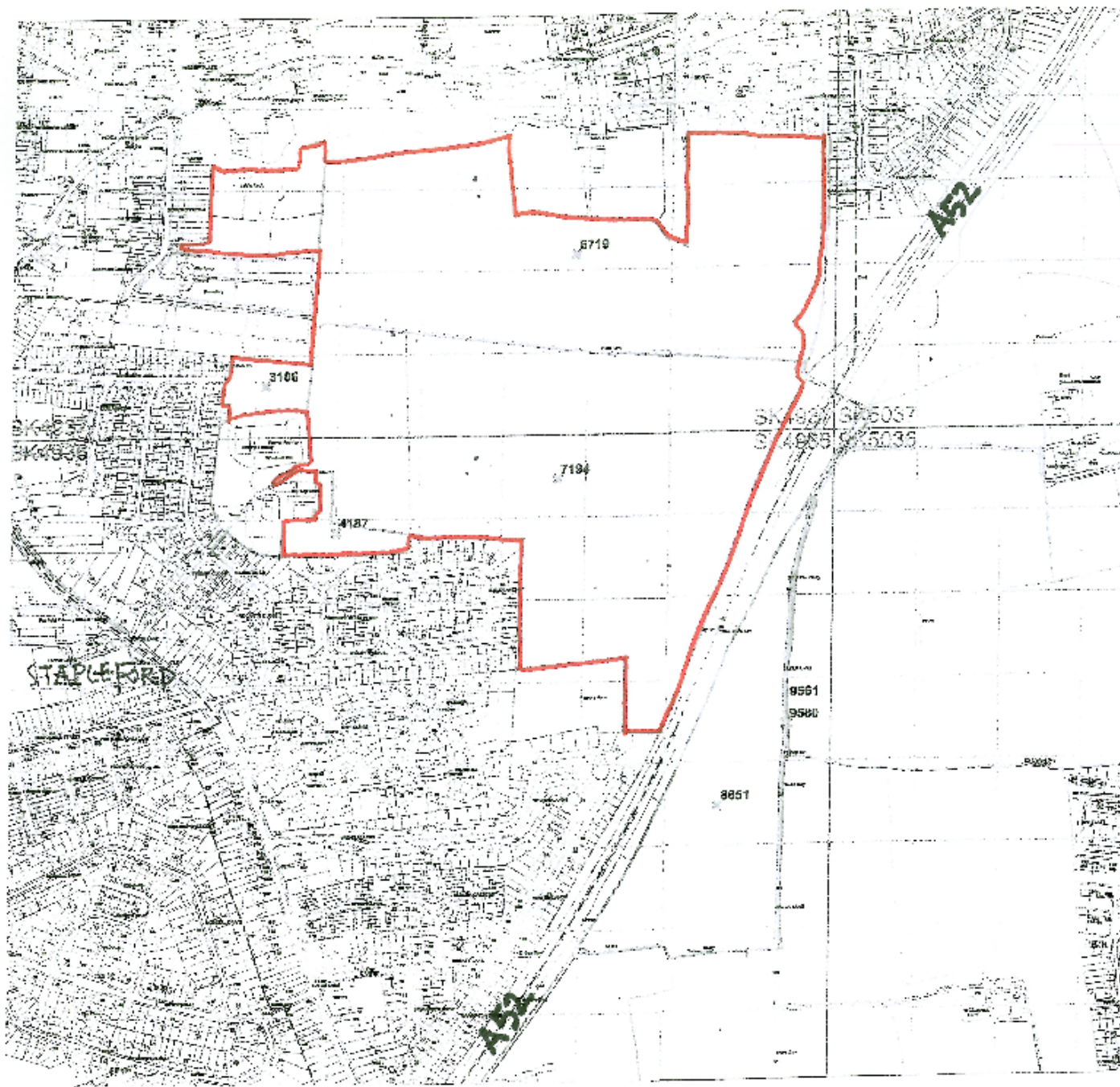
Each of these sites were allocated in the 2004 Plan.

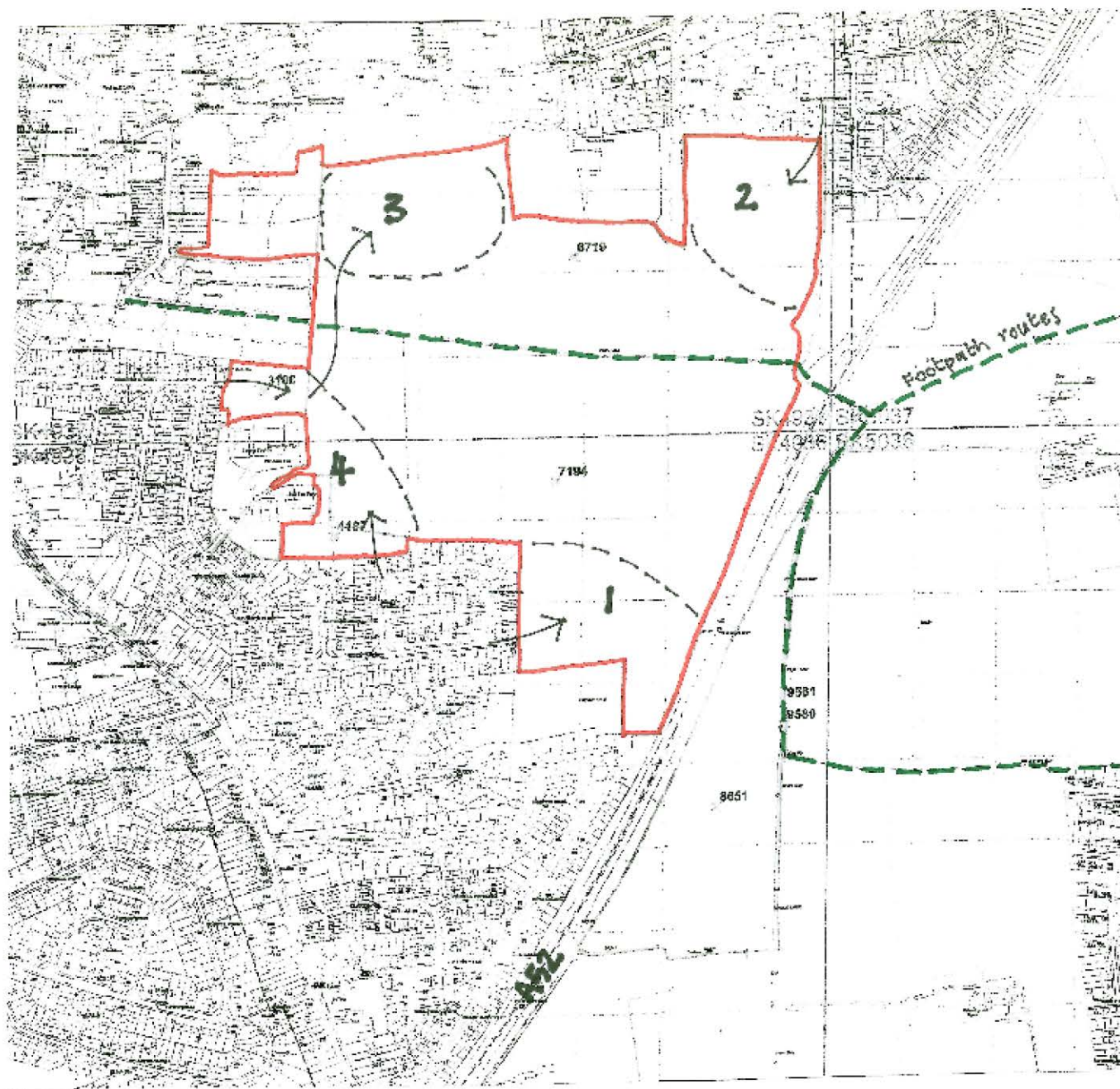
In addition, the allocation at Kimberley Depot is a refuse depot and tip, where inherent contamination could preclude or limit development.

7. Uncertainty of housing delivery also exists at strategic sites:
 - Boots
 - Severn Trent Sewage Treatment Works (contamination)
 - Chetwynd Barracks (no commitment to land release)
 - Toton/HS2 Hub (confused aspirations)
8. In order to help to minimise the (likely) continued non-delivery of sites for housing, additional land should be identified (for housing) in the plan; specifically, land at Stapleford, as identified on plan 2. Four parcels of land here could be developed for housing without adversely impacting on land important to the visual significance of Windmill Hill (part of the Bramcote Ridge). Similarly, the role of that Ridge as a public footpath would not be threatened, long distance views would be maintained, landscaping would be enhanced and properly managed.
9. In turn, the four parcels could accommodate:
 - Sisley Avenue - 80 dwellings
 - Baulk Lane - 75 dwellings

-
- North West Hill Top - 80 dwellings
 - Hill Top Farm - 30 dwellings
10. Consequently, it is estimated that (about) 265 new dwellings could be delivered on the site. This would be in a manner which would acknowledge, respect and enhance the context and the wider environment.
 11. The land is in one ownership. There are no technical, access or commercial impediments to immediate delivery and the allocation would help the Plan to achieve soundness.

PLAN I OWNERSHIP





PLAN 2 OPPORTUNITY

1. SISLEY AVENUE
2. BAULK LANE
3. NORTH WEST HILL TOP
4. HILL TOP FARM



Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	W.WESTERMAN
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Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	Oxalis Planning Ltd
Address	
Postcode	
Tel. Number	
E-mail address	

Comments should be received by 5.00pm on Friday 3rd November 2017

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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	Yes, exclusion of sites.		

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	✓
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

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Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

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Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

√

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

We wish to participate at public examination to explore fully the concerns we have with the soundness of the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

**BROXTOWE LOCAL PLAN PART 2:
PUBLICATION VERSION**

**Representations by OXALIS PLANNING on behalf of
W.WESTERMAN LTD**

-
- 1.1 These representations have been prepared on behalf of W. Westerman Ltd who have a number of land interests in Broxtowe. W. Westerman Ltd have serious concerns about the soundness of the Plan, particularly in relation to the approach to housing delivery. These concerns are set out below.
- 1.2 The NPPF requires Local Planning Authorities to plan positively to ensure the delivery of the area's 'minimum' housing requirements and to ensure that there is an appropriate 5 year land supply in accordance with paragraph 47 of the NPPF.
- 1.3 It is unclear from Policy 2 of the proposed Plan how the Government's requirements regarding housing delivery will be met. It can be seen from the Housing Trajectory at Table 4 of the Plan that Broxtowe has a significant housing supply shortfall and a persistent history of under delivery. Within this context it is essential that the Council are able to provide certainty regarding the delivery of housing. For the reasons set out below it is considered that the Plan fails to do this and is therefore unsound.
- 1.4 The need for flexibility or the identification of 'reserve sites' is not unusual but is particularly pertinent to Broxtowe because of its historical under performance, the number of sites carried forward from the 2004 Local Plan and the uncertainty regarding the key strategic sites. It is W.Westerman's view that a number of the sites proposed to be allocated by the Council will fail to be delivered and others are likely to be delayed such that the numbers assumed to be delivered will not be met. Individually a number of sites should not be counted towards delivery targets given their uncertainty. However the collective impact of so many complex and uncertain sites must also be addressed through the allocation of additional land.
- 1.5 In terms of strategic sites this uncertainty includes:
- a. Land at Boots, which although the site has permission continues to be complex with significant delivery uncertainties.
 - b. Severn Trent land which is a former sewage treatment works with associated complexities of decontamination and remediation. Housing delivery on the site is therefore highly uncertain.
 - c. Chetwynd Barracks: A current and active Ministry of Defence site. Whilst the MOD have indicated that the site may become available for redevelopment, no firm committed dates are set out and the timing of any closure is subject to change. There remains a potential for a significant delay to the closure of the site or a cancellation. Delivery is highly uncertain therefore.
 - d. Toton: Whilst planning permission exists on part of this site, that permission conflicts with the vision for the site as set out in Policy 3.2. The supporting text to this Policy is confusing and ill-conceived. It is based largely on the East Midlands HS2 Growth Strategy Document published in September 2017. It includes the statement in relation to the vision for the Toton that

'It will also require higher densities than those currently subject of an extant Outline Planning Consent for the site and this will need careful consideration by Broxtowe Borough Council as the Local Planning Authority.' (Page 20).
- Whilst this implies the potential for greater housing numbers in the long term it brings onto question the deliverability of the extant consent and housing delivery in the short to medium term.

1.6 In terms of other allocations or 'committed' sites:

- a. Land at Beeston Maltings – Policy 3.6, has been allocated since 2004. It remains a difficult and complex site and delivery is highly uncertain.
- b. Land in Awworth includes land allocated since 2004 and although there is extant permission, delivery is not certain.
- c. Two sites in Eastwood were allocated in the 2004 Local Plan and delivery remains uncertain notwithstanding extant planning permission.
- d. Land at Walker Street, Eastwood – Policy 6.1. This forms part of a school and recreation facility. Aside from its individual merits as an allocation, the site has been allocated (although a different part of the overall school site) since 2004 with no development progressing. Given the status of the site and wider uncertainty regarding school places and the quality and quantity of sports and recreation space, the delivery of the site is highly uncertain.
- e. Land south of Kimberley including Kimberley Depot - Policy 7.1. The site is currently a refuse depot with refuse tip. It is unclear if new facilities have been found to facilitate relocation. Notwithstanding, the site will contain areas of contamination which could preclude or limit development. Delivery on the site is therefore uncertain.
- f. Land South of Eastwood Road, Kimberley – Policy 7.2. This site has been allocated since 2004. Development of the site remains complex and delivery highly uncertain.
- g. Builders Yard, Eastwood Road, Kimberley – Policy 7.3. This site has been allocated since 2004. Development on the site remains uncertain.

1.7 The uncertainty in Broxtowe stems principally from the sheer number of complex sites where the level of certainty regarding delivery is extremely low. In these circumstances there is not a sufficiently reasonable prospect that the minimum housing numbers will be achieved and the Plan is therefore unsound. The circumstances in Broxtowe are the very circumstances that have led the Local Plan Experts Group to recommend the introduction of appropriate lapse rates and a 20% reserve site allowance. To adopt the Plan in its current form would perpetuate the current and historic role the planning system has played in creating a crisis in housing through the lack of delivery of new homes.

1.8 The Government recognises that more needs to be done to ensure that the right numbers of houses are built. It's White Paper – Fixing Our Broken Housing Market (February 2017) is aimed at just that. The White Paper draws on and makes reference to the work undertaken by the Local Plan Experts Group (LPEG). As well as proposing a new approach to calculating housing needs, the LPEG made recommendations as to how Local Plans should be approached not only to demonstrate a five year land supply but to ensure plans deliver over the whole plan period.

1.9 In their Report to Government (March 2016) the LPEG state that:

'there needs to be a clearer and more effective mechanism for maintaining a five year land supply, at the same time as ensuring plans consider delivery over the whole plan period and incorporate sufficient flexibility to respond to rapid change' (Paragraph 11.3).

And they recommend that plans:

'focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement' (Paragraph 11.4).

-
- 1.10 Because of its existing delivery problems, the scale of its shortfall and the uncertainties regarding delivery in the future, it is important that this 'sufficient Flexibility' is adopted by Broxtowe in its Local Plan Part 2. The Local Plan must be flexible enough to guarantee the delivery of the minimum number of new homes in the Plan period.
- 1.11 In simple terms this means planning for more houses so that there is sufficient flexibility now, to take account of inevitable delays to delivery on some sites and lapsed permission or non-implementation on others.
- 1.12 Furthermore in terms of a 5 year land supply the Plan does not set out how an appropriate land supply should be calculated and how this will then be met by the Plan. It is essential that the Plan, or supporting evidence, contains appropriate information to confirm that the Plan provides a 5 year land supply calculation from adoption of the Plan. The Plan will be unsound unless it can be demonstrated, based on appropriate assumptions, that it will bring about a 5 year land supply position.
- 1.13 There are a range of sites and locations where additional, sustainable development can take place. Land at Low Wood Road, Nuthall (identified on the Plan attached) is well related to the Urban area and extremely well related to the transport network, including the Tram. There is potential for the Tram to be extended into the site and for new and improved park and ride facilities to be provided, helping to address existing congestion and capacity issues. As a minimum it is considered that the site should be removed from the Green Belt so that it is available for development in the longer term or if delivery on other identified sites stall.



Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	Bloor Homes Ltd
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Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	Oxalis Planning Ltd
Address	
Postcode	
Tel. Number	
E-mail address	

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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	Yes, exclusion of sites and approach to Toton allocation.		

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	✓
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

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**BROXTOWE LOCAL PLAN PART 2:
PUBLICATION VERSION**

**Representations by OXALIS PLANNING on behalf of BLOOR
HOMES**

Contents

Representations:

- 1.0 Introduction**
- 2.0 Housing Delivery**
- 3.0 Land in the vicinity of the HS2 Station at Toton – Policy 3.2**
- 4.0 Approach to self-build and custom-build housing – Policy 15**
- 5.0 Policy 17: Place – Making, Design and Amenity**

Appendices:

- Appendix One : Site Location Plan and Illustrative Masterplan relating to land at Nether Green, east of Mansfield Road, Eastwood**
- Appendix Two: Proposed Site allocation Boundary for Land at Toton**
- Appendix Three: ‘Broxtowe Gateway’ vision document produced by Oxalis Planning April 2017**
- Appendix Four: ‘Broxtowe: Gateway to the East Midlands’ vision document produced by Oxalis Planning March 2014**
- Appendix Five: ‘Toton – Strategic Location for Growth’ produced by Oxalis Planning in December 2015**

1.0 Introduction

- 1.1 These representations have been prepared on behalf of Bloor Homes who have a number of land interests in Broxtowe. Bloor Homes have serious concerns about the soundness of the Plan, particularly in relation to the approach to housing and the allocation at Toton. Details of their concerns are set out in the statement below, with reference to particular policies and paragraph numbers where relevant. The statement also sets out the modifications to the Plan that are considered necessary to make it sound.

2.0 Housing Delivery

- 2.1 The NPPF requires Local Planning Authorities to plan positively to ensure the delivery of the area's 'minimum' housing requirements and to ensure that there is an appropriate 5 year land supply in accordance with paragraph 47 of the NPPF.
- 2.2 It is unclear from Policy 2 of the proposed Plan how the Government's requirements regarding housing delivery will be met. It can be seen from the Housing Trajectory at Table 4 of the Plan that Broxtowe has a significant housing supply shortfall and a persistent history of under delivery. Within this context it is essential that the Council are able to provide certainty regarding the delivery of housing. For the reasons set out below it is considered that the Plan fails to do this and is therefore unsound.
- 2.3 In terms of a 5 year land supply the Plan does not set out how an appropriate land supply should be calculated and how this will then be met by the Plan. It is essential that the Plan, or supporting evidence, contains appropriate information to confirm that the Plan provides a 5 year land supply calculation from adoption of the Plan. The Plan will be unsound unless it can be demonstrated, based on appropriate assumptions that it will bring about a 5 year land supply position.
- 2.4 The Trajectory at Table 4 indicates that the Borough will have sufficient sites to deliver the housing requirement. Indeed it suggests a buffer exists. However Bloor Homes has significant concerns about the assumptions used to inform these figures and the cumulative effect of the uncertainty regarding the delivery of a large number of sites. Within this context Bloor Homes do not consider that the approach is sound, both because of the unrealistic assumptions on individual sites but, most importantly because of the lack of certainty regarding delivery overall.
- 2.5 The Government recognises that more needs to be done to ensure that the right numbers of houses are built. It's White Paper – Fixing Our Broken Housing Market (February 2017) is aimed at just that. The White Paper draws on and makes reference to the work undertaken by the Local Plan Experts Group (LPEG). As well as proposing a new approach to calculating housing needs, the LPEG made recommendations as to how Local Plans should be approached not only to demonstrate a five year land supply but to ensure plans deliver over the whole plan period.
- 2.6 In their Report to Government (March 2016) the LPEG state that:
- 'there needs to be a clearer and more effective mechanism for maintaining a five year land supply, at the same time as ensuring plans consider delivery over the whole plan period and incorporate sufficient flexibility to respond to rapid change' (Paragraph 11.3).*

And they recommend that plans:

'focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement' (Paragraph 11.4).

- 2.7 Because of its existing delivery problems, the scale of its shortfall and the uncertainties regarding delivery in the future, it is important that this 'sufficient Flexibility' is adopted by Broxtowe in its Local Plan Part 2. The Local Plan must be flexible enough to guarantee the delivery of the minimum number of new homes in the Plan period.
- 2.8 In simple terms this means planning for more houses so that there is sufficient flexibility now, to take account of inevitable delays to delivery on some sites and lapsed permission or non-implementation on others.
- 2.9 A 20% flexibility allowance or 20% reserve sites as suggested by the LPEG would mean Broxtowe planning for around 7380 dwellings over the Plan period, as opposed to the minimum requirement of 6250 dwellings or the current approach which indicates a potential delivery of 6747 dwellings. This additional flexibility would be some 600 or so more than the Council are currently planning for (7380 – 6747 =600). Such flexibility is the minimum that is required for the delivery of appropriate levels of housing in Broxtowe is to be secured.
- 2.10 There is a range of sites and locations where additional, sustainable development can take place. For example land at Nether Green, east of Mansfield Road, Eastwood (SHLAA ref 203) has been identified as a suitable location for growth by the Council, but the Council has concluded that the site is not needed at the present time. The land at Nether Green is well related to the urban area. It is well contained by the line of the now disused railway, which could also provide a new permanent and defensible Green Belt boundary. The site has the potential to deliver around 200 new homes together with new open space, children's play areas and areas for biodiversity enhancement. The site location together with an illustrative masterplan are shown at Appendix One.
- 2.11 The need for flexibility or the identification of 'reserve sites' is not unusual but is particularly pertinent to Broxtowe because of its historical under performance, the number of sites carried forward from the 2004 Local Plan and the uncertainty regarding the key strategic sites
- 2.12 In terms of strategic sites this uncertainty includes:
- a. Land at Boots, which although the site has permission continues to be complex with significant delivery uncertainties.
 - b. Severn Trent land which is a former sewage treatment works with associated complexities of decontamination and remediation. Housing delivery on the site is therefore highly uncertain.
 - c. Chetwynd Barracks: A current and active Ministry of Defence site. Whilst the MOD have indicated that the site may become available for redevelopment, no firm committed dates are set out and the timing of any closure is subject to change. There remains a potential for a significant delay to the closure of the site or a cancellation. Delivery is highly uncertain therefore.
 - d. Toton: Whilst planning permission exists on part of this site, that permission conflicts with the vision for the site as set out in Policy 3.2. The supporting text to this Policy is confusing and ill-conceived. It is based largely on the East Midlands HS2 Growth

Strategy Document published in September 2017. It includes the statement in relation to the vision for the Toton that

'It will also require higher densities than those currently subject of an extant Outline Planning Consent for the site and this will need careful consideration by Broxtowe Borough Council as the Local Planning Authority.' (Page 20).

Whilst this implies the potential for greater housing numbers in the long term it brings onto question the deliverability of the extant consent and housing delivery in the short to medium term.

2.13 In terms of other allocations or 'committed' sites:

- a. Land at Beeston Maltings – Policy 3.6, has been allocated since 2004. It remains a difficult and complex site and delivery is highly uncertain.
- b. Land in Awsworth includes land allocated since 2004 and although there is extant permission, delivery is not certain.
- c. Two sites in Eastwood were allocated in the 2004 Local Plan and delivery remains uncertain notwithstanding extant planning permission.
- d. Land at Walker Street, Eastwood – Policy 6.1. This forms part of a school and recreation facility. Aside from its individual merits as an allocation, the site has been allocated (although a different part of the overall school site) since 2004 with no development progressing. Given the status of the site and wider uncertainty regarding school places and the quality and quantity of sports and recreation space, the delivery of the site is highly uncertain.
- e. Land south of Kimberley including Kimberley Depot - Policy 7.1. The site is currently a refuse depot with refuse tip. It is unclear if new facilities have been found to facilitate relocation. Notwithstanding, the site will contain areas of contamination which could preclude or limit development. Delivery on the site is therefore uncertain.
- f. Land South of Eastwood Road, Kimberley – Policy 7.2. This site has been allocated since 2004. Development of the site remains complex and delivery highly uncertain.
- g. Builders Yard, Eastwood Road, Kimberley – Policy 7.3. This site has been allocated since 2004. Development on the site remains uncertain.

2.14 The uncertainty in Broxtowe stems principally from the sheer number of complex sites where the level of certainty regarding delivery is extremely low. In these circumstances there is not a sufficiently reasonable prospect that the minimum housing numbers will be achieved and the Plan is therefore unsound. The circumstances in Broxtowe are the very circumstances that have led the Local Plan Experts Group to recommend the introduction of appropriate lapse rates and a 20% reserve site allowance. To adopt the Plan in its current form would perpetuate the current and historic role the planning system has played in creating a crisis in housing through the lack of delivery of new homes.

2.15 The Plan needs to be modified to address the problems set out above. This should include:

- A critical review of the reliance on particular sites to deliver new homes;
- A significant increase in the number of new homes planned for (to at least 7380 over the Plan period) through the allocation of additional land;
- The inclusion of a five year land supply calculation and demonstration that, on adoption, the Plan will provide a suitable land supply (and the allocation of additional land to address 5 year land supply issues if necessary);

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- The allocation of land at Mansfield Road, Eastwood, for around 200 dwellings together with the removal of the land from the Green Belt (as shown at Appendix One);
 - The allocation and removal of additional land from the Green Belt at Toton, see Appendix Two. Together with a complete re-appraisal of the approach to the development of land at Toton as set out below and shown in the vision documents at Appendices 3, 4 and 5.

3.0 Land in the vicinity of the HS2 Station at Toton – Policy 3.2

- 3.1 The Council's approach to the planning of the Toton area in response to the unique opportunity presented by HS2, the tram and the strategic highway connections, is confused and fundamentally flawed.
- 3.2 It is currently unclear from the Policy how it is envisaged that development within the Plan period (the provision of 500 houses) fits with and will not prejudice the delivery of the wider aspirations for the site set out as *'key development requirements beyond the Plan period'*. Furthermore it is unclear whether the supporting text relates to the plan period requirement or beyond plan period or both.
- 3.3 Crucially the Plan ignores the Peveril Homes Housing scheme which was recently granted consent by the Council on the majority of land west of Toton lane. It is inconceivable how the delivery of this permitted scheme is compatible with the Policy aspirations for the site set out in the Plan. It is clear that the Policy aspirations as set out in the supporting text are linked with the vision for the site set out in the East Midlands HS2 Growth Strategy (September 2017). This strategy envisages an 'innovation village' on the site, but this is located on land where there is already planning permission for a 500 unit suburban residential scheme.
- 3.4 Oxalis Planning on behalf of Bloor Homes have consistently advocated a more comprehensive and forward thinking approach to the land at Toton, including strongly opposing the consenting of the Peveril Scheme which would clearly prejudice the delivery of a more comprehensive and innovative response to the opportunity presented by HS2. These concerns were ignored and it is now clear that the approved Peveril scheme is incompatible with the vision for the site now being set out. A fundamental re-think of the Policy is required. A different response will be required depending on whether the Peveril scheme is implemented, but changes will be required to make the Plan sound in any event.
- If the Peveril scheme is not implemented, for example in order for the vision set out by the East Midlands HS2 Growth Strategy to be progressed; the Plan will need to be amended because additional land will be needed so that new homes can be delivered in the short term. The aspirations set out in the Growth Strategy in relation to the innovation village will necessarily take many years to work up given that the mix and scale is unlikely to be commercially appropriate or viable prior to the delivery of HS2. Land to the east of Toton Lane will be needed, to help to deliver new homes quickly. This land, as set out in the Oxalis vision documents can deliver homes on a more conventional basis and allow for land adjacent to the HS2 hub, west of Toton Lane, to be retained for future development more directly associated with HS2.

Or

- If the Peveril scheme is implemented, a new masterplan approach and revised vision for land at Toton would be required to take account of the committed scheme. The

committed scheme is fundamentally at odds with the Growth Strategy and it would prejudice its delivery. The strategy for the site would need to change. Additional land to the east of Toton Lane, would need to be introduced to help deliver the overarching aspirations for the site as set out in the East Midlands HS2 Growth Strategy.

- 3.5 Unless these compatibility issues can be resolved the Plan will be unsound.
- 3.6 Oxalis planning on behalf of Bloor Homes have consistently advocated a more ambitious approach to the Planning of the area around HS2, including, importantly, the inclusion within a comprehensive scheme of land to the east of Toton Lane. The constrained approach to the allocation both limits the appropriate planning of the area and ignores the context provided by existing built form, landscape and other features on the ground. The tram line is not an appropriate Green Belt or development boundary. An allocation which reflects the opportunities for development on land east of Toton Lane and north of the tram line should be made – as shown by the Plan at Appendix Two.
- 3.7 Oxalis Planning on behalf of Bloor Homes have over past 5 or so years, prepared a number of masterplan documents illustrating ways in which land at Toton could be developed. These include a 'Broxtowe Gateway vision' Document produced in April 2013 (Appendix Three); a 'Broxtowe - Gateway to the East Midlands' vision document produced in March 2014 (Appendix Four) and a 'Toton – Strategic Location for Growth' document produced in December 2015 (see Appendix Five). These three documents are appended to this submission for ease of reference and to provide details of the approach advocated by Oxalis on behalf of Bloor Homes. These documents should be read in conjunction with these representations. The fundamental principle of the vision advocated consistently by Oxalis Planning are:
- a. To produce a masterplan for the site which is focussed on the need to deliver an appropriate commercial response to the opportunities presented by HS2. The economic opportunities should be maximised and a specific response to HS2 planned;
 - b. Whilst the precise nature of the commercial development can only be determined by future market demand, the planning of the site should not, in any way, constrain the potential;
 - c. This would mean delivering housing to meet the plan period requirement on land to the east of Toton lane and reserving land to the west of Toton Lane for development directly associated with HS2.
- 3.8 The Oxalis documents include a highway solution that has been largely mirrored in the East Midlands HS2 Growth Strategy (Page 30). Fundamental to this highway strategy is a new junction onto the A52 to the north east of Bardills Island and a partial 'bypass' of the Bardills Junction. Such an approach is however incompatible with Policy 3.2 as currently set out. Policy 3.2 retains as Green Belt, land north and east of Bardills garden centre, land which would be essential for this new infrastructure. Furthermore if this new infrastructure were to be put in place the context of land to the east and west of it would change greatly and become even more appropriate for development.
- 3.9 Policy 3.2 is therefore fundamentally flawed because the area of land to be removed from the Green Belt should include land east of Toton Lane and north of the Tram line. The inclusion of this area would facilitate appropriate infrastructure works and enable a more comprehensive approach to the masterplanning of the area.

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- 3.10 The Plan has not, in relation to the opportunity presented by HS2, been positively prepared or justified having regard to the evidence base and considering reasonable alternatives.
- 3.11 There are other aspects of the supporting text to Policy 3.2 which are flawed and inconsistent with national policy. The vision sets out ambitions for relocation of existing facilities and the delivery of extensive new community and leisure facilities. However these aspirations have not been discussed with underlying landowners and it remains wholly unclear how these components can be delivered in terms of viability and land assembly or how they would be funded.

4.0 Approach to self-build and custom-build housing – Policy 15

- 4.1 Bloor Homes object to bullet point 8 of Policy 15 which requires 5% of large sites to be delivered as self / custom build Homes. The delivery of self / custom build Homes as part of a large site creates complex delivery, design, Health and Safety and site management issues. On some sites it will also create uncertainty regarding delivery and viability. It is unclear how this requirement would be managed and delivered on the ground alongside the delivery of dwellings constructed by Bloor Homes.
- 4.2 Government Policy supports the provision of self and custom build homes. A key emphasis is on the benefit of this form of housing delivery in boosting the supply of new homes. The blunt requirement set out in Policy 15 will in no way help to boost supply, indeed for the reasons set out it may well delay or restrict supply.
- 4.3 It is considered that a more appropriate response to the Government's requirement would be to identify specific small sites which are capable of delivery as self / custom build homes and to encourage the promotion of small scale windfall sites for such purposes. This could then act to help boost the delivery of new homes.

5.0 Policy 17: Place – Making, Design and Amenity

- 5.1 Some of the criteria within this design policy are misplaced and should be removed. Criteria 1b and 1c are both spatial policies concerned with the location of development as opposed to its form. These criteria should be deleted.

**Broxtowe
Borough
COUNCIL**

Please provide your client's name

Title	<div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
Name	
Organisation <small>(if responding on behalf of the organisation)</small>	Phoenix Planning (UK) Limited
Address	<div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
Postcode	
Tel. Number	
E-mail address	

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: As above

For more information: Tel: 0115 917 3452, 3448, 3468 or 3015 E-mail: policy@broxtowe.gov.uk

Question 1: What does your comment relate to? Please specify exactly

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation	Page 59-64	Policy 6 as a whole
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	X
It is not effective	X
It is not positively prepared	X
It is not consistent with national policy	X

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

The Adopted Core Strategy 2014 identified a requirement of up to 1250 dwellings to be provided within Eastwood. The Housing Trajectory at Page 75 of the Local Plan identifies 795 dwellings within the SHLAA plus the proposed allocation of 200 dwellings. The Local Plan Part 2 therefore provides 455 less dwellings than was identified within the Core Strategy. This is a substantial variation, providing for around only 63% of that envisaged within the Core Strategy.

The Plan seeks to reduce the housing requirement as set out within the Adopted Core Strategy for Eastwood and allocate more housing within and adjoining the main urban area. Objection is raised towards this approach. It is considered essential that Eastwood maintains a continual supply of housing and ensure that viable sites are released that can provide appropriate market and affordable housing to meet the needs of the area. Eastwood is a highly sustainable location which requires growth in order to sustain and improve local facilities including a struggling town centre. The release of appropriate green field sites to meet the needs identified within the Adopted Core Strategy will bring forward much needed housing for Eastwood and enable the provision of contributions towards local infrastructure.

It is noted that Eastwood is classified as a low market area which reduces viability and the opportunities for securing appropriate S106 contributions. However, sites such as the Wades Printers site, are located within a higher market area than the remainder of Eastwood and as will be demonstrated within our submission, the Wade printers site can bring forward substantial local community benefits including the provision of a significant area of public open space.

Walker Street Allocation

The Part 2 Local Plan only identifies 1 housing allocation for Eastwood which is identified as the Walker Street site which proposes 200 homes and 30 extra care units. Map 24 in Local Plan is flawed as there is no key identifying the development zonings within the site. It is assumed however that the red annotation relates to housing land.

Concern is raised with regards to the deliverability of this site within the plan period. Part of the site includes the existing Lynncroft Primary School. Although development has commenced on the replacement school, it is understood that this development will need to be completed prior to the release of the site for housing. The site does not presently have a residential consent and therefore an application will also need to be submitted and approved. The Housing Trajectory expects this site to complete all 200 dwellings within the 1st 5 years. The Trajectory identifies that the site will expect a completion rate of 50 dwellings per annum over a 4 year period. It is considered that, firstly it is very unlikely that the development of housing on the site will start so quickly and secondly that such a rate of completion is overly ambitious within this location and does not reflect market signals.

Furthermore, it is considered that the site will bring forward limited S106 contribution by the residential development due to viability considerations. The Site Selection Document identifies that the site has infrastructure delivery issues and is unlikely to be able to viably provide any affordable housing. It is considered that there are alternative sites within Eastwood that could provide for a full suite of S106 provisions and bring forward more substantial benefits to the wider area.

Strategic Housing Land Availability Assessment

The latest Strategic Housing Land Availability Assessment identifies the sites within Eastwood that are considered to be deliverable and developable. It is noted that the SHLAA identifies sites that can provide up to 760 dwellings within Eastwood. Concerns are raised with regards to the deliverability of a number of the identified sites and our comments on the individual sites are provided below.

<i>SITE</i>	<i>NUMBER OF DWELLING</i>	<i>ISSUES</i>
Hilltop House Nottingham Road Eastwood	10	It is understood that the site is presently being considered for uses other than residential. No planning application has been submitted to redevelop this site. It is understood that the site has been for on the market for a number of years. The asking price for the property may preclude the viable redevelopment of this site for housing. There is insufficient progress to conclude that this site will be delivered for housing.
Dovecote Bar and Grill 29 Beauvale Newthorpe	6	The anticipated land value may preclude this site from being viably redeveloped for housing. This site does not have planning consent and therefore there has been insufficient progress to conclude that this will be delivered for housing
Beamlight Newmanleys Road Eastwood	150	Although this site has an approval, this site is likely to be affected by possible gassing from the nearby tip. Issues in this regard remain outstanding. This will affect the deliverability of the site and question is therefore raised as to whether the site can accommodate 150 dwellings.

95 South Street Eastwood	1	Consent lapsed in 2013 and has not been renewed. This site therefore should be excluded with SHLAA.
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In terms of discounting the sites where planning consent has expired, the National Planning Practice Guidance regarding Assessment of land availability clearly sets out what types of sites and sources of data should be used. This identifies that those sites where planning applications have been withdrawn or refused can be taken into consideration. Whilst it may be reasonable to consider sites where permissions have lapsed, this should be on the basis of some sort of evidence as to why it lapsed and why it is felt that it may now be deliverable. This is not clear from the council's evidence base. Also, where applications are for single plots, it is considered that these are essentially windfall and there is therefore a degree of double counting if the Council also want to claim a windfall allowance for such sites.

It is clear that there are issues with a number of the sites within Eastwood and other areas within Broxtowe that may affect the deliverability of the housing requirement within the plan period. In this regards, it is considered necessary to release additional land within Eastwood in order to ensure that the housing requirement is met in full. The soundness and deliverability of the plan is therefore called into question.

Because of the above concerns, it is considered that in this regard the Plan fails the tests of soundness in that ;

- 1. Positively Prepared:** To meet the test the plan must be able to show it is based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, in a manner consistent with achieving sustainable development. This councils approach to Eastwood raises concerns over its sustainability and deliverability in a manner which fails this test.
- 2. Justified:** As highlighted above, the approach that has been taken is not only not justified, but is at odds with the Core strategy on which the plan is supposed to be based.
- 3. Effective:** Because of the issues raised above, it is not considered that the Plans approach will make an effective contribution to delivering sustainable development for the district and deliver the growth required.
- 4. Consistent with national policy:** The approach taken here is not considered to be sustainable and therefore the proposals are contrary to the golden thread running through the NPPF. The significant concerns over the sustainability of the approach being taken to this area undermines the Plans credentials in this respect.

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

My client considers that additional sites should be released within the Eastwood in order to ensure an appropriate and continual supply of housing for both Eastwood and Broxtowe as a whole.

Alternative Housing Allocation - Land off Baker Road, Giltbrook

Wade Printers are a successful local employer who operate their printing business from the Wade Printers site identified as SHLAA site no 3. The site, although presently partially occupied for employment use, consists of existing industrial buildings that are in a poor state of repair and do not meet the needs of a modern-day business. The occupiers need to relocate to new premises, within a more suitable location and with modern facilities to enable them to operate their business more effectively and retain local employment.

The site is currently an eyesore within a pleasant residential area and the site consists of a non-conforming uses within an existing residential area, incorporating several daily HGV movements along Baker Road. Therefore, the redevelopment of this site for housing purposes would bring forward substantial benefits to the wider area. It is important to note however that the owners of the Wade Printer site have undertaken viability work in order to assess whether developing the existing employment site in isolation for housing purposes would provide sufficient funding for their relocation to more suitable premises. However, unfortunately it is considered that insufficient value is generated by the redevelopment of employment site in isolation to make it a viable for new businesses premises to be found. On this basis, it is imperative for a larger housing development to be brought forward which incorporates the adjacent landholdings in order to create a viable housing option that will enable Wade Printers to relocate to more suitable premises, ensuring the business remains profitable and local employment is retained.

Without the release of additional land for housing purposes, the site will remain within its current use and remain an eyesore within the locality. Wades Printers have over the last few years considered how the existing brownfield site along with elements of the less sensitive greenbelt land can be bought forward for residential development whilst retaining the important gap between Giltbrook and Kimberley.

It should be noted that although part of the site is located within the greenbelt, a further priority is to enable the reclamation of the former tip site and improve the ecological value and management of the SINC site which can be facilitated by the redevelopment of the wider area. To the east of the employment site is the reclamation site extending to 6ha site identified as the Former Tip Baker Road under policy E30 of the Adopted Local Plan. Policy E30 of the Adopted Local Plan identifies that the Council will encourage the reclamation of derelict land. It is understood that areas of the site were previously tipped in the 1830's with colliery shale and lied adjacent to the former Newthorpe Colliery. This section of the site is presently utilised as a corporate event activity centre including off road vehicle events, archery/cross bow target shooting. The use of the site for off road biking and associated activities has over the years lead to the degradation of this site. The redevelopment of the site therefore will bring forward environmental and visual benefits.

It should be noted that detailed proposals has been submitted to the Planning Department in relation to the potential of this site including Masterplans, Transport Assessments, Landscape Appraisals, Drainage Appraisals and a detailed Planning Statement, that highlights the material planning considerations of this development site. There are two masterplans outlining the basics of our proposal and providing two potential development options that have been presented to Broxtowe Borough Council for consideration.

Option 1 incorporates the redevelopment of the Wade Printers industrial site along with land to the north and south for housing purposes. This masterplan proposes the provision of a significant area of public open space which could provide a defensible boundary within the green belt and provide much need open space for the locality. Also attached is a more detailed constraints and opportunities plan for this option which provides more detail.

Option 2 excludes land to the south of the existing employment and concentrates development to the north and away from the settlement of Kimberley. This would remove completely any issue with regards to coalescence between Giltbrook and Kimberley although a reduced area of public open space could be provided.

The SA assessment provides an unjustified rejection of our proposals and does not fully consider the scheme that has been put forward and the benefits that it could bring. The full details of the suitability, deliverability and sustainability of our client's site are provided in our detailed submission paper attached as an appendix to this objection. However, in brief the main opportunities the site offers:

1. It provides for a mix of brownfield and greenfield land
2. Encourage the reclamation of derelict land
3. It allows for the relocation and growth of a local business which will allow for the retention and possible growth in local employment
4. It would allow for the removal of HGV's related to the business from a residential area and bring an end to the motor cycling on adjacent land that can generate nuisance
5. It would provide the Borough and/or the Parish Council, a significant, long term and controllable area of natural open space, forming a strong Green Belt boundary to the south of the town, and adding much needed publicly accessible open space to the settlement.
6. Whilst the site is partially part of the Green Belt, these proposals seek only to round the town off without further extending it to the south eastwards towards Kimberley, or north eastwards towards Greasley.
7. This option will not decrease the gap between Eastwood and Kimberly and will provide a strong defensible boundary that could be transferred to the Council and therefore provide public control over the land to ensure that it is defensible in perpetuity.

We realise that developing land within the Green Belt does rightly raise concerns, but we recognise that the Council has limited options. It is considered that our proposal provides a more sustainable and environmentally sensitive option for fulfilling the housing needs for Eastwood as identified by the Core Strategy, than any other reasonable alternative site within Eastwood and those allocated within Bramcote and Stapleford.

Our proposal does not impact on the role of the Green Belt and provides significant economic, social and environmental benefits to the area. The area of Green Belt taken is marginal and appears more as part of the natural shape of the town than as 'open countryside'.

It is considered that our proposal provides a sustainable and environmentally sensitive option for fulfilling the housing needs for Eastwood as identified by the Core Strategy.

Our clients very much want to work with the Council in terms of realising the potential of this site and bringing forward the housing Eastwood needs. Our concern is that the current approach the Council is taking, is not considering the broader picture and the important role our site could play as a sustainable extension to Eastwood.

We strongly believe in the positive benefits our site can bring and will seek to bring it forward.

It is considered that the Local Plan should be amended and the Wade Printers site be allocated for housing purposes.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

√

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

The issues raised within this objection, the variation from the Aligned Core strategy and the approach taken to the development of Eastwood are considered to be crucial elements that must be fully considered if a sound local plan is to be achieved. Considering the merits of other sites is also necessary if the Council are to be encouraged into taking a new proactive approach to planning to meet their needs.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	
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Your Details

Title	Mr Mrs Miss Ms Other
Name	C & J WHITE
Organisation (if responding on behalf of the organisation)	/
Address	[Redacted]
Postcode	[Redacted]
Tel. Number	[Redacted]
E-mail address	[Redacted]



Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

<p>If you <u>would like</u> to be contacted by the Planning Policy Team regarding future consultations.</p> <p>Please tick here <input checked="" type="checkbox"/></p> <p>Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: [Redacted]</p>

For more information including an online response form please visit:

www.broxtowe.gov.uk/part2localplan

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	Policies Map		
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: (please refer to the guidance note at for an explanation of these terms)		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		<input checked="" type="checkbox"/>

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
It is not effective	
It is not positively prepared	SEE 'COMMENTS' <input checked="" type="checkbox"/>
It is not consistent with national policy	

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

NEIGHBOURHOOD PLAN – COMMENTS SITE H138 – WALKER STREET: PHASE 2

Page 1 of 2

1. We would refer to the parcel of land (4.83 Ha) which borders the gardens of the semi-detached houses on Garden Road.
2. Between the boundaries of the above properties and the proposed site for the erection of 200 houses there is a high/steep bank which drops down to the Garden Road garden boundaries. This "corridor" is a haven for wildlife (goldfinches, greenfinches, blue tits, great tits and so on - along with hedgehogs, squirrels - even foxes have been seen/heard on occasion) and has large native trees - hawthorns, willow, etc. etc. - along its full length from the public footpath to No. 60 Garden Road
3. We have lived here for over thirty years and during this time there have been numerous problems with "activities" on that parcel of land - not least people practising their golf swings with no consideration for what lay at the foot of that bank. On one occasion a golf ball went straight through a full water butt - (such was its speed) - only a matter of a foot from where we had just been sitting - a very near miss which *could* have been catastrophic?! At the time Notts County Council were aware of this event - a surveyor by the name of Emma Poxon visited at the time the fencing was been erected in the Sports area of the land). On another occasion we had a piece of concrete thrown through the roof of the greenhouse (the Police were made aware) - fortunately there was no one in the greenhouse at the time it happened - but it was in broad daylight on a Sunday morning? We were not alone with these problems. We believe that some of the houses on Atherfield Gardens which back on to the land have access (legally or otherwise) on to that area of the land. NCC did say that letters would be sent to the householders - this was some years ago now and still there are people walking their dogs up there?

1

2

7. There have also been problems with regard to drainage in past years – and which, we understand, were remedied by the laying of large drainage pipes from the direction of Atherfield Gardens many years ago. Drainage is certainly of concern with the possibility of an additional 200 houses being built on the land. If the drainage is not installed efficiently from the start of the project this could be devastating for the Garden Road properties on such a lower level.
8. Stability/disturbance/contamination of the ground is also a concern. We understand there was a “waiting time” before building could be carried out on that parcel of land due to the mining works in previous years; presumably this is another reason why the land is now being earmarked at this time – that waiting time has now elapsed? Let us hope any final decisions will be made taking these points into consideration. We note there is a comment/reference as to “*contaminated land improvement would clean if remediation undertaken*”.
9. Taking all the previous factors into consideration, a further serious concern is of course the impact of additional traffic on Garden Road/Lynncroft and Walker Street.
10. These roads in general are narrow and there is parking on one side of all the roads more or less 24 hours of the day, and especially at “out of office/work hours/evenings”. Vehicles parked on *both* sides of the road during evenings/nights is not uncommon. To increase the volume of traffic on these three roads and surrounding area would at times prove very difficult. Garden Road is already used as a cut through and at times it can seem like a race circuit? How there has never been a serious accident is a miracle (there have certainly been near misses) – but increasing the traffic to the degree of vehicles that would come into the area along with the residents of 200 properties could just be the breaking point – especially at key times. Access for any emergency services at some times would certainly be affected. We note reference to Mill Road being a quiet road – this is *not* always the case!
11. **IN SUMMARY:** it is no doubt a foregone conclusion that this “project” will go ahead, and it could well be at the expense of local residents if not carefully approached. We are all aware that the various Councils have been advised that they have to achieve an increase in residential properties – one way or another – but consideration for the existing communities has to count for something?

Agreement with the Planners/Developers could include some additional native trees being planted along the boundary length from the Lynncroft School end up to the boundary with No. 60 Garden Road i.e. at the top of the bank along the line of the existing native tree line, in order to “screen” any new-builds - as opposed to being overlooked by *what would appear from the level of the Garden Road gardens to be “towering blocks” due to the height of the bank/field level where the new builds would be.* In so, doing this *may* assist both the privacy of the existing residents *and* the balance of the existing wildlife - therefore keeping a “happy balance” generally.

We feel it is important that the “wildlife corridor” along the garden boundaries of the Garden Road properties/steep bank is preserved and, if possible, enhanced by the additional planting of boundary planting which would also “protect” the boundaries of the Garden Road properties to an extent.

These small parcels of green areas are gradually being “eroded/taken over” by development and all that is associated with the same, we have to do what little is possible to preserve what nature we can.

We feel that if due consideration to the points suggested above would go some way to *assisting acceptance of the inevitable.*

Thank you for listening ☺

October 2017

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

SEE "COMMENTS" ON PREVIOUS PAGE

Thank you

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Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

HOPEFULLY THE PLANNERS/DEVELOPERS WILL DEAL WITH THE MATTER

WITH DUE CONSIDERATION

Thank you

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

Guidance Note:

Please complete a **separate form** for **each representation** you wish to make.

'Legally Compliant':

If your response relates to the way in which the plan has been prepared, then this is likely to relate to whether it or not it is 'Legally Compliant'. To be 'Legally Compliant', the Local Plan has to be prepared in accordance within the 'Duty to Cooperate' and legal and procedural requirements. These are set out by legislation in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). If you think that we have not met the legal requirement in the preparation of the Local Plan, please use the response form to tell us what we have not done or what we have done incorrectly.

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If your response relates to the way in which we have worked with other authorities then this is likely to relate to the 'Duty to Co-operate'.

The 'Duty to Co-operate' places a legal duty on Local Planning Authorities, County Councils and certain public bodies to engage constructively, actively, and on an on-going basis, to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters. The 'Duty to Co-operate' is not a duty to agree. However, Local Planning Authorities should make every effort to secure the necessary co-operation on strategic cross-boundary matters before they submit their Local Plan for examination.

'Sound'

If your response is about the content of the Local Plan and the strategy it adopts, then it is likely to relate to whether or not the Local Plan is 'Sound'.

To meet the 'Test of Soundness', the independent Planning Inspector is required to consider whether or not our Local Plan is '**justified**', '**effective**', has been '**positively prepared**', and is '**consistent with national policy**'. You may wish to consider the following before making a representation on the 'Soundness' of our Local Plan:

- '**Justified**': This means that the Local Plan is based upon a robust and credible evidence base. If you think that the evidence doesn't support the choice made in our Local Plan, or there are realistic alternatives, then your comments may relate to whether or not it is 'justified'.
- '**Effective**': This means that the Local Plan will deliver what it sets out to. If you think that what we are proposing in the Local Plan is not deliverable, then your comments may relate to whether or not our Local Plan is 'effective'.
- '**Positively Prepared**': This means the Local Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- '**Consistent with National Policy**': Do you consider that our Local Plan accords with the National Planning Policy Framework (NPPF) and other policies, or includes clear and convincing reasons for doing something different?

For further guidance or assistance, please contact the **Planning Policy Team** on **0115 917 3452** or by emailing **policy@broxtowe.gov.uk**.

Details

Agent	
Please provide your client's name	
Your Details	
Title	Mr
Name	Paul Thomas
Organisation (If responding on behalf of an organisation)	
Address	██████████ ██████████ ██████████
Telephone Number	██████████
Email Address	██████████████████
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
6: Eastwood Site Allocation					

Question 1: What does your comment relate to? Please specify exactly

Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	Yes
2.2 Compliant with the duty to co-operate	No
2.3 Sound	Yes

Additional details

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.	As home owners on Garden Road, we are concerned with the proposed plans to build 200 homes and 30 care units directly behind our property. We are deeply saddened that we have had no notification of these proposed plans, by post or otherwise, as these plans will directly affect our own property and our privacy, not to mention that of our neighbours. Therefore, it is with respect, that we oppose these plans to build on the fields directly behind our house. In response to this, we would like further information on the plans, including exactly what buildings are going to be built, and exactly where. Notifications on lamp posts have not explicitly referred to the proposed property development and are not a satisfactory means of notifying residents.
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Question 4

Question 4: Modifications sought	
Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.	We would like to see a meeting arranged, offered to all local residents that this will affect, including Garden Road. As well as this, we want proper notification of these plans in writing.

Question 5

Question 5: Public Examination Attendance	
If your representation is seeking a modification, do you consider it necessary to participate at the public examination?	No
If you wish to participate at the public examination, please outline why you consider this to be necessary	

6935

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	<input checked="" type="radio"/> Mrs	Miss	Ms	Other:
Name	ELIZABETH CHAMBERLAIN				
Organisation (if responding on behalf of the organisation)					
Address	<div style="background-color: black; width: 100%; height: 40px;"></div>				
Postcode	<div style="background-color: black; width: 100%; height: 20px;"></div>				
Tel. Number	<div style="background-color: black; width: 100%; height: 20px;"></div>				
E-mail address	<div style="background-color: black; width: 100%; height: 20px;"></div>				

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

Comments should be received by 5.00pm on Friday 3rd November 2017

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Please tick here



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TWO HUNDRED NEW HOMES WOULD CAUSE MAJOR CONGESTION ON LYNNCROFT, GARDEN ROAD, GREENHILLS ROAD AND WALKER STREET. MANY HOUSES HERE HAVE ON ROAD PARKING, ON VERY NARROW ROADS WHICH WOULDN'T BE EASY TO WIDEN.

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FEWER HOUSES TO BE BUILT

EASTWOOD HAS SUFFICIENT SOCIAL HOUSING.

HOUSES ON GARDEN ROAD HAVE PREVIOUSLY
HAD ISSUES WITH FLOODING FROM
THE PROPOSED SITE.

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