

**Policy 19 - Pollution, Hazardous Substances & Ground conditions:**

ID	Organisation
Duty to Co-operate / Interest Groups	
4	<a href="#">The Environment Agency</a>
6279	<a href="#">Bramcote Neighbourhood Forum</a>
34	<a href="#">Nottinghamshire Wildlife Trust</a>
Individual / Local Resident	
460	<a href="#">Wallwork</a>

## Details

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

## Policy relates to

<b>Please specify what your comment relates to</b>					
<b>Policy number</b>	<b>Page number</b>	<b>Policy text/ Paragraph number</b>	<b>Policies Map</b>	<b>Sustainability Appraisal</b>	<b>Other (e.g. omission, evidence document etc.)</b>
19: Pollution, Hazardous Substances and Ground Conditions	116	Policy text			

<b>Question 1: What does your comment relate to? Please specify exactly</b>
---

## Question 2

<b>Question 2: What is the issue with the Local Plan?</b>	
Do you consider this paragraph or policy of the Local Plan to be:	
<b>2.1 Legally compliant</b>	Yes
<b>2.2 Compliant with the duty to co-operate</b>	Yes
<b>2.3 Sound</b>	Yes

## Additional details

<b>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.</b>	The Environment Agency is satisfied that Policy 19 has covered all those aspects of the protection of controlled waters which we have previously raised with your Authority.
--	--

## 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 consider Policy 19 to be legally compliant and 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	

Bramcote Neighbourhood Forum  
Response to Broxtowe Borough Council Part 2 Plan

Submitted by: [redacted] on  
behalf of the Bramcote Neighbourhood Forum

			LEGALLY COMPLIANT		Compliant with Duty to Cooperate		Sound						
POLICY	PAGE / PARA.	TEXT	Yes	No	Yes	No	Yes	No		COMMENTS	MODIFICATIONS SOUGHT	PUBLIC EXAMINATION ATTENDANCE	WHY
Policy 1: Flood Risk			x		x		x					No	
Policy 2: Site Allocations	2.7			x				x	It is not justified	The statement that sites with commitments "of 10 or more dwellings these have been shown on the overview plans" is untrue and misleading - the land of the former Bramcote Hills Golf course was granted outline planning permission for 100 dwellings earlier in 2017 but is NOT shown on the overview plans	The consequences of commitments of more than 10 dwellings on housing land allocation should be considered in the evidence base	Yes	Part 2 is misleading in the way it represents the land committed for housing in Bramcote and therefore fails to provide sound support for land allocation adjacent to the former Bramcote Hills Golf Course
Policy 2: Site Allocations	2.8			x	x			x	It is not justified	The statement that the "the Council has maximised to the greatest possible extent the supply of sites in existing urban areas" is not true as, for example, it has failed to use the air space above the bus tram interchange in Beeston Town Square for residential and also failed to require residential development when granting planning permission for the redevelopment of Phase 1 of BeestonTown Square.		Yes	The Council should demonstrate why areas within the built up part of the Main built Up area are unsuitable for housing whereas an urban extension is
Policy 2: Site Allocations	2.8			x	x			x	It is not justified	The statement that "When sites currently in the Green Belt are selected, exceptional circumstances are demonstrated" is untrue for the land in Bramcote - no exceptional circumstances exist for allowing 300 homes to be developed on the green belt - the financial straits of a private company can hardly be considered a matter for planning	The permanence and openness of the green belt has been compromised by the proposals in Part 2 and no exceptional circumstances for the scale and extent of changes to the green belt have been provided.	Yes	The sacrifice of the green belt has not been justified
Policy 2: Site Allocations	"2.10			x	x			x	It is not justified	The statement "the urban and main built up area sites are assessed as being the most sustainable" has not been followed through by keeping land allocation within the main built up area and instead requiring release of the green belt		Yes	Part 2 is misleading as the text and Map 1 are not consistent and the extent of the Main Built Up area is grossly and wrongly over exaggerated
Policy 3: Main Built up Area Site Allocations	Map 2			x	x			x	It is not justified	The map mislabels open countryside adjacent to the M1 and stretching east to Bramcote as Main built Up area	The Map should be amended to reflect the built up area and ensure land allocation is retained within that built up area without urban extension and loss of green belt	Yes	Part 2 is misleading and the consequences of this mismatch between text, map and reality on the ground are enormous
Policy 3: Main Built up Area Site Allocations	3.2			x	x			x	It is not justified	The statement that "It is considered that there are exceptional circumstances required to amend the boundary of the Green Belt to allow residential development." is untrue for the land in Bramcote - no exceptional circumstances exist for allowing 300 homes to be developed on the green belt - the financial straits of a private company can hardly be considered a matter for planning		Yes	The sacrifice of the green belt has not been justified
Policy 3: Main Built up Area Site Allocations	Map 4			x	x			x	It is not justified	Map 4 omits the committed land on the former Bramcote Hills Golf course and thereby paints a very misleading picture of land allocation in Bramcote. Map 4, however, does illustrate the extent of open countryside east of the M1.		Yes	Part 2 is misleading and the consequences of this mismatch between text, map and reality on the ground are enormous
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not positively prepared	The requirements fail to state the net housing density to be achieved	A minimum net housing density of 40 per hectare should be added and the effects of this on the total number of houses that can be delivered should be reflected in the list of requirements	No	
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not positively prepared	The requirement for a small retail / service centre fails to recognise the nearby facilities and would jeopardise the viability of both existing and new businesses	Remove the requirement for a small retail/ service centre	No	
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not justified	The extent of the public space to the south of the memorial is not shown and there is a potential use of land eminently suitable for housing to be lost in this way	The extent of the public space should be made clear and the reasons for not allocating that land for housing should be reported. There are plenty of green and open spaces within the Barracks.	Yes	It is essential that land allocation is optimised to prevent loss of green belt elsewhere and for the council to comply with National policy on the need to protect the green belt
Policy 3: Main Built up Area Site Allocations	3.3	3.7		x	x			x	It is not justified	The pen picture is inaccurate and fails to point out that part of the land is a county level protected area - the last remant of Bramcote Moor.		Yes	The true nature of the land ought to be understood before making decisions to take it out of the green belt and allocate it for housing
Policy 3: Main Built up Area Site Allocations	3.3	3.8	x		x			x	It is not justified	The figure of 300 houses is not justified and is at odds with both the objectively assessed housing need for Bramcote (ca 180 houses over the plan period) and the various statements by the leasors of this land of 350 or 450-500 homes.		Yes	It is essential that the use of this land is such as to deliver the maximum benefit for the local community and the county council who own the freehold

## Bramcote Neighbourhood Forum

### Response to Broxtowe Borough Council Part 2 Plan

Submitted by: [REDACTED] on  
behalf of the Bramcote Neighbourhood Forum

Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The requirements do not encourage lifts from west of the site to terminate on the land and for pedestrian access to the school.	Provision of a dropping off area and school walking buses should be within the area proposed for housing	Yes	It is essential that the residents of Moor Lane, Thorseby and Arundel Drive do not unnecessarily suffer increased traffic - with associated poor air quality and danger of road traffic accident by parents being unable to drop off their children within walking distance of the schools
Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The removal of any vegetation from the Moor Lane cutting should be done in such a way that the present stability of the cutting is not compromised now and into the future.			
Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The caveat "if required" disreagrds the oft and strongly stated desire of local residents for the leisure centre to remain in Bramcote	"if required" should be removed	Yes	Bramcote is being asked to pay a heavy price for no tangible benefit and to face the loss of the leisure centre as well as its green belt alongside increased traffic congestion and air pollution is not compatible with sustainable development
Policy 3: Main Built up Area Site Allocations		3.9		x	x			x	It is not consistent with national policy	The loss of green belt is not recognised in the summary of the sustainability appraisal. The loss of green belt and the loss of the last remnant of Bramcote Moor cannot be trivialised as a very minor disbenefit.	The sustainability appraisal should be revised to accurately reflect the scale of disbenefit loss of green belt and Bramcote Moor would have	Yes	The impact of this flawed assessment of the green disbenefits has knock on consequences to other parts of Part 2.
Policy 3: Main Built up Area Site Allocations		Map 8		x	x			x	It is not consistent with national policy	The map fails to show the status of the Bramcote Moor land and also suggests a housing density of only 19 houses per hectare.	A greater density accompanied by a requirement to pay for a replacement leisure centre should be included.	Yes	The benefits to the local community of a higher housing density generating more funds to pay for a replacement leisure centre should be at the centre of land use decisions in this locality and would better reflect local residents views as well as represent a more sustainable form of development in the area.
Table 4		Table 4	x		x			x	It is not effective	The table shows that Bramcote will house over 440 of the 2729 houses in the entire main built up area of Broxtow. It is ridiculous that such a small area should be taking more than 16% of the housing need while the council allows land to be developed at low densities or not at all elsewhere.		Yes	The negative social, economic and environmental impact of the unfair burden of new housing in Bramcote is a combined effect of a series of failings by the council in formulating its plan.
	82	3b.9		x	x			x	It is not justified	The reference to a leisure hub should not be seen as a replacement for the leisure hub at Bramcote.	The text should be amended to make it clear that any leisure hub at the western extremity of the borough ought to be in addition to the one at Bramcote.	No	
Policy 8: Development in the Green Belt	8.5			x	x			x	It is not effective	We welcome the reporting of "strong support for the protection of the Green Belt" and lament the fact the council has ignored this and considerably reduced the green belt in Bramcote.		Yes	The council has consistently ignored local views expressed formally and at workshops and through the ballot box and is not delivering tangible benefits to the local community in Bramcote while at the same time asking it to bear an enormous and unfair share of the burden of new housing allocation.
	8.3			x	x			x	It is not justified	The Preferred Approach to Site Allocations erroneously assumed that all green belt sites served the same or no purpose in encouraging urban regeneration and this has skewed the council's assessment of the need to take land out of the green belt.		Yes	The flawed assessment of the five functions of the green belt has skewed the allocation of land in the green belt for housing contrary to the strong protection due to the green belt from the NPPF and the manifesto promises at the 2015 & 2017 general elections - both post dating the ACS
Policy 11: The Square, Beeston	11.2		x		x		x			We strongly support the mixed development in the Square, Beeston.	We would encourage the proposed cinema to be of flexible use by including moveable partitions and a stage.	No	
Policy 19: Pollution, Hazardous Substances and Ground Conditions	2			x	x		x			The required site investigation should be carried out by a competent person as required by the NPPF	The text should be amended to reflect the need for a competent person to carry out the site investigation	No	
Policy 20: Air Quality	119		x		x		x			We welcome the three measures to protect air quality.		No	
Policy 24: The health impacts of development	146		x		x		x			We welcome the requirement for a health impact assessment		No	
Policy 26: Travel Plans	153		x		x		x			We welcome the requirement for travel plans to be submitted		No	
Policy 27: Local Green Space	154		x		x		x			We support the designations as Local Green Space in Bramcote and ask the Council to consider the additional areas being designated as Local Green Space in the Bramcote Neighbourhood Plan	We are disappointed that none of the former Bramcote Hills Golf course is to be designated as local green space	No	
Policy 27: Local Green Space	27.2			x	x			x		The statement that the "The land at Bramcote and Stapleford (item 3 in the policy) comprises a former area of Green Belt between Moor Farm Inn Lane, Moor Lane, Derby Road, Ilkeston Road and Coventry Lane" is untrue. Such land would only be taken out of the green belt by the adoption of this part 2.	The text should be amended to accurately reflect the present and new status of the land and the role of Part 2 in any change	No	
Policy 28: Green Infrastructure Assets	157		x		x		x			We welcome the policies on green infrastructure.			
Policy 28: Green Infrastructure Assets	Map 62		x		x			x	It is not justified	The map erroneously shows (2.11) a continuous corridor through the former Bramcote Hills Golf - part of which is committed having been granted planning permission earlier in the year		Yes	This map is one several misleading maps which seek to underrepresent the enormous damage to the local environment Part 2 will have on Bramcote
Policy 30: Landscape	165		x		x		x			We note that this policy would be contradicted by housing development in land currently within the green belt and ask the council makes provision for suitable compensation to be provided in such cases			
Appendix 4	187		x		x			x	It is not justified	The Moor Lane cutting is omitted from the list.	The Moor Lane cutting should be added to the list	Yes	The considerable scientific and cultural significance of this cutting and its educational value should be recognised and included in Part 2.

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.



**Nottinghamshire  
Wildlife Trust**

Website  
[www.nottinghamshirewildlife.org](http://www.nottinghamshirewildlife.org)

**President**  
*Sir Andrew Buchanan Bt.*

Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England No.  
748865.

#### 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.



**Nottinghamshire  
Wildlife Trust**

Website  
[www.nottinghamshirewildlife.org](http://www.nottinghamshirewildlife.org)

**President**  
*Sir Andrew Buchanan Bt.*

Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England No.  
748865.



### **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.



**Nottinghamshire  
Wildlife Trust**

Website  
[www.nottinghamshirewildlife.org](http://www.nottinghamshirewildlife.org)

**President**  
Sir Andrew Buchanan Bt.

Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England No.  
748865.

## **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.



**Nottinghamshire  
Wildlife Trust**



Website  
[www.nottinghamshirewildlife.org](http://www.nottinghamshirewildlife.org)

**President**  
Sir Andrew Buchanan Bt.

Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England No.  
748865.

- 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**

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Website  
[www.nottinghamshirewildlife.org](http://www.nottinghamshirewildlife.org)

**President**  
*Sir Andrew Buchanan Bt.*

Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England No.  
748865.

# Broxtowe Part 2 Local Plan



Agent

Please provide your client's name

## Your Details

Title	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other:
Name	MARION WALLWORK
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

**Comments should be received by 5.00pm on Friday 3<sup>rd</sup> 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](http://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](mailto:policy@broxtowe.gov.uk)



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

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



## 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		

**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.

#### 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.

Policy 18

I do not believe there should be any more building on Green Belt sites. New building should be on brown field sites.

Policy 18

There should be much stricter controls on shop fronts, fascias, and advertisements

Policy 27

All existing local green space should be protected. And new building developments should always include green space and tree planting

Policy 15

Housing development needs to include social housing

Policy 19

Fracking should not be allowed because of inherent dangers in ground stability and in water contamination.

**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

**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.

### ***'Compliant with the Duty to Co-operate':***

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\*\*](mailto:policy@broxtowe.gov.uk).