

Policy 23 - Designated & Non-designated Heritage Assets:

ID	Organisation
Duty to Co-operate / Interest Groups	
142	Historic England
68	Awsworth Parish Council
6537	Awsworth Neighbourhood Plan Steering Group
73	Stapleford Town Council (Supported by Borough Councillor, Richard MacRae)
6577	Chetwynd: The Toton and Chilwell Neighbourhood Forum
1460	Beeston and District Civic Society
6944	Brinsley Vision (Representing 70 residents of Brinsley)
18	Nottinghamshire Campaign to Protect Rural England
Developer / Landowner	
6284	DI0 (Represented by JLL)
3756	Gladman Developments Limited



Historic England

EAST MIDLANDS OFFICE

Mr Dave Lawson
Broxtowe Borough Council

[REDACTED]
Our ref: PL00035448
3 November 2017

Dear Mr Lawson

RE: BROXTOWE LOCAL PLAN PART 2 CONSULTATION

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

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

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

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

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

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

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



[REDACTED]
[REDACTED]
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Historic England

EAST MIDLANDS OFFICE

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

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

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

Yours sincerely,

[Redacted signature]

[Redacted name]

[Redacted title]

[Redacted contact information]



[Redacted line]

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Details

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

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
23: Proposals affecting designated and non-designated heritage assets	124				

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

Question 2

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

Question 3

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

It is not consistent with national policy	No
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Additional details

<p>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.</p>	<p>Page 124 - Policy 23 – Proposals affecting designated and non-designated heritage assets – Core Strategy Policy 11 refers to Bennerley Viaduct but Part 2 Local Plan does not which is inconsistent and considered to be an omission on account of its national, regional and local importance.</p>
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Question 4

Question 4: Modifications sought	
<p>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.</p>	<p>Provide consistency and clarification by including appropriate reference to Bennerley Viaduct in accompanying text.</p>

Question 5

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

Details

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

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
23: Proposals affecting designated and non-designated heritage assets	124				

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If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	Yes
It is not effective	Yes
It is not positively prepared	No
It is not consistent with national policy	No

Additional details

<p>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.</p>	<p>Page 124 - Policy 23 – Proposals affecting designated and non-designated heritage assets – Core Strategy Policy 11 refers to Bennerley Viaduct but Part 2 Local Plan does not which is inconsistent and considered to be an omission on account of its national, regional and local importance.</p>
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Stapleford Town Council



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

2nd 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 13th October 2017.

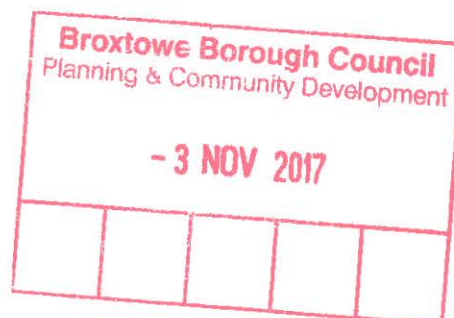
There was full and frank discussion of this document and I have set out a full minute reference as instructed by the Town Council and this is the formal comment of the Town Council on this matter.

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 23rd 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 Part2 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.

Please provide your client's name

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

Document	Policy number	Page no	Policy text / para no.
Part 2 Local Plan	Policy 1: Flood Risk	20	Para 1.4
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area: Policy 3.1	30	Pol 3.1, Para 3.5
	Policy 3: Main Built up Area: Policy 3.2	81	Para 3b.6, 3b.7
	Policy 4: Awwsworth		
	Policy 5: Brinsley		
	Policy 6: Eastwood		
	Policy 7: Kimberley		
	Policy 8: Development of Green Belt		
	Policy 9: Retention of ...employment sites		
	Policy 10: Town Centre ...uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge of Centre, Eastwood		
	Policy 13: Proposals.....		
	Policy 14: Centre....		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design & amenity	111	Pols 1, 2
	Policy 18: Shopfronts....		
	Policy 19: Pollution, Hazardous Substances		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated...	124, 125	Para 23.1, 23.2, 23.5
	Policy 24: The health impacts of....		
	Policy 25: Culture, Tourism and Sport	152	Pol 1, 2 Para 25.1
	Policy 26: Travel Plans	153	Para 26.1
	Policy 27: Local Green Space	155	Para 27.5
	Policy 28: Green Infrastructure Assets	157, 158	Pol 1.b, Para 28.2, 28.5
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions	171	Para 32.1

Policy number	Page number	Policy text / Para number
1 Flood Risk	20	Para 1.4

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Resident's comments:

"There is already serious flood risk in the Erewash Valley at Toton Sidings. Adding new housing in the area will only increase the risk of flash flooding in the area especially nearby houses on Goodwood Road and side roads."

"All housing should have solar panels + rain water harvesting systems built-in."

1. We are seriously concerned with the increased risk of flash flooding that development in and around Toton Sidings will cause. We believe para 1.4 needs to be strengthened to reflect the specific risk in the Sidings due to not being currently defended by flood protection measures
2. A resident has suggested all new housing (and by extension, commercial developments) should have solar panels & rain water harvesting systems incorporated 'by default'. It is not clear where this suggestion should be included in our response but added here following advice by Steffan Saunders on Oct 30th. Solar panels and water harvesting systems clearly have a role to play in reducing carbon dioxide emissions. We would like to see a positive 'Justification' paragraph that encourages the incorporation of these systems where feasible.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend para 1.4 to:

1.4 With regard to point 4 of the policy, flood mitigation will be required in all cases (whether the site is defended or not). Examples of mitigation include flood resistance/resilience measures, emergency planning and good site design that does not increase risk to others. The Environment Agency will also require flood compensation (i.e. at least equivalent replacement of lost flood storage) in areas, ***such as the Erewash Valley at Toton Sidings***, which are not defended by an appropriate standard of flood protection (such as the Nottingham Trent Left Bank Flood Alleviation Scheme).

Create new para to state something along the lines of:

1.n The Council recognises the impacts of Climate Change – as detailed in Aligned Core Strategy Policy 1: Climate Change – and wishes to encourage the reduction of carbon emissions through the installation of renewable energy solutions such as solar panels and rain water harvesting systems in [set % aspiration] of new housing and all new commercial developments.

Policy number	Page number	Policy text / Para number
3.1 Chetwynd Barracks	30	Policy 3.1 / para 3.5

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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It is not justified	
It is not effective	X
It is not positively prepared	
It is not consistent with national policy	

Your Comments:

Residents' comments include:

"[...] Barracks to be treated as one entity and not split up into separate development plots"

"Keep Chetwynd Road [Chilwell] closed." "Chetwynd Road: make it a cycle & pedestrian route only?" "Chetwynd Road to be opened both ends to share new traffic load."

"Keep Hobgoblin wood." "Keep trees on the west side of Barracks - from the quarry upwards."

"All large trees on the Barracks to be the subject of tree preservation orders"

"New feed Road into Depot from Bardills essential (with Tram/Bus/Cycle links?)"

"Re-route Erewash Country trail & public footpath down through the eastern edge of the Barracks site to exploit a newly created green corridor"

"Sports provision needs to be included on the Barracks site to protect current facilities"

"[...] War memorial must be protected and given plenty of space. [...]:"

1. Fourteen residents specifically commented on Chetwynd Barracks – although all comments submitted were, of course, triggered by future developments of the Barracks and HS2 Station.
Some comments were contradictory (opening Chetwynd Road, Chilwell) but this is not surprising given the impact the development of the site will have and the depth of feeling by residents.
2. Specific additions to Policy 3.1 (para 3.5) are therefore sought to strengthen current requirements

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend Policy 3.1 (at para 3.5) to:

3.5 The following key development requirements must be met.

Key Development Requirements:

- 500 Homes (within the plan period), 800+ overall.
- ***The Barracks must be treated as one entity and not split up into separate development plots***
- Provide attractive and convenient walking and cycling connections to the proposed HS2 station and to the tram.
- Provide a bus route through the site, ***including access to the site from Chetwynd Road, Chilwell. However, only buses should be given access to the site from this eastern gateway.***
- ***New access road is needed to the site from the north to fall in line with HS2 Growth Strategy***
- Retain and enhance Green Infrastructure corridors around the eastern and northern areas of the site ***including the creation of footpaths and cycle ways***
- Provide a new Primary School within close proximity to the open space at the east of the site.
- Link open space at the east of the site.
- ***Enhance the provision of sports facilities at the south east of the site***
- Retain existing large trees and grass verges and incorporate these into a boulevard approach to the street scene. ***All large trees on the Barracks will be subject to Tree Preservation orders once the site is released***
- Provide public access to the [Listed Memorial](#), ***the associated gardens and all heritage assets (still to be formally registered) on the site***
- Provide public space to the south of the memorial and retain/enhance the existing memorial garden.
- Provide ~~small~~ retail/service centre ***sufficient*** to meet local need along the main through route.
- Provision of small scale employment development.

Policy number	Page number	Policy text / Para number
3.2 Land in vicinity of the HS2 Station at Toton	81	3b.6 & 3b.7

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Residents' comments:

"If residents only parking is introduced, it needs to be at zero cost to residents"

"Size of the depth of the "green corridor" to the south of the boundary and definitive information as to whether this corridor is STRICTLY for wildlife or inclusive of pedestrian access? Further, some categorical assurance as to who will be responsible for the ongoing maintenance of hedges and vegetation?"

"I work between Derby/Notts + London. HS2 + business development in Toton is greatly needed!"

1. Parking by HS2 station users must not overspill into neighbouring residential streets – as detailed in last bullet of para 3b.6. It is suggested that a 'residents only parking' system may be the solution to this issue. However, we need to ensure residents are not disadvantaged by any such scheme.
2. Viable green corridors on the site (especially the southern boundary) must be considered a mandatory requirement of any development proposals – as outlined in para 3b.7. This para needs to be strengthened to include a minimum width of the primary corridor to the southern boundary. The corridor to the northern boundary (south of Stapleford) is less important, given the likely creation of HS2 station access roads, so this can be treated as an 'informal greenspace' corridor.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend para 3b.6 to:**3b.6 Aspirations (*last bullet*):**

- Prevent overspill parking in existing residential areas when the station is operational. This may include Toton to become 'residents only parking' area to mitigate issues with Station/Tram traffic. ***Any such scheme needs to be implemented at zero cost to residents.***

Amend para 3b.7 to:**3b.7 Aspirations (*first bullet*):**

- Extensive multi-purpose interconnected Green Infrastructure routes to be provided to connect areas of growth and existing communities all of which should be of sufficient width and quality to provide attractive and usable links in the following locations:
 - Along the southern boundary of the location north of existing communities of Toton and Chilwell between Hobgoblin Wood in the east and Toton Fields Local Wildlife site in the west. **This will be a significant corridor in the area, and could incorporate both pedestrian and cycle access to HS2 station so needs to be 50 meters wide;**
 - Along the northern boundary of the location south of Stapleford. **This could comprise a narrow, graded tree and shrub roadside corridor to improve screening of the Innovation Village from the A52;**
 - Along the Erewash Canal ***and Erewash River (between Toton Washlands and Stapleford)*** to the west of the location (incorporating flood mitigation on the low lying Sidings part of the site);
 - Along the north/south corridor.....

Policy number	Page number	Policy text / Para number
17. Place-making, design and amenity	111	17.1 & 17.2

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

Do you consider this paragraph or policy of the Local Plan to be:	Yes	No
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2.3 Sound		X

Question 3. Why is the Local Plan unsound?

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

Your Comments:

Residents' comments:

"Good broadband internet connections needed."

"Promote more walking/cycle ways (and fewer cars) in new developments"

1. Policy 17.1 would benefit by explicitly stating that provision of high speed broadband must be treated as a core utility in all new developments
2. Policy 17.2 would also be strengthened by a statement encouraging good design for walk ways and cycle ways to and through the site is included in the design and access statement

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend Policies 17.1 & 17.2 to:

17.1 For all new development, permission will be granted for development which, where relevant:

...)

m) Enables convenient use by people with limited mobility, ***pedestrians & cyclists;*** and

n) Incorporates ecologically sensitive design, ***including high speed broadband services,*** with a high standard of planting and features for biodiversity; and
...)

17.2 Applicants for housing developments of 10 dwellings or more will be required to submit a design and access statement which includes an assessment of: ***a)*** the proposals against each of the 'Building for Life' criteria (see Appendix 5) ***and b) how the development promotes and encourages walking and cycling through the development.***

Policy number	Page number	Policy text / Para number
23. Proposals affecting designated and non-designated heritage assets	125	Para 23.1, 23.2, & 23.5

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Resident's comment:

"Do not destroy NSFF building at Chilwell end of site. War memorial must be protected and given plenty of space. It means a lot to long term residents like me. 73yrs."

1. Chetwynd Barracks is due to be sold and redeveloped during the period of this Plan. The site has several valuable heritage assets – especially the memorial and associated garden area - to those who lost their lives during WW1, the shell factory explosion.
There are also other significant buildings – a WW1 Nurses Infirmary and the Officers Mess (part) - and there may be others. We need to ensure these assets are: a) formally identified and registered and; b) protected from any applications to develop the site in advance of any registration.
It is not clear who can apply to register these assets – does it need to be the site owner (MoD) or can the Forum apply?
2. There is a strong case to support the creation of a new Conservation Area within the Barracks site covering these buildings, memorial & gardens. The Forum will look to make such an application at the earliest possible time.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend para 23.1 to:

23.1 This policy applies to all heritage assets, including Listed Buildings, Conservation Areas, Scheduled Monuments ***and immediate associated areas (such as green spaces / gardens etc.)*** and non-designated assets of all kinds.

Amend para 23.2 to:

23.2 Heritage Statements should accompany all applications relating to heritage assets. ***Such a statement will be expected from an application to develop Chetwynd Barracks that will cover those heritage assets located on the site but which may not yet have been formally registered. On-site investigations of heritage assets (such as Hill Farm, on the Barracks), prior to any development starting, should be incorporated into statements. All statements*** ~~These~~ should clearly illustrate the nature of the proposals and their effect on the asset. They should refer to relevant sources of local information including [Conservation Area Appraisals](#), the 'Heritage Gateway', relevant literature and paintings, and the Heritage at Risk Register. Attention should be paid to the Borough's notable industrial heritage. Applications which are not directly related to heritage assets but could impact visually on their setting should include a proportionate Heritage Statement.

Amend para 23.5 to:

23.5 The Council will aim to produce Appraisals and Management Plans for all its Conservation Areas and will consider the merits of amendments to Conservation Area boundaries. It will also consider the production of a Local List of non-designated assets, criteria for their identification and/or an associated SPD. The Council will look to work pro-actively with established Civic Societies ***and Neighbourhood Forums*** to aid understanding of the local historic environment.

Policy number	Page number	Policy text / Para number
25. Culture, Tourism and Sport	152	Policy 1, 2 & para 25.1

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Resident's comment:

"Provide astro turf facilities for all-year football"

1. There is a lack of all-weather artificial football pitches throughout the Borough but especially in the south. The Forum has opened discussions with the Notts FA to see how we might work together to develop pitches in the south of the Borough. It will help give a steer to developers if the Local Plan specifically referenced the need for more artificial pitches as well as turf pitches.
2. Chetwynd Barracks has a significant history and it should be recognised and used to enhance the tourism 'offering' in the Borough. By making specific reference to the site in this policy It will help to protect these heritage assets from future development.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend Policies 1 & 2 to:

Development proposals will be encouraged that;

1. Make specific provision for sports pitches, ***including artificial, all-weather '3G' pitches***, that are suitable for a wide age range of users, in particular children's sport.
2. Enhance the tourism offer in association with DH Lawrence, ***the legacy of Chetwynd Barracks (especially relating to the WWI shell factory and associated memorial)***, or the industrial/ pharmaceutical heritage of the Borough.

Amend para 25.1 to:

25.1 The adopted [Playing Pitch Strategy](#) identifies a deficiency in accessible and secured floodlit football turf ***and artificial, all-weather '3G'*** pitches to the Football Association accreditation standard within the Borough (mainly in the south)

Policy number	Page number	Policy text / Para number
26. Travel Plans	153	Para 26.1

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Residents' comments:

"Traffic congestion now is bad. Stapleford lane is so congested could a relief road be put across the depot or around the back of it to ease the congestion on Stapleford Lane please"

"New feed Road into Depot from Bardills essential (with Tram/Bus/Cycle links?)"

"Promote more walking/cycle ways (and fewer cars) in new developments"

"Need regular bus route from Toton to Stapleford into the evenings"

1. The Forum will promote access to the HS2 Hub Station using walk ways, cycle ways and additional bus routes.

We would like to see a new, specific 'Justification' paragraph that states all Travel Plans must include a section on walk ways, cycle ways & and improved public transport (better bus routes; both frequency and extending services into the evenings)

2. Use section 106 money to improve pavements and cycle ways in local vicinity of developments. For instance, consider creating one-way streets in existing Toton streets bordering the HS2 station such as: Woodstock Road, Epsom Road etc. to allow space to create wider pavements & new cycle ways

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Create new Justification para 26.2 to:

26.2 We expect Travel Plans to include specific sections detailing how developments will encourage more walking, cycling and public transport (bus routes both frequency and operating times) to / from and through the sites.

Policy number	Page number	Policy text / Para number
27. Local Green Space	155	Para 27.5

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Residents' comments:

"Keep Hobgoblin wood"

"Keep trees on the west side of Barracks - from the quarry upwards"

1. The Forum intends to submit an application to designate Local Green Space during the development of its Neighbourhood Plan. It will be helpful for the Local Plan to acknowledge this intention so that developers are aware of the need to consult with the community & ensure they include a provision for Green Space in their plans.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend para 27.5 to:

27.5 Further areas of Local Green Space may be designated through forthcoming Neighbourhood Plans. ***We expect to receive an application to designate significant stretches of green infrastructure as Local Green Space within the Toton Strategic Growth Area and Chetwynd Barracks development sites.***

Policy number	Page number	Policy text / Para number
28. Green Infrastructure Assets	157	Policy 1.b & para 28.2

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Residents' comments:

"Provide astro turf facilities for all-year football"

"Re-route Erewash Country trail & public footpath down the eastern edge of the Barracks site"

"Size of the depth of the "green corridor" to the south of the boundary and definitive information as to whether this corridor is STRICTLY for wildlife or inclusive of pedestrian access? Further, some categorical assurance as to who will be responsible for the ongoing maintenance of hedges and vegetation?"

1. Playing Pitches need to specifically include the growing trend for artificial, all-weather '3G' pitches
2. We would like to see new footpaths & cycle ways creating in green corridors inc. a re-routing of the Erewash Valley trail through Chetwynd Barracks.
3. We believe green corridors need to be of a decent, specified width to be consider viable. Otherwise developers will seek to minimise the widths of these corridors for their own purposes. The Notts WT has done research for the Forum 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 etc.
 - 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, cycle ways, 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
Quadrat Scotland (2002) The network of wildlife corridors and stepping stones of importance to the biodiversity of East Dunbartonshire. [Scottish Natural Heritage Commissioned Report](#)

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend Policy 1b) to:

1. 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). These Green Infrastructure Assets are:
 - a) Green Infrastructure Corridors (not shown on the Policies Map);
 - b) Playing Pitches, ***including artificial, all-weather '3G' Pitches;***
 - c) Informal.....

Amend para 28.2 to:

28.2 The corridors that are [.....]. The details of these opportunities for enhancement will depend on the characteristics of the corridors concerned. ***The Council believes corridors must be 50 metres wide to be considered beneficial and viable for wildlife.*** The corridors are detailed in section 6 of the GIS and are shown diagrammatically on the map on page 160 in this Plan. The corridors do not have fixed boundaries and the map on page 160 should not therefore be interpreted rigidly.

Amend para 28.5 to:

28.5 A potential continuation of the Nottingham Canal towpath [.....] should proposals for this emerge in the future. ***With the development of Chetwynd Barracks, the Council intends to exploit a new green corridor planned for the eastern side of the Barracks. It will re-route the Erewash Valley Trail down a new public footpath/cycleway through the corridor, and from there continue the Trail to the Attenborough Nature Centre.*** The Nature Reserves that are referred to in part 1f of the policy include Local Nature Reserves designated by the Council and Nature Reserves managed by Nottinghamshire County Council and Nottinghamshire Wildlife Trust.

Policy number	Page number	Policy text / Para number
32. Developer Contributions	171	Para 32.1

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

Do you consider this paragraph or policy of the Local Plan to be:	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?

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

Your Comments:

Residents' comments:

"Schools 3-18? What's the impact on existing LEA Primary schools?"

"If HS2 doesn't happen what funding is available to George Spencer to cover influx of children?"

1. Paragraph 32.1 would benefit by explicitly stating that Section 106 contributions are needed to increase capacity at all levels of education. Developers must acknowledge their obligations to increase provision at secondary schools as well as primary schools. This point is well made in the Infrastructure Delivery Plan (sections 4.51, 4.52, 4.55, pages 19, 20)
2. A new paragraph would be useful to explicitly state that all Section 106 contributions will be directed in the first instance to the Borough wards/town & parish councils affected by developments before other areas in the Borough are considered. This is because it cannot be right that other areas of the Borough benefit from developers' contributions before residents in the immediate vicinity are awarded suitable recompense for the changes to their environment.

Question 4. Modifications sought

[CTTC Forum text in: ***Black bold italic***]

Amend para 32.1 to:

32.1 This policy strikes the appropriate balance between ensuring the infrastructure requirements to make the development acceptable in planning terms are met, at the same time as not compromising the viability of developments. ***It is acknowledged that financial contributions are needed to increase provision of education capacity at secondary schools in key areas of the Borough***

New Justification para 32.2 to:

32.2 All Section 106 contributions will be directed in the first instance to the Borough wards/town & parish councils affected by developments before other areas in the Borough are considered

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	Yes
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

- 1. The CTTC Forum would like the opportunity to explain in more detail the rationale for our suggested modifications to the Examiner. A specific concern relates to paragraph 28.2 and the need to explicitly commit to a specified width of green corridors necessary to assure viability of wildlife. However, we want the opportunity to explain our suggestions across all policies as appropriate.**

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BEESTON AND DISTRICT CINC SOCIETY
Address	
Postcode	
Tel. Number	
E-mail address	



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

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

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

For more information including an **online response** form please visit:

www.broxtowe.gov.uk/part2localplan

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

Please return completed forms to:

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

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

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

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets	124	23.5
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

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

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

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
It is not effective	<input checked="" type="checkbox"/>
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.

The plan should contain robust policies. Locally important buildings and areas need protection by local planning policy.

The plan must contain adopted criteria that will be used to determine whether buildings, landscapes or areas are worthy of designation as non designated heritage assets or new conservation areas.

There should be an accessible local list of assets linked to the policy.

There should also be a positive policy with reference to buildings at risk rather than just an intention to monitor them.

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.

23.5 should read

"It (the Council) will produce a local list of non designated heritage assets and criteria for their identification, and an associated SPD. The Council will work proactively with established Civic Societies and others to aid understanding of the local historic environment."

There should be an identification of the minimum number of criteria for proposals for n.d.h.a's to be considered by the Authority.

There should be a positive policy that refers to the possible creation of new Conservation Areas.

Suggest the inclusion of a statement such as:
"There are buildings, structures and historic features within the Broxtowe District which are not statutorily protected but are considered to be of architectural, historic (or archaeological interest) these assets make a substantial contribution to the local character and appearance of the District."

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**.

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

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets	124 - 136	23.1 & 2: 23.4, 23.5: 23.13: 23.18
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

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

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 as it could be with the suggested modification	X
It is not positively prepared (see minor corrections needed to illustrations and text)	X
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.

We consider that the Plan is sound re Policy 23, with modifications as per Q4 below
We fully support paragraphs 23.1, 23.2 and 23.3

With regard to paragraph 23.4 we fully support the Article 4 Direction re Cossall, but suggest a modification per Q4 below

With regard to paragraph 23.5 we suggest modification per Q4 below

With regard to paragraph 23.13 we suggest corrections per Q4 below, and modification per Q4 below

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.

.Paragraph 23.4

This is fully supported re Cossall, but we suggest that a further Article 4 Direction should be considered for 2 areas of land in Brinsley

- 1 between Red Lane (at the end of which is the working Oak Tree Farm) and Cordy Lane, which is bounded by the border with Underwood, and by the houses on Broad Lane and Cordy Lane,
- 2 between the Pear Tree Residential complex at the edge of the Conservation Area, along the right-hand side of Hall Lane, down towards Hall Farm, which is a listed building and working farm

Indicated on map 1 herewith

Paragraph 23.5 is fully supported re Management Plans for Conservation areas, and we note the reference to amending Conservation Area boundaries. We suggest that the Brinsley Conservation Area boundary be extended so that it includes Hall Lane down as far as Hall Farm and its surrounding landscape. Hall Farm is historically significant, and is one of only two Listed Buildings in Brinsley village (see also re paragraph 23.4)

Indicated on map 1 herewith

With regard to paragraph 23.5 and a Local List of non-designated assets, we suggest an amendment from 'established Civic Societies' to 'established local voluntary groups including Civic and Local History Societies'

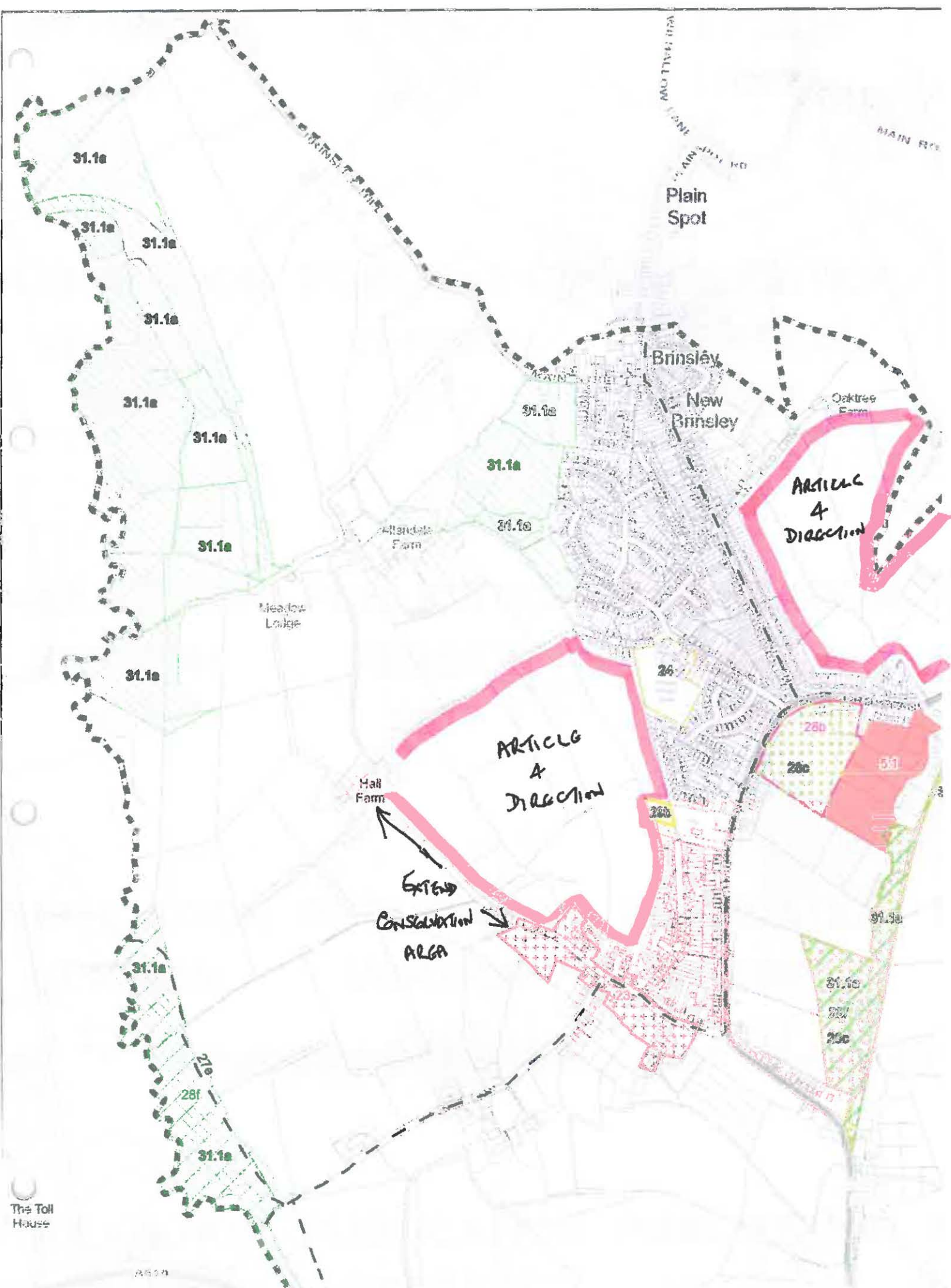
We also suggest that a specific Policy should be included in the Local Plan to ensure such lists are produced, possibly as part of or supplementary to, Neighbourhood Plans

Paragraph 23.13 corrections are required please

Pear Tree Farm is no longer a working farm, it is a residential complex formed out of previous farm buildings and barn conversions.

Manor Farm (included in the Conservation Area) continues as a livestock enterprise.

Hall Farm, outside the Conservation area but on Hall Lane (but see comment re paragraph 23.5) is working farm with livestock and arable farming. It is a Listed Building dating back to mediæval times with modern additions. Including it in the Conservation Area (and a Schedule 4 Direction) would hopefully prevent unsympathetic further alterations.



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

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport	153	Text
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

Do you consider this paragraph or policy of the Local Plan to be: (please refer to the guidance note at for an explanation of these terms)		Yes	No
2.1	Legally compliant	X	
2.2	Compliant with the duty to co-operate	X	
2.3	Sound (please see suggested modifications		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 as it could be with the suggested modification	
It is not positively prepared (see minor corrections needed to text)	X
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.

We consider that the Plan is not positively prepared re Development Proposals (2) re DH Lawrence, and suggest modifications as per Q4 below
 We fully support having such a Policy as 25, but do not think it goes far enough. What does 'Enhance' actually mean ?

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.

The Brinsley Headstocks area is important to the DH Lawrence heritage because of his work 'Odour of Chrysanthemums' which is based around Vine Cottage where his uncle lived, and Brinsley Colliery where his father worked.

However, 'Odour of Chrysanthemums' also refers to the old Yew Tree inn on Cordy Lane, and letters were written to a family on Cordy Lane. A vernacular poem also refers to the Cordy Lane area, and Lawrence himself possibly used the path from Willey Wood Farm to the Yew Tree inn

Protection and enhancement of the DH Lawrence Heritage should not be planned until these other references to Lawrence are further investigated and the true extent of his links with Brinsley have been established.

In our opinion, the opposition of the Parish Council to Broxtowe's preferred site based on arguments to protect the DH Lawrence Heritage gives a false impression of the extent of his heritage in the Brinsley area

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

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

Nottinghamshire Campaign to Protect Rural England

3rd November 2017

Please contact
Bettina Lange



Policy	Comment	Changes proposed
3.3 3.4 3.7 4.10 5.1 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	D10
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Your Details

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

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

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

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

Please tick here ✓

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

For more information including an **online response** form please visit:

www.broxtowe.gov.uk/part2localplan

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

Please return completed forms to:

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

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

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

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets	124	
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map	Map 7: Chetwynd Barracks Policy: 3.1		
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

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

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

<p>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.</p>
<p>Policy 23 is generic and, as it is currently set out, is not in compliance with the NPPF, specifically Point 2 which sets out:</p> <p><i>"Proposals that affect heritage assets will be require to demonstrate and understanding of the significance of the assets and their settings, identify the impact of the development upon them and provide a clear justification for the development in order that a decision can be made as to whether the merits of the proposals for the site bring public benefits which decisively outweigh the harm arising from the proposals"</i></p> <p>The policy groups designated heritage assets and non designated heritage assets together, which is inappropriate as there is a clear distinction within the NPPF between these two types of assets and how they should be treated. For example, the NPPF requires that when weighing up applications concerning non designated heritage assets, a balanced judgement should be made having regard to the scale of harm, as opposed to designated heritage assets where any harm being caused should be weighed against the public benefits. We would advise that that policy is separated out in order to correctly address the two distinct types of asset, in compliance with the NPPF.</p> <p>Furthermore, Point 2 does not appropriately define levels of harm, i.e it makes no distinction between substantial and less than substantial harm. The NPPF handles these two types of harm differently and as such local policy should be making a clear distinction between the two in order to comply with the NPPF.</p> <p>The treatment of designated heritage assets and non designated heritage assets as well as levels harm are critical distinctions which need to be addressed as they have a significant impact on how decisions are made. As set out above, this policy is currently not in compliance with the NPPF and, as such, should be amended.</p>

Question 4: Modifications sought

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

See response to Question 3.

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**.

Broxtowe Borough Council
Lawrence Avenue
Eastwood
NG16 3LD

By email to: policy@broxtowe.gov.uk

Dear Sir or Madam,

Re: Broxtowe Local Plan Part 2

Gladman Developments Ltd. (hereafter referred to as "Gladman") has considerable experience in the development industry across a number of sectors including residential and employment land. This letter provides the response of Gladman to the current consultation held by Broxtowe Borough Council (BBC) on the Local Plan Part 2 (LPP2).

The LPP2 will help to deliver housing required in Broxtowe over the plan period. To ensure this is achieved, the Plan should distribute housing to a range of sites that will distribute housing to a range of sites that will **support the Plan's strategy**, provide sustainable locations for development and ensure housing is delivered. To address situations where housing does not come forward as expected, the LPP2 should ensure that it allows for flexibility in order to ensure a five year supply of deliverable housing sites can be maintained over the course of the plan period.

Local Plan Part 1

The Local Plan Part 1 (LPP1) specifies the overall spatial strategy for growth and allocates strategic sites. As well as the spatial strategy it sets the housing requirement for the borough. Whereas the emerging LPP2 is intended to deal with non-strategic allocations and more detailed development management policies.

Local Plan Part 2

Site Allocations

In allocating sites the Council should be mindful that 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. Whilst some SUEs may have multiple outlets, in general increasing the number of sales outlets available means increasing the number of housing sites. So for any given time period, all else been equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. 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. In summary a wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.

Five year housing land supply

The Council must ensure that it is able to demonstrate a rolling five year housing land supply over the plan **period in order to be compliant with the Framework and meet fully the needs of the Borough's communities** and support the economic prospects of the wider area. It is important that the Council uses realistic delivery rates in its housing land supply. On average, annual delivery rates should be in the region of around 30 dwellings per annum per developer acting on site.

Gladman are of the view that the housing land supply calculation for Broxtowe Borough should include a 20% buffer to take into account the previous persistent under-delivery of housing within the borough. The Council should also plan to ensure that any shortfall is made good within the first 5 years of the plan in line with the PPG¹. Based on the Council's latest 5 year housing land supply assessment (5YHLS) the Council is only able to demonstrate 3.6 years. However, the approach advocated by the Council is inappropriate, the buffer should be applied to the annual requirement after the undersupply since the start of the plan period has been added. As such, this would further reduce the Council's **housing** land supply position.

In light of the above it is evident that additional housing land is required to ensure that upon adoption of the Plan the Council is able to demonstrate a robust 5YHLS position.

Policies

Policy 15: Housing Size, Mix and Choice

The above policy seeks to impose the optional technical standards for new homes as set out in the 2015 Written Ministerial Statement. The Council should ensure that it is able to demonstrate robust evidence on viability and whether this is actually achievable across the entire plan period and its consideration on viability of the Plan as a whole in terms of delivering the above policy and what effects it may have on other elements of the policy 15 i.e. the provision of affordable housing.

Further, it is noted that the above policy also seeks to secure at least 5% of housing above 20 dwellings to be in the form of serviced plots for self-build development. In this regard, whilst the government is committed to increasing home ownership through a variety of means such as the provision of starter homes, it is important that the Council is able to demonstrate robust evidence of need which is notably lacking from the Council's **SHMA**.

Notwithstanding the above, Gladman take this opportunity to point out that the provision of starter homes should nonetheless be considered equivalent to the provision of affordable housing and not in addition to. This is quite clearly the Government's intention and is intended to be reflected through amendments to the definition of affordable housing contained in the Framework.

Policy 17: Place-making, Design and Amenity

Whilst noting the importance of design, Gladman do not consider that it is appropriate to place a mandatory **requirement on all sites of 10 or more dwellings to be required to score 9 or more 'greens' in the Building for Life 12 or equivalent**. The reason for this is that some developments may not be able to meet certain criteria simply due to their location or site characteristics. As such, this policy could have the negative consequence of stifling future development opportunities.

Policy 22: Minerals

¹ PPG Reference ID: 3-035-20140306

The above policy appears to be overly onerous and seeks to prevent development from sterilizing mineral resources to meet longer term need. Paragraph 143 of the Framework states that in preparing local plans, local planning authorities should set out policies to encourage the prior extraction of minerals, where practicable and feasible, if it necessary for non-mineral development to take place. Gladman acknowledge the importance of mineral assets, but is of the view that the local policy framework that relates to this must clearly set out that this will be suitably balance against competing development needs rather than a blanket approach that would seek to prevent the delivery of sustainable growth opportunities.

Policy 23: Proposals affecting designated and non-designated heritage assets

This policy relates to all heritage assets according to their significance. This policy should go further so that it recognises that there are two separate balancing exercises which need to be undertaken for designated and non-designated heritage assets. Paragraph 132 – 134 of the Framework relate specifically to designated heritage assets and highlight that the more important the asset the greater the weight that should be attached. Paragraph 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these instances is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset.

Policy 27: Local Green Space

Paragraph 77 of the Framework sets out the following in terms of when it is appropriate or not to designated land as Local Green Space (LGS). It states that:

“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and
- Where the green area concerned is a local in character and is not an extensive tract of land.” (emphasis added)

The PPG provides further guidance on the designation of LGS and states:

“There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. However, paragraph 77 of the National Planning Policy Framework is clear that Local Green Space Designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.” (emphasis added)

In light of the above, Gladman question the justification of introducing the LGS as defined on map 61 which appears to be an extensive tract of land and therefore does not meet the tests required by the Framework.

Conclusions

Gladman have highlighted a number of concerns through these representations. This includes the lack of non-strategic allocations and the inconsistent approach with regards to several policies with the requirements of the Framework. Gladman believe that further allocations are required to ensure the borough’s housing needs are met in full and that an appropriate trigger mechanism is required to ensure that remedial action will be taken should monitoring indicate that the Plan is not enabling the level of development that is required to meet the needs of the area.

Gladman also take this opportunity to request that we are afforded the opportunity to participate at the public hearing sessions at the Examination in Public to discuss the issues raised.

Yours faithfully,

[REDACTED]