

**Policy 20 – Air Quality:**

| <b>ID</b>                                   | <b>Organisation</b>   |
|---|---|
| <b>Duty to Co-operate / Interest Groups</b> |   |
| 73  | <a href="#">Stapleford Town Council (Supported by Borough Councillor, Richard MacRae)</a> |
| 6279  | <a href="#">Bramcote Neighbourhood Forum</a>  |
| 119   | <a href="#">Home Builders Federation</a>  |
| 18  | <a href="#">Nottinghamshire Campaign to Protect Rural England</a>                         |
| <b>Developer / Landowner</b>                |   |
| 6053  | <a href="#">The British Land Company Plc (Represented by WYG)</a>                         |
| <b>Individual / Local Resident</b>          |   |
| 720   | <a href="#">Pearson</a>   |
| 2565  | <a href="#">Johnson</a>   |
| 5951  | <a href="#">Nathannail</a>  |



# Stapleford Town Council



Mr S Saunders  
Planning Policy  
Broxtowe Borough Council  
Foster Ave.  
Beeston  
NG9 1AB

2<sup>nd</sup> November 2017

Dear Mr. Saunders,

## Broxtowe Local Plan Part 2

Please find attached the comments regarding the Broxtowe Local Plan Part 2, as discussed by Stapleford Town Council at its Meeting held on 13<sup>th</sup> October 2017.

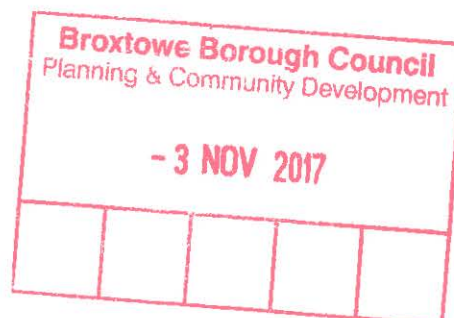
There was full and frank discussion of this document and I have set out a full minute reference as instructed by the Town Council and this is the formal comment of the Town Council on this matter.

Further, I have been instructed to inform you that Stapleford Town Council would wish to be invited to the Public Examination of the Broxtowe Local Plan Part 2 and would reserve the right to speak to its comments.

I am also forwarding these comments by email.

Yours sincerely

Town Clerk  
Stapleford Town Council





## **Minute Reference Stapleford Town Council Meeting held on 23<sup>rd</sup> October 2017**

### **83/2018      Update: Broxtowe Borough Council Local Plan**

Member's considered the proposals made in the Broxtowe Borough Council Local Plan Part 2 consultation documents and following full and frank discussion the following points were noted for forwarding to Broxtowe Borough Council as the Town Council's formal comments on this Document.

1. Councillor Pearson was disquieted by a number of statements contained within the Broxtowe Borough Council Local Plan Part II and considered a number of the statements made to be erroneous and lacking in evidence and the Meeting concurred with his comments.
2. Attention was drawn to comments made on page 12 of the document re 'Employment where it was stated that 'Broxtowe was a thriving and vibrant place with access to services jobs and opportunities for all.' The Meeting saw no evidence for this statement. Likewise, the comments relating to 'Community Safety' where Members were concerned there was no evidence to justify this statement or proposals of how the aspirations would be achieved.
3. On page 14 of the document where land in vicinity of HS2 was recognised the Meeting felt that there was a need for further information on proposals for this expansion in the Main Built Up Area. Not enough attention was being paid to the opportunities that would arise with the development of HS2 and associated projects.
4. Page 15 of the document continued to address the Spatial Objective and point v) discussed residential redevelopment of two areas within Beeston and then mentioned that 'Growth is also provided for at Eastwood and Stapleford...' However, at no point does it explain where this 'Growth' will be accommodated or how these aspirations will be achieved.
5. Further there seems to be a lack of clarity as to what is meant by 'regeneration' in point v) (see above) and while residential development was mentioned there was a paucity of detail regarding the provision of designated land for employment purposes, which would be an essential part of any regeneration strategy.
6. With regard to 'Health and well-being', page 16 point viii) this was an area that concerned the Town Council as there appeared to be an absence of proposals to achieve the improved health and well-being of the Town's residents or make any positive suggestions for the development of new community facilities within the Town.

7. Again, on Page 16, point x) the Meeting was amazed by the comment 'Excellent transport systems. It was felt that residents living within Beeston may enjoy 'excellent transport systems' but the residents of Stapleford, were disadvantaged in this area of provision. The lack of a bus service from the North of the Town or Town Centre area to Beeston in the evening and the reduction of the 18 bus service, to one bus an hour only, and confined to the day only, the last bus from Stapleford being at 6.49p.m. This severely disadvantaged employment and/or educational prospects for residents without access to a car.
8. While the tram served the area of the Town adjacent to the tram stop and George Spencer Academy, it was not accessible to residents without access to a car. There was perceived need for transport linking the tram stop with the rest of Stapleford running during the day, evenings and at weekends.
9. The Town Council did not support development on designated green belt land and was most distressed by the amount of land that Broxtowe Borough Council had identified for potential removal from the precious green belt area, which separated the Town from surrounding villages and suburbs. Members were not in favour of the coalescence of the Town into the Greater Built Up Area.
10. Proposals regarding development on both sides of Coventry lane were not supported by the Town Council. Both these sites to the East(Bramcote), and West(Stapleford), off Coventry Lane, were important green belt areas, separating the Town from nearby Bramcote and Wollaton and vice versa, being an integral part of the important green corridor between the Borough and the City.
11. Further both sites were isolated from the main infrastructure of the Town. There was no public transport serving either site which would necessitate individuals moving to such a development to have access to a car. Particularly as there was an absence of infrastructure in this area, with no nearby schools, shops, health centres, community or leisure facilities. The parcels of land suggested for development were not large enough to support communities that would encourage the expansion of such services in this area and indeed there was no allocation of land for such purposes within the proposals. Thus, Members were concerned that such households would merely live within such a development and find their needs re: employment, shopping, leisure etc met elsewhere and thus they would contribute little to the economy of the local area. This would mean that not only would precious green belt be lost to the Town and neighbouring areas, potential new residents would be contributing little to the supposed regeneration of Stapleford, as referred to within the main document, as it was considered unlikely they would be utilising the facilities in the Town Centre. Further the access and egress to Stapleford and Bramcote via Coventry Lane was already highly congested at peak times and further development in this area would add to the traffic bottle necks already experienced by road users.

12. Moving on to pages 76, 77 and 78 of the Local Plan Part 2 and the discussion re the proposed HS2 Project, concern was expressed that the proposals within these pages was different from proposals expressed by D2N2 for the same area. Should the development plan as envisaged within the Local Plan Part 2 be taken to fruition the proposals for the area, contained within D2N2 document, to re-site George Spencer Academy and build a Leisure Centre adjacent to the Tram Stop, together with new road ways and junctions would suggest that the new build as envisaged within the Local Plan Part 2 could result in partial/selective demolition of the new build residential development.
13. Members considered it would be more sensible for this part of the Local Plan Part 2 to be re-written following full consultation with D2N2, the Town Council and other interested parties. This project was considered too important, by Councillors, to be left to chance and it was considered essential that all interested parties should be involved in the discussion regarding the best way to develop this site, to gain the most in terms of regeneration for the surrounding areas while ensuring the proposed development enhances the environment.
14. Policy 9, page 88 refers to the Retention of Good Quality Existing Employment Sites. While the Meeting recognised the aspiration contained within this Policy it was concerned that there was no clear indication of how these aspirations would be met. Further there was no clear indication of how this employment would be sustained and it was noted that the Bessell Lane/Palmer Drive area was subject to issues related to the HS2 Project. It was felt that a map indicating these key employment areas, together with other areas currently utilised as employment sites would have been useful when considering this consultation document.
15. On Page 100 the District Centre for Stapleford was considered and the Meeting expressed its concern regarding the proposals set out in this Strategic Policy. Members did not wish to see the area of the Town Centre area contracted. There were currently a number of attractive shops and thriving businesses in the area from Bessell Lane to Halls Road and to contract the Town Centre Area would do these businesses a dis-service. Further with the proposed HS2 Project there will be scope for development and growth in this area of the Town. There was a noticeable decline in shops/businesses within this proposed contracted area. This begs the question that by contracting this area, how would such action improve the district centre for business expansion.
16. Policy 15 on page 106 discussed Housing Size and mix and here great concern was expressed. Firstly, the lack of a clear identification of the number of units of new housing development that the Town was expected to accommodate within its designation as part of the main built up area created difficulties when commenting on housing allocation. (This issue had been identified by the Neighbourhood Plan Steering Group).

17. Within Policy 15 an allocation of only 10% affordable housing units had been identified, with no justification for this figure. Members accepted that there was a need for housing to be accommodated within the Town and it was further recognised that there was a substantial need for affordable housing to meet the needs of current and future generations of residents of the Town. It was the opinion of the Meeting that Broxtowe Borough Council needed to justify this low proportion of affordable housing being suggested for the Town. Stapleford contains two of the most deprived wards within Broxtowe Borough, (Stapleford North and Stapleford South West), and surely this indicates a need for a higher proportion of affordable housing than the 10% identified within the Local Plan Part 2. This begs the question that does this proposal serve the needs of local residents?
18. Regarding Policy 20: Air Quality - the Meeting was surprised that no particular mention was made regarding Stapleford which also suffers from poor air quality. The congestion on the main roads in and out of the Town, the road humps on Derby Road, issues that have been raised re certain employment sites and emissions, all make the need to monitor and act effectively to improve the air quality in the Town imperative and in line with current Government initiatives.
19. Members considered that the proposals affecting designated and non-designated heritage sites, Policy 23, did not emphasise sufficiently the Heritage Assets contained within Stapleford. No mention was made of former Police Station, Carnegie Centre, the Old Cross Public House, former Whiteley Mill, Stapleford Cemetery and Bob's Rock.
20. The Meeting was not satisfied with this Local Plan Part 2. Members felt that it had to a great extent ignored Stapleford and offered little in the way of positive prospects for the Town's regeneration while making sweeping statements that showed little justification in the printed document.
21. There was no evidence of sustainability or of how aspirations that were listed within the policies could be achieved for Stapleford. It was agreed that there was a need for Section 106 gains to be spent in the Town for the good of the residents and that full consultation should be held when such monies were available for distribution. It was noted that that Members were unaware of how Section 106 monies achieved from the Field Farm Development would benefit the Town and that this was unacceptable.
22. Members also wished to see sensible allocations of affordable housing in the Town and that when Developers were building in the Town and were obliged to provide affordable housing within that development that they should not be allowed to negotiate with Broxtowe Borough Council to move such allocations of housing elsewhere in the Borough or buy their way out of the obligation.

### **83/2018contd.**

Following this discussion of the Local Plan Part 2, the Town Clerk was instructed to send a full Minute Reference of this discussion to Broxtowe Borough Council, as the Town Council's official reply to this consultation. Broxtowe Borough Council were also asked to work with the Town Council and D2N2 to ensure that HS2 brought the maximum benefits to the Town and surrounding area.

Further Members were encouraged to make their own, personal comments re the Broxtowe Borough Council Local Plan Part 2 direct to Broxtowe Borough Council using the online facility on the Broxtowe Borough Council Web Site.

The Town Clerk was also requested to send copies of this Minute Reference to Members in attendance at this Meeting for information only.



Bramcote Neighbourhood Forum  
Response to Broxtowe Borough Council Part 2 Plan

Submitted by [REDACTED]  
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]  
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.   |



Broxtowe District Council  
Council Offices  
Foster Avenue  
Beeston  
Nottingham  
NG9 1AB

SENT BY E-MAIL AND POST

3<sup>rd</sup> November 2017

Dear Sir / Madam

## **BROXTOWE LOCAL PLAN PART 2 PRE SUBMISSION CONSULTATION**

### **Introduction**

Thank you for consulting with the Home Builders Federation (HBF) on the above mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following representations and in due course attend the Broxtowe Local Plan Part 2 Examination Hearing Sessions.

### **The scope of the Broxtowe Local Plan Part 2**

The Broxtowe Local Plan Part 2 sets out detailed planning policies that will work with the strategic policies set out in the adopted Aligned Core Strategy (ACS) including specific policies for development management and the allocation of non-strategic development sites.

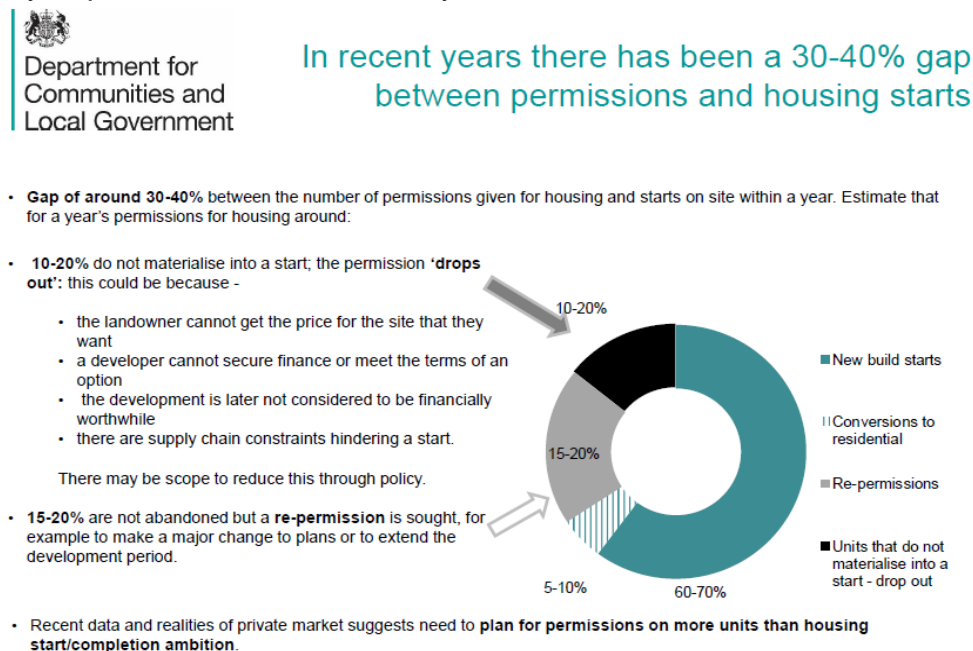
### **Site Allocation Policies**

#### **Overall Housing Land Supply (HLS)**

The ACS sets out the overall spatial strategy for the District and this vision is rolled forward in the Local Plan Part 2. The purpose of the Local Plan is to allocate sufficient non-strategic sites to meet the housing requirement of at least 6,150 dwellings for the District to 2028. Accordingly under **Policies 3 – 7 and 11** fifteen non-strategic housing sites are allocated for circa 2,636 dwellings which comprise :-

- **Policy 3** : main built up area site allocations for circa 1,779 dwellings on 8 sites (**Policies 3.1 – 3.8**) ;
- **Policy 4** : Awsworth site allocation for land west of Awsworth for 250 dwellings (**Policy 4.1**) ;
- **Policy 5** : Brinsley site allocation for land east of Brinsley for 110 dwellings (**Policy 5.1**) ;
- **Policy 6** : Eastwood site allocation for 200 dwellings & 30 extra care units (**Policy 6.1**) ;
- **Policy 7** : Kimberley site allocations for 167 dwellings on 3 sites (**Policies 7.1 – 7.3**) ;
- **Policy 11** : The Square Beeston Square for 100 dwellings.

A **housing trajectory** is included in Table 4 in which the Council is showing a HLS of 6,747 dwellings against a housing requirement of 6,150 dwellings. Since the adopted housing requirement is a minimum figure it should not be treated as a maximum ceiling to restrict overall HLS and prevent sustainable development from coming forward. The Council is referred to the DCLG presentation slide from the HBF Planning Conference September 2015 (see below). This slide illustrates 10 – 20% non-implementation gap together with 15 – 20% lapse rate. The slide also suggests “*the need to plan for permissions on more units than the housing start / completions ambition*”. It is acknowledged that this presentation slide shows generic percentages across England but it provides an indication of the level of flexibility within the overall HLS that the Council should be providing. The Council’s contingency of 597 dwellings (9.7%) is below the recommendations of DCLG therefore it is unlikely to provide sufficient flexibility for unforeseen circumstances.



Extract from slide presentation “DCLG Planning Update” by Ruth Stanier Director of Planning - HBF Planning Conference Sept 2015

## 5 Year Housing Land Supply (YHLS)

The 5 YHLS is a snap shot in time which can change very quickly. The following analysis addresses matters of principle rather than detailed site

specific analysis. The HBF's preferences for the calculation of a 5 YHLS are a Sedgefield approach to shortfalls as set out in the NPPG (ID 3-035) with a 20% buffer applied to both the annualised housing requirement and any shortfall. The Council's latest 5 YHLS calculation is set out in the SHLAA Report 2015/16. The Council has provided calculations using both a Sedgefield / Liverpool approach to shortfalls and 5% / 20% buffers. The Council is proposing Sedgefield and 20% buffer as the most appropriate. The HBF agrees with this proposal. However the Council is not applying the buffer to the shortfall. The HBF disagrees with this approach. The Council is referred to the following :-

- the Warwick Local Plan Examination Inspector's letter dated 1<sup>st</sup> June 2015 (paragraph 41) ;
- the letter dated 10<sup>th</sup> August 2015 from the Inspector examining the Amber Valley Local Plan ;
- the West Dorset Weymouth & Portland Joint Local Plan Inspector's Final Report dated 14<sup>th</sup> August 2015 (paragraphs 85 & 86) ;
- Herefordshire Local Plan Inspector's Final Report dated September 2015 (para 48) ;
- Gloucester, Cheltenham & Tewkesbury Joint Core Strategy Inspector's Interim Report dated 31<sup>st</sup> May 2016 ;
- Forest of Dean Site Allocations Plan Inspector's Interim Report dated 24 June 2016 ;
- West Somerset Local Plan Inspector's Final Report dated 14 September 2016.

The Council's 5 YHLS calculation using Sedgefield and 20% buffer is only 3.6 years which will be even lower when the buffer is applied to the shortfall as well as the requirement. The Local Plan Part 2 cannot be sound if the Council cannot demonstrate 5 YHLS on adoption of the Plan. Furthermore the 5 YHLS should be maintainable throughout the plan period. As a consequence of not having a demonstrable 5 YHLS policies for the supply of housing in the adopted ACS will also be deemed out of date.

The HBF do not comment on the merits or otherwise of individual sites therefore our representations are submitted without prejudice to any comments made by other parties on the deliverability of specific sites included in the overall HLS, 5 YHLS and housing trajectories. Both the Council's overall HLS and 5 YHLS assumes that all of the allocations in the Plan will be found sound. However, the soundness of individual allocations will be discussed throughout the course of the Examination. If any are found to be unsound these will need to be deleted from the deliverable / developable supply accordingly. It is also essential that the Council's assumptions on lead-in times, lapse rates and delivery rates for sites are realistic. These assumptions should be supported by parties responsible for delivery of housing and sense checked by the Council using historical empirical data and local knowledge.

The small site windfall allowance of 195 dwellings in the 5 YHLS is considered too high. If the windfall allowance is applied throughout 5 year period there is

a risk of double counting in the early years. It is only reasonable to include a windfall allowance in the later years of the 5 YHLS.

It is also noted that the Council has applied an 8% non-implementation allowance in the 5 YHLS but it is unclear if a similar allowance has been applied to the overall HLS.

It is obvious that further site allocations are required to provide a greater overall HLS contingency and a 5 YHLS on adoption of the Plan. Therefore to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. This approach is also advocated in the Housing White Paper because a good mix of sites provides choice for consumers, allows places to grow in sustainable ways and creates opportunities to diversify the construction sector.

The Council should also consider the allocation of developable reserve sites together with an appropriate release mechanism as recommended by the Local Plan Expert Group (LPEG). The LPEG Report proposed that *“the NPPF makes clear that local plans should be required not only to demonstrate a five year land supply but also 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, as far as is consistent with the policies set out in the NPPF”* (para 11.4 of the LPEG Report).

If further information on HLS becomes available the HBF may wish to submit further comments in written Hearing Statements and during oral discussions at the Examination Hearing Sessions.

## **Development Management Policies**

### **Policy 15 : House size, mix and choice**

If the Local Plan is to be compliant with the NPPF development should not be subject to such a scale of obligations and policy burdens that viability is threatened (paras 173 & 174). The residual land value model is highly sensitive to changes in its inputs whereby an adjustment or an error in any one assumption can have a significant impact on viability. Therefore it is important that the Council understands and tests the influence of all inputs on the residual land value as this determines whether or not land is released for development. The Harman Report highlighted that *“what ultimately matters for housing delivery is whether the value received by land owners is sufficient to persuade him or her to sell their land for development”*.

**Bullet Points (1), (2) & (3)** propose differential affordable housing provision on allocated and unallocated sites subject to viability. These are :-

- On allocated sites of 10+ dwellings in Awsorth, Bramcote, Brinsley, Stapleford & Toton and any site in the Green Belt 30% or more affordable housing provision ;
- On Kimerley allocated site 20% or more affordable housing provision ;
- On unallocated C2 & C3 sites in sub-markets of Beeston 30% or more, Eastwood 10% or more, Kimberley 20% or more & Stapleford 10% or more affordable housing provision.

The Council should be mindful that the cumulative burden of policy requirements are not set so high that the majority of sites are only deliverable if these sites are routinely rather than occasionally negotiated on the grounds of viability. The Nottingham Core Viability Update Study (September 2013) is now somewhat out of date. As set out in the NPPG (ID 12-014) *“when approaching submission if key studies are already reliant on data that is a few years old they should be updated to reflect the most recent information available”*. The adopted ACS proposed 30% on sites of 15+ dwellings. The Council has provided no new evidence to support the proposals set out in **Policy 15**. There is no up to date evidence justifying the differentials or site thresholds. It is not evidenced that lower site thresholds or C2 sites are viable. The policy is also worded such that these percentage provisions are minimums which should be deleted.

In **Bullet Point (6)** the word “size” should be deleted from the policy title and bullet point so there is no conjecture that the Council is seeking to adopt the Nationally Described Space Standard (NDSS).

**Bullet Point (7)** proposes that on sites of 10+ dwellings at least 10% of dwellings are Building Regulation M4(2) compliant. The Written Ministerial Statement dated 25<sup>th</sup> March 2015 stated that *“the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG”*. If the Council wishes to adopt the higher optional standards for accessible & adaptable homes the Council should only do so by applying the criteria set out in the NPPG (ID 56-005 to 56-011). All new homes are built to Building Regulation Part M standards so it is incumbent on the Council to provide a local assessment evidencing the specific case for Broxtowe which justifies the inclusion of the optional higher standard of M4(2) for accessible / adaptable homes in its Local Plan policy. If it had been the Government’s intention that evidence of an ageing population justified adoption of M4(2) then the logical solution would have been to incorporate the standard as mandatory via the Building Regulations which the Government has not done. M4(2) should only be introduced on a “need to have” rather than “nice to have” basis.

**Bullet Point (8)** proposes that on sites of 20+ dwellings the Council will seek at least 5% self / custom build. The HBF supports self and / or custom build in principle for its potential additional contribution to overall housing supply where this is based on a positive policy approach to increase the total amount

of new housing development and to meet an identified and quantified self-build housing need. Such positive policy responses include supporting development on small windfall sites as well as allocating more small sites. It is not evident that the Council has assessed such housing needs in its SHMA work as set out in the NPPG (ID 2a-021) whereby the Council should collate from reliable local information the local demand for people wishing to build their own homes. It is not known the number of people who have registered on the Council's Self Build Register. So there is no publically available evidence to justify the Council's proposed policy approach of seeking self-build plots on all housing sites of more than 20 dwellings. Furthermore the Council has not undertaken any viability assessment of this policy proposal. The NPPG confirms that *"different types of residential development such as those wanting to build their own homes ... are funded and delivered in different ways. This should be reflected in viability assessments"* (ID 10-009). The Council's proposal is a restrictive policy which provides no additionality to land supply but merely changes house construction from one to another type of builder. It is suggested that the Council gives further consideration to the practical workings of **Bullet Point (8)** including the implications on responsibilities under health & safety legislation, working hours, length of build programmes, etc. The Council should also refer to the East Devon Inspector's Final Report dated January 2016 which expresses reservations about the implementation difficulties associated with this sort of policy. In para 46 the Inspector states *"However, I don't see how the planning system can make developers sell land to potential rivals (and at a reasonable price)"*. If self build / custom build plots are not developed the Council has proposed no mechanism by which these dwellings may be developed thereby effectively removing these dwellings from its HLS which is unjustifiable in the current circumstances where the Council cannot demonstrate a 5 YHLS on adoption of the Local Plan Part 2.

### **Policy 17 : Place-making, design & amenity**

**Bullet Points (2) & (3)** require developments of 10+ dwellings to be assessed under Building for Life 12 and to achieve a score of 9 or more greens. The HBF is supportive of the use of Building for Life 12 as best practice guidance to assist Local Planning Authorities, local communities and developers assess new housing schemes but it should not be included as a Local Plan policy requirement which obliges developers to use this tool. The use of Building for Life 12 should remain voluntary. The reference to Building for Life 12 should be removed from **Policy 17** to the supporting text. The requirement for 9 or more greens is also a misinterpretation of the use of Building for Life 12.

### **Policy 20 : Air quality**

**Bullet Point (2)** is a vaguely expressed aspiration. It is doubtful if this aspect of the policy can be effectively implemented.

### **Policy 26 : Travel Plans**

**Policy 26** and its supporting text are contradictory. The policy requires submission of Travel Plans for all housing sites of 10+ dwellings but the

justification (para 26.1) states the requirement is applicable to only non-allocated sites. Even if the policy is amended to apply explicitly to non-allocated sites Travel Plans should only be required if there is an identified impact to warrant such a requirement.

### **Policy 27 : Local Green Space**

The HBF would question if the proposed Local Green Space designation under **Bullet Point (3)** is appropriate. The area identified on the accompanying map is extensive. This designation could be construed as a re-designation as Green Belt by another name via the back door.

### **Policy 32 : Developer Contributions**

As stated in the NPPF the use of planning obligations should only be considered if it could make unacceptable development acceptable (para 203). Furthermore planning obligations should only be sought which meet all of the tests set out in the NPPF (para 204). It should be clear that any improvements to existing facilities is related to the proposed development and it is not rectifying an existing deficiency.

If any of the above mentioned **Policies** are modified then the HBF may make further comments in Hearing Statements and orally at the Examination Hearing Sessions.

### **Conclusion**

The purpose of the Broxtowe Local Plan Part 2 is :-

- the allocation of non-strategic sites to meet the housing requirement set out in the adopted ACS ;
- the provision and maintenance of a 5 YHLS ;
- the setting out of detailed development management policies.

The Plan is unsound (not positively prepared, unjustified, ineffective and inconsistent with national policy) because the Plan fails to :-

- provide sufficient flexibility in the overall HLS ;
- demonstrate a 5 YHLS on adoption ;
- set appropriate policy requirements in **Policies 15, 17, 20, 26, 27 & 32**.

It is hoped that these representations are helpful in informing the next stage of the Broxtowe Local Plan Part 2. If you require any further assistance or information please contact the undersigned.

Yours faithfully

[Redacted Signature Block]

# Response to Broxtowe Local Plan Part 2 Publication version (Sep 17)

## Nottinghamshire Campaign to Protect Rural England

3<sup>rd</sup> November 2017

Please contact  
Bettina Lange



| Policy  | Comment  | Changes proposed   |
|---|--|--|
| 3.3<br>3.4<br>3.7<br>4.10<br>5.1<br>7.1   | <p>The key development requirements for each of these major housing allocations include provision for an enhanced bus service “adjacent to” the sites. While we welcome this, we do not think it is sufficient to maximize encouragement to use alternatives to the car. The distances to the nearest bus stop would be too large for most people to be able (or willing) to walk there. So the policy as it stands would undermine the Plan’s sustainable transport objectives.</p> <p>Our comments here are also supported by Nottinghamshire Campaign for Better Transport.</p> | include provision for bus services <u>into and through the sites</u> in the key development requirements |
| 8 (Green Belt)  | We welcome this policy, especially the clarification in 4. of what is to be regarded as a town. Without the clarification, there would be a real risk of coalescence.  |  |
| 20 (Air Quality)  | <p>We welcome this policy because it provides a clear steer to development in accordance with the Local Plan’s sustainability and sustainable travel objectives.</p> <p>This policy is also supported by Nottinghamshire Campaign for Better Transport.</p>  |  |
| 23 (Heritage)   | We welcome this comprehensive policy.  |  |
| 26 (Travel Plans) : “All developments of 10 or more dwellings or 1,000 square metres or more gross floorspace will be expected to submit a Travel Plan with their application.” | We welcome this policy because it provides a clear steer to development in accordance with the Local Plan sustainable travel objectives. Having such a policy will also make Local Plan delivery more effective and efficient compared to the labour-intensive process of assessing each planning application case by case with regard to whether a Travel Plan is needed.   |  |

|                           |  |   |
|---------------------------|--|---|
|                           | <p>This policy is also supported by Nottinghamshire Campaign for Better Transport.</p>   |   |
| 28 (Green Infrastructure) | <p>We welcome the inclusion of informal and amenity Green Infrastructure and the requirement to enhance these. However, there is a significant risk to the implementation of the policy in practice if the proposed wording is retained :</p> <p>“2.In all cases listed in part 1, and in the case of school playing fields, permission will not be granted for development that results in any harm to the Green Infrastructure Asset, <u>unless the benefits of development are clearly shown to outweigh the harm.</u>” (our emphasis)</p> <p>The lack of clarity as to what would constitute a benefit and for whom leaves so much room for interpretation as to undermine the overall policy intention. This would make this aspect of the Local Plan <u>unsound.</u></p> | <p>reword the policy by deleting “unless the benefits of development are clearly shown to outweigh the harm”.</p> |

# Broxtowe Part 2 Local Plan



Broxtowe  
Borough  
COUNCIL

Agent



|                                   |                              |
|-----------------------------------|------------------------------|
| Please provide your client's name | The British Land Company Plc |
|-----------------------------------|------------------------------|

## Your Details

|   |   |
|---|---|
| Title   | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| Name  | <input type="text"/>  |
| Organisation<br>(if responding on behalf of the organisation) | WYG   |
| Address   | <input type="text"/>  |
| Postcode  | <input type="text"/>  |
| Tel. Number   | <input type="text"/>  |
| E-mail address  | <input type="text"/>  |

**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/<br>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                                 |     | 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  | ✓ |
| 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.

### Policy 20 (air quality)

Policy 20 relates to Air Quality and indicates: "... 2. Permission will not be granted for development which would directly result in a significant deterioration in air quality either through poor design or as a consequence of site selection". Further clarification is required in respect of the definition of 'a significant deterioration in air quality' to reduce any ambiguity on this matter.

Secondly, Policy 20 also states; "3. Electric Vehicle charging points will be required in all housing developments of 10 or more houses and commercial developments of 1,000 sqm or more of floorspace". Further guidance in respect of the level of provision of electric vehicle charging points likely to be sought for different types of development is requested, along with the associated justification for the provision. It is advised that such a requirement should be relative to demand/need and should not be of a level which will hinder wider operations of a site's use.

In the absence of the above, the above policy is deemed to be unjustified, ineffective and not consistent with national policy.

## 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.

Additional clarification required in respect of the definition relating to what constitutes '*a significant deterioration in air quality*'. As stated above, further guidance required in respect of the level of electric vehicles charging point required for new development to ensure the plan is sound.

**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

X

**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)**.

# Broxtowe Part 2 Local Plan



Broxtowe  
Borough  
COUNCIL

POLICY 20  
119

## Agent

|                                   |  |
|-----------------------------------|--|
| Please provide your client's name |  |
|-----------------------------------|--|

## Your Details

|   |  |
|---|--|
| Title   | Mr <input checked="" type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input checked="" type="checkbox"/> Other: <input type="checkbox"/> |
| Name  | DAVID PEARSON  |
| Organisation<br>(If responding on behalf of the organisation) |  |
| Address   | [REDACTED]   |
| Postcode  | [REDACTED]   |
| Tel. Number   | [REDACTED]   |
| E-mail address  | [REDACTED]   |

Broxtowe Borough Council  
Planning & Community Development

- 3 NOV 2017

**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 reduce our carbon footprint by providing an address that correspondence can be sent to: [REDACTED]

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|  | <b>Policy 2: Site Allocations</b>   |             |                                     |
|  | <b>Policy 3: Main Built up Area Site Allocations</b>  |             |                                     |
|  | <b>Policy 4: Awwsworth Site Allocation</b>  |             |                                     |
|  | <b>Policy 5: Brinsley Site Allocation</b>   |             |                                     |
|  | <b>Policy 6: Eastwood Site Allocation</b>   |             |                                     |
|  | <b>Policy 7: Kimberley Site Allocations</b>   |             |                                     |
|  | <b>Policy 8: Development in the Green Belt</b>  |             |                                     |
|  | <b>Policy 9: Retention of good quality existing employment sites</b>                                |             |                                     |
|  | <b>Policy 10: Town Centre and District Centre Uses</b>  |             |                                     |
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|  | <b>Policy 15: Housing size, mix and choice</b>  |             |                                     |
|  | <b>Policy 16: Gypsies and Travellers</b>  |             |                                     |
|  | <b>Policy 17: Place-making, design and amenity</b>  |             |                                     |
|  | <b>Policy 18: Shopfronts, signage and security measures</b>   |             |                                     |
|  | <b>Policy 19: Pollution, Hazardous Substances and Ground Conditions</b>                             |             |                                     |
|  | <b>Policy 20: Air Quality</b>   | 119         |                                     |
|  | <b>Policy 21: Unstable land</b>   |             |                                     |
|  | <b>Policy 22: Minerals</b>  |             |                                     |
|  | <b>Policy 23: Proposals affecting designated and non-designated heritage assets</b>                 |             |                                     |
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|  | <b>Policy 26: Travel Plans</b>  |             |                                     |
|  | <b>Policy 27: Local Green Space</b>   |             |                                     |
|  | <b>Policy 28: Green Infrastructure Assets</b>   |             |                                     |
|  | <b>Policy 29: Cemetery Extensions</b>   |             |                                     |
|  | <b>Policy 30: Landscape</b>   |             |                                     |
|  | <b>Policy 31: Biodiversity Assets</b>   |             |                                     |
|  | <b>Policy 32: Developer Contributions</b>   |             |                                     |
| <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.

Policy 20: Air Quality. I consider this policy is unsound and not effective, and is not forward looking. The government has now recognised that one of the main areas where air quality is poor, are town centres and in particular, where traffic calming measure cause vehicles to continually accelerate and decelerate. I would have expected this Local Plan Part 2 to have took this on board and look at areas within the Borough, where this is likely to be a problem. The justification in this policy sites a report that is nearly 10 years old. Para 20.2 "Shift to use of electric vehicles" is not likely to be significant over the time of the problem.

#### 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.

Broxtowe needs to be looking at areas where air quality is likely to be poor. This is likely to be in areas where there is slow moving traffic, and this is particularly true for nitrogen dioxide emissions. Areas that have been looked at e.g. Tice Close/Lona Drive, Trowell are likely to suffer pollution but not nitrogen dioxide.

The Local Plan Part 2 should be looking at areas where there is slow moving traffic and where levels of nitrogen dioxide and diesel pollutants are likely to be high.

Areas such as Derby Road, Stapleford (and I am sure there are similar areas throughout the Borough) where traffic calming measures are in force should be monitored and measures then put into place to improve the air quality.

Electric vehicles are not likely to be in predominance for 20 years; what is needed is action now.

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 Broxtowe Part 2, Local Plan has failed under Policy 20 to recognise the immediate problem with regard to air quality and has no concrete plans to improve this; other than charging points for the relatively few electric vehicles. I wish to highlight present problems and the need for more immediate action, to improve air quality in our towns in the Borough.

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.



Steffan Saunders  
Broxtowe Borough Council  
Foster Avenue  
Beeston



3 November 2017

Dear Steffan

**Broxtowe Core Strategy – Part 2**

I am writing this as I have attempted to respond to your Consultation on line but found that if I wished to make more than one comment I was stymied.

I also echo the comments at the end of the forward by the Chair and Vice Chair of the Jobs and Economy Committee “we would like the Borough to continue to be an excellent place to live, work and spend leisure time”

**My 1<sup>st</sup> Comment** is about the map on Page 17 of the Bramcote & Stapleford Open Design East Midlands Document. The Green Infrastructure Links are illustrated. In my opinion the link along Moor Lane is not wide enough. The Land that is East of Coventry Lane and formerly used as Playing Fields is, at the moment, in Green Belt and is open grass land. Part of the area is scrub land annotated as Bramcote Moor Grassland LWS.

The proposed building of houses on Field Farm and to the west of Coventry Lane will effectively block the Green Corridor known as The Bramcote Ridge.

I suggest that a strip of land 50 metres wide should be set aside as a Green Infrastructure Corridor. This Green Corridor, immediately adjacent to Moor Lane, should stretch from the Bramcote Ridge in the South to the Trees by the Old Nottingham Canal in the North.

Trees could be planted on this strip to assist in cleaning the air. The Trees will help take water from the area as the playing fields have been in the past boggy in places.

**My 2<sup>nd</sup> Comment.** - I refer to the 100 Dwellings that are to be built on the Bramcote Ridge or former Golf Course site. They do not appear within the list on page 24 and on the Map on page 27 Housing and Mixed Use Allocations and Commitments in Bramcote and Stapleford.

The information is not entirely accurate as presented at the beginning of a consultation.

I understand this information is only updated on an annual basis. It would seem to me that before a public consultation the information given to the public should be as up to date as possible. I acknowledge it would be impracticable to include every small site where housing is to be added or subtracted but the addition of 100 dwellings in my view is a substantial number.

I wonder whether these 100 dwellings are included in the information on page 75.

**My 3<sup>rd</sup> Comment.** – Within the Local Plan Part 2 document on Page 94 is a list of Key Development Requirements in Beeston Town Centre. I would like the provision of a Community Centre for use by clubs and societies. Beeston U3A has 750 members and over 60 Interest Groups and some of the groups are having difficulty finding suitable places to meet. The Pearson Centre has only partially filled the need.

**My 4<sup>th</sup> Comment.** – Policy 20 Air Quality. More can be done than indicated in your plan on page 119. With the growth of houses in the Borough we will see a rise in the use of Cars. Road junctions could be improved so that the number of stationary vehicles queuing at them is reduced. We should plant more Trees to help clean the air.

**My 5<sup>th</sup> Comment.** – Policy 27 Local Green Space – Bramcote Ridge is included twice on Page 154. I trust the land that is part of the Bramcote Ridge and is the former Golf Course Land is also included in this category. Special attention should be given to the development of the 100 dwellings on this land so that the planning inspectors stipulated restrictions are not exceeded.

**My 6<sup>th</sup> Comment.** - The Green Infrastructure Corridors Map 62 on page 160 is confusing as it indicates that Bramcote Ridge is linked into this structure. However, when the developments take place on Field Farm and East and West of Coventry Lane then the Bramcote Ridge will not be linked to this structure without the suggestion of the 50 Metre Strip of Land through the Playing Fields to the East of Coventry Lane.

**My 7<sup>th</sup> Comment.** - I would like to see the replacement for the Bramcote Leisure Centre built within Bramcote before the present Leisure Centre is demolished.

Yours sincerely

Mike Johnson

[Redacted signature block]

## Details

|   |  |
|---|--|
| Agent   |  |
| Please provide your client's name   |  |
| Your Details  |  |
| Title   | Mrs                                    |
| Name  | Judith                                 |
| Organisation (If responding on behalf of an organisation)   |  |
| Address   | ██████████<br>██████████<br>██████████ |
| 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/<br>Paragraph number | Policies Map | Sustainability<br>Appraisal | Other (e.g. omission,<br>evidence document<br>etc.) |
| 20: Air Quality                             | 119         |                                  |              |                             |   |

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   | No  |
| 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   | No  |
| It is not effective   | Yes |
| It is not positively prepared   | No  |
| It is not consistent with national policy   | No  |

## Additional details

|   |  |
|---|--|
| <p><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></p> | <p>Air Quality is a known issue in Broxtowe. Significant additional housing is proposed east and west of Coventry Land and at Field Farm. Redevelopment of the school will increase secondary and probably (in future) primary school children numbers. Additional traffic on Coventry Land, A52 and, in particular along Moor Lane for school drop off will worsen air quality. In the case of Moor Lane, vulnerable children walking to school will be affected as well as residents</p> |
|---|--|

## Question 4

| Question 4: Modifications sought  |  |
|---|--|
| <p><b>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.</b></p> | <p>The plan needs to include measures to reduce the schools traffic to Moor Lane, including measures to discourage cars and measures to spreading the areas where children in cars are dropped off. One option is to plan the spine road in any new development east of Coventry Lane to include a drop off zone close to the pedestrian access to the schools</p> |

## Question 5

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