

Policy 5.1 – Land east of Church Lane:

ID	Organisation
Duty to Co-operate / Interest Groups	
18	Nottinghamshire Campaign to Protect Rural England (supported by Nottinghamshire Campaign for Better Transport)
34	Nottinghamshire Wildlife Trust
67 (1,2,3,4,5,7, 8, 9, 10, 11)	Brinsley Parish Council
6939	Brinsley Neighbourhood Plan Steering Group
142	Historic England
222	Severn Trent
6276	Nottingham West Clinical Commissioning Group
6757	The Friends of Brinsley Headstocks Heritage and Nature Reserve
6943	Spring Bank Farm Care Home, Brinsley (including 45 others)
6944	Brinsley Vision (Representing 70 residents of Brinsley)
Developer / Landowner	
717	Mr & Mrs Anthony (Represented by Guy Taylor Associates)
6566	Richborough Estates (Represented by Fisher German)
4200	Taylor & Burrows Property (Represented by Phoenix Planning (UK) Ltd)
5920	Mr Soult (Represented by GPS Planning and Design Ltd)
Individual / Local Resident	
4928	Appleby
5121	Wright
6590	Lane
1206	Woodhead
2431	Woodhead
4242	Large
4338	Lees
1944	Palmer
2098	Edmondsom
5465	Farnsworth
3423	Lees
6776	Limb
3598	R Allen
6774	Allen
1192	Annable
5391	N Annable
6889	Banks
6932	D Banks
6915	Barker

6902	Brooks
1913	Brice
6594	Buck
6947	Buck
2121	Graham
3411	Castledine
6933	Chambers
6887	Chambers
4297	Chambers
6884	Chambers
6898	Cole
6182	Daff
3868	Davey
4226	Davey
6892	Deller
1170	Dolphin-Rowland
1169	Dolphin-Rowland
5055	Elliott
1186	Eyre
5287	Eyre
5078	Firmstone
6926	Firmstone
5135	Fletcher
5134	Fletcher
6499	Froggatt
6927	Froggatt
1208	Gibbs
1930	Gibbs
6890	Graham
5265	Griffiths
1935	Harper
1983	Harper
6941	Hewes
3482	Hicking
6899	Hickton
6931	Hickton
4309	Hill
5065	Hinchley
5064	Hinchley
6415	Hole
4299	Holmes
4366	Hutsby
6891	Jackson
6929	Jackson
6897	Jepsom
6923	Jepsom
6589	Kell
6413	Kerr

5127	King
4354	King
3861	King
3409	King
5128	King
4295	King
5058	King
3400	Kirk
6938	Kirk
6886	Lambert
3867	Lambert
1704	Lambley
2133	Ledger
3423	Lees
5289	Lees
3474	Lemons
4248	Lemons
5742	Lemons
5079	Lowe
6772	Marriot
6773	Marriot
4993	Marshall
6948	Marshall
6940	Melbourne
1940	Melbourne
6942	Moss
6930	Officer
6487	Oxley
6945	Oxley
5393	Paull
3415	Pearce
6928	Price
1300	Redgate
4291	Salt
1975	Savage
1209	Smith
2786	Smith
2375	Swain
6885	Thornton
6894	Thornton
6909	Thornton
1204	Topliss
1189	Topliss
5564	Travis
6888	Travis
2102	Twell
2045	Wakeling
2868	Watson

1506	Weir
938	Weir
6895	Weller
6896	Weller
3820	Westbrook
1207	Westbrook
1923	Whitham
6917	Whitham
1563	Wilhardt
6783	Williamson
6784	Williamson
5761	Wildgust
6946	Wilson
6949	Wright

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

Nottinghamshire Campaign to Protect Rural England

3rd November 2017

Please contact

[REDACTED]
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[REDACTED]
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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>

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

3rd November 2017

Dear Sir/ Madam

Comments on Publication Version Part 2 Broxtowe Local Plan

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

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

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

Our comments on individual policies are set out below:

Policy 3 Main built up area site allocations

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

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

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

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



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Modification sought

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

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

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

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

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

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

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

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

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

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

Modification sought

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

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

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

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

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

Modification sought

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

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

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

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

Modification sought

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



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

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

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

Modification sought

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

Policy: 3.6 Beeston Maltings: 56 Homes

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

Modification sought

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

Policy: 3.7 Beeston Cement Depot: 21 Homes

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

Modification sought

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

Policy 4 Awsworth Site Allocation

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

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

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

Modification sought

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

Policy 5 Brinsley Site Allocation

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

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

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

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

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

Modification sought

Replace this site allocation with ‘option 2’.

Policy 6 Eastwood Site Allocation

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

Modification sought

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



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Policy 7.1 Land south of Kimberley Depot

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

Modification sought

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

Policy 7.2 Land south of Eastwood Road Kimberley

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

Modification sought

Site to be excluded.

Policy 17 Place-making, Design and Amenity

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

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

Modification sought

Under n) adding reference to following:

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

Under p) adding a reference to insect houses.

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

Policy 19 Pollution, Hazardous Substances and Ground Conditions

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

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

Policy 27 Local Green Space

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

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

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

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

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

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

References

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



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

Modification sought

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

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

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

Policy 28 Green Infrastructure Assets

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

Policy 29: Cemetery extensions

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

Policy 31: Biodiversity Assets

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

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

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

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

Modification sought

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

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

Policy 32: Developer Contributions

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

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

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

Yours sincerely

[Redacted]
[Redacted]
Nottinghamshire Wildlife Trust



**Nottinghamshire
Wildlife Trust**

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- 2 NOV 2017

67- 10

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	BRINSLEY PARISH COUNCIL
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Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BRINSLEY PARISH COUNCIL
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	53	5-1
	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		
	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		

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

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

Your comments

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

Whilst we recognise the duty to co-operate with neighbouring authorities, we believe that Broxtowe have attached much greater importance to the views of Ashfield District Council than to the wishes of their own constituents in Brinsley.

The site preferred by the village on Cordy Lane has been rejected by Broxtowe Borough Council on the grounds of 'merging of settlements'. We strongly dispute this finding as from an overhead map it is clear that about six fields separate the Cordy Lane site from the town of Underwood.

We also maintain that on numerous policies of the NPPF, Cordy Lane is by far the more appropriate site for development.

In rejecting the village's valid choice of site, it is felt that Broxtowe are not complying with the Government's Locality Bill and are seeking to impose a large development in the centre of the village against the wishes of the residents.

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.

Question 4 Broxtowe should comply with residents' valid choice of Cordy Lane instead of Church Lane.

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

Brimley Parish Council wishes to participate in the public examination to put forward the views of the village

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?

67 - 1

Broxtowe Borough Council
Planning & Community Development

Broxtowe Local Plan


**Broxtowe
Borough
COUNCIL**

Agent

Please provide your client's name	BRINSLEY PARISH COUNCIL
-----------------------------------	-------------------------

Your Details

Title	[REDACTED]
Name	[REDACTED]
Organisation (If responding on behalf of the organisation)	BRINSLEY PARISH COUNCIL
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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

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

www.broxtowe.gov.uk/part2localplan

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

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2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		<input checked="" type="checkbox"/>

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

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

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 believe that the inclusion of the Church Lane site is not consistent with national policy on the following counts: -

- On green belt policies it
- Encroaches into countryside in a previously undeveloped location
- Damages the character of the last true village in Broxtowe
- Creates a sprawl of buildings away from existing residential area, school and other amenities, thereby creating a new settlement which would have difficulty integrating with the rest of the village.

Policies of the NPPF state:

- Land of least environmental value should be chosen for development (Church Lane is the most environmentally valuable land with many rare species of plant and wildlife).
- Heritage assets should be protected. Church Lane is home to the village's valued links to D. H. Lawrence and mining history through the Headstocks site which is now a country park.
- Site should be in walking distance of amenities (from Church Lane site, busy main road would need to be crossed to shops and in particular for children to reach school).
- The natural environment should be protected (a nature reserve and SINC site are adjacent to Church Lane site and would be irrevocably damaged by development here).

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.

Question 4

Replace Church Lane site with Cordy Lane in Part 2 Local Plan.

Cordy Lane complies with Government Policies as: -

- Land is of least environmental value
- The location is already residential
- On same side of main road as school and amenities
- Not intrusive to character of the village
- No heritage assets on site
- No nature reserve on site

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67-2

Broxtowe Borough Council
Planning & Community Development

Broxtowe Local Plan


**Broxtowe
Borough
COUNCIL**
Agent

Please provide your client's name	BRINSLEY PARISH COUNCIL
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Your Details

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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

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Although having consulted English Heritage, Broxtowe Borough Council has not complied with their response to the green belt review in which English Heritage maintain that building to the east of Church Lane would breach the green belt policy by causing encroachment into the countryside. English Heritage also disagreed with Broxtowe Borough Council's points system which they stated should be reassessed.

In spite of these objections, Broxtowe still plan to build in this location.

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.

Question 4 Broxtowe Borough Council should comply with English Heritage's findings and not build on the Church Lane site in order to comply with green belt policy.

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.

67-3

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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-----------------------------------	-------------------------

Your Details

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

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

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note a) for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
It is not effective	<input checked="" type="checkbox"/>
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It is not consistent with national policy	<input type="checkbox"/>

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 have strong doubts on the validity of the ownership of the land on Cordy Lane at the point of access to the Church Lane site.

Does the Council have written proof of ownership?

Also, is the access adequately wide enough for vehicles commuting to and from 110 houses.

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.

Question 4 Proof of ownership required.

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2 NOV 2017

67-4

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name **BRINSLEY PARISH COUNCIL**

Your Details

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Name	[REDACTED]
Organisation (If responding on behalf of the organisation)	BRINSLEY PARISH COUNCIL
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	Policy 9: Retention of good quality existing employment sites		
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Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

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Your comments

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The plan states that several villages in Broxtowe have special historic character which need the protection of green belt policy. Brinsley is the last true village in Broxtowe with strong links to D. H. Lawrence and its mining past in the Headstocks area.

The area of Church Lane defines the character of the village with its attractive open landscape and heritage assets. It is of vital importance that it retains green belt protection.

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.

Question 4 Remove Church Lane from the Part 2 Local Plan in order to retain the character of the village. If any land must be removed from the green belt it should be the site on Cordy Lane, which is less intrusive and would not destroy the character of the village.

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.**

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
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	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
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	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	116	10-3
	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		
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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

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

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

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

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 site of Church Lane is an area of rural countryside which is unpolluted by artificial lighting and enjoys the beauty of the night sky. The adjacent nature reserve is home to many species of wildlife and birds, whose habitat would be destroyed by light pollution. Most importantly, there are three species of bats here who need a dark habitat. They are the Noctule bat, the Pippistrelle bat and the (brown) long-eared bat and they enjoy the protection of the U.K. law.

Development on this site would bring artificial lighting from housing, vehicles and street lights.

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.

Do not allow this development which would destroy these habitats.

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.**

67-7

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	BRINSLEY PARISH COUNCIL
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Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BRINSLEY PARISH COUNCIL
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	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	152	13.2
	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		
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Policies Map			
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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	
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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 D. H. Lawrence Heritage is a major factor of the culture and tourism in the county. The Headstocks Heritage site is a major element of this; its attraction to the numerous visitors it receives from all over the world has been dependent, to a large extent, on its open settings and surrounding countryside. To begin development on Church Lane, the whole of which has been requested for future development, would destroy both its attraction to tourists and its enjoyment by local people.

After the care and money spent on improving the site, it would be unacceptable to destroy it by building over the fields and hiding The Headstocks behind a housing estate. It would be guaranteed to drive away both visitors and wildlife from the nature reserve.

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.

Keep the fields green and the countryside open for the enjoyment of both visitors and local people, both now and in the future.

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67 - 8

Broxtowe Borough C.
Planning & Community Deve.

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Broxtowe Local Plan

Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

BRINSLEY PARISH COUNCIL

Your Details

Title	
Name	
Organisation (If responding on behalf of the organisation)	BRINSLEY PARISH COUNCIL
Address	
Postcode	
Tel. Number	
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Please tick here



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	Policy 17: Place-making, design and amenity		
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	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	165	16
	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
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2.2	Compliant with the duty to co-operate		
2.3	Sound		<input checked="" type="checkbox"/>

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

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

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 are very concerned that the landscape of Church Lane with its beautiful fields which roll back to Moorgreen and Greasley is not assessed as 'local landscape character area' along with the four other named features of the Nottinghamshire Coalfield. With the beautiful scenery, links to D. H. Lawrence and nature reserve, we feel this area's landscape is equal to any other in Broxtowe and warrants equal protection.

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.

Question 4

Add to other Landscape Areas.

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67 - 9

Broxtowe Borough
Planning & Community

- 2 NOV 2017

Broxtowe Local Plan

Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	BRINSLEY PARISH COUNCIL
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Your Details

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

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	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	GREEN BELT REVIEW 2015		

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

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

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

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

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

We dispute the credibility of the Green Belt Review 2015 which was used to assess the value of the sites. We believe this review gave a misleading description of the sites, in particular, zone 4 Church Lane. The points system used was also unjustified as English Heritage agreed. We do not believe that any of Church Lane should be removed from the Green Belt on the findings of this review.

We do not believe that the following descriptions are accurate: -

- The old spoil tip is prominent in the landscape

The care home is on the opposite side of the road in the residential area and there is no resource centre. The only structure on the site is The Headstocks which is a part of the D. H. Lawrence heritage. ocks
aths

No mention is made of the country park or the nature reserve and SINC site adjacent to the site which need green belt protection. and

The open landscape and its visibility throughout the village are not mentioned.

In our view the green belt review was not a credible source of information on the Church Lane site which should not be removed from the green belt on these findings e of
hich

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.

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Broxtowe Borough Council
Planning & Community Development

62-11

- 2 NOV 2017



Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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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		
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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	<input checked="" type="checkbox"/>
It is not effective	
It is not positively prepared	
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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.

2377 We do not believe the plan is justified as in our view the evidence base is neither robust or credible as claimed in the green belt review of 2015.

This document was used to assess the need for the continued green belt protection for each site and a points system was used to determine this. We dispute the findings of this review which are described in detail under the heading of 'evidence document'.

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.

Question 4 Correct assessment of site needed which should result in no development here.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination



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

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

Brinkley Parish Council wishes to participate in the public examination to put forward the views of the village

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?

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BRINSLEY NEIGHBOURHOOD PLAN STEERING GROUP
Address	
Postcode	
Tel. Number	
E-mail address	

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	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport	152	13
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
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Policies Map			
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Other (e.g. omission, evidence document etc.)			

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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"/>

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It is not justified	
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It is not positively prepared	
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Your comments

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with Eastwood's links to D.H. Lawrence being promoted to encourage tourism in the area, Broxtowe should appreciate the importance of Brinsley's Headstocks Heritage site and its setting. On leaving the built up area of Eastwood, the short journey to Brinsley leads to a completely different environment. On turning onto Church Lane you are entering the gateway to Lawrence's 'Country of my heart' with its beautiful landscape of rolling fields and woodland stretching up to Greasley. The Headstocks and country park which are situated here already receive many visitors

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.

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from far afield, particularly from Japan and America. To build on the site suggested, although at the far end of Church Lane, would be highly visible and would be the first step to developing the whole of Church Lane which would destroy both the landscape itself and its value as a tourist attraction.

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

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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'.

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

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BRINLEY NEIGHBOURHOOD PLAN STEERING GROUP
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

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	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	GREEN BELT REVIEW 2015		

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

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2.1	Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
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2.3	Sound	<input type="checkbox"/>	<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

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It is not justified	<input checked="" type="checkbox"/>
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Your comments

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we do not believe that the Plan is based on credible evidence in respect of the Green Belt Review which was used to assess the Site of least value in order to remove it from the Green Belt. Using a flawed points system and inaccurate features of the Church Lane Site, this was the site deemed most suitable for removal from Green Belt protection in order to enable it to be developed. Although the size of the site has been reduced at present we understand a developer has asked for the release of Church Lane to be allocated for building in the future and have no doubt this will occur unless this first development does not take place. Therefore we believe this flawed, misleading Green Belt Review does not give an accurate opinion decision on the site.

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Remove Church lane from the Part 2 Local Plan as it is based on flawed evidence.

If the sites had been assessed correctly, the Church lane site would have been chosen due to the location of the most value, both environmentally and being the setting for the heritage assets, as well as being the most prominent and beautiful landscape in the village.

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Brinsley Parish Council's response contained a detailed list of inaccuracies in the Review which agrees with the Steering Group's findings. We will supply full details if necessary.

The report to the Jobs and Economy Committee of July 2017 on the alternative sites was very biased and contained much inaccurate information. The policy reasons we had put forward were not discussed and the preferred site chosen by the village in two consultations was rejected on grounds of coalescence with Underwood which we do not accept.

All our evidence on these two documents will be taken to the Inspector at the public examination.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	BRINSLEY NEIGHBOURHOOD PLAN STEERING GROUP
Address	
Postcode	
Tel. Number	
E-mail address	

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

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We believe that the Plan does not comply with policies of the NPPF in numerous cases including:

- The choice of land of least environmental value
- Protection of wildlife and nature reserves
- Protection of heritage assets and their settings
- Pollution (particularly light pollution which would be introduced to the Church Lane site)
- The need to locate building in areas already residential
- Sites to be located within walking distance of schools and other amenities

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Brinsley Neighbourhood Plan Steering Group
wishes to participate in the public examination
having been responsible for producing the village's
Neighbourhood Plan

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(to reach the village school from the Church Lane site would necessitate crossing a very busy main road which is subject to regular minor accidents (two this last week))

The site contravenes Green Belt policies on

- encroachment into the countryside (all previous development has been to the west of Church Lane)

- sprawl of the village (this site would amount to the creation of a new settlement away from the existing built up area)

- damage to the setting and character of the last true village in Broxtowe which is defined by the open landscape of Church Lane which stretches the length of the village and is the setting of the Headstocks Country Park and nature reserve



Historic England

EAST MIDLANDS OFFICE

Mr Dave Lawson
Broxtowe Borough Council

Our ref: PL00035448
3 November 2017

Dear Mr Lawson

RE: BROXTOWE LOCAL PLAN PART 2 CONSULTATION

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

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

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

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

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

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

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



HistoricEngland.org.uk



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 block]



[Redacted line]
[Redacted line]
HistoricEngland.org.uk



Broxtowe Borough Council

Potential impact of proposed developments on sewerage infrastructure assets

Date: 17/10/2017

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

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

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

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

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

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

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

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

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

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

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

30 October 2017

Dear Steffan

Broxtowe Local Plan Part 2 Consultation

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

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

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

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

Potential Site Allocations Sites Adjacent to the Main Urban Area

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

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

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

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

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

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

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

Yours sincerely

[Redacted Signature]

[Redacted Name]

NHS Nottingham West CCG

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	
Name	
Organisation (if responding on behalf of the organisation)	THE FRIENDS OF BRINSLEY HEADSTOCKS HERITAGE AND NATURE RESERVE.
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 <input checked="" type="checkbox"/>	
Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: <input type="text"/>	

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	2853	5.1
	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		
	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	
It is not positively prepared	
It is not consistent with national policy	<input checked="" type="checkbox"/>

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.

Church lane development would damage the nature and wildlife on the Headstocks Reserve.

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.

I would like to see the Cordy hare used, as it keeps the village on the same side of the main road.
Cordy hare site has no important nature site.
Will not cause damage to the Nature Reserve
The Headstocks Heritage and Nature Reserve
will form part of the new enterprise for
tourists.

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

I am Chairman of The Brinsley Headstock
Heritage and Nature Reserve.

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?

- 2 NOV 2017

2nd November 2017

OPEN LETTER FROM SPRING BANK FARM

"Broxtowe Borough Council are proposing to build 110 houses on the land next to Spring Bank Farm.

Spring Bank Farm Houses a charity, Springs Nottingham, and a commercial care home for people who have a learning disability and who are on the autistic spectrum.

Springs Nottingham welcomes people with learning disabilities to access our resource centre and land. Some people also have visual impairments, or are wheelchair users, and many people are on the autistic spectrum. Our visitors, and the people who live at Spring Bank Farm, need support from carers to keep safe and access activities.

It is becoming more and more difficult for people with learning disabilities, especially people who are on the autistic spectrum to find places to go which are safe and meet their sensory needs - places that are calming. If 110 houses were built next door to us the noise, in particular, would be intolerable for many people.

*"a calm, nurturing
but engaging
environment"
(mother of a visitor)*

One company says that Springs Nottingham is the only place they have found, which the people with complex needs whom they support, can safely visit. Building 110 houses next door to Spring Bank Farm, and bringing a road in anywhere along the green space on this side of the road, will damage this quiet, safe place.

Brinsley Parish Council, backed by a local vote, would like the houses to be built on the opposite side of the road where the school, shops, church and post office are all located. It will be much safer for families not to have to cross the road to access amenities, and will allow us to continue to provide a safe place to visit, for some of the most vulnerable adults in our community.

Nottinghamshire County Council and their Borough Councils, are working hard to enable people with learning disabilities to be a part of their local communities. We are standing with Brinsley Parish Council, as one community, asking that the Cordy Lane Option, Option 2, be adopted to the benefit of our current and future residents.

We are fortunate to have Saints Coppice, an oak woodland mentioned in one of D.H.Lawrence's books, which is a Site of Importance for Nature Conservation. This green area, together with the field next door, create a quiet, visually peaceful space.

On the advice of the Nottinghamshire Wildlife Trust, we have been establishing hedgerows, a conservation area and a pond to increase the already rich biodiversity, evidenced in the woodland by ancient woodland indicator species. To build so many houses right next to this beautiful area would be damaging to the wildlife. Nottinghamshire Wildlife Trust do not support the Option adjacent to Spring Bank Farm, preferring the Cordy Lane Option."

 SPRINGS
NOTTINGHAM

 Cabrinicare Ltd
Caring is a Team Way Experience

TO
Steffan Saunders
Head of Neighbourhoods and Prosperity
Broxtowe Borough Council
Neighbourhoods & Prosperity
Chief Executive's Department
Council Offices, Foster Avenue
Beeston, Nottingham, NG9 1AB
Tel: 0115 917 7777
www.broxtowe.gov.uk



I do not want 110 houses built next to
Spring Bank Farm



Because it will be very noisy for a long time
and that is difficult for me to cope with and
upsets me.



Because I like the woodland at Springs.
(It is a Site of Importance for Nature
Conservation.) It would not be good for
the animals, birds and trees to have lots of
houses built on the green belt land next to
the woodland.



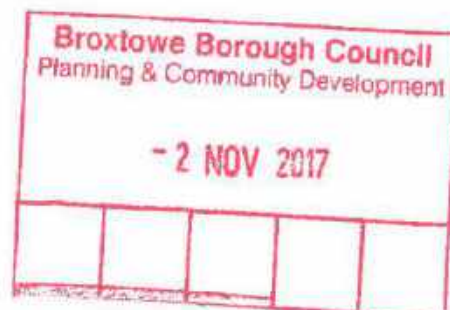
Because it would make the road outside a
lot more dangerous for me and my carers/
support staff. I think a roundabout and
new road on a blind corner is a bad idea.



My Name/ My support workers' Name is



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Steffan Saunders
Head of Neighbourhoods and Prosperity
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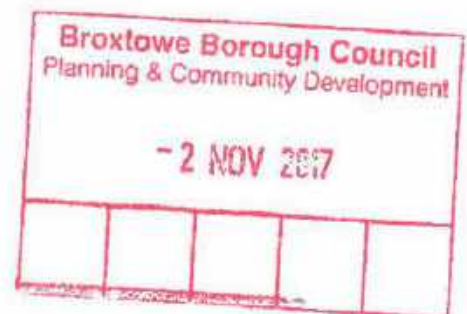


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[Redacted Name]

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www.broxtowe.gov.uk



I do not want 110 houses built next to
Spring Bank Farm



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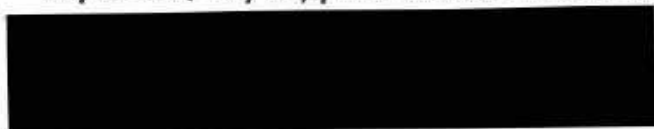
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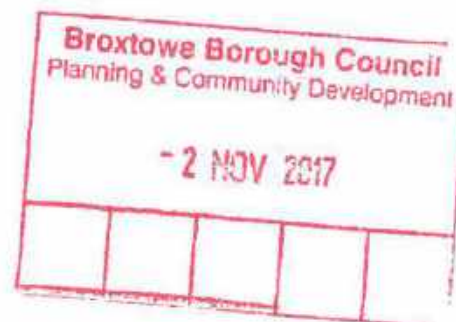
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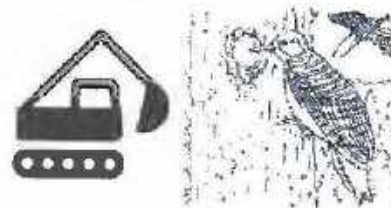
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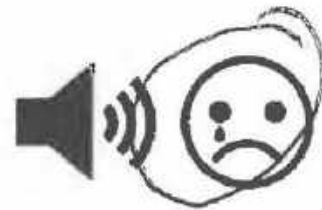
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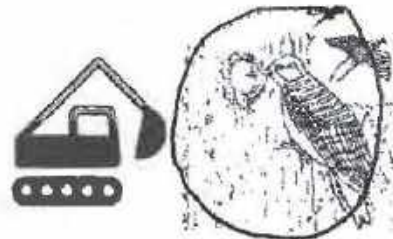
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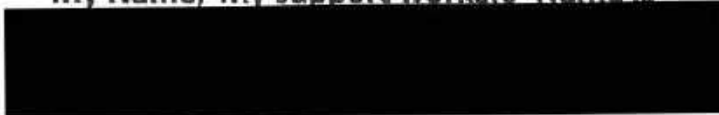
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My Name / My current address Name is



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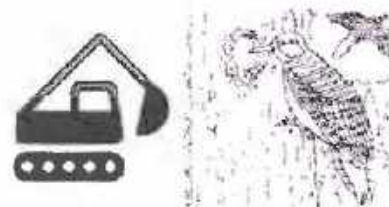
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Head of Neighbourhoods and Prosperity
Broxtove Borough Council
Neighbourhoods & Prosperity
Chief Executive's Department
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Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

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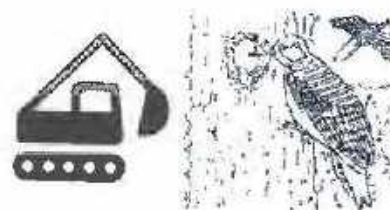
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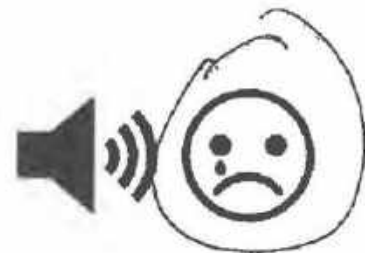
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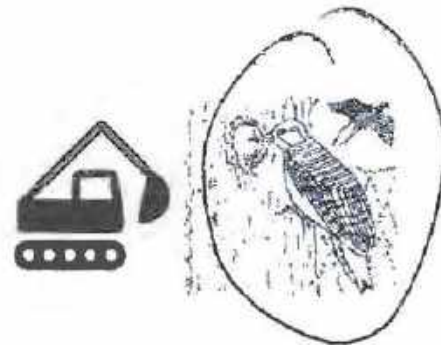
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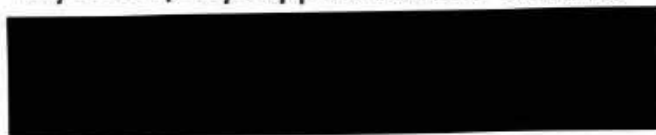
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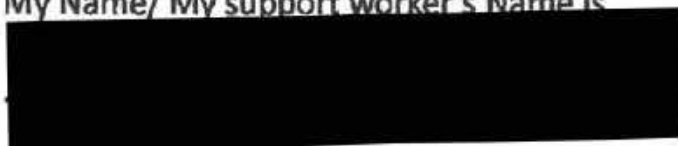
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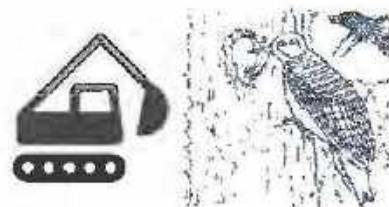
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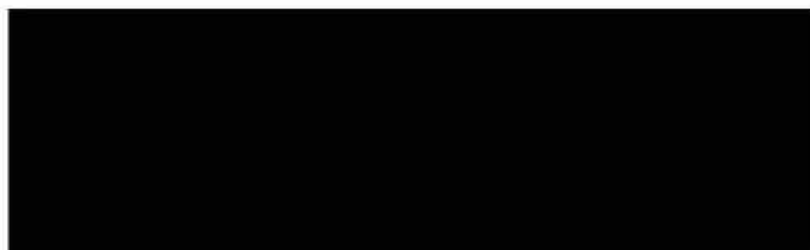
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Head of Neighbourhoods and property
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I do not want 110 houses built next to Spring Bank Farm.

My reasons being :

- Spring Bank Farm is a residential home for individuals on the Autistic Spectrum who will not cope well with the proposed changes.
- The increase in noise levels will affect the people we support.
- The proposed road changes of putting a roundabout on a blind corner outside Spring Bank Farm will put the people we support in greater danger.
- The people we support thoroughly enjoy walking in the woodland behind the home and value the peace and quiet it presents.
- Also the woodland is green belt land and a site of importance for Nature Conservation. Building a housing development will impact on the animals, birds and trees.





To:

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Name:

Job role:



To:

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To:

Steffan Saunders
Head of Neighbourhoods and property
Broxtowe Borough Council
Chief Executive Department
Council Offices, Foster Avenue
Beeston, Nottingham NG9 1AB
Tel: 0115 917 7777
www.broxtowe.gov.uk



I do not want 110 houses built next to Spring Bank Farm.

My reasons being :

- Spring Bank Farm is a residential home for individuals on the Autistic Spectrum who will not cope well with the proposed changes.
- The increase in noise levels will affect the people we support.
- The proposed road changes of putting a roundabout on a blind corner outside Spring Bank Farm will put the people we support in greater danger.
- The people we support thoroughly enjoy walking in the woodland behind the home and value the peace and quiet it presents.
- Also the woodland is green belt land and a site of importance for Nature Conservation. Building a housing development will impact on the animals, birds and trees.

Job role: Support Worker

To:


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Job role: Support worker.

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HManager

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Name: 

Job role: *Senior.*

To:

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Job role:

Key worker

To:

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Name

Job role: Senior Support Worker

To:

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Council Offices, Foster Avenue
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Name

Job role: Support Worker / Shift Leader

To:

Steffan Saunders
Head of Neighbourhoods and property
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Job role:

1/11/17

To:

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Name:



Job role:

Support worker

To:

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Head of Neighbourhoods and property
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Job role: Support Worker / Shift leader

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

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	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 medieaval 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

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	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

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--

SEE NEXT PAGE

We consider that the Plan is sound re the Local Green Spaces it includes, but suggest modifications as noted below

Question 4: Modifications sought

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SEE NEXT PAGE

Please amend 'other' to include additional green spaces in Brinsley –

Land between Church Lane and the Headstocks

Land bounded by Broad Lane, Cordy Lane, Red Lane and the Underwood Boundary

These additions would give added protection to the Green Belt in these areas, which are both important for the wildlife present, and protection to the extensive footpaths around those areas

See map enclosed

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.**

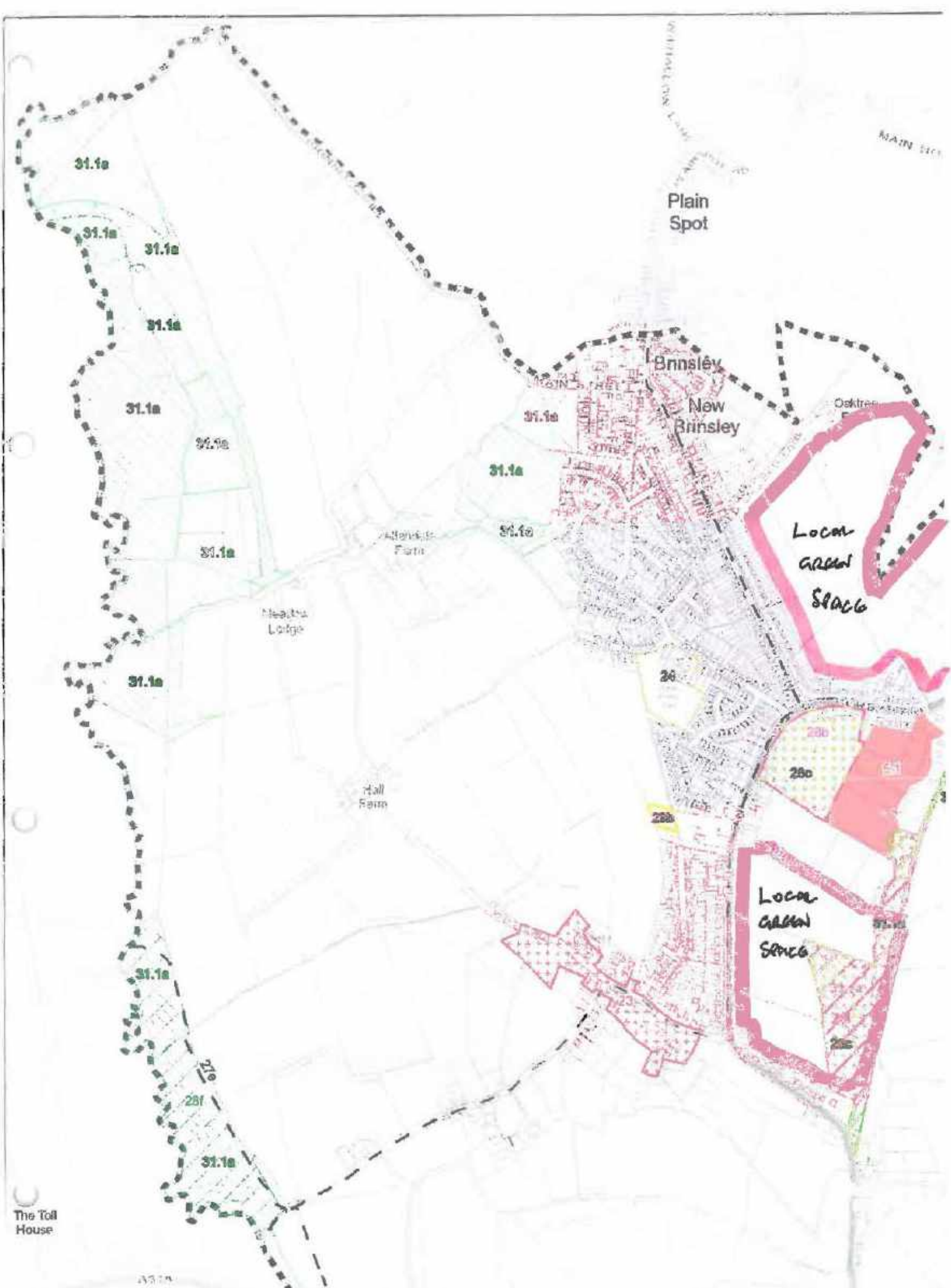
Question 5: Public Examination Attendance

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

X

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



The Toll House

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

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Part 2 Local Plan	Policy 1: Flood Risk		
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2.3	Sound (please see suggested modifications		X

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Your comments

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--

SEE NEXT PAGE

We consider that the Plan is sound re the footpaths it includes, but suggest modifications as noted below

Question 4: Modifications sought

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SEE NEXT PAGE

Please amend this policy to include the ' Brinsley Steeplechase ' 5.5 mile circular walk, per the map and details herewith

The walk is included on the Notts CC website, and should be added to Broxtowe walks information leaflets. This could be used to enhance the use and enjoyment of the DH Lawrence Heritage per Policy 25

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

X

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

www.nottinghamshire.gov.uk/routexchange

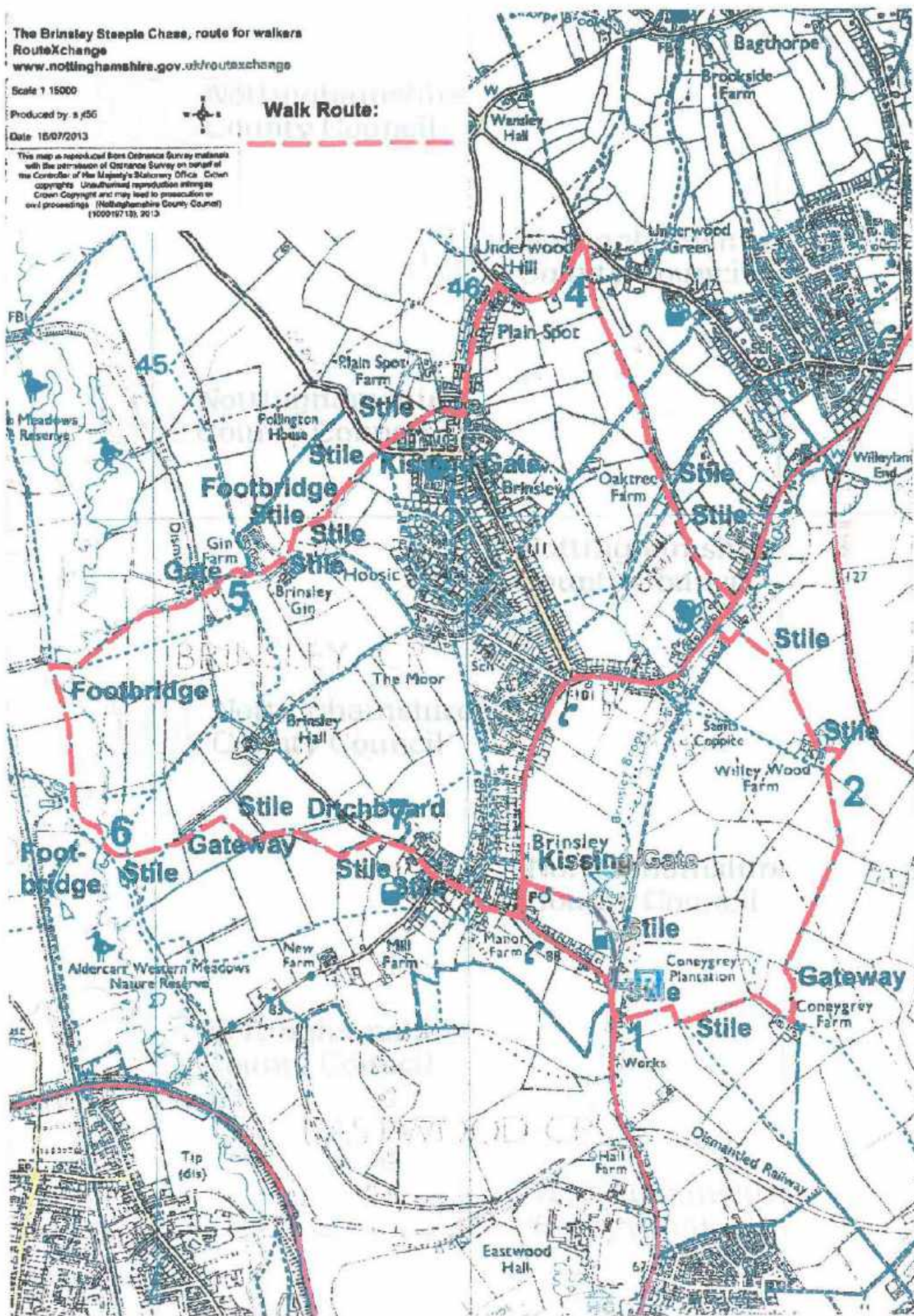
Produced by: s #56

Date: 15/07/2013

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Walk Route:



[◀ Back to: Find walks and rides](#)

The Brinsley steeple chase

Route type	walk (circular)
Distance	5.5 miles
Number of stiles	6 or more
Surface and gradients	mixed surfaces and moderate gradients
Parking nearby	yes
On bus routes	yes - plan a journey
Starting point	Picnic area/car park south of Brinsley on A608
OS map number	Explorer 260 and 269

Plenty of stiles to climb on this walk around Brinsley!

Directions

1. From the car park, walk south along the main road for about 50 yards until you see a footpath on your left. Follow this down through a gap between two houses and over a stile. The path climbs gradually up the field to a stile in the top right hand corner. Turn right after crossing the stile and head towards Concygrey Farm. Just before the farm, swing round to the left and follow the track to the edge of the field to go through a gateway.
2. From here a broad track stretches ahead of you, climbing slightly with views to the left over Brinsley and beyond. Behind you is Eastwood. The track drops down slightly towards Willey Wood Farm. Go through the wide double gates on your right. A few yards up this track a footpath leads off to the left, heading initially for the farm buildings then swinging away to the right, passing beyond the barns to a stile. Cross this and walk down the right hand side of the field. Walk into the next field and head just to the left of a pair of houses. Cross the stile and the line of the former railway, then follow the drive down to the main road (Cordy Lane), opposite the Yew Tree pub.
3. Cross Cordy Lane and turn right. A few metres up the road take a path on your left, which passes through a stretch of private garden before entering a field. Cross the stile at the top of this field and walk up an enclosed path between a scrap yard and a haulage depot. This path emerges onto a surfaced track, which you cross diagonally right to go over a stile opposite. Follow the path as it winds through a pasture, crossing a stream twice. After passing the former pit heap of Pye Hill colliery carry straight on at the side of the field to join a track which eventually arrives at Underwood Hill corner.
4. Turn left here and follow the road as it curves right and downhill. At the next road junction turn left down Plain Spot Road as far as the primitive Methodist Chapel on the right. Take the path at the side of the chapel down an alley then out into the open again. Follow the path down to a stile out onto Main Street. Cross over and take the right hand of the two paths ahead of you through a kissing gate. This leads down to a stile then over a concrete bridge across a stream. Follow the far bank through a hedgerow and on for a short way, then bear right across the field to a stile. Walk across the open space to pass the white buildings of Gin Farm on your right, keeping the stream on your left. Cross the stile here and walk down the track onto the road.
5. Go straight ahead, along a broad track past an electricity sub station on the left, and cross the route of an old railway to a gate. Go through this and carry on along the track to another gate in the meadowland alongside the River Erewash. The path leads to a footbridge over the Erewash in to Derbyshire, which you should cross before turning left and staying fairly close to the fence on your right.

This part of the route follows the route of the Cromford Canal, of which only a few traces remain since it was abandoned in 1944.

After a while the path meets an isolated brick bridge over the river. Do not cross it but continue alongside the river, passing another bridge made of large concrete pipes, before eventually reaching a steel and wood footbridge which you should cross.

6. Follow the path to the stile in the field boundary opposite, then head across the field to a gateway in the top hedge. Follow the track ahead until you reach a gateway on your right. Go through this and down the edge of the field to the bottom. A stile on the left leads you through some trees until the path swings right over a ditch and a stile. Walk along the right hand side of the field until the bend in the hedge, where a stile brings you onto a cart track. Turn left and follow the track onto Hall Lane. Turn right here to pass the pleasant buildings of Old Brinsley.

7. Continue along this road to reach the main road (A608). Turn left and after a few metres cross the stile on your right and follow the path along the left hand edge of the field. Go over another stile and through a gate into the hilly Brinsley picnic area. From here turn right to follow the old railway line back to the picnic area.


Attachments

- [Map of The Brinsley Steeple Chase to Ludd](#)

Read it

Contact the Council

Find and talk with us online or contact us directly by online form, email, telephone, post or in person at one of our offices.

 [Facebook.com/Nottinghamshire](https://www.facebook.com/Nottinghamshire)  [Twitter.com/NottsCC](https://twitter.com/NottsCC)  Use our online form  Visit us in person  Call us on 0300 500 80 80

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It is not positively prepared	
It is not consistent with national policy	

Your comments

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Talk in local shops is that the whole of Church Lane is to be built on – we obviously try to explain the truth of the matter whenever we have the opportunity, and have shown people the site location map from the Stage 2 Draft Plan, which clarifies exactly what the site boundary is.

At a recent 'Consultation' event a person asking for help to complete the Stage 2 Response form was clearly told that 'Broxtowe want to build all along Church Lane but we want the Cordy Lane Site'

BRINSLEY VISION was set up as a result of villagers' dissatisfaction with the actions of the Steering Group and the Council. We hope Policy 5 re the site in Brinsley is accepted, per the choice of the majority in the Additional Site Consultation

We consider that the Plan is sound re Policy 5. We fully support paragraphs 5.4
With regard to paragraph 5.5 we suggest modification per Q4 below

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

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OF DETAILS]

5.1 PC+S

6944

Broxtowe Borough Council Local Plan Stage 2
Publication Version

Broxtowe Borough Council
Planning & Community Development

- 3 NOV 2017

Response Forms from

BRINSLEY VISION

This response is in respect of Policies 5, 23, 25, 27, 28, 29, 30 and 31 of the Draft Plan

The response involves several paragraphs etc, and it considers the Draft Plan overall is not sound in respect of Brinsley, without some amendments as suggested in this document.

In order to assist with examination of our response, here is a list of the policies, documents, etc. Separate pages of the Broxtowe Response form plus related evidence refer to each of our points, and each part of our response is separated by a numbered page divider.

Pages 1 and 5 are relevant to all our responses, and are in Section 2 of this Response File.

Item	Section	Also enclosed
Lists of persons making this common response	1	7 sheets totalling 70 individuals
Consultation Response form pages 1, and 5	2	
Policy 5	3	
Policy 23 Article 4 Conservation Area Non-listed Heritage Assets	4	Map
Policy 25 DH Lawrence Heritage	5	
Policy 27 Local Green Spaces for Brinsley	6	Map
Policy 28 Add long distance footpath in Brinsley	7	Map
Policy 29 Cemetery extension	8	
Policy 30 Landscape and Policy 31 Biodiversity Assets	9	

(70 x individuals)

removed due to GDPR -

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title
Name	This is a response by all the people on the attached list who are making an agreed response				
Organisation (if responding on behalf of the organisation)	BRINSLEY VISION				
Address	Wren Cottage 10 Church Lane Brinsley Notts				
Postcode	NG16 5AB				
Tel. Number	01773 764454				
E-mail address	Jen.wren@btopenworld.com				

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

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

X

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

BRINSLEY VISION, has the same aims and objectives as did the now defunct SABRHE. That is, to protect the Environment and Heritage of the village of Brinsley. The attendance of the SABRHE chairman was found very useful at the Inspector's Enquiry re the Aligned Core Strategy, allowing several matters to be clarified during the decision making process.

For the same reasons Brinsley Vision wishes to be present at the Inspector's Enquiry re the Local Plan Stage 2. We would like to be able to clarify points if necessary, and to answer any questions which might arise regarding our response to the Stage 2 Consultation.

Our Chairman is Jenny Sissons M.A. (formerly Page), Contact address per the front page of this response

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

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

MR & MRS T ANTHONY.

Your Details

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

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

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

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

Please tick here



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

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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	<i>ADDITIONAL SUPPORT IN RELATION TO POLICY 5.</i>		

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2.2	Compliant with the duty to co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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If you think this paragraph or policy of the Plan is not sound, is this because:	
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AS THE AGENT FOR THE SITE ALLOCATED IN POLICY
5. I AM HAPPY TO OFFER MY ASSISTANCE IN
SUPPORT OF DREXTONE IS AT YOUR REQUIREMENT.

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'

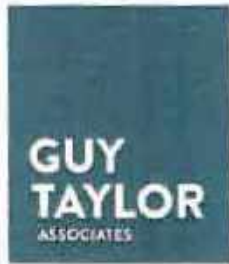
If your response is about the **content** of the Local Plan and the strategy it adopts, then it is likely to relate to whether or not the Local Plan is 'Sound'.

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.

12246



Supporting Statement

Residential Development
Saints Coppice Farm, Brinsley

On Behalf Of

Mr & Mrs Anthony

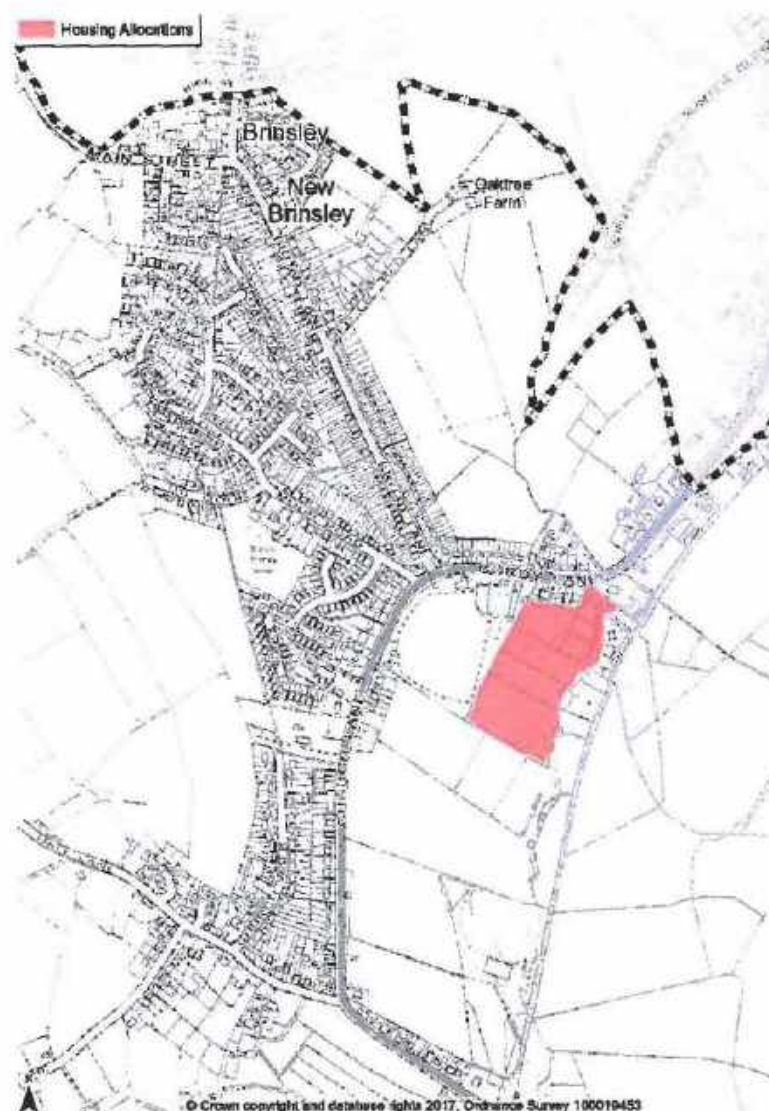
Prepared By

Guy St John Taylor Associates
October 2017

1. Introduction

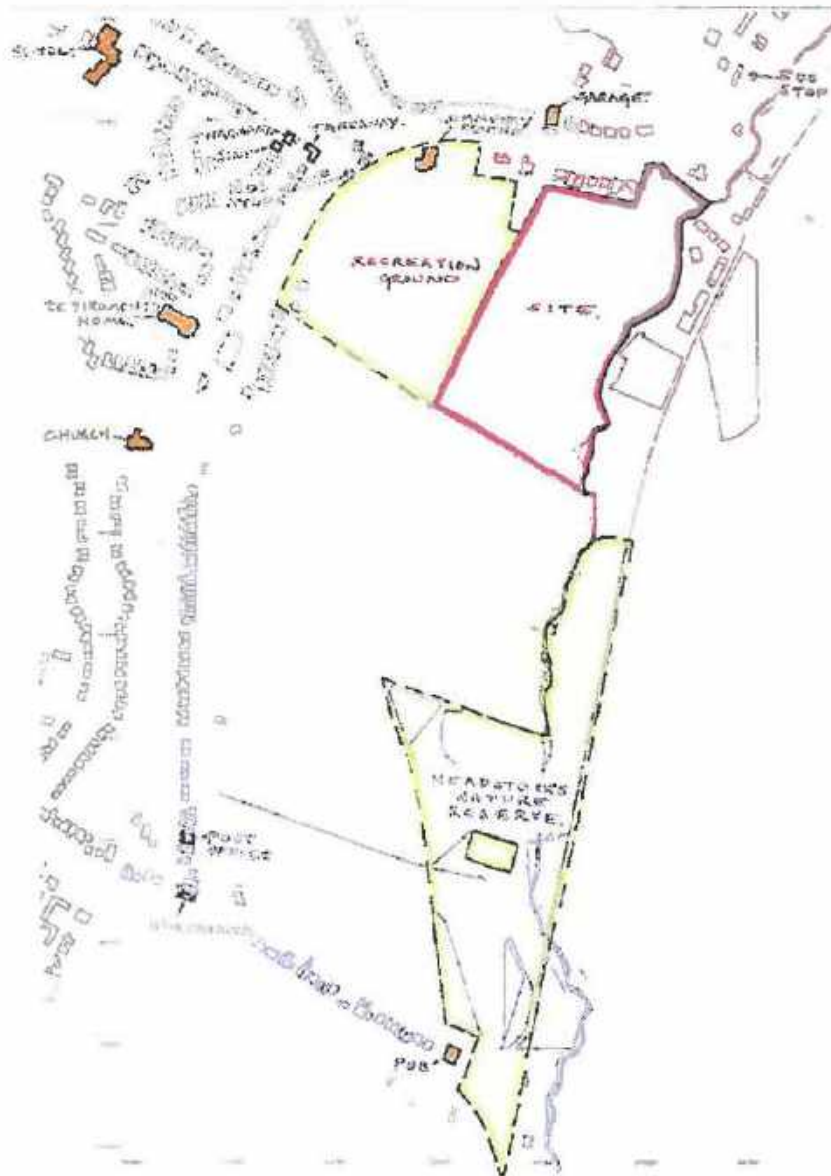
- 1.1 This statement has been prepared by Guy Taylor Associates as part of a response to the **Broxtowe Part 2 Local Plan (P2LP)** consultation, in particular reference to **Policy 5: Brinsley Site Allocation**.
- 1.2 The P2LP identifies an area of land 'East of Church Lane' to provide the 110 new dwellings required in the village. This statement seeks to support this policy by showing the viability of the site in delivering the 110 homes required within the wider policy constraints of the P2LP and other relevant policy documents.
- 1.3 Part of this viability demonstration will be to present an outline residential scheme which fulfils the required criteria. However, this proposal does not currently represent any planning or pre-application submission and recognises that there will be further information and reports required to make such a submission.
- 1.4 In June 2016 a pre-application submission was made to the district council for a residential development on some of the Land East of Church lane. Although this proposal did not go ahead due to its location within the green belt at the time, the responses it received were largely positive and are pertinent to this application.

2. Site



Map 20: Housing Allocation in Brinsley, from Policy 5 of the P2LP showing the allocated site for development in Brinsley

- 2.1 Brinsley was an ancient settlement within Broxtowe District which grew significantly during the 19th Century, when the nearby collieries were at the height of their activity.
- 2.2 The village is laid out in a fairly linear fashion, with the older centre to the south, and 'New Brinsley' to the north comprised of Victorian and later housing stock. Due to this long layout the village has no singular centre, but has amenities spread in a number of clusters along its length.
- 2.3 The village is an ancient settlement, and the conservation area at the south of the village and the Church, which sits centrally in the village, are a characterful reminder of this history. However, its most unique features relate to its more recent industrial past. The Brinsley Headstocks Heritage Site at the very south of the village celebrates the village's time as an important coal mining area.
- 2.4 The site outlined in the policy 5 of the P2LP sits to the east of the village to the south of Cordy Lane.
- 2.5 **Physical Description** – The site is approximately 4.1 hectares and is comprised of a series of animal paddocks contained within relatively well-defined mature vegetative boundaries. The site slopes gently down to the east draining into the Brinsley Brook, which runs along the eastern boundary. There are 7 properties on Cordy Lane which back onto the site which are divided by a , and a small farm to the east.
- 2.6 **Transport & Access** - There is good access to public transport around the site. The access point along Church Lane was tested in the June 2016 pre-app stage and was found to be acceptable given that the A608 is identified by Nottinghamshire County Council (NCC) as being underused and capable of taking more traffic.



Site Map showing distance to various amenities in the village

- 2.7 **Amenities** – The village's narrow nature allows this site to be fairly close to its secondary centre, where the Parish Hall, a shop, takeaway, recreation ground, and bus stops are within 200m. A short distance further the primary school and church provide further services.
- 2.8 **Flooding and Flood Risk** – The site sits on a slight slope which drains into Brinsley Brook at its east edge.
- The LLFA have confirmed that the site is not affected by fluvial flooding and advice has been received on the acceptable levels for run-off from fields and the design of the drainage systems and SUDs.
- It was confirmed by the Flood Authority in the pre-app response and again at the recent Infrastructure Workshop that there were no concerns in relation to flooding at the site.
- 2.9 **Connectivity** – Walking and Cycling connectivity from the site are good and there is direct access onto the mineral line green corridor to the north of the site. The adjacent recreational ground also provides an opportunity to form new links between these two key areas.



Site analysis diagram

- 2.10 **Green Infrastructure and Open Space** - The allocation site is currently used as a series of animal paddocks, and its mature boundaries of trees and hedgerows form part of a larger green network throughout the area. Brinsley Brook, in particular, which runs to the east of the site, is an important wildlife corridor along the valley connecting to the wider green network, including the Local nature reserve (LNR) around the Headstocks site to the south.
- 2.11 **Heritage** - The site sits well away from the key heritage assets of the area. The Conservation area is some 500m away, whilst the Grade II Listed Church is just under 800m away and obscured by a series of mature green boundaries and a row of houses. The headstocks area to the south is also well away from the site, with a substantial copse (contained within the nature reserve) acting as an effective visual barrier.

3. Policy Context, Documents & Consultation

3.1 The Core Strategy adopted by Broxtowe Borough Council in September 2014 set out the overall housing targets for the Borough. The Core Strategy sets the target for Brinsley at 'up to' 150 new homes as amended from the original 200 within the allocation. It is understood that whilst the Council accepts that Brinsley is a sustainable location, there are factors which reduce its ability to serve the larger centres such as Nottingham therefore the Council took the view that "Taking account of all of these points, a reduction in 50 homes to a maximum of 150 homes would be appropriate to specify in Policy 2. To go lower than this would put at risk of closure existing facilities within the village over the 15 year plan period".

3.2 Within the first round of the SHLAA, the following is described:

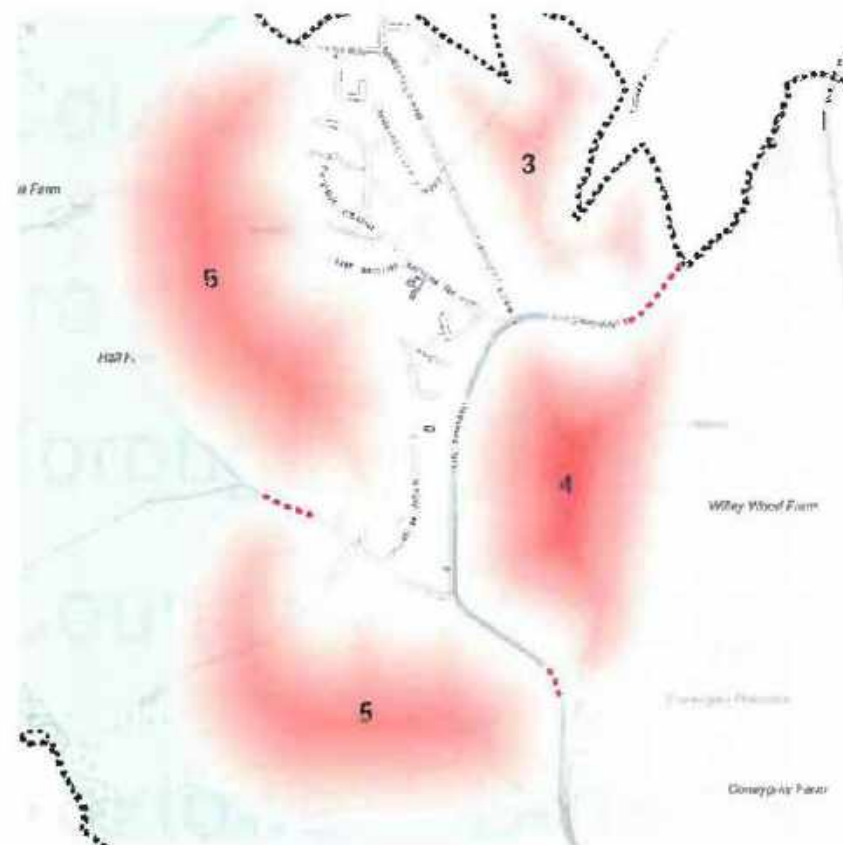
"Broxtowe SHLAA (BD/HOU/49)

Including completions from 2011, there are sites within the existing village boundaries on which 41 dwellings can be delivered over the whole Core Strategy period, leaving site(s) on which 159 dwellings can be built to be found in the green belt.

Potentially suitable housing sites are found to the east of the settlement but not to the west.

To the east of the settlement sites 198 and 376 east of Church Lane are assessed as could be suitable if (green belt) policy changes, whereas to the west of the village site 199 is assessed as not deliverable or developable for reasons including the environmental constraints at this side of the village, but also the difficulty in achieving acceptable access arrangements and a lack of evidence of landowners wishing to bring sites forward for development."

3.3 Brinsley is located within green belt land as defined in the Core Local Plan. As identified above in Brinsley, the green belt areas place such a restriction on growth in some settlements that amending the green belt area is felt to be necessary to allow sufficient provision of housing and other development. As such, an assessment of the green belt was undertaken throughout the district, and the Green Belt Review was published in 2015.



The areas of green belt around Brinsley which were assessed in the Green Belt Review

Within the preferred approach to site allocation and greenbelt review document February 2015, the Council identifies the position for Brinsley as follows. The site which is subject to this application forms a portion of Zone 4:

"Options both to the East and West of Brinsley were previously considered as potential directions for growth in the Tribal report. The finding of this review confirms that the east of Church Lane site (Zone 4) contains a significant defensible boundary in the Brinsley Brook, and other potential sites do not. Taking the Green Belt Review as a whole the sites to the North-East (Zone 3), West (Zone 6) and South (Zone 5) of the village are more important to retain in the Green Belt than the site to the east.

The site (Zone 4) shown between Church Lane and Brinsley Brook contains significantly more than the minimum amount of land required to meet the Brinsley dwelling requirements. It is considered that if a residential allocation is made in this area, it should front Church Lane and not impinge on the recreation ground to the north or on the Headstocks to the south east. Development should be set

*well away from Brinsley Brook with the potential for additional tree planting and the enhancement of footpaths and circulation routes through Brinsley Headstocks**

3.63 of 28.25ha (approx. 13%) of consultation area would be required for housing based on existing information in the SHLAA

- 3.4 In the July 2017 a draft of the P2LP was submitted to the Jobs & Economy Committee for consideration, accompanied by a summation of responses from local consultees relating specifically to development on the Church Lane Site in Brinsley (Referred to as 'Option 1' within the report) and an alternative site to the north of Cordy Lane ('Option 2'). The consultation concluded that there was support from all sources for an extension of the village to supply the required homes, and that the weight of the preferences was firmly with Option 1 – the Church Lane Site. A summary of the responses is shown below:

Issue	Option 1	Option 2	Comments and preference if any
2003 Inspector's Report			None
2010 Tribel Report			Option 1 performs better regarding coalescence issues.
2012 Issues and Options			Option 1 but for exactly the same reasons as the 2010 Tribel report.
2014 Core Strategy			None
2015 Preferred Options			Option 1. The joint work with Ashfield (and outcome of it) is highly relevant as Ashfield are a Duty to Cooperate partner.
2017 SA			None regarding 'significant effects' although on both Heritage and landscape grounds option 2 is in a marginally less sensitive area. The reason the sites score the same is that as a result of
			additional work on Option 1 these potentially adverse impacts have been addressed by restricting the development parcel to a small parcel of the previously envisaged larger site.
Consultation responses			Option 1 but marginal. The response of Brinsley is significant but this is counter balanced by the views of Ashfield and JUST.
Delivery			Option 1 but marginal due to greater certainty that the site can be developed for the numbers of homes without needing additional land.

The conclusion drawn was that:

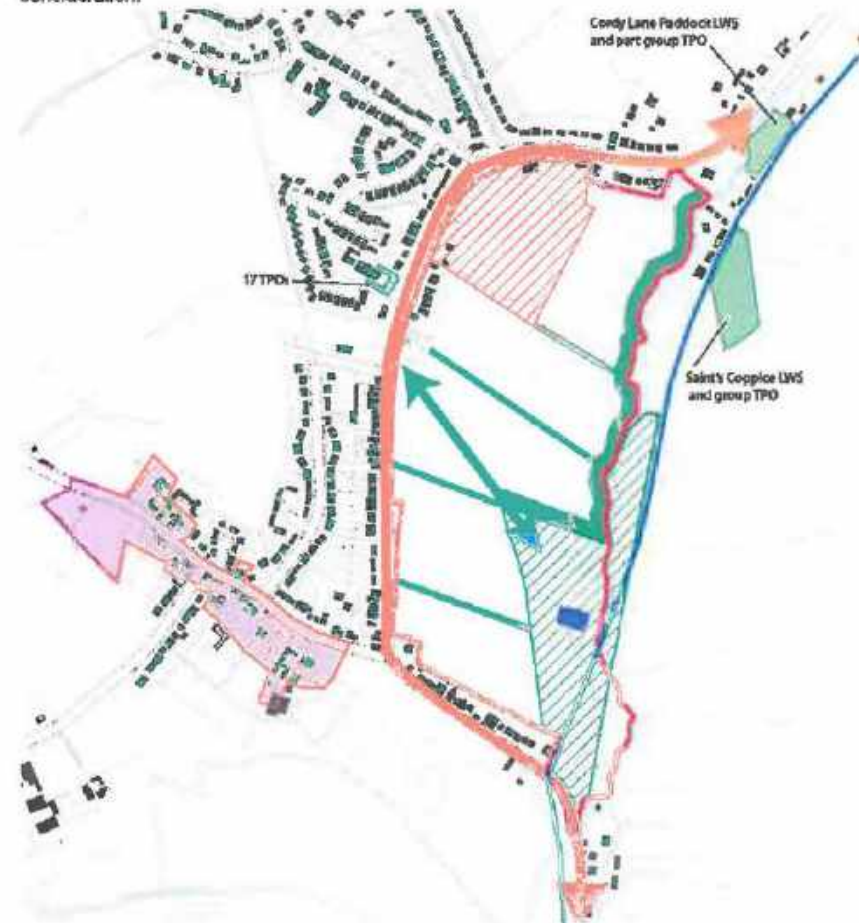
There is no planning policy which seeks to maintain gaps between the edge of parish boundaries. On Green Belt policy terms the issue of reducing the size of the gap between the villages of Brinsley and Underwood for option 2 means that option 1 remains the recommended allocation. On other grounds the differences between the two sites are marginal and the views of Brinsley Parish Council as the neighbourhood planning body for the area concerned should be afforded significant weight. However, even allowing for this, the Green Belt issues as also expressed by Ashfield and the JUST Neighbourhood Plan group mean that option 1 remains the option that has the greatest likelihood of being found sound at Examination.

For this reason it remains the recommended option.

4. Brief

- 4.1 Support for the site is predicated not only on the site's ability to deliver the 110 homes required in Brinsley, but on its ability to do so through a design which meets certain criteria. These criteria are outlined in several documents.
- 4.2 The most pertinent of these is the Broxtowe Part 2 Local Plan (P2LP) which sets out the following key development requirements:
- 110 Homes.
 - Enhance Green Infrastructure corridors by linking areas of Brinsley to north and west and D H Lawrence country to the east (including Vine Cottage and routes past the Headstocks to Eastwood).
 - Preserve the setting of St James the Great Church including open vistas towards the Headstocks.
 - Enhance bus routes adjacent to the site.
 - Provide SuDS to the south of the residential allocation.
- 4.3 In October 2016, an independent design review was undertaken by Opun for Broxtowe Borough Council to provide design support and advice on a potential residential development within the 'Church Lane' site in Brinsley. The area was far larger than the one now under

consideration.



Site analysis diagram from the Opun Review

The review recommended that any scheme address the following:

1. Identification of a transition zone beyond the buffer zone to Brinsley Brook / green corridor to ensure the provision of a robust and generous green infrastructure route.
2. Recognition of the importance and value of the hedgerows and to utilise these features within any development i.e. potential location for SuDS, green corridors and routes for pedestrians and cyclists.

3. Identification and provision of a SuDS strategy which provides an integrated drainage strategy from source control to surface water drainage.

4. Retain and improve access to the existing recreation ground i.e. forming part of a network of open spaces linked by green routes / corridors.

5. Recognition of the importance of the disused railway line as an important non-designated industrial heritage asset.

6. Provision of robust visual and physical connectivity from the Church of St James the Great (including grounds) to the Headstocks and disused railway line.

7. Identification and reinforcement of literary themes in DH Lawrence novels i.e. long views to the open landscape.

8. Clearly define the setting of Brinsley Conservation Area in a Conservation Area Appraisal and publish a Management Plan.

9. Provision of an identifiable network of robust pedestrian and cycle routes utilising and integrating existing landscape features i.e. hedgerows. The network should include a green corridor which connects the pockets of development to ensure a development which can be accessed by foot.

10. New access points should be positioned in locations which minimise the impact on the existing landscape features and designed to encourage reduced traffic speeds on the A608 through the village.

4.4 The Broxtowe Core Strategy (CS) also set out some requirements in Policy 8 which deal with the housing mix to be provided.

Paragraph 3.8.2 discusses the need for smaller homes and increasing demand for single occupancy households.

Paragraph 3.8.3 also discusses the need for a range of housing for the elderly.

Paragraph 3.8.6 describes the need for the percentage of new builds with three or more bedrooms to be above 60%.

3.8.7 Describes that a key priority is for the provision of more homes suitable and attractive to families. The imbalance is particularly acute in larger homes of 4 or more bedrooms.

4.5 Additionally, local consultation in both the Brinsley Site Allocations issues and Options (November 2013) and the Pre-Submission Draft of the Brinsley Neighbourhood Plan (October 2017) identify the particular need in Brinsley for housing to accommodate an ageing population.

4.6 Consultation presented in the draft P2LP (described in the previous section) also contained some recommendations from various advisory bodies as to the nature of the development. Many of these

are covered by the further recommendations from Opun and within the P2LP itself. However, one specific point is worth mentioning:

Sport England suggested that: *Either option should promote the use of the recreation ground rather than provide formal open space.*

4.7 Comments from the pre-application submission on the adjacent site will also be important in shaping the proposal on the Church Lane Site. The former pre-application submission is shown below.



Scheme submitted for pre-application advice in 2016

The scheme showed how the site could be utilised to link the Recreation Ground to the Head Stocks site and Mineral Line and SINK sites using green avenues crossing the site.

Comments received from Ben Driver of the Nottinghamshire Wildlife Trust indicated *"that there are good links to existing open space, a green buffer to the LNR and there is biodiversity potential in connection with the proposed attenuation pond. I would like to see the pond designed with biodiversity in mind."*

T Crawford (Business & Projects Manager - Environment) of Broxtowe's Deputy Chief Executive's Department commented on the 2016 pre-app and said: *"It is good to see a generous buffer of proposed open space on the Southern and Eastern boundaries of the proposed development. This is particularly important on the eastern boundary where the Brinsley Brook runs through the site."* Furthermore, they were seeking *"more woodland planting as an extension of the Headstocks site"* which can be achieved within the applicant's land holding. They also indicated *"I welcome the link with the Brinsley Headstocks site and an important consideration if the scheme is to go forward would be the design of footpath links between the Headstocks site and any new open space."* Dialogue has been opened up with the relevant parties, and will continue on section of the site.

The Deputy Chief Executive's Department also identified the need for connections to the recreation ground *"There needs to be a good footpath link between the proposed development and the Recreation Ground. Promotion of the Recreation Ground for leisure and recreation activities rather than the more sensitive LNR site at the Headstocks is very important."* since this comment, the site has been reoriented to the location to the rear of the Recreation Ground and further away from the Headstocks site where direct links can be achieved into the recreation ground without the need for residents to cross any roads.

Further comments from the Deputy Chief Executive's Department on the 2016 pre-app scheme identified *"There is a real opportunity to create a feature green corridor between the Recreation Ground and Headstocks, I like the way the footpaths are set back from the road. This gives an almost continental feel."*

It is felt that these comments should inform the design of any proposal on the proposed Church Lane Site.

5. Proposal

- 5.1 To demonstrate the viability of the site, the outline for a residential scheme on the site has been developed.
- 5.2 The scheme proposes 110 homes, in line with the requirement for the site outlined in Policy 5 of the P2LP.

6. Housing Mix and type

- 6.1 The scheme will comprise a mixture of housing type, size and tenure to suit the village and the growth requirements of the area, and the requirements outlined by both the Core Strategy and the Brinsley Neighbourhood Plan.
- 6.2 Given these regional requirements and locally-identified needs, the housing mix in the proposed scheme will be as follows:
 - 5 bed dwellings: 5no
 - 4 bed dwellings: 29no
 - 3 bed dwellings: 43no (Some of these will be bungalows as required)
 - 2 bed dwellings: 27no
 - 1 bed bungalow: 6no
- 6.3 A similar mix was proposed in the scheme submitted for pre-application advice in 2016. It was agreed with officers that the type, size and mix of properties was entirely appropriate for Brinsley and would be supported.
- 6.4 The houses will be designed to lifetime homes standards to enable occupants to remain in their homes as their lifestyle and health needs change over time.
- 6.5 It was suggested by Brinsley PC and supported in the pre-application scheme that the social provision within the site should focus on active retirement. Within the Infrastructure Workshop colleagues supported the concept, though would be seeking a covenant to ensure no children were allowed to live in the retirement properties.
- 6.6 The scheme will also contain 30% social housing, as required by local policy. These houses will be of varying size to fulfil local need (to be defined by the social housing provider). They will be visually indistinct from the market housing, to reduce stigmatisation of their residents, and will be peppered throughout the scheme to prevent the formation of areas of deprivation.

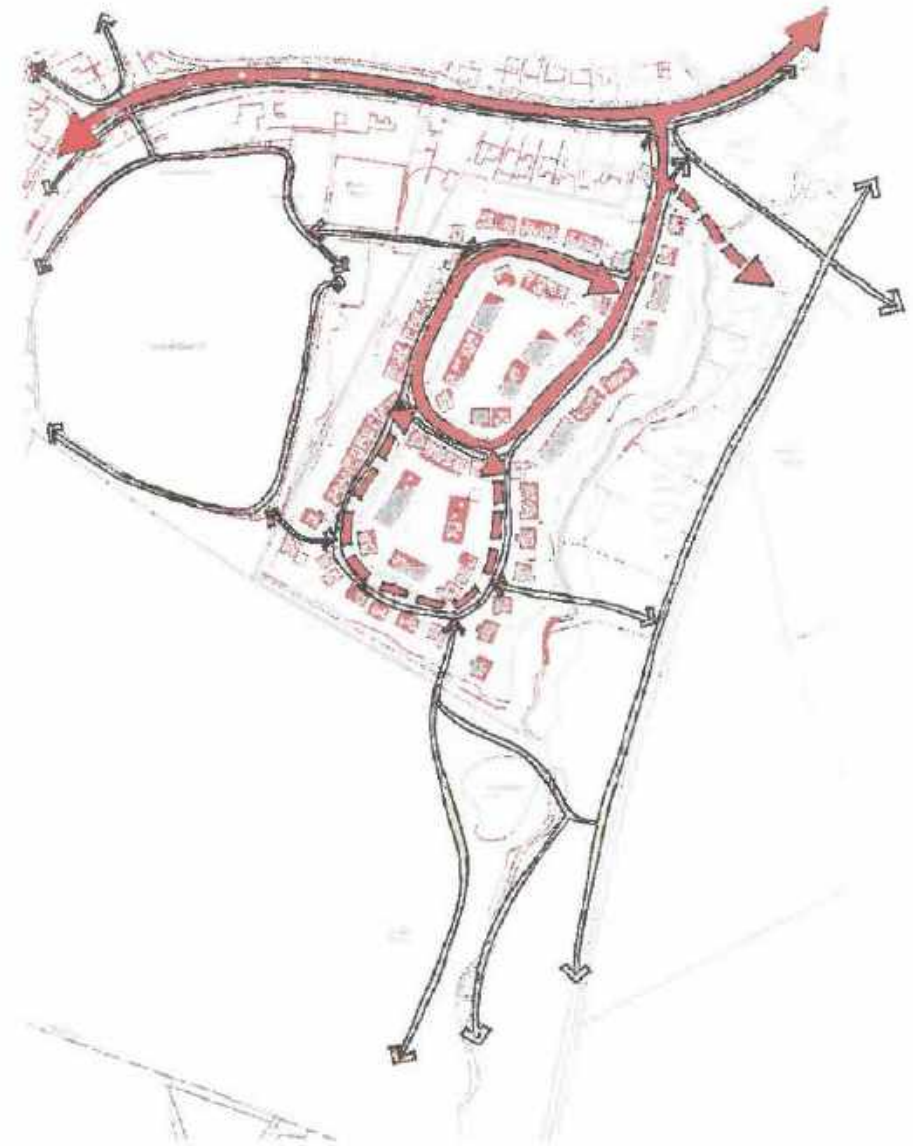


7. Access & Connections

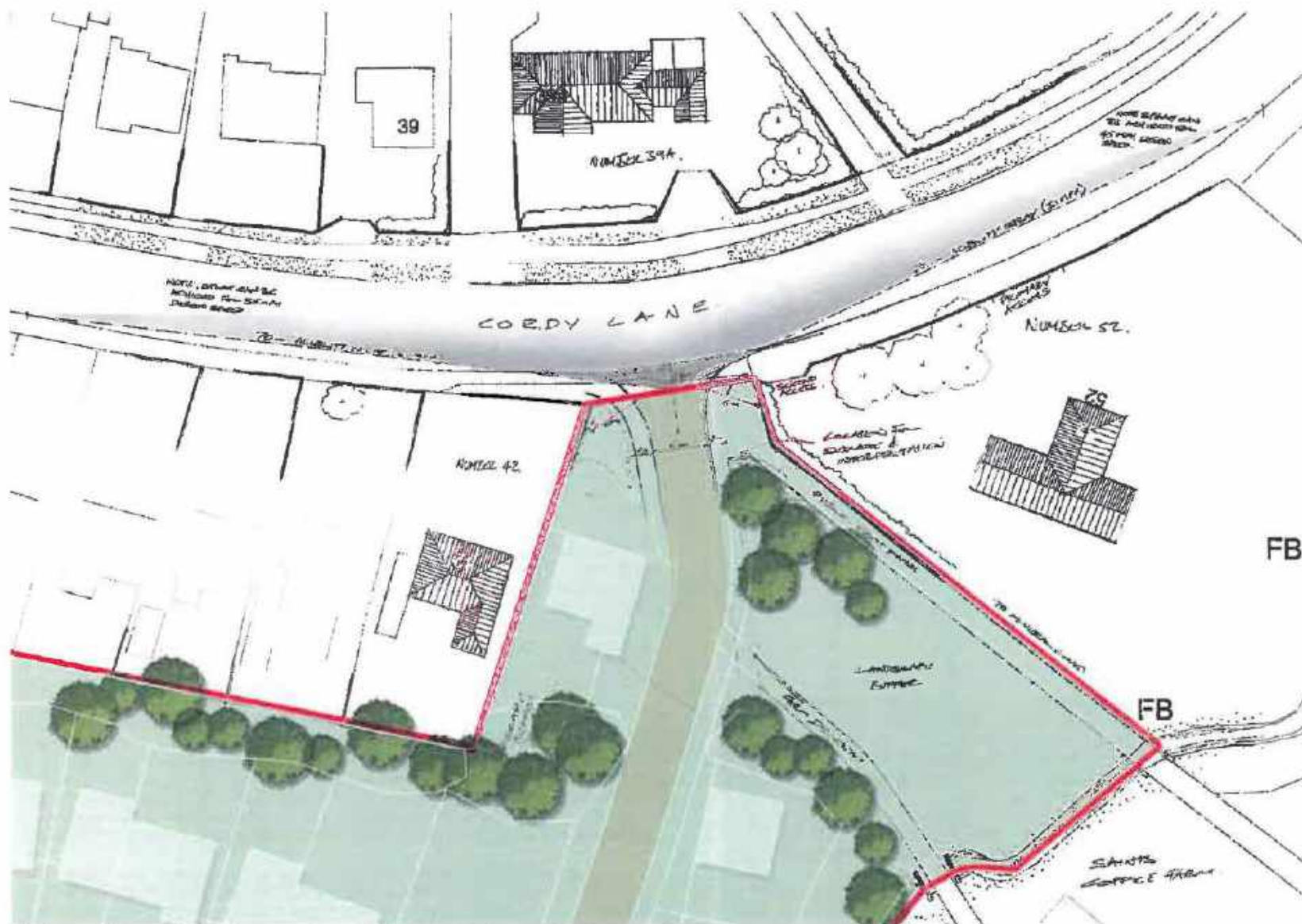
- 7.1 In alignment with principles outlined in the Broxtowe Core policy, and in other guidance on residential layout, such as the Manual for Streets, a key design feature of the scheme will be to link to its surroundings. The benefits of this will be twofold: firstly, connections between the new development and its surroundings will allow the residents easy and direct access to the amenities of the village; and secondly, providing and enhancing routes through and around the site will provide residents of the surrounding village more direct and convenient access to amenities such as the Brinsley Brook and former-railway footpath.
- 7.2 The site is accessed via a single vehicular access off Church Lane. As identified in the earlier section, this is an existing farm access with a generous empty space either side. It will be widened and altered to fully adhere to recommendations from the Highways Authority regarding the design of Junctions, allowing for a safe junction with visibility which exceeds requirements.
- 7.3 The proposed streets are arranged to allow maximum permeability and easy navigation throughout the site, in accordance with policy design requirements. They are to be arranged in a simple pattern of two loops, which will eliminate the need for turning heads and cul-de-sacs – features that are considered to be an obstacle to permeability, particularly for pedestrians, and which make navigation more difficult. Loops are also more suitable for refuse collection, and for the potential of a bus service accessing the development directly.
- 7.4 The layout has also been designed around providing and enhancing pedestrian & cycle routes through the site. The location of the site gives several opportunities for routes to be made between the surrounding areas. The most beneficial of these is between the recreation ground to the west of the site, and the railway path to the east. As such a key pedestrian & cycle route will run along the southern edge of the site between these two areas. Another route will run along the north of the site between the recreation ground and the existing footpath by the site entrance.

Pedestrian links will also be created between the site and the field to the south of the site, where footpaths will link to the Headstocks area.

- 7.5 The pedestrian & cycle routes will be designed and detailed to promote their use as safe, convenient, easily navigable, and informative. Clear direct sight lines will enable users to see where the paths will take them, and overlooking from houses which will front onto the paths will provide an element of security through passive surveillance. Where the routes link to the former railway corridor, and the headstocks area, signage and information boards will be provided to make these links clear, and to give users context on the history and natural environment of these key areas. These new pedestrian links through the recreation ground will provide a direct connection to the bus stops and amenity centre at the junction between Cordy Lane and Broad Lane. A pedestrian crossing at this point also allows safe access to the north side of the road.



Connectivity Diagram showing how the pedestrian and cycle routes (yellow) will be enhanced, and the layout of the vehicular routes (orange)



Site Entrance Diagram showing the proposed new junction where the site meets Cordy Lane. The visibility plays have been calculated using guidance from the Manual for Streets, which requires a 43m clear line of sight either way for a driver waiting at the junction onto a 30mph road. The diagram shows that the required 43m is easily provided by the placement of the junction on the outside of the curve of the road.

8. Green Infrastructure and Open Space

- 8.1 One of the key requirements identified in the brief, and praised in the pre-app, is the scheme's integration into the green networks of the area. There are two primary objectives here: Firstly, that the increased foot and cycle links allow people to make use of the recreational and health benefits of being in open green space; and secondly, that the increase and preservation of habitat and connection with other habitat in the area helps to conserve and encourage local wildlife.
- 8.2 As described in section 7, the development will comprise several additional links for pedestrians and cyclists into the recreation area and to the former railway line footpath. During the Infrastructure Workshop it was identified that Cycling, walking and green infrastructure contribute to health and a sense of wellbeing within a community. The scheme's location and design give direct access to the Recreation ground, which includes a number of sporting facilities for all ages and abilities, but also connects to the Mineral Line and the Headstocks site where walking and cycling are encouraged. It is possible to enjoy all of these activities from the site without crossing roads.
- 8.3 The green boundaries of the site, particularly the Brinsley Brook, are considered to be the most important parts for wildlife. As such they are to be retained and enhanced with additional planting designed to provide a greater habitat area, and to retain links to the wider green network; including the headstocks nature reserve. To the south of the site a new attenuation pond will be designed to offer new habitat to local wildlife and will help link the site to the area's green network. This is in line with the recommendations in the brief, and in comments on the 2016 pre-application by Ben Driver of Nottinghamshire Wildlife Trust, who indicated "that there are good links to existing open space, a green buffer to the LNR and there is biodiversity potential in connection with the proposed attenuation pond. I would like to see the pond designed with biodiversity in mind."

9. Landscape and Character

- 9.1 Although the proposal will be built in what is currently green belt, the Green Belt Review concluded that this section of green belt was of least value compared to others around the village.
- 9.2 As far as possible, the development will be designed to fit into the rural character of the site. It will retain the already substantial hedges and field boundaries which contain it, enhancing them to provide screening where necessary. Additional planting along the northern boundary, behind the adjacent houses, will provide a buffer between the new housing and the existing and allow the new housing to remain largely unseen from the road.
- 9.3 Along the southern edge, the hedgerow will be enhanced and widened with native trees and shrubs to give a decent visual screen. In addition, the houses along this edge are to be larger properties in a lower density - the substantial gaps between them allowing the planting to take prominence and be more in keeping with the edge-of-settlement character. When viewed from the south the housing should appear substantially less prominent than the row of houses which currently back on to the site.
- 9.4 The arrangement and density of the houses will be similar to that of the rest of the village. The houses will be arranged in an informal manner with private gardens and public green space creating the semi-rural feel typical of villages in the area.
- 9.5 The houses themselves will be of traditional design, using locally-distinctive forms, materials and details to enhance the historic village setting.

10. Heritage

- 10.1 As described in the site analysis section, the site is well away from any local heritage assets and substantial green barriers ensure that there will be no visual impact on the conservation area, church or headstocks.
- 10.2 In the June 2016 pre-app, the scheme focussed its attention on the Church Lane part of the site in accordance with the Greenbelt Review Guidance. It was identified in the pre-app advice that even if a frontage was developed opposite the Parish Church, "The Grade II Listed Church of St. James the Great is on the opposite side of Church Lane however it is experienced largely within its own setting. Dwellings which face the Listed Building along Church Lane should appear to have spacious plots in the interest of retaining the rural character past the church site." In summation, the concept of developing on the opposite side of Church Lane was found to be acceptable, however, the location of the housing within the proposals has now moved to the area behind the recreation ground enabling the setting of the only Listed Building in the village to remain unchanged.

11. Waste, Utilities & Drainage

11.1 Severn Trent have confirmed that there is a main sewer running along the corner of the site. Capacity is to be confirmed but it is envisaged that this sewer will be sufficient for the foul drainage of the site.

11.2 A surface water drainage and attenuation system will be designed around the principles of Sustainable Drainage (SuDs). Anglian Water provide the following outline of SuDs:

The prime function of SUDS, as with conventional drainage, is to provide effective surface water drainage, ensuring the greatest degree of flood risk protection over the long term both within and downstream of the development and prevent pollution. However, SUDS approaches can bring wider benefits too;

- Integrating with the landscape design to add amenity for the community as well as bringing biodiversity value
- Providing environmental protection by treating the quality as well as the quantity of surface water run-off

11.3 Firstly, the proposal will seek to reduce water admitted to the drainage system through a minimal approach to hard landscaping, and using permeable paving where possible. This will allow some of the surface water to soak into the ground as it does currently on the site.

11.4 Secondly, surface water runoff from other areas which are large or impermeable, such as the roofs and roads, will be diverted to a drainage system beneath the roads. This will be a partial infiltration system which will allow water to infiltrate as much as it can, but will store or channel the remainder of the water out of the site to the south.

11.5 This water will then be fed into a large attenuation pond just beyond the southern boundary of the site, which will discharge into the nearby watercourse at a rate agreed with the Environment Agency. Aside from its drainage function, the pond will also function as an amenity pond for residents. It will be ecologically designed to provide and enhance habitat for local species and paths connecting to the site, and further onto the headstocks site, will allow it to be experienced by residents and visitors as part of the green network of the area.



Drainage Diagram showing the SuDs and foul drainage system

12. Policy Review

12.1 In this section it is demonstrated how the proposal can meet the policies set out in the Broxtowe Part 2 Local Plan. This review will only look at policies pertinent to the proposal and leave out those that irrelevant – such as policies for different areas and for different development types.

12.2 Policy 5: Brinsley Site Allocation

Most importantly, the proposal must meet the site-specific policy in the P2LP as below:

Key Development Requirements:

- 110 Homes

The proposal provides 110 homes in a mixture of type and tenure to suit local needs.

- Enhance Green Infrastructure corridors by linking areas of Brinsley to north and west and D H Lawrence country to the east (including Vine Cottage and routes past the Headstocks to Eastwood)

The site's location has been used to great effect to establish links through the site. These links connect the village with the Brinsley brook green corridor, the Headstocks site to the south, and the former railway footpath and cycle path to the east which links to the larger network of routes throughout the countryside.

- Preserve the setting of St James the Great Church including open vistas towards the Headstocks

The site is tucked to the north of the open space between the headstocks and the church, meaning that it is well away from these two key heritage assets. Additional planting will help to screen the development preventing visual intrusion on the landscape.

- Enhance bus routes adjacent to the site.

The site will form a direct connection to the existing bus stop through the recreation ground, allowing users to easily access the public transport network. There is potential for an additional bus stop to be placed near the entrance to the new development if required.

- Provide SuDS to the south of the residential allocation.

A SuDs system has been designed within the road of the new development, which will drain into an attenuation pond to the south of the site. This pond will be designed with biodiversity in mind to integrate with and enhance the local natural habitat.

12.3 Policy 8: Development in the Green Belt - The P2LP proposes amendments to the green belt which would remove the Brinsley Church Lane Site from the green belt. Therefore, if implemented, this policy will not be applicable to the site.

12.4 Policy 15: Housing Size, Mix and Choice

1. Affordable housing should be provided at the newly-allocated sites at

Awsworth, Bramcote, Brinsley, Stapleford and Toton, as shown on the Policies Map, or for any site within the Green Belt comprising 10 or more residential units, at a proportion of 30% or more.

The proposal in Brinsley will contain at least 30% social housing.

2. Affordable housing should be provided at the newly-allocated site at Kimberley at a proportion of 20% or more.

N/A

3. For proposals on unallocated sites for development of more than 10 units within Use Classes C2 or C3, affordable housing should be provided at the following proportions:

- 'Beeston' submarket: 30% or more;
- 'Eastwood' submarket: 10% or more;
- 'Kimberley' submarket: 20% or more;
- 'Stapleford' submarket: 10% or more.

N/A

4. Any applications which propose less affordable housing than is indicated in parts 1, 2 and 3 of this policy must be accompanied by a viability assessment.

N/A

5. Affordable housing provision should be made on site, unless there are exceptional circumstances to justify otherwise. Affordable properties should be integrated with market housing and should be of a similar size, type and external style as the market housing.

Affordable housing will be properly integrated as described above.

6. Developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough are met.

The proposed mix, as outlined in section 6, is directly informed by the Core Strategy and by local consultation.

7. For developments of more than 10 dwellings, at least 10% of dwellings should comply with requirement M4(2) of the Building Regulations regarding 'accessible and adaptable dwellings'.

All dwellings will be constructed to Lifetime Homes standards, allowing them to be easily converting to suit the varying accessibility needs of their occupants.

8. For developments of more than 20 dwellings, at least 5% of provision should be in the form of serviced plots for self-build or custom-build, and/or custombuild homes by other delivery routes.

Although not discussed here, this can easily be achieved on this site and will lead to a more dynamic and less homogenous design mix.

12.5 Policy 17: Place-making, Design and Amenity

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

a) Integrates into its surroundings; and

The proposal is designed to integrate into its surroundings in two ways: Firstly, it will retain and enhance its substantial green boundaries so that it nestles within the existing field structure of its setting, and so that it is less visually imposing from the south. Secondly, its density, layout and design shall be in keeping with the site's semi-rural character.

b) Provides, or is close to, community facilities; and

As demonstrated in the site analysis section, the site is close to many of the key community facilities in the village including the school, shops, community centre, and recreation ground. The addition of cycle and pedestrian paths through the recreation ground will increase the site's connectivity with these amenities.

During the 2016 pre-application it was confirmed that the development would require a contribution towards local library provision. Although the site is different, it is envisaged that the developer will meet this contribution.

c) Has good access to public transport; and

The site is within a five-minute walk of a bus stop providing frequent links to Eastwood, Nottingham and Derby.

d) Creates a place with a locally-inspired or otherwise distinctive character; and

As above, the character will use a local palette of materials, details and forms to create a mix of houses in keeping with the local vernacular. A careful scheme of architecture and urban design will be focussed on place-making rather than simple housing-provision.

e) Takes advantage of existing topography, buildings and landscape features; and

The proposal makes use of the existing green boundaries for visual screening, biodiversity and the amenity of its residents. The site topography is also used to aid the drainage of the site with a SUDs network.

f) Creates well-defined streets and spaces; and

The development uses buildings, boundaries and planting to create well-defined streets based on the informal arrangement of traditional village streets. Features such as prominent corner properties, coherent and active street frontages, and thoughtful public realm detailing, will all enable the streets to be practical and pleasant for their users.

g) Makes it easy to find your way around; and

The simple grid-like arrangement of streets, with no dead-ends, creates a simple and logical pattern of movement through the development. Short and aggrandised pedestrian and cycle routes into surrounding paths make their location and destination clear even to the non-familiar user.

h) Encourages low vehicle speeds; and

The undulating and relatively narrow streets, interspersed with raised shared-space areas, will encourage slow vehicle speeds.

i) Provides sufficient, well-integrated, parking; and

Although not fully illustrated in this design, space has been set aside for 2 parking spaces for all of the larger (3 bed+) dwellings, in line with guidance issued by the county council. Smaller dwellings will have a single designated space and some shared spaces to enable provision of approximately 1.5 spaces per dwelling. There will also be shared guest parking throughout the scheme. It is envisaged that the exact requirements for this will be specified by the highways department in the event of an application.

j) Provides attractive, clearly-defined and safe private and public spaces; and

Each property has been designed with a garden proportionate to its size. These spaces are well defined behind the properties, and safely enclosed by suitable boundary treatments. Public space and semi-public front gardens will be designed with an emphasis on adding to the character of the streetscape, using long-lasting and coherent materials and surface treatments. Adequate lighting will be provided and houses will also be arranged to provide consistent passive surveillance in all the public spaces, including the pedestrian and cycle links, to discourage criminal activity and foster a feeling of safety.

k) Provides adequate external storage and amenity space; and

As above, each property will have a good sized rear garden for their amenity and enjoyment. External storage for bins will be provided to the rear of the properties.

l) Ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties; and

The layout is designed to reduce overlooking and overbearing of properties on one another through decant garden lengths and orientation of properties. The adjacent properties to the north will be protected by a substantial green barrier of native hedge and tree planting, reducing any potential overlooking or overbearing.

m) Enables convenient use by people with limited mobility; and

Direct pedestrian routes through the site and level access will allow those with limited mobility to move around with ease. Parking in close proximity to dwellings will also enable a short travel distance between car and home.

n) Incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity; and

The ecological approach of the 2016 pre-application scheme was praised by the representative of the Nottinghamshire Wildlife Trust, and the same approach will be used on this scheme. The proposal will enhance existing habitats and connect to the local green network, including the Brinsley Headstocks Nature Reserve. An attenuation pond to the south of the site will provide additional varied habitat and will be designed to encourage biodiversity.

o) Uses native species of trees, shrubs and wild-flower seeds in landscaping proposals; and

Planting throughout the scheme will be designed with native species local to the area.

p) Integrates bat and/or bird boxes into the fabric of new buildings; and

Consultation will be undertaken to determine the necessary bat and bird box provision, and these will be integrated into the scheme as required.

q) Ensures that the development would not prejudice the satisfactory development of a larger area.

N/A

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 the proposals against each of the 'Building for Life' criteria (see Appendix 5).

A statement will be submitted as required with any such application.

3. In the case of major development on sites released from the Green Belt as part of this Local Plan, or the Aligned Core Strategy, or for any site within the Green Belt comprising 10 or more dwellings the development will be required to score 9 or more 'greens' in the Building For Life 12 or equivalent.

The building for life criteria are at the heart of this proposal. The criteria of this policy (17) contain all of the Building for Life criteria, and it is considered that the demonstration above of policy 17 being fulfilled, indicates that the scheme will easily receive the necessary Building for Life score.

4. In the case of householder development (including extensions, outbuildings and boundary treatments):

- a) All such development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene;*
- b) Two-storey side extensions should avoid a terraced or cramped effect;*
- c) Dormers should not dominate the roof;*
- d) Any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties;*
- e) Fences and walls should not cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway*

N/A

12.6 Policy 20: Air Quality

1. For any development proposals, all reasonable steps will be required to be taken to provide effective alternatives for users of the development to utilise modes of transport other than the private car.

The emphasis on design for pedestrian and cycle navigation of the site and links to the wider village will help to reduce car use for short journeys. These connections will also link the site to the nearby bus stops which will also encourage use of public transport for journeys to larger settlements.

2. Permission will not be granted for development which would directly result in a significant deterioration in air quality either through poor design or as a consequence of site selection.

N/A

3. Electric Vehicle charging points will be required in all housing developments of 10 or more houses and commercial developments of 1,000sqm or more of floorspace.

Electric charging points will be provided where required.

12.7 Policy 21: Unstable land

Within the Coal Authority's 'Development High Risk Area' permission for nonhouseholder development will only be granted if it is demonstrated that the site is, or can be made, safe and stable.

The proposal is within the high-risk area defined by the Coal Authority, as is the majority of the land around Brinsley.



Extract from the risk map for coal mining areas showing Brinsley

As such a Coal Mining Risk Assessment Report will be undertaken as part of an application. Map regression suggests that although the site is located within a traditionally Coal Mining area and adjacent to the former Mineral Line and Headstocks, the site was never actually utilised as part of the Mine workings. It would appear that the lands have always been used as agricultural and pasture land. However, the proposal will, of course, implement all recommendations from the report as required to make the ground safe and stable.

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

As demonstrated earlier in this statement, the proposal is well away from local heritage assets and will have no effect on them or their setting. The Green Belt Review backs this up by saying that development off Church Lane would 'have little/no impact on the Conservation area or listed buildings'. This comment relates to the entire area to the east of Church Lane, and it is considered that the current Church Lane site, which is the northernmost point of this site, will have an even lesser effect than this on the heritage assets of the village.

12.9 Policy 24: The health impacts of development

1. A Health Impact Assessment Checklist, as set out on pages 140-151, will be required for applications for;

- a) residential development of 50 dwellings or more;
- b) non-residential developments of 5,000 square metres or more; and
- c) other developments which are likely to have a significant impact on health and well-being.

A fully completed checklist will be submitted with any application.

2. Hot food takeaways of any size within 400m of any part of the grounds of a school will be assessed against the hot food takeaway question within this checklist unless such takeaways are within the defined boundary of a Town or District Centre. Where significant adverse impact is identified, measures to substantially mitigate the impact will be required.

N/A

12.10 Policy 25: Culture, Tourism and Sport

Development proposals will be encouraged that:

- 1. Make specific provision for sports pitches that are suitable for a wide age range of users, in particular children's sport.

The proposal sits adjacent to the village's recreation ground, and will form new links allowing easy and direct access for the residents. This is in line with Sport England's consultation of the P2LP which stated that the proposal should not itself provide any formal outdoor space, but instead make a contribution towards the recreation ground.

- 2. Enhance the tourism offer in association with DH Lawrence or the industrial/ pharmaceutical heritage of the Borough

The scheme's proposed increased pedestrian links with the Headstocks nature reserve, and with the former railway line footpath, will help to promote use of these assets which celebrate the landscape heritage of the area.

12.11 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.

A travel plan will be submitted with any application. Discussions with the Highways Authority do not point to any concerns in either providing vehicular access to the site or in any extra traffic generated on the A608. Highways England have also stated that there: 'will be no significant impacts on the operations of the Strategic Road Network.'

12.12 Policy 28: Green Infrastructure Assets

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;
- c) Informal Open Spaces i.e. 'natural and semi-natural green space' and 'amenity green space';
- c) Allotments;
- d) Recreational Routes; and
- e) Nature Reserves.

The proposal will enhance and link to the green infrastructure at Brinsley Brook, the recreation ground to the west, the former railway footpath to the east, and the headstocks nature reserve to the south.

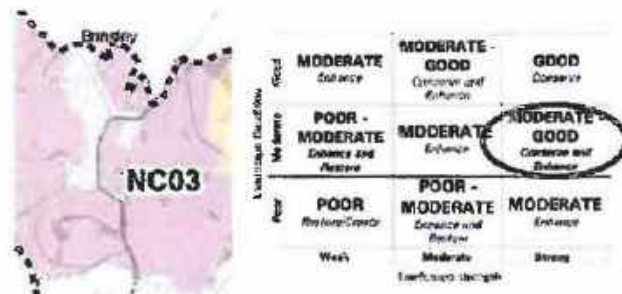
2. In all cases listed in part 1, and in the case of school playing fields, permission will not be granted for development that results in any harm to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm.

The proposal will maintain the adjacent green infrastructure and seek to enhance them.

12.13 Policy 30: Landscape

All developments within, or affecting the setting of, the local landscape character areas listed below should make a positive contribution to the quality and local distinctiveness of the landscape. They should therefore be consistent with the 'landscape actions' for the area concerned, as set out in the Greater Nottingham Landscape Character Assessment and in Appendix 7 of this Plan.

The proposal sits immediately adjacent to, but not within the 'Babbington Rolling Farmlands' landscape area. This landscape is considered to be of strong character and moderate condition, requiring a strategy of Conservation and Enhancement.



Extract from the landscape area map (left) showing Brinsley within the NC03 area, and the Assessment matrix of the area (Right)

The proposal will strengthen the mature green edges to this landscape area, which will also minimise any visual impact upon the setting.

12.14 Policy 31: Biodiversity Assets

1. Development proposals which are likely to lead to the increased use of any of the Biodiversity Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Asset(s). These Biodiversity Asset(s) are:

- a) Sites of Special Scientific Interest, Local Wildlife Sites or Local Geological Sites (as listed in Appendices 2, 3, 4 and shown on the Policies Map); or
- b) Priority habitats and priority species (as identified in the Nottinghamshire Local Biodiversity Action Plan and section 4.5 of the Green Infrastructure Strategy); or
- c) Trees which are the subject of Tree Preservation Orders; or
- d) Aged or veteran trees; or
- e) Ancient Woodland (as shown on the Policies Map); or
- f) Hedgerows which are important according to the criteria of the Hedgerow Regulations 1997; or

Other trees and hedgerows which are important to the local environment.

The proposal will aim to increase use to the use of the headstocks nature reserve, and the other adjacent green spaces. Where possible this habitat will be enhanced through additional planting and the creation of a biodiverse attenuation pond.

2. In all cases permission will not be granted for development that results in any harm to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm.

The proposal will have minimal negative impact on the adjacent biodiversity assets. Although, as with any development, there will clearly be some minor impact, this would be true wherever the development was located around Brinsley. The Green belt review, along with the consultants for the P2LP concluded that habitat damage could be mitigated through buffer zones at the boundaries; and that this site was the least damaging to the green belt overall.

12.15 Policy 32: Developer Contributions

1. Financial contributions may be sought from developments of 10 or more dwellings or 1,000 square meters or more gross floorspace for provision, improvement or maintenance, where relevant, of:

- a) Affordable housing;
- b) Health;
- c) Community facilities;
- d) Green Space;
- e) Biodiversity;
- f) Education; and
- g) Highways, including sustainable transport measures.

Any planning submission for the site shall accompany sufficient contributions toward local provision of the above facilities, as agreed with the respective parties. Dialogues on some of these figures have already begun as part of the 2016 pre-app.

2. On-site provision of new playing pitches may be required for developments of 50 dwellings or more.

As previously stated, Sport England have asked that playing pitches are not provided on site, but that a contribution is made towards the adjacent recreation ground instead.

13. Conclusion & Deliverability

- 13.1 We fully concur with the Broxtowe Part 2 Local Plan, that site H198 (land east of Church Lane) is clearly the best site for development in Brinsley. This view is backed up by the Green Belt Review, and the majority of local and regional interest groups during consultation.
- 13.2 Although the site is currently within the green belt it is alongside the main road, between residential and recreational development. The Green Belt review agreed that this site was the least important to the green belt around Brinsley. The site is close to the village's amenities and transport links, and well away from its heritage assets.
- 13.3 The proposal shows the site's ability to deliver the mix of 110 homes required in a manner which fulfils the criteria set out by the local policy, and by the Open Review. It shows that a proposal on the site has the ability to capitalise on the opportunities of the site; creating links between key surrounding features to enhance the village and its setting.
- 13.4 As identified in the recent Infrastructure Workshop, the adjacent scheme already achieved the support of officers at all levels and consultees during the June 2016 pre-application. As indicated by Steffan Saunders, the scheme is further on than most of the allocated sites. The Agents have worked hard with Broxtowe Borough Council Officers over a number of years to shape this site for development and are well positioned to support officers in the submissions for the Part 2 Inspection Hearing.
- 13.5 This current proposal has also been subject to consultation by 'Brinsley Vision', a local community interest group (Formerly SABRHE) focussed on creating a vibrant future for the parish of Brinsley. The format of the meetings was to examine the needs of the parish and to explore the options for development. The Church Lane scheme was presented to the committee members and members of the public in attendance and was positively received.

Brinsley Vision now define one of their objectives as: *To support Broxtowe's choice of site on Church Lane*

- 13.6 The NPPF defines a site to be considered deliverable if:

- They are available now
- Offer a suitable location for development
- Achievable with a realistic prospect that housing will be delivered on the site within five years
- The site is viable

The proposal is available immediately.

This document has established that the proposal is the most suitable location in Brinsley for this development, and that a scheme will be able to achieve the required housing in a manner that fulfils the requirements of the site and local policy requirements. This is backed-up by the 2016 pre-app scheme and local consultation of the current proposal which both received positive feedback.

Discussions have already been undertaken with developers seeking to take the site on, and this document is proof that scheme is ready to go into pre-application discussion with the council.

- 13.7 There are no delivery issues identified in any consultation stage or by any Statutory Consultees who have continued a dialogue throughout, it is simply awaiting a positive outcome from the options consultation and removal from Greenbelt Policy for development prior to 2020.

- 13.8 In addition, a recent court ruling (St Modwen Developments v SSCLG & East Riding of Yorkshire Council (2017) EWCA Civ 1643) defined that the definition of 'deliverable sites' within this context referred to the site's reasonable capability of being delivered within five years - not the certainty or probability that it actually will be delivered. As such, it is considered that the proposal to provide 110 homes on the site can clearly be defined as 'deliverable' within 5 years.

- 13.9 This statement demonstrates that:

- The site is suitable for housing allocation
- The site is the most suitable site for housing allocation in Brinsley
- A residential development on the site can meet the requirements set out in the policy documents, by consultees, and by local consultation.
- The development is deliverable within five years.

We therefore submit that the housing allocation outlined in Policy 5 of the Broxtowe Part 2 Local Plan is the most appropriate way to ensure that housing needs are met in Brinsley, and seek to support this policy.



Steffan Saunders
Head of Neighbourhoods and Prosperity
Broxtowe Borough Council
Town Hall
Foster Avenue
Beeston
NOTTINGHAM
NG9 1AB

Our Ref: KR-AA/TJW/339789

Your Ref: Steffan Saunders

Date: 22nd November 2017

Direct Tel:

Direct Fax:

Email:

Broxtowe Borough Council
Planning & Community Development

23 NOV 2017

Dear Mr Saunders

RE: Land at Brinsley adjacent to Saints Coppice Farm
Our clients – Terry Anthony and Ann Anthony

I am instructed on behalf of Mr and Mrs Anthony in connection with registration of parcels of land at Brinsley.

PARTNERS:

I understand that my clients have been in correspondence with the Council, and that they would wish to reassure the Policy makers in connection with prospective planning that the land is developable.

Mr and Mrs Anthony own several parcels of land at Brinsley. For your information I enclose copies of the plans from title numbers NT83808 and NT68957 showing the parcels of land already registered as edged red.

We were consulted in August of this year, and on the basis of title deeds which we held, and other supporting documentation, have submitted to the Land Registry two applications to register the land into our client's names as shown edged red on plan 1 and as coloured yellow on plan 2.

In respect of plan 2, we had all of the pre-registration deeds proving ownership in the names of our clients.

In respect of the land on plan 1, we did not have all of the title deeds, but did have a Statement of Truth from our clients and supporting documentation dating back to 1969 evidencing the acquisition of that land by Mr Anthony.

This Firm has acted for Mr and Mrs Anthony for some 40 years or more and we feel confident that the registrations will be completed at the Land Registry in the next few weeks.

From **Rothera Sharp**
To

Continuation Sheet No 1

We can also confirm that negotiations were entered into with Broxtowe Borough Council in the mid 1990's when title was provided to our clients land to secure easements in respect of sewers.

Applications for first registrations at the Land Registry are currently taking up to six months due to the backlog in dealing with same. We had requested that the Land Registry expedite the registrations, but to date these have not yet been completed. We will be able to supply to you if necessary copies of the registrations once these have been completed.

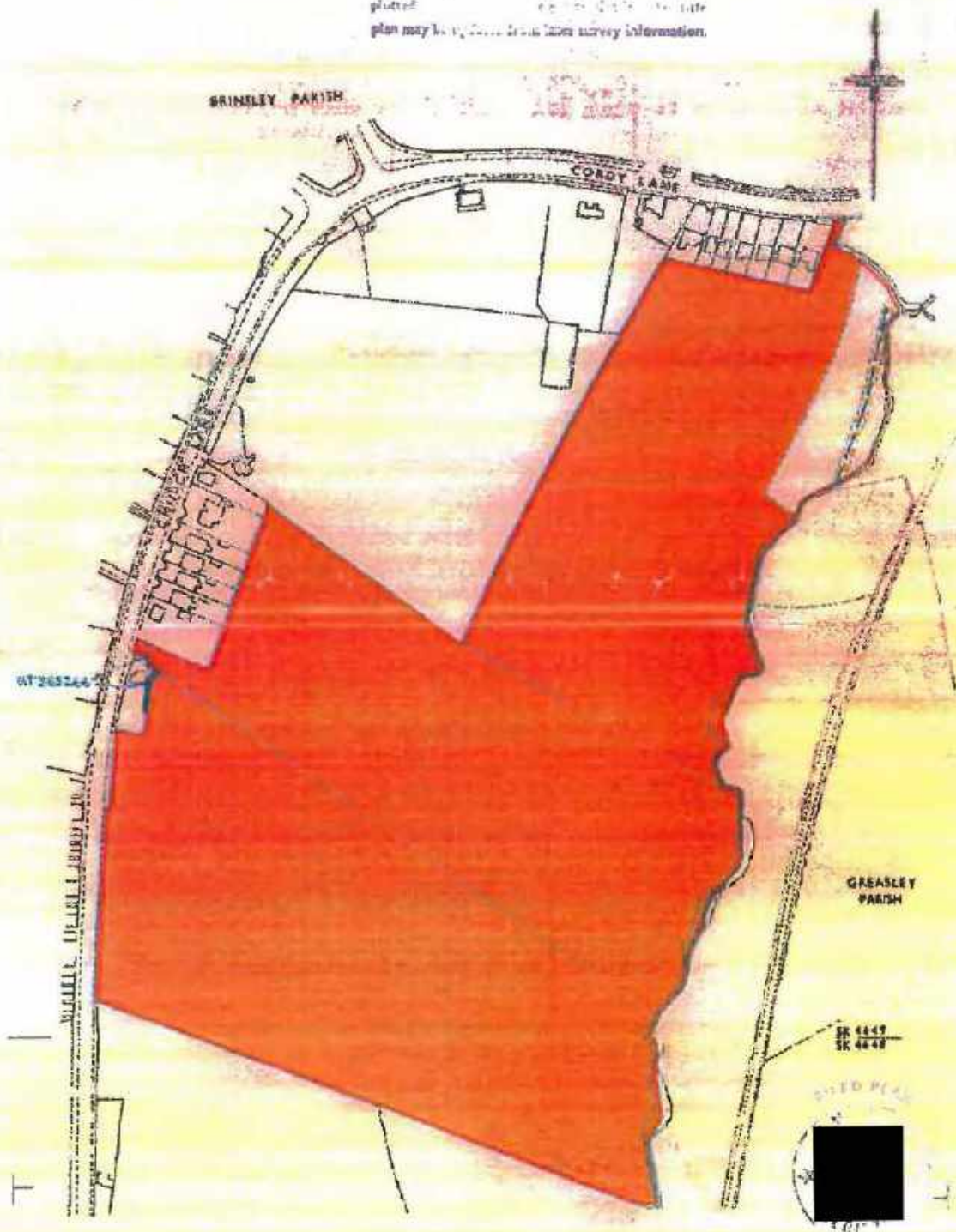
Please contact us if you require any further information regarding this matter.

Yours faithfully



H.M. LAND REGISTRY		TITLE NUMBER	
		NT83808	
ORDNANCE SURVEY PLAN REFERENCE	SK 4648 SK 4649	SECTION	Scale 1/2500
COUNTY NOTTINGHAMSHIRE		DISTRICT BROXTONE	
		Crown Copyright 1977	

The boundary lines on this plan have been plotted
 on the basis of the Ordnance Survey information.



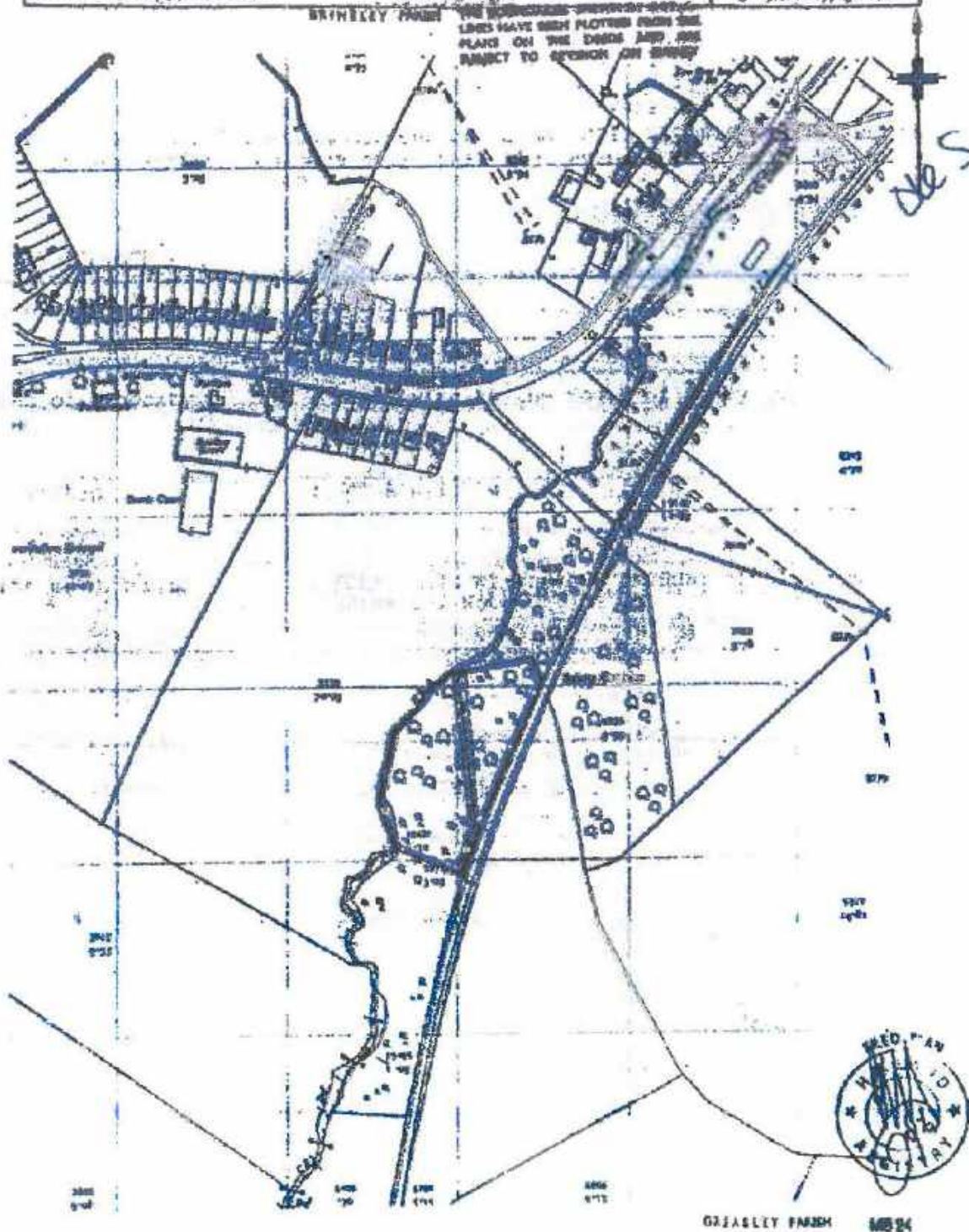
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H.M. LAND REGISTRY		TITLE NUMBER NT 68957
ORDNANCE SURVEY PLAN REFERENCE	SK 4449	Scale 1:2500
COUNTY NOTTINGHAMSHIRE	DISTRICT BRINLEY	© Crown copyright 1976



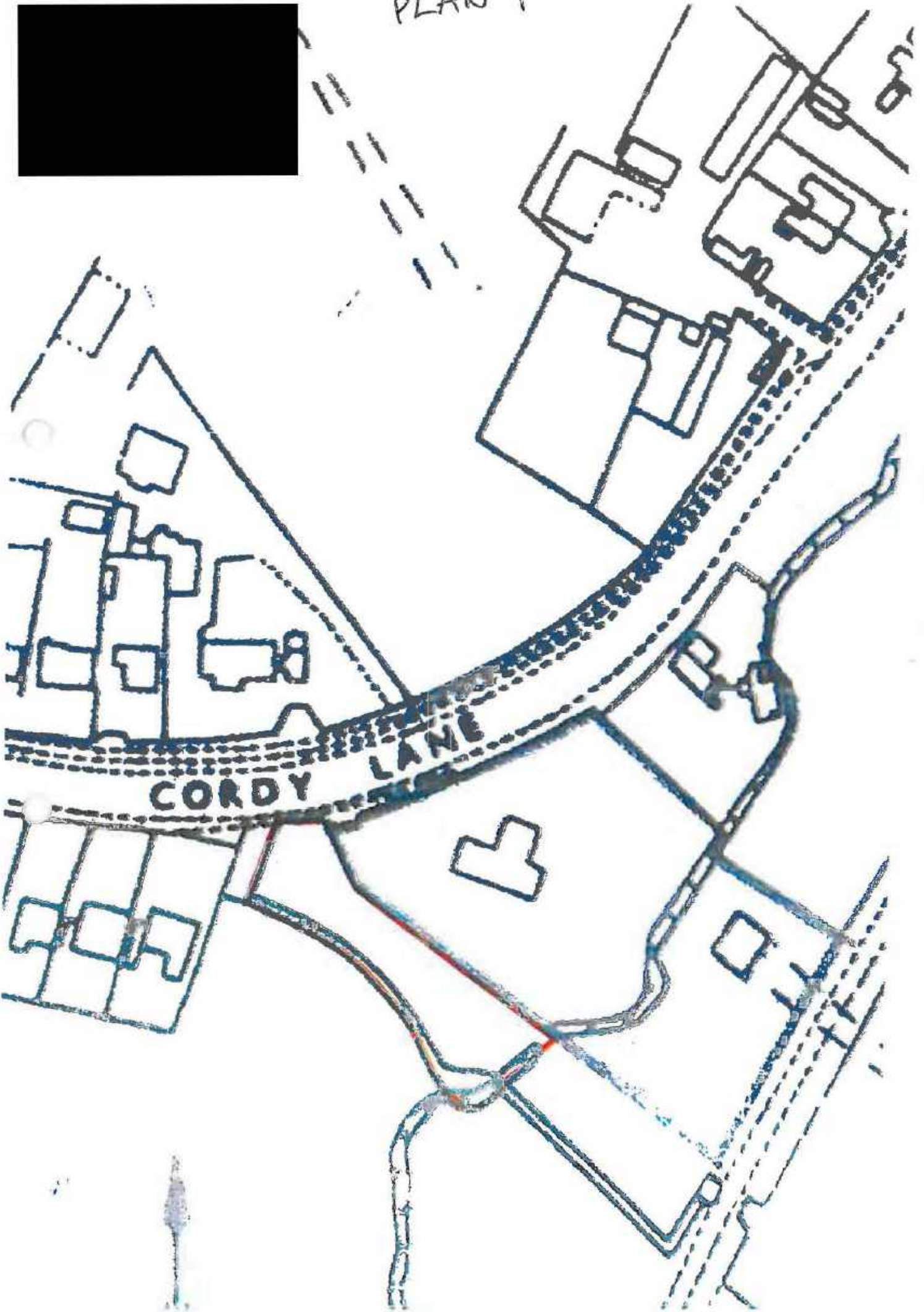
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PLAN 1



H.M. LAND REGISTRY

NT

CONVEYANCE SURVEY
PLAN REFERENCE

ST 4829

1980

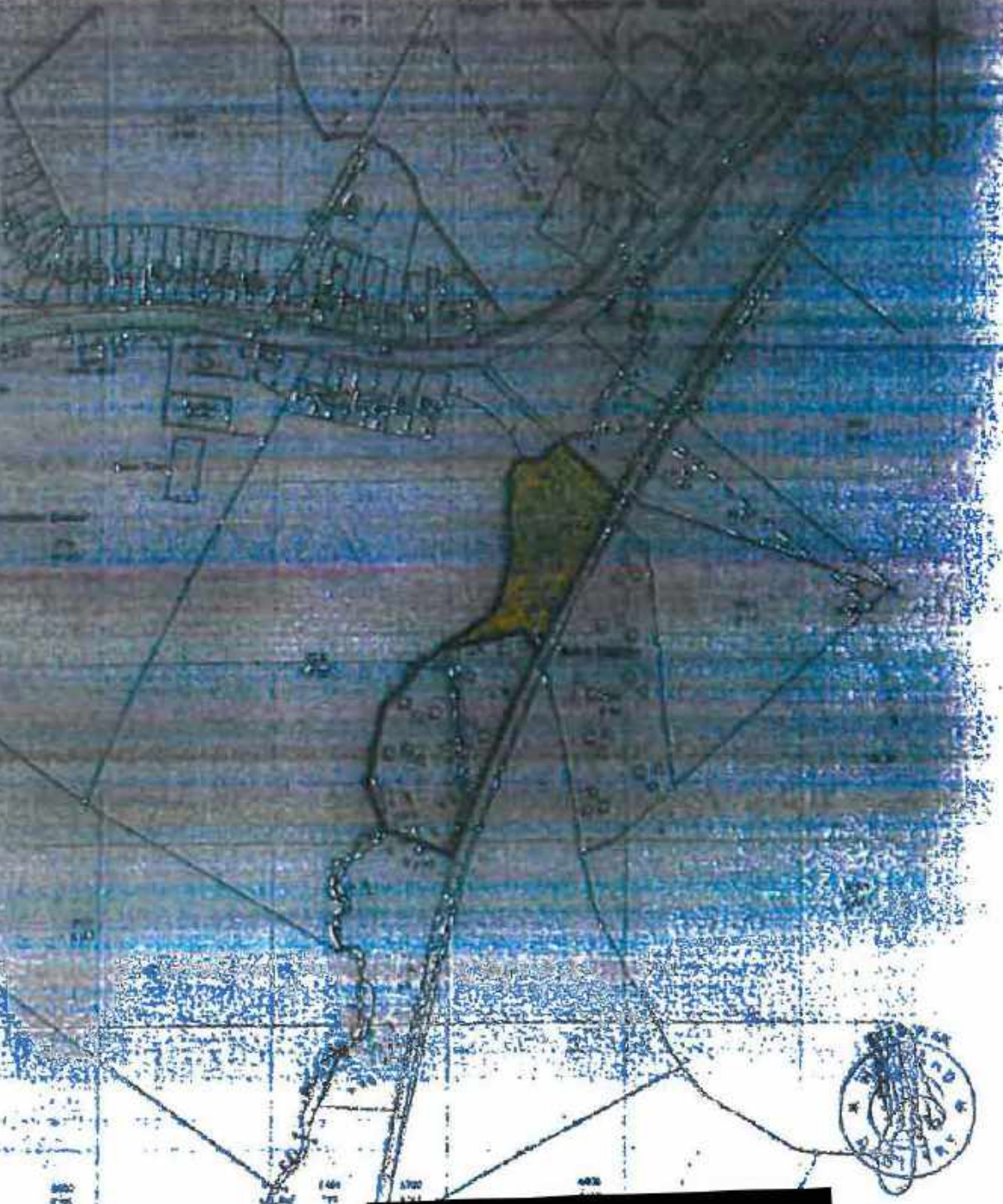
ADDITIONAL INFORMATION

ADDITIONAL INFORMATION

ST 4829

ADDITIONAL INFORMATION

ADDITIONAL INFORMATION



PLAN 2



1980

This is a copy of the title plan of ST 4829 as it appeared in 1980. It is not an official copy of the title plan as it was issued by the Land Registry when this copy was issued.

It still remains an H.M. Land

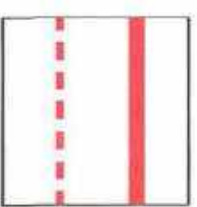

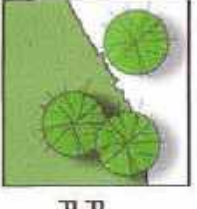
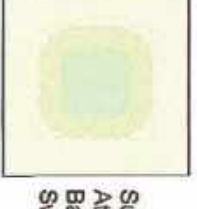
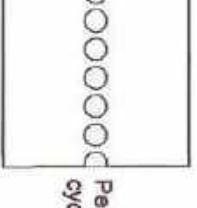
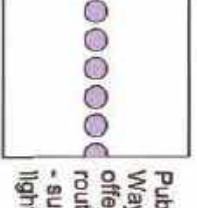
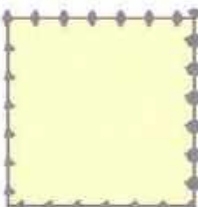
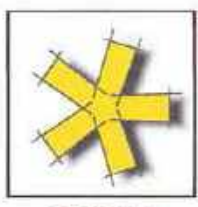

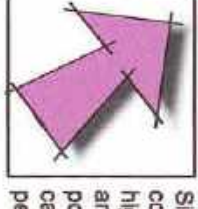
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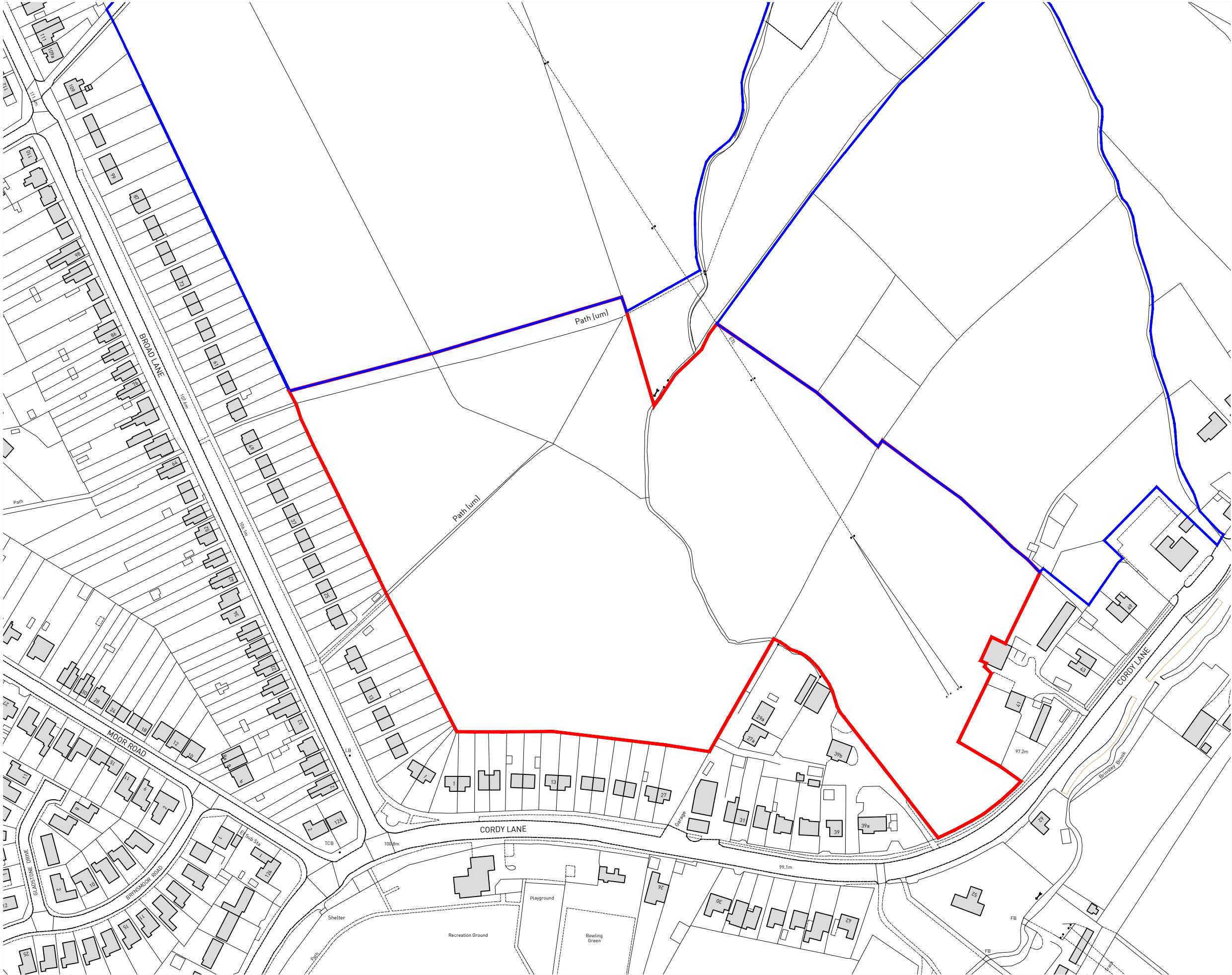


0 25 50 m

Development Zone Area = 3.6ha (8.9 acres)
110 dwellings = circa 30dph (12dph)

- | | | | | | | | | | | | |
|--|---|---|--|---|---|---|--|---|-------------------------|---|---|
|  | Site Boundary |  | Existing Hedgerow |  | Proposed Planting |  | Surface Water Attenuation Basin and Swale |  | Pedestrian/ cycle Links |  | Public Rights of Way; potentially offering safe routes to school - surfacing and lighting etc |
|  | Development Zone (mix of 2-5 bedroom 2 storey family homes) |  | Potential location of Children's Play Area |  | Anticipated location of landmark building |  | Site access to be confirmed subject to highways design and safety audit; potential for traffic calming and pedestrian crossing | | | | |

The contractor is responsible to ensure that no products are to be utilised that do not comply with relevant British and/or European Standards and/or Codes of Practice, COSHH Regulations, Construction Regulations, or which are known or suspected at the time of product selection and/or construction to be deleterious to health and safety or to the durability of the work or not in accordance with good building practices. The contractor is responsible for checking dimensions, tolerances, levels and references. This drawing is to be read in conjunction with all relevant consultants or specialists drawings. Any discrepancy to be notified to Baily Garner LLP and rectified before proceeding with the works on site or shop drawings. Where an item is covered by drawings to different scales, the larger scale drawing is to be worked to. Do not scale drawings. Figured dimensions to be worked to in all cases. This drawing and the copyrights and patents therein are the property of Baily Garner LLP and may not be used or reproduced without consent or attribution. Baily Garner LLP, 55 Charlotte Street, Birmingham, B3 1PX. 0121 236 2236. birmingham@bailygarner.co.uk



Note: This drawing is for illustrative purposes only and subject to survey

REVISION: A. Red line boundary updated to include country park

D: C: DATE: C.JL C.JL 05.11.17



Site location
15.91 Acres/
6.44 Hectares

Land in other
ownership



CLIENT:
RICHBOROUGH ESTATES LTD

PROJECT:
LAND OFF CORDY LANE
BRINSLEY, NOTTINGHAMSHIRE

DRAWING TITLE:
SITE LOCATION PLAN

JOB NUMBER: 30317	DRAWING NUMBER: 2	REVISION: A
DATE: 02.11.2017	D C.JL	C C.JL
SCALE: 1:2000@A3		
PURPOSE OF ISSUE: PRELIMINARY		

Cordy Lane, Brinsley

10866_R01_Landscape Technical Note

1.0 Introduction

- 1.1. This short technical note has been prepared by Tyler Grange LLP (TG) on behalf of Richborough Estates, in response to desktop analysis and preliminary fieldwork undertaken in March 2017. The note provides advice on the feasibility of the future development of the land off Cordy Lane, Brinsley in terms of landscape character and visual context. It also considers the proposed development of the site with reference to the contribution to Green Belt purposes.

2.0 Site Context & Topography

- 2.1. The site is located to the north of Cordy Lane (A608), Brinsley; which is a village within Nottinghamshire. It comprises typical grazing pasture adjoining the existing residential edge and farmstead cluster to the south. Rougher grassland is associated with the former sewage filter beds. It is bound to the north-west and west by a vegetated ditch, with trimmed hedgerows offering internal sub-division of field parcels. The site is also traversed by an overhead power line. There is currently connection to Cordy Lane next to farmstead cluster, with the frontage defined by low bow-top metal railings.
- 2.2. Two public footpaths converge to the north of the site (PRoW Ref: FP8 and FP9), which in-turn connect to a continuing route north-east (PRoW Ref: FP54) that links Brinsley with Underwood.
- 2.3. In terms of topography, the site landform falls from north to south (approximately 105m AOD to 95m AOD). Beyond the boundary, land rises to the north towards Red Lane and Oaktree Farm (120m AOD).

3.0 Landscape Planning Context

- 3.1. The site is not subject to any local or national landscape designations. There are no listed buildings or known heritage assets within close proximity (the nearest, a listed building, is located 0.6km away). There is no inter-visibility between the site and the Brinsley Conservation Area.
- 3.2. In terms of relevant evidence base material, the following landscape observations are summarised as being applicable to the site:
- All of the site is currently located within the Green Belt; however, Zone 3 of the Broxtowe Borough Council Green Belt Review (2015) covered a much wider area;
 - Even in relation to the larger study parcel, the findings of the Green Belt Review determined that the landscape was well contained by defensible boundaries; and, that there is quite a hard edge to the existing built up area of Brinsley;

- However, the Green Belt Review also raised concern regarding the perception of the reduction of the gap between the two settlements (Brinsley and Underwood) would be significant. When travelling up Cordy Lane to Underwood; and, that development would reduce the gap between Brinsley and Underwood by approximately half;
- The November 2013 Site Allocations Issues and Options referred to the site as H197. The site was categorized as being suitable for development if changes were made to the Green Belt boundary. The Local Plan Inspector voiced some concern about potential coalescence between Brinsley and Underwood; however, the parcel of land being considered was larger than the site area now being promoted as a suitable option;
- As set out in the Broxtowe Borough Council Green Infrastructure Strategy (2015-2013), the site is within the 500m zone of both sports facilities and parks/gardens; however, it falls beyond the identified 'Primary and Secondary GI Corridors'; and
- The Agricultural Land Classification is Grade 4 (poor quality agricultural land).

4.0 Landscape Character

National Landscape Character

- 4.1. The site is located within National Landscape Character Area Number 38: Nottinghamshire, Derbyshire and Yorkshire Coalfields. This NCA is generally low-lying, with hills and escarpments above wide valleys, the landscape contains major industrial towns and cities as well as villages and countryside. The area is made up of closely spaced ex-mining settlements, pastoral farmland, hedged fields and areas of broadleaved woodland. It covers a large majority of the borough, and extends from Stapleford north through the central areas of the Borough, up to Kimberley and Eastwood and up to the northern boundary to Brinsley.

Regional Landscape Character

- 4.2. As set out within the East Midlands Region Landscape Character Assessment, the site is located within 9A: Settled Coalfield Farmlands. The key characteristics are as follows:
- Undulating landform of low hills and ridges, and shallow valleys with local variations reflecting the differing characteristics of the underlying Coal Measures geology;
 - Evidence of past and present exploitation of area with former mine sites, pit heaps, clay pits, disused railway lines, tramways, canals and opencast coal and clay working areas;
 - Substantial areas of intact agricultural land with mixed farming predominating, varied field sizes and hedgerows but with localised areas of small fields and dense hedgerows;
 - Scattered, small broad-leaved woodlands, copses and linear tree belts and some relict ancient semi-natural woodlands; more extensive woodlands and plantations associated with the restoration of former mining areas and also within The National Forest;
 - Heathy vegetation associated with steeper slopes and uncultivated land;
 - Small towns, villages, hamlets and scattered farmsteads constructed from local Coal Measures sandstone, with some villages expanded as sprawling mining settlements with red brick former mining terraces and ribbon development;
 - Network of narrow winding lanes between urban areas; and
 - Strong cultural identity and industrial archaeological interest associated with history of coal mining.
- 4.3. This represents a selection of these characteristics, particularly the undulating landform and the adjoining ribbon development associated with Cordy Lane.

County Landscape Character

- 4.4. Within the Greater Nottingham Landscape Character Assessment, the site is located within NC03: Selston and Eastwood Urban Fringe Farmland. Some of the relevant characteristic features are listed below:
- The area has a strongly undulating landform;
 - There are many settlements in the area, giving the DPZ an urban fringe character;
 - Land use is agricultural, including a mix of pastoral and arable farming;
 - Field sizes are medium to large and geometrically shaped;
 - The field pattern is predominantly a modern, modified pattern although there is some evidence of the former smaller, narrow, linear field pattern to the north of Bagthorpe and adjacent to the settlement edges;
 - Hedgerows commonly border the fields and are generally well maintained, although some are fragmented or have been lost through field size expansion;
 - Small clumps of woodland and frequent hedgerow trees combine to give the area a partially wooded appearance;
 - New woodland planting is a feature on restored mineral workings which will increase the woodland cover in the area as they mature;
 - Settlements are a frequent feature of this DPZ and include Eastwood, Brinsley, Underwood, Jacksdale and Selston, although views to the urban fringes are often filtered by hedgerows and undulations in the landform;
 - Settlements have strong associations with the mining past of the area and characteristically include rows of red brick terraced housing;
 - Modern settlement expansion and ribbon development along the roads has contributed to a strong urban influence on the area;
 - Red brick properties with a modern style are common on the settlement edges;
 - Views are medium distance over the patchwork of agricultural land and settlement fringes; and
 - The mining heritage associated with this area is clear in the landscape, and includes the Brinsley Headstocks and Durban House Heritage Centre, which was formally the offices of the mine owners.
- 4.5. Whilst the mining heritage is less apparent in the immediate context of the site, the descriptive analysis is representative of the undulating settlement fringe location, where the landform, hedgerows and scattered blocks of woodland create some sense of enclosure. There is also some evidence of localised hedgerow loss and the larger sub-division of fields with post and wire fencing.
- 4.6. This area is described as being densely settled and as being 'Moderate' in terms of condition. Strength of character is also assessed as being 'Moderate' and the overall strategy is for 'Enhancement'.
- 4.7. Enhancement opportunities and issues that need to be considered in association with development in this character area include:
- Preserve and enhance hedgerow pattern with replacement planting where appropriate;
 - Enhance the woodland cover through the area by identifying opportunities for small-scale woodland planting, especially on settlement fringes;
 - Enhance the urban edges through identifying opportunities for hedgerow or tree planting to filter views to the urban fringe; and

- Restrict further urban edge expansion and promote measures to achieve a better integration of settlements into the wider landscape through planting of small groups of hedgerow trees and careful placement of built development to reduce its prominence in the landscape.

5.0 Visual Analysis

Visual Envelope

- 5.1. The Visual Envelope (VE) associated with the site is relatively localised, contained to the south, south-east and west by the existing built form. To the north, views do extend some 450 metres upslope to the subtle ridge associated with Red Lane and Oaktree Farm. To the east and north-east, the intervening layers of hedgerow vegetation restrict views towards Underwood. Views south-east from this locally elevated location presents a wide panorama, where the site does not form a particular focal point. The site sits within a settled context, but with skyline views beyond (towards Greasley) provide a greater depth of view.

Visual Receptors

- 5.2. The principal visual receptors likely to experience change will be localised and already influenced by the settlement fringe location. Receptors will include:
- The recreational users of local footpaths (PRoW Ref: FP8, FP9 and FP54) to the north / north-east;
 - The residents and users of businesses associated with the adjoining Cordy Lane;
 - Pedestrian and road users for a very limited section of Cordy Lane; and
 - The recreational and residential users associated with Red Lane.

6.0 Green Belt Purposes

- 6.1. A review of the site's performance and suitability for release is summarised below in relation to the principal Green Belt objectives as set out within the NPPF (the Framework), with reference to the key purposes of Green Belt land and with consideration of paragraph 81 of the Framework, in terms of positively enhancing Green Belt.
- 6.2. Whilst Green Belt is not a landscape designation, the review of the principles purposes have a close correlation with matters of inter-visibility and character.

To Check Unrestricted Sprawl

- 6.3. The principal consideration is the sprawl of the existing urban edge of Brinsley and potential coalescence with Underwood to the north-east. Whilst the proposed development would result in some localised loss of the existing 'open' context, the width of the gap would only be reduced by some 180 metres.
- 6.4. The physical distance of Green Belt separation also needs to be considered in association with the existing sense of enclosure and the degree of containment located at the settlement boundaries. Firstly, with the notable presence of intervening hedgerows and scattered woodlands to the north-east, there is no real sense of any visual connection between Brinsley and Underwood, as the vegetation acts as a strong visual and physical feature of separation.

- 6.5. Further scope also exists to create additional separation through the creation of another off-site woodland belt to the north-east of the site, which would also respond to the landscape character enhancement objectives.

To Prevent Neighbouring Towns Merging into one another

- 6.6. In terms of the merging of settlements, a key consideration is the strength and permanence of existing boundaries. As set out above, the site is both physically and visually contained by layers of vegetation, with no real inter-visibility with Underwood to the north-east. Even the transitional users of Cordy Lane (A608) will not obtain clear inter-visibility between the two settlements. Instead, road users experience the settlement context in the form of ribbon development, but development will be setback beyond the established residential frontages and the sense of travelling from one distinct area to another will not be lost.
- 6.7. Further physical growth of Brinsley in this location, when considered in accordance with the promotion of a sensitive development that retained and enhanced boundary features, would be largely inconspicuous in the surrounding landscape, given the settlement backdrop and surrounding landscape context which assists in diminishing any perception of coalescence.

Safeguarding the Countryside from Encroachment

- 6.8. The existing framework of vegetation and limited number of public receptor locations restricts the perceived sense of openness; and, the limited inter-visibility between the site and the surrounding settlements emphasises the degree of containment that currently exists. The character of the landscape is somewhat transitional with obvious urban fringe components; and, there is little sense that it represents an extensive tract of open countryside. It is certainly not a remote or tranquil site.
- 6.9. The retention and enhancement of the framework of boundary vegetation, and the delivery of characteristic development response would further limit the extent to which any proposed built form would introduce uncharacteristic features into the landscape, thus any sense of visual encroachment into the wider open countryside would be negligible.

Preserve the Setting and Special Character of Historic Towns

- 6.10. Available information on the historic landscape does not determine any specific role that the site plays in providing an important setting or approach to Brinsley. As always, aspects of this landscape are expected to be ancient in origin, but no particular rare or unique historic landscape features have been identified at this stage.
- 6.11. Based on these findings, effects upon this Green Belt objective would also be negligible.

Paragraph 81 of the Framework (NPPF)

- 6.12. As set out at paragraph 81 of the Framework, there are also opportunities to be explored in terms of positively enhancing the landscape context of the site. In association with a sensitive development response, the following objectives could be established and presented as part of the overall landscape strategy response:

- The improvement to public access for recreation; and

- New native woodland planting could better reflect the characteristics of the local landscape character; and, the detailed design, specification and maintenance of areas of woodland habitat could bring required species diversity.

7.0 Conclusion

- 7.1. In response to the desktop and fieldwork undertaken it is evident that the site represents a logical release from the Green Belt in landscape terms, particularly given the settlement fringe context and the robustness of the boundaries that surround; and, the degree of visual separation. A sensitive development response for the site would not result in any obvious sense of coalescence.
- 7.2. The site is both physically and visually contained by layers of vegetation, with no real inter-visibility with Underwood to the north-east. Even the transitional users of Cordy Lane (A608) will not obtain clear inter-visibility between the two settlements. Instead, road users experience the settlement context in the form of ribbon development, but development will be setback beyond the established residential frontages and the sense of travelling from one distinct area to another will not be lost.
- 7.3. Whilst development in this location would result in some very minor narrowing of the existing Green Belt, there is scope to create additional separation through the creation of another off-site woodland belt to the north-east of the site, which would also respond to the landscape character enhancement objectives
- 7.4. The character of the landscape is neither rare nor unique and a classified within the various Landscape SPG, it is clearly typical of its type, has no real sense of tranquillity, is surrounded by urban context; and, the historic field pattern has been influenced by modern enclosure and some loss of historic features.
- 7.5. Further opportunities also exist to maintain and improve public access to the site; to introduce planting that could better reflect the characteristics of the local landscape; and, to retain and enhance historic hedgerow features.
- 7.6. Overall, the landscape effects associated with sensitive development in this location are predicted to be localised and wouldn't be considered incongruous or uncharacteristic.

The Role of Land Promoters in Housing Delivery

May 2017





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Executive Summary

This research paper seeks to explore the role that land promoters play in delivering homes. Within the context of the Government's Housing White Paper: Fixing our Broken Housing Market, this paper examines how Richborough promotes land and the role they play in boosting land supply. It focuses on Richborough Estates' past experience and through a series of case studies demonstrates that they are important suppliers of housing land and do not inhibit the release of land for housing. Developing land for housing is a time-consuming, complex and risky business. The land market is strong and there is often fierce competition for sites. This report debunks some of the myths surrounding the issue of land banking as holding onto land simply does not fit into the Richborough business model.

Richborough Estates is not a land speculator, the sites it promotes actively deliver new development and create communities. It is clear from the case studies within this Report that Richborough Estates has a strong track record for delivery with the majority of sites transferred to a housebuilder once outline planning permission has been secured. As soon as other approvals such as reserved matters approval and discharge of conditions have been secured their sites start delivering homes.

Richborough Estates' provides a symbiotic role with housebuilders with many of the major housebuilders relying on Richborough Estates to take the risk and obtain the initial planning permission on the land for them to implement. The Housing White Paper acknowledges that around 60% of new homes are built by just 10 companies. Richborough Estates considers that the majority of these companies are large and can be constrained by their scale. Richborough Estates is a small owner managed organisation where they have the ability to take risks and it considers it can be more assertive in its approach to secure planning permission.

Richborough Estates response to the White Paper is wide-ranging and whilst the document proposes a host of reforms to fix the 'broken housing market', a comprehensive approach is required and that no one 'silver bullet' exists. Whilst the White Paper proposes many initiatives, it is light on detail; and clarification is necessary to understand how some of the 'carrots' and sticks' can be delivered in reality. In the right circumstances the release of Green Belt land is imperative to meet acute housing needs. The proposed reduction in the default length of planning permissions and the requirement to provide the track record of delivery of similar schemes (timing, pace of delivery and aggregate information on build out rates) do provide an incentive to implement developments in a timely manner.

Richborough Estates is a strong advocate of a plan led system and the Housing White Paper is clear in its focus on speeding up the plan-led system for housing development. Among its many recommendations is overcoming the often disputed issue of agreeing housing requirements in Local Plans. The housing crisis will not be solved just by agreeing how many homes are needed; it's about how to encourage housing delivery too. Less than a third of Local Planning Authorities [LPAs] have a Framework-compliant up-to-date plan and a significant amount of housing supply is a consequence of speculative applications and Section 78 appeals. In these circumstances, the application of the Framework's presumption in favour of sustainable development and lack of 5 year housing land supply are pivotal.

Richborough Estates in Figures

Specialists in strategic
land promotion with

over 12 year's
experience



Team of 14

personnel with specialist skills

Land promoter of a diverse
range of sites from



50 -1000
dwellings

Provide a
substantial
contribution

to delivering affordable homes
and meeting the diverse housing
needs of the population

Richborough have a diverse range of sites within current portfolio with varying status in the planning process including:

770
dwellings
(8 sites)

Sites pending
determination

160
dwellings
(2 sites)

Sites at appeal pending
determination

276
dwellings
(3 sites)

Sites with resolution
to grant planning
permission

813
dwellings
(5 sites)

Sites with planning
permission secured and
on market / or subject
to house builder
securing reserved
matters approval

527
dwellings
(6 sites)

Sites with planning
permission refused
and pending further
strategy (e.g. appeal /
resubmit etc.)

20,000
dwellings
(76 sites)

Sites under control
and active promotion
through the
development plan
process

02

Richborough Estates

Richborough Estates is one of the UK's most successful strategic land promotion companies.

They work on behalf of a wide range of landowners including private individuals, charities, trusts and Local Council / Government estate departments - promoting land through the planning system to secure housing allocations and planning permissions for residential development. They then manage the sale of the site from the landowner to the housebuilder who then build out the site and deliver homes.

Richborough was founded in 2003 and the team works in partnership with landowners, LPAs and stakeholders to bring land forward for housing. The team is made-up of a wide range of development experts who deal with land acquisition and planning issues. Richborough's objective is to deliver 'oven-ready' sites to house builders ensuring that planning permissions are quickly turned into homes for local people. Its approach is closely aligned with the Government's key aim of boosting significantly the supply of new homes.

Richborough is currently promoting over 20,000 dwellings through various stages of the planning process across the United Kingdom, and on average can be promoting up to 100 sites at any one time. Their aim is to leave a lasting legacy for the communities within which they work.





Introduction

Lichfields has been appointed by Richborough Estates Limited [Richborough] to explore the role that land promoters play, and specifically Richborough, in delivering homes.

Within the context of the Government's Housing White Paper: Fixing our Broken Housing Market, this paper examines how Richborough promotes land, and the role it plays in boosting land supply.

A recently¹ published Lichfields research paper, 'Stock and Flow: Planning Permissions and Housing Output' sought to unpack the relationship between planning permissions and the output of new housing. The report explored the business models of housebuilders and land promoters and the risks inherent in bringing new homes forward through the planning system. The report demonstrated that – given the significant costs and risks involved in land promotion, construction and sales (particularly over an economic cycle) – there is no business case for active land banking.

This further report builds on Lichfields' earlier research and seeks to understand how Richborough Estates, landowners and housebuilders work collaboratively to bring forward homes. It focuses on Richborough's past experience; and, through a series of case studies, demonstrates that it is an important supplier of housing land and does not inhibit the release of land for housing. Richborough is making a positive contribution to solving the housing crisis.

Developing homes is a time-consuming, complex and often risky business. The land market is buoyant and there is often fierce competition for sites in strong market locations. This report debunks some of the myths surrounding the issue of land banking as holding onto land simply does not fit into the Richborough business model. There are a range of factors that Richborough, like any landowner, developer or land promoter experiences that cause delay. Some of these are intrinsic in the system, and include the wider delays and issues with LPAs, such as skills shortages, delays to secure planning permission, political issues, and the appeals system which perpetuate the delays in implementing housing schemes led by Richborough.

¹ January 2017

Land Banking

It is important to understand what land banking is, and what it is not, and why it may occur. The following diagram summarises the situation:



² §173 of the Framework

The Housing White Paper

The Housing White Paper: Fixing our Broken Housing Market” and the key announcements in the run up to its publication included accusations of land banking within the development industry. Prior to the publication of the White Paper, the Communities Secretary Sajid Javid said:

“I cannot look the other way when I see land banking holding up development. Some of you have conceded to me, in private that it happens. Some of you still deny it’s an issue. But there’s clearly something going on”.

Prior to the publication of the White Paper, the property industry was gearing up for radical proposals that would facilitate the rapid delivery of homes. However the Government’s proposals were not as far-reaching or as detailed as anticipated, with some issues to be the subject of further consultation. This is likely to reflect some acceptance from the Government that developers need a land bank and the delays

in housing delivery are not because the industry holds onto undeveloped land and waits for the values to rise before starting on site. Indeed, in response to a question in the Commons Debate (7-02-2017), the Secretary of State acknowledged the complexity in delivering new homes stating that:

“We need to respect the fact that there are legitimate reasons why the supply of any product would need to have a pipeline of inputs, including land, in the case of a house builder, but there is evidence of some firms taking advantage of that, as my hon. friend mentions.”

The Housing White Paper defines its proposals as four steps to achieving the objective of boosting new housing supply to deliver ‘between 225,000 and 275,000 homes every year’. The four steps can be summarised as:

I cannot look the other way when I see land banking holding up development. Some of you have conceded to me, in private, that it happens. Some of you still deny it’s an issue. But there’s clearly something going on

**Communities Secretary
Sajid Javid**

The objective of boosting new housing supply to deliver **between 225,000 and 275,000 homes every year**

Step 1 - Planning for the right homes in the right places

This step seeks to ensure that LPAs have up-to-date plans and simplify plan-making. The Paper is seeking to provide greater transparency on what land is available for new housing and make more land available for homes in the right places. It is proposed that there may be changes to Green Belt policy which articulate the “exceptional circumstances” test so that it covers a need to include examining “fully” all other reasonable options. It goes on to explain that LPAs should make better use of land for housing by encouraging higher densities where appropriate.

Step 2 - Building homes faster

This step seeks to provide greater certainty for authorities that have planned for new homes and reducing the scope for local and neighbourhood plans to be undermined by changing the way that land supply for housing is assessed. The Paper is seeking to boost local authority capacity and capability to deliver and ensure that infrastructure is provided in the right place at the time. The Government is seeking to support developers to build homes faster by tackling delays caused by planning conditions, planning obligations and ecological conservation constraints such as Great Crested Newts. It also wants to hold developers to account for the delivery of new homes. To address under delivery LPAs will be held to account by the presumption in favour of sustainable development through a new housing delivery test. This raises the bar to address situations of delivery and tackle ‘worst offenders’.

Step 3 - Diversifying the housing market

This step seeks to encourage small and medium-sized builders, supports custom build homes, encourages more institutional investors into housing, and seeks to boost productivity and innovation by encouraging more modern methods of construction.

Step 4 - Helping people now

This step pledges to continue to support people to buy their own homes, help households who are priced out of the market to afford a decent home, making renting fairer for tenants and encourage the development of housing that meets the needs of our future population.

Within these steps, the Housing White Paper includes a number of mechanisms to facilitate home building:

1. Diversifying the Market: Encouraging more small and medium sized builders.
2. Site Ownership: Clarification of what land is available for new housing, through greater transparency over who owns land and the options held on it.
3. Site Deliverability: To provide greater clarity and emphasis on the importance of building out housing, there are proposals to amend the national planning application form to include a section asking the applicant to provide information about their estimated ‘start date’ (month/year when a substantive start would take place) and ‘build out rate’ (the number of homes built per financial year) for all proposals for or including housing development.
4. Developer’s Track Record: Whether an applicant’s track record of delivering previous, similar housing schemes should be a material consideration.
5. Compulsory Purchase Powers: New guidance to be prepared to encourage LPAs to use their compulsory purchase powers to support the build out of stalled sites.
6. Completion Notices: Simplification and speeding up of the completion notice process, whereby if development on a site has stopped and there is no prospect of completion, the LPA can withdraw planning permission for the remainder of the site.

7. Timescales of Permissions: Encouraging local authorities to shorten timescales for developers to implement permissions for housing development to two years, except where a shorter timescale could hinder the viability of deliverability of a scheme. The Government is also seeking views on what this would mean for SME developers.
8. Local Authority Capacity: Proposed increase to nationally set planning fees by 20% if Local Authorities commit to investing the additional fee income in their planning department. The Government is also minded to allow an increase of a further 20% for those authorities who are delivering the homes.
9. Housing Delivery Test: In parallel with other measures to address under-delivery, the housing delivery test will effectively create two triggers for the presumption in favour of sustainable development, firstly where future supply falls below five years, and secondly where past delivery since April 2014 does not meet a series of thresholds.

Richborough plays an important role within the wide Government objective of boosting the annual supply of new homes across the UK. Richborough positively contribute to land supply through the delivery and promotion of small, medium and large sized sites.

Richborough's response to the Housing White Paper is that, although it proposes a host of reforms to fix the 'broken housing market', a more integrated approach is required and that no one 'silver bullet' exists. Whilst the Housing White Paper proposes many initiatives, it is light on detail; and clarification is necessary to understand how some of the 'carrots' and sticks' can be delivered in reality. In the right circumstances the release of Green Belt land is imperative to meet acute housing needs. It is anticipated that the proposed

reduction in the default length of planning permissions and the requirement to provide the track record of delivering, previous similar schemes (timing, pace of delivery and aggregate information on build out rates) will offer a stick to encourage implementation.

Richborough is a strong advocate of a plan led system and the Housing White Paper is clear in its focus on speeding up the plan-led system for housing development. Among its many recommendations is overcoming the often disputed issue of agreeing housing requirements in local plans. The Government will publish its proposals for a new methodology on objectively assessed housing need in due course. This is welcomed, although the omission of the proposals from the Housing White Paper is a missed opportunity. However, the housing crisis will not be solved just by agreeing how many homes are needed; it's about how to encourage housing delivery too. Less than a third of LPAs have a Framework-compliant up-to-date plan³ and a significant amount of housing supply is consequently a result of speculative applications and Section 78 appeals. In these circumstances, the application of the Framework's presumption in favour of sustainable development and lack of 5 year housing land supply are pivotal.

³ Lichfields Intelligence 'Early Adopters and the Late Majority: A Review of Local Plan Progress and Housing Requirements April 2016'

How does Richborough Estates take land forward for residential development?

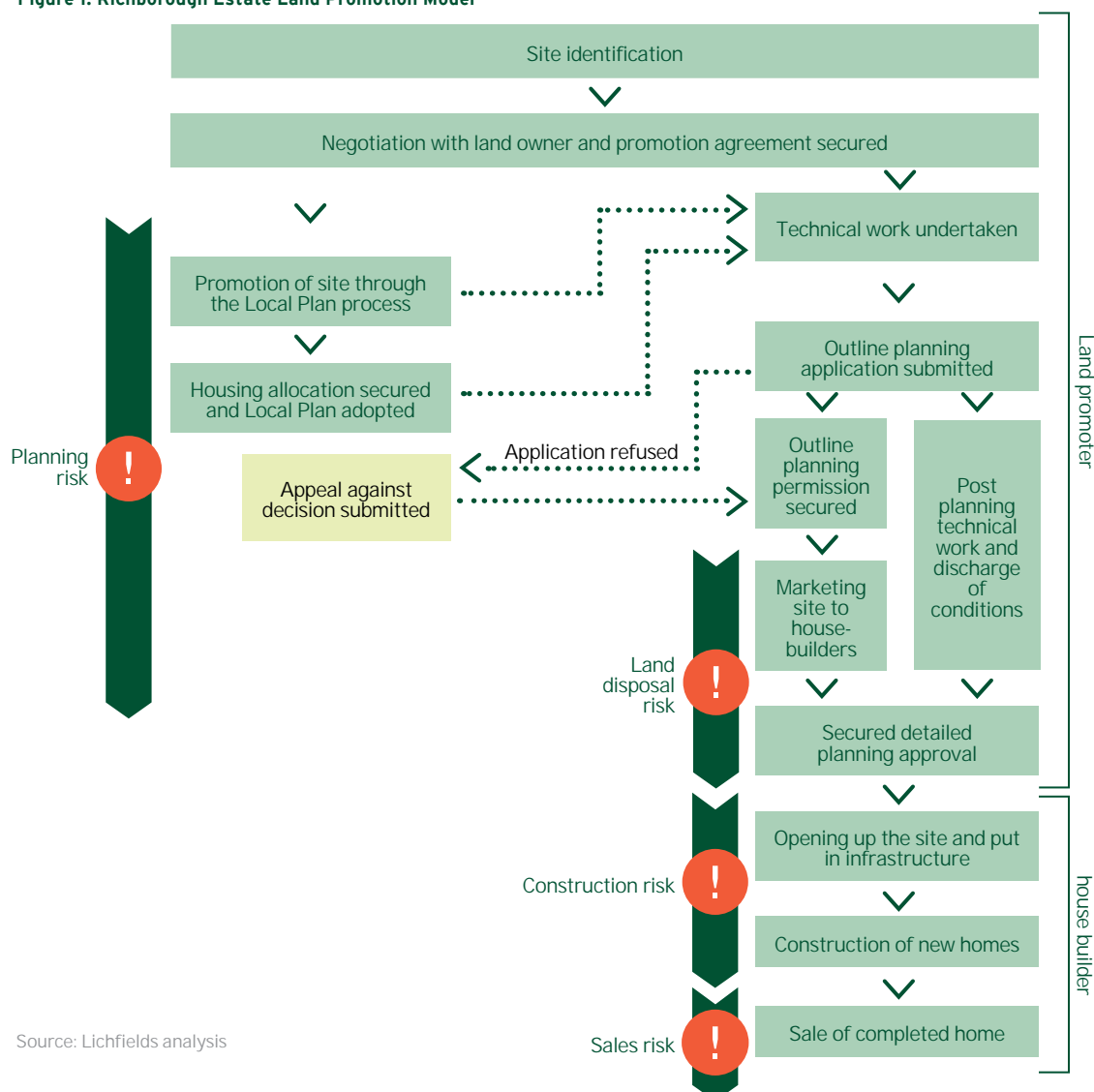
To understand the complex relationship between land and housing development and to test the concept of land banking, we need to understand the land promoter model. There are three distinct elements as to how promoters bring land forward for development. Each of these elements needs to be understood in order to discern the role that land promoters play in housing delivery. These stages are:

1. Planning (promoting the site through the Local Plan process and/or securing outline planning permission [OPP]);

2. Land Disposal (transferring the control of the site from the landowner to the builder); and,
3. Construction & Sales (building and selling houses on the site).

The Richborough model is illustrated in Figure 1. Their approach is closely aligned with the core planning principles set out within the Framework that underpin both plan-making and decision-taking. Richborough support the plan-led system that normally provides a practical framework within which decisions on planning applications can be made.

Figure 1: Richborough Estate Land Promotion Model



Source: Lichfields analysis

Figure 1 shows that the land promoter is responsible for taking land through the planning system and the associated elements of risk (i.e. the planning and land disposal risk). Both parties (i.e. the land owner and land promoter) are involved in the disposal element of the process and are exposed to some commercial risk. The housebuilder or developer is then responsible for third stage – building and selling homes on the site. Housebuilders rely, to some extent on land promoters like Richborough that specialise in managing the planning and land risks inherent in establishing the principle of development on a site. They promote land that is sold to a builder once an OPP has been secured. For example, the UK's largest housebuilder, Barratt Group, bring approximately 10% of their land through the planning system and therefore rely on the likes of Richborough to provide them with sites that are ready to be developed. Richborough have sold approximately 1,500 plots to housebuilders in the last 12 months (April 2016 – April 2017), which equates to approximately 1% of the total new build completion in the same period⁴.

Planning

Once a site is identified, the Richborough internal team carry out an initial appraisal to understand the planning issues. If the landowner is willing and Richborough consider the site to be sustainable in the context of the Framework with good planning prospects, a promotional contract between the two parties will be drawn up. Richborough will then begin promoting the site.

The strategy and how vigorously to promote the site will be based on a realistic view of its planning risks and prospects. The strategy could comprise the promotion of the site through the Local Plan process, or the submission of an immediate planning application (where for example the policies of the Framework apply with regards to paragraph 14 - presumption in favour of sustainable development & paragraphs 47 & 49 – 5 year housing land

supply). If the site has any key technical issues (e.g. access), initial technical work will be undertaken.

If Local Plan consultations occur during the time in which a site is being promoted, Richborough will submit representations to the LPA at various junctures (Regulation 18 and 19 consultation stages etc.). These representations may include supporting technical information to demonstrate that the site is deliverable and set out the benefits of allocating the site for housing. It is widely recognised⁵ that the Local Plan process takes far too long, and even now – over five years on from the Framework – just one third of local authorities outside London have an up-to-date Local Plan⁶. The cost of engaging with a long drawn out plan process can be a significant one, and with no certainty that they will be successful in securing an allocation.

Once an allocation is secured, (either in an adopted or emerging plan) an application for OPP will normally be progressed quickly. This allows the Richborough Team to secure the principle of residential development, the parameters of any scheme (and any obligations and infrastructure requirements), before the housebuilder agrees the detail of the scheme through a reserved matters submission. To further de-risk the site and speed up delivery of housing, Richborough may undertake some of the post planning technical work at this stage (e.g. Phase 2 Site Investigation, S.104 Agreements, and S.278 Agreements).

If the planning application is pursued, Richborough will carefully set out the benefits and balance of considerations within the submission (in the light of the Local Plan and Framework). If that application is refused or LPAs do not determine the application within the prescribed timescales, an appeal might be submitted. This carries further cost and risk compounded by further delay.

⁴ Richborough Estates commentary

⁵ S1.2 of the White Paper

⁶ Source – Stock and Flow: Planning Permissions and Housing Output (Lichfields, 2017)



Wheatfield Manor

It is noted that the White Paper is proposing to introduce enhanced application fees and potentially an appeal fee which will further increase the cost of submitting an appeal against the decision of the LPA. This may deter landowners and developers in engaging with the process and encourage local authorities to shy away from making difficult decisions with positive outcomes. If, for example, elevated application fees are paid then consideration should be given to LPAs paying the appeal fees from the application fee pot in circumstances where decisions are not made, local plans are not in place, or decisions cannot be substantiated.

Land Disposal

To ensure that there is a minimal lag time between the granting of OPP and submission of a Reserved Matters application, the promoter will often market the site to housebuilders through agents before OPP is granted. Housebuilders will normally make an offer for the land subject to the grant of the outline and occasionally subject to a reserved matters approval. The majority of Richborough's sites are sold on the grant of outline planning permission.

Due to the fact that the housebuilder will be paying for a site with planning permission, it attracts only those parties with an interest in taking the site forward immediately. The market and technical knowledge of land promoters ensures that it is promoting deliverable sites that are attractive to the market.

Construction & Sales

The site is now the responsibility of the housebuilder and the construction and sales risk is theirs. Before development can commence, pre-commencement conditions need to be discharged. These can be problematic and unnecessarily imposed, however, Richborough seek to ensure consents are as clean and implementable as possible. Richborough often commence the discharge of pre-commencement conditions at the marketing stage in order to facilitate

the implementation of schemes and enable the housebuilder to get on site quickly.

The majority of Richborough sites are under 200 units. Lichfields research² (on housing delivery) has found that sites under 100 units deliver an average of 27 units per year, whilst sites of between 100-499 units deliver 60 units per years. These small and medium sized sites appear to be the optimum for delivery. Those with capacity for 2,000 units on average, deliver proportionately less dwellings per annum. This is likely to reflect the significant infrastructure requirements on larger sites and indicates that for delivery the small-medium sized sites (i.e. typical Richborough sites) are ideal for resolving short term 5 year housing land supply issues.

Relationship between Richborough & Housebuilders

The differences between the business models of a land promoter and a housebuilder facilitates the existence of a much greater choice of land for the delivery of homes. The relationship between the two businesses is mutually beneficial and facilitates the necessary capacity in the industry whilst balancing the risks for the various parties. Land promoters and housebuilders generally approach risk differently and take on risk at different stages of the development cycle. This symbiotic relationship throughout the development process increases the level of output (i.e. the supply of land and the number of homes that are delivered).

Company Ownership & Red Tape

The majority of homes in the UK are delivered by a handful of housebuilders. Some of these are public limited companies and are expected to deliver a return to their shareholders. Like any FTSE business, uncertain or negative trading results have a detrimental impact to the share price of housebuilding companies. The planning system, by nature is unpredictable. Housebuilders cannot always be certain of the time or expense that is required to bring a site through the planning system.

This can bring uncertainty to the housebuilder's delivery programme and their shareholders.

Housebuilders need continuity and predictability to ensure good results and a strong share price. They do this by having a trajectory of consented land in the pipeline. This is achieved from a variety of sources, depending upon a range of factors. However land promoters form a critical part of this process, providing capacity in a critical component of housing supply. Much of a housebuilders supply of land is purchased from land promoters (Barratt Homes purchase approximately 90% of their sites with OPP) who have taken the risks to get the land consented. It is understood that Taylor Wimpey is one of the few housebuilders to have a reasonably large strategic land function.

Conversely, the majority of strategic land promoters are smaller and privately owned companies. This means that they can take bigger risks on sites because they have no shareholders to satisfy. Richborough considers it is more entrepreneurial, and less risk averse than the bigger corporate organisations. The housebuilder business model generally spreads their risk by purchasing 'oven ready' planning permissions and promoting some land through the development plan process or via the submission of planning applications at the appropriate time.

Reputation

Whilst Richborough is an advocate of the plan led system, there are many LPAs with out of date Plans where much of their housing land supply has been provided through speculative applications or S.78 appeals. Without this supply the housing shortage would be more acute. Richborough considers that it can take the optimal strategy to secure planning permission at appeal, and can be bolder than some housebuilders who may be restricted by the issues that are set out above.

Geography

Richborough is not confined by regional boundaries and operate at a national scale. Some national housebuilders have regional divisions whose boundaries reflect a geographical area. This allows housebuilders to manage sites in an effective manner. However, in some circumstances there are limited resources to promote numerous strategic sites within an area and in some cases conflicts may start to arise. Richborough considers that they can promote multiple interests in one particular area and are more adept at delivering multiple sites in a certain area as their model opens land up to competition.

Moreover, option agreements often include no-compete clauses that relate to the planning phase of the process and a particular geographic or LPA area. This can prevent some promoters or housebuilders promoting more than one site in a prescribed area. However housebuilder divisions have completion targets and will often want to deliver on more than one site within any given LPA / geographical area simultaneously. If this is the case, the housebuilder has to purchase land with planning permission. It is impossible for the majority of housebuilders to promote all of their sites through the planning system and the role of the land promoter becomes fundamental to the delivery of housing.

Promotional & Option Agreements

Richborough consider that the transfer of land from a landowner to a developer through a promotional agreement can be more efficient than a housebuilder entering into an option. Housebuilding is a competitive business and builders want to minimise the amount they pay for the land. This will in turn increase the return from the sale of the houses and increase profit margins. On the flip side, landowners want to ensure that they receive a fair price for the land. Richborough consider that these conflicting positions can sometimes lead to protracted negotiations and a delay in drafting and exercising an option agreement.

A land promoter on the other hand will normally sell a site through a competitive tender where there is no dispute over the market value. This speeds up the process and enables development to start on site as quickly as possible.

Supply

In general, housebuilders do not promote land to trade with others (their competitors). They promote land to build houses.

Housebuilders only sell land when they have promoted more strategic land than they can consume within one geographical region. To do otherwise would not fit within their model as they are normally obligated to purchase the land when permission is secured. Buying more land than they need would tie up too much capital and inhibit the amount of development that they could undertake. Richborough on the other hand are not limited in this way and can promote and supply land to the wider market, increasing the supply of consented land.

SME Housebuilders

The government is seeking to widen participation in the housebuilding industry and is encouraging SME housebuilders to enter the market. To facilitate this, it is essential that there is a reservoir of consented land. Richborough consider that some of these SMEs will not have the skills or resource to promote sites through the planning system. Richborough can play an important role in this regard by providing SME with this resource and has experience of selling sites to SMEs including Lioncourt and Mulberry.

Delivery Case Studies: Unpicking Land Banking Myths

Case Study 1: Delivery Case Studies: Unpicking Land Banking Myths

Richborough Estates Hind Heath Road, Site (Phases 1 and 2) have an exceptionally complicated planning history being the subject of a number of applications, appeals and legal challenges dating back to 2010. Despite the sites being caught within a challenging political and planning backdrop the sites are delivering homes and some are now occupied.

The Hind Heath site has progressed with applications over a number of years and phases. It exemplifies the changes that have occurred through the planning system over the time of its consideration and the significant risks faced by applicants. It also was impacted by the after effects of LGR⁷ in Cheshire and the resulting political disparities across the enlarged Borough.

Phase 1 outline applications⁸ for 269 dwellings were submitted in July 2010, and validated in August of that year. They were refused permission on the 28th October 2010. Appeals⁹ were submitted on the 8th November 2010, and were subsequently recovered by the Secretary of State for determination. The appeals were allowed in July 2011, but were then the subject of a high court challenge, with the decisions quashed in October 2011, being remitted back to the Secretary of State, before finally being allowed in December 2012. Cheshire East then legally challenged the permission which was unsuccessful.

The applications were submitted against a Local Plan requirement¹⁰ of 253 dwellings per annum (with the Inspector acknowledging a need for early review). This was superseded by the then Regional Spatial Strategy¹¹ which required 300 dwellings per annum. The RSS was revoked and PPS3¹² was superseded by the Framework¹³ during the course of the consideration of the appeal.

Consequently, the Phase 1 application was considered within the context of a policy vacuum with no up-to-date development plan, disagreement regarding the housing requirement, uncertainty and dispute regarding a claimed 5 year housing land supply position, and members seeking to block new development. This latter issue stemmed from the forced end of the moratoria that had been in existence precluding the grant of permission for much housing. This moratoria (which were endemic across the North West of England) resulted in a failure to plan for future housing needs.

As a consequence of the volume of applications and appeals, there was a backlog of inquiries within the Borough. The Planning Inspectorate struggled to process and facilitate inquiry dates and the timely determination of appeals. The Council also struggled to secure an officer to represent the Council at the inquiry due to internal workloads.

Through this process the Council sought to introduce various interim measures to allow it to resist development, ranging from Town Strategies, Interim Guidance Notes, and ultimately Neighbourhood Planning. These documents sought to preclude development or limit the quantum thereof. There was strong Local Authority resistance to any development (ostrich style) beyond settlement boundaries despite:



**Hind Heath Road Phase 1
Indicative Masterplan**

⁷ Local Government Reorganisation [LGR] that combined Macclesfield Borough Council; Crewe and Nantwich Borough Councils, and Congleton Borough Councils came into effect in April 2009.

⁸ 10/2608C and 10/2609C

⁹ APP/R0660/A/10/2141255 & APP/R0660/A/10/2143265

¹⁰ Congleton Borough Local Plan First Review - 1995-2011 (adopted January 2005)

¹¹ North West of England Plan - Regional Spatial Strategy to 2021

¹² Planning Policy Statement 3 [PPS3] - Housing - June 2011

¹³ National Planning Policy Framework - March 2012

1. The absence of a local plan;
2. Demonstrable absence of available and deliverable sites;
3. No established OAN;
4. No 5 year supply;
5. A significantly higher likely housing requirement (the requirement had been reduced by 40% compared to previous plan requirements)

Following the positive determination of the appeal Richborough commenced marketing of the site in July 2011. This marketing was delayed by the high court challenge but the site was eventually conveyed to Bovis Homes where they exchanged on the 24th January 2012 and sold the site to them on the 28th May 2013. They submitted their first reserved matters application on the 1st March 2013 only 4 months after the final determination of the appeal. This was approved on the 17th May 2013. Development commenced in June 2013 which was only one month after the planning permission was judicial review period free.

Since this time the vast majority of the approved 269 dwellings have been built with only a small phase that remains under construction.

The Phase 2 application¹⁴, for an additional 100 dwellings was submitted in September 2013 and was subsequently allowed at appeal¹⁵ in August 2014 with full award of costs against the Council for unreasonable behaviour following the failure of the Council to determine the application. A further application¹⁶ was submitted alongside the appeal for 120 dwellings in February 2014. This was granted permission in September 2015.

The site was sold to Miller Homes Ltd in July 2015 A reserved matters application was submitted in September 2015 and approved on 31st May 2016. Development commenced shortly after.

Conclusions

The Hind Heath developments proposed a locally significant quantum of development (130% of the annual requirement as well as it making a notable affordable housing contribution) in a settlement that was acknowledged as a principal town and focus for growth (expected to accommodate 25% of development in the plan period).

However the approach of the Council meant the applications were high risk, with appeal inevitable, and the site would not have been progressed by traditional housebuilders. This is especially the case bearing in mind the significant changes that occurred and the financial uncertainty in the wake of the last recession. This was despite the subsequently recognised suitability of the site for housing and its overarching sustainability. The replacement Local Plan still has not been adopted by the Council some 7 years after the submission of the original application. The Council still accept it is unable to demonstrate a 5 year supply, even on the basis of the emerging Local Plan requirement.

This site has made a significant contribution to housing land supply (1.3 years based on RSS) and the permissions have been implemented with minimal delay between the various

¹⁴ 13/3887C

¹⁵ APP/R0660/A/14/2212992

¹⁶ 14/0977C

Case Study 2: West Oxfordshire Council

Richborough Estates promoted the site at New Road, Bampton securing outline planning permission for 160 dwellings in August 2014. Although the site was delayed due to the nature of conditions imposed upon the permission, construction commenced almost immediately following receipt of the reserved matters permission. The site is delivering homes and some are now occupied.

This site is an example where Members determining applications can cause significant delay in the commencement of development on site if they choose to impose poorly considered planning conditions. It demonstrates how conditions imposed on decisions by local authorities, over which applicants have little control, can hamper the prompt delivery of sites.

The outline application for 160 dwellings at New Road was submitted on 12th October 2013 and validated on 14th October 2013 (Ref: 13/1465/P/OP). The Council did not have an adequate 5-year housing land supply and as such, the housing policies of the Local Plan were out of date and paragraphs 14 and 49 of the Framework should be applied. This was a fact accepted by officers and members when the application was considered at the Area Planning Sub Committee on 17th March 2014. The application was determined against a housing requirement of 541 dwellings per annum (based on CLG 2011 interim household projections as adjusted through the Oxfordshire SHMA 2014). The 160 dwellings proposed equated to almost 30% of the annual dwelling requirement identified.

It was resolved by members that the application be approved subject to the applicants entering into a legal agreement and to an additional condition requiring 60 units being built by 2017, 50 further units in 2019 and the final 50 in 2023 thereby artificially limiting development delivery, the opposite of what the Framework advocates. Richborough did not have the opportunity to contest this condition at the planning Committee.

Notwithstanding their dissatisfaction with this, Richborough signed the S106 on 26 August 2014 and planning permission was

granted on 29th August 2014.

Richborough commenced marketing of the site following the resolution to grant outline planning permission. However, the additional planning condition imposed by Members which rendered the planning permission almost impossible to implement.

On 17th September 2014, almost immediately following the completion of the s106 agreement and in parallel to the marketing of the site, Richborough made a Section 73 application to the Council to remove Condition 3, by (Ref: 14/1338/P/S73). However, the application was refused on 4th December 2014, against Officer recommendation, for the following reason:

“By reason of the pace and scale of development, the lifting of the restriction would give rise to a significant adverse impact upon the social and economic facilities of the settlement and fail to assimilate with the host community. It is therefore contrary to paragraphs 7, 14, and 15 of the NPPF”.

An appeal against the refusal of the application was immediately submitted by Richborough on the same date as the refusal (4th December 2014). The appeal process took approximately 7½ months and was allowed by the Inspector with the full award off costs due to unreasonable behaviour of the LPA and permission was granted (without condition 3) on 13th July 2015.

In parallel with this process a housebuilder was identified in December 2014 and the site was contracted with the housebuilder (CALA Homes) in May 2015. This parallel marketing and sale process helped to ensure that the housebuilder could commence preparation of the reserved matters submission in advance of the appeal decision being issued.



**New Road, Bampton
Proposed Masterplan**

The application for the approval of reserved matters was submitted by CALA Homes on 25th September 2015 and validated on 20th October 2015. After a period of almost 6 months, the reserved matters application was granted on 9th March 2016. Development commenced almost immediately following the grant of reserved matters permission (3 weeks) and first dwelling completions were achieved in August 2016.

The scheme is achieving an annual average build rate of 40 dwellings per annum and contributing towards the 5-year housing land supply. The Council's 5-Year housing land supply data¹⁷ notes that construction is well underway with all 160 homes anticipated for completion in the 5-year period 2016-2021.

Conclusions

The New Road development proposed a locally significant quantum of development (30% of the annual requirement), as well as contributing to the supply of affordable homes, and was one of the 5 largest developments granted planning permission in the monitoring period 2014-15.

The above case study demonstrates how Richborough streamline the delivery trajectory by undertaking marketing in parallel to the planning process (where delays which were beyond the control of Richborough were incurred). Development commenced almost immediately once reserved matters permission had been secured. This site is making a significant contribution to the 5-year housing land supply with the completion of all 160 homes anticipated in the period 2016-2021. In the background, Richborough undertook a significant amount of public consultation and thorough negotiation with stakeholders meant that a Committee approval was secured even when the Council claimed to have a 5 year housing land supply and the application was contrary to policy. Richborough's commitment and success in negotiating consents means that supply and completed homes can be delivered.

¹⁷ West Oxfordshire District Council
Housing Supply Position Statement
(October 2016), page 9

Case Study 3: North West Leicestershire Council

The Site on land at Burton Road and Moira Road at Ashby-de-la-Zouch represents a situation where negotiations with the LPA were protracted during both the determination of the outline and reserved matters applications. Whilst there were delays within the planning process (issues with highways and resolution of a legal agreement), a housebuilder was secured in advance of the issue of outline planning permission in order to ensure the early delivery of this important site.

An outline application for 275 dwellings was submitted and validated in June 2014. At the time of the submission, the proposals were a departure from the Adopted North West Leicestershire Local Plan (August 2002) but the Council was unable to demonstrate a five year housing land supply. During the determination of the application, the Council accepted that it did not have a 5 year housing land supply.

The statutory determination period expired on the 19th September 2014. However the application was the subject of a protracted process as a result of additional highways modelling being required; complex negotiations on the contents of the legal agreement, including issues with the affordable housing package and the ability to secure registered provider commitment to delivery. Richborough Estates agreed to an extension of time with Officers to resolve the detail of the legal agreement. The application was taken to Planning Committee on the 2nd December 2014 where officers granted outline planning permission for the development subject to the completion of a legal agreement. The legal agreement was signed on the 4th August 2015 and the planning permission was also issued on that day.

In the background, Richborough commenced the process of marketing the site in March 2015, identifying the preferred housebuilder in June 2015. The site legally exchanged with Bellway in September 2015 - a month after the issue of the outline planning permission.

Bellway submitted an application for reserved matters approval in December 2015. The determination of the application was stalled while the housebuilder sought to vary the S106 Agreement with regards to the affordable housing details due to the Registered Social Landlords declining to bid for the Section 106 units following Government announcements on rental caps having commenced and being

well underway. The application was also the subject of rigorous design policing by the Council's Urban Design Officer. Reserved matters approval was issued in August 2016, over twelve months after the application was submitted. Bellway Homes is now on site with the show-home open and the first homes are available for occupation in the coming months.

Conclusions

Ashby-de-la-Zouch represents a site where negotiations with the LPA at all stages of the development process were protracted. Firstly there were the delays with the determination of the outline application as result of the legal agreement, negotiation of affordable housing and the County Council requiring additional highways modelling. The detailed design of the scheme was marred with subjective design opinions from the urban design officer which resulted in a nine month determination delay. It is clear from this case study that Richborough Estates sought to drive forward delivery in a collaborative manner with the Council but were the subject of delays within the planning system. Early marketing of the site and securing informal agreement with Bellway Homes is a demonstration that Richborough are keen to quickly deliver on their planning permissions and contribute to the delivery of homes.

Furthermore, the Government policy on rental caps in the Budget was not consulted on and had a negative effect on the Registered Social Landlord market and hindered delivery of both market and affordable housing. Close working with Bellway Homes and the Council solved the problem by reducing affordable percentage and transferring affordable dwelling to the Council for £10.00 so that they could rent the properties out. This demonstrates collaborative and innovative working to overcome obstacles put in place by the Government to hamper delivery.



**Land off Burton Road
Indicative Masterplan**



Beehive Lane 3D model, aerial view from west

Case Study 4: Cheshire West and Chester Council

The Richborough Estates Fountain Lane, Davenham site is an example of a scheme that had Officer level support, but was refused following political pressure from the local community and elected members. The decision to refuse permission was appealed and Richborough secured outline planning permission 16 months later. A housebuilder has now been secured and Reserved Matters approved. The site is expected to start delivering homes in summer 2017 with occupations from January 2018.

An outline application for 70 dwellings at Fountain Lane, Davenham was submitted and validated in May 2014. At the time of submission, the proposals were considered a departure from the adopted Vale Royal Borough Local Plan [VRBLP], but an appeal decision had recently¹⁸ been issued on a different site where the Inspector concluded that the Local Authority had only a housing supply of 3.26 years¹⁹.

Council Officers were initially supportive of the proposals and no objections had been received from statutory consultees. The application was scheduled to be considered at the Strategic Planning Committee on 14th August 2014 with a recommendation for approval subject to a S.106 Agreement. Within the Committee Report, the Council considered that as the emerging Cheshire West and Chester Local Plan (Part One) [CWaCLP] was at an advanced stage, the five year supply should be assessed against the housing requirement contained within the emerging plan resulting in a 5.5-year supply of deliverable housing sites. However, on balance the Officer concluded that the proposals did represent sustainable development and should be approved.

The LPA then published a late Report to Members updating the housing land supply position from 5.5 year to 5.64 and consequently withdrew the Fountain Lane application (along with several others) from the agenda of the Committee meeting. It was understood that Officers had been put under pressure from elected members to remove several applications from the agenda and refuse the proposals under delegated powers.

Following the withdrawal, the agent entered into protracted negotiations with the LPA over the principle of development. Despite this, the application was refused on the 2nd October 2014 under delegated powers. There was a seven week delay between the original Committee date and the issue of

the decision notice.

The appeal was lodged on 8th October 2014 and a Public Inquiry was held between the 28th April and the 1st May 2015. The appeal was allowed and the decision was issued on 3rd September 2015. The Inspector concluded that the significant social and economic benefits, along with the potential environmental benefits were of sufficient weight to clearly outweigh the moderate harm that would be caused, meaning that the proposal would represent sustainable development.

The site was advertised within the Estates Gazette and a preferred housebuilder was identified on 19th May 2016. The Reserved Matters were submitted in December 2016. The delay in submission related to uncertainty in the market following the UK's vote to withdraw from the EU. The Reserved Matters were approved on 8th March 2017 and the pre-commencement conditions are currently being discharged. Subject to the discharge of the conditions, the development should commence in summer 2017 and the site is expected to start delivering homes in early 2018.

Conclusions

Fountain Lane represents a site where political agendas that sought to restrict development and protect the open countryside resulted in the delay of the grant of planning permission by 16 months. This delay caused Richborough, the landowner and the LPA a significant amount of time and money. Richborough's commitment to boosting the supply of housing within Davenham was clear through the expedient advertisement of the site following the grant of planning permission and the commitment to the land deal when there was some uncertainty in the marketplace. It is clear that Brexit shows that political and economic certainty understandably affects delivery. It is anticipated that all 70 homes will be delivered before the end of 2019.

¹⁸ December 2013

¹⁹ Appeal Decision – Land off Barnside Way, Moulton, Cheshire reference APP/A0665/A/13/2198931

Case Study 5: Warwick District Council

The Golf Lane Site is a case study which demonstrates that where an authority has an acute housing land shortage, the need to deliver homes becomes more pressing and applications can be determined on time to facilitate implementation.

An outline application for 94 homes was submitted to Warwick District Council and validated on 25th June 2013. The application was submitted in the context of the Adopted Warwick Local Plan (2007) where the site was not allocated for any particular use in the Local Plan but was outwith the settlement boundary for Whitnash. At the time, the Council had an acute shortage of housing land with a supply of only 2.6 years. As a consequence, the policies of the Framework (para 14 - presumption in favour of sustainable development & para 49 - 5 year housing land supply) applied. The application was recommended for approval at Planning Committee in September 2013. The resolution noted that the application should be refused if the legal agreement is not signed by the 24th September 2013. Planning Permission was subsequently granted on the 24th September 2013 (within 13 weeks of submission).

The length of Richborough's marketing period was 11 weeks (the shortest of any site they have promoted to date). Richborough commenced the process of marketing the site on the 30th September 2013, identifying the preferred housebuilder in November 2013. The contract to sell the site to Bovis Homes was concluded on the 19th December 2013. Bovis Homes subsequently submitted an application (within six months) for 111 dwellings for reserved matters approval. The delay to the submission of the reserved matters was a result of issues in relation to pre-application engagement on housing mix and the layout. These issues were resolved during the pre-application discussion in May 2014 following advice from Counsel. The reserved matters application was validated on the 15th May 2014. The application was approved on

the 14th August 2014 (within 13 weeks). Bovis Homes commenced the development in October 2014 following the discharge of pre-commencement conditions. The development is substantially complete with 96 homes completed to date.

Conclusion

The Golf Lane Site is located in one of the largest and accessible settlements in the district. The Site therefore made an important contribution to the draft housing requirement at the time (2012 Preferred Options, which set out a housing requirement for Warwick District of 10,800 dwellings for the period 2011-2029). The proposals also make an important contribution to the supply of affordable homes in the District. The permissions have been implemented and the development is substantially complete. It is clear from the timeline on the site, that the officers sought to determine the application within the statutory time periods and the inclusion of a provision at committee threatening the refusal of planning permission without the timely signing of the legal agreement reduced any potential delays. It is also important to note that Richborough were the first to submit an application to develop housing on greenfield land because the 5 year housing land supply triggered the presumption in favour of sustainable development. Going first is a risky business and is a demonstration of the risk appetite Richborough has in contrast to housebuilders. Numerous applications in the District followed and this has led to significant increases in supply and actual completions.



**Land off Fieldgate Lane,
Whitnash Indicative
Masterplan**



**Land off Ashlawn Road, Rugby
Indicative Masterplan**

Case Study 5: Ashlawn Road, Hillmorton, Rugby Council

The Ashlawn Road Site demonstrates that where a pro-active authority seeking to facilitate housing development to meet its acute housing needs in the context of the Framework's presumption in favour of sustainable development, can result in a positive outcome. The delays to the receipt of planning permission were as a consequence of reaching agreement on the planning obligations – a barrier to speeding up house building which the Government is looking to address. Richborough marketed the site after receiving a resolution to grant planning permission in order to quickly progress delivery of the site.

An outline application for up to 100 dwellings on land at Ashlawn Road, Hillmorton, Rugby was submitted to Rugby Borough Council and validated in September 2014. The application was submitted in the context of the Adopted Rugby Core Strategy (June 2011) where the scheme was contrary to the provisions of the development plan relating to open countryside but that the Council were unable to demonstrate a five year housing land supply. As a consequence the policies of the Framework applied.

The application was deferred from the Planning Committee on 22nd March 2015 in order to seek additional information in relation to highways (following a specific request on the matter from a Planning Committee Member). This caused a minor delay to the progress of the application as Officers had to re-consult on the revised information and wait for the next Committee cycle. The application was subsequently recommended for approval at Planning Committee on the 22nd April 2015. Richborough demonstrated that the site was sustainable, with the provision of affordable housing being a significant material consideration and the site making a 16% contribution to the Core Strategy net requirement of 540 dwellings per annum. Members resolved to grant outline planning permission on the 22nd April 2015 subject to conditions and the completion of a legal agreement. Outline planning permission was granted on the 2nd December 2015 (with the delay between resolution and grant of permission down to protracted S106 negotiations).

Richborough commenced the process of marketing the site in June 2015, identifying the preferred housebuilder in September 2015. The site legally exchanged with Bovis Homes on the 23rd December 2015 – three weeks after the receipt of the outline planning permission.

Once the site was transferred to Bovis Homes an application for 96 dwellings for reserved matters approval was submitted and validated on the 9th February 2016. The determination of the reserved matters was delegated to Officers and consent was issued on the 27th May 2016 (within 15 weeks). Bovis Homes commenced the development in June 2016 following a quick turn around on discharging pre-commencement conditions. The first dwelling was completed in December 2016.

Conclusion

The Ashlawn Road site is another example where Richborough has worked collaboratively with Council Officers and Members in order to ensure the timely approval of permissions enabling the housebuilder to get on site and deliver much needed homes (including a policy-compliant level of affordable homes). Delays were incurred as a result of agreements being reached on the planning obligations.

What are the key factors which affect the delivery of housing?

The previous section of the Report demonstrated through a number of Case Studies that the reality of land banking for land promoters such as Richborough is unjustified. There are various factors which affect the delivery of housing:

1. Delays to securing a planning permission

It is clear from our analysis that Richborough Estates immediately seeks to turn their planning permissions into homes as soon as the market and planning system allows. Delays to securing outline and detailed planning permission and delivery can be a consequence of:

1. LPA capacity to handle applications and undertake meaningful pre-application discussions.
2. Appeals particularly where an Authority has acted unreasonably and Members go against Officer recommendations.
3. NIMBY and the political response to development where, despite applications meeting the Framework's presumption in favour of sustainable development, planning permission is refused.
4. Statutory consultee delays e.g. a highways authority seeking additional technical work at a late stage in the process or making unreasonable requests for information.
5. Local Plan delays where Local Plan adoption is necessary before the grant of planning permission for political or legal reasons.
6. The capacity of legal teams within Local Authorities and protracted negotiations with LPA legal Officers with regards to the S.106 Agreement.

The White Paper proposes that LPAs will receive an increased planning application fee (20% from July 2017) if they commit to ring-fencing the additional income in planning department resourcing. If LPAs can properly resource themselves to meet the needs of

the development industry and hit their statutory determination targets then this proposal is a positive one. However, it is often the pre- and post-application stages that delay the determination of an application. The Case Studies demonstrate that level of service clearly creates uncertainty. The timescales for negotiating Section 106 Agreements can often be protracted having direct and significant implications for the time period before a housebuilder can build houses.

2. Addressing the issues with landowners and transferring sites to house builders

The Government consider that one of the causes of the housing crisis is developer land banking. It is clear that Richborough Estates transfers a site to a house builder as soon as planning permission is granted. In the majority of cases, Richborough markets the site well in advance of securing planning permission, a preferred house builder is secured at the resolution stage and the legal exchange of a site usually happens almost immediately upon the grant of planning permission. Any sites where there have been delays are a result of market forces where the viability of a site is questionable, or there are significant infrastructure, or technical constraints, which require additional due diligence work. Once the house builder has purchased a site from Richborough, they also have no incentive to land bank as they have paid full market value to deliver homes within the planning consent's prescribed timescales (e.g. the securing of Reserved Matters consent within 2 years).

The Government's view of land banking is overly simplistic and the Housing White Paper's proposed reduction in the default length of planning permissions aims to address this issue. Richborough is supportive of this mechanism. Richborough would not pursue a site that could not be implemented and through careful due diligence work it is their intention that all their permissions are implementable, viable and have no unexpected site abnormalities (infrastructure or contamination or other physical constraints that may fetter or delay the delivery of a development) which introduce physical or viability constraints.

3. Delays to building out a planning permission

The speed to which a planning application can be implemented is constrained by the following issues:

1. Discharge of planning conditions (and the number of conditions).
2. Addressing planning obligations.
3. Lack of infrastructure.
4. Problems securing the necessary utility connections.
5. Site constraints.
6. Scale of site and infrastructure constraints.
7. Availability of construction workers.
8. Timely approval of reserved matters.
9. Litigation from LPA and third party.
10. Timely decision from the Courts.
11. Seasonal constraints of ecology surveys and licence applications being available to be undertaken until reserved matters is approved.
12. Legal complications such as the requirement to negotiate drainage easements.
13. Valuation disputes under option agreements.
14. Market conditions e.g. recession.

Through mechanisms in the Housing White Paper, the Government is keen to encourage faster delivery of housebuilding in order to provide a million new homes within the current Parliament. It is clear that given the complex nature of land and building houses; delays are inevitable and should be acknowledged.

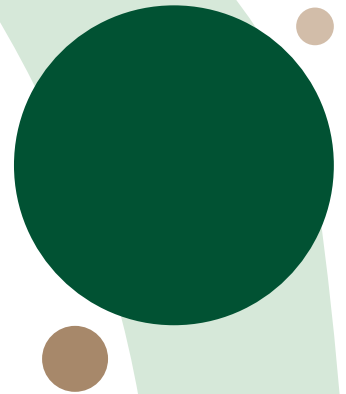
Key Conclusions

Part of the debate within this report has focused on perceptions of 'land banking' – the concept that developers are hoarding land or slowing down development. Through detailed analysis of a number of Richborough's sites it is clear that they have a proven track-record of delivery by agreeing the sale of land to the preferred housebuilder once planning permission is granted. The housebuilder then submits their detailed applications, discharges conditions and any Section 106 obligations before building homes promptly. They will have paid an open market price and need to demonstrate a timely return on capital employed (ROCE) to the City.

Richborough Estates provide a symbiotic role with housebuilders with many of the major housebuilders relying on Richborough to take the risk and obtain the initial consent on the land for them to implement. Together they are able to deliver more of the homes the country needs than would be the case without the input of land promoters.

Richborough Estates concentrates its efforts on promoting small and medium sites and therefore facilitates the entry of SMEs, a key Government aspiration to ensuring that the market is more diverse.

Through mechanisms in the Housing White paper, the Government is keen to encourage faster delivery of housebuilding in order to provide a million new homes within the current Parliament. It is clear that the delivery of homes is complex. We are being told that planning delays are the greatest barrier to the delivery of new homes. Whether it is a consequence of under staffed LPAs, political issues, the lack of an adopted up-to-date Plan or constraints with sites (e.g. nature conservation constraints), ultimately developing homes is a time-consuming, complex and risky business. Despite these challenges, Richborough endeavours to play a key role in significantly boosting the supply of homes (market and affordable) and facilitating the actual building of homes.




Contacts

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Note: This drawing is for illustrative purposes only and subject to survey and detailed design.

REVISION:
A. Red line boundary expanded to include new country park

D: C: DATE:
C.J.L. C.J.L. 05.11.17



KEY

- Site location
15.91 Acres/
6.44 Hectares
- Proposed residential development
- Public open space
- Existing landscape
- Proposed landscape
- Proposed indicative sustainable drainage
- Key pedestrian routes
- Existing public footpaths and routes

KEY DESIGN PRINCIPLES

- Proposed indicative vehicular access via Cordy Lane;
- Line of service easement;
- Focal point dwelling orientated to address amenity of existing dwelling;
- Landscaped green with housing crescent;
- Extended building separation distances to address existing dwellings;
- Landscaped green with children's equipped play area;
- Principal tree-lined residential street;
- Ecology corridor retaining existing landscape;
- Higher density development core;
- Lower density edges;
- New residential building line to mirror existing building patterns;
- New landscape and Green Belt boundary;
- Focal point space integrating existing public footpath;
- Existing ditch and development offset to address surface water flooding;
- Improvements to existing pedestrian crossing;
- Proposed new traffic calming measures along Cordy Lane;
- Existing right of access to be retained;
- Potential country park;
- Diverted electricity cables; and
- New farm access



CLIENT:
RICHBOROUGH ESTATES LTD

PROJECT:
LAND OFF CORDY LANE,
BRINSLEY, NOTTINGHAMSHIRE

DRAWING TITLE:
PROPOSED ILLUSTRATIVE MASTERPLAN

JOB NUMBER:	DRAWING NUMBER:	REVISION:
30317	1	A
DATE:	D:	C
01.11.2017	C.J.L.	C.J.L.
SCALE:		
1:10000BA1		
PURPOSE OF ISSUE:		
PRELIMINARY		

Land North of Cordy Lane, Brinsley

Broxtowe Part 2 Local Plan: Publication
Version

Representations on behalf of
Richborough Estates



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APPENDICIES

Appendix 1 – Brinsley Alternative Site Consultation, Option 2 – Illustrative Masterplan

Appendix 2 - Additional development option, Land to the north of Cordy Lane, Brinsley – Illustrative Masterplan

Appendix 3 – Additional development option, Land to the north of Cordy Lane, Brinsley – Site Location Plan

Appendix 4 – Tyler Grange Landscape Note

Appendix 5 – 'The Role of Land Promoters in Housing Delivery'

Appendix 6 – Expressions of interest from housebuilders

1. INTRODUCTION

1.1. These representations, made by Fisher German on behalf of Richborough Estates, relate to Policy 5: Brinsley Site Allocation and Policy 5.1: Land East of Church Lane, Brinsley, 110 homes.

1.2. The representations detailed within this statement object to the proposed allocation of land to the east of Church Lane, Brinsley for 110 homes for the following reasons:

- The deliverability of the vehicular access to the site off Cordy Lane.
- The policy is not sound:
 - It is not justified in that is not the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.

Having regard to the landownership issues for the proposed allocation access, the surface water constraints at the point of access reported above, and the matters relating to landscape, heritage and Biodiversity and Green Infrastructure, detailed in Section 3 of these representations, it is difficult to understand how the Council has concluded that the proposed allocation on land to the East of Church Lane, is the most appropriate strategy when considered against the reasonable alternatives. Land to the north of Cordy Lane is clearly less constrained and the more suitable housing site when considered against the alternatives.

- It is not consistent with national policy.

The proposed allocation cannot be shown to be “*deliverable*” and as such it cannot form part of the Council's housing land supply. The exceptional circumstances for the site to be removed from the Green Belt have not therefore been made out. The policy therefore fails against one of the fundamental principles of the NPPF.

1.3. Further detail on the above is set out in Section 3 of this statement.

1.4. Having regard to the Council's evidence base, and the information submitted with these representations, it is considered that the most sustainable and appropriate site for release in Brinsley is land to the North of Cordy Lane. Section 2 of this statement sets out the case for this.

2. ALTERNATIVE SITE – LAND NORTH OF CORDY LANE, BRINSLEY

- 2.1. Richborough Estates is promoting land to the north of Cordy Lane, Brinsley.
- 2.2. Richborough Estates made representations to the Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation in respect of the Option 2 site, illustrated below.



Figure 1: Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation – Option 2 (Source: Google Earth)-

- 2.3. A masterplan illustrating how the site could be developed was submitted with the representations, and is included as Appendix 1.
- 2.4. Richborough Estates representations to the Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation set out the case for the release of this land from the Green Belt and its associated allocation for 110 dwellings. The issue of perceived coalescence with Brinsley and Underwood was fully assessed in the submission; it was concluded that the site represented a logical release from the Green Belt with no real intervisibility with Underwood.
- 2.5. This submission proposes an additional option for development to the north of Cordy Lane, as enclosed at Appendix 2. The site area differs from the option proposed by the Parish Council and considered in the Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation and seeks to address the Borough Council's concerns associated with the perceived coalescence of Brinsley and Underwood, which were linked to concerns from Ashfield District and the JUS-t Neighbourhood Plan group.
- 2.6. This additional option represents one of numerous ways in which 110 dwellings could be delivered on land to the north of Cordy Lane, Brinsley (within the single ownership).

- 2.7. The additional option to the north of Cordy Lane is discussed in further detail below. This option, and the original, considered as Option 2 in the Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation are both fully deliverable. A site location plan is provided as Appendix 3.

[Additional development option – Land to the North of Cordy Lane](#)

- 2.8. The additional development option, which represents one of many ways in which the 110 dwellings could be delivered on land to the north of Cordy Lane, is bounded to the south and west by existing residential development. Existing hedgerows predominantly define the northern and eastern boundaries.
- 2.9. The site is located within walking distance of a range of services and facilities. As detailed within the site-specific information contained in the Brinsley Site Allocations Consultation Document the site is approximately 400 metres from Brinsley Primary School, 300 metres from Brinsley Mini Market and 300 metres from the shops. All of these can be accessed from the site via Cordy Lane to the south of the site or via the existing Public Rights of Way (PRoWs) to the north of the site. Brinsley Parish Hall and the associated recreation ground are located 200 metres to the south of the site, across Cordy Lane.
- 2.10. There are numerous bus stops, well within walking distance (40 – 300 metres) of the site, providing sustainable travel opportunities.
- 2.11. The masterplan submitted with these representations (Appendix 2) illustrates the additional development option demonstrating how the site could be brought forward for residential development.
- 2.12. The masterplan has been prepared having regard to the topography and existing drainage of the site; existing infrastructure on site, including sewer and telephone lines; the location of the site access; the surrounding landscape and existing built development, and opportunities to connect to PRoWs adjacent to the site.
- 2.13. The proposed development incorporates 110 dwellings, with provision made for 30% affordable housing (33no. dwellings). The plan illustrates development at a density of 32 dwellings per hectare which is considered appropriate for a village scheme.
- 2.14. A mixture of house types are shown, including the provision of bungalows. This will ensure that family housing, along with housing which meets the needs of the community is delivered.
- 2.15. With the exception of the bungalows, building heights are proposed to be mostly 2 storeys, with some 2.5 storey marker buildings to create focal point spaces.
- 2.16. The design seeks to draw upon and complement the existing character of Brinsley. The masterplan creates new streets and greenspace which utilises opportunities to connect to the existing PRoWs which run adjacent to the northern boundary of the site and provide direct connections into the centre of Brinsley. These rights of way provide alternative pedestrian connections to the village. The layout delivers open space, including a **children's play area**, and the potential for a country park feature is shown.

Such a park area could be used to deliver a community benefit, whilst also providing a soft new Green Belt edge and ending any concerns over future coalescence.

- 2.17. Existing trees and hedgerows within the site will be retained where possible seeking to create high quality green infrastructure which takes into account potential wildlife and promotes biodiversity.
- 2.18. An onsite sustainable urban drainage scheme will be provided, utilising the sites topography. Swales will be provided within the streetscape along with a balancing pond.

Site Constraints

- 2.19. With the exception of the current Green Belt designation, there are no local or statutory designations on the site, which would prevent development.
- 2.20. The site is not at risk of flooding, as defined by the Environment Agency's online maps, and confirmed within the site-specific information which forms part of the Brinsley Site Allocations consultation document.
- 2.21. The site comprises Grade 4 Agricultural Land; poor quality agricultural land.
- 2.22. There are a number of Local Wildlife Sites within 250 metres of the site; the closest of which is 50 metres from the site. There is also a Local Nature Reserve within 100 metres of the site. It is noted that there is a Local Nature Reserve within the Option 1 site.
- 2.23. A Phase 1 Habitat Assessment is currently being undertaken for the land north of Cordy Lane which will identify any opportunities which can be delivered on site to enhance the nearby Local Wildlife Sites and Local Nature Reserve.
- 2.24. A sewer crosses the site. We have the ability to move this and incorporate it within the layout, as proposed for the masterplan submitted with the representations to the Brinsley Alternative Site Consultation. The masterplan for the alternative scheme (Appendix 2), described in this submission, provides an easement for the sewer in its existing position. The constraint can therefore be mitigated in full.

Access

- 2.25. Critical to the delivery of any site is ensuring that access to the site can be achieved. A full review of access to the land to the north of Cordy Lane has been undertaken by PTB Transport Planning Ltd, qualified highway consultants.
- 2.26. In undertaking this review, it has been determined that a safe access can be achieved using land within the landowner and highway authority's ownership; no third-party land is required.
- 2.27. Access to the site will be achieved off Cordy Lane by a simple priority-controlled T-Junction onto Cordy Lane. The access will meet the required 6Cs standard providing a 5.5m access road, with 2.0m footways on either side and 6.0m entry and exit radii. The proposed access is currently shown with 2.4m x 59m visibility splays in both directions, which accords with the prevailing speed limit of 30mph.

- 2.28. The provision of traffic calming measures on Cordy Lane is proposed to complement the existing VA signs that are present in the vicinity of the site. These include carriageway narrowings to 6.0m width via build-outs (thus still meeting recommended width guidance for bus routes), along with renewal of the existing 'dragons teeth' and 'SLOW' markings directly adjacent to the site. Other alternatives maybe feasible and we will work with the County to deliver an agreed scheme of measures.
- 2.29. In addition, it is proposed that the existing informal/uncontrolled pedestrian crossing on Cordy Lane (adjacent to the Parish Hall) is upgraded to a signalised Puffin Crossing facility.
- 2.30. The proposed access arrangement represents a safe and viable vehicular access to the site.

Perceived Coalescence

- 2.31. It is recognised that the perceived coalescence of Brinsley and Underwood is a key concern of the Borough Council in respect of the Option 2 site considered in the Broxtowe Part 2 Local Plan: Brinsley Alternative Site Consultation. We note that the concern is also informed by the objection from the JUST Neighbourhood Plan group and Ashfield District Council.
- 2.32. As referred to previously, the additional option proposed under these representations amends the redline area from that consulted on in the Brinsley Alternative Sites, providing greater distance between the development site and Underwood. In addition, we have shown a green edge to the northern boundary – including a potential country park if such a feature was considered to benefit both the scheme and to limit any concerns over coalescence.
- 2.33. An assessment of the site against the five purposes of the Green Belt has been undertaken, as set out in Table 1 below. It is clear from the assessment that the development of the site will not result in unrestricted sprawl of settlements or merge settlements any further than already exists. The development of the site will seek to strengthen existing on-site boundaries and create new boundaries to contain the development. As demonstrated in the Landscape Note, provided in Appendix 4, the site is physically and visually contained by layers of vegetation. On the basis of this reassessment it is considered that the release of land to the North of Cordy Lane, can be supported.

Purpose/Impact	Assessment	Score
Check the unrestricted sprawl of settlements	The principal consideration is the sprawl of the existing urban edge of Brinsley and potential coalescence with Underwood to the north-east. Whilst the proposed development would result in some very localised loss of the existing 'open' context.	2

	<p>The physical distance of Green Belt separation also needs to be considered in association with the existing sense of enclosure and the degree of containment located at the settlement boundaries. Firstly, with the notable presence of intervening hedgerows and scattered woodlands to the north-east, there is no real sense of any visual connection between Brinsley and Underwood, as the vegetation acts as a strong visual and physical feature of separation.</p> <p>Further scope also exists to create additional separation through the creation of another off-site woodland belt to the north-east of the site, which would also respond to the landscape character enhancement objectives.</p>	
Prevent neighbouring settlements from merging into one another	<p>In terms of the merging of settlements, a key consideration is the strength and permanence of existing boundaries. As set out above, the site is both physically and visually contained by layers of vegetation, with no real inter-visibility with Underwood to the north east. Even the transitional users of Cordy Lane (A608) will not obtain clear inter-visibility between the two settlements. Instead, road users experience the settlement context in the form of ribbon development, but development will be setback beyond the established residential frontages and the sense of travelling from one distinct area to another will not be lost.</p> <p>Further physical growth of Brinsley in this location, when considered in accordance with the promotion of a sensitive development that retained and enhanced boundary features, would be largely inconspicuous in the surrounding landscape, given the settlement backdrop and surrounding landscape context which assists in diminishing any perception of coalescence.</p>	2
Assist in safeguarding the countryside from encroachment	<p>The existing framework of vegetation and limited number of public receptor locations restricts the perceived sense of openness; and, the limited inter-visibility between the site and the surrounding settlements emphasises the degree of containment that currently exists. The character of the landscape is somewhat transitional with obvious urban fringe components; and, there is little sense that it represents an extensive tract of open countryside. It is certainly not a remote or tranquil site.</p> <p>The retention and enhancement of the framework of boundary vegetation, and the delivery of characteristic development response would further limit the extent to which any proposed built form would introduce uncharacteristic features into the landscape, thus any sense of visual encroachment into the wider open countryside would be negligible.</p>	2

Preserve the setting and special character of historic settlements	Available information on the historic landscape does not determine any specific role that the site plays in providing an important setting or approach to Brinsley. As always, aspects of this landscape are expected to be ancient in origin, but no particular rare or unique historic landscape features have been identified at this stage. Based on these findings, effects upon this Green Belt objective would also be negligible.	1
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Table 1: Revised Green Belt Assessment of Option 2 Redline boundary

Delivery

- 2.34. Footnote 11 of the NPPF confirms that to be considered deliverable, sites should be: *“available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular the development is viable”*. This section of the report demonstrates the deliverability of the land to the north of Cordy Lane, and the commitment of the landowner and the promoter to bring the site forward.
- 2.35. It has been demonstrated that a safe access to the site can be achieved using land **within the landowner and highway authority's ownership; no third-party land is required**. The access can be delivered to meet the required 6Cs standard providing a 5.5m access road, with 2.0m footways on either side and 6.0m entry and exit radii.
- 2.36. The costs of delivering the access arrangement and residential development on site are not unusual. Site constraints are known and can be mitigated at no extraordinary cost to the scheme.
- 2.37. It is recognised that, upon adoption of the Local Plan, immediate delivery of the Local Plan allocations is sought. The landowner and Richborough Estates are committed to the delivery of the site. If the site is identified for release from the Green Belt, as a residential allocation in the Pre-Submission Local Plan, Richborough Estates will prepare an outline planning application (with detailed means of access). This early preparation of the planning application will ensure that, upon adoption of the Local Plan, there will be an application immediately available for the Borough Council to determine for an allocated site.
- 2.38. As indicated above, whilst the planning application would be made in outline (with detailed means of access), Richborough Estates will undertake all the necessary detailed work to ensure **that the consented site is 'oven ready' for housebuilders to acquire and deliver**. As a result of this, sites offered to housebuilders by Richborough Estates are quickly delivered.
- 2.39. Richborough Estates has already received an expression of interest in the site from numerous housebuilders including Miller Homes, Avant Homes and Harron Homes. These expressions of interest are provided in Appendix 5 to this document and confirm the sites attractiveness to the market and deliverability.

- 2.40. The landowner and Richborough Estates are happy to offer a two-year period for submission of the reserved matters application and discharging of conditions. This offer demonstrates the detail which Richborough Estates put in behind the scenes of an outline planning application, to ensure that they achieve a deliverable planning consent that can be picked up, and implemented without delay by a housebuilder.

The Promoter – Richborough Estates

- 2.41. Richborough Estates is a privately-owned business established in 2003. Their head office is in Birmingham with a satellite office in Cheshire. There is no bank funding and no external shareholders or investors.
- 2.42. Richborough Estates is a responsible, specialist strategic land promotion business with the aim of working in partnership with landowners to maximise their land assets. They are an established and very experienced promoter who have strong track record in delivering commercially viable planning consents. At present they have approximately 70 sites across the country with a total development capacity of around 12,000 homes.
- 2.43. They source land opportunities and carry out the entire planning and sales process, working closely with a full professional team. Their philosophy is to engage and consult with local stakeholders during the planning process and meet regularly with all stakeholders including landowners, Parish and Town Councils, local planning officers, local action groups, MPs and so on. Their commitment to the consultation process contrasts quite differently to some of their peers but they believe that consultation can yield results. They recognised that a permission secured at committee makes for a much more marketable site because housebuilders considering buying a site with an outline planning permission do so in the comfort that the principle of development was supported and so they are reassured that their reserved matters application should progress smoothly.
- 2.44. Their team manages residential projects throughout the UK, which range from 2 hectare immediate application sites to large urban extensions in the Green Belt which involve planning and delivery over the longer-term. As a land promoter, rather than a housebuilder, their interests are aligned with those of the landowner, which can often speed up the time in which a site can brought to market following the grant of planning permission. The cost of promoting the land through the planning system is funded entirely by Richborough Estates and is entirely at their risk. Since they do not rely on bank or external funding they are very tenacious in our pursuit of planning permission.
- 2.45. As their business is funded through the sale and delivery of housing sites, all of their planning applications are prepared with a housebuilder in mind. This includes, for example, ensuring that an extensive suite of survey work is commissioned before a planning application is submitted to ensure that there are no unsurmountable constraints from a technical perspective. This suite of survey work typically goes way beyond the validation requirements of a typical planning application. This approach ensures that they achieve best value in terms of commercial return, but crucially it helps to ensure that housebuilders approach the site with their eyes open to any known constraints. Housebuilders have greater certainty when purchasing our land and there is less likely to be a significant delay in housing delivery.

- 2.46. We enclose a document entitled 'The Role of Land Promoters in Housing Delivery' at Appendix 5, which provides more information on Richborough Estates.

[Inclusion of the site in Broxtowe Part 2 Local Plan](#)

- 2.47. It is recognised that the additional option for the land to the North of Cordy Lane, submitted under these representations, has not been the subject of formal consultation. It has however, been considered as part of a wider parcel of land within the background documents and the Sustainability Appraisal Document Publication Version, September 2017.
- 2.48. Given the serious concerns raised in respect of the current proposed allocation on land to the East of Church Lane, Brinsley (as detailed in Section 3 of these representations), it is considered that the allocation should be deleted and replaced with either scheme option for the land to the North of Cordy Lane. This could be dealt with through the major modifications, and should not need to delay the preparation of the Plan any further.

3. POLICY 5: BRINSLEY SITE ALLOCATION AND POLICY 5.1: LAND EAST OF CHURCH LANE, BRINSLEY

3.1. Richborough Estates object to Policy 5.1 which allocates Land East of Church Lane, Brinsley. The objections relate to:

- The deliverability of the vehicular access to the site off Cordy Lane.
- The policy is not sound:
 - It is not justified in that is not the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence, and
 - It is not consistent with national policy.

3.2. Further detail on each of the above points is set out below.

Access to Land East of Church Lane, Brinsley

3.3. Richborough Estates have serious concerns over the vehicular access to the proposed allocation (PA), land to the east of Church Lane, Brinsley.

3.4. Critical to the delivery of any site is ensuring that access to the site can be achieved. A site may have numerous points of access to a highway, but these may not facilitate the delivery of a safe and suitable access to the development proposed; thereby impacting the deliverability of the site.

3.5. Access to the PA is proposed off Cordy Lane. As referred to above, concerns are raised over the deliverability of this access.

3.6. The Title Plan/register shown in Figure 3 below illustrates the extent of land under control of the PA landowner.



Figure 3: Proposed Allocation Title Plan

- 3.7. The point of access onto Cordy Lane is insufficient, unless there is an agreement in place to bring in the third-party land to the east (as included within the Council's redline plan for the site).
- 3.8. Richborough Estates Highways Consultant has undertaken a high-level review of the access arrangement for the PA. Without the third-party land referred to above, there appears to be somewhere between 4.8m and 5.5m width to deliver an access junction onto Cordy Lane. To serve a development of at least 110 dwellings, an area of a minimum of 9.5m would be required to deliver an access road of 5.5m with 2 x 2.0m footways.
- 3.9. The Highways Consultant has identified that the PA may also have issues delivering the bellmouth and junction radii, as it depends on what is highway land to the south of Cordy Lane. If all of the verge is not within highways ownership then the access issues for the PA site get even worse as they would require 3rd party land on both sides to deliver a suitable junction with Cordy Lane as well.
- 3.10. In terms of the potential for access to the west, the existing gated track access from Church Lane is also a substandard width, scaling at c.8.5 m to 9.0 m at the junction with Church Lane, but narrower further into the site at c.7.5 m. Again, this is unsuitable for a standard access road to serve the number of dwellings proposed. Should any access onto Church Lane be provided, either through the gated track access, or further south where there appears to be significant frontage (we note that any junction along the latter would require a significant amount of hedgerow loss). It is anticipated that the delivery of this access would lead to other issues arising (in terms of planning, landscape, etc.) due to the extension of the site to a size way beyond that proposed as an allocation.

Soundness – Not Justified

- 3.11. The proposed allocation of Land East of Church Lane, Brinsley detailed within Policy 5.1 of the Plan is inconsistent with National Policy having regard to Paragraph 83 and Footnote 11 of the NPPF.
- 3.12. As set out above, the deliverability of the access to the proposed allocation is questioned owing to uncertainties surrounding the full ownership of the access.
- 3.13. The Infrastructure Delivery Plan of Part 2 of Broxtowe Borough Council's Local Plan, September 2017, assesses the proposed allocation of Land East of Church Lane (page 109). Within the Ownership/Developer section, the document refers to a "Proactive owner and developer".
- 3.14. Given the uncertainty of the ownership of the access to the site (which has still not been evidenced to the Council), it appears that the decision to allocate the site has been made upon misleading evidence, and the decision is not therefore sound.
- 3.15. The issue of misleading evidence continues in the Part 2 Local Plan Sustainability Appraisal Report, Publication Version, September 2017 (Part A - pages 180 to 199). As

explained in further detail below, in some instances the written appraisal of the sites is misleading, in other cases it is not clear how the two sites have been given the same score when one clearly performs better than the other.

- 3.16. The tables below provide the Councils assessment as set out within the Sustainability Appraisal Report, with commentary on the issues detailed below each table.

Heritage

	Policy 5.1 – East of Church Lane		Land North of Cordy Lane (Site 197)	
	Written Appraisal	Score	Written Appraisal	Score
Heritage	On the advice of natural England, OPUN and the Council's heritage advisor, development here would have no significant effect on the setting of the Parish Church of St James the Great (a Grade II Listed Building), Brinsley Headstocks (a 'Public Monument' with some association with DH Lawrence) or Vine Cottage	Negligible impact or not relevant	No comments provided, due to the distance of heritage assets from the site (the nearest, a listed building, is located 0.6 km away). There is no intervisibility between the site and the Brinsley Conservation Area. This is in contrast to the Option 2 site.	Negligible impact or not relevant

- 3.17. It is not clear how both sites are assessed as a '*negligible impact/not relevant*' score when it is clear that that the proposed allocation will still have some effect on heritage assets. An assessment of "*no significant effect*" on the Listed Building and nearby heritage assets, does not mean no effect at all; any harm should be weighed against the benefits of the proposal. This assessment contrasts with the land to the north of Cordy Lane where the nearest heritage asset is located 600m from the site.
- 3.18. Both sites are scored the same under this criterion. This is misleading and does not accurately reflect the differences in the sites. It is considered that land north of Cordy Lane should be reassessed and scored as a '*minor positive*' against this criterion, with the PA remaining a '*negligible impact/not relevant*' as the two sites are clearly not comparable in this regard.

Social

	Policy 5.1 – East of Church Lane		Land North of Cordy Lane (Site 197)	
	Written Appraisal	Score	Written Appraisal	Score
Social	Brinsley Recreation Ground adjacent, Brinsley Headstocks 9m Brinsley Parish Hall 112m, St James the Great Church, 204m from site. Shops 226m, Brinsley Mini Market 249m Brinsley Primary School 441m from site, Post Office 480m, Brinsley Lodge pub 567m	Moderate Positive	Brinsley Shops 116m from site, Brinsley Mini Market 152m from site. Underwood Post Office 656m from site. Brinsley Parish Hall 77m from site. Brinsley Recreation Ground 60m from site. St James the Great 367m from site. The Durham Ox 286m from site.	Moderate Positive

- 3.19. The written assessment of the sites is misleading. Brinsley Primary School is not listed on the assessment of land north of Cordy Lane; it is located approximately 400 metres from the site.
- 3.20. The scoring of both of the sites as ‘*moderate positive*’ is accepted however, it is clear that the land to the north of Cordy Lane benefits from closer accessibility to services and facilities to meet daily needs.

Biodiversity and Green Infrastructure

	Policy 5.1 – East of Church Lane		Land North of Cordy Lane (Site 197)	
	Written Appraisal	Score	Written Appraisal	Score
Biodiversity and Green Infrastructure	Adjacent to Brinsley Headstocks LNR	Negligible impact or not relevant	<ul style="list-style-type: none"> • Brinsley Headstocks LNR within 100m of site. • Selston Grassland (II) (2/168 'A notable grassland community') within 50m of site. • Selston Grassland (I) (2/167 'A little-managed, species-rich grassland') within 50m of site. • Cordy Lane Paddock (2/263 'A grassland with a characteristic Coal Measures community') within 50m of site. • Brinsley Brook (5/3404 'Brook with ancient woodland flora') within 50m of site. • Winter Close Grassland, New Brinsley (5/2328 'Neutral grassland') within 50m of site. 	Negligible impact or not relevant

3.21. Again, the written assessment is misleading. The assessment for land to the North of Cordy Lane lists all the nearby Local Wildlife Sites, whereas none of the Local Wildlife Sites are referred to for the proposed allocation site. The written appraisal of the proposed allocation should also include reference to the following:

- Saint's Coppice (5/2313 A woodland with an ancient woodland flora) within 50m of site;
- Brinsley Brook Grasslands (5/2302 Noatable neutral grasslands) within 50m of site;
- Brinsley Brook Grasslands (5/2302 Noatable neutral grasslands) within 100m of site;
- Saint's Coppice (5/2313 A woodland with an ancient woodland flora) within 100m of site;
- Cordy Lane Paddock (2/263 'A grassland with a characteristic Coal Measures community') within 100m of site;
- Brinsley Brook (5/3404 Brook with ancient woodland flora) within 250m of site; and,
- Brinsley Headstocks (5/3405 Former colliery site with notable flora) within 250m of site.

- 3.22. It is worth noting that the proposed allocation is closer to the Local Nature Reserves and the Local Wildlife Sites than the land to the north of Cordy Lane.

Environment and Landscape

	Policy 5.1 – East of Church Lane		Land North of Cordy Lane (Site 197)	
	Written Appraisal	Score	Written Appraisal	Score
Environment and Landscape	There is a medium landscape sensitivity, a high recreational value and a high susceptibility to perception of change within the landscape. There is an overall medium visual sensitivity, with recreational receptors primarily affected by the change to the site.	Moderate Negative	This is a primarily pastoral site on the north-eastern edge of Brinsley. Adjacent to the site is an attractive line of houses that form a strong settlement boundary. The potential for erosion of this contributes to the medium landscape susceptibility and the overall medium landscape sensitivity. There is a medium visual susceptibility and sensitivity as well, which arises from the site's contribution as the rural edge to the settlement and its recreational and residential amenity.	Moderate Negative

- 3.23. It is recognised that the proposed allocation and land to the north of Cordy Lane are both assessed by the Council as having medium visual susceptibility. However, the proposed allocation is clearly described as having a *'high recreational value'* and a *'high susceptibility to perception of change within the landscape'*. It must therefore be concluded that the development of the proposed allocation will have a greater landscape impact than the land to the north of Cordy Lane. Again, it is considered that the site assessment is misleading, and that land north of Cordy Lane should be reassessed as a minor negative with the proposed allocation site remaining as a moderate negative.
- 3.24. A Landscape Technical Note was prepared by Tyler Grange in respect of the land to the north of Cordy Lane. This was included with the representations to the Brinsley Alternative Site Consultation and is reproduced as Appendix 4 to this report. The Technical Note concludes the site represents a logical release from the Green Belt in landscape terms, particularly given the settlement fringe context and the robustness of the boundaries that surround; and, the degree of visual separation. It states that a sensitive development response for the site would not result in any obvious sense of coalescence.

- 3.25. The report advises that the character of the landscape is neither rare nor unique and a classified within the various Landscape SPG, it is clearly typical of its type, has no real sense of tranquillity, is surrounded by urban context; and, the historic field pattern has been influenced by modern enclosure and some loss of historic features. There are opportunities to maintain and improve public access to the site and to introduce planting that could better reflect the characteristics of the local landscape. The Technical Notes states that *“Overall, the landscape effects associated with sensitive development in this location are predicted to be localised and wouldn't be considered incongruous or uncharacteristic”*.

Natural Resources and Flooding

	Policy 5.1 – East of Church Lane		Land North of Cordy Lane (Site 197)	
	Written Appraisal	Score	Written Appraisal	Score
Natural Resources and Flooding	Former colliery site, therefore potential land improvement. Brinsley Brook adjoins the site for 350m Grade 4 agricultural land.	Negligible impact or not relevant	Below Surface Watercourse (Culvert) dissects site for 11.14m. Surface Watercourse (Tertiary River) dissects site for 201.06m. Grade 4 Agricultural Land.	Negligible impact or not relevant

- 3.26. Again, it is considered that full reporting of the site constraints has not been undertaken. It is acknowledged that a surface water culvert dissects part of the land to the north of Cordy Lane however, this is located to the eastern side of the site and mitigation designed into the scheme. There is however no mention of the surface water constraints associated with the Brinsley Brook on the proposed allocation site; which impacts the full extent of the site access, as illustrated below.

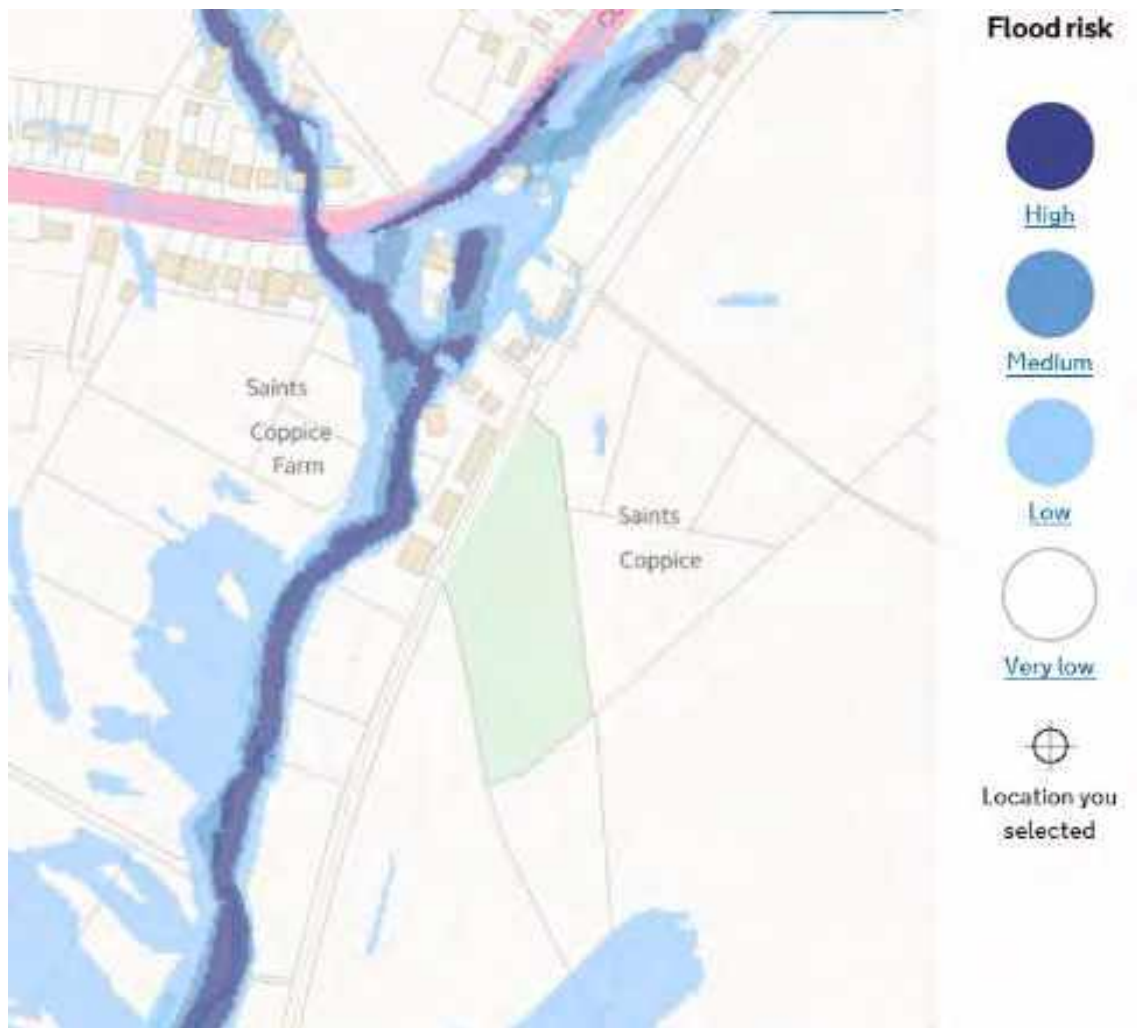


Figure 4: Surface Water Flooding

Summary

- 3.27. Having regard to the landownership issues for the proposed allocation access, the surface water constraints at the point of access reported above, and the matters relating to landscape, heritage and Biodiversity and Green Infrastructure, it is difficult to understand how the Council has concluded that the proposed allocation on land to the East of Church Lane, is the most appropriate strategy when considered against the reasonable alternatives. Land to the north of Cordy Lane is clearly less constrained and the more suitable housing site when considered against the alternatives.
- 3.28. Furthermore, it is also worth noting that the land to the north of Cordy Lane has the full support of the Parish Council.

Soundness – not consistent with National Policy

- 3.29. Paragraph 83 of the NPPF states that “Once established, Green Belt boundaries should only be altered in exceptional circumstances...”. In the case of the Part 2 Local Plan the Council is rightly proposing release from the Green Belt in order to provide the required housing allocation for the Borough. However, in order to show a housing land supply the

NPPF requires the local planning authority to “identify and update annually a supply of specific deliverable sites”. Footnote 11 states:

“To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable...”

- 3.30. The proposed allocation cannot be considered “deliverable”, as defined by Footnote 11. The site is not available now, and given the lack of certainty/proof of ownership in respect of the access, this casts doubts upon the viability of the site due to the possibility of ransom.
- 3.31. It is arguable that, if the proposed allocation cannot be shown to be “*deliverable*” then it cannot form part of the Council’s housing land supply. As such the exceptional circumstances for the site to be removed from the Green Belt have not been made out. The policy therefore fails against the fundamental principles of the NPPF.
- 3.32. It is worth noting Case Law which relates to the above matter. In respect of the Wainhomes Holdings Ltd (2013) case, it was determined that “*available now*”, as sought by Footnote 11 of the NPPF, implies that “*if the site had planning permission now, there would be no other legal or physical impediment integral to the site that would prevent immediate development*”. The proposed allocation of land to the East of Church Lane is clearly not ‘available’ given the ownership constraints of the site access.

4. SAFEGUARDED LAND

- 4.1. It is noted that the Borough Council intends to only identify the land necessary to deliver the housing requirement for the Plan period. This approach however, does not provide for any flexibility should any of the allocations deliver at a slower rate than expected, or not deliver at all, nor does it seek to maximize housing supply.
- 4.2. The Council should consider the allocation of developable reserve sites together with an appropriate release mechanism.
- 4.3. The land north of Cordy Lane offers an opportunity for land beyond the redline boundary **of Option 2, within the landowner's ownership, to be identified as safeguarded land for development** if the need arrive. The current prosed allocation does not facilitate this with the land immediately surrounding the site too sensitive in terms of landscape, heritage and ecological value, for development.

**Broxtowe
Borough
COUNCIL**

Please provide your client's name

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

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

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

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

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

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	Page53-58	All of policy 5
	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		
	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		X

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

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

Your comments

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

The Local Plan allocates 1 site within Brinsley notably the 110 dwellings at Land East of Church Lane, Brinsley. Objection is raised to the proposed allocation on the following grounds:

- Sustainability – Brinsley has limited facilities and limited connections to the public transport network. It is considered that there are alternative more sustainable housing options available within Eastwood, notably the Wade Printers site.
- The SA identifies that the site is poorly related to strategic road network.
- Flooding from Brinsley Brook is a constraint to the development
- High visual impact and loss of a green belt site
- This is a low market area and question is raised with regards to the deliverability of this site within the plan period.

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

1. Positively Prepared: To meet the test the plan must be able to show it is based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, in a manner consistent with achieving sustainable development. This site raises concerns over its sustainability and deliverability in a manner which fails this test.

2. Justified: The site highlighted above is not justified as an allocation given the concerns that are raised.

3. Effective: Because of the issues raised above, it is not considered that the proposal will not make an effective contribution to delivering sustainable development for the district and deliver the growth required.

4. Consistent with national policy: sustainability is seen as the golden thread running through the NPPF. The significant concerns over the sustainability of this site undermines the Plans credentials in this respect.

Question 4: Modifications sought

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

The site should not be allocated for the reasons given above.

It is considered that additional housing should be released within Eastwood in order to provide a plan that is more in compliance with the Adopted Core Strategy and to ensure that sufficient developable and deliverable sites are allocated to meet the full housing needs for the plan period.

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

Whilst the discussion of this particular site may not be necessary, the wider consideration of the basis of how sites have been selected and excluded, is fundamental to the soundness of the Plan, which requires challenge and debate.

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



Broxtowe Part 2 Local Plan: Publication Version
Comments in relation to Policy 5: Brinsley Site Allocation

We write on behalf of our client Mr S Soult and wish to draw to the Inspectors attention the reasons why we consider Policy 5: Brinsley Site Allocation to be inadequately justified on the basis that the evidence base is insufficiently robust and credible.

Firstly, we wish to acknowledge that we agree with the broad spatial strategy set out in Policy 2.2 of the Aligned Core Strategy which identifies Brinsley as a key settlement for grow and distributes up to 150 homes to the settlement accordingly.

Under the heading Justification to Policy 5: Brinsley Site Allocation it states at paragraph 5.2 (page 53) that,

'The site identified in the policy has been allocated following a site selection process and consultation with local stakeholders. This process considered a number of sites both within and adjacent to the urban area including a mix of brownfield and green field sites. It is considered that there are exceptional circumstances requires to amend the boundary of the Green Belt to allow residential development.'

We wish to comment on the site selection process that has been undertaken by the Council and we will draw reference to the concerns we have to the published evidence base documents accordingly.

We acknowledge and agree that in order to accommodate the quantum of homes required in Brinsley (up to 150 dwellings), and due to the lack of development sites within the village envelope, land will need to be released from the Green Belt. However, it is our view that not all these houses necessarily need to be provided solely upon one site. Instead, a number of smaller sites could cumulatively provide the amount of land required to provide up to 150 homes in Brinsley. An opinion concurred with by Planning Policy Officers at the Borough Council.

By way of an introduction our client owns 1.5 hectares of land that is situated on the edge of the settlement.





Land to the rear of 145 Broad Lane and Clumber Avenue, in Brinsley.

It is discreetly nestled behind the dwellings along Broad Lane and Clumber Avenue in Brinsley as illustrated both above and below:



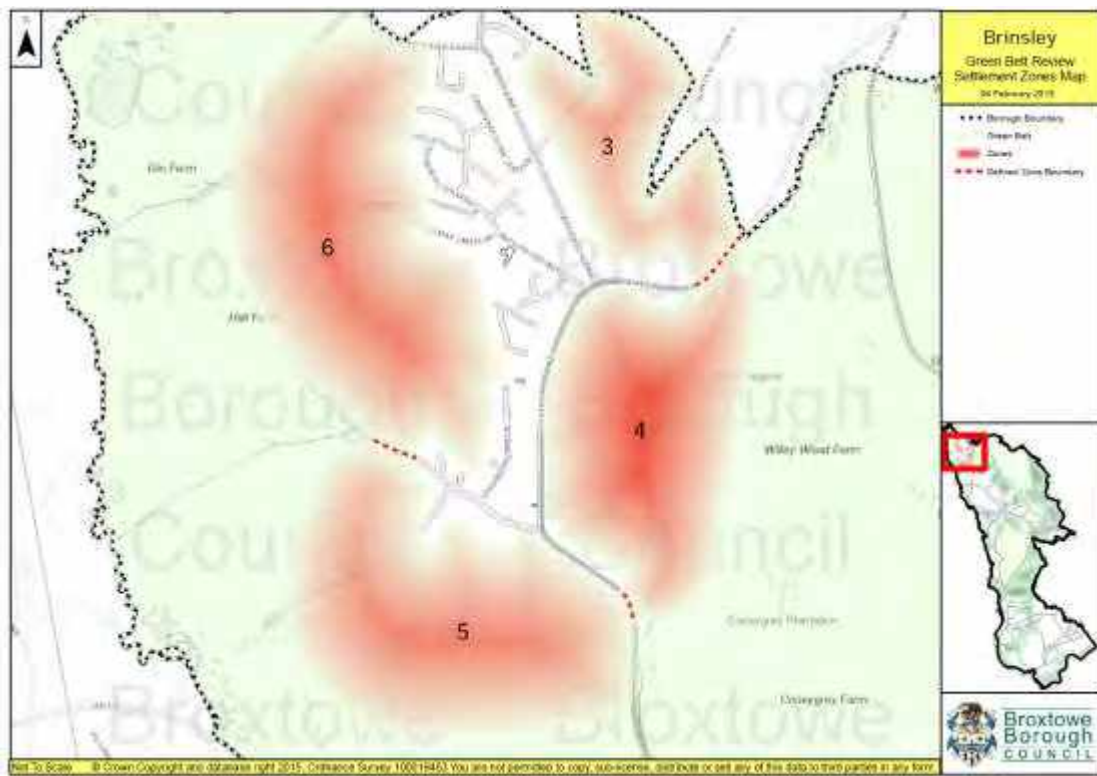
Site Location

In order for us to elaborate on our concerns it is necessary for us to go back and expand upon the process that has been undertaken and the resulting evidence base documents that have been published.

Following Cabinet approval on 27 January 2015, the Council published a Preferred Approach to Site Allocations (Green Belt Review) document for a period of consultation which ran from 9 February 2015 to 23 March 2015.

In relation to Brinsley four potential directions for growth were considered and scored accordingly. Zone 4 scored the least in terms of impact the Council considered development of the site would have upon the purposes of

retaining the land as designated Green Belt. Relevant extracts of this report are included below:



Page 22 of the Green Belt Review document

Broxtowe Borough Council Green Belt Review 2015						
Zone Assessment Summary:						
Area	Parish	Scores for Purpose/ Impact				Total
		Check the unrestricted sprawl of settlements	Prevent neighbouring settlements from merging into one another	Assist in safeguarding the countryside from encroachment	Preserve the setting and special character of historic settlements	
Zone 3: North East of Brinsley	Brinsley	3	4	3	1	11
Zone 4: South East of Brinsley	Brinsley	2	1	3	3	9
Zone 5: South West of Brinsley	Brinsley	4	4	4	4	16
Zone 6: North West of Brinsley	Brinsley	4	2	4	4	14

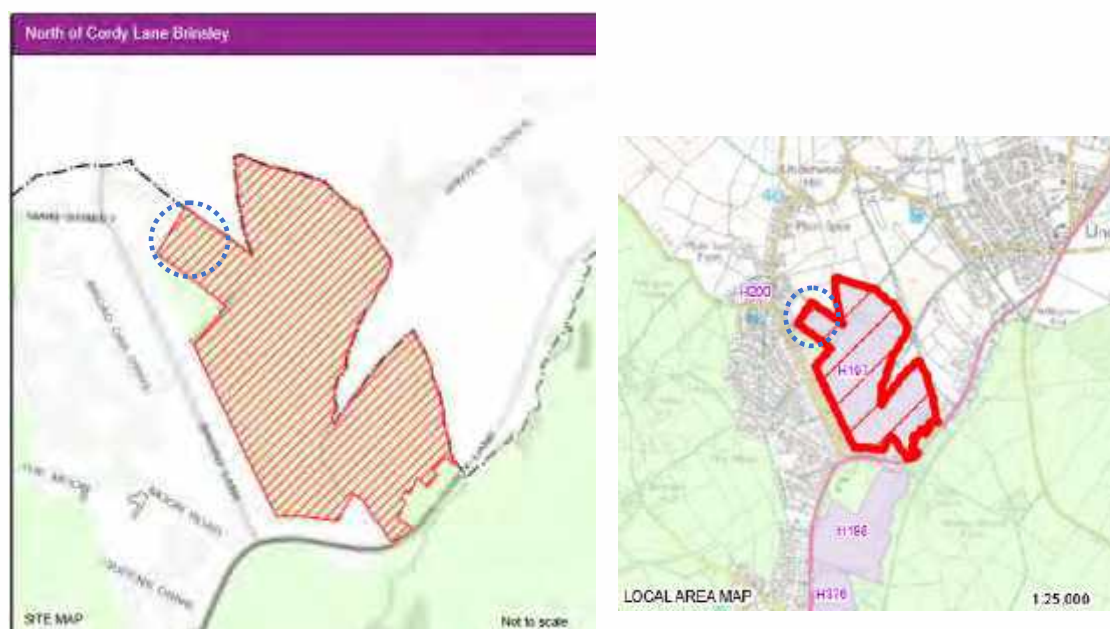
Extract of page 23 of the Green Belt Review document

Having carefully reviewed the document and the methodology for carrying out the review, our client submitted comments which related specifically to the scores attributed to developing zones of land in the potential directions that were shown when scored against the purpose and impacts of retaining the various zones land in the Green Belt. The responses received to this consultation were reported to Cabinet on 13 October 2015 and it is noted that the comments our client made were rebutted. However, it is further noted that comments made on other important and more detailed matters by our client are described as 'other issues' and as quoted 'will be considered

in the Sustainability Appraisal and Infrastructure Development Plan before (our emphasis) final decisions on site allocations are made' (See, for example, pages 99 and 103 of the relevant cabinet report which is attached at Appendix A). We respectfully request that the Inspector satisfy him or herself that such matters regarded as 'other issues' are satisfactorily considered in the applicable document.

As part of its requirement to identify and update annually a supply of specific deliverable sites sufficient to provide **five years' worth of housing against their** housing requirements the Council has over the years carried out a number of Strategic Housing Land Availability Assessments (SHLAA). The published SHLAA reports that are available for years 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 can be found on the Council's website and the most up to date publication of the SHLAA is 2015/16.

Whilst unknown to our client at that time, our clients land has previously been considered through the SHLAA process back in 2013 and was assessed as part of a vast parcel of land under SHLAA reference H197 as shown below:



The published full assessment for site H197 is attached at Appendix B. It concluded that whilst this parcel of land was considered 'suitable if policy changes', the published constraints identified the overall site as being prominent from the main road through the village, as well as possessing some minor topographical constraints.

Our client, when becoming aware of the Council's SHLAA process a number of years later, submitted his land for consideration expanding on legitimate reasons why he felt it should be removed from the Green Belt. It was subsequently included in the SHLAA report in 2015/16, given reference number 681 and referred to as 'Land to the rear of Clumber Avenue' in the publication (see page 21 of 53). An extract of page 21 is featured below:

Broxtowe Borough Council Strategic Housing Land Availability Assessment (SHLAA) 2015/16

Key Settlement: **Brinsley**

	With Extant Planning Permission
	Not Allocated & with No Planning Permission
	Under Construction/ Implemented Planning Permission

Site Ref	Site Name	CS Plan Period 2013-2028		
		0-5 Years	6-10 Years	11-15 Years
		2013-2018	2018- 2023	2023-2028
Deliverable and Developable				
77	44 Mansfield Road Brinsley	1	-	-
878	135 Broad Lane Brinsley	1	-	-
53	Manor Farm Hall Lane Brinsley	2	-	-
81	Oak Tree Cottage 26-28 Cordy Lane Brinsley	-	-	1
200	West of High Street Brinsley	-	-	21
Sub Total	-	4	-	22
Could be suitable if policy changes				
128	Land to the rear of Robin Hood Inn, 17 Hall Lane, Brinsley	-	-	11
681	Land to Rear of Clumber Avenue Brinsley	-	-	15
376	Land Opposite 28 Church Lane Brinsley	-	-	85
198	East of Church Lane Brinsley	-	-	200
197	North of Cordy Lane Brinsley	-	-	285
Non Deliverable or Developable				
199	North of Hall Lane Brinsley	-	-	-
Sub Total	-	-	-	596
Total	-	4	-	618

No substantial change from last year to the numbers found in the existing urban area.

Extract of page 21 from BBC SHLAA 2015/16

Upon our instruction at the start of 2017 and with a view to reviewing the Council's site selection process and to appraise whether we felt the evidence base behind the (now) Policy 5 was robust and credible we wrote to the Council on 13 February 2017 requesting full SHLAA assessment details for all the sites that the Council had considered in Brinsley (including site 681) and queried why only some sites appeared to have been fully assessed as the website did not appear to be up to date with full assessment details.

In response to our written enquiry we were advised in the correspondence we received that the last time full site assessments were published was for the issues and options consultation in 2013 (See Appendix C). As expanded upon above and at that time (2013) our clients land fell within a much larger swathe of land (site H197) and was therefore assessed on that basis.

Other than the inclusion of site 681 in the above table, it is unclear as to how the Council had appraised the parcel of land that had been put forward by our client (site 681) as well as other parcels of land put forward by others.

In light of the above we would respectfully request that the Inspector satisfy him/herself that the site selection process at that time had been conducted in a thorough and transparent fashion, whether the Council's SHLAA had been adequately made available for interested parties to view and through a process of consultation whether members of the public were adequately invited to make representations accordingly.

Following the various SHLAA conducted and as the plan making process evolved on 26 January 2017 a report was put in front of the Jobs and Economy Committee. Members were asked to endorse the recommended sites **its Officer's had put forward** for inclusion in the Part 2 Local Plan- Housing Site Allocations. In the case of Brinsley as set out in table 4a (page 29 of the Jobs and Economy Committee 26 January 2017 report), land east of the village to the rear of the recreational ground off Church Lane formed the LPA's recommended allocation to deliver 110 dwellings.

In response to the above and as it had done so previously Brinsley Parish Council submitted representations (a copy of which is attached at Appendix D) to raise its concerns to the Council's **preferred site, the selection** process conducted by the Borough Council and to put forward a further site as a potential alternative site for allocation. The alternative site put forward being land off Cordy Lane (referred to as **Option 2**). The Council's suggested site for allocation at that time - land off Church Lane - was referred to as Option 1. It is understood that each of the potential option sites put forward could provide provision of circa 110 homes.

Following the request from Brinsley Parish Council to consider a potential alternative site it was decided by Members of the Jobs and Economy committee that the Borough Council would consult upon the potential alternative development site known as land off Cordy Lane (Option 2). The consultation ran from 13 February 2017 until 24 March 2017 and the Council published in its consultation paper dated February 2017 that the aim of the consultation was to gain further information on any issues that will need to be considered including, as per the published comments form made available by the Council (See Appendix E), an invitation for interested parties to suggest any other Brinsley sites which have not yet been considered for allocation that should be allocated for development (see question 3).

In response to the invitation to make comments on the above consultation we wrote to the Council to make representations on behalf of our client to both the Option sites and also took the opportunity, as per question 3, to put forward our clients site - Land to the rear of 145 Broad Lane and Clumber Avenue - as a potential alternative site to provide an element of the required housing. A copy of our submission and supporting appendices are attached at Appendix F.

Although both option sites which were being considered were notably smaller parcels of land than those previously proposed, it is our view on behalf of our client that rather than reliance being placed solely on one parcel of land to deliver the full quantum of housing required in Brinsley, instead a number of smaller sites should be released out of the Green Belt to sensitively absorb the housing requirements stipulated. This, in our view, would mitigate and/or minimise any negative impacts on the character of the surrounding countryside and Green Belt as expanded upon further in our submission.

Our clients site includes an underused paddock to the rear of 145 Broad Lane and Clumber Avenue, in Brinsley that forms a logical extension to provide up to 40 dwellings to help boost the supply of housing in the area.

It is deliverable and developable and available now. It should also be noted that a pre-application enquiry has been lodged with the Council which further illustrates our client's appetite to bring the site forward.

In terms of further background we wish to draw to your attention the organic growth and expansion that has occurred in this part of Brinsley in the recent past. Historic maps suggest that the dwellings along Broad Lane which display a linear style of development were constructed in the early 1900s, the dwellings on the Clumber Avenue estate were constructed in two phases, the first being in the 1980s and a further phase later in the 1990s as shown below:



Phase 1 Clumber Avenue: 1980s



Phase 2 Clumber Avenue: 1990s

Our research has uncovered that the first phase of dwellings gained planning permission at Appeal in 1980 (ref APP/3346/79/12072/G2) and the Inspector when allowing the Appeal acknowledged that whilst the site was part of a gently sloping hillside, it was reasonably screened by hedgerows and the lower parts are adjacent to the top of Clumber Avenue and rear of dwellings which front onto Broad Lane. He also identified that the development of the site would integrate well with the existing houses and is not far away from the village centre. Furthermore, he noted that there were no outstanding natural features in the locality and held the opinion that development of the site would not prejudice the overall green belt concept. With regards the second phase (23 dwellings) the applicant was East Midlands Housing Association so was presumably granted as a rural exceptions site.

Having lodged representations in a timely fashion we were subsequently advised that all the comments received as part of the consultation exercise carried out would be considered and would be reported to the Jobs and Economy Committee in due course.

Having tracked down the Jobs and Economy (J and E) Committee Paper dated 28.06.17 (which is attached at Appendix G) prior to the meeting on 06.07.17 we wrote to the Council on 30 June 2017 in relation to agenda item 4: Part Two Local Plan and the further Brinsley consultation to question why no reference to the representations had been made. We queried that whilst the pros and cons of both Option 1 and 2 were discussed, there seemed to be very limited commentary/discussion made on possible alternative sites, if any.

We also queried why in Appendix 2 that the comments made by individual statutory consultees and also Councillor Handley were set out under the heading 'Site Promoter (Owner/Agent/Developer)'. We questioned why no entries were recorded and also under the heading 'Other Developers/Landowners' why the report only records one name - P Routledge - as making comment and listed his individual concerns.

The report then went on to list 'Public' comments under the headings 'Support Option 1', 'Object to Option 2', 'Support Option 2', 'Object to Option 1' with bulleted lists under various headings. It then contains a section entitled 'Other General Issues' and a final section - Other Sites are listed.

We also asked for confirmation as to whether the Council received our timely submitted representations and questioned why our representation has not been listed or recorded in the applicable section of the report (being mindful that the named individual P Routeledge is listed in the Other developer/landowner section). Finally, we also asked why there did not appear to be any consideration or commentary made whatsoever in response to the lengthy list of other sites that have been identified by interested parties.

Having been informed by Officers in Democratic Services that public speaking was not allowed at the J and E Committee we were surprised to be advised that at the discretion of the Chairman the site promoters for both Brinsley Option sites 1 and 2 as well as a representative from Brinsley Parish Council were being given the opportunity to address Committee.

Whilst the consultation exercise invited people to make comments on each of the two option sites this was not the sole purpose of the consultation exercise. It did also clearly invite people with the opportunity to put forward alternative sites for which we did on behalf of our client. Having read the committee report, we question the robustness and credibility of the evidence base as we cannot find any subsequent appraisal or commentary of any of the sites that have been suggested as alternatives by interest parties. With this in mind it would only seem equal that other interested parties and site promoters should have been provided with the opportunity to address committee as was the case in relation to both the Option 1 and 2 sites. This matter was raised with the planning policy team.

Having acknowledged that an editing error had been made in the preparation of the 6 July 2017 J and E committee report, a summary note of our representation was reported as a late item to the 6 July 2017 J and E committee. This is attached at Appendix H. Whilst some of the salient comments we raised were listed no reciprocal comments were made by Planning Officers in response to the issues raised in our representation. It is

therefore unclear as to whether any analysis or appraisal of any of the alternative sites put forward as part of the consultation process had been undertaken as nothing was set out in the report.

Following the presentations made by the site promoters for both Brinsley Option sites 1 and 2 as well as a representative from Brinsley Parish Council, Members of the J and E Committee subsequently approved the preparation of the plan with the inclusion of the Brinsley Option 1 site, as recommended, as the Brinsley allocation which now forms the basis of Policy 5.

In light of the above it is our view that the evidence base that led to the choice made for the allocation at Brinsley has not been adequately justified as it lacks any accountable assessment or appraisal of the many possible reasonable alternative sites put forward by interested parties during the consultation exercises carried out.

Full assessment details for all the Brinsley SHLAA sites considered since 2013 do not appear to exist, and if they do, they do not appear to have been made publicly available for interested parties to review and furthermore they do not appear to have been consulted upon as part of the process. When invited to submit comments on the Potential Alternative Brinsley Site consultation, and whilst question 3 of the comments form invited peoples' view on other sites at Brinsley for possible allocation, no commentary has been made as to why and how sites have been assessed and/or discounted.

For these reasons and on behalf of our client it is our view that the Plan is not sound and that the justification for Policy 5: Brinsley Site Allocation is not based upon a robust and credible evidence base.

We therefore urge the Inspector to carefully examine the evidence base that led to the proposed allocation at Brinsley as summarised above and satisfy him or herself that the site selection process and consultation with local stakeholders has been carried out in a satisfactory manner on the basis of the evidence that has been made available.

Finally, and in answer to question 5: Public Examination Attendance, and in light of the issues and concerns outlined in this correspondence we would like to register our desire to attend and participate at the public examination.

Please do not hesitate to contact me should you require any further information.

Kind regards

[Redacted Signature]

[Redacted Name]

Director

Details

Agent	
Please provide your client's name	Mr Steve Soult
Your Details	
Title	█
Name	██████
Organisation (If responding on behalf of an organisation)	GPS Planning and Design Ltd
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.)
5: Brinsley Site Allocation	53	5.2			Associated Evidence base documents

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	Yes
It is not consistent with national policy	No

Additional details

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

Broxtowe Part 2 Local Plan: Publication Version
Comments in relation to Policy 5: Brinsley Site Allocation

We write on behalf of our client Mr S Soult and wish to draw to the Inspectors attention the reasons why we consider Policy 5: Brinsley Site Allocation to be inadequately justified on the basis that the evidence base is insufficiently robust and credible. Firstly, we wish to acknowledge that we agree with the broad spatial strategy set out in Policy 2.2 of the Aligned Core Strategy which identifies Brinsley as a key settlement for grow and distributes up to 150 homes to the settlement accordingly. Under the heading Justification to Policy 5: Brinsley Site Allocation it states at paragraph 5.2 (page 53) that,

‘The site identified in the policy has been allocated following a site selection process and consultation with local stakeholders. This process considered a number of sites both within and adjacent to the urban area including a mix of brownfield and green field sites. It is considered that there are exceptional circumstances requires to amend the boundary of the Green Belt to allow residential development.’

We wish to comment on the site selection process that has been undertaken by the Council and we will draw reference to the concerns we have to the published evidence base documents accordingly.

We acknowledge and agree that in order to accommodate the quantum of homes required in Brinsley (up to 150 dwellings), and due to the lack of development sites within the village envelope, land will need to be released from the Green Belt. However, it is our view that not all these houses necessarily need to be provided solely upon one site. Instead, a number of smaller sites could cumulatively provide the amount of land required to provide up to 150 homes in Brinsley. An opinion concurred with by Planning Policy Officers at the Borough Council.

By way of an introduction our client owns 1.5 hectares of land that is situated on the edge of the settlement.

Land to the rear of 145 Broad Lane and Clumber Avenue, in Brinsley.

It is discreetly nestled behind the dwellings along Broad Lane and Clumber Avenue in Brinsley as illustrated both above and below:

Site Location

In order for us to elaborate on our concerns it is necessary for us to go back and expand upon the process that has been undertaken and the resulting evidence base documents that have been published.

Following Cabinet approval on 27 January 2015, the Council published a Preferred Approach to Site Allocations (Green Belt Review) document for a period of consultation which ran from 9 February 2015 to 23 March 2015.

In relation to Brinsley four potential directions for growth were considered and scored accordingly. Zone 4 scored the least in terms of impact the Council considered development of the site would have upon the purposes of retaining the land as designated Green Belt. Relevant extracts of this report are included below:

Page 22 of the Green Belt Review document

Extract of page 23 of the Green Belt Review document

Having carefully reviewed the document and the methodology for carrying out the review, our client submitted comments which related specifically to the scores attributed to developing zones of land in the potential directions that were shown when scored against the purpose and impacts of retaining the various zones land in the Green Belt. The responses received to this consultation were reported to Cabinet on 13 October 2015 and it is noted that the comments our client made were rebutted.

However, it is further noted that comments made on other important and more detailed matters by our client are described as ‘other issues’ and as quoted ‘will be considered in the Sustainability Appraisal and Infrastructure Development Plan before (our emphasis) final decisions on site allocations are made’ (See, for example, pages 99

and 103 of the relevant cabinet report which is attached at Appendix A). We respectfully request that the Inspector satisfy him or herself that such matters regarded as 'other issues' are satisfactorily considered in the applicable document.

As part of its requirement to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements the Council has over the years carried out a number of Strategic Housing Land Availability Assessments (SHLAA). The published SHLAA reports that are available for years 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 can be found on the Council's website and the most up to date publication of the SHLAA is 2015/16.

Whilst unknown to our client at that time, our clients land has previously been considered through the SHLAA process back in 2013 and was assessed as part of a vast parcel of land under SHLAA reference H197 as shown below:

The published full assessment for site H197 is attached at Appendix B. It concluded that whilst this parcel of land was considered 'suitable if policy changes', the published constraints identified the overall site as being prominent from the main road through the village, as well as possessing some minor topographical constraints.

Our client, when becoming aware of the Council's SHLAA process a number of years later, submitted his land for consideration expanding on legitimate reasons why he felt it should be removed from the Green Belt. It was subsequently included in the SHLAA report in 2015/16, given reference number 681 and referred to as 'Land to the rear of Clumber Avenue' in the publication (see page 21 of 53). An extract of page 21 is featured below:

Extract of page 21 from BBC SHLAA 2015/16

Upon our instruction at the start of 2017 and with a view to reviewing the Council's site selection process and to appraise whether we felt the evidence base behind the (now) Policy 5 was robust and credible we wrote to the Council on 13 February 2017 requesting full SHLAA assessment details for all the sites that the Council had considered in Brinsley (including site 681) and queried why only some sites appeared to have been fully assessed as the website did not appear to be up to date with full assessment details.

In response to our written enquiry we were advised in the correspondence we received that the last time full site assessments were published was for the issues and options consultation in 2013 (See Appendix C). As expanded upon above and at that time (2013) our clients land fell within a much larger swathe of land (site H197) and was therefore assessed on that basis.

Other than the inclusion of site 681 in the above table, it is unclear as to how the Council had appraised the parcel of land that had been put forward by our client (site 681) as well as other parcels of land put forward by others.

In light of the above we would respectfully request that the Inspector satisfy him/herself that the site selection process at that time had been conducted in a thorough and transparent fashion, whether the Council's SHLAA had been adequately made available for interested parties to view and through a process of consultation whether members of the public were adequately invited to make representations accordingly.

Following the various SHLAA conducted and as the plan making process evolved on 26 January 2017 a report was put in front of the Jobs and Economy Committee. Members were asked to endorse the recommended sites its Officer's had put forward

for inclusion in the Part 2 Local Plan- Housing Site Allocations. In the case of Brinsley as set out in table 4a (page 29 of the Jobs and Economy Committee 26 January 2017 report), land east of the village to the rear of the recreational ground off Church Lane formed the LPA's recommended allocation to deliver 110 dwellings.

In response to the above and as it had done so previously Brinsley Parish Council submitted representations (a copy of which is attached at Appendix D) to raise its concerns to the Council's preferred site, the selection process conducted by the Borough Council and to put forward a further site as a potential alternative site for allocation. The alternative site put forward being land off Cordy Lane (referred to as Option 2). The Council's suggested site for allocation at that time - land off Church Lane - was referred to as Option 1. It is understood that each of the potential option sites put forward could provide provision of circa 110 homes.

Following the request from Brinsley Parish Council to consider a potential alternative site it was decided by Members of the Jobs and Economy committee that the Borough Council would consult upon the potential alternative development site known as land off Cordy Lane (Option 2). The consultation ran from 13 February 2017 until 24 March 2017 and the Council published in its consultation paper dated February 2017 that the aim of the consultation was to gain further information on any issues that will need to be considered including, as per the published comments form made available by the Council (See Appendix E), an invitation for interested parties to suggest any other Brinsley sites which have not yet been considered for allocation that should be allocated for development (see question 3).

In response to the invitation to make comments on the above consultation we wrote to the Council to make representations on behalf of our client to both the Option sites and also took the opportunity, as per question 3, to put forward our clients site - Land to the rear of 145 Broad Lane and Clumber Avenue - as a potential alternative site to provide an element of the required housing. A copy of our submission and supporting appendices are attached at Appendix F.

Although both option sites which were being considered were notably smaller parcels of land than those previously proposed, it is our view on behalf of our client that rather than reliance being placed solely on one parcel of land to deliver the full quantum of housing required in Brinsley, instead a number of smaller sites should be released out of the Green Belt to sensitively absorb the housing requirements stipulated. This, in our view, would mitigate and/or minimise any negative impacts on the character of the surrounding countryside and Green Belt as expanded upon further in our submission. Our clients site includes an underused paddock to the rear of 145 Broad Lane and Clumber Avenue, in Brinsley that forms a logical extension to provide up to 40 dwellings to help boost the supply of housing in the area.

It is deliverable and developable and available now. It should also be noted that a pre-application enquiry has been lodged with the Council which further illustrates our client's appetite to bring the site forward.

In terms of further background we wish to draw to your attention the organic growth and expansion that has occurred in this part of Brinsley in the recent past. Historic maps suggest that the dwellings along Broad Lane which display a linear style of development were constructed in the early 1900s, the dwellings on the Clumber Avenue estate were constructed in two phases, the first being in the 1980s and a further phase later in the 1990s as shown below:

Phase 1 Clumber Avenue: 1980s Phase 2 Clumber Avenue: 1990s

Our research has uncovered that the first phase of dwellings gained planning permission at Appeal in 1980 (ref APP/3346/79/12072/G2) and the Inspector when allowing the Appeal acknowledged that whilst the site was part of a gently sloping hillside, it was reasonably screened by hedgerows and the lower parts are adjacent to the top of Clumber Avenue and rear of dwellings which front onto Broad Lane. He also

	<p>identified that the development of the site would integrate well with the existing houses and is not far away from the village centre. Furthermore, he noted that there were no outstanding natural features in the locality and held the opinion that development of the site would not prejudice the overall green belt concept. With regards the second phase (23 dwellings) the applicant was East Midlands Housing Association so was presumably granted as a rural exceptions site.</p> <p>Having lodged representations in a timely fashion we were subsequently advised that all the comments received as part of the consultation exercise carried out would be considered and would be reported to the Jobs and Economy Committee in due course.</p> <p>Having tracked down the Jobs and Economy (J and E) Committee Paper dated 28.06.17 (which is attached at Appendix G) prior to the meeting on 06.07.17 we wrote to the Council on 30 June 2017 in relation to agenda item 4: Part Two Local Plan and the further Brinsley consultation to question why no reference to the representations had been made. We queried that whilst the pros and cons of both Option 1 and 2 were discussed, there seemed to be very limited commentary/discussion made on possible alternative sites, if any.</p> <p>We also queried why in Appendix 2 that the comments made by individual statutory consultees and also Councillor Handley were set out under the heading 'Site Promoter (Owner/Agent/Developer)'. We questioned why no entries were recorded and also under the heading 'Other Developers/Landowners' why the report only records one name - P Routledge - as making comment and listed his individual concerns.</p> <p>The report then went on to list 'Public' comments under the headings 'Support Option 1', 'Object to Option 2', 'Support Option 2', 'Object to Option 1' with bulleted lists under various headings. It then contains a section entitled 'Other General Issues' and a final section - Other Sites are listed.</p> <p>We also asked for confirmation as to whether the Council received our timely submitted representations and questioned why our representation has not been listed or recorded in the applicable section of the report (being mindful that the named individual P Routeledge is listed in the Other developer/landowner section). Finally, we also asked why there did not appear to be any consideration or commentary made whatsoever in response to the lengthy list of other sites that have been identified by interested parties.</p> <p>Having been informed by Officers in Democratic Services that public speaking was not allowed at the J and E Committee we were surprised to be advised that at the discretion of the Chairman the site promoters for both Brinsley Option sites 1 and 2 as well as a representative from Brinsley Parish Council were being given the opportunity to address Committee.</p> <p>Whilst the consultation exercise invited people to make comments on each of the two option sites this was not the sole purpose of the consultation exercise. It did also clearly invite people with the opportunity to put forward alternative sites for which we did on behalf of our client. Having read the committee report, we question the robustness and credibility of the evidence base as we cannot find any subsequent appraisal or commentary of any of the sites that have been suggested as alternatives by interest parties. With this in mind it would only seem equal that other interested parties and site promoters should have been provided with the opportunity to address committee as was the case in relation to both the Option 1 and 2 sites. This matter was raised with the planning policy team.</p> <p>Having acknowledged that an editing error had been made in the preparation of the 6 July 2017 J and E committee report, a summary note of our representation was reported as a late item to the 6 July 2017 J and E committee. This is attached at Appendix H. Whilst some of the salient comments we raised were listed no reciprocal comments were made by Planning Officers in response to the issues raised in our representation. It is therefore unclear as to whether any analysis or appraisal of any of the alternative sites put forward as part of the consultation process had been undertaken as nothing was set out in the report.</p> <p>Following the presentations made by the site promoters for both Brinsley Option sites 1 and 2 as well as a representative from Brinsley Parish Council, Members of the J and E Committee subsequently approved the preparation of the plan with the inclusion of the Brinsley Option 1 site, as recommended, as the Brinsley allocation which now forms the basis of Policy 5.</p> <p>In light of the above it is our view that the evidence base that led to the choice made for</p>
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	<p>the allocation at Brinsley has not been adequately justified as it lacks any accountable assessment or appraisal of the many possible reasonable alternative sites put forward by interested parties during the consultation exercises carried out.</p> <p>Full assessment details for all the Brinsley SHLAA sites considered since 2013 do not appear to exist, and if they do, they do not appear to have been made publicly available for interested parties to review and furthermore they do not appear to have been consulted upon as part of the process. When invited to submit comments on the Potential Alternative Brinsley Site consultation, and whilst question 3 of the comments form invited peoples' view on other sites at Brinsley for possible allocation, no commentary has been made as to why and how sites have been assessed and/or discounted.</p> <p>For these reasons and on behalf of our client it is our view that the Plan is not sound and that the justification for Policy 5: Brinsley Site Allocation is not based upon a robust and credible evidence base.</p> <p>We therefore urge the Inspector to carefully examine the evidence base that led to the proposed allocation at Brinsley as summarised above and satisfy him or herself that the site selection process and consultation with local stakeholders has been carried out in a satisfactory manner on the basis of the evidence that has been made available.</p> <p>Finally, and in answer to question 5: Public Examination Attendance, and in light of the issues and concerns outlined in this correspondence we would like to register our desire to attend and participate at the public examination.</p> <p>Please do not hesitate to contact me should you require any further information.</p> <p>Kind regards</p> <p>J Pope</p> <p>Jon Pope BSc (Hons) MSc MRTPI Director</p> <p>See attached comments and appendices A to H</p>
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Question 4

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

Question 5

Question 5: Public Examination Attendance	
If your representation is seeking a modification, do you consider it necessary to participate at the public examination?	Yes
If you wish to participate at the public examination, please outline why you consider this to be necessary	To discuss the content of these representations

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	MR STEVE SOULT.
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Your Details

Title	[REDACTED]
Name	[REDACTED]
Organisation (if responding on behalf of the organisation)	GPS PLANNING & DESIGN LTD.
Address	[REDACTED] NOTTINGHAM
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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

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

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

Please tick here



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

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: Awworth Site Allocation		
	Policy 5: Brinsley Site Allocation	53	5.2
	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		
	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.)	<p>ASSOCIATED EVIDENCE BASE DOCUMENTS AS REFERENCED AND APPENDED AND DISCUSSED IN ENCLOSED REPRESENTATIONS</p>		

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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input checked="" type="checkbox"/>
It is not effective	<input checked="" type="checkbox"/>
It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input type="checkbox"/>

Your comments

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

SEE ENCLOSED SUBMISSION AND APPENDICES REFERRED
TO WITHIN
APPENDICES A TO H.

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.

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

TO DISCUSS THE CONTENT OF THESE REPRESENTATIONS

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



Broxtowe
Borough
COUNCIL

Cabinet Agenda

CABINET

**Meeting to be held in the
New Council Chamber, Town Hall, Beeston, Nottingham,
NG9 1AB**

Tuesday 13 October 2015 at 7.00pm

5 October 2015

Dear Councillor

You are hereby requested to attend a meeting of the Cabinet to be held at the date/place and time mentioned above for the purpose of transacting the business of the agenda set out below.

Decisions made at this meeting will be published as soon as is reasonably practicable. Urgent decisions which will be shown as asterisked agenda items or as may be determined by Cabinet will be effective immediately. Non-urgent decisions may be called in within 5 working days of this meeting in accordance with standing order X/30.

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

RUTH E HYDE

Chief Executive

To: Members of the Cabinet
Other members of the Council (for information)

A G E N D A

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 – 8

Cabinet is asked to confirm the minutes of the meeting held on 22 September 2015 as a correct record.

4. CABINET WORK PROGRAMME

PAGES 9 – 10

Cabinet is asked to approve its Work Programme, including potential key decisions that will help to achieve the Council's key priorities and associated objectives.

5. SCRUTINY REVIEWS

PAGES 11 – 12

The purpose of this report is to make members aware of matters proposed for and undergoing scrutiny.

6. PROGRAMME OF MEETINGS FOR JANUARY
TO APRIL 2016

PAGES 13 – 15

To seek approval of the Programme of Meetings for January to April 2016.

7. **RESOURCES**

7.1 Budget Variations 2015/16

PAGES 16 – 21

To seek approval for a number of capital and revenue budget variations which have been identified in recent months.

7.2 Grants to Voluntary and Community Organisations,
Charitable Bodies and Individuals involved in
Sports, the Arts and Disability Matters 2015/16

PAGES 22 – 27

To consider requests for grant aid in accordance with the provisions of the Council's Grant Aid Policy.

- 7.3 Beeston Business Improvement District (BID) Renewal Ballot PAGES 28 – 29

To report on the outcome of the recent Beeston BID renewal ballot.

8. **STRATEGIC PLANNING**

- 8.1 Summary of the Potential Options for Progressing the Council's Part 2 Local Plan (Site Allocations and Development Management Policies) PAGES 30 – 146

To present to Cabinet progress made in plan preparation in Broxtowe, a summary of responses to public consultation undertaken in February and March 2015 on Green Belt issues and Development Management policies, to consider the appropriate way forward and to outline further work required and timescales for the recommended approach.

9. **HOUSING**

- 9.1 Homelessness Duty Discharge into the Private Rented Sector Policy PAGES 147 – 153

To provide details of the Council's proposed policy of discharging the Authority's homelessness duty into the private sector in accordance with the Localism Act 2011.

- 9.2 Housing Services Annual Report 2014/15 PAGE 154

To seek Cabinet approval for the Housing Services Annual Report.

- 9.3 Social Letting Agency PAGES 155 – 163

The purpose of this report is to provide details of the Council's Social Letting Agency (SLA) which has been piloted by the Council's Housing Allocations and Options team since January 2015.

- 9.4 Solar Panel Proposals for Retirement Living Schemes PAGE 164

To advise members of proposals to install solar panels at a number of the Council's retirement living schemes and to seek appropriate delegated powers.

10. **LEISURE**

- 10.1 Oxylane – Joint Planning Application PAGES 165 – 167

To consider if the Cabinet decision to submit a joint planning application with Oxylane is still appropriate.

To seek a supplementary capital estimate in respect of the replacement of the X-Bikes at Kimberley Leisure Centre and Chilwell Olympia Sports Centre.

CABINET

22 SEPTEMBER 2015

Present: Councillor R I Jackson, Chair

Councillors: S J Carr
M R Kee
E Kerry
P Lally
G Marshall
J M Owen
P J Owen
P D Simpson

An apology for absence was received from Councillor M Radulovic MBE.

52. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

53. **MINUTES**

The minutes of the meeting held on 1 September 2015 were confirmed and signed.

54. **CABINET WORK PROGRAMME**

RESOLVED that the Work Programme as amended, be approved.

Reason

The items included in the work programme will help to achieve the Council's key priorities and associated objectives.

55. **SCRUTINY REVIEWS**

Cabinet noted the matters proposed for and undergoing scrutiny.

56. **RESOURCES**

56.1 **Review of Corporate Plan Progress**

Cabinet noted the progress against outcome targets linked to Corporate Plan priorities and objectives. Members requested information regarding methods by which Community Action Team (CAT) meetings could become more

inclusive. It was suggested that a meeting would be held at which all members could propose ideas for appropriate models for CAT meetings.

56.2 Nottinghamshire Business Rates Pool and Surplus Distribution

From 1 April 2013, all of the seven Nottinghamshire District Councils joined with Nottinghamshire County Council to form a Business Rates Pool. This approach has enabled a greater level of financial resources to be retained within Nottinghamshire, as any levy paid by a district council on business rate growth would ordinarily be paid to central government, whereas under the pooling arrangements, this is retained locally.

Cabinet noted the outturn position on the Nottinghamshire Business Rates Pool for the years 2013/14 and 2014/15 as at 31 March and considered distribution of the Pool surplus.

RESOLVED that:

1. **The decision of the City of Nottingham and Nottinghamshire Economic Prosperity Committee to retain the entire Pool surplus generated in 2013/14 for use by the Combined Authority be approved.**
2. **The decision of the City of Nottingham and Nottinghamshire Economic Prosperity Committee to retain 50% of the Pool surplus generated in 2014/15 for use by the Combined Authority and distribute the other 50% to Pool members be approved.**
3. **The approval of the 50/50 distribution approach for future financial years be delegated to the Chief Executive.**

Reason

This will assist with the Council's objective of securing jobs and business growth.

56.3 Deregulation Act – Proposed Changes to Taxi Fees

The Council currently issues taxi driver licences for a one year period only and an operator licence for three years. The fee for these licences is reviewed and set annually in the Council's budget report. The Deregulation Act, which received Royal Assent in April of this year, amends the default period for each of these licences.

RESOLVED that the proposed fees for consultation be approved.

RECOMMENDED to Council that the proposed fees be adopted, subject to consultation responses being considered.

Reason

This will assist with the Council's corporate priority of jobs and business growth.

56.4 Pre Eviction Policy

Cabinet considered a report which sought to put in place a revised Policy to ensure that the Council be able to properly collect its rent in an effective and efficient way and discharge its legal duties while doing so. The report also asked Cabinet to clarify the Scheme of Delegation to avoid ambiguity in the Council's decision making processes.

Members stated that the Policy would set out the Council's principles around the protection of vulnerable tenants in addition to giving duty to the process.

RESOLVED that:

1. **The Policy, along with the appended protocol, be approved.**
2. **The Scheme of Delegation, as detailed at appendix 2 of the report, be amended.**

Reason

1. and 2. This will assist with the Council's value of a strong caring focus around the needs of communities.

57. **BRINGING PEOPLE TOGETHER**

57.1 Twinning Grant Aid – Broxtowe Badminton Club

Cabinet considered a request for grant aid towards a twinning visit to Gütersloh Badminton Club by the Broxtowe Badminton Club. The two clubs have been engaged in regular reciprocal visits since the twinning agreement commenced in 1978. Members considered that the size of the grant should be appropriate to the number of children and adults taking part in the visit. A decision would be taken on clarification of the details.

RESOLVED that delegated authority be given to the Director of Housing, Leisure and Property Services, in consultation with the three group Leaders, to finalise the amount of grant awarded.

Reason

This will assist with the Council's key priority of bringing people together and the objective to support events, which bring people together and encourage pride in our Borough.

58. **HOUSING, LEISURE AND PROPERTY SERVICES**

58.1 Eastwood Community Football Club – 3G Pitch Development

In July 2014, Cabinet approved Eastwood Community Football Club as the preferred operator of the football ground at Coronation Park, Eastwood. Since that time the Club has been working hard and has met all its stated aims for the first year of its development plan. Members considered the provision of financial support from section 106 funds for the development of a 3G pitch.

RESOLVED that a financial contribution of £110,000 be made to Eastwood Community Football Club CIC in support of their application to develop a stadium 3G pitch, funded from Section 106 contributions.

Reason

This will assist with the Council's objective of bringing people together.

58.2 Management Options Appraisal – Leisure and Culture

Further to the development of the Leisure Facilities Strategy, Continuum Sports and Leisure was asked to undertake an outline appraisal of the potential options open to this Council for the future delivery of its leisure and cultural services. Cabinet considered the development of proposals for the creation of a Local Authority Trading Company (LATC) to operate Leisure and Cultural Services.

Members stated that the creation of a company would provide a number of benefits to the Council due to increased competition by private service providers. Members requested clarification on transference of current employees to a new company and whether the TUPE conditions were appropriate. It was suggested that future reports would be provided on terms and conditions when necessary, in addition to definite proposals.

RESOLVED that the principle of the establishment of a LATC and that authority be delegated to the Director of Housing, Leisure and Property Services, in consultation with the Leader and Portfolio Holder, to progress and prepare a further report to Cabinet and Council to approve details as referred to in appendix 2 of the report, be approved.

RECOMMENDED to Council a supplementary estimate of £100,000 to be funded from reserves for the preparation of the LATC.

Reason

The creation of a LATC presents the best overall option for the Council both in terms of the delivery of the Leisure Facilities Strategy and in respect of financial benefits. This will assist with the Council's objectives of bringing people together and value for money. There are considerable potential savings available to this Council through the creation of the Company.

59. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3, and 7 of Schedule 12A of the Act.

60. REFERENCES

60.1 Beeston Town Centre Advisory Committee – 10 September 2015 The Square Phase 2 – Procurement Aspects

RESOLVED that:

1. **Specialist advisors be appointed to assist in delivering the aspiration of a cinema-based evening economy and high quality public realm at The Square phase 2, delivered via the OJEU process.**
2. **A Project Board be established with the following delegated powers to keep the project moving at the desired pace.**
 - a. **Full delegated authority to progress the project in accordance with the timetable in the report, provided always that such actions remain within budget.**
 - b. **The Project Board will report back to Cabinet for approval of the Council's aspirations and the appointment of any preferred developer.**
 - c. **Selection of the membership of the Project Board is delegated to the Chief Executive in consultation with the Leader.**
3. **A supplementary capital estimate of £150,000 be approved, to be taken initially from reserves, in order to fund the necessary work to enable the project to proceed.**

Reason

This will assist with the Council's objective to provide value for money.

61. RESOURCES

61.1 Job Evaluation Review of Senior Officer Posts

RESOLVED to:

1. **Implement the recommendation of the report in appendix 1 of the report and regrade the positions of Head of Leisure and Culture and Head of Property Services to CO2.**
2. **Set the implementation date for the regrade of these officers at April 2014.**
3. **Add the additional pay scale detailed in the report and implement in respect of the Director of Housing, Leisure and Property Services.**

Reason

This will assist with the Council's objective to provide value for money.

61.2 Voluntary Redundancy Scheme

RESOLVED that the temporary enhancement to the Voluntary Redundancy Scheme attached at appendix 2 of the report, together with the amendments therein, be approved until 31 March 2016.

Reason

This will assist with the Council's objective to provide value for money.

61.3 Application for Voluntary Redundancy

RESOLVED that the application for voluntary redundancy as set out in appendix 2 of the report be approved.

Reason

This will assist with the Council's objective to provide value for money.

61.4 Eastwood Cemetery Chapel

RESOLVED that the restoration option as set out in the appendix to the report be approved as the preferred option.

Options considered and rejected

Non restoration option

Reason

This will assist with the Council's objective to provide value for money.

61.5 Cash Offices

A recorded vote was proposed by Councillor G Marshall and seconded by Councillor P Lally. The voting was as follows:

For

R I Jackson
M R Kee
E Kerry
J M Owen
P J Owen
P D Simpson

Against

S J Carr
P Lally
G Marshall

Abstention

RESOLVED that Option 1 in the appendix to the report, Close down all three cash offices and cease to take cash at Council premises, be approved as the preferred option.

Options considered and rejected

2. Close down all three cash offices and make alternative arrangements for the public to make payments.
3. Establish payment kiosk facilities as an alternative to taking cash payments at offices.
4. Remove the facility at Stapleford as the least cost-effective service provision.
5. Continue with all three cash offices but increase the range of work conducted at the offices.

Reason

This will assist with the Council's objective to provide value for money

61.6 Establishment Review – Revenues, Benefits and Customer Services

RESOLVED that, as from 1 April 2016, the establishment changes to the Revenues, Benefits and Customer Services Division as set out in the report be approved.

Reason

This will assist with the Council's objective to provide value for money

62. **COMMUNITY SAFETY**

62.1 Pest Control Service

RESOLVED that the item be deferred to allow for consultation.

Reason

Consultation will allow for members to consider further information.

63. **BRINGING PEOPLE TOGETHER**

63.1 D H Lawrence Heritage Centre Closure

A recorded vote was proposed by Councillor G Marshall and seconded by Councillor P Lally. The voting was as follows:

For

S J Carr
R I Jackson
M R Kee
E Kerry
J M Owen
P J Owen
P D Simpson

Against

P Lally
G Marshall

Abstention

RESOLVED that:

1. **The closure of D H Lawrence Heritage Centre at 31 March 2016 and a continued service based on the proposals contained within the report.**
2. **That a further report on the proposals for the future of the building be brought to Cabinet when the options have been evaluated.**
3. **That the changes to the establishment be approved and incorporated into the preparation of the 2016/17 budget.**
4. **That delegated authority be made to the Deputy Chief Executive, in consultation with the Leader, to authorise any necessary expenditure arising from the costs of redundancy and pension strain.**

Reason

1. 2. 3. and 4. This will assist with the Council's objectives of value for money.
64. **HOUSING, LEISURE AND PROPERTY SERVICES**

64.1 Council Offices Beeston, - Letting of Ground Floor Space to the Department of Work and Pensions

RESOLVED that:

1. **The DWP be allowed to occupy space within the Council Offices, Beeston.**
2. **Authority be delegated to the Director of Housing, Leisure and Property Services in consultation with the Resources Portfolio Holder to agree the heads of terms for the occupation of the DWP.**
3. **Authority be delegated to the Director of Housing, Leisure and Property Services in consultation with the Director of Legal and Planning Services to enter into the lease.**

Reason

1. 2. and 3. This will assist with the Council's objectives of value for money.

Report of the Director of Legal and Planning Services**CABINET WORK PROGRAMME****1. Purpose of report**

Cabinet is asked to approve its Work Programme, including potential key decisions.

2. Detail

The Work Programme for future meetings is set out in the appendix.

Recommendation

Cabinet is asked to RESOLVE that the Work Programme, including key decisions, be approved.

Background papers

Nil

APPENDIX

Cabinet Work Programme

3 November 2015	<p>Corporate Plan Performance 2015/16</p> <p>Exercise of Section 32 Powers for Pay & Display Machines.</p> <p>Leasehold Service Charge Increase</p> <p>Service Charges to General Needs Housing Tenants</p> <p>Constitution</p> <p>Economic Development</p> <p>Pest Control</p> <p>Beeston Action Plan</p>
24 November 2015	<p>Playing Pitch Strategy</p> <p>Parks and Green Spaces Strategy</p> <p>Property Development Strategy</p> <p>Environmental Services restructure</p>
15 December 2015	<p>Programme of Meetings for 2016/17</p> <p>Housing Development Company</p> <p>Finalise New Corporate Plan 2015-20</p> <p>Comprehensive Spending Review</p> <p>Grants to Voluntary and Community Organisations, Charitable Bodies and Individuals Involved in Sports, the Arts and Disability Matters 2015/16</p>

* Key decision

+ Decision taken in private

Report of the Director of Legal and Planning Services**SCRUTINY REVIEWS**1. Purpose of report

The purpose of this report is to make members aware of matters proposed for and undergoing scrutiny.

2. Background

Cabinet is asked to give consideration to the future programme and decision-making with knowledge of the forthcoming scrutiny agenda. It also enables Cabinet to suggest topics for future scrutiny.

3. Detail

The Environment, Housing & Leisure and Strategic Planning & Economic Development Examination and Inquiry Groups (EIGs) are continuing to follow their Work Programmes, which include a Community Toilet Scheme, the Lifeline Service and the Local Plan – Part 2 respectively. The Overview and Scrutiny Committee (OSC) has resolved to conduct a review of the Council's Constitution. Further detail is included in the appendix.

Recommendation

Cabinet is asked to NOTE the report.

Background papers

Nil

APPENDIX

The current Work Programmes of the EIGs are as follows:

<u>Housing & Leisure EIG</u> 4 November 2015	<ul style="list-style-type: none">• Draft reports on the lifeline service and Homelessness• Service charges for general needs housing
<u>Environment EIG</u> 25 November 2015	<ul style="list-style-type: none">• Community Toilet Scheme & Renewable Energy Projects
<u>Strategic Planning & Economic Development EIG</u> 14 October 2015	<ul style="list-style-type: none">• Local Plan – Part 2

Report of the Director of Legal and Planning Services

PROGRAMME OF MEETINGS FOR JANUARY TO APRIL 20161. Purpose of report

To seek approval of the Programme of Meetings for January to April 2016, thereby promoting all the Council's objectives.

2. Detail

The proposed Programme of Meetings is shown in the appendix. In addition, intermediate Planning Committee meetings may be called to meet statutory timescales for planning decisions. Alcohol and Entertainment and Licensing and Appeals Committee meetings will be interchangeable and called as necessary to deal with the business available.

The dates for the Bramcote Bereavement Services Joint Committee are agreed by that Committee.

In accordance with the Member Development Charter criteria the programme takes account of cultural and faith commitments and has been composed so as to avoid collision with any significant dates.

3. Further information

Following requests by Members school holidays have been taken into account. A further report will shortly be submitted to Cabinet which will present a timetable for meetings from May 2016 to April 2017. The new schedule with a revised meeting list will also consider school holidays.

Recommendation

Cabinet is asked to RESOLVE that the Programme of Meetings for 2016, as set out in the appendix, be approved.

Background papers

Nil

APPENDIX

Meeting dates for 2016

Date 2016	Meeting
06 January	Overview & Scrutiny
11 January	Environment EIG
12 January	Housing & Leisure EIG
13 January	Planning Committee
14 January	Bramcote Bereavement Services*
18 January	Budget Advisory Committee
19 January	Beeston Town Centre Advisory Committee
20 January	Strategic Planning & Economic Development EIG
27 January	Council
01 February	Overview & Scrutiny
02 February	Licensing & Appeals
03 February	Overview & Scrutiny
04 February	HS2/Toton Advisory Committee
08 February	Kimberley Advisory Committee
09 February	Cabinet
10 February	Planning Committee
11 February	Local Joint Consultative Committee
22 February	Environment EIG
23 February	Alcohol & Entertainments
24 February	Housing & Leisure EIG
02 March	Council
07 March	General Purposes & Audit
08 March	Eastwood Advisory Committee
09 March	Strategic Planning & Economic Development EIG
15 March	Cabinet
16 March	Planning Committee
22 March	Standards
23 March	Overview & Scrutiny
24 March	Bramcote Bereavement Services*
19 April	Cabinet

Date 2016	Meeting
20 April	Planning Committee
04 May	Council

* Date approved by the Bramcote Bereavement Services Joint Committee.

Report of the Deputy Chief Executive

BUDGET VARIATIONS 2015/161. Purpose of report

To seek approval for a number of capital and revenue budget variations which have been identified in recent months.

2. Background

As a result of known funding changes and other variations identified through budget monitoring, the approval of Cabinet is required to vary a number of capital and revenue budgets.

Appendix 1 sets out details of proposed changes to the capital programme whilst appendix 2 deals with revenue budgets. Appendix 3 sets out how it is envisaged that the 2015/16 capital programme will be financed.

3. Financial implications

The capital changes set out in appendix 1 are in respect of schemes that are all externally funded.

The General Fund changes set out in appendix 2 show a net saving of £65,000. It is proposed that these savings will be reflected in the revised estimate for 2015/16 when it is brought forward later in the year and that the reduction in expenditure be returned to reserves.

Any shortfalls in a capital receipts required to finance the 2015/16 capital programme as set out in appendix 3 will need to be met from a combination of revenue contributions or additional borrowing.

Recommendation

Cabinet is asked to RESOLVE that the budget variations and proposed changes to reserves as set out in the report be approved.

Background papers

Nil

APPENDIX 1

CAPITAL BUDGET VARIATIONS 2015/16**(i) General Fund**

<u>Scheme</u>	<u>Original budget (£)</u>	<u>Amended budget (£)</u>	<u>Comments</u>
Replacement Vehicles and Plant	587,000	309,050	The 2015/16 budget has been used to purchase 2 refuse freighters. Following a review of the replacement programme, no further purchases are anticipated in 2015/16.
Coronation Park – Skate Park	22,000	170,850	The original budget was to be met from S106 funds. Nottinghamshire County Council (NCC) have now provided a further £148,850 for this scheme. NCC are managing the scheme and work is now underway.
Beeston Parish Church – LED Lighting	24,400	0	Cabinet on 6 January 2015 approved a scheme to up-light Beeston Parish Church with LED lighting with the cost to be met from S106 funds. Planning issues meant that this has had to be revisited and a new proposal will be brought forward.
Beeston Town Centre – Street Furniture	0	24,400	The S106 funds intended to be used for LED lighting at Beeston Parish Church have now been used for the purchase of new street furniture in Beeston Town Centre.
TOTAL	633,400	510,200	

(ii) Housing Revenue Account

<u>Scheme</u>	<u>Original budget (£)</u>	<u>Amended budget (£)</u>	<u>Comments</u>
Affordable Housing – Peatfield Court (Stapleford)	99,500	126,300	Cabinet on 16 October 2014 approved a scheme to provide 3 new bungalows on the site of the former garage block adjacent to the Retirement Living complex at an estimated cost of £285,850. The majority of the scheme was completed in 2014/15. The overspend is due to additional material and labour costs. The scheme is being funded from available right to buy receipts.
New Build – Linwood Crescent (Eastwood)	125,050	118,950	Cabinet on 24 June 2014 approved a scheme to build 3 dementia friendly bungalows at an estimated cost of £365,000. The majority of the scheme was completed in 2014/15 and the work is now complete. The scheme is being funded from available right to buy receipts.
TOTAL	224,550	245,250	

APPENDIX 2

General Fund Revenue Budget Variations 2015/16 - to August 2015

<u>Budget Head</u>	<u>Budget (£)</u>	<u>Latest Projection £)</u>	<u>Comments</u>
Garden Waste Collection Income	(500,000)	(550,000)	The demand for the garden waste collection service under the new charging arrangements continues to exceed expectations and should result in a level of income that is greatly in excess of the amount in the 2015/16 budget.
Land Charges Fee Income	(120,000)	(135,000)	Income from land charges has been exceeding the budget during 2015/16 with a total of £57,685 received in the first five months of the year.
TOTAL – GENERAL FUND	(620,000)	(685,000)	

APPENDIX 3

The 2015/16 capital programme as at 13 October 2015 (subject to other reports on this agenda) is split between the General Fund and Housing Revenue Account as follows:

	£
General Fund	2,561,500
Housing Revenue Account	8,799,800
TOTAL	11,361,300

The planned financing of the 2015/16 capital programme analysed between the General Fund and Housing Revenue Account is as follows:

(i) **General Fund**

	£
Central Government (Disabled Facilities Grant)	377,000
Other Capital Grants	440,750
Section 106 Contributions	173,900
Capital Receipts	572,650
Capital Reserve	93,750
Vehicle Renewals Reserve	587,000
Awaiting Funding	316,450
TOTAL	2,561,500

The schemes shown in the table above as “awaiting funding” are as follows:

	£
Bramcote Leisure Centre – Replacement Fitness Gym Equipment	150,000
Kimberley Leisure Centre – Replacement Fitness Gym Equipment	100,000
Chilwell Olympia – Replacement Fitness Gym Equipment	28,800
Eastwood Cemetery Chapel – Phase 2	42,650
Contingency	55,000
Less:	
Assumed Capital Receipts 2015/16	(40,000)
HRA Contribution to General Fund 2015/16	(20,000)
TOTAL	316,450

The available General Fund capital receipts at 31 August 2015 totalled £677,883. This includes £285,552 received on 10 August 2015 as a further payment in respect of tram compensation. As agreed by Cabinet on 22 September 2015, some £150,000 of this latest payment is to be used to meet the initial costs of Phase 2 of the Beeston Square development.

No further significant capital receipts arising from the disposal of assets are anticipated at the present time. The size and timing of any further tram compensation receipts are unknown.

(i) **Housing Revenue Account**

	£
Prudential Borrowing	1,497,000
Major Repairs Reserve	3,424,850
Revenue Contributions	2,753,400
Capital Receipts from Right to Buy Sales	1,124,550
TOTAL	8,799,800

The total available capital receipts from right to buy sales at 31 August 2015 stood at £725,670. If there are insufficient capital receipts at 31 March 2016 to finance HRA capital expenditure in 2015/16 then any shortfall will be addressed by a combination of additional borrowing, increased revenue contributions or section 106 funding (if available).

Report of the Deputy Chief Executive

**GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS,
CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS,
THE ARTS AND DISABILITY MATTERS 2015/16**
1. Purpose of report

To consider requests for grant aid in accordance with the provisions of the Council's Grant Aid Policy.

2. Applications and financial position

Details of the applications received are included in the appendix for consideration. The amount available for distribution in 2015/16 is as follows:

	£
TOTAL PROVISION (#)	169,950
Less: Estimated requirements for:	
Outstanding Rent Awards/Others (#)	52,500
Less: Other Commitments	101,655
BALANCE AVAILABLE FOR DISTRIBUTION	15,795

(#) – The 'Total Provision' and 'Outstanding Rent Awards' figures include provision for £1,750 in respect of the application from the 2nd Beeston Sea Scouts.

Members are reminded that they will need to suitably constrain grant awards in 2015/16 if the budget is not to be exceeded. The demand for grant aid in 2014/15 was such that an additional allocation was required from Revenue Contingencies. The additional sums requested for 2015/16 in this report, when compared to the previous year, would amount to at least £2,960 if all applications are fully supported.

Recommendation

Cabinet is asked to consider the requests and RESOLVE accordingly.

Background papers

Nil

APPENDIX

Applications

The following applications have been received for consideration in 2015/16:

<u>Applicant</u>	<u>Ref</u>	<u>Grant Award 2014/15 £</u>	<u>Grant Request 2015/16 £</u>
Eastwood Parkinson's Exercise Group	1	No application	500
Eastwood Tennis Club	2	No application	960
2 nd Beeston Sea Scouts	3	1,750	1,750
Nottingham Playhouse	4	2,000	3,500
		Total	6,710

Caring Organisations1. Eastwood Parkinson's Exercise Group

- 1.1 An application has been received from Eastwood Parkinson's Exercise Group, which was established in 2014, and has 16 members that meet weekly at the Plumtre Hall, St Mary's Church in Eastwood.
- 1.2 The Group provides its members with specific exercise classes aimed at people with Parkinson's disease. Research has shown that regular exercise helps to improve fitness and levels, core stability and mobility, which in turn boosts self-confidence. It is also thought to have the additional benefit of reduced visits to the GP and referrals to rehabilitation. All of this will improve the quality of life for both sufferers and their carers.
- 1.3 Eastwood Parkinson's Exercise Group is seeking funding towards the costs of utilising the services of a qualified instructor to deliver a specific exercise programme for its members. The Group has received funding from the Broxtowe Lifestyle Fund with grants of £2,496 in 2014/15 (towards the estimated first-year operating costs) and £576 in 2015/16 (for venue hire).
- 1.5 For the year ended 31 May 2015, the Group generated total income of £5,089 from grants, donations and subscriptions. Annual expenditure of £2,837 mainly related to the cost of instructors, venue hire, equipment and other running expenses. Cash at bank had increased to £2,701 at 31 May 2015.
- 1.6 This is the first application that the Council has received from Eastwood Parkinson's Exercise Group and for 2015/16 the Group has requested a grant of £500 towards the cost of providing a fully qualified instructor.

Sports Club**2. Eastwood Tennis Club**

- 2.1 Eastwood Tennis Club was formed in approximately 1900 and is based on Church Walk in Eastwood. The Club currently serves 80 members of all ages from Eastwood and the surrounding areas, with approximately 60 members being Broxtowe residents.
- 2.2 The principal aim of Eastwood Tennis Club is to provide tennis facilities and coaching for adults and children, delivered in both a social and competitive environment. This activity will provide service users with all the benefits of participating in sport, including health and well-being, improved fitness and co-ordination, social and recreation and instilling respect for others.
- 2.3 In 2014, the Club received an external grant to introduce tennis into 11 local primary schools within the catchment area. The programme was completed over a four-week period and involved approximately 600 children in years 5 and 6. It culminated in a tournament hosted at the Club, with each school nominating its best players, and with trophies and medals awarded to the winners and runners-up. Sadly the Club could not raise the finance to repeat the tournament in 2015 despite positive feedback from schools and parents.
- 2.4 For the 2015 summer season, coaching has been developed to particularly focus on junior players. Participation has increased across all age ranges from 5 to 14 years. Junior coaching is provided after school either on Tuesday or Thursday (as tennis has to compete with other popular sports such as football which is typically provided at a weekend). The coach has reintroduced a junior night on Friday evenings when all children can attend and enjoy the sport. The coaching is available at modest expense to both members and non-members.
- 2.5 Eastwood Tennis Club would like to continue the junior coaching sessions throughout the winter months. However, without being able to provide floodlit courts (that are not presently available at the Club), the sessions will have to cease and the children will be unable to capitalise on the skills and fitness gained during the summer season. It is particularly important to encourage juniors who have been recently introduced to the sport to continue with their development. The Club offers positive opportunities for children and their families to get involved in tennis and without a floodlit venue there is concern that the progress made during 2015 will be lost.
- 2.6 The Club has considered a number of options in trying to address this issue. One option would be to purchase temporary lighting, consisting of a retractable lamp column, powered by rechargeable batteries. The total costs of the purchase would be around £6,000.

- 2.7 Another option is to hire an alternative local venue with suitable facilities for tennis. The Club has been in negotiations with the Haley Conference Centre at Eastwood Hall and has obtained an agreement in principle to hire their floodlit court from October through to March 2016 (eight hours per week) at a total cost of £960.
- 2.8 For the year ended 31 March 2015, Eastwood Tennis Club generated total income of £5,988 which mainly related to subscriptions, match fees and grants, including a Community Fund Grant of £2,500 and nominal funding from Nottinghamshire County Council and Eastwood Town Council.
- 2.9 Expenditure for the year totalled £6,682 and was mainly in respect of coaching fees, repairs and maintenance, subscriptions, insurances (including contribution to the 'Rebuilding Fund') and other general running expenses. The bank balances as at 31 March 2015 amounted to £17,325, which included £13,026 earmarked in the 'Rebuilding Fund' for the refurbishment of the courts and rebuilding of the pavilion.
- 2.10 The Council has previously supported Eastwood Tennis Club with funding towards capital projects, albeit not in recent years. For 2015/16, the Club has requested a grant of £960 towards the cost of providing floodlit courts (or more should the temporary lighting scheme be supported) so that it can continue with its junior coaching sessions during the winter months.

Miscellaneous Category

3. 2nd Beeston Sea Scouts

- 3.1 The 2nd Beeston Sea Scouts was established in 1928 and is based at Lilac Grove in Beeston. The Group serves the South West Notts Scout District, including Attenborough, Beeston South, Beeston Rylands and Wollaton. It currently has 55 members (including 40 junior members) with the majority living in the Borough.
- 3.2 The aim of the 2nd Beeston Sea Scouts is to provide scouting activities, under the policy and rules of the Scout Association, with the speciality of water based activities such as rowing and kayaking. The main activities of the Group attempt to develop young people in life skills in many areas of physical, social and mental development. Water activities are held at the Group's base on the River Trent at Barton Island.
- 3.3 For the year ended 31 December 2014, 2nd Beeston Sea Scouts generated receipts of £14,864 from subscriptions, grants (including £2,250 from Nottinghamshire County Council), donations and fundraising activities. Annual payments amounted to £15,572 and included premises expenses, such as heating and lighting and repairs and renewals, boat maintenance, cost of scouting activities, purchase of equipment and capitation. The cash and bank balances at 31 December 2014 totalled £4,019.

- 3.4 As part of the Council's aim to secure economic rents on its properties, the rental of the Lilac Grove premises was assessed at £1,750 per annum from April 2009. The 2nd Beeston Sea Scouts has only limited financial resources and is unable to sustain a rental charge of this size.
- 3.5 The Council has regularly supported the 2nd Beeston Sea Scouts with grant aid towards its rental obligations. The grants awarded in the past four years were as follows:

2014/15	£1,750
2013/14	£1,750
2012/13	£1,750
2011/12	£1,750

- 3.6 For 2015/16 the 2nd Beeston Sea Scouts has requested a similar grant of £1,750 to cover the market rental of the Lilac Grove premises. This grant award would be for a period of one year and would have no effect on the Council's overall budget, with the potential award being matched by allowances within the premises income budget.

4. Nottingham Playhouse

- 4.1 Nottingham Playhouse was founded in 1948 and is located in Wellington Circus in Nottingham. The main activities of Nottingham Playhouse are the production of theatre, participation, education and outreach. The listed benefits to local residents include access to professional theatre, youth theatre, Club Encore, pre-school sessions, Senior Youth Theatre, holiday activities, Young Company, Playhouse Ensemble, pre-show talks and a number of free events.
- 4.2 Nottingham Playhouse works extensively within the Borough and attracts a considerable number of Broxtowe residents to see its work. In the past twelve months it is estimated that the number of visitors from Broxtowe was 18,450. The proportion of audience coming from Broxtowe was 13% with every Broxtowe postcode represented. Eleven different productions have taken place, including main stage shows, Neville Studio shows and school tours. There were 27 separate visits to Nottingham Playhouse shows from Broxtowe schools, each representing an average of 28 pupils.
- 4.3 Nottingham Playhouse has created a new Youth Theatre in Chilwell whilst also playing an active role in The Hemlock Happening event. In summer 2015 it supported three Play Days in Chilwell, Kimberley and Stapleford by running free 'have a go at drama' sessions, storytelling and a competition to win tickets to this year's pantomime.
- 4.4 In 2014, the Council supported the Nottingham Playhouse youth theatre production of Erich Remark's classic 'All Quiet on the Western Front' that is due to be performed at the Barton Bus Garage in Beeston as part of the 'neat14' festival in commemoration of the centenary of the 1914-18 war.

- 4.5 The Nottingham Playhouse Trust Limited has provided its consolidated financial statements for the 52 weeks ended 31 March 2014 for scrutiny (the latest accounts are still being audited). Total income of £5.31m (including £5.15m of unrestricted funds) was generated from grants, admissions income, front of house and catering sales, theatre hire and events, sponsorship and fundraising and other income generating activities. The accounts show the local authorities supporting Nottingham Playhouse with grants in 2013/14 were Nottingham City Council (£247,430), Nottinghamshire County Council (£94,500) and Gedling Borough Council (£1,000). Total expenditure of £5.39m (including £5.32m from unrestricted funds) was mainly in respect of the direct and indirect cost of theatre productions, premises and support costs. Cash and bank balances as at 31 March 2014 amounted to £283,049.
- 4.6 Last year, Nottingham Playhouse once again generated a small surplus. Looking forward, despite wide ranging cuts nationally, Arts Council England has recently committed to fund Nottingham Playhouse with £5.2m over the next three years (with the potential to extend beyond). Nottingham Playhouse has also received £1m in grants from ACE to overhaul its energy efficiency.
- 4.7 Nottingham Playhouse has enjoyed a positive relationship with the Council over many years and is hoping to reintroduce a more regular, if modest, funding arrangement. It is now seeking funding of £3,500 per annum towards its activities. Nottingham Playhouse would acknowledge the Council's support on its letterhead, brochures, programmes and 'front of house' signage, in addition to developing further projects with the Council in support of its aims and objectives.
- 4.8 The Council has previously supported Nottingham Playhouse with grant aid towards its arts and education work programme. The most recent award in 2014/15 was £2,000 to support the youth theatre production of 'All Quiet on the Western Front' as part of the 'neat14' festival. The grants awarded in the past four years were as follows:
- | | |
|---------|----------------|
| 2014/15 | £2,000 |
| 2013/14 | No application |
| 2012/13 | No application |
| 2011/12 | No application |
- 4.9 For 2015/16 Nottingham Playhouse is seeking increased funding of £3,500 towards its programme of activities. Members should note that the grant aid budget does not include any specific provision earmarked for Nottingham Playhouse and any grant awarded in respect of this application will have a direct impact on the balances available.

Report of the Director of Housing, Leisure and Property Services

BEESTON BUSINESS IMPROVEMENT DISTRICT (BID) RENEWAL BALLOT1. Purpose of report

To report back on the outcome of the recent Beeston BID renewal ballot.

2. Background

Cabinet will recall that the Beeston BID renewal ballot took place from 2 September to 29 September 2015. The Council decided to abstain from the ballot, thus leaving the businesses in Beeston to make the decision.

3. Results and implications

The results are detailed in the appendix. There was a significant “No” vote – both in terms of votes and aggregate rateable value. The Beeston BID will therefore cease to operate on 31 December 2015. Council already employs a town centre management team, and they will now carefully consider which how the Council can support and assist businesses in Beeston

4. Financial implications

Council currently has a town centres revenue budget of £10,000 per annum for Eastwood, Kimberley and Stapleford collectively, and made an annual contribution to the Beeston BID Company of around £6,500 per annum. An action plan will be brought to the Cabinet meeting on 3 November 2015.

Recommendation

Cabinet is asked to NOTE the report.

Background papers

Nil

APPENDIX

BID ballot result**Beeston Business Improvement District (BID) Renewal Ballot - Declaration of Result.**

Local Government Act 2004 Business Improvement Districts (England) Regulations 2004.

The following statement is issued by UK Engage following the Beeston Business Improvement District (BID) Renewal Ballot.

As an agent of the ballot holder for 222
the Beeston Business Improvement
District (BID) Renewal Ballot I
certify as follows: Total number of
votes cast in the ballot, excluding
any given on ballot papers rejected:

Aggregate rateable value of each £3,476,395
hereditament in respect of which a
person voted in the ballot:

Total number of votes cast in favour 87
of the renewal of the Beeston
Business Improvement District:

Aggregate rateable value of each £1,145,825
hereditament in respect of which a
person voting in the ballot has
voted in favour of the renewal of
Beeston Business Improvement
District:

I hereby declare that the proposal to renew the Beeston Business Improvement District for Broxtowe Borough Council is not approved. A majority of the business ratepayers in the proposed BID renewal area who voted, voted against the proposal, both by aggregate rateable value and numbers voting.

Report on turnout:

222 returns were received representing an overall turnout of 49.89%

The total number of ballot papers rejected was as follows:

0 unsigned, 0 unmarked.

Report of the Director of Legal and Planning Services

SUMMARY OF THE POTENTIAL OPTIONS FOR PROGRESSING THE COUNCIL'S PART 2 LOCAL PLAN (SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES)1. Purpose of the report

To present to Cabinet progress made in plan preparation in Broxtowe, to present a summary of responses to public consultation undertaken in February and March 2015 on Green Belt issues and Development Management policies, to consider the appropriate way forward including updated evidence, and to outline further work required and timescales for the recommended approach.

2. Background

The background is contained in more detail in appendix 1. In brief, the Council has been working closely with our partners across Greater Nottingham to get aligned Core Strategies adopted. Our shared strategy is urban concentration with regeneration which in simple terms seeks to meet the cross-boundary need for development in full, but in terms of housing, to have lower provision figures early in the plan period with higher figures later. This is to allow time for sites such as Boots, Beeston Business, Park, Kimberley Brewery and several others to deliver housing in areas in need of regeneration which are more difficult to develop. This shared approach was found sound by the Inspector and lawful following a High Court challenge, and was important in meeting our 'duty to co-operate' with our Greater Nottingham neighbours. Separate papers circulated with the agenda contain the responses to the consultations mentioned above, which follow on from the Core Strategy, and officer comments relating to some of the key issues raised.

3. Detail

The Core Strategy is necessary to ensure full Local Plan coverage in Broxtowe. To enable the Council to remain in control of planning decisions, it is essential that our Part 2 Plan is prepared as quickly as possible (without cutting corners which will lead to a finding of unsoundness) The detail to inform this is included in the appendices. This includes advice from Morag Ellis QC, a leading planning barrister, who advises that any attempt to reduce housing provision figures in Broxtowe will not stand a realistic prospect of being found sound. This advice is contained in a report which is circulated separately with the agenda papers.

4. Financial implications

There are adequate funds in existing budgets to cover the cost of progressing the Local Plan to pre-examination stage. There is no current budget for defending planning appeals which will be submitted if progress is not made. 2016/17 is the final year of the first tranche of New Homes Bonus, which the Council receives for every new home built or brought back into use. For 2017/18 the Council will need to secure £191k in new Homes Bonus to replace the lost income relating to the first tranche of the scheme.

Recommendation**Cabinet RESOLVES that:**

- 1. Option 2 in appendix 3 of the report be Council's recommended approach.**
- 2. The timetable in appendix 5 of the report be approved.**
- 3. The officer approach to policy in general terms be endorsed.**

Background papers

Nil

Local Plan Progress

Core Strategy (Part 1 of the Local Plan)

The Core Strategy was prepared in close co-operation with our neighbouring councils across Greater Nottingham - the Broxtowe, Gedling and Nottingham Core Strategies are fully aligned. There is a shared strategy of urban concentration with regeneration with all five Greater Nottingham Core Strategies (including Erewash and Rushcliffe) having housing policies to meet the full housing need across the housing market area. For all five councils the Core Strategy forms part 1 of the Local Plan with part 2 being the detailed site allocations and development management policies.

Policy 2 of the Core Strategy comprises the spatial strategy (distribution of development) including the housing distribution policies, which the part 2 Local Plan will need to deliver. This includes a minimum 6,150 new homes to be distributed as follows:

Table 1 – Core Strategy Dwelling Requirements (Location of Development)

Area	Housing Figures
Main built up area of Nottingham (effectively the urban south of Broxtowe and areas further north east of the M1 Motorway)	3,800 (minimum)
Eastwood (including Giltbrook and Newthorpe in Greasley Parish)	1,250 (up to figure)
Kimberley (including Nuthall west of the M1 Motorway and Watnall)	600 (up to figure)
Awsworth	350 (up to figure)
Brinsley	150 (up to figure)
Total	6150 (minimum)

As the focus of the Core Strategy is urban concentration with regeneration, the distribution strategy which flows from this results in the highest amount of development including housing being steered towards the most densely populated areas in closest proximity to Nottingham. It is for this reason that the total provision and the provision in the main built up area are minimum figures. In this way new development can take the best advantage of existing transport links, particularly to Nottingham, and can assist in providing affordable housing in some of the highest value areas of the Borough but also in areas with high levels of affordable housing need. The sole 'regeneration area' in Broxtowe in the Core Strategy is at the Boots Severn Trent site in Beeston. This is not to say that there are no regeneration challenges elsewhere, but that they are smaller in scale. The justification for this strategy is that it performs best in terms of deliverability, sustainability, and maximising opportunities for economic development, job creation and contributing to local housing needs.

In terms of the timing of housing development, Broxtowe together with our aligned partners at Gedling and Nottingham were successful in arguing that a staggered (or uneven) rate of housing delivery was appropriate. The rate at which housing is expected to be delivered is often referred to as the housing trajectory. The timing of housing delivery for Broxtowe is given in the table below:

Table 2 - Core Strategy Dwelling Requirements (Timing of Development)

Time Period	Minimum Housing Numbers
2011 to 2013	200 (already built)
2013 to 2018	1800 (360 per year)
2018 to 2023	2150 (430 per year)
2023 to 2028	2000 (400 per year)
Total	6150

This was subject to much debate on the Core Strategy and a main modification was approved which explained the effect of a standard rate of delivery (or even trajectory) would be:

- Failure to protect the Green Belt/countryside through the release of more land than that required
- Failure to encourage the re-use of existing resources including conversions
- Unnecessary harm to the natural environment
- Unnecessary impact on amenity
- Failure to make effective use of previously developed land
- Failure to manage the pattern of growth to make the fullest use of public transport, walking and cycling.

There were also important amendments to the Green Belt Policy in the Core Strategy whereby it was made clear that a search sequence for sites is to be undertaken as follows:

- Firstly, land within existing development boundaries (not in the Green Belt)
- Secondly, safeguarded land (none in Broxtowe)
- Thirdly, Green Belt land adjacent to the main built up area and key settlements for growth.

Housing need and Green Belt issues were fundamental to the overall approach taken in the Core Strategy as indicated in the extensive chronology on these matters.

Aligned Core Strategies Chronology of Events

March 2005 - East Midlands Regional Spatial Strategy (RSS8) approved which required a strategic review of the Nottingham Derby Green Belt (Policy 14).

August 2006 - A 'Nottingham Derby Green Belt Review' was published by Nottinghamshire and Derbyshire County Councils to inform the preparation of the East Midlands Regional Plan which ultimately replaced RSS8.

September 2006 - Draft Regional Plan consultation.

2006/07 - Nottingham Core Strategic Housing Market Assessment (SHMA) published. An 'old style' SHMA pre dating the National Planning Policy Framework (NPPF) and therefore not primarily aimed at determining future housing provision, but instead primarily focussing on the characteristics of the housing market and affordable housing need.

May - July 2007 - Regional Plan Examination in Public hearing sessions held.

November 2007 - Regional Plan Panel Report published which concluded that the 2006 Green Belt Review 'is manifestly thorough and sound according to the remit set, its methodology permits the identification of areas for excision from the Belt in terms of Green Belt criteria only. It does not, nor does it attempt to, identify areas for development on the basis of all recognised sustainability criteria, including, for example sustainable accessibility'. The panel also recommended the requirement for further review work which should include the deletion of the majority of the Nottingham/Derby Green Belt apart from the section directly between Derby and Nottingham (in Erewash and Broxtowe).

June 2008 - The Appraisal of Sustainable Urban Extensions (SUE Study 2008) assessed locations around Greater Nottingham against a number of sustainability criteria, accessibility, environmental constraints and Green Belt issues. The Study was focussed on the edge of the main built up area (the Principal Urban Area) as well as the edges of other urban areas (the Sub-Regional Centres of Hucknall and Ilkeston) as it was prepared in the context of the Regional Strategy which steered development to these locations.

July 2008 - The Government's response to the Regional Plan Panel Report was published which rejected any Green Belt boundary change around Greater Nottingham in the Regional Plan but endorsed the approach to review.

March 2009 - Final Revision to the East Midlands Regional Plan published. This set the housing provision for the Nottingham Core HMA between 2006 and 2026 and for the three ACS Councils, the provision was as follows:

- **Nottingham City** - 1,000 dwellings per annum (dpa), all within Nottingham Principal Urban Area (PUA)

- **Broxtowe** - 340 dpa, of which at least 180 dpa should be within or adjoining the Nottingham PUA including sustainable urban extensions as necessary; development in the remainder of the District will be located mainly at Kimberley and Eastwood, including sustainable urban extensions as necessary
- **Gedling** - 400 dpa, of which at least 230 dpa should be within or adjoining Nottingham PUA, including sustainable urban extensions as necessary.

June 2009 - Issues and Options consultation on the Greater Nottingham Aligned Core Strategies including an SA scoping report. This included Ashfield District, Broxtowe Borough, Erewash Borough, Gedling Borough, Nottingham City and Rushcliffe Borough Councils.

2009 - SHMA updated for affordable housing need.

February 2010 - The Sustainable Locations for Growth Report (SLG Report 2010) assessed the appropriateness of development in and around key settlements across Greater Nottingham other than those addressed by the SUE Study. It used similar sustainability assessment criteria to the SUE Study and consideration of Green Belt policy.

February 2010 - Option for Consultation ACS published. This included Broxtowe Borough, Erewash Borough, Gedling Borough, Nottingham City and Rushcliffe Borough Councils.

May 2010 - Coalition Government elected, and stated intent to abolish Regional Plans.

November 2010 - Government's 2008-based Household Projections published.

February 2011 - As a result of the Government's undertaking to abolish Regional Plans, Edge Analytics were commissioned to examine the implications of different housing provision figures across the Housing Market Area (HMA) using the Government's published 2008-based Household Projections. The intention was to aid decision makers in understanding the population and economic implications of housing provision decisions.

July - September 2011 (extended to October 2011 in Broxtowe) - Broxtowe, Erewash, Gedling and Nottingham City Councils consulted on the results of this work in the Housing Provision Position Paper (as well as climate change and District specific matters) with a position that Regional Spatial Strategy numbers remained appropriate given that these figures allowed for continuing job growth, were similar to net nil migration and were considered the maximum deliverable, being significantly higher than housing delivery historically.

Rushcliffe Borough Council separately and unilaterally consulted on their 'fresh approach' with a clear rejection of RSS but an absence of what they thought should happen in the rest of the Housing Market Area (HMA).

October 2011 - Additional SA workshops held to assess reasonable alternatives including consideration of higher and lower housing figures across the HMA and within each Council's area, and the economic implications of different growth options.

January 2012 - As part of a package of measures to support councils through Core Strategy preparation, PAS gave pre-publication advice to the four aligned Councils and identified what they saw as a mismatch between economic ambitions/job provision and the housing figures to meet these. They advised that for the plan to be found sound, clear evidence reconciling the housing provision and the economic/job aspirations of the Core Strategies would be required.

February 2012 - Edge Analytics were again commissioned to examine the population and labour market implications of using 'rescaled' headship rates (based on local information on actual headship rates, as opposed to those assumed by the Government's Household Projections) of the housing provision in all five HMA Council's emerging Core Strategies. Rescaled rates in Broxtowe, City and Rushcliffe showed that even with Rushcliffe's reduced figure there was provision to allow a net in migration of 1,200 people per annum with sufficient labour force to match with the job ambitions of the Core Strategies. The aligned Councils consider this to be an objective assessment of need, because the housing provision accords with the jobs/economic policies of the Core Strategies, and although the Core Strategy housing provision allows for a lower level of in-migration than that used by the government's Household Projections, they consider that there are good reasons to conclude that the levels of in-migration assumed in the Household Projections will not continue into the future.

March 2012 - National Planning Policy Framework published. This clarifies that SHMAs should be prepared to assess full housing needs of areas.

June 2012 - Aligned Core Strategies published covering Broxtowe Borough, Gedling Borough and Nottingham City Councils, alongside evidence in the various background papers and a Sustainability Appraisal. (Erewash Borough Council also publish their Core Strategy later in June, as a separate document), but relying on the same Sustainability Appraisal.

July 2012 - First round of data from the 2011 Census published. Further work by the aligned Councils concludes that the rescaling of headship rates is supported by the new evidence, but that the previous work had overstated somewhat the level of population supported by the housing provision, i.e. it overstates the implied level of in-migration to Greater Nottingham. The revised estimate concludes a level of in-migration of 850 per annum would be supported rather than 1,200. Further work on economic activity rates taking account of the 2011 Census can only be tentative, but it demonstrates that the labour force resulting from this level of housing provision is likely to still broadly support the economic and job aspirations of the Core Strategies. A major reason for this conclusion is that the former work took insufficient account of economically active people aged over 65.

November 2012 - SHMA updated for affordable housing need.

January 2013 - Government announcement confirming Toton as the Government's preferred location for a hub station to serve the East Midlands.

February 2013 - Amendments to the ACS published to provide for inclusion of the land in the vicinity of the proposed High Speed 2 Station as a strategic location for growth together with amended SA on this specific matter.

8 April 2013 - Communities and Local Government Interim 2011-based household projections published. Strongly support the Council's approach to rescaling of headship rates for the 2008-based Household Projections.

12 April 2013 - East Midlands Regional Plan revoked.

7 June 2013 - ACS submitted for Examination.

19 September 2013 - Councils and other interested parties submit statements on the Inspector's Main Matters, Issues and Questions.

15-17 October 2013 - First week of Hearing Sessions dealing with Sustainability Appraisal, Duty to Cooperate, Objectively Assessed Housing Need, housing distribution in general terms (not site specific), Green Belt, and economic development (ACS policies 2 to 4 inclusive).

5-7 and 12 and 13 November 2014 - Further Hearing Sessions dealing with the Environment, Transport, Infrastructure and delivery and site specific matters in relation to Broxtowe (on 7 November all day) and Gedling (on 12 November all day) together with proposed modifications to the plan.

22 November 2013 - Inspector issues a note confirming additional work she wants the Councils to do.

In respect of Gedling she questioned whether the identified locations and sites for growth were consistent with a strategy of urban concentration with regeneration and to investigate infrastructure issues around Hucknall and opportunities for increasing housing provision around the main built up area of Nottingham.

In respect of Broxtowe she suggested that depending on the number of homes, which the Plan promotes at the Toton strategic location for growth, it will be necessary to consider the likely impact on other planned sites and locations including Brinsley, Kimberley, Eastwood and Field Farm.

December 2013 - Gedling complete their work and send to the Inspector.

January 2014 - Broxtowe complete their work and report their proposed modifications to Full Council who endorse the approach and Broxtowe then send to the Inspector.

January 2014 - The Home Builders Federation submit a legal opinion asserting that the ACS policy in relation to housing provision is unlawful with regard to the Hunston Court of Appeal judgment. They assert that once the OAHN has been set the only

lawful policy approach is to meet it in full (with no lower delivery early in the plan period) unless constrained by NPPF compliant factors (not the economy).

January 2014 - In response to the HBF opinion the Councils commission advice from Leading Counsel. This rebutted the HBF legal opinion and was circulated to the examination.

January 2014 - Inspector calls further hearing sessions to debate the Gedling and Broxtowe changes, an additional session to accommodate Toton residents, and the implications of Hunston for the ACS.

11-13 February - Final week of hearing sessions to debate the Gedling changes (all day on 11 February) the Toton development and Broxtowe changes (most of the day on 12 February) and the implications of Hunston for the ACS.

March – April 2014 - Councils consult on Main Modifications (including SA) to make the plan sound and then send to the Inspector.

24 July 2014 - Inspector issues final fact checked report to bring the Examination to a close.

2 September 2014 - Ken Mafham Associates submits a letter identifying flaws in the ACS and requests that the Councils do not adopt the plan (later confirming it should be treated as a letter before claim).

8 September 2014 - Nottingham adopt the ACS.

10 September 2014 - Gedling adopt the ACS.

17 September 2014 - Broxtowe adopt the ACS.

20 October 2014 - Legal challenge submitted to the High Court on behalf of Calverton Parish Council.

24 March 2015 - Hearing of the legal challenge in the High Court.

21 April 2015 - High Court 'Approved Judgment' issued. The challenge was dismissed. With regard to the Inspector's consideration of Green Belt issues in the context of housing need, the judge was satisfied that the acuteness of the need for homes is such that some incursion into the Green Belt (and its consequent revision) will be required. Both in general terms and in relation to specific locations at Field Farm and Toton, the Inspector was satisfied that exceptional circumstances for Green Belt boundary change had been demonstrated and the approach followed was lawful.

APPENDIX 2**Evidence Base Updates****Retail Report Summary****Beeston**

The report was undertaken by Carter Jonas and confirms that Beeston is a popular and successful centre and current investment suggests it should continue to be vital and viable. Floorspace projections suggest there is the potential to extend existing foodstores or for the creation of one or two 'local' format foodstores. It is suggested that the centre would benefit from enhancement of the public realm environment in the vicinity of Station Road/High Rd/Wollaton Road junction and there is an opportunity to enhance the shopping offer in the eastern part of the High Rd to transform it to a complimentary offer to the central shopping area rather than a secondary offer. It is suggested that there is a gap in leisure and culture provision which potentially could be plugged. It is recommended that a reduction of the primary shopping area should be considered.

Eastwood

The report suggests that Eastwood district centre has an important role in the community however, the physical separation of Morrisons to the remainder of the Primary Shopping Area minimises the potential for linked trips and has a negative impact on viability and vitality. It is proposed that consolidation of the existing centre is a more realistic option than expansion due to the competition from the nearby Giltbrook Retail Park. Floorspace capacity analysis suggests there is the potential for expansion to the existing food stores or the creation of up to two 'local' format foodstores or potentially one large supermarket. It is suggested that promotion of leisure activities and the evening economy would benefit the centre. No alterations to the primary shopping area are recommended.

Kimberley

The report indicates that Kimberley is a generally healthy centre which is popular with its immediate catchment area. The Sainsbury's store acts as a key anchor and there is a strong set of specialist independent retailers. The centre attracts many pedestrians and therefore it is suggested that enhancement to the pedestrian environment and increasing the diversity of offer is important to maintain the centre's health. In terms of floorspace projections it is suggested that there is potential for the creation of one new 'local' foodstore or a modest sized supermarket/discount foodstore. It is suggested that there is scope to reduce the primary shopping area to exclude Station Road and the long term vacant units west of the post office which could be used for other purposes such as residential.

Stapleford

It is considered that Stapleford is a relatively healthy centre but is underperforming in relation to other centres in Broxtowe mainly due to the lack of a main food retailer to

act as an anchor and the fact that the primary shopping frontage is limited to one side of Derby Road only. The existing Co-op serves as the main convenience retailer and it is suggested that the primary shopping frontage is altered to include this unit in order to allow it policy protection from out of town retailers. It is also suggested that the former police station be included in the primary shopping area to aid its future development. The centre has the lowest floorspace capacity of the centres in Broxtowe and it is projected that any future increases in floorspace are likely to be limited to extensions to existing 'local' format stores.

Edge and Out of centre retail

The consultants suggest that a policy which places a threshold at 500sqm on edge and out of town retail development is applied. This would mean that any proposals for development above this size out of the town centre will be required to demonstrate that they will not have a significant impact, in terms of viability and vitality on the defined district centres on their own or cumulatively. If contained within a local plan policy this will take precedent over the threshold of 2500sqm as contained in the NPPF. This will have an impact for proposals for expansions to the Borough's main retail parks, Chilwell and Giltbrook.

Employment

Employment Land Forecasting Study

Nathaniel Lichfield and Partners (NLP) were commissioned by the authorities of the Nottingham Core and Nottingham Outer Housing Market Areas (HMAs) to prepare up-to-date evidence on economic prospects and employment land forecasts for the period to 2033. The 'Employment Land Forecasting Study' (ELFS) was consequently produced in August 2015. The need for the Study arose from Policy 4 of the Aligned Core Strategies (ACS), which requires the authorities to keep under review the need for, and supply of, office floorspace and industrial/warehousing land. The Study will form part of the evidence base for emerging development plan documents, including the Broxtowe Local Plan.

The conclusions of the ELFS include 'scenario ranges', which are based on various demand-based and supply-based scenarios, for each authority for both office floorspace and industrial/warehousing land. For Broxtowe, the scenario range for office floorspace is between 26,482 sq m and 59,886 sq m, which compares with an ACS requirement, extrapolated to 2033, of 44,000 sq m. The scenario range for industrial/warehousing land is between 5.3 ha and 43.2 ha, which compares with an extrapolated ACS requirement of 19.5 ha. The ACS requirements for Broxtowe are therefore within both of the ELFS scenario ranges.

The ELFS indicates (as did the previous Volterra report) that the HS2 station has the potential to result in between 2,800 sq m and 19,800 sq m of office floorspace, which could support up to 1,500 new jobs in Broxtowe, which is the jobs figure originally suggested by HS2, once the station is operational. NLP comment that it is 'higher value' sectors, such as financial and professional services and company headquarters, which are likely to place greater weight on access to high speed rail services.

NLP also comment that for most businesses, general proximity to the HS2 hub may be sufficient rather than necessarily requiring a site immediately adjacent to the station. However, a high profile new development associated with the HS2 hub may serve to create a new urban district with a critical mass a mix of uses and facilities that could be attractive for some types of firms moving into the area.

A Background Paper is being prepared by the Nottingham Core authorities. This will accompany and respond to the ELFS, and it will provide a more specific basis for the provision for office floorspace and industrial/warehousing land in the forthcoming Part 2 Local Plans.

APPENDIX 3

Recommended Approach

With regard to the advice of Morag Ellis QC which is circulated separately with this agenda, any attempt to fundamentally revisit issues which are addressed in the Core Strategy, including the overall number of new homes and the general approach to Green Belt Review, would stand no realistic prospect of success. In the opinion of Planning and Legal officers there is no credible reason to reject this advice. In particular it is not considered that the updated evidence summarised in appendix 2 gives rise to a need to change approach to that outlined in the Core Strategy, which is that opportunities should be taken to enhance the four existing centres in Broxtowe, and employment needs should be met. There is, however, some room to consider different options in the preparation of the Part 2 Local Plan in relation to the potential for Green Belt boundary change and these are set out below.

Part 2 Local Plan

One of the fundamental purposes of the Part 2 Local Plan in terms of site allocations is to identify sufficient sites to meet Core Strategy housing targets, and to provide a five year supply of deliverable housing sites. The Strategic Housing Land Availability Assessment (SHLAA) is important evidence to inform decisions on the appropriate amount and timing of new housing to allocate outside of existing built up areas. The most recent version of the SHLAA was published in January 2015 and the availability of sites is shown in the table below for the Core Strategy Plan period to 2028.

Table 3 – Housing Supply

Area	Urban Housing Supply Including Sites Identified in the Core Strategy	Additional Dwellings Required To Meet Core Strategy Figures
Main Built up area of Nottingham	3,443 including Core Strategy sites at Field Farm (450 homes) and Toton (500 homes)	357
Eastwood (including Giltbrook and Newthorpe)	1084	166
Kimberley (including Nuthall west of the M1 and Watnall)	451	149
Awsworth	104	246
Brinsley	41	109
Other rural	2	
Total	5125	1025

The content of the Part 2 Local Plan in terms of the amount and timing of housing allocations will need to be informed by the most up to date evidence in the SHLAA which is in the process of being reviewed now. However, the general picture of having available a combination of urban and windfall sites together with Field Farm and Toton on which just over 5,000 new homes could be constructed, in the absence of substantial sites becoming available that are not currently available, is unlikely to

be radically different when the SHLAA is reviewed this year. Moreover, the speed at which large sites are likely to be developed is expected to be slower than anticipated when the SHLAA was reviewed last year. A very clear principle, irrespective of difficulties in demonstrating a five year housing land supply, is that in line with the Core Strategy approach, the more planning permissions that are granted and dwellings built on appropriate urban sites, then the lower the pressure is to release Green Belt sites not identified in the Core Strategy, particularly in the early years of the plan. In this regard the rate at which houses are already being built will be a factor in this as we are now 2 years into the first five year tranche of the Core Strategy period. Ideally a minimum of 720 homes would have been built between 2013 and 2015 (360 x 2). The net housing completion figure (taking into account demolitions) for these two years is 228 which is almost 500 short of target. Although it was always envisaged that it would take time to build up to the 360 figure, this completion rate is substantially lower than expected in the Core Strategy trajectory, and it will reduce the likelihood of an Inspector endorsing an approach in the Broxtowe Part 2 Local Plan which seeks to defer Green Belt releases to later on in the plan period as the development industry will be arguing strongly that Green Belt releases are needed early to catch up with the deficit in supply and to provide sufficient sites for a five year housing land supply.

The five year supply was most recently reported in the SHLAA in January 2015 using a September 2014 base date for completions and permissions. This demonstrated that for the five year period of April 2015 to March 2020 Broxtowe was able to demonstrate a five year supply of 2489 dwellings against a requirement of 2165 (i.e. a supply of 5.7 years).

The following points are important factors which will have a negative impact on the Council's ability to demonstrate a five year supply when the SHLAA is reviewed in the autumn of this year and currently timetabled to be published in the New Year:

1. The NPPF requires a five year supply to include a buffer (increase) of 5% but where there has been 'a persistent record of under delivery of housing' the buffer should be increased to 20%. Previously Broxtowe argued we are a 5% uplift authority on grounds that delivery was much better before the recession and the Core Strategy would help to significantly improve delivery. Even allowing that the Core Strategy has only been adopted for a year it is highly likely that any Inspector via a planning appeal or at a Part 2 Local Plan examination will now conclude that Broxtowe is a 20% uplift authority on the grounds of persistent under delivery. Ever since the effects of the recession hit, housing completions in Broxtowe have been low with completion figures of under 100 in three out of the last six years with the highest rate in any of these six years being 222 and this was due to very high affordable housing completions in that particular year. The 'target' for most of these years was The East Midlands Regional Plan which had an annual target of 340 homes a year for Broxtowe which was similar to that now required in the Core Strategy.
2. Any shortfall in housing can be added in one of two ways. If the shortfall is not severe it can reasonably be added over the whole plan period (to 2028) giving a lower figure in the five year supply period. If the shortfall is severe (and in Broxtowe it is difficult to construct any other argument than it now is) then this increases the prospect of an Inspector concluding that the shortfall should be added in full to the five year supply period in question.

3. To demonstrate that a site is 'deliverable' to the extent that it can be included in a five year supply it is a huge help (but not an outright requirement) if planning permission is in place. It will not be realistic, other than in circumstances of ironing out minor issues of detail, to include sites in the five year supply that have been refused planning permission, as they are unlikely to be 'deliverable' in the five year period in question.
4. The most recent version of the SHLAA indicated that Field Farm would deliver 450 homes and Toton 370 during the five year period (between April 2015 and March 2020). Despite the best efforts of all concerned, progress on bringing both of these sites forward has been slower than anticipated. Although the detailed work on delivery has not yet been done for the 2015 SHLAA review, at this stage it appears highly likely that a start date on both sites is likely to be at least a year further away than originally anticipated and the rate at which housing is built particularly on Field Farm is likely to be slower, as it is now understood that the market housing will be built out solely by Westermans, which makes it very difficult to envisage market housing completions of more than 50 dwellings a year. If two house builders were building concurrently then the annual completion figures could realistically have been double this.
5. When the five year supply is reviewed this year, there will be a higher overall target irrespective of the backlog, as the staggered trajectory referred to earlier will lead to one more year of a target of 430 completions in place of one less year of 360 (an increase of 70).
6. These five points in combination means that when the detailed work is done in the autumn there is a serious risk that Broxtowe will not be able to demonstrate a five year housing land supply, and it's possible that Broxtowe will be substantially short. Clearly this evidence is not currently available, and it is possible that the situation may be better than currently expected. However, even allowing for this in the short term, the immediate steps that Broxtowe can take to improve the supply is in granting planning permission for previously developed brownfield sites, but also greenfield sites within development limits. The prospect of successfully defending appeals against refusals on urban sites in the absence of a five year housing land supply and a compelling technical refusal reason, supported by the relevant statutory consultee, is considered to be small. In the medium term it increases the prospect of an Inspector at a Part 2 Local Plan examination requiring robust policies to be in place to ensure that the overall delivery of housing is achieved, together with any backlog it may prove necessary to impose. The predicable stance of the development industry will be that new sites (in the Green Belt) are needed now, given the very low current completion rates on urban sites.

With reference to these points there are three broad options for members to consider with regard to the allocations part of the Part 2 Local Plan. All of these options assume a Local Plan time period to dovetail with the Core Strategy with an end date of 2028 which is considered the appropriate basis on which to plan as the Part 2

Plan will be the delivery mechanism for the Core Strategy development requirements. These options are:

Option 1. Allocate sites on which a minimum of 6,150 homes (minus completions) can be built with some allowance for windfalls (300 in the Core Strategy) but also flexibility/contingencies for what happens if some sites do not come forward. These sites, whether as a result of Green Belt boundary change or existing urban sites, would all be made available for residential development at the point of adoption of the Local Plan with no phasing mechanism in place. This would be the approach that would show the clearest commitment to the delivery of new homes.

Option 2. Take a similar approach to Option 1 but, in addition, include a phasing mechanism which gives priority in terms of the time at which sites come forward to include a preference for previously developed urban sites. In this way current Green Belt sites to be allocated not specifically identified in the Core Strategy (i.e. all of them apart from Field Farm and Toton) would form a 'second tier' or 'phase 2' of housing release which would only be released for development once existing completions dropped below the Core Strategy requirements. This would be the approach that strikes the most even balance between housing delivery and Green Belt protection and most closely relates to the strategy of urban concentration with regeneration.

Option 3. Allocate only sites within existing development limits in this Part 2 Local Plan and have a policy of further Green Belt/Local Plan review at some point in the future if delivery drops below the Core Strategy requirements. This would put at serious risk the delivery of housing overall, as Broxtowe would be faced with relying on a very large scale of windfall sites (sites Broxtowe are not currently aware of) to plug the gap currently identified as 1025 new homes over the whole plan period and this assumes that all of the other sites including Boots, Beeston Business Park, Kimberley Brewery and various others all deliver the numbers of homes currently anticipated. If they do not then the gap between housing delivery and housing requirement will get wider. Although on the face of it this is the option that offers the greatest protection to the Green Belt, in the opinion of officers it does not do so, as discussed in more detail below.

Officer Comments

The consultation responses circulated separately with this agenda contain a number of sensible suggestions as to how detailed policies should be drafted to appropriately address issues such as flood risk, conserving and enhancing the historic environment, infrastructure provision, wildlife protection amongst others. It is not the purpose of this report to consider a detailed response to these issues as this will need to be informed by site specific Sustainability Appraisal and other technical work which is outlined in appendix 4.

It is the purpose of the report to consider and receive a steer from members as to the appropriate approach to balancing development requirements (mainly housing) with Green Belt protection. The consultation response indicates a clear preference from members of local communities for existing Green Belt boundaries to remain as they are with some pointing to the availability of Brown field sites to support their case.

The development industry on the other hand point to sustainability, and other credentials of specific sites, and suggest that Green Belt boundary change is required to meet Core Strategy development requirements. All of these comments have been taken into account in the commentary below.

Of the three options above, Option 3 is considered by officers to stand no realistic prospect of being found sound at examination. It will put in serious jeopardy the delivery of Core Strategy housing delivery targets, as without at least some Green Belt boundary change, existing evidence is that housing requirements cannot be met within existing development limits even when including 450 homes at Field Farm and 500 at Toton. Even with a review mechanism, it is not considered that this will be convincing to an Inspector. There is a difference here between a Local Plan whose fundamental aim is the delivery of development (as in the plan Broxtowe is now preparing) as opposed to a Strategic Plan setting the over-arching strategy and the need for new development (as the Core Strategy does) with the detailed delivery plan to come later. For a Strategic Plan it is possible (although still difficult) to convince an Inspector with an argument of early review. The plan Broxtowe is preparing here needs to contain allocation policies that when read in conjunction with each other, will convince an Inspector that there are mechanisms in place to ensure that the required number of new homes will be met without the delay that a plan review would entail. In the opinion of officers Option 3 does not do this. What it is likely to result in is a significant upturn in planning applications and then appeals for sites currently in the Green Belt. As Morag Ellis advises, there can be no security that such applications will be rejected at appeal, as the five year supply position gets worse due to an absence of deliverable housing sites and potential further delays. Although the Government have made statements to the effect that the appeal process is not the appropriate mechanism to allow Green Belt development, this position may change if housing delivery figures remain low and the backlog of required homes gets greater.

Of Options 1 and 2, in the opinion of officers Option 1 is most likely to be found sound at examination provided this approach is combined with a clear delivery strategy to bring forward more difficult to develop urban sites. The reason for this conclusion is that housing completions are already nearly 500 homes below Core Strategy delivery targets and by the time the Plan is submitted for examination, the backlog is likely to have gone up, given that there is no solution that can take effect in the immediate term. There is always a lag of at least one year and often two between planning permission being granted and development taking place. Currently there are simply not enough sites which are ready to commence the delivery of housing, and those that are currently under construction will not get close to the required 360 homes a year. A phasing mechanism will therefore not be a straightforward matter on which to convince an Inspector as Broxtowe will need to have policies to catch up in terms of housing delivery from the very point at which the plan is submitted.

Option 2 is not without any prospect of success and if this approach is pursued it will be essential to convince an Inspector that the issue of slow delivery (as it still will be a year and even two years from now), is not to do with the lack of availability of sites and that the Council is doing all that it can to bring such sites forward. The following points are ones that will assist in this:

1. A plan led approach to development at Toton will be the most immediate step available. The Core Strategy specifies the following minimum development requirements –
 - i) 500 homes
 - ii) 18,000 square metres or more of employment land
 - iii) 16 hectares or more of green infrastructure
 - iv) Safeguarded tram route to the station
 - v) Safeguarded vehicle route to the station.

In addition Cabinet at its meeting in December 2014 specified the following points be included in the consultation undertaken in February 2015 with the site specific comments relating to Toton reported to the HS2/ Toton Advisory Committee at the meeting in July 2015 –

- i) Adequate land for a school expansion
- ii) Only local (non-strategic) scale retail in any local centre
- iii) Footpath maps updating
- iv) A north/south wildlife corridor.

A village green inquiry was held in April/May 2015 which included land to the east of the proposed HS2 station. The County Council has refused the application which means that the land in question does not have the significant constraint that such a designation would entail. This does not preclude Broxtowe from concluding that maintaining the land as open space is appropriate but other options are also available for consideration.

Employment needs update work has recently been undertaken and this is summarised in appendix 2. This indicates that evidence in the Core Strategy, both in terms of Borough-wide requirements and the approach to Toton remains appropriate.

Sir David Higgins (Chair of HS2) has indicated that the issues associated with Toton are well on the way to being resolved and he praised the East Midlands Councils for the work collectively undertaken to demonstrate the clear advantages of a station at Toton.

A programme is underway to consult on further possibilities for the location over autumn 2015 with this consultation due to conclude in November 2015. At the end of this consultation it will be important to conclude on the Council's view as to how development should take shape with sufficient steer to enable a planning application to be amended to be in line with the Council's expectations.

2. Viability evidence to inform our Part 2 Local Plan is nearing conclusion. We may be able to tailor expectations of contributions in particular in the lower value areas of Broxtowe to assist in the delivery of housing. This decision will need to be taken in the submission version of the plan once the evidence is available.
3. National government initiatives are increasingly pressuring Councils to proceed down a route of loosening planning controls for previously developed sites that do not have planning permission. Part of this is a 'Local Development Order' scheme. It may be sensible to consider the merits of

relaxing S106 contributions (possibly for temporary periods perhaps with overage clauses if viability improves) in some circumstances to enable Planning Permission to be granted and schemes built.

4. A further call for sites and a developer panel to discuss in more detail obstacles to delivery on previously developed sites will form part of the current SHLAA review. Other Councils in the Greater Nottingham area are achieving substantially higher rates of housing completions and the work with this panel is intended to gain a clearer understanding of obstacles to delivery and how these can be addressed.
5. A Greater Nottingham wide SHLAA/Monitoring group has been set up to look at good practice regarding five year supply/delivery issues. This is intended to share good practice and achieve a consistent approach across Greater Nottingham.
6. The Planning Development and Regeneration Manager post at Broxtowe is a new one with a remit to bring forward previously developed sites.

On balance, therefore, it is considered that although there are significant risks in relation to Option 2, this is the general approach which, taken in conjunction with decisive action to increase housing delivery as outlined above, will strike an appropriate balance between housing delivery and Green Belt protection, will be consistent with the principle of urban concentration with regeneration set out in the Core Strategy, will be consistent with national and local policy to prioritise brownfield sites, and will give sufficient comfort (although not as much as Option 1) that housing delivery targets will be met. It will not be possible to take site specific decisions until further evidence is assembled and this is discussed in appendix 5.

Further Evidence Required to Support the Part 2 Local Plan

SHLAA review. This is underway and can be met within existing budgets.

Site Specific Landscape Character Appraisal. This will be commissioned from within existing budgets, unless members determine that Option 1 is the approach to follow (in which case no allocations outside of existing settlement limits will be considered).

Additional heritage assessment, including the conclusion of the Conservation Area Appraisals. This is required to address the concern of Historic England and can be met within existing budgets.

Site Specific Sustainability Appraisal. This will be undertaken in house and can be met within existing budgets.

Site Specific Infrastructure Delivery Planning. This will be undertaken in house and can be met within existing budgets.

Playing Pitch Strategy. This is underway and is being met within existing budgets and will address the objection of Sport England as they are involved in the steering group for this work.

Plan-wide viability assessment. This is underway and is nearing completion and is being met within existing budgets.

Gypsy and Traveller Accommodation Assessment. This is nearing completion and has been met within existing budgets.

It is not currently considered that a new Strategic Flood Risk Assessment will be needed as one was undertaken for the Core Strategy which included consideration of the left bank flood defences.

APPENDIX 5

Timescales

The completion of the above necessary evidence base reports can be undertaken in sufficient time to allow for a report to be taken to Cabinet on the submission version of the Part 2 Local Plan shortly after the summer holidays in 2016. This will also allow time to follow a workshop based informal consultation over the spring of 2016 on a similar basis to the approach Gedling adopted which appeared to work well. If members require any more formal consultation, prior to a required six week consultation on the draft Plan, then this will add the time of any consultation plus a few weeks preparation time beforehand and consideration and reporting responses at the end.

If a Draft Plan is ready and approved by Cabinet (or whichever committee replaces Cabinet) in September 2016, then the timescales from this point would be a six week formal consultation to conclude in November 2016. Consider responses and submit the Plan during the winter of 2016/17, realistically January 2017. Depending on any concerns of the Inspector Examination hearing sessions could be held in late winter/early spring 2017 with adoption by mid-2017.

If members agree with this approach then a formal revision to the Local Development Scheme will be reported to Full Council for approval. It should also be noted that if there is a significant upturn in Neighbourhood Planning work, then the above timetable may slip unless additional resources are made available. In addition it is hoped that the timetable would provide a useful guide for town and parish councils to align their own timescales for preparing neighbourhood plans.

Table 1 – Draft Work Programme

Dates	Work
13 October 2015	Cabinet decision on preparation on Part 2 Local Plan
October/November 2015	Additional consultation on development in the vicinity of the proposed HS2 station at Toton
December 2015	Decisions by HS2 Toton Advisory Committee and Cabinet on the appropriate amount and mix of development in the vicinity of the proposed HS2 station at Toton
October 2015 to Summer 2016	Undertake and conclude additional evidence listed in appendix 4
New Year 2016	Members to consider a report regarding the merits of preparing a CIL charging schedule once plan wide viability evidence is concluded
Spring 2016	Sequence of workshops on the following topics: Sustainability appraisal; design; heritage; transport; housing; community facilities; infrastructure; climate change; natural environment; open space; Green

	Belt; employment; and retail
Spring 2016 to late Summer 2016	Prepare draft Part 2 Local Plan
Autumn 2016	Member decision on publication of Part 2 Local Plan for 6 weeks of formal representations
Autumn 2016 to Winter 2016	Consider responses and amend Part 2 Local Plan as required
Winter 2017	Member decision on submission of Part 2 Local Plan for independent examination
Winter 2017 to Spring 2017	Likely dates for examination hearing sessions
Spring 2017 to Summer 2017	Consult on main modifications to the Part 2 Local Plan if required
Summer 2017	Receive Inspector's report and adopt Part 2 Local Plan subject to Full Council approval

Who	Policy Number/Description	Respondent Comment	Broxtowe Borough Council Comment
National Interest Groups			
Natural England	E16 Sites of Importance for Nature Conservation	NE “generally agree with the analysis for this policy”, “particularly support the idea of including advice regarding the natural environment at the landscape scale, biodiversity networks and species protection” and “agree that it is important to link this policy with policy on green infrastructure”.	Noted and points will be considered.
	E24 Trees, hedgerows and Tree Preservation Orders	NE “would wish to see a policy to protect ancient woodland and aged or veteran trees to comply with paragraph 118 of the NPPF”.	Will incorporate request in amended policy.
	E33 Light pollution	NE “support” a policy on light pollution. Reference should be made to “negative impact on local amenity, intrinsically dark landscapes and nature conservation (especially bats and invertebrates)” and to the use of “appropriate design” to address such impacts.	Will incorporate request in amended policy.
	Possible new policy Reducing CO2 emissions (p. 18)	NE “suggest that a policy regarding renewable energy schemes should particularly include the avoidance of potential impacts on nature conservation and local landscapes” and “suggest that an assessment of landscape sensitivity is carried out before locations of schemes are agreed”.	Will incorporate request in amended policy.
	Possible new policy Design (p. 20)	Policy should “include provision to encourage “Biodiversity by Design”” (a link to a relevant part of the TCPA’s website is provided). This should encourage “incorporating ecologically sensitive design and feature early on within a development scheme”; measures “can include green roofs, planting and landscaping using native species, setting up bird and bat boxes and sustainable urban drainage systems”.	Will incorporate request in amended policy.
	Possible new policy Landscape (p.23)	NE “supports the idea of a policy on landscape which uses information set out in the [Greater] Nottingham Landscape Character Assessment”. It also suggests that “reference should be made to the National Character Areas”, which are “a good decision making framework for the natural environment”.	Will incorporate request in amended policy.
	Possible new policy Green Infrastructure (p. 24)	NE “agrees that any new policy will need to complement the Council’s emerging Green Infrastructure Strategy. It should integrate with other policies such as biodiversity, green space, flood risk and climate change adaptation”.	Will incorporate request in amended policy.

Environment Agency	RC8 New informal open space	NE “recommend the use of the Natural England’s Accessible Natural Greenspace Standards (ANGSt)”, which “provides a powerful tool in assessing current levels of accessible natural greenspace and planning for better provision”.	This request can be addressed via ongoing work in the Council’s Playing Pitch Strategy.
	RC15 Long distance trails	NE “agree... that reference to the Council’s emerging Green Infrastructure Strategy should be made”.	Noted and points will be considered.
	SA Scoping Report	NE “generally supports the scoping report but would like to have seen reference to the National Character Areas”.	Reference can be added.
	E27 Protection of groundwater	The EA “would wish for it to be retained rather than merged into other policies. This approach is important for Broxtowe as the district is situated on principal and secondary aquifers”.	Policy should be retained in some form as requested.
	E29 Contaminated land	The EA “do not agree that there is no need for this policy. Former contaminative uses for example petrol stations or cemeteries pose a risk to groundwater and drinking water supply, but are not covered by environmental permitting regulations”. They “point out that issues around contaminated land is an environmental consideration and is not exclusive to human health matters”.	Policy should be retained in some form as requested.
	Possible new policy Flood risk – sequential and exception tests (p. 17 and appendix B)	<p>The EA “have some serious concerns about the wording of the current draft and would not be able to support the draft policy in its current form”.</p> <p>“There is a need for clarification within the policy wording on which types of development would be subject to the principles of the Sequential and Exception Test elements of the policy.”</p> <p>Clarity should be added on the Exception test “to state that <u>only</u> the first part of the requirement for ‘wider sustainability benefits’ will be waived and the need to undertake a Flood Risk Assessment that demonstrates development will be safe and does not increase flood risk elsewhere, will continue to be complied with”.</p> <p>The EA “challenge the proposal to consider the term ‘minor development’ as less than 10 dwellings within the defended area”, as this is contrary to the PPG, and “small scale” [in the explanatory paragraph] needs to be defined.</p>	<p>The key point appears to be that the Environment Agency agree that the Trent Defences are of an “appropriate standard” and therefore they accept that the ‘wider sustainability benefits’ aspect of the exception test can be “waived”, which means that, subject to site-specific Flood Risk Assessments being done, small-scale developments would be allowed in Attenborough and the Rylands.</p> <p>This matter appears to be resolvable by stating clearly in the policy that for the</p>

		<p>The EA notes that “the tenor of the explanatory paragraph text is not replicated in the proposed policy wording”.</p> <p>The policy has “a number of phrases which are poorly defined and would be hard to understand and apply by all parties in the planning process”, including ‘where a risk of flooding or problems of surface water disposal exist’, ‘existing developed’, ‘adequately protected’, ‘suitable’ and ‘no adverse effects on the management of flood risk’.</p> <p>It is “important” that the “message is clear in the final policy wording” that the policy “relates only to a particular area that is defended to an appropriate standard”.</p> <p>Bullet A) “is simply application of the NPPF without any references to your justification of the variations proposed in the explanatory paragraph text and makes the flood risk policy aspirations unclear”.</p> <p>In bullet B), “further clarification is needed in regard to the term ‘compensation’ in the draft policy or whether the council’s intended requirement is for mitigation measures”. “Where an area benefits from an appropriate standard of flood protection (such as the river Trent defences) the Environment Agency does not normally seek flood compensation.”</p> <p>The “requirement for flood mitigation is and must be applicable to all sites (defended or not) and the requirement for flood ‘compensation’ is and must be for all sites that are not defended or have a sub standard level of flood defence”.</p> <p>If the draft policy “is intended to suggest that no mitigation...works are necessary for developments of less than 10 dwellings, it will be strongly opposed by the EA”; and “any policy where flood compensation is not an absolute requirement in non defended or sub standard defended areas is not acceptable to the EA and will be resisted”.</p>	<p>purposes of the sequential test and the exception test the Council’s Strategic Flood Risk Assessment will be used to assess risk. This then takes proper account of the Left Bank defences.</p> <p>Some points relate to apparent misunderstandings, as any policy would seek to ensure flood mitigation measures are incorporated into new development.</p>
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		<p>In bullet C), the reference to ‘adverse effects’ “will need to be clearly defined”.</p> <p>In bullet D), the EA “would suggest that additional wording is included for ‘flood risk management assets’ to ensure that access is maintained at all times”.</p> <p>In bullet E), the EA “recommend that the policy needs to be more proactive in that it leads to an actual reduction in surface water run-off, rather than a simple no worsening principal”. The EA also “question how the policy will be made to apply to ‘off site measures’”.</p> <p>The EA “request that this draft policy is revised, and we would be happy to have further discussion around the detail of the proposed changes.”</p>	
	Possible new policy Flood risk – Sustainable Drainage Systems (p. 18)	The EA “support the inclusion of the principle of the policy with details to follow once the necessary system is known and approved”.	Noted and points will be considered.
	Possible new policy Green Infrastructure (p.24)	The policy should make specific reference to “blue infrastructure i.e. watercourse networks (including rivers, streams, canals, ditches and drains)” throughout the borough.	An additional policy will be considered.
	SA scoping report	<p>Three specified documents are recommended to be added to the schedule of relevant plans, policies and programmes.</p> <p>The SFRA “could be considered to be out of date” and the EA “recommend that the document is reviewed and updated”.</p>	The Strategic Flood Risk assessment will be considered on a Greater Nottingham geography. The requested documents can be added.
English Heritage (now Historic England)	E24 Trees, hedgerows and Tree Preservation Orders	EH “consider that it would be helpful and NPPF compliant to retain a policy with regard to trees and hedgerows where they are important – for example where they play a positive contribution to the local character”. There is “scope for updating” to accord with the NPPF.	Will incorporate request in amended policy.
	S8 Shopfront design	EH consider that “continuing policy reference to shopfront design, security and signage is important for the new Local Plan, as it will form part of your positive strategy for the historic environment”; “these three	Will incorporate request in amended policy.

		policies could easily be amalgamated”.	
	S9 Security measures	EH consider that “continuing policy reference to shopfront design, security and signage is important for the new Local Plan, as it will form part of your positive strategy for the historic environment”; “these three policies could easily be amalgamated”.	Will incorporate request in amended policy.
	S10 Shopfront signage	EH consider that “continuing policy reference to shopfront design, security and signage is important for the new Local Plan, as it will form part of your positive strategy for the historic environment”; “these three policies could easily be amalgamated”. With regard to signage, “amenity is a very important consideration, particular[ly] in those historic areas (such as conservation areas) and as such a policy reference is needed, and should not simply be deferred to the NPPF”. The PPG “states that in relation to amenity, this includes the local characteristics of the neighbourhood, citing that if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features consideration of whether it is in keeping with these features is required. A local plan policy on this would make this explicit for Broxtowe”.	Will incorporate request in amended policy. Will incorporate request in amended policy.
	RC5 Protection of open spaces	“Open spaces can often form part of heritage assets – for example, non-designated historic parkland, cemeteries, important open spaces within Conservation Areas etc. Policy recognition should therefore include these matters and support the enhancement of such assets where relevant.”	Will incorporate request in amended policy.
	Possible new policy Design (p. 20)	EH “consider that there is a need for a locally distinctive design policy”. “This could set out design criteria in more detail and should make reference to local character and distinctiveness.” There should also be reference to “local materials”.	Will incorporate request in amended policy.
	Possible new policy Heritage assets / conservation	EH “consider that further detailed development management policies are essential”. “We consider that a lack of detailed development management policies relating to heritage would render the plan unsound.” They cite the ACS and NPPF in support of this view. The PPS guide [to which we referred in the consultation document] “is to be replaced”, however the forthcoming new documents “are not a replacement for detailed Local Plan Policies and should not be used as	Will incorporate request in amended policy.

		<p>such”.</p> <p>Broxtowe “may wish to set out further and more detailed local information requirements for applications involving heritage assets”.</p> <p>A “local list, or a methodology relating to the identification of non-designated heritage assets could be developed”. A link to EH guidance on local listing is provided.</p> <p>Some fairly general comments are made about possible topics and format for policies.</p> <p>Historic environment considerations “should not be limited to a stand-alone chapter”.</p> <p>EH “are happy to comment on draft policies as they develop and provide further advice on any of the above”.</p>	
	Possible new policy Archaeology (p.25)	<p>EH “consider that reference is required within the Local Plan to this – this could be combined with a heritage asset policy, as above, or separated”.</p> <p>They “consider that there should be alignment with the City Council’s approach to archaeology”.</p>	Will incorporate request in amended policy.
	Possible new policy Boots / Severn Trent (p.39)	EH “consider that it is essential a policy to guide development for the strategic employment site at Boots is included within the Plan. A joint approach between your Authority and the City Council should also be pursued. As part of this, it is critical that reference is made within this to the protection of designated and non-designated assets to ensure the policy is sound”.	This may not be necessary as planning permission is ready to be granted subject to s106 issues with no objection from Historic England.
	Possible new policy Culture, tourism and sport (p.62)	It is “important” to have a policy on this issue, as “part of your positive strategy for the conservation and enhancement of the historic environment...further detail should relate to literary heritage etc.”	Noted.
	Possible new policy Cromford Canal (p. 63)	EH “would support the inclusion of such a policy”.	Noted.

	SA scoping report	<p>With regard to the inclusion of relevant plans, policies and programmes, “it does now cover the main documents”. The objectives of these documents, and their implications for the plan, “have been adequately identified”. The identification of key sustainability issues is now “adequate”, as are the SA objectives.</p> <p>Overall: “Although some further amendment is still required, we consider if this is made, the document does fulfil the legislative requirements”.</p> <p>However:</p> <ul style="list-style-type: none"> • “The baseline data still requires data inputting in relation to statistics for heritage assets within England.” • “We are still very concerned that there is no discussion of the baseline data in chapter 4...there is no further discussion of the attributes for the area.” • “We are still unclear as to what the proposed indicators are actually measuring as they just list types of heritage asset.” • “There is no formal framework for assessment of site allocations...further detail is needed to ensure a robust process...for example, for site allocations, a more detailed framework is needed to understand how these will be assessed and how these will be ranked (colour coding? +/-?). For heritage assets, this will need an assessment of the significance of the heritage assets. Distance should not be used as a proxy to harm”. 	Noted and their requests will be incorporated in an amended SA.
The Coal Authority	Possible new policy Coal - Coal Mining Development Referral Area (p.25)	<p>The CA advises that this is now called ‘Development High Risk Area’.</p> <p>The CA “would welcome the inclusion of a new policy” on this subject. They “would recommend the inclusion of the spatial extent of the Development High Risk Area on a development constraints map if proposed for inclusion in the plan, or background text to a policy”. In accordance with the NPPG, “the LPA should require the submission of a Coal Mining Risk Assessment Report, or equivalent”.</p>	Will incorporate request in amended policy.
	Possible new policy Coal – Mineral	The CA “would also welcome the inclusion of a new policy which addresses the need to safeguard mineral resources...the obligation to	Will incorporate request in amended policy.

	Safeguarding Areas (p.24)	<p>prevent mineral sterilisation is also a district-level responsibility for the LPA in addition to the MPA. The LPA should liaise with the County Council as MPA on this topic”.</p> <p>“Reference should be made in the introductory section [of the part 2 plan] to all parts of the Development Plan for Broxtowe Borough, including the new Nottinghamshire Minerals Local Plan. It would also be helpful to explain in the introduction that the Minerals Plan will define Minerals Safeguarding Areas which, when adopted in due course, will also need to be illustrated on the Broxtowe Borough Council Proposals Map.”</p>	
	H1 New housing sites	“The Local Plan and/or the Sustainability Appraisal should include a site allocation selection methodology to identify what constraints and policy issues have been taken into account in the site assessment process.” This should include the issues of “mineral sterilisation and unstable land”. It is “necessary to include a criterion within the site allocation methodology which assesses the coal mining legacy GIS data that we provided”, and “an assessment should be made of the likely impact of the proposals on mineral resources”.	Mineral sterilisation issues will be taken into account in consultation with the County Council as the Minerals Planning Authority.
	EM1 New employment sites	“The Local Plan and/or the Sustainability Appraisal should include a site allocation selection methodology to identify what constraints and policy issues have been taken into account in the site assessment process.” This should include the issues of “mineral sterilisation and unstable land”. It is “necessary to include a criterion within the site allocation methodology which assesses the coal mining legacy GIS data that we provided”, and “an assessment should be made of the likely impact of the proposals on mineral resources”.	Mineral sterilisation issues will be taken into account in consultation with the County Council as the Minerals Planning Authority.
	SA scoping report	“Section 3 does not appear to make any reference to the new Nottinghamshire Minerals Local Plan or the relevant part of the NPPF. In addition, the [site allocation selection] methodology does not consider coal mining legacy hazards...these issues [minerals resources and unstable land] need to be fully addressed to render the Local Plan sound. The Coal Authority would not wish to need in due course to object to the site allocation methodology.”	Reference will be added.
Sport England	RC1 Leisure facilities	The forthcoming “Built Sports Facilities strategy” and Playing Pitch strategy should inform this policy.	The consultation document made clear that we will be

		<p>“The policies are currently being developed without the appropriate evidence base as required by paragraph 73 of NPPF. Paragraph 70 requires local authorities to plan positively, this cannot be achieved without the appropriate evidence in place.”</p>	<p>working with the Leisure Strategy, Green Spaces Strategy and Playing Pitch Strategy.</p> <p>These comments are relevant to all of Sport England’s representations.</p>
	RC5 Protection of open spaces	<p>“Does Policy RC5 protection of Open Space does this include playing field protection?”</p> <p>“The policies are currently being developed without the appropriate evidence base as required by paragraph 73 of NPPF. Paragraph 70 requires local authorities to plan positively, this cannot be achieved without the appropriate evidence in place.”</p>	<p>The consultation document made clear that we will be working with the Leisure Strategy, Green Spaces Strategy and Playing Pitch Strategy.</p>
	RC6 Open space: requirements for new developments	<p>“Sport England does not support the principle of standards for playing pitch provision but supports the principle of an evidence based action plan which secure the right facilities in the right place, by protection and or enhancement of existing facilities and the provision of new facilities if required. The Playing Pitch strategy will provide this evidence.”</p> <p>“The policies are currently being developed without the appropriate evidence base as required by paragraph 73 of NPPF. Paragraph 70 requires local authorities to plan positively, this cannot be achieved without the appropriate evidence in place.”</p>	<p>The consultation document made clear that we will be working with the Leisure Strategy, Green Spaces Strategy and Playing Pitch Strategy.</p>
	RC7 New playing fields	<p>The forthcoming Playing Pitch strategy should inform this policy – “how does the authority know that new playing fields are require?”</p> <p>“The policies are currently being developed without the appropriate evidence base as required by paragraph 73 of NPPF. Paragraph 70 requires local authorities to plan positively, this cannot be achieved without the appropriate evidence in place.”</p>	<p>The consultation document made clear that we will be working with the Leisure Strategy, Green Spaces Strategy and Playing Pitch Strategy.</p>
	RC17 Outdoor recreation pursuits	<p>“What evidence is available to inform the proposed policy RC17 Outdoor recreational Pursuits”</p>	<p>The consultation document made clear that we will be working with the Leisure</p>

		“The policies are currently being developed without the appropriate evidence base as required by paragraph 73 of NPPF. Paragraph 70 requires local authorities to plan positively, this cannot be achieved without the appropriate evidence in place.”	Strategy, Green Spaces Strategy and Playing Pitch Strategy.
Network Rail	Suggested additional policy Level crossings	“Development proposals’ affecting the safety of level crossings are an extremely important consideration for Network Rail and emerging planning policy to address...we request that the potential impacts from development effecting Network Rail’s level crossings are specifically addressed through Local Plan.” The policy should include references to: Broxtowe’s statutory responsibility to consult the statutory rail undertaker on relevant applications; the facts that Network Rail seek to close Level Crossings where possible, and resist new ones; a requirement for a Transport Assessment for any application that “may increase the level of pedestrian and/or vehicular usage at a level crossing”; a requirement for the developer to fund any necessary improvements to the crossing. Broxtowe is “urged” to adopt a similar policy to an example given from Doncaster.	The issue of level crossings will be considered.
HS2	n/a	“HS2 has no specific comments on the Development Management Policies Issues and Options Consultation at this time.”	Noted and points will be considered.
The Theatres Trust	Possible new policy Culture, tourism and sport (p.62)	A policy is “required”, in order to “resist the loss of cultural facilities”, support ACS policy 13 and “reflect” NPPF paragraph 70. The policy should safeguard existing facilities, require developer contributions and encourage the provision of new facilities.	An additional policy will be considered
NFU	E8 Green Belt	This policy should be included in the Local Plan with amendments. “We would like Policy E8 to include wording to promote rural diversification as suggested in the Additional Issues column”.	Will incorporate request in amended policy.
	E13 Prominent Areas for Special Protection	This policy should not be included in the Local Plan. These areas are “yet another no-go area for development. The NPPF is against the designation of yet more areas where development is not permitted and this particular designation is more of the same”.	Noted. However the policy performs a useful function in steering built development away from prominent areas (such as Bramcote Hills Golf Course).
	E14 Mature Landscape Areas	This policy should not be included in the Local Plan. “Mature Landscape Areas should not be allowed to [be?] a large area where only limited development is allowed. Do these areas really require protection additional to that in the rest of the plan?”	Noted. However the policy may still be useful if it makes clear that such a designation does not amount to a blanket

			development exclusion zone.
	E16 Sites of Importance for Nature Conservation	This policy should not be included in the Local Plan with amendments. “We would not like to see policy E16 extended to include Nature Improvement Areas which could be very large areas where development of any kind is strictly controlled.”	Noted. However the policy may still be useful if it makes clear that such a designation does not amount to a blanket development exclusion zone.
	E33 Light pollution	This policy should not be included in the Local Plan with amendments. “Mention is made of protecting “intrinsically dark landscapes” too. Another designation which will allow development to be refused over a large area and therefore a policy addition to be fought against.”	Noted. However the policy may still be useful if it makes clear that such a designation does not amount to a blanket development exclusion zone.
	Possible new policy Reducing CO2 emissions (p.18)	“It needs to encourage renewable energy developments in certain areas, as per the NPPF.”	Noted. Areas which may be suitable for unobtrusive renewable energy installation are on previously developed land.
	Possible new policy Landscape (p.23)	“Any policy to protect large new areas of the countryside must ensure that not all development is prevented, but there are allowances for farm and rural diversification, farm buildings and new housing on farms.”	Noted. However the policy may still be useful if it makes clear that such a designation does not amount to a blanket development exclusion zone.
Mobile Operators Association	E35 Telecommunications	It is “important” that there is a specific telecommunications policy. Detailed wording is proposed for the policy and supporting text. The policy should have criteria about “seeking to minimise” adverse impacts through siting and design, “exploring the possibility” of using existing buildings and structures, and avoiding “unacceptable effects” on “sensitive areas”. The supporting text should state that “the authority is keen to facilitate” the expansion of telecommunications infrastructure.	Noted and points will be considered.
Duty to Cooperate – Local Authorities			
Nottinghamshire County Council (strategic planning)	Possible new policy Coal – Mineral Safeguarding Areas	“The County Council welcomes the inclusion of a policy on minerals safeguarding. In order to maintain consistency with the emerging Minerals Local Plan, account should be taken of policy DM13 ‘Mineral safeguarding and consultation areas’ and any subsequent amendments as the Minerals Plan progresses.”	Noted. As the Coal Authority requests, a policy can be included, albeit care will need to be taken as Broxtowe is not the Minerals Planning Authority, Nottinghamshire

		<p>“It is also important to note that Para 143 point 3 of the NPPF states that as well as defining Minerals Safeguarding Areas, Minerals Consultation Areas (based on the Minerals Safeguarding Areas) should be included.”</p> <p>It is also worth noting that a sand and gravel safeguarding area exists in the south of the district which you may wish to consider.”</p>	County Council is.
H6 Density of housing development		“The County Council recommends that reference to public transport accessibility appraisal mechanisms is essential for sustainable developments, and to ensure the long term viability of a development in terms of public transport provision”	Noted. This relates to a requirement for high densities that may not be viable or appropriate in all locations.
T1 Developers’ contributions to integrated transport measures		“Any new approach should ensure that public transport provision is prioritised as part of any future policy development.”	This may be problematic in relation to s106 ‘pooling restrictions’.
T4 Park-and-ride facilities		“The Council isn’t currently considering any future Park & Ride developments in Broxtowe.”	Noted and points will be considered.
T5 South Notts Rail Network (SNRN)		The policy is listed in a schedule of comments; however no comments on this policy are actually made.	
T6 Nottingham Express Transit (NET)		The policy is listed in a schedule of comments; however no comments on this policy are actually made.	
T12 Facilities for people with limited mobility		“It is important that the [County] Council can negotiate with developers for contributions to include such facilities as part of developments i.e. raised kerbs, audio and visual information. The Council requests the inclusion and retention of Policy T12.”	This may be problematic in relation to s106 ‘pooling restrictions’.
Possible new policy Sustainable transport networks (p.45)		“Any single policy should include reference to the role of accessible public transport networks as part of a sustainable transport framework.”	Noted and points will be considered.
Possible new policy Travel plans (p.45)		“The inclusion of a local policy setting out what is considered to be “significant” is supported.”	Noted and points will be considered.
E16		The policy “should certainly be retained, or incorporated into a ‘natural	Will incorporate request in

	Sites of Importance for Nature Conservation	environment policy (see below)."	amended policy.
	Possible new policy Green infrastructure	"A policy relating to the natural environment (i.e. beyond just locally designated sites) [and so presumably potentially part of a new GI policy] is also required, which could incorporate policy E16, above." In addition, the policy would need to : ensure that impacts on biodiversity are minimised; contribute to the establishment of coherent ecological networks; set criteria against which proposals affecting designated wildlife sites will be judged; plan positively for networks of biodiversity and GI; plan for biodiversity at a landscape scale across local authority boundaries; identify and map components of ecological networks; promote the preservation, restoration and re-creation of priority habitats; promote the recovery of populations of priority species; identify suitable monitoring indicators; prevent harm to geological conservation interests; and "make provision for an Nature Improvement Areas which may be identified in the plan area in the future".	Will incorporate request in amended policy.
	H5 Affordable housing	"The County Council welcome the issue of whether a consistent Borough Wide approach is appropriate, this will help when considering viability issues/priorities relating to the delivery of new housing sites."	Noted and points will be considered.
	EM1 New employment sites and/or RC2 and RC3 Community and education facilities	"Paragraph 3.4.21 (p38) the County Council welcome the plans for "specific provision" for education which is also supported in Policy RC2 and RC3 (p55-56). Where 'Reference to particular sites will need updating' is included. The Capacity of schools sites to allow for further expansion is an issue that is changing over the duration of the plan period."	Paragraph 3.4.21 of the Aligned Core Strategy, which is referred to on page 38 of our consultation document with regard to policy EM1, is about the 'knowledge based economy'; unclear what "specific provision" is referring to; and unclear as to the perceived relationship between employment and education policies. Further discussions will be held with Nottinghamshire County Council.

Nottinghamshire County Council (property department)	RC5 Protection of open spaces	The policy does “not provide an adequate framework, standards or criteria for an objective determination of the role and value of open spaces in new development...There needs to be a very clear relationship between the demographic projections of the local areas and the open spaces required – a PPG 17 type study which is only partly reported in the Council’s Green Spaces Strategy 2009-16.”	This will be addressed in the Council’s Playing Pitch Strategy and Green Infrastructure work, both of which will be concluded to inform this Local Plan.
	RC6 Open space: requirements for new developments	The policy does “not provide an adequate framework, standards or criteria for an objective determination of the role and value of open spaces in new development...There needs to be a very clear relationship between the demographic projections of the local areas and the open spaces required – a PPG 17 type study which is only partly reported in the Council’s Green Spaces Strategy 2009-16.”	This will be addressed in the Council’s Playing Pitch Strategy and Green Infrastructure work, both of which will be concluded to inform this Local Plan.
Local Interest Groups			
Beeston and District Civic Society	E8 Development in the Green Belt	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	E13 Prominent Areas for Special Protection	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	H4 Subdivision or adaptation of existing buildings	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	H6 Density of housing development	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	H7 Land not allocated for housing purposes	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	H12 Loss of residential accommodation	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	S2 Sites for retail and associated	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.

	development		
	S4 Prime shopping frontages	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	S5 Local shopping development	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	S8 Shopfront design	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	S10 Shopfront signage	The policy should be included in the Local Plan as it is. (No further comments are made.)	Noted and points will be considered.
	Possible new policy Design (p.20)	<p>The Society “agree that any new policies should include references to standards of amenity of occupiers, energy efficiency, emissions etc.</p> <p>There should be both a supplementary urban design guide, and a residential one, possibly also a design guide for conservation area development. Guidance needs strengthening from current.</p> <p>Such policies are also relevant to proposed new housing policies.”</p>	Noted and points will be considered. Conservation area appraisals will assist with this.
	Possible new policy Heritage assets / conservation (p. 22)	<p>“Referring to non designated heritage assets – a local list should be seen as a necessary planning tool and should be extended, with more of a local dimension, and should be available on line... Broxtowe’s list is in serious need of updating and should be expanded to include assets outside Conservation Areas. It should also recognise that assets need not necessarily be buildings.”</p> <p>Any policy “should delineate criteria for inclusion [in the local list] (see Erewash, Rushcliffe and Bassetlaw)”.</p>	Noted and points will be considered.
Nottingham CPRE	Possible new policy Travel Plans (p.45)	<p>The CPRE “understand that national guidance on Travel Plans specifies 80 dwellings as the threshold from which an applicant would be required to develop a Travel Plan...the principle of following national guidance – as a minimum – should be incorporated into Broxtowe’s Local Plan Part 2.”</p> <p>“Integrated Travel Plans should be developed for each allocation in its entirety even if actual development occurs in phases or via a number</p>	Noted and points will be considered.

		<p>of planning applications.”</p> <p>“Funding for the elements of the travel Plan should be secured from developers – where necessary drawing their attention to the cumulative impact.”</p>	
Land Owners / Developers			
Bartons plc	EM1f New employment sites: former Bartons bus depot	“EM1f should not be included in the Local Plan.” (No further comments are made.)	Noted and points will be considered. If an application is submitted and approved on this site it will remove the need for a site specific policy.
The British Land Company plc	E24 Trees, hedgerows and Tree Preservation Orders	<p>The current policy wording is “too restrictive”.</p> <p>‘Important’ trees should be defined as those which are subject to a Tree Preservation Order. ‘Important’ hedgerows should be defined according to the 1997 Hedgerow Regulations. Reference to both of these definitions “should be made explicit in any future policy wording to ensure transparency”.</p> <p>Policy wording “should allow developers to provide mitigation and/or compensation where adverse impacts are unavoidable”.</p> <p>“The policy should read [presumably in part – see above]: “development that would adversely affect important trees and hedgerows will be permitted where such adverse affect is adequately mitigated or compensated.”</p>	Noted and points will be considered.
	E26 Pollution	<p>“The policy should clarify when an Air Quality Assessment will be required.”</p> <p>“The policy must explicitly make clear the definition of ‘significant deterioration of air quality’ and ‘significant loss of health or amenity’. In addition, the policy should clarify further the extent of ‘nearby premises’ to enable developers to understand the physical coverage any future assessments may have to cover.”</p>	Noted and points will be considered.
	T11 Guidance for	“The Council’s Parking Standards should be expressed as maxima and be applied flexibly”.	Noted and points will be considered.

	parking provision	<p>“In the context of shopping parks, parking assessments should not singularly and stringently deem that an increase/decrease in gross floorspace alone will increase demand for car parking facilities. Future policy wording should give due considerations to variations in peak demand during the day/week, particularly at mixed use sites. In certain instances, this will remove the need to increase car parking capacity where such peaks complement each other.</p> <p>Accordingly, reference in the policy to “...unless appropriate provision is made for vehicle parking...” should be changed to “...unless appropriate provision is available for vehicle parking...”.”</p>	
	S1 Shopping and associated uses in town centres	<p>Terminology requires updating to reflect ACS policy.</p> <p>“The town/district centre boundaries of the four centres should be reviewed. As part of this review it may be sensible to contract the defined boundary of particular centres so that they encompass areas well connected to the core of the centre with reasonably high footfall and units capable of accommodating modern retail operations. This would assist in concentrating commercial development and thus add to the viability of those centres. It would also help focus future investment.”</p> <p>In Eastwood, “the area between Church Street and Devonshire Drive (including the former Eastwood Infant and Junior School) is not considered to form part of the town centre in terms in any commercial sense and therefore should be removed...Furthermore, while the Morrisons supermarket at the western extremity of the centre clearly performs a role in attracting custom to the centre, much of the area between the supermarket and the ‘main run’ of Nottingham Road adds little to the practical function of the centre.”</p> <p>In Kimberley, re-evaluation is required in particular for “the southern reaches of James Street and the western end of Main Street which offer limited and sporadic main town centre uses in between predominantly residential dwellings.”</p>	<p>The updated retail study undertaken by Carter Jonas will be important evidence to consider these issues. This was not available at the time this consultation was undertaken.</p>

		<p>“The justification [in the ACS] supporting the view that Eastwood District centre is weak in retail terms and the need of enhancement is questioned...WYG have undertaken numerous health check surveys at Eastwood in past years”; figures are provided for 2012 and 2014</p> <p>“which highlight that the district centre is performing broadly in line with the national average...the centre is certainly not underperforming...the opportunity should be taken to correct this assertion in the emerging DPD. In the absence of this the Council should justify and evidence this statement and clarify in what way the centre is considered to be underperforming and what action is required to correct that underperformance.”</p>	
	S2 Sites for retail and associated development	<p>“Any future policy should maintain the preference in favour of retail and leisure development to be developed at Giltbrook Shopping Park in absence of preferable district centre sites.”</p> <p>“As demonstrated by numerous extensions and remodelling of the shopping park since the opening in 2008, the park represents a sustainable location for new retail and leisure development”.</p> <p>“We do not consider a criteria based policy to be appropriate as this would limit the ability of the authority to suitably respond to the needs of national retailers and changes to the local economy in Broxtowe.”</p> <p>“Furthermore, we do not consider there to be a need to limit the overall floorspace permitted at the shopping park.”</p>	The updated retail study undertaken by Carter Jonas will be important evidence to consider these issues. This was not available at the time this consultation was undertaken.
	S3 Retail and associated development in locations outside town centres	<p>The policy wording is inconsistent with the NPPF; “for example”, ‘need’ is no longer an NPPF requirement and the policy “refers to ‘convenient walking distance’ in respect of edge of centre sites rather than giving preference to accessible sites when considering edge and out of centre locations”. Part (b) of the policy does not relate well to policy S2(c).</p> <p>“We consider it prudent to continue to give preference to Giltbrook Shopping Park as the appropriate location for retail provision in the absence of sequentially preferable sites in Eastwood and Kimberley”.</p>	The updated retail study undertaken by Carter Jonas will be important evidence to consider these issues. This was not available at the time this consultation was undertaken. In addition the recommendation in the retail study is that a floor space threshold of 500 sqm is

		<p>“There currently exists no quantitative evidence in support of a 1,000 sqm locally set floorspace threshold for the assessment of impact...Lack of evidence means the LPA should revert to the default position of 2,500 sqm, as set out in the NPPF”.</p> <p>“The definition of edge of centre is clearly defined in the NPPF glossary and therefore the LPA should not look to repeat national policy.”</p>	appropriate for the assessment of impact.
	<p>S7 Food and drink retailing outside town centres</p>	<p>“Any revised policy should continue to focus purely on the three aspects of environment, traffic and residential amenity, with the absence of ‘harm’ in regard these elements indicating acceptability.” The policy “should not seek to impose inflexible thresholds” with regard to ‘harm’.</p> <p>“The suggested policy distinction between groups of shops and stand alone units would be misconceived.”</p> <p>Changes to the Use Classes Order will need to be recognised.</p> <p>“Monitoring of the overlap between the food and drink A class uses can be dealt with by way of condition on a case by case basis and should not be included within this policy.”</p>	Noted and points will be considered.
	<p>S10 Shopfront signage</p>	<p>“This policy is not required”, given the provisions of the 1990 Act.</p>	Noted and points will be considered.
	<p>Possible new policy Flood risk – sequential and exception tests (p.17 and appendix B)</p>	<p>“Greater clarity is required...policy wording should clearly state that minor development falls outside of the requirements of the sequential and exception tests. It should also clearly state that extensions or internal alterations to existing premises do not have to comply with the sequential test, regardless of the quantum of floorspace being created.”</p> <p>Given that shops and leisure are considered as ‘less vulnerable’ developments, “policy wording should ensure Flood Risk Assessments (FRAs) are not unnecessarily undertaken in instances where they are</p>	Noted and points will be considered.

		not required”.	
Possible new policy Reducing CO2 emissions (p.18)	“A standalone policy within the emerging DPD is not required” because ACS policy 1 “provides sufficient advice”. “We do not consider a ‘Merton’ policy...is appropriate or necessary.” “Policies should not form a tool to define, control and enforce energy generation on-site. Such policies pose significant difficulties in respect of monitoring implementation and compliance at the operational stage.”		Noted and points will be considered.
Possible new policy Design (p. 20)	ACS policy 10 “provides a sufficiently detailed design policy in its own right”, so a new policy “is likely to result in unnecessary duplication”. “A Broxtowe specific design guide is considered to form a better approach for the delivery of good design.”		Noted and points will be considered.
Possible new policy Landscape (p. 23)	“Any new policy should clearly define the meaning of ‘valued landscape’ in the Broxtowe context...The policy should be clearly worded to only relate to these valued landscapes in order to avoid becoming an unnecessary and unjustified burden on development elsewhere.”		Noted and points will be considered. This policy will be informed by more detailed landscape character assessment.
Possible new policy Green infrastructure (p.24)	“Any future policy should provide a clear green infrastructure hierarchy, set in line with the Council’s emerging Green Infrastructure Strategy. The hierarchy should avoid the unnecessary allocation of unimportant peripheral areas of green space”.		Noted and points will be considered.
Possible new policy Existing employment sites (p.40)	“A new policy which considers the release of poor quality employment land for other economic uses which secure the creation of jobs, economic growth and enables new investment would be appropriate.” The policy “should include criteria recognising the importance of job creation rather than simply limiting development to the ‘B’ use class.”		Noted and points will be considered.
Possible new policy Travel Plans (p. 45)	The policy is “unnecessary due to the guidance provided in PPG (paragraph 009)”. Any requirement for a Travel Plan “should be based on the merits and travel benefits/impact of the development proposals and not on arbitrary thresholds set by the LPA”.		Noted and points will be considered.
Possible new policy Eastwood and Stapleford district	“We do not consider that this policy is required.” “Informal planning guidance would be a more appropriate means of		Noted and points will be considered. The updated retail study undertaken by

	centres (p.54)	<p>dealing with targeted regeneration”, although “We do not consider that the centre is performing poorly”.</p> <p>“Our town centre health checks have confirmed that Eastwood District Centre has not demonstrated a decline in its vitality and viability since the opening of the Giltbrook Retail Park in 2008, therefore indicating no correlation between the operation of the retail park and the health of the centre. Eastwood district centre functions in a wholly different retail market to the retail park with no material crossover in likely tenant requirements. We do not agree, therefore, with the suggestion in the Issues and Option paper that the future approach to the Shopping Park is likely to be relevant to this potential new policy.”</p>	Carter Jonas will be important evidence to consider these issues. This was not available at the time this consultation was undertaken.
	Possible new policy Infrastructure, planning obligations and developer contributions (p.63)	<p>“We question whether there is a need for this policy”; a policy would be “a particularly inflexible tool” and “a Supplementary Planning Document (SPD) would provide a more flexible approach”.</p> <p>The LPA “should progress a CIL charge promptly to allow any future planning obligations policy/SPD to be fully informed and tested alongside the infrastructure and affordable housing viability evidence”.</p> <p>“Any future obligations policy or SPD should specifically reflect a flexible approach to s106 negotiations, particularly where a developer can demonstrate abnormal development costs.”</p>	Noted and points will be considered.
The Mitchell Trust	E12 Protected Open Areas	<p>The policy should be retained, however boundaries of the Areas, and particularly the one at Beeston Fields Golf Course, should be reviewed.</p> <p>Two areas are proposed to be removed from the Protected Open Area at the golf course: one to the south of Beeston Fields Drive and one to the north of Bramcote Drive (details are provided). Removal of these areas “would have no material impact on the role of the Golf Course in providing a clear, physical break between Beeston Fields to the north and residential areas to the south...There would remain a substantial area of Golf Course, with its many mature trees, between the two proposed deleted areas in order to ensure this area continues to function as an effective break within the built-up area”.</p>	Noted and points will be considered. This policy will not be able to be amended prior to the determination of their Planning application which is likely to be before the end of 2015.

		<p>The Trust “would not support” an approach of including the Protected Open Areas in a more all-embracing policy that could relate to ‘Local Green Space’.</p> <p>It would be “highly inappropriate” to designate the golf course as a ‘Local Green Space’ as it would not meet the NPPF criteria for designation:</p> <ul style="list-style-type: none"> • It is not “in close proximity to the community it serves, because “the golf course does not serve a close and defined geographical community; it serves a golfing community and patrons travel to the course from a dispersed set of geographical communities”; • It is not “demonstrably special to a local community” because “the golf course does not hold any particular significance”; • It is “an extensive tract of land” and is “far in excess of what could reasonably be acknowledged” as being “local in character”. 	
Bloor Homes W Westerman Ltd	E12 Protected Open Areas	Any proposal to designate Protected Open Areas as ‘Local Green Space’ “would need to be based on a robust and transparent assessment of any candidate areas against the criteria in paragraph 77 of the NPPF” and “must be taken in the context of the wider development land supply, and an understanding of other potential sources of development land”.	Noted and points will be considered.
	E13 Prominent Areas for Special Protection	Any proposal to designate Prominent Areas for Special Protection as ‘Local Green Space’ “would need to be based on a robust and transparent assessment of any candidate areas against the criteria in paragraph 77 of the NPPF” and “must be taken in the context of the wider development land supply, and an understanding of other potential sources of development land”.	Noted and points will be considered.
	E14 Mature Landscape Areas	“The purpose and objectives of this category of protected land is unclear, and should be revisited, particularly in the context of Green Belt policy which also relates to all of the existing Mature Landscape Areas. Removing this policy altogether would not make these areas any more vulnerable to development, or increase the potential for them to be lost.”	Noted and points will be considered.

Possible new policy Reducing CO2 emissions (p.18)	<p>“There is clear potential for either duplication or inconsistency” with national building regulations.</p> <p>“The policy title proposed suggests a more generic ‘low carbon’ policy [rather than a focus on decentralised energy] which would be very likely to add little to the national regime of regulations and best practice. However, if the Council opts for a specific and prescriptive ‘decentralised energy’ policy focus there are risks that it would quickly be out of date as technology changes and experience of implementation evolves. It is important to guard against introducing a policy in a long-term planning document which constrains innovation and responses to new technology, or which fails to keep pace with changing national policy and regulations.”</p> <p>“In addition there is a need to consider overlaps (and potential tensions) with any design related policies”.</p>	Noted and points will be considered.
Possible new policy Flood risk – sequential and exception tests (p.17)	From the evidence provided, it is not clear whether local policy on this issue would be necessary, and to what extent it would repeat national policy.	Noted and points will be considered. A new policy is considered necessary to properly take into account the Left Bank flood defences.
Possible new policy Flood risk – Sustainable Drainage Systems (SuDS) (p.18)	<p>From the evidence provided, it is not clear whether local policy on this issue would be necessary, and to what extent it would repeat national policy.</p> <p>There is a “lack of clear context for any local policy on SuDS”.</p>	Noted and points will be considered.
Possible new policy Design (p. 20)	“The key criteria is the clarity of any policy guidance given, whether in one or numerous policies. However... imposing fixed minimum (or maximum) densities is not considered necessary or helpful. A highly prescriptive design policy does not enable developers to respond to the opportunities or constraints offered by individual sites”.	Noted and points will be considered.
H5 Affordable housing	<p>The approach “should be suitably flexible to reflect the often diverse range of outcomes expected from the development process”.</p> <p>The possible new policy on ‘Infrastructure, planning obligations and developer contributions’ “could provide an opportunity to be clear about</p>	Noted and points will be considered. The plan wide viability evidence will help to inform this policy.

		the relative priorities” in this regard.	
	Possible new policy Housing size/mix/choice (p. 34)	“Without care, such a new policy could inadvertently lead to homogenous developments dominated by a very narrow range of house types”; “being overly prescriptive about housing design issues is likely to restrict flexibility, and could be counter-productive in terms of the quality of development outcomes”. “It is unclear whether there is very much that any new policy could say that is not already covered by ACS Policy 8.”	Noted and points will be considered.
	Possible new policy Custom build / ‘Self-build’ (p.36)	This area “might be included within a policy regarding housing mix and choice. The potential for custom or self-build to form part of affordable housing provision should be considered”.	Noted and points will be considered.
	EM1 New employment sites	<p>“Policy does not necessarily need to take a consistent approach to the definition of use-classes on specific sites, and an overly restrictive approach to specific land-uses on specific sites would be contrary to the NPPF guidance”.</p> <p>Policy “should not be solely focussed on B-Class Uses, and policies need to be flexible enough to respond to needs as they arise”.</p> <p>“One way to deliver this flexibility is to plan to exceed the land required as indicated by any forecasts of need, and ensure a portfolio of existing and new sites are available for a range of B-Class and other employment generating uses”.</p> <p>There should also be “criteria based policies for the identification and development of new employment sites”.</p>	Noted and points will be considered. The updated employment needs study by Nathaniel Litchfield and Partners will be important evidence to inform this issue.
	Possible new policy HS2/Toton Strategic Location for Growth (p.40)	<p>“A new policy focussed on the location for growth at Toton is essential” It “should include detailed site boundaries and formally allocate a site for development”.</p> <p>There should be “the preparation of an extensive evidence base so that decisions about scale, form, Green Belt boundaries etc, can be undertaken based on sound evidence”.</p> <p>“The minimum requirements of the ACS policies fall someway short of the policy response needed to the opportunities offered by HS2.” For</p>	Noted and points will be considered. This work is progressing on a local, housing market area, and regional scale.

		example, it is stated that the indicated minimum employment floorspace at Toton is similar to the amount envisaged by an emerging neighbourhood plan for Keyworth village in Rushcliffe.	
	'General comment'	"The approach taken in the Issues and Options document to Agricultural Land should be taken throughout – before any assumptions are taken about which policies are to be included, consideration should be given to whether or not a local policy could usefully add anything to the NPPF. Based on the Issues and Options document, it is not clear whether this question has yet been applied widely."	Noted and points will be considered.
Town/Parish Council			
Greasley Parish Council Supported by Mr Robert and Mrs Barbara Willimott	E14 Mature Landscape Areas	"There is a need to consider the formal designation of additional areas of Mature Landscape and review any areas already designated.	Noted and points will be considered.
	H5 Affordable Housing	"There is a need for new policies that take account of need and supply across the borough." "Meeting Local housing need in small settlements such as Moorgreen are an important aspect of affordable housing...Greasley Parish Council is well placed to identify such local needs in the context of a Neighbourhood Plan...There is a need to consider how an appropriate balance can be struck between meeting affordable housing needs and satisfying other planning objectives such as open space provision, good design and road safety."	Noted and points will be considered. A neighbourhood plan would be a good means of addressing this issue.
	Possible new policy Design (p.20)	There should be a "local dimension" and "imaginative implementation" of policies. There should be a requirement for "thorough consultation both by developers with members of the public at the pre-application stage and with the Parish Council as statutory consultees."	Noted and points will be considered.
	Possible new policy Landscape (p.23)	Consideration should be given to "whether the high quality of the landscape in the wider area around Kimberley and Eastwood, which has important historical associations as well as landscape value, should be given some form of designation...the value of landscapes to the local community is important".	Noted. Landscape assessment will investigate the quality of the landscape which will in turn form part of the evidence base for future policies.
	Suggested additional policy	There should be a policy on change of use from employment to residential. No details are given. (However it is noted: "it does seem	Noted. Amendments to Permitted Development allow

	Change of use from employment to residential	that the number of jobs provided in industrial land and buildings is falling whilst other locations such as recreational and retail centres and working from home are increasing in importance".)	some changes of use without the need for planning permission and so a policy may not be necessary.
	General and other points	<p>There is an “urgent”, “priority” need to review policies relating to employment land, design, housing, recreation and traffic/transport. “This should be done in full consultation with Greasley Parish Council and should be preceded by an “effectiveness review” of existing policies, in full consultation with key “users” such as the parish council and local schools.”</p> <p>The “effectiveness review” should involve analysis of “the reasons why a policy has not been the subject of an appeal” and “a statement of the main successes and failures attributable to each policy”.</p> <p>The consultation document was “a very difficult document to respond to”, partly because it didn’t reproduce the wording of the policies concerned or summarise the relevant ACS policies. The document is “obscure, lacks real depth and is not sufficiently transparent” to encourage public participation.</p> <p>Supplementary Planning Guidance did not get sufficient attention in the consultation and should be looked at again; they “can have an important role in development control”.</p> <p>Greasley “welcome the references in the consultation document on Local Greenspace but there should be more emphasis on the role of the local community where appropriate through a Neighbourhood Plan.”</p> <p>Reference is made to previous comments in the 2013/14 consultation on traffic and transport issues, which are still considered to be relevant. Issues include Nuthall Island, Junction 26, Giltbrook and the A610 Eastwood to Nottingham corridor.</p> <p>Reference is also made to previous comments on flood risk issues</p>	Noted and points will be considered. A neighbourhood plan would be a good way of addressing several of the issues raised.

		<p>regarding sites north of Eastwood and west of Kimberley, and to more recent issues at Thorn Drive, Newthorpe and Mansfield Road, Eastwood. The Council considers that “it would be unforgiveable to allow similar situations [to Thorn Drive] to be created elsewhere”.</p> <p>“As a matter of principle there should be a clear dividing line between planning policy and other strategic documents and members of the public should have a role in the production of these other strategies at least equal to their rights within the planning system...and the Council’s Capital Programme is a key vehicle which should be subject to full public participation.”</p> <p>“There is also a need for some strategy as to how to spend the additional resources in the form of the new homes bonus. Government policy is that part of these receipts are ring fenced to the locality in which they arise and the local community have a key role in deciding how the additional resources are spent.”</p>	
Public			
Mr Philip Jones	E13 Prominent Areas for Special Protection	The policy should be included in the Local Plan as it is. “Cannot see any reason why a change need be made.”	Noted and points will be considered.
	SA Scoping Report	Qs 8a and 9a: “yes”.	
Mr Clive Narainen	E33 Light pollution	This policy should be included in the Local Plan with amendments. Reference should be added to “good design, protecting “intrinsically dark landscapes””.	Noted and points will be considered.
	SA Scoping report	Qs 8a, 9a, 10a, 11a, 13a, 14a, 15a: “yes”. Q 12a: “no”.	
Ms Andrea Oates	H9 Domestic extensions	A residential design guidance leaflet, similar to that produced by Chelmsford Borough Council, “could well be helpful”.	Noted and points will be considered.
Mr Richard Maher	Suggested additional policy Diversion or extinguishment of rights of way	There should be a policy on “Diversion or extinguishment of rights of way that pass within gardens, farmyards and commercial premises of existing or proposed development”. The policy should be worded so as to comply with draft DEFRA guidance. “There should be a presumption that PRoW do not pass within the curtilage of gardens, farmyards and commercial premises.” “Where errors have occurred in the planning	Not a Borough Council Issue: Public Rights of Way fall under the remit of the County Council.

		process with existing properties it shall be incumbent on the relevant planning authority to divert or extinguish such intrusive PRow.”	
Mr Philip Sugden	Other points	<p>Broxtowe’s attention needs to be drawn to “the Nottinghamshire County Council’s circular” with reference to “Nottinghamshire County Council taking over control of all Councils, Parishes etc”, “thus saving money, reducing Council Taxes”.</p> <p>The development management policies and site allocations need to be “considered in conjunction with Sir Michael Lyons Executive Summary” entitled “Place-shaping, a shared ambition for the future of local government”.</p>	Noted and points will be considered.
Mr Vincent Corcoran	SA Scoping Report	Q 9a: “no”. “There is a very strong feeling from NG16 residents that Broxtowe Borough Council are in bed with the Developers to build on GREEN BELT LAND...as a first option! The well attended meeting at Greasley Parish on 19/03/2015 indicated to me that the NG16 residents and the Greasley Parish Council are up for the fight to stop this development.”	Policy 3 of the ACS gives priority to development within existing settlements and land outside of the Green Belt.
Mr Andrew Hallsworth	SA Scoping Report	<p>Qs 8a, 9a, 10a, 11a, 12a, 13a, 14a, 15a: “no”.</p> <p>Qs 8b, 9b, 10b, 11b, 13b, 14b, 15b: “This form is ridiculous for members of the public to object about protecting the countryside.”</p>	

Note:

The format of the table has been amended (section headings, colour, order etc) so that it roughly matches the table used in the Toton Advisory Committee report (as requested). There are a few minor points that may want brief consideration before the tables are finalised for publication:

- For now I've left it in landscape rather than portrait format, as it seems to read a bit easier for the DM policies.
- The Toton report uses subheadings within the 'comment' column to separate out different topics – for the DM policies it seems a bit clearer to have a column for policy number/description.
- So far I haven't edited down the content from the first version – they're not directly comparable, but there seems to be a similar level of detail in both the Toton table and this one.
- There is the question of what the order of consultees should be within each group – maybe alphabetical? (So far I've left it fairly random, except with arguably the more important ones coming first.)
- There's also the question of the order of policies within each consultee's section – it could be by topic, with existing policies followed by proposed ones, or all existing policies could come first, followed by all proposed ones. (So far again I've left it fairly random, generally in the order they came in the submissions.)
- And the question of the order of the groups of consultees – this table uses the order from the Toton report (except as mentioned below) – however if it's intended to reflect order of importance, it may be debatable whether landowners/developers should come before town/parish councils.
- There are two sections on local interest groups in the Toton report – I'm not sure of the significance, so for now there is just one in this table, after 'duty to cooperate – local authorities'.
- Maybe 'duty to cooperate – local authorities' could just be 'local authorities'?
- Is 'national interest groups' the best term for NE, EA, HE etc? Possibly this could be 'statutory consultees' (although this may be inappropriate jargon) or similar, in which case 'national interest groups' might be used for the Mobile Operators Association, Theatres Trust etc?
- Bartons are currently in the 'landowners/developers' section – they could instead go in an additional separate 'local business' section (as in the Toton report).
- The same could perhaps apply to the Mitchell Trust (owners of Beeston Fields golf course).
- I've kept Bloor's and Westerman's comments separate for now, although they're identical – the Toton report sensibly groups them together – although that perhaps raises the question of whether other similar comments should be grouped together.
- The 'public' section may well want editing down – all but two or three of them could legitimately be excluded, as people have just used the forms inappropriately to make comments about other issues.
- I've deleted consultee ID numbers, to match the Toton report – so far I've left in references to page numbers in the consultation document – this makes it easier to refer back, but perhaps it's too much detail for the published report.
- There seems to be a need for a minor formatting adjustment, as the last line of the first page doesn't print.
- n.b. additionally or alternatively we might want to group all the responses together by policy rather than by respondent.

GB Review Summary

Foreword:

Many comments submitted in response to this Green Belt review relate to non-Green Belt issues such as landscape, noise, neighbour amenity, wildlife etc. In addition there have been several responses relating to much smaller parcels of land within larger 'zones'.

These are important issues, but the detail of the site selection can only be undertaken following Sustainability Appraisal and much more detailed infrastructure planning work.

The purpose of this Green Belt Review is to inform future site selection but only on Green Belt grounds.

What is the purpose of Green Belt?

The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open.

- Green Belt is not the same as 'greenfield', the Green Belt can, and does, include land which is previously developed i.e. brownfield
- Green Belt has 5 very specific purposes as defined by the National Planning Policy Framework (NPPF) (page 19), the purposes of the Green Belt do not include issues such as landscape quality, providing recreation space or protecting wildlife habitat. All of these issues will be considered as part of the site allocations process.

Who can alter the Green Belt boundaries and when?

In accordance with the NPPF (paragraphs 83 & 84) it is for local authorities (i.e. Broxtowe Borough Council) to define and maintain Green Belt land in their local areas. The Government expects local planning authorities with green belts to establish green belt boundaries in their Local Plans (i.e. The Core Strategy & the emerging Part 2 Local Plan), which can be altered as part of the plan review process.

Defining New Green Belt boundaries:

The NPPF states:

'When defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'

Safeguarded Land – what does this mean?

Safeguarded land is land which is removed from the Green Belt but is not allocated for specific development – to accommodate future growth beyond the current plan period (i.e. 2028). We are required to consider safeguarding land so as not to have to review the Green Belt boundary every time a Local Plan is reviewed (see bullet point 5 above).

The Legal Challenge to the Aligned Core Strategy (Part 1 of the Local Plan):

The Aligned Core Strategy was adopted by Full Council in September 2014, following its adoption it was subject to legal challenge through the High Court, the hearing for which was held in March 2015. The appellant submitted the legal challenge on the grounds that the examining Planning Inspector had failed to consider whether housing numbers should be reduced to prevent the release of Green Belt land, and had failed to apply national policy in considering its release. The legal challenge was **dismissed** (i.e. the Judge did not support the appeal) on 24 March 2015 ([High Court of Justice Decision](#)).

General Points – Comments on the Assessment Framework Itself

Who	Comment
18 Nottingham CPRE	<ul style="list-style-type: none"> Broadly support Broxtowe Borough Council's approach to reviewing Green Belt boundaries
211 Nottinghamshire County Council	<ul style="list-style-type: none"> The County Council welcome the opportunity of cross boarder infrastructure working, to ensure that the facilities meet the needs of the communities. E.g. Rolls Royce (p157), Clifton, (p160) (Not an exclusive list)
48 Sport England	<ul style="list-style-type: none"> No specific issues - playing pitch review should establish the sites which need to be protected or enhanced and where any new site should be established - this evidence should inform site selection, prevent inappropriate allocation and loss of playing field sites
615 Whitehead (Concrete) Ltd & Foulds Investment Ltd	<ul style="list-style-type: none"> The Borough Council completely mis-read and misinterpreted the representation made within the previous response- object to Councils considering that 'check the unrestricted sprawl to all built-up areas' "should relate to all settlements (rather than only to "large built-up areas" and towns/historic towns)" - the Council do not have the latitude to broaden the scope of this Green Belt purpose, of NPPF unilaterally
178 Caunton Engineering Ltd	

73 Stapleford Town Council	<ul style="list-style-type: none"> • Essential that established bridleways, pathways, footpaths etc. should be protected and maintained • Prior to re-designation of green belt it should be ensured land is suitable for development - land flood risk areas should not be deemed suitable for houses • Green Belt should not be sacrificed for affordable housing and extra-care housing provision – location and infrastructure requirements should be key considerations for this type of development • easily accessible policies should be established with regard to the green belt and new build provision in land allocated for both housing and commercial development • Trusted that housing development would be carried out on land already identified for such purposes and not on the Green Belt • Concerns relating to green belt adjacent to Nottingham City – do want further coalescence with Nottingham - green belt break needed • Development on brown field sites should take place prior to green belt land being destroyed by unnecessary development
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General comments:

- Many disagreed with amendments to the Green Belt boundaries in order to accommodate development and stated that brownfield sites should be used first – there were no new sites suggested in any locations that hadn't already been considered for development (many of which were already counted as contributing to the housing land supply). Some of the alternative suggestions to building in the Green Belt were in fact Green Belt sites
- General misconception regarding the purposes of the Green Belt (as set out in the NPPF).

Critique of the assessment:

Need for Green Belt Review:

Housing Land Supply:

- Do not accept overall housing targets or evidence supporting it
- Five year housing supply calculated across the HMA – no rush to amended Green Belt boundaries - even where a shortage is identified release of greenbelt sites should not follow automatically
- Land supply justification for removal of parts of the greenbelt marginal - no exceptional circumstances - outcome legal challenge to the ACS outstanding and could affect the future planning
- No requirement to ensure a steady supply of housing land in Brinsley, Awsworth, Eastwood and Kimberley
- Windfall estimate should be revised upwards in light of changed to Permitted Development rules
- Review not in accordance with the NPPF - unsound - focus solely on Green Belt as an overriding filter to the suitability of land for development (and does not take into account all economic, social and environmental considerations)
- The Green Belt Review should not also act as the Council's primary document for making site allocations decisions.

Other Issues:

- No clear case for a green belt review and the allocation of additional sites in the existing green belt adjacent to either Eastwood or Kimberley - detailed examination of boundaries is premature
- Identifying sites pre-empts work on Neighbourhood Plans.

Green Belt Review Document:

- Consultation documents were not easily accessible - people unfamiliar with planning found hard to comment - lack of publicity
- Disappointed that draft Assessment Framework not changed as a result of consultation
- Document does not contain paragraph numbering - reduces the precision in cross-referencing - requested that subsequent documents adopt a paragraph numbering protocol
- Site visits vitally important - should not over-emphasise desk-based assessment work
- Document omits the reference to “up to”
- Bias and distortion towards solely considering residential - appropriate provision required facilitating wider long term economic needs.

‘Zones’:

- No rationale is given to explain how each of the ‘zones’ (and their extent) have been determined – e.g. landscape character areas, topography, physical boundaries, ownership etc. – approach lacks transparency
- The boundaries of each zone are not (adequately) defined, or clear
- ‘Site’s’ assessed in entirety on an all or nothing basis –smaller more appropriate parcels of land have been lost amongst more generalised conclusions of much wider assessments of zones consisting of a larger area with elements of more sensitive Green Belt
- Green Belt Review should assess specific sites put forward through SHLAA as opposed to broad locations/zones.

Scoring System:

- The scoring system subjective - overly simplistic and open to bias
- Points system doesn’t take into account important features of the sites which need continued Green Belt protection
- Consideration for the 2004 Inspector’s conclusions have not been factored in –some pieces of land recommended for removal now excluded
- Weight should be given to sites which include previously developed land, uses, structures or characteristics which presently have a detrimental impact upon the openness and character of the green belt and countryside location.
- ‘Deliverable” and “developable” sites in and adjacent to MBA must be afforded priority
- Concern regarding exclusion of sites (during phase 1) –all proposed sites promoted for development should be reviewed to ensure a detailed assessment and an appropriate evidence base is gathered
- The use of 1, 2 or 3 stars rather than 1, 3 and 5 stars would more accurately reflect the 3 categories of differentiation
- “Rounding off” is subjective - scale of development needs to transcend such a generic concept - should not be applied in a dogmatic manner

- Developments that form a natural rounding off of the settlement and one that consists of an extension of the existing urban form, should be given priority over sites that are within the open countryside - sites should relate well to existing built up areas
- Sites should not be required to have 2 or more boundaries adjoining the settlement - each site should be considered on its individual merits, particularly having regard to the site specifics of both the parcel of land in the context of its surroundings and from the perspective of the potential intended target use for that land were it to be removed from the Green Belt
- Object to non-committal stance in respect of the 5th Green Belt purpose - positive emphasis should be placed upon previously developed land within the Green Belt within or adjacent to settlement
- Layout, design and landscaping can retain appropriate gaps and defensible spaces within developments that ensure that settlements do not merge
- Eastwood and Brinsley are areas of land historically sensitive with regards the connections with DH Lawrence - It is important to protect such assets
- Concern regarding 2 stage approach i.e. removing sites from further consideration
- Take issue with the way in which landscape is assessed.
- No consideration of the potential for more active recreational use (as per para 81 of the NPPF).

Safeguarded Land:

- Unclear if it is intended to safeguard land for future development - safeguarded land should be designated - explicitly recommended by ACS Inspector
- Limiting review to accommodate growth up to the 2028 means that a further Green Belt review inevitable (not NPPF compliant).

Defensible Boundaries:

- Support given to the need to assess urban sprawl – whilst presence of existing defensible boundaries important they're not a requirement (in accordance with ACS Policy 3) - strong defensible boundaries can be designed into development
- Too much importance attached to long term boundaries - one factor among many.

Wildlife:

- Noted that nature conservation per se is not one of the purposes of the Green Belt however several of the review sites contain Local Wildlife Sites (LWSs) and Local Nature Reserves (LNRs) (and potentially other areas of notable habitat) - hoped that such sites would be protected and buffered from future development; if development considered these sites should be incorporated into the wider Green Infrastructure and ecological networks
- Early environmental appraisal of all sites requested to inform design and identify opportunities for biodiversity mitigation and gain
- Many sites are close to corridors as identified in the draft green infrastructure strategy
- Green Belt important particularly along the Erewash Valley - Living Landscape Area
- The Nottingham Derby Green Belt is crucial for the separation of the two cities and to ensure a green lung is present for people and wildlife
- Concern that methodology doesn't consider impacts on wildlife sites - these sites should, ideally, remain in green belt

- Indirect impacts (i.e. those caused by development on adjacent land) - needs to be considered -certain sites/habitats/species are particularly sensitive
- Sites designated as GI, often fall into inappropriate management, such as too frequent mowing, which seriously damages the habitats present
- Concern that Green Belt incursion has the potential to further fragment important areas of linked habitat, such as along the Erewash Valley.

HS2:

- No specific comments - noted that some of the Green Belt land being considered is either on or in very close proximity to the proposed Phase Two route - this land may be required in the future by HS2 Ltd to construct and/or operate the railway.

Coal Mining:

- Area contains coal and mineral resources which are capable of extraction by surface mining operations - resources should not be unnecessarily sterilised by new development. Where this may be the case, The Coal Authority would be seeking prior extraction which has the benefit of removing any potential land instability problems in the process
- Area previously subjected to coal mining – left a legacy -most past mining is generally benign in nature; however potential public safety and stability problems can be triggered and uncovered by development activities
- Approximately 1,588 recorded mine entries and around 33 coal mining related hazards in Broxtowe have been reported - 31% of Broxtowe within 'Development High Risk Area' defined by The Coal Authority
- If a development is to intersect the ground then specific written permission of The Coal Authority may be required
- Site allocations should include criterion which assessed coal mining data (in accordance with NPPF guidance)
- Emphasise former mining activities and related hazards are not constraint on development - preferable for appropriate development to remove public liabilities on the general tax payer.

Comments that refer to the site assessments without a site being identified:

Who	Comment	Broxtowe Borough Council Comments
Public		
	<ul style="list-style-type: none"> No key definitions ‘regeneration’, ‘development’, ‘appropriate development’ A cost/benefit analysis of Broxtowe’s stakeholders would be useful Green Belt should remain as it is unless benefits will accrue for whole of population of Broxtowe 	<p>Add definitions in a glossary</p> <p>Cost/Benefit analysis was undertaken in the Core Strategy</p>
	<ul style="list-style-type: none"> BBC done very little to publicise the fact that it has given planning rights for all of the farm land opposite Bilborough college accessed via Bilborough Road There has been no publicity over this loss of land for what will no doubt be executive homes – not even much needed social housing Land has been allowed to go to scrub land by developers who knew that the Council would cave in and allow building off Woodhouse way Green Belt change is politically motivated and not in public interest Green Belt protection should be restored 	<p>No planning permission or allocation has been made on land opposite Bilborough Road</p>
	<ul style="list-style-type: none"> Loss of Green Belt is important as it will allow one area to merge with another to become one large conurbation. Important for local residents to be able to enjoy nature and feel refreshed Natural areas are important for wildlife and for good health Build on brownfield sites before considering Green Belt. 	<p>Brownfield land is a priority for development but some Green Belt release is still required</p>
	<ul style="list-style-type: none"> Once land has been designated Green Belt it should remain as such There are other solutions to our housing problems If Green Belt is eroded they become too small to sustain wildlife Few sanctuaries left outside backdoors Brownfield sites and empty rented accommodation should be used instead of looking at easy options. 	<p>Brownfield land is a priority for development but some Green Belt release is still required</p>
	<ul style="list-style-type: none"> Green belt is for well-being of people and home for ground nesting birds Destroying Green Belt causes anger and depression 	<p>Nature Conservation Issues will be considered in detail when taking decisions on site allocations</p>

Awsworth

	Number of people	
	Agreed with (in whole or part)	Disagreed with (or made no further comment)
Zone 1	1	8
Zone 2	3	10
Boundary Change	1	13

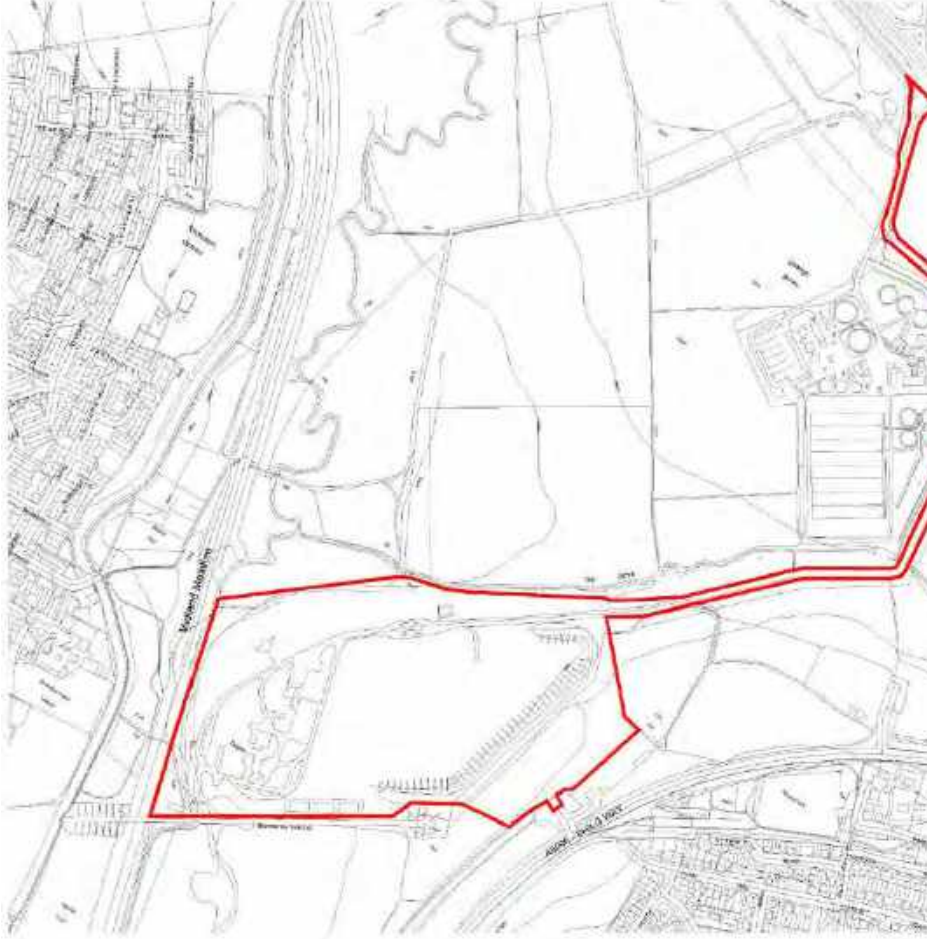
Who	Comment	Broxtowe Borough Council Comments
Zone 1:		
Public Bodies and Interest Groups		
18 Nottingham CPRE	<ul style="list-style-type: none"> East is more important than the West for the purposes of the Green Belt 	
Public		
<p>Brownfield Sites:</p> <ul style="list-style-type: none"> There is enough ex industrial sites which could be used <p>Wildlife:</p> <ul style="list-style-type: none"> Wildlife would be destroyed – area provides habitats for birds <p>Local Facilities:</p> <ul style="list-style-type: none"> No local amenities apart from small shop Small school could not take influx of children <p>Flooding and Drainage:</p> <ul style="list-style-type: none"> Mains sewers over capacity - have previously flooded homes <p>Traffic:</p> <ul style="list-style-type: none"> Compensation would be payable for excess noise from by-pass There is no reliable public transport Traffic congestion a problem – will be made worse when station opens <p>Other Issues:</p> <ul style="list-style-type: none"> Concern regarding built form and design of proposals Inadequate consultation Bell pits on site 		<p>Brownfield land is a priority for development but some Green Belt release is still required</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
Zone 2 – including proposed Green Belt Change		
Public Bodies and Interest Groups		
18 Nottingham CPRE	<ul style="list-style-type: none"> Agree [if an allocation is to be made in Awsworth], it should be adjacent to the West rather than the East Awsorth bypass could form defensible boundary Visual impact of any development West of Awsorth remains an issue Protection of wildlife should be also be an aim of any development in this area West of Awsorth would narrow the Erewash Valley wildlife corridor; SINC in the area should be protected Welcome vehicular access from new development would not be provided on to Awsorth bypass, and commitment to 	Noted

	good cycling and walking links to the new Ilkeston station	
60 Erewash Borough Council	<ul style="list-style-type: none"> • Growth of Awsworth should capitalise on close proximity to Ilkeston railway station - fostering sustainable travel e.g. additional (or re-routed) local bus services, or enhancements to footpaths, roads and cycleways • EBC has produced the Ilkeston Gateway Supplementary Planning Document (SPD) - framework transport/access proposals will be considered against in order for its full economic potential to be reached • Importance of collaborative working - EBC wish to provide support to any future efforts to further enhance connectivity between Awsworth and Ilkeston station • Disused Bennerley Viaduct important as part of the accessibility network - aware of efforts to return the Viaduct to an active use and generally support any such initiatives in this regard. Its re-establishment could contribute to enhancing the local Green Infrastructure network and allow walkers and cyclists to cross and explore the Erewash Valley in an east-west direction • Viaduct would also contribute to the extension of the Great Northern Greenway, a recreational trail, beyond the current point of termination at Cotmanhay, crossing the Erewash Valley and finally over into Broxtowe heading in the direction of Awsworth 	Noted
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> • Happy with this approach with retention of Nottingham Canal Local Nature Reserve and adjacent meadows • Historic toad migration issues here near Park Hill - indications are that activity has ceased but needs checking with Nottinghamshire County Council 	Noted
Local Council		
68 Awsworth Parish Council	<ul style="list-style-type: none"> • Council has strong opposition to the removal of this land to the Green Belt • Proposal represents further intrusion into the countryside • Erewash Valley is important area of environmental significance which includes River Erewash, Erewash Canal, countryside footpaths and wash of habitats for variety of wildlife • Area shaded on the map includes Shiloh Recreation Ground which is owned by the Parish Council and could not be released for anything other than community recreation • By removing the site from the Green Belt the way is open for various types of development including residential, trade and industrial • Apart from impact on local wildlife it will increase traffic where there is an inadequate infrastructure provision • Access directly from Shiloh way would be difficult and undesirable 	<p>Less than half of the area would be needed for housing allocation based on current information in the SHLAA</p> <p>If Awsworth Parish Council consider other options including brownfield sites are preferable these can be put forward via a Neighbourhood Plan</p>

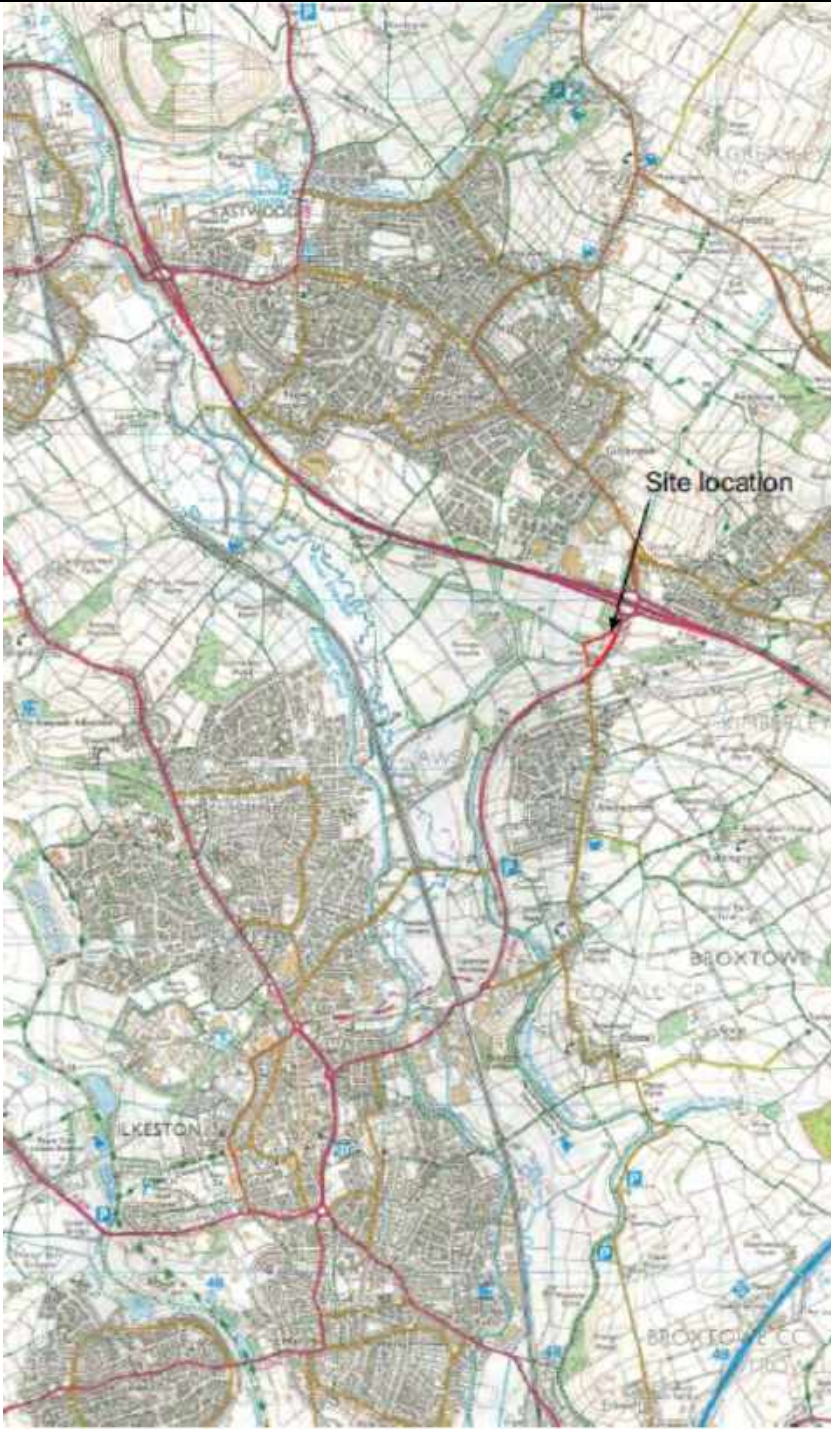
Councillor		
315 Cllr L Ball	<ul style="list-style-type: none">Existing Green Belt prevents Awsworth merging with Cossall, Greasley, Kimberly and IlkestonGreen Belt boundaries need to be maintained to protect the village and maintain ecology of land surrounding villageWhen the By-Pass was built a number of toad tunnels were incorporated into the design to protect breeding ground of toads around the Nottingham CanalAwsworth will increase by 15% compared to other towns and villages which is too largeNo health care facilities, poor bus service (which has impact on residents who feel isolated) and poor retail provisionCar ownership is a necessity to access employmentKey junctions on A610 in Giltbrook area, M1 junction 26 and Nuthall are heavily congested (defined as over-capacity at peak times) in ACS transport Modelling dated November 2012Access from Station Road / Park Hill extremely narrow – parking problems already exist along the road	Less than half of the area would be needed for housing allocation based on current information in the SHLAA If Awsworth Parish Council consider other options including brownfield sites are preferable these can be put forward via a Neighbourhood Plan
Public		
Agree with Green Belt boundary change		
<ul style="list-style-type: none">The area is currently subject of anti-social behaviour such as fly-tipping, dog fouling, fires, drug dealing and abandonment of stolen vehicles – has an impact on existing residentsLand owner is irresponsible - field is not properly maintained or secured and fence hasn't been repaired for 10 years - surprised travellers have not occupied site <p>Suggested benefits of development:</p> <ul style="list-style-type: none">Would like development to create access and parking for properties on Chesterman Close as they do not have current vehicular access –‘vehicle-free’ areas have not workedFinancial contributions could provide new recreation ground or update existing facilities – sports pavilion on The Lane Recreation Ground has no toilets or showers. Awsworth would like same facilities as those on the Basil Russell playing fields in NuthallDevelopers could build an energy efficient community facility which is fit for purpose (unlike Awsworth Village Hall) - would allow the sports club to be self-fundingBypass forms a natural boundaryLand is of no agricultural valueDevelopment would not affect the skyline	Noted	
Disagree with Green Belt boundary change		
Green Belt: <ul style="list-style-type: none">Green Belt boundaries should only be altered in exceptional casesThe green space on Newton Lane separates Awsworth from CossallDevelopment will take the village closer to CotmanhayNew buildings in the Green Belt are inappropriate - removing Green Belt	Brownfield land is a priority for development but some Green Belt release is still	

<p>protection will result in development and would increase urban sprawl</p> <p>Effect on trees and wildlife:</p> <ul style="list-style-type: none"> • Only Green Belt corridor on this side of village which allows wildlife to travel between Kimberley, Cossall, Trowell and beyond • Area contains precious trees and wildlife which would be destroyed - area provides habitats and is much needed and is worthy of continued protection. • Loss of landscape; visual amenity and biodiversity • Toad crossing were installed when the bypass was constructed, toads and newts could be a problem - since bypass constructed there has been a significant reduction in the amount of wildlife <p>Impact on the local area:</p> <ul style="list-style-type: none"> • Awsworth will already feel the adverse effects when the open cast mining commences, this proposal will compound such unnecessary erosion of our surrounding green belt further • Awsworth will more than doubled in size –character of the village will be ruined - village feel needs to be kept <p>Traffic and Transport:</p> <ul style="list-style-type: none"> • Newtons Lane access is inadequate - access should be onto the bypass which should have its speed limit reduced to 40 mph to make it safe • Zone is buffer and "green lung" from the bypass for existing residents - who would pay compensation for excess noise from by-pass? • There is no reliable public transport • Traffic congestion a problem – will be made worse when station opens • The bypass was built to relieve the villages of Awsworth and Cossall, the large amount of homes that are being proposed would make at least 350 extra vehicles going through the village and using Newtons Lane • Roads are very busy at peak times, traffic already bottle necks through the village as overflow vehicles shortcut the bypass causing problems locally with residential traffic becoming unable to exit roads like Newtons Lane and Station Road • It would also cause a further danger to traffic (and the animals) - Newton's Lane would become race track • There should be access off the A6096 Awsworth bypass rather than Newtons Lane <p>Impact on Tourism:</p> <ul style="list-style-type: none"> • The area around the Canal nature reserve has become a popular walking and cycling spot, with the proposal visitors would be put off by the urban sprawl <p>Local Amenities:</p> <ul style="list-style-type: none"> • No local amenities apart from small shop • Small school could not take influx of children • Area is used for recreation by villagers including for horse riding • Village infrastructure can't cope unless schools, transport etc. are given an injection of cash - no surgery in village <p>Flooding and Drainage:</p> <ul style="list-style-type: none"> • Where would sewage go - mains sewers flooded a number of times into homes 	<p>required</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
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<ul style="list-style-type: none"> • Water will drain off the site onto Shilo Way and then into the Canal which holds water from flowing into the Erewash Valley to prevent flooding elsewhere - will increase flood risk elsewhere • Existing natural drainage is at capacity, hence flooding on bypass - development would create waterlogging and flooding • Water supply would be affected <p>Other Issues:</p> <ul style="list-style-type: none"> • Providing Awsworth with a Bypass which is now being used as a defensible boundary to allow building right up to it • The site behind Newton's lane was previously mined and there are bell pits recorded • There is enough ex industrial sites & brownfield sites in Awsworth area that can be developed for the housing requirements - these sites blot the landscape and need development before Green Belt • Quality of life and convenience should be taken into account - no thought for very old or very young • Development will mean more accidents and pollution • House prices will be affected • High density housing would cause a design incorporating tall buildings which would cause loss of privacy for existing residents - building next to existing bungalows dictate low height housing to prevent loss of light • Construction noise would be intolerable 	
Alternative Awsworth Green Belt Boundary Changes	
<ul style="list-style-type: none"> • Waste ground next to Bennerley Viaduct – accessed from A610 • Use of this site would help to alleviate Anti-Social behaviour (bikes using site) • Access to the roundabout alongside Ikea and no encroachment onto existing housing • 20 hectare former Bennerley Coal Distribution Depot site - derelict brownfield site previously used for reception, storage and despatch of coal - enclosed by the railway; the Bennerley Viaduct and Shilo Way and by the sewage treatment works to the north - Green Belt boundary would be strengthened by moving it to align with the railway, the viaduct and the sewage treatment works • Site has existing vehicular access and highway serves the site from the A610. • Mature woodland runs along the boundaries • Does not contribute to the open characteristic of the Green Belt - unsightly and contains large areas of hard-standing • The site would not extend the built up area of settlement boundaries • Development would not reduce the size of the gap between settlements and would not result in the perception of reducing the gap between settlements • Site within "Erewash River Corridor" constituting part of wider Regional Character Area "Nottinghamshire Coalfields" – classed as "urban fringe.....strongly influenced by surrounding built and industrial development along the village sides" – site is urban fringe and not "open countryside" • Development would impact on the setting of viaduct (Grade 2* Listed) and view of Awsworth from the viaduct, however so would lawful use of site 	<p>Many people have suggested that the brownfield site adjacent to Bennerley Viaduct is not in the Green Belt (which is incorrect) and that this should be used instead of the Green Belt</p> <p>The area adjacent to the viaduct is important in maintaining the open gap between Awsworth/ Eastwood and Ilkeston</p> <p>There are other means of securing the repair of the viaduct which are</p>

	<ul style="list-style-type: none"> • Development would provide opportunity to repair the viaduct (identified as 'at risk' by English Heritage) • Development would enable walking and cycling links to and across Bennerley Viaduct to be delivered • Development could make positive contribution to the Borough's employment requirements – need to provide adequate and flexible supply of employment land - site can meet the specific needs of a railway related operation that would not harm the Green Belt 	being explored by the site owners
		
	<ul style="list-style-type: none"> • North side of Awsworth so that there would be land between could soak up water to stop it going into the Erewash Valley • around the A6096 down towards A610 including the scrapyards would be better (if they wanted to sell the scrapyards) • Area between Gin Close Way and the Island (Ikea A610) – there are large areas on both sides of the road - Suitable for building with good road access 	This area would reduce the gap between Awsworth, Eastwood and Kimberley. The merits of individual sites will be considered in the Sustainability Appraisal
615 Whitehead (Concrete) Ltd & Foulds Investment	<ul style="list-style-type: none"> • Additional area should be removed to accommodate B1 office development • Site is perceived as visually forming part of the urban area of Awsworth and exhibits brownfield industrialised characteristics 	This area would reduce the gap between Awsworth, Eastwood and Kimberley. The

Ltd	<ul style="list-style-type: none"> • Visually contained • Does not contribute to the openness of the Green Belt nor prevent coalescence, does not check the unrestricted sprawl, does not prevent neighbouring towns from merging, does not assist in safeguarding the countryside from encroachment and does not preserve the setting and special character of historic towns • Potential to assist in urban regeneration, by encouraging the recycling of the site itself • Development will have no impact upon the ability to prevent neighbouring towns merging; site currently does not effectively fulfil this Green Belt function • Development will not safeguarding the countryside from encroachment to any lesser or greater degree • Adopted local plan proposals map does not expressly define the settlement boundary; the definition of urban land is blurred. Site visually forms part of the urban area associated with Awsworth • Green Belt Review has not given consideration to the potential future office employment potential of site • The Green Belt review has not included any consideration of the need for land to be released from the Green Belt to assist existing companies that provide employment and economic benefit to the Borough • Development will enhance landscape of the site 	merits of individual sites will be considered in the Sustainability Appraisal
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5894 Bull J	<ul style="list-style-type: none"> • Use up old factory and industrial areas in Sandiacre and Stanton village 	

Brinsley

Who	Comment	Broxtowe Borough Council Comments
All Zones in Brinsley		
1448 SABRHE	<ul style="list-style-type: none"> • Green Belt boundaries in Brinsley serve two purposes – prevent encroachment into the countryside and preserve the character of the last true village in Brinsley • Green Belt boundaries may only be changed in 	<p>The principle of Green Belt review has been established in the Core Strategy</p> <p>Brinsley Parish Council will</p>

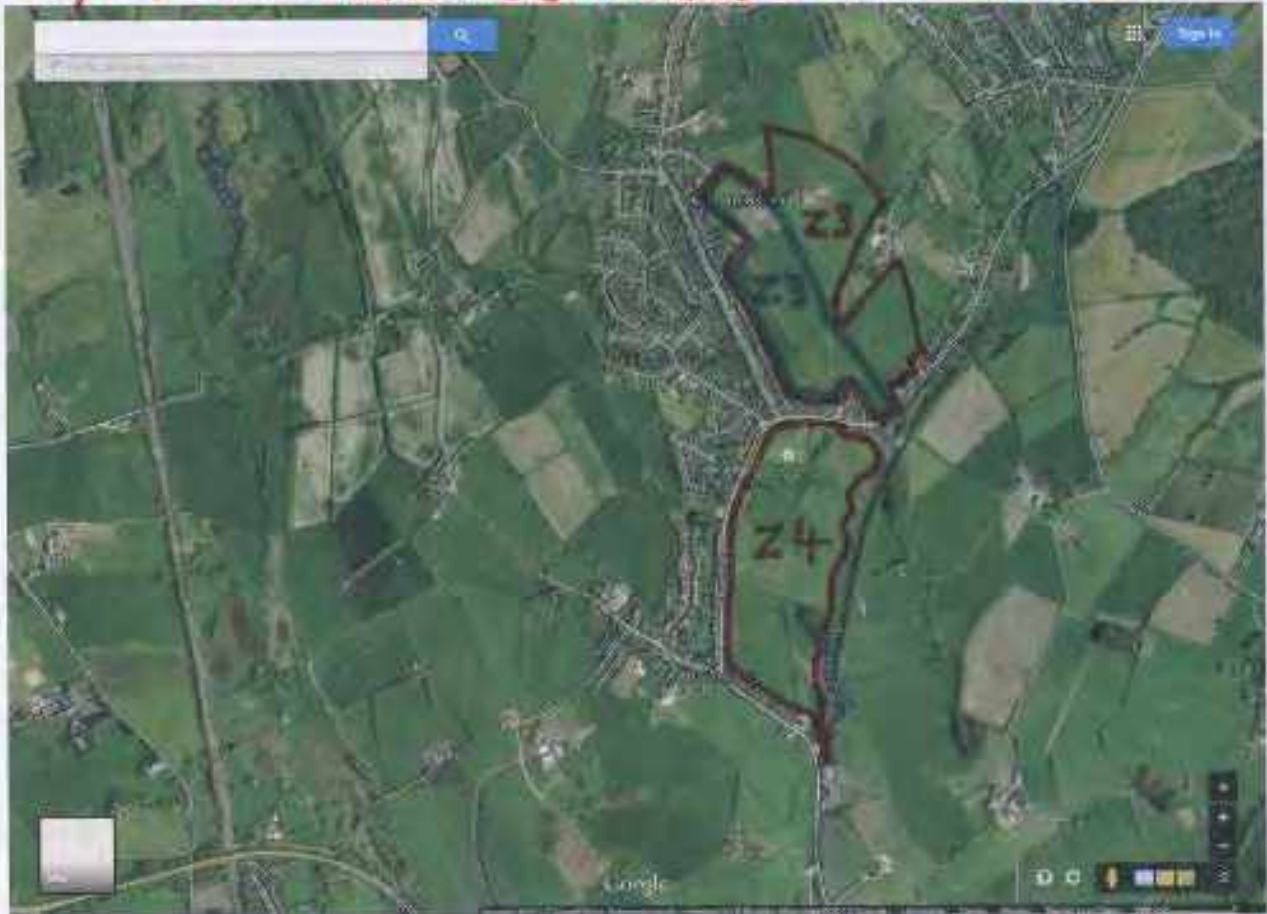
	<p>exceptional circumstances – we do not believe they exist – unless the village decides differently through the neighbourhood plan (as envisaged by the Localism Act) there can be no justification for change</p> <ul style="list-style-type: none"> • Changing Green Belt boundaries prior to the production of a neighbourhood plan denies the community the choice of the siting of new development - premature • The points system has been inaccurately used – use of local knowledge could have avoided this • English Heritage comments should have been taken into account • Items in the Framework consultation paper have been inadequately addressed: Purpose – there is no definition of exceptional circumstances. Overall approach – ‘local knowledge’ has been changed to ‘professional judgement’. Whose judgement is used in the assessment (it’s not local residents) • Failure to utilise local knowledge has resulted in a lack of appreciation of the Heritage site, Local Nature Reserve and Historic Landscape related to D H Lawrence especially in in zone 4 (which the Inspector identified as important and to be protected) • Other zones include mature landscape and SINC sites worthy of protection • Approach not acceptable – more land is being removed from the Green Belt than is needed • The figure for Brinsley is up to 150 so when SHLAA sites are considered plus windfall what number of houses does the 3.36acres of zone 4 represent? It is unreasonable to take more than is required from the Green Belt • Unreasonable to release Green Belt in the absence of a planning application - boundary changes should be based on development proposals • No site in Brinsley would assist in urban regeneration. Brinsley is neither urban nor in need of regeneration 	<p>have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p> <p>Comments of Historic England and other Statutory Consultees will be considered in detail before any final choices are made regarding site allocations</p> <p>The consultation deliberately included more land than would be needed with choices to be made later possibly in conjunction with the Brinsley neighbourhood plan process</p>
Zone 3		
Public Interest Group		
1448 SABRHE	<ul style="list-style-type: none"> • Perception of the reduction of the gap would be significant: physical gaps very few along Cordy Lane towards Underwood 	Zone 3 is not currently proposed to have Green Belt boundaries amended

	<ul style="list-style-type: none"> Does not have the feel of open countryside, cannot be seen from Cordy Lane apart from the narrow gap Footpaths across the site Would have no impact on the Conservation Area Close to SINC site 2/263 and 5/2368 	
1448 SABRHE on behalf of 70 individuals	<ul style="list-style-type: none"> Appraisal inaccurate and takes no notice of local knowledge or values 	The purpose of the assessment is to make judgements solely on Green Belt grounds and is considered to be accurate on this basis. Local knowledge would assist greatly in the preparation of a neighbourhood plan
Developer/Landowner		
5920 Soult S	<ul style="list-style-type: none"> On page 25 it states “Most of the site is well contained by defensible boundaries with” However on page 8 the assessment matrix clearly states that the criteria for one point are “The site is well contained by strong physical features which can act as defensible boundaries.....” Therefore the zone should be awarded 1 point instead of 3 Zone 3 “has three boundaries adjoining the existing settlement of Brinsley” and has been awarded 3 points. The assessment matrix that clearly states in the 1 point criteria that ‘That the site has two or more boundaries adjoining a settlement...’; therefore the site should have been awarded 1 point Page 25 the ‘Prevent neighbouring settlements from merging into one another’ section has scored 4 points. The ‘break’ referred to is not a ‘break’ between the two settlements, but merely a gap between two properties that are categorically in Brinsley, and therefore totally irrelevant to this section; therefore the assessors’ score of 4 is unjust 	This zone is important to prevent merging between Brinsley and Underwood and the assessment is considered to be accurate
Zone 4		
Public Interest Groups		
142 English Heritage (now Historic England)	<ul style="list-style-type: none"> Concerned at scale and location of proposed removal of the Green Belt at Brinsley Green Belt protects setting of heritage assets including the Conservation Area, Grade II listed Church (which currently enjoys an open landscape setting to the west and east) and 	Historic England had no unresolved objection to the Core Strategy including on sustainability grounds which proposed up to 150 dwellings at Brinsley. Their

	<p>non-designated heritage assets relating to the colliery site (including links to D H Lawrence) and the footpath which forms the former railway line</p> <ul style="list-style-type: none"> Historically development has occurred to the west of the Church Lane - development to the East may be unsustainable As the development need for the settlement is comparatively small – why have the particular boundaries been chosen? 2003 Local Plan Inspector recognised value of the agricultural land and importance area fulfils in the Green Belt. Inspector considered more sustainable locations that could meet housing requirements 	<p>expertise relates to the historic environment and their view on this issue will be very influential on which sites are selected for development</p>
18 Nottingham CPRE	<ul style="list-style-type: none"> Agree that if a residential allocation is to be made in this area, it should be in Zone 4 Brinsley Brook is more defensible Green Belt boundary than features in the other zones around Brinsley Brook would be a weaker boundary than harder features such as a road, once the area has been removed from the Green Belt, it will be difficult to resist further development up to the brook Currently small percentage of Zone 4 will be needed for housing; this could change if other sites not developed at pace assumed and current national planning regime remain unaltered. Regime has allowed 5 year housing land targets to trump other considerations – this could be the fate of the open spaces and the setting of the industrial heritage in and around Zone 4 	Noted
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> Obvious need to preserve wildlife corridor along the brook and buffer areas around existing LNR and park Opportunities to improve local access away from the busy road welcomed Could there be a Green corridor between the Recreation Ground and the Headstocks site. Brook runs through the site There needs to be an extended green space buffer around the Headstocks site 	Noted
34 Nottingham Wildlife Trust	<ul style="list-style-type: none"> Potential impact on Brinsley Headstocks Local Nature Reserve and LWS (NBGRC Ref 5/3405 Brinsley Headstock and 5/2302 Brinsley Brook Grassland) 	Noted

	<ul style="list-style-type: none"> Flood plain meadows along the Brinsley Brook - would be sensitive to hydrological changes as a result from adjacent development (e.g. degradation of water quality and potential increase in incidences of flooding) as well as increased recreational disturbances to wildlife from increases in use of the site Adjacent to brook - important wildlife corridor so important not to sever habitat networks/ linkages 	
1448 SABRHE	<ul style="list-style-type: none"> not adjoining existing settlement, self-contained open landscape. Is not contained by a road on 3 sides –boundary is not road but the existing housing. Recreation ground between site and road and therefore the visible boundary is the recreation ground. Brinsley Brook should not be the boundary – Headstocks heritage site and nature reserved should be preserved and protected by Green Belt. Misleading to say ‘old spoil tip’ is prominent as it is now mature woodland and looks nothing like a spoil tip with much wildlife in evidence Development would result in a limited reduction of the gap between Brinsley and Eastwood, exacerbated if zone 10 developed. Would close the gap between Brinsley and Greasley - parish is abound by Brinsley Brook Comments infer site is not countryside worth preserving. Few houses along Church Lane towards the Church are old properties, part of Brinsley’s historic landscape despite not being included in the Conservation Area. The Care home and resource centre on Cordy Lane cannot be seen from the site and do not form part of it. Site gives a feeling of open countryside and is most noticeable piece in Brinsley. Footpath leads from Church Lane to the Headstocks Heritage site and nature reserve – from there whole site is visible Church is across the A608, not adjacent to the site, most of which is not visible from the church The Headstocks forms major part of the site - noticeable landscape in Brinsley, valued for tourism. Development would obscure important heritage feature and detract from the enjoyment of village landscape. Site is 	<p>This site clearly does adjoin the settlement of Brinsley. No suggestion that development should take place on either the headstocks to the South or the recreation ground to the North</p> <p>Site specific concerns will be considered in the Sustainability process as this review only relates to the Green Belt issues</p> <p>Brinsley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p>

	close to the Conservation Area	
2340 Friends of Brinsley Headstocks	<ul style="list-style-type: none"> Will open the area up to housing development Brinsley Headstocks is the only Wooden Tandem Headstocks left in the UK and is part of the Brinsley heritage Development will remove the view of the Headstocks from Church Lane - area known as D H Lawrence's "Country Of My Heart" Friends of Brinsley Headstocks have worked to improve sites biodiversity and have gained Local Nature Reserve and SINC status on site <p>Development will have direct detrimental effect on the Headstocks Site by:</p> <ul style="list-style-type: none"> Increasing the risk of site flooding by excess water run-off into Brinsley Brook Brook and pond water quality will be affected by construction, road surface and other pollutants Increased noise pollution will have an effect on the Local Nature Reserve wildlife, with many birds and animals moving from the area. In particular nesting bullfinches, blackcaps, chaffinches and woodpeckers etc. Common bird species would also reduce in numbers The increase in population in this zone will likely increase the number of domestic animals roaming freely within the site affecting the wildlife balance. Also children within this zone will likely to use the Headstocks site as a playground increasing the risk for injury and site vandalism Other sites within Brinsley are more suitable for development and would have less of a direct impact on what is a major heritage point for the Brinsley area 	<p>No further comment on which other site in Brinsley would be more suitable for release from the Green Belt</p> <p>Agreed that the setting of the Headstocks would need to be preserved if development does take place</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
Developer/Landowner		
5920 Soult S	<ul style="list-style-type: none"> Zone 4 is on the outskirts of Brinsley and most definitely on the way out of Brinsley. Everyone that passes this site is usually on their way out of Brinsley Any development should be contained inside the village alongside existing development sites, there are numerous 'squaring' off possibilities such as extending Clumber Ave or build behind Broad Lane (zone 3) The Headstocks site is a vitally integral part of our heritage and housing development on this 	<p>Zone 4 is considered a better option for development than zone 3 on Green Belt grounds</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

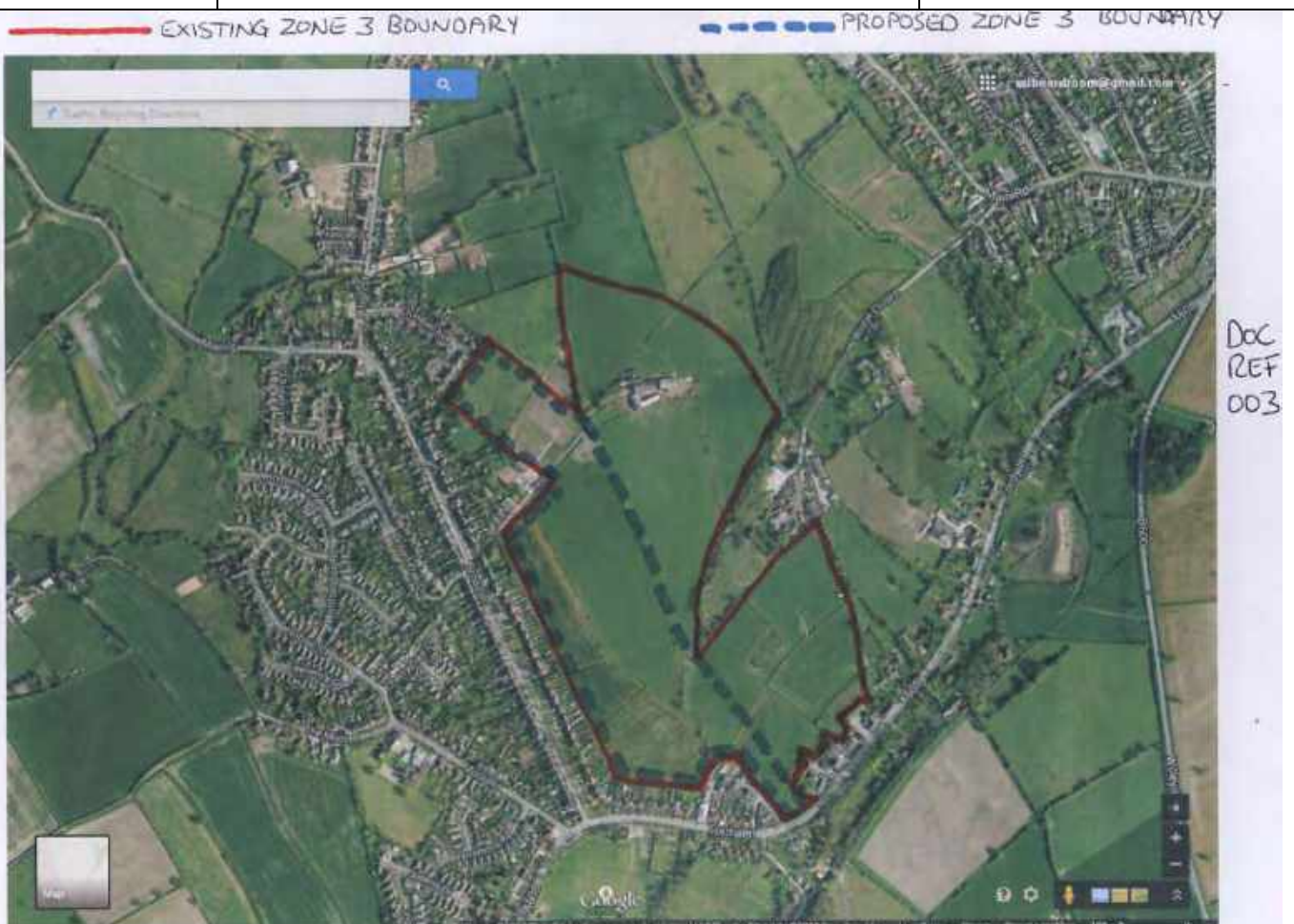
	<ul style="list-style-type: none"> site would hide this monument away forever Zone 4 is also at more risk to flooding and would have a greater impact on wildlife than zone 3 	
<p>Z3/Z4 EXISTING ZONE BOUNDARIES Z3 PROPOSED NEW BOUNDARY</p>  <p>DOC REF 001</p>		
1002 & 1302 Anthony T & A	<ul style="list-style-type: none"> Northern Boundary of zone 4 should be amended to include an additional piece of land – running along the brook up to boundary fence adjoining 52 Cordy Lane and along that fence up to the A608 (with the fence of 42 Cordy Lane being the opposite boundary) 	No 'allocations' are proposed as part of this review. Detailed boundaries will be considered as part of the allocation process
4200 Taylor & Burrows Property	<ul style="list-style-type: none"> Amendment to north of Eastwood and East of Brinsley would lead to a significant reduction in the gap Historically sensitive with regards to D H Lawrence, most significance re: locations used in books, and presence of Durban House 	No 'allocations' are proposed as part of this review. Detailed boundaries will be considered as part of the allocation process
Local Council		
67 Brinsley Parish Council	<ul style="list-style-type: none"> Disagree that the site is suitable for removal from the Green Belt. Conclusion based on flawed points system which undervalues the importance of Church Lane remaining in the Green Belt Misrepresents certain characteristics of the 	Brinsley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan

	<p>site and neglects to describe important features which need continued Green Belt protection</p> <ul style="list-style-type: none"> • The 'old-spoil tip' is now a grassy slope with paths through mature woodland which is an attractive feature of the Headstocks Heritage Site • The 'care home' is not present on site – it is situated over the road in the existing residential area • The 'resource centre' referenced is assumed to be the Parish Hall which is situated on the playing field area, away from the proposed development land • The 'several telegraph poles' stand on the roadside and do not encroach upon the site • Adequate recognition is not given to the Headstocks status as an important feature of the D H Lawrence Heritage Site which attracts tourism • Assessment doesn't mention nature reserve within the site or the wildlife corridor which runs the length of the site • Disputes the claim that there is a need to redraw the Green Belt boundaries around Brinsley • Removal of any land in the village will be detrimental to its open aspect and character and would not comply with the NPPF • A brownfield site with the potential for up to 40 dwellings has been ignored - Priority should be given to developing brownfield land where development is needed • Area is highly valued by local residents and visitors and is prominent visually in the village. • Once the site is removed from the Green Belt then it would all be vulnerable to development • Broxtowe should be conserving and enhancing the heritage and natural environment 	<p>process</p> <p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p>
Councillor		
1599 Cllr Booth	<ul style="list-style-type: none"> • Review is premature to the Brinsley Neighbourhood plan • Transparency in decision making on key issues with good strong evidence base on particular issues • Any proposed Green belt changes will come through this new plan once it reaches the end 	<p>The Borough Council is the only authority who is able to amend Green Belt boundaries. However a neighbourhood plan could promote suggestions as to where</p>

	<p>of that process; and the plan become a final document</p> <ul style="list-style-type: none"> • Brinsley neighbourhood plan will have strong defendable boundaries for Broxtowe to work to 	The Neighbourhood Plan would need to accord with the Core Strategy re: housing numbers
36489 Cllr J Handley	<ul style="list-style-type: none"> • Consultation premature as other building options not been considered • There are brownfield sites that could be used to reduce the pressure on Green Belt 	All brownfield options are considered through the SHLAA. Current information is that 41 houses could be built within Brinsley village limits
	<ul style="list-style-type: none"> • Neighbourhood plans should be able to run their course to inform decision of boundary changes • Green Belt will be lost forever 	Neighbourhood Plan will be important but Broxtowe Borough Council cannot wait indefinitely given the importance of having a Local Plan in place
Public		
100 responses received on a standard letter template	<ul style="list-style-type: none"> • Boundary to match the limiting features • Brinsley Headstocks and its own land should be considered as a Conservation Area 	
<p>Green Belt:</p> <ul style="list-style-type: none"> • Exceptional circumstances do not exist - should only be changed if there is proven local need – there is no need in Brinsley • Points system flawed - purposefully skewed to favour this site – no mention of heritage site • Headstocks (D H Lawrence Heritage) relies on having open aspect which would be damaged by building. ‘Old Spoil Tip’ prominent feature in landscape is now attractive grassy slope with mature trees and footpath. Beauty of landscape. Relocate boundary to the brook would spread settlement into open countryside • Residential properties are on edge of site and telegraph poles are on verge adjoining the road. The Care Home is not on the site. ‘Resource Centre’ is situated on playing field away from proposed building land. Important features have been overlooked e.g. Headstocks heritage site, nature reserve, Brinsley Brook wildlife corridor which would be damaged by the removal of Green Belt protection • Last remaining village in Broxtowe, in doomsday book. Character defined by open landscape of Church Lane which is highly prominent and used for recreation. Housing development would be obtrusive <p>Heritage:</p> <ul style="list-style-type: none"> • The headstocks and the landscape in the vicinity of zone 4 (which includes Vine Cottage) are closely linked not just to the lost mining heritage of the area, but also to its valuable literary heritage (as acknowledged by ACS Inspector) 		<p>The assessment is not considered to contain flaws re: the Green Belt issues</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

<ul style="list-style-type: none">• The Council should consider the character and outlook of key local landmarks and areas which are crucial to the identity of the region.• The "old spoil heap" is now a green area with fauna that adds to the overall look of the surrounding area, adding to its green belt status• ACS policy 11 seeks to preserve and protect historic environment – policy 11 & 12 of NPPF also preserve and enhance natural and heritage environment – can't see how this can be achieved by taking this site out of Green Belt <p>Wildlife:</p> <ul style="list-style-type: none">• Assessment doesn't mention the nature reserve on the site (created by Broxtowe and local residents, which requires protection) and its role as part of a wildlife corridor <p>Recreation:</p> <ul style="list-style-type: none">• Area is valuable and well used by villagers for recreation• Enjoyment and use of footpaths would be lost forever <p>Tourism:</p> <ul style="list-style-type: none">• The D H Lawrence Heritage Centre and Birthplace Museum draw tourists and enthusiasts to Eastwood from around the world <p>Traffic and Transport:</p> <ul style="list-style-type: none">• Any more traffic along Church Lane would be unsuitable - extra traffic would be unsustainable <p>Other Issues:</p> <ul style="list-style-type: none">• Site is misrepresented and wrongly described, not assessed fairly, results undervalues site• Area larger than required for the number of houses proposed for Brinsley – vulnerable for future development• Brownfield land and derelict land should be used prior to land in Green Belt• Local residents oppose changes to Green Belt• Zone 4 constitutes main character of the village• No screening would alleviate noise pollution and visual distraction that would occur if developed		
Alternative Site		
5920 Soult S	<ul style="list-style-type: none">• Zone 3 boundary follows the borough boundary for no logical reason – negatively affect scoring• The existing boundary of zone 3 should be reduced as shown below (DOC REF 003). The proposed new boundary would reduce the loss of the gap between Brinsley and Underwood as the new boundary would run parallel to Underwood and therefore would not encroach in any way towards Underwood - the assessment matrix indicates a score of one point would then be applicable• The proposed new boundary change would	<p>The assessment is not considered to contain flaws re: the Green Belt issues</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

- also 'round off' the main Brinsley settlement due to its three adjoining boundaries to the existing settlements
- The revised score for zone 3 would be considerably lower than zone 4, and would make zone 3 the obvious choice as the preferred site to be removed from the Green Belt



5920 Soult S

- Land adjacent to Clumber Avenue should be removed from the current Green Belt. See below (DOC REF 004)
- Clumber Avenue has been extended to provide affordable houses for Brinsley - land was removed from the Green Belt to achieve this
- This 3.5 acre development site is deliverable within the next five year period
- Using the assessment matrix the score will be considerably low and would deliver an immediate solution to the contribution towards the remaining dwelling numbers still to find for Brinsley

The assessment is not considered to contain flaws re: the Green Belt issues

Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made



Zone 5

Public Interest Groups

1448 SABRHE

- Constrained by Mansfield Road - not bound by Stoney Lane and Hall Lane.
- Misleading to describe old spoil tip as a significant topographical feature (not consistent with description of similar feature on Headstocks site)
- The doubt as to the development of this possibly contaminated site from Moorgreen Colliery negates its value in checking sprawl.
- Development would result in a reduction of the gap between Brinsley and Eastwood (further reduced) if zone 10 developed
- Working farm and residential properties have not caused encroachment – the site does not safeguard encroachment
- Would not be highly visible (no adverse effect) from the Conservation Area which stretches away from the site

Topographically there is a difference between the two sites which is why one has been called a significant feature in the landscape and the other hasn't

Brinsley Hill ranges from 60m above sea level on the lowest point next to the hill up to 130m at the highest part covering an area of 435,605msq. In comparison the spoil tip next to the Headstocks is significantly smaller and ranges from 90 meters above sea level on the flat to 99 metres at its highest point covering an area of 8,129 msq

		Acknowledged that the reduction in the gap between Eastwood and Brinsley would be 'significant' if this zone were developed
Zone 6		
National Interest Group		
142 English Heritage (now Historic England)	<ul style="list-style-type: none"> • Agree with the results of the assessment for zone 6 	Noted
Public Interest Group		
1448 SABRHE	<ul style="list-style-type: none"> • Constrained by Mansfield Road not bound by Stoney Lane and Hall Lane • Misleading to describe old spoil tip as a significant topographical feature, particularly in view of the comment about the similar feature of the Headstocks site • Doubt over possibly contaminated site from Moorgreen Colliery negates its value in checking sprawl • Would result in a reduction of the gap between Brinsley and Eastwood - would cause significant reduction if zone 10 developed • Working farm and residential properties have not caused encroachment • Not highly visible (no adverse effect) from the Conservation Area which stretches away from the site 	Assessment considered to accurately assess site on Green Belt grounds

Eastwood

Who	Comment	Broxtowe Borough Council Comments
Zone 7		
Public Bodies and Interest Groups		
60 Erewash Borough Council	<ul style="list-style-type: none"> Notes conclusions which recognise the important role to ensure continued separation of settlements Development would additionally serve to substantially narrow the current gap between Eastwood and Cotmanhay 	Noted
Zone 9		
Landowner/Developer		
2685 Bloor Homes	<ul style="list-style-type: none"> Zone too inflexible, assessment of smaller area is necessary – i.e. area immediately around Hall Farm Barns Would get particularly low score re: unrestricted sprawl and safeguarding from encroachment 	Smaller areas will be considered where required as part of the Sustainability Appraisal process
Zone 10		
Public Interest Groups		
18 Nottingham CPRE	<ul style="list-style-type: none"> Would significantly narrow gap between Eastwood and Brinsley Disused railway important wildlife corridor Water quality in this area – close to Beauvale Brook – is sensitive to the impact of development Flooding episodes would be exacerbated 	Noted. Site specific issues will be considered a part of a detailed site selection process
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> Good approach - pleased to see nothing proposed near to the Erewash Valley Need to preserve and enhance Brinsley Brook Corridor and may be scope to enhance wetland areas near Lower Beauvale Exiting Green space off Lower Beauvale, managed by Greasley Parish Council needs enhancing as part of any development - potential to create an area of green space that encompasses this area, the cricket ground and any new open space provided as part of any development 	Noted
Landowner / Developer		
2685 Bloor Homes	<ul style="list-style-type: none"> Broad assessment correct Form of the site, surrounding built up area and former rail line, warrant a lower overall score - particularly in relation to preventing neighbouring towns from merging and the effect on the character of historic settlement Whilst the 'on plan' gap between Eastwood and Brinsley would be reduced, would not be readily perceived on the ground given 'ribbon' development 	Noted

	along Mansfield Road, and overall extensive gap between Eastwood and Brinsley	
4200 Taylor & Burrows Property	<p><u>Check the unrestricted sprawl of settlements</u></p> <ul style="list-style-type: none"> Assessment identifies site has two boundaries adjoining the existing settlement of Eastwood (therefore scores 2*). Western section only bound to the south by the existing built form. Development of the western area of the site alone would not be well contained or naturally round off the existing settlement - assessment identifies western section of the site feels quiet open and that development to the east would round off the settlement better. Development to east would not be well connected to the existing built up area of Eastwood or its major services and it not highly sustainable With only 29% of the site required and with access being constrained, categorising zone as 2* in terms of checking unrestricted sprawl is inaccurate Land to the west, although potential contained by the existing railway line, would lead to sprawl due to the open nature of the site along Mansfield Road Would significant reduce gap between Eastwood and Brinsley Zone 10 and Zone 4 are historically sensitive re: D H Lawrence - area to the north, between Eastwood and Brinsley has most significance In addition to impact on setting of the Listed Buildings West of Mansfield Road should be assessed as having a moderate effect on the setting and special character of the historic settlement 	The assessment is considered to accurately assess the site on Green Belt grounds
Local Council		
71 Greasley Parish Council	<ul style="list-style-type: none"> Assessment ignores effect of development on the wider landscape Over emphasis on disused railway line as defensible boundary– it does not have heritage protection and is a linear area of land bounded by hedges - no barrier to development, could be incorporated into wider development proposals Amount of 'open space' visible when travelling along Mansfield Road would be reduced - perception of reduced gap Would destroy valuable views of Eastwood Hall Park and of high ground to the West Important to setting of Eastwood Hall and parkland curtilage. Also close to the D H Lawrence Heritage Centre Eastern part of site has long history of flooding; water builds up in the nearby stream and is added to by 	Greasley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process
672 Willimott R & B		<p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure</p>

	<ul style="list-style-type: none"> over-land flows from the upland area to the north Advisory Groups for Eastwood and Kimberley are not representative of the Parish Council Greasley wish to formulate own neighbourhood plan – Green Belt release in premature and hasty Greasley didn't have a consultation event in their parish 	Development Plan before final decisions on site allocations are made
Local Councillor		
3648 Cllr J Handley	<ul style="list-style-type: none"> Inadequate consultation Land being released too soon (prior to Neighbourhood Plans) - Neighbourhood plans should be able to run their course to inform decision of boundary changes Consultation premature as other building options not been considered There are brownfield sites that could be used to reduce the pressure on Green Belt Not suitable for development as is flood zone and always wet because of springs Additional traffic will be a problem on the A608 Green Belt will be lost forever 	<p>Greasley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p> <p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p>
316 Cllr M Handley	<ul style="list-style-type: none"> Sustainable boundary to Eastwood is the Brinsley Brook & the Beauvale Brook. Area is in Greasley Area has no sustainable boundary Railway line was built to remove coal from Moorgreen Colliery – it is manmade and could easily be removed in the future for further development which would lead to coalescence with Brinsley Why is all of the land being released if only part of it is needed for development? Land is precious commodity - should be preserved for future generations Food production nationally means we are reliant on global markets for availability and price – we should protect farmland Release of land is premature as Parish is undertaking Neighbourhood Plan Floodplain, acts as a soak away, natural springs on land -would make flooding worse for surrounding residents Would only know SUDs were working once development happens at which point it is too late Would not make existing flooding issues any better Independent survey of catchment area should be undertaken Sewerage system already full A608 very busy – development would make situation worse 	<p>Greasley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p> <p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

	<ul style="list-style-type: none"> • Crossing the road is dangerous (and people have to cross to get to the bus stop) – County Council has been asked for a crossing at this point but nothing has happened • Destruction of wildlife corridors • Destruction of D H Lawrence country of my heart • Potential for brownfield development needs to be looked at more closely • Need to allocate land in Green Belt is difficult to explain to residents when developers already have plans for sites not in consultation • Consultation inadequate 	
320 Cllr M Brown	<ul style="list-style-type: none"> • Review is premature and pre-empts Neighbourhood Plans • Support and concur with Greasley Parish Council's submission • Beamlight has more houses than previously thought and Wade printers is available for development (brownfield) • Larger release than thought and this could lead to more building than is acceptable • Inadequate consultation – forms not user friendly 	<p>Greasley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p> <p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p>
1605 Cllr S Rowland	<ul style="list-style-type: none"> • Review is premature and pre-empts Neighbourhood Plans 	<p>Greasley Parish Council will have the option of putting forward alternatives including bringing forward brownfield sites through the neighbourhood plan process</p> <p>It is not considered that the assessment undertaken in this review is 'inaccurate'</p>
Public		

<p>Green Belt</p> <ul style="list-style-type: none"> • Site should remain in the Green Belt (as per local residents wish) - removal from Green Belt will lead to development – concern about ease of future development once boundary amended (release is in excess of that required) • Area provides significant break between Eastwood and Brinsley preventing urban sprawl and coalescence • No exceptional circumstances - unmet housing need unlikely to outweigh the harm • Green Belt permanence should be retained (for future generations) – building on Green Belt should be a last resort • Willey/Coney Farm bridle path and fields is much better defensible physical boundary than the non-existent disused railway line <p>Brownfield Land</p> <ul style="list-style-type: none"> • Brownfield sites in Eastwood should be developed first (rather than taking the easy option) e.g. Walker Street and adjoining Victory Club, the old Beamlight site (which could accommodate more houses), Wades/Burnhams, land off A610 on site of railway sidings past sewerage works, Mushroom Farm, land around Ikea island, Council Offices on Church Street, Chewton Street Allocation, Broxtowe Office on Nottingham Road and land at the side of the A610 • Council not considered or encouraged the use of brownfield land - derelict brown field sites would be greatly improved if developed • Developer land banking levels and current planned un-built development across wider Broxtowe should be considered as a contribution towards unmet housing numbers • Densities on brownfield sites should be increased <p>Flooding and Drainage Issues:</p> <ul style="list-style-type: none"> • Site is floodplain - concern regarding future flooding problems for existing residents – land currently acts as a water holding area for rain water to prevent flooding - house insurance difficult to obtain • Drainage systems old and overloaded (surface water is going into the foul) at times of heavy rainfall whole area turns into a bog (including park next to cricket pitch), the brook cannot cope with more water, it overflows and struggles to contain the running water • Council should ensure that they are informed by site-specific flood risk assessments and a sequential test • Area is classified by the Environment Agency as Flood Zone 3 - development should be located away from areas at high risk of flooding • History of flooding from Brinsley and Beauvale brook - Council should help to keep the brook clean – currently the local residents do this • Water table high and field covered in springs <p>Traffic:</p> <ul style="list-style-type: none"> • Mansfield Road (A608) cannot cope with current amount of traffic, congestion at peak times - access onto Mansfield Road difficult - narrower than most A roads, it should be made into a B road • Knock-on effect of traffic on the A610 and the Ikea roundabout - busy 	<p>Issue of the principle of Green Belt review is addressed in the Core Strategy</p> <p>It remains a priority to bring forward brownfield sites and current information in the SHLAA is that some Green Belt release will be required</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
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Zone 11		
Public		
	<ul style="list-style-type: none"> Floodplain, not suitable for development - existing residents suffer from flooding from brook exacerbated by surface water run-off 	Flood Risk will be considered in the Sustainability Appraisal before final decisions on site allocations are made
Zone 13		
Developer / Landowner		
4200 Taylor & Burrows Property	<ul style="list-style-type: none"> Site as a whole is not well contained and would not round off the settlement Smaller areas of Zone could be released that would round off of the settlement and be contained and bound by two sides by existing development. E.g., land to the north west of the Wade Printers site - bound by existing development on Main Street, and would form a natural infill without constituting urban sprawl 	Zone 13 is not recommended to be released for development
Public		
	<ul style="list-style-type: none"> Brownfield sites are available and should be use first 	There is already a priority to develop brownfield sites but some Green Belt release will be needed based on current information in the SHLAA
Zone 14		
Developer / Landowner		
4200 Taylor & Burrows Property	<ul style="list-style-type: none"> Issue of merging could be addressed by developing in-line with the existing dwelling on South Street which would naturally round off settlement boundary and would not lead to coalescence No current defensible boundary – strong boundary could be provided through development Site was previously tipped in the 1830's with colliery shale. Utilised as a corporate event activity centre - undulating as land levels have been altered - there are number of structures including shelters, cabins and containers – considered inappropriate development within the green belt Redevelopment of previously developed land within the urban boundary and provides reclamation of the former pit site within the Green Belt 	<p>Detailed boundaries will be considered once all available information including the Sustainability Appraisal is complete</p> <p>Zones to the East of Eastwood are not considered to be as suitable for development as locations to the North of the town</p>
Public		
1805 Hutchinson N	<ul style="list-style-type: none"> Strategic barrier between Giltbrook and Kimberley which should be retained in the Green Belt 	Noted
Alternative Site		
Developer / Landowner		


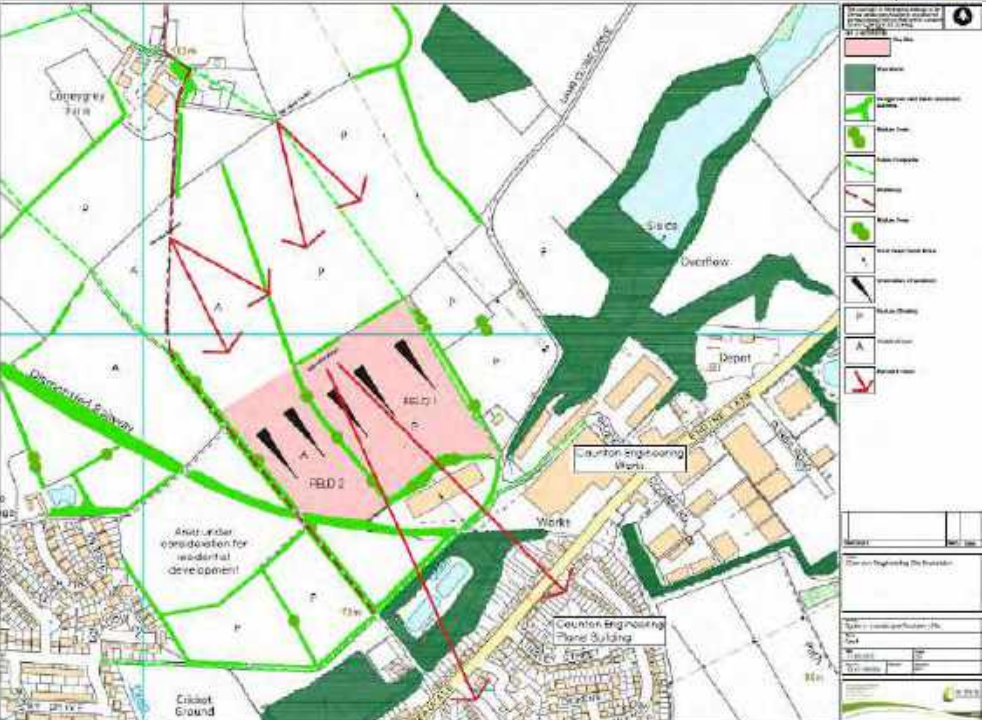
4200 Taylor
& Burrows
Property

- More detailed and robust assessment should be undertaken of the impact of specific sites in the Green Belt
- Detailed Masterplan demonstrates site can be developed without impacting upon the 5 purposes of the Green Belt

Agreed regarding specific assessment and they will be used to inform final decisions on site allocations



<p>178 Caunton Engineering Ltd</p>	<ul style="list-style-type: none"> • Expansion requirements of the company to increase its trailer storage facility for manufactured steel components prior to their distribution to site • Need to identify an area of land suitable for it to undertake the temporary trial pre-construction erection of the fabricated steel frameworks - necessary to facilitate just-in-time methods of large-scale construction projects • Working with the topography of the site and incorporating landscape enhancements objectives of the Greenwood Community Forest are supported, and visual appearance of the urban edge will be enhanced. • No consideration of the need for land to assist existing companies that provides considerable employment and economic benefit to the Borough • Site bordered by existing Engineering works and is distinctly urban edge dominated by the Plane Building, a large industrial shed. Development of Zone 10 means this site will also be bordered by housing developments • Site contained by mature hedgerows on its northern, eastern and western boundaries which all create defensible boundaries, ridgeline north of the site also creates physical separation from surrounding countryside <p>Proposed re-score: 6. - Check the unrestricted sprawl of settlements; 2 points, Prevent neighbouring settlements from merging into one another; 1 point, Assist in safeguarding the countryside from encroachment; 2 point, Preserve the setting and special character of historic settlements. 1 point</p>	<p>Report submitted refers to the ability to remove the site from the Green Belt for development based on landscape and amenity grounds</p> <p>This will be assessed as part of the detailed site allocations process</p>
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Public suggestion to alternative boundary change		
3172 Housley A	<ul style="list-style-type: none"> The bridal path Willey land should remain the demarcation between Eastwood and the Green Belt 	Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process
5829 Housley L		
5932 Housley J		
6178 Poxon A	<ul style="list-style-type: none"> Keep fields to the left hand side of bridle path as you enter from Mansfield Road Fields on right hand side of bridle path adjoining Coach 	

	<p>Drive would be a natural extension of the urban area with the bridle path and fields beyond being the natural defensible boundary</p> <ul style="list-style-type: none">• SHLAA ref 514 could be used for housing• Further up on same side of road as 514 – Green Belt – but less impact on openness of the countryside• SHLAA 256 & 413	
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Kimberley

Who	Comment	Broxtowe Borough Council Comments
Zone 15		
Land Owner/Developer		
2542 Viitanen D	<ul style="list-style-type: none"> Gilt Hill Farm site is suitable and deliverable and should be removed from the Green Belt and allocated for development - does not contribute to the 'openness of the Green Belt' There is a clear differentiation between the built form at Gilt Hill Farm and area immediately surrounding compared to the rest of the zone 15 Main area promoted for development contains significant buildings (a number of large agricultural buildings), external storage (of plant and machinery) and hard standing and is therefore not 'open' and development of the site would not cause significant encroachment because of the existing buildings, which are large and very visible in the context of the area between Eastwood and Kimberley Ignores potential benefits in terms of open space provision (a country park) and provision of defensible boundary The country park would create a 'soft edge' to development and would enhance the relationship between buildings, open space and public access Situated on the urban edge of Kimberley and is bounded by a primary school to the East and Gilt Hill Road to the South Site is situated close to the Giltbrook Retail Park and the proximity has been ignored Area is a desirable location for development Retirement village could provide approximately 150 units for people over the age of 55 – should be treated as a 'special case' 	<p>They argue that the gap would not be significantly reduced – they have come to this conclusion as they are assessing this against the narrowest part of the gap</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>
Public		
5844 Versteg D	<ul style="list-style-type: none"> Zone should not be considered for housing or development Important boundary between Kimberley and Giltbrook No suitable access roads Traffic would worsen considerably 	Noted

Zone 16		
Landowner / Developer		
1501 The Wild Family	<ul style="list-style-type: none"> Extent of the zone has not been adequately explained or justified Should have assessed smaller components of zone 2004 Inspector recommended sites H113 and H116 be removed from Green Belt 	Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process
1436 The Evans Family	<ul style="list-style-type: none"> Extent of the zone has not been adequately explained or justified Zone is not clearly defined - absence of defined settlement boundaries makes it difficult to consider the impact Fails to analyse the component parts of the zone - overall conclusion on an all or nothing basis - 2004 Inspector recommended sites H113 and H116 be removed from Green Belt Parcels of land closest to the existing built-up area that comprised a logical extension/rounding-off with minimal impact on the openness of the Green Belt and the five purposes Sites previously recommended for removal from the Green Belt will be excluded from next stage of consultation 	Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process
Zone 17		
Landowner / Developer		
331 Barratt Homes	<ul style="list-style-type: none"> Is Watnall Road included within the description "East of Main Road"? Areas east of Watnall Road (on edge of New Nuthall) are 'urban fringe' - score too negative 	<p>Yes</p> <p>The Green Belt is considered to accurately assess different zones against the purposes of including land in the Green Belt</p>
Zone 20		
Public Interest Group		
18 Nottingham CPRE	<ul style="list-style-type: none"> Other zones around Kimberley may have greater detrimental impact – however reservations about allocating Zone 20 Impact on a mature landscape area and on conservation area Mature hedgerows would need to be maintained Concerned about visual impact of development due to topography Long-distance footpath would need to be 	<p>Noted</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

	rerouted in a way which maintains the connectivity of the Nottinghamshire footpath network	
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> • Need to preserve and enhance A610 corridor • May be scope for wetland creation • Important rights of way to consider 	<p>Noted</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
Land Owner/ Developer		
1501 The Wild Family	<ul style="list-style-type: none"> • extent of zone purposefully and unfairly determined to favour site over others • Site is “hilly” – therefore prominent – should have higher score for sprawl • Perception of bringing one settlement closer to another will be most apparent to users of the A610 • Proximity of the Conservation Area - impact on Conservation Area cannot be determined without Heritage Impact Assessment • A610 will constrain the efficient development of this site – i.e. from noise, air quality and access standpoints – other constraints will reduce the developable area of the zone • Number of smaller sites would improve the ability to deliver housing in Kimberley • There are more suitable sites that would, individually or collectively have less impact of the openness on the Green Belt and the purposes of including land within it e.g. sites H113 and H116; and H112 • Not all of Zone 20 is developable, or indeed required to be developed to meet the housing land requirements identified in the Adopted Core Strategy - cannot possibly constitute ‘exceptional circumstances’ • Plan lacks the necessary flexibility should sites fail to come forward as anticipated – sites (not zones) should be assessed - ‘safeguarded land’ should be identified – site 215 is available if required 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>
1436 The Evans Family		
331 Barratt Homes	<ul style="list-style-type: none"> • Questions deliverability of housing at this location given issues surrounding access/highways, noise and air quality 	<p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>

Councillor		
1601 Cllr A Cooper	<ul style="list-style-type: none"> • Possible impact on the Conservation Area • Development on majority of site not desirable because of access on narrow high street rear of Dawver Road, Dale Road, Lancery Close 	Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made
Public		
2578 Page S	<ul style="list-style-type: none"> • A610 would prevent merging of settlements. • Noise from A610 needs to be taken into account – potential re-surfacing the road and the construction of noise barriers • Consider including natural flood defences to reduce flood risk • Road access issues need to be solved • Least damaging proposal to the Green Belt 	Noted
3580 Munton L 4621 Plumb R	<p>Green Belt:</p> <ul style="list-style-type: none"> • Only piece of Green Belt/green space this side of Kimberley without having to cross the A610 – it is greatly valued • Green belt incursion totally inappropriate <p>Traffic and Transport:</p> <ul style="list-style-type: none"> • Noise pollution from A610 – issue for residents amenity • Congestion problems on the Nottingham – Eastwood Road. • Church Hill and High Street are narrow and in poor state of repair -access and egress to site a concern • Traffic in Kimberley town centre would get worse - roads regularly gridlocked <p>Wildlife:</p> <ul style="list-style-type: none"> • Abundance of wildlife within site <p>Flooding and drainage issues:</p> <ul style="list-style-type: none"> • Underground springs could be disturbed and flood main road <p>Local Infrastructure:</p> <ul style="list-style-type: none"> • Road infrastructure and local schools cannot support any more residents • Already have difficulty getting an appointment at doctors surgery – new one needed <p>Other Issues:</p> <ul style="list-style-type: none"> • 600 houses in Kimberley is spurious and 100 spread around the town would be more sensible - Kimberley is large enough • Every available brownfield site nationally should be used first including the old Cussons Soap 	Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made

	<p>Factory on Wilkinson Street and Basford Gas Works</p> <ul style="list-style-type: none"> There is significant development included in the Brewery plans 	
Zone 21		
1501 The Wild Family	<ul style="list-style-type: none"> the extent of the zone has not been adequately explained or justified Fails to analyse the component parts of the zone –doesn't recognise merits of more logical smaller parcels of land e.g. land to the south of Spring Hill 	Smaller areas can and will be considered as part of the site allocations process
Alternative Boundary		
<p>1501 The Wild Family</p> <p>1436 The Evans Family</p>	 <ul style="list-style-type: none"> Proposed boundary change comprises a more effective use of Green Belt land and responds to amount of housing land actually required Site H116 is suitable and available and could be delivered in conjunction with the adjacent site H11 Site H116 & 113 benefit from the same physical advantages and lacks any identified constraints 2004 Local Plan Review the Inspector recommended that sites H116 and H113 be removed from the Green Belt – stated that site is of very limited value to the purposes of the Green Belt - just as pertinent today Allocation of the two sites would represent a logical 'rounding-off' of the settlement, suitably contained by existing development and the 	<p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p> <p>This area is not considered to be preferable for release from the Green Belt to some areas inside the A610 at the South of the town</p>

	robust ridgeline and well established hedgerow to the north	
2542 Viitanen D	<ul style="list-style-type: none"> • Site ideal location for retirement village which could also include the provision of sports pitches (Cricket) and Country Park • Gilt Hill Farm site is suitable and deliverable and should be removed from the Green Belt 	<p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p> <p>This area is not considered to be preferable for release from the Green Belt to some areas inside the A610 at the South of the town</p>



331 Barratt Homes	<ul style="list-style-type: none"> • Consideration should be given to SHLAA Site Ref 105 (Land West of New Farm Lane, Nuthall) given its well defined boundaries - based on sustainability credentials with minimal impact on the surrounding Green Belt • Access issues have been "addressed" and there is no "Highways Infrastructure Constraint" 	<p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p> <p>This area is not considered to be preferable for release from the Green Belt to some areas inside the A610 at the South of the town</p>
3580 Munton L	<ul style="list-style-type: none"> • New building on Green Belt in Kimberley should be either to the North or East of the town to give traffic an alternative route 	<p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p> <p>This area is not considered to be preferable for release from the Green Belt to some areas inside the A610 at the South of the town</p>

Main Built Up Area

Who	Comment	Broxtowe Borough Council Comments
Zone 22		
Landowner / Developer		
5915 Glenn I	<ul style="list-style-type: none"> • SHLAA site 513 within zone 22 does not fulfil the five purposes of the green belt. Considered in isolation, site 513 is bordered only on one side by existing housing however: considered in conjunction with other Ashfield housing sites land is bordered on two or three sides by housing. The fourth side has strong defensible boundary of Starth Wood, 15 acres of ancient woodland protected by a blanket Tree Preservation Order and an ancient hedge line and brook • Site 513 and Hucknall site 4 (by surface water attenuation) could solve historic flood problems on the B6009 at Watnall Road/Long Lane - a number of accidents that have occurred as a result of flooding • Hucknall site 4 cannot be developed by any means other than access across site 513 • All utility services are available to site • Could be built out within five years of obtaining a planning consent • Additional land adjacent to site 513, in Broxtowe, could also be made available if required 	This area is adjacent to Hucknall which is not a location listed for development in policy 2 of the Core Strategy
Zone 24:		
Landowner / Developer		
2685 Bloor Homes	<ul style="list-style-type: none"> • Assessment wrong and inconsistent • Strongly influenced by built form on all sides, with built development and the M1 motorway having strong urbanising effect - scoring for urban sprawl and countryside encroachment should be 1, not 3 • Gap between Nottingham and Kimberley not perceived on the ground to the same extent (as on plan) given ribbon development along Nottingham Road • M1 acts as a strong impenetrable barrier (other than along Nottingham Road) and provides a permanent separation of Kimberley and Nottingham • Sensitive development would not result in merging of settlements - should score less • Potential location for the route of an extension to the Nottingham tram - should be major consideration - area should be safeguarded for development 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>In addition this is one of the most sensitive Green Belt gaps between Greater Nottingham and the built up area of Nottingham</p>

Zone 25:

4199 Nuthall
Nottingham LLP
and Severn Trust

- Land west of Woodhouse Way (forming part of Zone 25) most sustainable option for development after Field Farm and Toton - should be allocated or safeguarded for at least 300 dwellings
- (SHLAA ref 107 & 42) should have been assessed individually – physically separated and assessed differently in the SHLAA
- 107 visually and physically isolated from Nuthall/Kimberley by the M1 and A610 - separation would be further reinforced through the HS2 railway line (which would act as defensible boundary)
- Tribal report assessed site H107 as “amber” - meeting two out of three criteria
- site is “deliverable”
- 2003 Local Plan Inspector concluded development could lead to “encroachment” and “coalescence” (hence “amber” rather than “green”) - however, circumstances have changed significantly (to justify exceptional circumstances) - need for housing, development at Nottingham Business Park and HS2 route
- Site would assist in delivering urban concentration and regeneration
- Small number of public comments to Outline planning application
- At least two thirds of site will be accessible open space - large part of the site will be publicly accessible “open” land


Scoring for Site H107 should actually be as follows:

Purpose/Impact	Score/Assessment	Comment
Check the unrestricted sprawl of settlements	★	• The site is well contained on all sides by permanent or readily recognisable physical boundaries (and would retain a green wedge on land to the west). If the HS2 route is confirmed this would provide the western boundary.
Prevent neighbouring settlements from merging into one another	★★	• The development would result in a moderate reduction in the size of the gap between Kimberley and Nottingham, albeit this would all be contained by Junction 26 of the M1.
Assist in safeguarding the countryside from encroachment	★★★★	• The site does not have any inappropriate developments and therefore no encroachment.
Preserve the setting and special character of historic settlements	★	• Development will have no adverse impacts on conservation areas or other heritage assets, as confirmed in the “Archaeology and Heritage Assets” Chapter of the 2013 Environmental Statement supporting the outline planning application for the site.
Total	9	

- Would score the same as other preferred sites

The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt

In addition this is one of the most sensitive Green Belt gaps between Greater Nottingham and the built up area of Nottingham

		
<p>647 Gaintaime Ltd</p>	<ul style="list-style-type: none"> • Zone 25 is contains two distinctly visually and physically separate sites - should be assessed separately • Northern part of zone 25 (SHLAA ref 421) promoted for low density Retirement Village • Site could be released without undermining the purpose of the green belt • Well contained - bound by the A610, M1 and existing built form along Nottingham Road - agree with urban sprawl assessment • Site 421 can be developed to retain open breaks that ensure that merger of settlements is avoided • HS2 along the western boundary would undermine the importance of this site in terms of its openness - HS2 line and M1 provide a more defensible boundary • Site includes a significant amount of inappropriate development - development would not encroach into open countryside – development in isolation would not lead to coalescence • Nuthall Conservation Area to west of the site includes a number of listed buildings - however M1 has a severing effect – thus development would have a limited impact • Corporate Plan to support and encourage new retirement village - will provide extra community and leisure facilities and new employment opportunities to wider community 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>In addition this is one of the most sensitive Green Belt gaps between Greater Nottingham and the built up area of Nottingham</p>

**Zone 27**

3634 Crown Estate

- Largest zone in Green Belt Review - varying landscape characteristics and topography - assessing as a single parcel of land is too broad brush
- Available within the next five years or medium term as safeguarded land
- SHLAA site 588 - adjacent to the edge of Nottingham (capacity c. 300 dwellings) is sustainable location - within walking distance to services and infrastructure, employment opportunities within close proximity, two local bus services. Accessible to Junction 26 of the M1, development could be served directly off A6002
- Well contained on lower ground to the east of the Catstone Hill Ridge, mature screening to west and south, and built development to north (Strelley) and east (Bilborough) provides permanent and defensible boundaries
- Would represent a more discrete release from the Green Belt - distance between site and Ilkeston is circa 3.5km (at its nearest point)
- Some inappropriate development, including man-made reservoir. To the north there is new development
- Assessment identifies moderate adverse impact on setting and special character of historic settlements - premature in advance of detailed scheme

Have used our assessment score for the wider zone (particularly for inappropriate development) where the score would be worse if based on their own parcel of land

In addition this is one of the most sensitive Green Belt gaps between Greater Nottingham and the built up area of Nottingham



616 Trowell Parish Council

- Strongly object to any encroachment into the existing Green Belt boundaries of the Parish of Trowell

No encroachment is proposed

Zone 28

616 Trowell Parish Council

- Strongly object to any encroachment into the existing Green Belt boundaries of the Parish of Trowell


No encroachment is proposed

Zone 32		
Public Interest Group		
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> Logical but some reservations - Bramcote Park, Stapleford Hill and the Crematorium have direct connection to open countryside - connections need to be maintained Land at Pit Lane currently used as open space is proposed for a Local Nature Reserve 	Green routes/ wildlife corridors will be important for the detailed allocations process
616 Trowell Parish Council	<ul style="list-style-type: none"> Strongly object to any encroachment into the existing Green Belt boundaries of the Parish of Trowell 	No encroachment is proposed
Public		
<p>Green Belt:</p> <ul style="list-style-type: none"> Bramcote, Stapleford, Toton, Trowell, Sandiacre, Nottingham and Chilwell will merge and lose their identity Important gap between Trowell and Stapleford Contradicts policy aimed at preventing neighbouring towns from merging and urban sprawl Should only be altered in exceptional circumstances - no justification for this <p>Flood Risk:</p> <ul style="list-style-type: none"> Boundary Brook is liable to flooding along its route to the River Erewash - Brook is narrow and cannot take extra water <p>Wildlife:</p> <ul style="list-style-type: none"> The part adjoining railway should remain as a wildlife corridor (as per STRAG submission) - development would sever wildlife corridor <p>Other Issues:</p> <ul style="list-style-type: none"> Green Belt is important asset for local residents and is used for recreational space Loss of open land in the area Does not preserve the setting and special character of the area If its removed from the Green Belt even if it's not built on now it will always be vulnerable Development will adversely affect property values Area provides essential green space for impending Field Farm development 		<p>Principle of Green Belt review is addressed in the Core Strategy</p> <p>Zone 32 is land proposed to be gifted to Trowell Parish Council</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
Zone 33		
Public Interest Group		
34 Nottinghamshire Wildlife Trust	<ul style="list-style-type: none"> Majority of zones potentially impact on wildlife sites (LWSs and LNRs) Moorbridge Lane Wet Grasslands - appears entire Local Wildlife Sites could be removed from Green Belt 	No suggestion of built development on protected wildlife sites
60 Erewash Borough Council	<ul style="list-style-type: none"> Zone broadly flanks the western fringes of Stapleford Close proximity between the land under review inside Broxtowe and a number of urban areas (in Erewash) situated west of the River Erewash Noted than no release of Green Belt land within zone is 	Noted

	required	
616 Trowell Parish Council	<ul style="list-style-type: none"> Strongly object to any encroachment into the existing Green Belt boundaries of the Parish of Trowell 	No encroachment is proposed
Public		
	<ul style="list-style-type: none"> No Green Belt Land should be built on – our country is being destroyed There is another way - not always the easiest/cheapest 	Principle of Green Belt review is addressed in the Core Strategy
Zone 35		
<p>The site has four distinct boundaries:</p> <ol style="list-style-type: none"> 1. The flood bank 2. Gardens relating to properties on Lower Park Street 3. Gardens relating to properties on Park Street 4. A grass crete road installed by Seven Trent Water to access the sewage pumping station sites beyond the my land and is in effect a continuation of Sandiacre Road <p>The land if removed from the Green Belt would be ideally suited to either starter homes or homes for the elderly. The site benefits from very easy flat access to Stapleford with the main thoroughfare Derby Road being approximately 200 metres away.</p>		On Green Belt grounds it is considered that the assessment accurately assess this zone
Zone 36		
2685 Bloor Homes	<ul style="list-style-type: none"> Misleading, inflexible, too blunt and unsubtle an approach - Zone should be subdivided into smaller areas to be assessed separately 'Central' ridge-line performs a function in Green Belt and visual impact terms - different to those parts to north and south Assessment mixes 'Zone' and 'Site' Smaller 'sites' at Baulk Lane, Hill Top Farm itself and Sisley Avenue "perform" differently from the central ridge and should be judged accordingly 	Smaller areas can and will be considered as part of the site allocations process
73 Stapleford Town Council	<ul style="list-style-type: none"> Concern re: area adjacent to Sisley Avenue/Baulk Lane/Coventry Lane - should be retained in the green belt 	Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made
Public		

<p>National Policy:</p> <ul style="list-style-type: none"> Unmet housing need unlikely to outweigh harm to justifying inappropriate development in the Green Belt <p>Scoring System:</p> <ul style="list-style-type: none"> Scoring matrix has missing information which makes it harder to argue about the scores given to any particular zone <p>Green Belt:</p> <ul style="list-style-type: none"> Boundary change would not 'round off' existing settlement Where limited Green Belt left it becomes more valuable as a local amenity Site extends over a ridge which constitutes a topographical feature - Urban sprawl would be exacerbated because of topography Brownfield land should be re-used ahead of Green Belt land Policy RC16 from the 2004 Local Plan should be consideration Development would reduce gap between Stapleford Chilwell and Bramcote - Perception of the reduction of the gap should result in a higher score One telecoms mast does not affect the openness of the Green Belt and the bridle path/track is not inappropriate development - Encroachment should score higher Not 'undeveloped agricultural land' - has been used to grow food crops for the last 30 years Building would have significant adverse impact on one or more conservation areas <p>Other Issues:</p> <ul style="list-style-type: none"> Issues regarding access to facilities are not included in assessments or criteria Building houses on the Green Belt does not provide growth - Engineering and technical workshops for HS2 (if it comes) would provide growth Baulk Lane unable to cope with extra traffic 		<p>Many of these points are either addressed in the Core Strategy (housing need) or are detailed site selection matters not covered in this Green Belt Review</p> <p>On Green Belt grounds it is considered that the assessment accurately assess this zone</p>
Zone 37		
Land Owners / Developers		
412 Persimmon Homes North Midlands	<ul style="list-style-type: none"> Broadly correlates with Prominent Area for Special Protection, Mature Landscape Area, and Bramcote Conservation Area - prominence and topography would make it wholly unsuitable - would do little in safeguarding the countryside from encroachment A52 provides a physical boundary to eastern edge of Stapleford - breaching this will dilute well-defined and robust edge to Stapleford 	Site specific comments will be included in the in the allocations process
Public		
	<ul style="list-style-type: none"> Area contains King George's Park Building houses on the Green Belt does not provide growth - Engineering and technical workshops for HS2 (if it comes) would provide growth 	Site specific comments will be included in the in the allocations process
Zone 38		
Land Owners / Developers		
2685 Bloor Homes	<ul style="list-style-type: none"> Score 3 for urban sprawl despite distances between existing urban features is almost identical to 41 	Zone 41 has many more urbanising

<p>2652 W Westerman Ltd</p>	<ul style="list-style-type: none"> • Conclusions of potential impact are inconsistent and inflexible • No subtlety or disaggregation of components, and the judgements are wrong • Parts of Zone 38 and 39 should be combined and assessed separately -zone could follow the line of built development from parts of Stapleford to parts of Chilwell -would score differently given the closer relationship to existing urban form, extent of existing urban features and the limited landscape and topographical constraints - new zone would be capable of providing a new defensible Green Belt boundary at least as strong as the new tram line (which is not considered a strong, permanent and defensible boundary) • Current scoring directly influenced by the most sensitive Green Belt areas to the north 	<p>features</p> <p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>
<p>412 Persimmon Homes North Midlands</p>	<ul style="list-style-type: none"> • Green Belt review should have included character and appearance of the landscape • Size of zone considered will result in a higher degree of encroachment and reduction on open land separating each of the surrounding settlement. • Not clear whether this Green Belt Review forms part of the Assessment 1 or Assessment 2 stages. Ridgeline extending between The Curragh and Great Hoggett Drive separates zone into two distinct areas of land • Landform associated with this part of the Green Belt is particularly distinct, creating both a prominent landscape feature, and providing visual separation • North of Common Lane is constrained both through landscape designation and its topography - elevated open ridgeline defined by the wooded setting of Burnt Hill - broad and far reaching views from the ridge • Ridgeline extends between The Curragh and Great Hoggett Drive - settlement is prominent in landscape - development in this location would be prominent and is likely to affect a number of landscape and cultural heritage designations • A52 secures a robust and un-breeched well-defined boundary to Stapleford - helps maintain open character of the farmland to the east that has a limited relationship with the wider settlement to west • Secondary highway boundaries (e.g. bridleways) that follow landscape features (e.g. hedgerows) are more distinct and stronger than other boundaries (e.g. tramline) by their permanent nature are robust and enduring • Tram terminus, park & ride facility, tram lines and Bardills Garden Centre create intrusion within the Green Belt - can 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p> <p>Smaller areas can and will be considered as part of the site allocations process</p>

	<p>help to define and contain development</p> <ul style="list-style-type: none"> Existing public access network well defined and extensive - some restricted areas Generally well contained and/or set at the edge of the Green Belt on land that makes a more limited contribution to its open character Smaller area (adjacent to Chilwell Lane Bramcote) well defined by highways, settlement, and existing field boundaries - perceived edge of the Green Belt development would not appear a significant encroachment into Green Belt as not essential to open and undeveloped character Settlement of Chilwell and Bramcote are to a degree joined – development will secure permanent green space that will provide separation Does make a significant contribution to the open and undeveloped setting of farmland associated with Green Belt Site adjoins Conservation Area – development would reinforce landscape setting and enhance immediate landscape - unlikely development will result in significant harm Site is green field - unlikely housing requirement can be accommodated on brownfield land - sites like this will be required 	
		
<p>Public</p> <ul style="list-style-type: none"> Area contains King George's Park Building houses on the Green Belt does not provide growth - Engineering and technical workshops for HS2 (if it comes) would provide growth 		<p>Site specific comments will be included in the in the allocations process</p>

Zone 43		
Public Interest Group		
60 Erewash Borough Council	<ul style="list-style-type: none"> Presence of River Erewash and lack of defences expose area to flooding – mitigation required if released for development 	Noted. No development proposed in this zone
Public		
	<ul style="list-style-type: none"> Less costly to develop and assist in meeting the short term need more easily 	Site specific comments will be included in the in the allocations process
Zone 44		
Public Interest Group		
21 Natural England	<ul style="list-style-type: none"> Contains two Sites of Special Scientific Interest (SSSI) – Bulwell Wood SSSI and Sellers Wood SSSI Development should avoid any activity that would damage or destroy the interest features of these SSSIs, including trampling or erosion damage as a result of increased visitor pressure 	Agree
60 Erewash Borough Council	<ul style="list-style-type: none"> Contains Attenborough Nature Reserve, a prominent area of wetland with great ecological significance EBC fully agree with BBC's conclusion that any release of Green Belt for residential development would be inappropriate 	Noted
Zone 48 & 49		
Public Interest Group		
60 Erewash Borough Council	<ul style="list-style-type: none"> Located to the south-west of the settlement of Trowell, directly abutting Erewash - assessment acknowledges number of limiting factors which raise uncertainties as to the suitability of these broad locations to deliver future housing development 	Noted

Bramcote/Stapleford

Who	Comment	Broxtowe Borough Council Comments
Public Interest Groups		
142 English Heritage (now Historic England)	<ul style="list-style-type: none"> Assessment fails to take into consideration impacts upon designated heritage assets such as Bramcote Conservation Area Topography of area with the two hills – Stapleford Hill and Bramcote Hill, are significant landscape features Sites have some historic landscape interest with woodland planting Consider wider impacts relating to views from Wollaton Hall Scoring is incorrect for historic settlements and countryside encroachment (particularly from up the hills which has remained unaffected by development) 	<p>Bramcote and Stapleford Hill are not proposed to be developed</p> <p>Comments appear to be based on the incorrect assumption that they will be</p>
2548 Park and Environment (Broxtowe Borough Council)	<ul style="list-style-type: none"> Logical but some reservations - Bramcote Park, Stapleford Hill and the Crematorium have direct connection to open countryside - connections need to be maintained – development (in zone 31) strongly threatens this connection and (in zone 30) would need careful consideration Land at Pit Lane (zone 32) currently open space is proposed for a Local Nature Reserve 	Noted
18 Nottingham CPRE	<ul style="list-style-type: none"> Development would surround Stapleford Hill - sense of openness will be lost - recreational value of Stapleford Hill does includes how it fits into surrounding green space STRAG's proposal (for Field Farm site) includes wildlife strategy to enhance existing wildlife corridor - similar strategy should be developed for Green Infrastructure in whole area – allocating this Zone for development conflicts with such an approach 	<p>Wildlife Corridor issues will be important to the Plan of the area if development does take place</p> <p>It will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
6052 Nottinghamshire County Council	<ul style="list-style-type: none"> Boundary too superficial when considering Green Belt Criteria New boundary in this area should be based on a strong feature having regard to long term unforeseen development requirements and endure for long term e.g. 30 years Boundary should follow east-west railway line providing a proper long term physical definition Should be considered as part of the urban area but not necessarily identified for development 	Boundary is proposed to be the Railway line as they suggest

	<ul style="list-style-type: none"> Urban spaces, playing fields etc. can be adequately protected by other policies – other land can be identified as safeguarded 	
Landowner/Developer		
1462 Messers Roberts	<ul style="list-style-type: none"> Fully in favour of development Railway line is sensible defensible boundary 	Noted
6048 White Hills Park Federation Trust	<ul style="list-style-type: none"> Zone 29 North of Bramcote Ridge/ Moor Lane up to the railway is the most suitable area for housing development Developing zone 29 would have the least impact on the community Railway line most suitable/rational boundary The Trust intends to sell excess land to raise funds for rebuilding and refurbishing the school –required to meet educational standards 	<p>Agree regarding the railway</p> <p>Zone 29 is an option for development and the review does not preclude this</p>
718 J McCann (Nottm) Ltd	<ul style="list-style-type: none"> Difficult to see how Zone 31 has met more Green Belt criteria compared with other zones (specifically zone 40) Residential development approved to the west of the site Relatively small, isolated pocket of partially developed, part brownfield land, surrounded by urban structures and use - development is natural and logical extension to the settlement Site is well contained with the allocation of Field Farm to the West, the railway line forming a defensible boundary to the North, Stapleford Hill to the Southwest, and A6002 to the East Existing urban edge poorly defined and Green Belt boundary is weak and varied in its defining boundary features - land to the south disconnected and difficult to manage as agricultural Logical, enduring and clearly defensible boundaries would be established by an amendment to the railway line Development in this location would not constitute 'unrestricted sprawl' but a single and sustainable development project Parts of the Green Belt in the area between Nottingham and Derby and in the broader context that are more important in preventing the merging of towns or fragmentation of the Green Belt Development would not reduce any of the minimum widths of Green Belt to the surrounding towns and villages 	<p>Agree regarding the railway</p> <p>The Green Belt is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>

	<ul style="list-style-type: none"> • Development would maintain a break between Stapleford and Bramcote, because of its small size and its severance by the major road it contributes little to the separation • The perception of the gap between Bramcote and Stapleford would be similar to existing; and is the least sensitive in distance terms; it does little to contribute to the separate identity of Bramcote and Stapleford • Significant proportion is brownfield McCann depot site - urban and industrial in character - contributes little to the countryside • Stapleford not known to possess special character as a historic town - development would not prejudice or significantly impact upon the existing setting and character of the town - development would have no effect upon the setting and character of other settlements • NPPF refers to the setting and special character of historic towns, rather than specific heritage assets (re: Hemlock Stone) – site over 400 metres from the Hemlock Stone, with no inter-visibility between the two because of topography and woodland - no adverse impact • Site should score 5 stars in total 	
718 J McCann (Nottm) Ltd	<ul style="list-style-type: none"> • Correct interpretation of national planning policy is a matter for the courts and that the Supreme Court nonetheless and planning judgement • ACS inspector stated that ‘the exceptional circumstances required for alterations to Green Belt boundaries exist.’ • The need to achieve sustainable development is a statutory duty • The Bramcote and Stapleford amendment is consistent with the focus on urban concentration and is sustainably located to take advantage of the proximity to key services and public transport routes - Field Farm is a sustainable location therefore Bramcote and Stapleford cannot be considered differently • ‘Green Belt’ is a planning policy tool, not a measure of the quality or use of land - the area is urban fringe, and arguably contains no countryside land uses whatsoever- limited amount of land with secondary agricultural function - most serves needs of the urban area • Only 22% of the land in Bramcote/Stapleford 	Noted

	<p>amendment could be categorized as natural, with an equal amount comprising previously developed land. Other areas of 'open' land comprise restored former landfill, and formal sports pitches which have a bland and featureless appearance. Only 36% of the area is publically accessible</p>	
3634 Crown Estate	<ul style="list-style-type: none"> • Zone 29 would result in a more than moderate reduction in the size of the gap between Bramcote and Stapleford – currently has no encroachment from inappropriate development - provides an extensive and prominent strategic Green Infrastructure Corridor linking Broxtowe and Nottingham - corridor should be retained • Considerable uncertainties over deliverability of housing within Zone 30 • Land in multiple-ownership • Release and/or reconfiguration of land currently used for existing education, leisure and community uses will require extensive collaboration and agreement with a wide range of stakeholders • Discussions are yet to reach an advanced stage - potential to delay • Council's Leisure Provision Strategy identifies significant uncertainty over the quantum and location of future leisure centre provision - work is yet to be commissioned • Development in zone 31 would reduce the gap between Coventry Lane and Moor Lane to circa 300m at the closest point - significant harm in settlement coalescence – should not be released from the Green Belt • Additional/alternative Green Belt sites in or adjacent to the MBA will need to be considered 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Green Infrastructure corridor can and will be retained in detailed allocations</p> <p>Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made</p>
4199 Nuthall Nottingham LLP and Severn Trust	<ul style="list-style-type: none"> • Site includes playing pitches and has not formally been proposed (in SHLAA or previous site allocations document) - no evidence base to justify deliverability/developability • Unclear why zone 29 is being proposed for potential release when it comprises an important strategic green infrastructure corridor – inappropriate for development • Grounds that residential development would enable the redevelopment of the existing school and leisure centre (zone 30) does not amount to "very special circumstances" – 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Green Infrastructure corridor can and will be retained in detailed allocations</p> <p>Other issues raised will be considered in the Sustainability</p>

	unsound approach <ul style="list-style-type: none"> Whilst Zone 31 could accommodate c.200 dwellings no evidence exists on the availability or suitability of Zone 30 to accommodate the shortfall (c.157 dwellings) 	Appraisal and Infrastructure Development Plan before final decisions on site allocations are made
Local Council		
73 Stapleford Town Council	<ul style="list-style-type: none"> Concern that remaining green belt between Stapleford and Bramcote is being eroded - do not want further coalescence Important to maintain green belt between the separate settlements of Stapleford, Trowell, Bramcote and Toton, to maintain their separate identities Concern that Bramcote Hills Park had been included in the documentation - do not want any designated park areas in the Town and its vicinity developed for housing/commercial/industrial purposes The areas East of Field Farm/West of Field Farm, behind Bramcote Crematorium and proposals to develop land currently occupied by Bramcote School would need to be carefully managed to minimize the impact of any such development on the green belt area between Stapleford and Bramcote to ensure minimal loss of amenity 	No suggestion of developing Bramcote Hills Park or Stapleford Hill
Public		

Green Belt:

- There is no requirement to redraw the Green Belt boundaries in this area - level of protection that Green Belt provides is vital
- Green Belt should only be amended in exceptional circumstances - no justification
- Bramcote, Stapleford, Toton, Trowell, Sandiacre, Nottingham and Chilwell will merge and lose their identity – currently prevents urban sprawl (in line with National Policy) - development would significantly change the character of the area
- Would not 'round off' the settlement
- Area already has strong physical boundaries (especially Moor Lane) so suggesting its removal would create strong physical boundaries is flawed
- Brownfield sites should be recycled first before Green Belt is used.
- If the boundary is moved to the railway line then the playing fields, the wooded area adjacent to the railway line and the scrub land which contains the public footpath should be designated as 'protected open space'
- Bramcote has already merged into Wollaton with no obvious gap and is already very built up – area forms an important buffer between Bramcote (including the Conservation Area) and Stapleford
- Green Belt has already been impacted by the release of Field Farm – this will increase pressure on remaining green spaces in the area - Field Farm should be added back into the Green Belt - there would be a continuation of the Green Belt to the North
- Why remove parts from the Green Belt if it's not suitable for development? - why so soon after the Core Strategy is more Green Belt release required?
- should be preserved for the amenity space of next generation –
- Balance is being tipped in favour of large developers
- Saying that the site has a large amount of inappropriate development is misleading – the school buildings and the leisure centre do not detract from the overall green character
- The report suggests that only a small portion of the Green Belt will be lost but the losses will be on the eastern part of the zone which are substantial and unwanted by local residents
- A52/Coventry Lane does not act as a strong defensible boundary as Bramcote is on both sides of the road. If both sides are developed then Bramcote and Stapleford will merge
- Moor Farm Inn road is a tiny road which does not extend across the entire zone and therefore should not be considered to be a potential boundary
- Purpose of green belt is to give people access to open countryside, provide recreation for urban population, retain attractive landscapes and secure nature conservation interests
- The assessment for 'preserve the setting and character of historic settlements should be higher because of the Hemlock Stone

Application to make the area a Village Green has been submitted to the County Council who are currently considering whether or not it should be accepted for consideration

The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt

Other issues raised will be considered in the Sustainability Appraisal and Infrastructure Development Plan before final decisions on site allocations are made

- Disagree that this is a 'major developed site' as its largely undeveloped parkland
- Incorrect to state that the site has two boundaries with the urban area; Stapleford Hill (local Nature Reserve) is not suitable for development and part of Field Farm adjacent to site unlikely to be developed - Stapleford Hill represents better defensible boundary than railway
- Coventry Lane acts as a defensible barrier to the 'wash' of Green Belt and should not be compromised by further fragmentation
- Already no distinguishable gap between Bramcote and Wollaton – only crematorium that stops Bramcote and Stapleford from merging
- Zone is wholly defensible Green Belt bounded by railway line, Coventry Road, Mayfield Drive and Hemlock Stone Hill

Site Characteristics:

- Topography of the area means it is unsuitable for development
- Scrubland at southern end was (until the demise of the Bramcote Manor Pub) undisturbed open space containing a natural pond
- Wish to keep Bramcote Hills green
- No building should take place on open space along the ridge including any plans for the old golf course

Future Development:

- Building and further development will be inevitable – area not suitable for development
- Balance being tipped in favour of the large developers
- Concern about future development in the area including; open cast mining at Trowell and HS2 construction - will cause blight
- Expansion is far too excessive 125.9ha and will encourage further development in the future. If only 11.9 must be released there is no reason why a 91% excess to comply with natural boundaries
- The area will dramatically change and not for the better – changes all coming at once - will not preserve the setting and special character of the area

Wildlife:

- Development will sever the (already fragmented) wildlife corridor which runs from east and Wollaton Park out to open countryside – important that this is maintained – should be extended towards the old waste disposal site and towards the playing fields at the north and the wood at the south
- Former Golf Course has owls living on it
- Small mature woodland area between the fields and the railway line will be put in danger and should be protected
- Development will lead to increasing number of people and would lead to soil erosion and impact upon the ecosystem at Bramcote Hill/Wood
- Bio diverse plant and animal assembly resource
- Land forms important part of green infrastructure corridor as defined in the ACS policy 16

- Most important wildlife corridor in the area has already been lost (Field Farm)

Heritage:

- Stapleford Hill, the Hemlock Stone and Bramcote Hill are locally important landmarks
- Area contains the hemlock stone – score for heritage too low as a result
- Increasing the number of people who live near the Hemlock stone could increase its likelihood of being damaged by visitors
- Hemlock Stone has been recreation area for centuries
- development would constitute visual intrusion and would impede the restoration of the view point from Bramcote Woods
- Hemlock Stone and Park have been deliberately included so they can be ruled out to show that you've listened to public feedback

Recreation:

- Area is vital and valued community resource (typified by leisure and educational purposes) - important, convenient and easily accessible for wide range of exercise and leisure activities - obesity rates would increase in area developed - important for future generations
- Sports and community college when rebuilt will require the facilities in the area – local football teams should be encouraged to use the facilities
- Running track and open space only such facility in Bramcote - school last open space before the M1- extremely important area for formal and informal recreation and enhances quality of life for users
- Lots of people use the bridal path and the track to Common Lane
- It will be virtually impossible to walk to Bramcote Park from Moor Lane
- School and the leisure centre should work in partnership to maximise the use of the buildings currently on site
- Local play area at the bottom of road has seen better days and equipment not great
- Bramcote has very little open space - it should be preserved at all costs - Provides a tranquil space on the edge of a busy conurbation - Green Lungs enhance physical and mental health of existing residents
- Green Belt originally designated as a recreational resource
- There will be further pressure on the aging leisure centres – what are the plans for this?

Flooding:

- Low lying area provides space for run-off water - development will reduce natural drainage
- Surface water flooding already an issue - field floods in heavy rain and over-runs the lane

Traffic Issues:

- Residential development would increase the traffic on Moor Lane and Arundel Drive to an unacceptable level - current infrastructure can't cope with traffic noise and capacity -health impacts from increased pollution - roads will be impassable would delay emergency vehicles
- Cutting at Moor Lane not suited to more traffic as there are no pavements for pedestrians – Moor Lane is heavily congested at school drop-off and pick-up times – will be made worse
- Children block roads and stop people accessing private drives - more children will make situation worse - recent extension to Bramcote Hills Primary School has made the traffic situation worse
- Egress from Arundel drive has become more hazardous and time consuming - will be used as a rat run and turning circuit for westbound traffic
- Pedestrian access to and from bus stops, despite traffic lights, is dangerous for pedestrians and cars
- Coventry lane acts as a thoroughfare between this side of Broxtowe and the M1 junction 26 and beyond - development between Coventry Lane and Nuthall increased traffic – already too much traffic for size of road
- HS2 and possible re-aligning of M1 will have traffic impacts on area
- Transport links will have to be vastly improved if Green Belt land is to be redesigned

School:

- Need for a new school is a red herring - Green Belt should not be changed purely so that the school can release funds for rebuilding - not a material planning consideration – redevelopment of school supported but should be within existing footprint (sufficient space if lower school demolished) and financed through alternative means – excess land should become formal open space as part of Bramcote Park
- Green Belt boundaries should not be amended unless no other option –not the case in terms of the school playing fields
- School buildings constitute appropriate buildings in the Green Belt - no reasons to change the boundary
- If school can justify building some affordable homes - Green Belt status should be approved in conjunction with this
- Council incompetent – school recently built - now unfit for purpose?
- Proposal to sell land by the White Hills Park Federation harder to manage if boundaries are changed
- Lack of school funding is a transient matter and loss of green space isn't - school would benefit more from being in parkland and green fields than it would from being in the built up area
- Developer of the school wants to build 30 houses which are likely to be retirement houses if the application at the golf course is refused

Other Issues:

- Loss of open feel will be detrimental to existing residents and will adversely affect property values - reason why desirable area to live
- Area includes the canal and footpath to Trowell
- Green Belt review should have taken place prior to the adoption of the Core Strategy - further review required to include cross boarder collaboration
- The adjacent disused golf course should be brought under the control of the council or managed under Trust Status so that footpaths can be installed and grassland and woodland management can be carried out
- None of the zones between Trowell Moor and Toton should be removed from the Green Belt
- Area should be classed as a village green
- Housing allocation targets should be met by currently allocated sites within the ACS part 1 - contingency should be met by encouraging higher density development particularly in sustainable urban settlements – this would prevent the loss of Green Belt and Green Field sites and would encourage provision of more affordable homes
- Green Belt reviews every 2 years – not sufficiently long term
- Concern about noise, dust and disruption from building works taking place (will have an impact on the health of existing residents) - loss of privacy & views for existing residents –visual intrusion - overshadowing will cause damp problems in existing houses
- Increased infrastructure would be required – including additional primary school places as Bramcote Hills is presently at capacity and doctors' surgery
- Future flight path for landing aircraft at EMA is over the area which will increase disturbance for residents
- Why have local football teams stopped using the facilities – this is a community asset
- National government should control population levels and this will solve housing crisis - quality of living should not be compromised by irresponsible actions of individuals
- Radical socialist political change is required to allocate housing to people rather than a market driven demand – cyclical problem that building more houses results in more people
- Building houses in Bramcote will attract middle class buyers who would be able to buy houses anyway – what is needed is social and affordable housing
- Development would impede removal of pollutants from the atmosphere - Greenery in the area acts as a sink for the carbon coming from the A52
- Should preserve areas where food is grown
- Broxtowe is already the most built up borough in the East

<ul style="list-style-type: none"> • Too much jargon in document • Redevelopment of Foxwood and Bramcote Hills Primary schools must be considered in this project –extensively used by these schools for sports facilities • Development or relocation of Bramcote Leisure Centre should be included in the plans • Park & Stapleford Hill are protected anyway and the quarry cannot be built on (filled land) • No clear plans so the public can see what is going to be built. • Recreation, countryside and community are bottom of the list of the Councils priorities • There is no room for development and so should remain in Green Belt • Small field has been left as a token gesture which neither Broxtowe nor Trowell want or can afford to look after • Photograph of the Hemlock Stone is looking over Coventry Lane from Bramcote Park and not from Coventry Lane 	
Alternative boundaries	
<p>Zone 29</p> <ul style="list-style-type: none"> • Disagree that the whole of zone 29 should form part of the Green Infrastructure corridor and that it is unsuitable for development. • Part of zone 29 comprising of the recreational playing fields is relatively underused when compared to the usage of Bramcote Park and the additional land in zone 30 forming the running track and adjoining playing fields • Area has potential for vehicular access from Coventry Lane to the east and pedestrian access to the west from Moor Lane and from the Bramcote Moor estate • The playing fields are relatively flat in topography terms • Whilst detrimental to the wildlife corridor it could be suitable for the relocation of Bramcote school buildings - could enable part of Bramcote ridge currently (inappropriately developed) by Bramcote school buildings to be released back into the ridge as a nature reserve and enable improved continuity of the Green Infrastructure Corridor • Vehicular traffic from the school could approach via Coventry Lane – suggestion that pedestrian only access from Moor Lane easing existing traffic issues and surrounding roads - If access to new school was from Coventry Lane this could also provide access to small development at north of school • Residential properties could be provided on the existing school field accessed off Coventry lane • Zone 29 may have to be sacrificed if development is of high quality – would like retirement complex • Zone 29 could be developed providing that the wooded area and the canal; be kept as a wildlife corridor • Might be acceptable to build houses here but need to see the 	<p>Some think the school should be relocated here (freeing up existing school building area to become part of the park) – other recognise need for housing can be met here</p> <p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>

<p>plans from the developers first</p> <ul style="list-style-type: none"> • Smaller area to the NE of Coventry Lane would be quite sufficient and link better with existing development at outskirts of Wollaton • Southern Green Belt boundary should run at the northern foot of Stapleford Hill/Bramcote Ridge • Part of old playing fields to the north of church could be considered for building with access onto Coventry Lane. Sufficient space should be reserved for posterity to enable the extension of the Green Ridgeway which would allow a continuous footpath along the north of the old golf course (where the hedge is 300+ years old) through to Coventry Lane and the Hemlock Stone • Take school fields which currently have limited use out of the Green Belt and protect balloon wood and old quarry as green belt • There is a need to protect balloon wood and the old quarry but there is the potential in this area to reclassify green belt and still preserve the green space and wildlife corridor 	
<p>Zone 30</p> <ul style="list-style-type: none"> • Agree with removing zones 29 and 30 – a new school is much needed in the area • Agree with removing zone 30 due to the many encroachments – as long as Bramcote Park remains protected • Disagree with the assessment that area south of Bramcote Ridge is unsuitable for housing – modest housing development (to financially assist the school) could be delivered on part of the school football pitches with vehicular access from Coventry Lane • Traffic on Derby road is already saturated and an exit onto the A52 directly or via current housing estate would cause severe problems 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>
<p>Zone 31</p> <ul style="list-style-type: none"> • Development constitutes urban sprawl in an unplanned manner. • The hill is unsuitable to be built on as is the area around the crematorium. • Dispute the assessment of zone 31 and consider it unsuitable for residential development due to its role as a wildlife corridor and buffer for Stapleford Hill LNR • Some of the area NW of Coventry Lane and the crematorium could be excluded from the Green Belt • Zone 31 could deliver housing development which would be preferable to zone 30, this will leave the rebuilding of the Bramcote Leisure Centre an option at zone 30 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>
<p>Zone 32</p> <ul style="list-style-type: none"> • Agree with 'tidying up' the boundary in zone 32 since it doesn't provide a defensible boundary anymore 	<p>The Green Belt review is considered to accurately assess different zones against the purposes of including land in the Green Belt</p> <p>Decisions on site boundaries and allocations will be taken as part of the detailed site allocation process</p>

<p>Previously Developed Land</p> <ul style="list-style-type: none"> • Build on brown belt such as Toton Sidings (but not Toton Bank), the old factories in Stapleford and the industrial units at balloon wood 	<p>Brownfield land is a priority for development but some Green Belt release is still required</p> <p>Note: Toton Sidings and balloon wood industrial units are brownfield but are also in the Green Belt</p>
<p>Reinstate Field Farm back into the Green Belt.</p> <ul style="list-style-type: none"> • This would reverse fragmentation caused last year and would reinforce Green Belt purposes of surrounding area • Area bordered by the railway line to the North, Derby Road to the South, Ilkeston Road to the west and Moor Lane to the east should be protect by Green Belt including Stapleford Hill and Hemlock Stone 	<p>Field Farm is allocated in the Core Strategy</p>
<p>Re-distribute housing to the North of Broxtowe</p> <ul style="list-style-type: none"> • North Broxtowe has far more space and should be redesigned with a boundary change. • Broxtowe should consider areas towards the north of the Borough where there is not the squeeze for land 	<p>Distribution is addressed in the Core Strategy</p>
<p>Brownfield Sites & sites beyond the Green Belt</p> <ul style="list-style-type: none"> • Development should be targeted at brownfield sites, sites beyond the green Belt and sites that are not significant open corridors for wildlife and recreation • Why hasn't more affordable housing been considered as part of the redevelopment of Beeston 	<p>Brownfield land is a priority for development but some Green Belt release is still required</p> <p>Site specific concerns will be considered in the Sustainability process as this review only relates to the Green Belt issues</p>

IN THE MATTER OF:

**AMENDMENTS TO THE GREATER NOTTINGHAM –
BROXTOWE BOROUGH, GEDLING BOROUGH AND
NOTTINGHAM CITY – ALIGNED CORE STRATEGIES**

ADVICE

Introduction

1. I am asked to advise Broxtowe Borough Council ('the Council' or 'Browtowe') with regard to potential revocation or modification of all or parts of its adopted Core Strategy in relation to housing numbers and Green Belt boundary review.

Factual Background

2. The Broxtowe Borough Aligned Core Strategy is part of the new 'Local Plan' which is in the process of production (the Part 2 Local Plan in the form of the Broxtowe Borough Council – Site Allocations and Development Management Policies will follow in due course, consultation on issues and options and Green Belt review having already taken place). The Core Strategy was adopted in September 2014, following examination, and provides the strategic vision for development across the Borough of Broxtowe until 2028. The decision to adopt the Core Strategy was upheld by the High Court in April 2015 ([2015] EWHC 1078 (Admin)).
3. The Core Strategy was developed in co-operation with two neighbouring councils: Nottingham City Council and Gedling Borough Council. They independently adopted

the same Aligned Core Strategy. The three Core Strategies, although identical in content, are separate policy documents and, expressly, are not a Joint Core Strategy.

4. Core Strategy Policy 2: The Spatial Strategy provides for a minimum of 30,550 new homes (2011 to 2028) to be provided with the distribution in Broxtowe as follows:

2011-2028	6,150
2011-2013	200
2013-2018	1,800
2018-2023	2,150
2023-2028	2,000

5. This includes 550 homes at the Boots and Severn Trent site, a Sustainable Urban Extension at Field Farm, north of Stapleton (450 homes), and a strategic location for growth on land east and west of Toton Lane (minimum 500 homes), and approximately 3,995 homes elsewhere, including in or adjoining the Key Settlements of Awsworth (up to 350 homes), Brinsley (up to 150 homes), Eastwood (up to 1,250 homes) and Kimberley (up to 600 homes).
6. Significant employment sites will be located at the Boots & Severn Trent site and at land in the vicinity of the proposed HS2 station in Toton.
7. The justification for Policy 2 explains that the housing numbers are aspirational, but realistic, and have been positively prepared to meet the objectively assessed development and infrastructure requirements of the area. The strategy is one of urban concentration with regeneration (see paragraphs 3.2.1, 3.2.2, 3.2.6 and 3.2.9). Furthermore, delivery of housing is expected to be lower in the early part of the plan period due to the economic downturn, lead in time required for strategic sites and, in some cases, the prior need for infrastructure to be in place (paragraph 3.2.10). Thus the policy seeks to protect the Green Belt from the release of more land than is required (see paragraph 3.2.10).
8. In relation to Broxtowe, the majority of its new housing will be provided within or adjoining the main built up area of Nottingham and by expansion of sustainable

settlements to meet their growing needs whilst at the same time protecting the most strategically significant parts of the Green Belt, especially large open areas between Nottingham and Derby (paragraph 3.2.22 and 3.2.23).

9. It is noted that Broxtowe is preparing a Part 2 Local Plan setting out its approach to meeting the housing figure and the Council has resolved that, where possible, this will take the form of Neighbourhood Plans (paragraph 3.2.25).
10. Core Strategy Policy 3 concerns The Green Belt. It provides (in accordance with the Policies Map) that the inner boundary of the Green Belt is recast to accommodate the allocated Sustainable Urban Extension at Field Farm. Aside from that, the Core Strategy does not itself amend the existing Green Belt boundary.
11. Rather, the review of Green Belt boundaries is left to the Part 2 Local Plans having regard to:
 - (i) A sequential approach (paragraph 2 of the policy); and
 - (ii) Material considerations relating to Green Belt purposes and safeguards (paragraph 3 of the policy).
12. The justification notes that: “Non-Green Belt opportunities to expand the area’s settlements are extremely limited and therefore exceptional circumstances require the boundaries of the Green Belt to be reviewed in order to meet the development requirements of the Aligned Core Strategies and Part 2 Local Plans” (paragraph 3.3.1).
13. The review will take into account the purposes of Green Belt, in particular, the need to prevent coalescence and maintain openness.
14. Aside from the SUE at Field Farm where the Green Belt is amended by the Policies Map, the principle of Green Belt review is accepted at the edge of the main built up area of Nottingham, strategic locations and Key Settlements in Policy 2, as set out above. Some Green Belt releases may also be needed at the other villages to meet local growth needs and there may also be some minor amendments to the Green Belt as a consequence, or for additional defensible boundary reasons (paragraph 3.3.3).

15. The councils will set out their policies on development in the Green Belt in their Part 2 Local Plans (paragraph 3.3.8).
16. On 7 May 2015, there was a change in administration of the Council with the Conservative group taking control from a Labour – Liberal Democrat coalition. I am told that the Conservatives had opposed the adoption of the Core Strategy when in opposition on the grounds of protecting the Green Belt. They now wish to explore the possibility of amending the Core Strategy to prevent any alteration to existing Green Belt boundaries.
17. This desire cannot¹ include removing the Field Farm allocation with its corresponding Green Belt revision in the Core Strategy's Policies Map, since I understand that outline planning permission was granted for these 450 homes in November 2014 (Ref: 11/00758/OUT). If my understanding is incorrect, I would be grateful for clarification.
18. Due to the fact that it is not possible to meet the current objectively assessed housing need without Green Belt boundary change, housing numbers in the Core Strategy for Broxtowe would have to be reduced to avoid Part 2 Local Plans needing to resort to releasing sites from the Green Belt following the sequential approach. Either that, or removing reference to the areas where the principle of Green Belt review is accepted would necessarily result in Part 2 Local Plans being incapable of providing policies that would provide sufficient housing numbers, or at least certainly towards the end of the Core Strategy period.
19. I am asked to advise on the following matters:
- (1) What steps can be taken to revoke a lawfully adopted Core Strategy in whole or in part?

¹ Without serving a revocation notice, which would be potentially very expensive in terms of compensation and, in any event, open to appeal.

- (2) What steps can be taken to amend a lawfully adopted Core Strategy in whole or in part?
- (3) Would the agreement of Nottingham City Council and Gedling Borough Council be needed for revoking or amending the Core Strategy?
- (4) If Broxtowe is able to take steps to revoke / amend –
 - i) What is the likely change of success of such steps in view of the need to meet the duty to co-operate and the tests of soundness and legal compliance (bearing in mind the other councils would contest any reduction in housing numbers in Broxtowe)?
 - ii) What is the effect on Broxtowe's chance of success in resisting appeals for residential and other development both in urban areas and in the Green Belt if sites such as Toton are not available for housing and the Council has no 5-year housing land supply?

Legal Framework

20. Section 25 of the Planning and Compulsory Purchase Act 2004 ('the 2004 Act'), supplemented by Regulation 28 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the 2012 Regulations'), provides that the Secretary of State may at any time revoke a local development document ('LDD') at the request of the local planning authority and may prescribe descriptions of local development documents which may be revoked by the authority themselves.
21. I am not aware that the Secretary of State has directed that local planning authorities may revoke Core Strategies either in whole or in part themselves. Therefore, any invitation to the Secretary of State to revoke a Core Strategy is ultimately subject to the Secretary of State's discretion.
22. A local planning authority may, however, at any time prepare a revision of a LDD in accordance with s. 26 of the 2004 Act. Revisions of LDDs are encouraged as a way of

keeping them up-to-date (see s. 17(6) of the 2004 Act). It is expected that revisions will follow up-to-date surveys of the area and outputs of the Annual Monitoring Report which will look to matters such as whether the authority has failed to meet a target and the reasons for this, whether policies need adjusting or replacing because they are not working, or whether amendments are necessary to reflect changes in national policy.

23. Section 26(3) of the 2004 Act makes clear that Part 2 of the 2004 Act applies to the revision of a LDD in the same way as it applies to the preparation of the document.

24. Thus, any revisions must have regard to:

- (a) National policies and advice contained in guidance issued by the Secretary of State;
- (b) Any other local development document which has been adopted by the authority;
- (c) The resources likely to be available for implementing the proposals in the document (s. 19(2) of the 2004 Act).

25. The council must comply with its statement of community involvement (s. 19(3)) and must also carry out a Sustainability Appraisal and report (s. 19(4)). The revisions must be submitted to the Secretary of State for independent examination who will determine whether the revisions:

- (i) Satisfy the legal requirements relating to the preparation of the revisions;
- (ii) Are sound; and
- (iii) Whether the local planning authority has complied with its duty to co-operate under s. 33A of the 2004 Act (see s. 20 of the 2004 Act).

26. The Council will be familiar with the ensuing potential for the revisions to be rejected by the Inspector, or main modifications proposed, or the revisions to be found sound, and then adopted.

Issues 1 & 2: Steps to Revoke or Amend

27. As can be seen from the legal framework above, it is open to the Council to invite the Secretary of State to revoke the Core Strategy in full. The decision as to whether to do

this ultimately lies with the Secretary of State, although the Secretary of State would need good reasons not to follow the Council's request. Although there is no express provision in the 2004 Act for the Secretary of State to revoke parts of a LDD, I consider that, as a matter of statutory interpretation, the Secretary of State's power includes revoking any part of the LDD.

28. In the absence of a replacement plan or change in national policy, the Secretary of State would have good reasons not to accept an invitation to revoke Broxtowe's Core Strategy in full, in my view. The Secretary of State's general policy, as set out in the NPPF and recently reiterated in the Ministerial Statement, is for Local Planning Authorities to contribute to the achievement of sustainable development by having in place adopted, up to date plans. Acceding to such a request would leave the Council without any adopted plan in place at all. Moreover, it is reasonable to expect that strong representations would be made to the Secretary of State by neighbouring authorities and affected landowners/developers. Whilst, ultimately, the decision would be a political one for the Secretary of State, I would expect him to be advised against such a course in the strongest possible terms by his civil servants, who would doubtless be extremely concerned, not only about the implications for the Greater Nottingham area, but also for other parts of the country if a precedent were to be established in these circumstances. Many towns and cities across the country are surrounded by Green Belts and face similar pressures to the Nottingham area. Notwithstanding the commitment of the Government to the Green Belt, there are also policy commitments to national development plan coverage and sustainable development. A failed attempt at revocation, moreover, could prejudice the Council's chances of successfully achieving amendments to the plan, the process for which I now turn to consider.

29. The preferable way to seek to respond to changes of circumstances would be to prepare amendments to the Core Strategy. The 2004 Act does not set down any limits as to what can be amended and the reasons for such amendments – the limitation is in the independent examination and the need for soundness, as well as the accompanying statutory duties, including SA/SEA and the duty to co-operate.

30. The now revoked Planning Policy Statement 12: A Companion Guide (promulgated in a pre-NPPF and pre-duty to co-operate context) contained a useful section on revising LDFs. Revisions can take the form of full revisions to the Core Strategy involving re-appraising its spatial vision, spatial objectives and policies, or partial revisions (e.g. annual monitoring reports should be used to identify any changes required if a policy or set of policies is not working, if targets (e.g. housing completions) are being missed etc.).
31. Paragraph 11.2 of the Companion Guide set out that the overall aims in revising documents contained in the LDF should be to:
- a) ensure consistency with national policy and general conformity with regional planning policy, and integration with other strategies and initiatives;
 - b) enhance the internal consistency of the local development framework;
 - c) follow up monitoring of progress with implementation; and
 - d) respond to unforeseen changes in circumstances or opportunities.
32. As far as I can glean, the sole basis upon which Members wish to revise the Core Strategy is the policy of the new Administration, and not because there has been any change in national policy or outputs from monitoring.
33. Given that any proposed revisions would need to be to the Spatial Strategy itself, as well as to the Green Belt policy, I consider they would constitute a full revision which would go to the heart of the whole document (rather than minor amendment to the wording of certain policies to improve internal consistency or update figures etc.).
34. In preparing a revision, the Council will need to go through the same (time consuming and expensive) process of preparation, including independent examination, as they did when preparing the original policy. As I set out below, it would be necessary to update the evidence-base which informed the adopted Core Strategy, particularly if lower housing numbers are contemplated in the revision.

Issue 2: Agreement of the Other Councils

35. Since each council adopted their own Core Strategy independently (albeit aligned), and this is expressly not a Joint Core Strategy, there is no formal requirement of agreement as a precedent to revisions (or, indeed, an invitation to revoke).
36. However, as those Instructing are aware, in examining the revisions, the Inspector is bound to consider whether the Council has complied with its duty to co-operate under s. 33A of the 2004 Act. A failure to comply with that duty renders the whole revision process unsound and cannot be saved by main modifications. Thus, the Council must engage constructively, actively and on an ongoing basis with its neighbours in the preparation of substantial revisions to the Core Strategy. Co-operation does not necessarily require agreement, but it does require consultation and a willingness to respond to others' views.

Issue 3: Likelihood of Revisions being found Sound

37. As set out above, it appears that to achieve internal consistency within any revised Core Strategy, the only way to remove the acceptability of Part 2 Plans reviewing Green Belt boundaries at strategic locations such as Toton etc. would be to reduce overall housing numbers relating to Broxtowe (due to the lack of sufficient available land outside the Green Belt, notwithstanding the hierarchical approach).
38. It would not be possible to increase housing targets in the neighbouring councils without them also revising their Core Strategies. This itself would cause difficulties because a reduction in Broxtowe's housing numbers would have the knock-on impact of reducing the overall housing figure across the three councils. That reduction would not, however, be carried through into the other adopted Core Strategies (Nottingham's and Gedling's), in the absence of them also proposing revisions.
39. Furthermore, at present, there is no evidential basis for reducing housing numbers. There has been no study (which would need to be across the Housing Market Area) to show that the objectively assessed need figure – found to be sound in 2014 – was too high.

40. The exceptional circumstances which were found to justify the approach of limited incursions into the Green Belt consisted of the need to fulfil the objectively assessed housing need (in accordance with NPPF [14]), the lack of available non-Green Belt sites, and that the hierarchical approach and strategic sites selected represented sustainable development (in accordance with NPPF [84]). There is nothing at present to suggest that any of those circumstances have changed and thus I do not see how it could be argued that there is any sound basis for changing either the objectively assessed housing need figure or the approach to meeting that need.
41. If the Council were able to show that there was a more sustainable site, or sites, to deliver the objectively assessed housing need than all or some of those currently listed in Policy 2 of the Core Strategy (either outside or within a less sensitive area of the Green Belt), then I would foresee a greater prospect of successfully putting forward revisions. Promoting any such revisions would, of course, equally involve going through the processes of complying with the duty to co-operate, sustainability appraisal, consultation, examination etc.
42. Another option I have considered is whether the council could simply not bring forward their Part 2 Local Plans, or bring forward Part 2 Plans which do not contain revisions to the Green Belt boundary.
43. As set out above, the Core Strategy itself only amends the Green Belt boundary in relation to Field Farm. All other amendments are left until a later stage. There was some discussion in the course of the High Court challenge as to whether exceptional circumstances would need to be demonstrated at the later stage or whether it would be sufficient for the council to rely on the indications given in the Core Strategy as to the acceptability of future revisions. We submitted that there was flexibility to review exceptional circumstances at a later date, which was acknowledged by the Inspector at IR [80] who had said that the plan is “identifying only broad locations for growth, is giving only approximate, “up to” figures for new housing in the settlements, and is committed to a full review of Green Belt boundary changes in Part 2 Local Plans”.
44. The Part 2 Local Plan preparation, whether that be by way of Neighbourhood Plans or otherwise, will need to have regard to the Core Strategy (in accordance with s. 19(2))

of the 2004 Act). However, in my opinion, there is flexibility and the exceptional circumstances for Green Belt release will need to be reassessed in detail at that stage. Therefore, although it may not remove the need for some incursion into the Green Belt (due to the need to meet overall housing targets), the new Administration has a fair degree of scope in refining where housing goes, at what scale and at what point in time, subject to the matters dealt with in the next section of this Advice.

Issue 4: Development Management Decisions

45. Failure to bring in a Green Belt boundary review at all by way of Part 2 Local Plans or otherwise would, in my view, cause long-term development management difficulties.
46. Developers would be likely to argue that the Council's policy failure constitutes 'very special circumstances' weighing in favour of development in the Green Belt. Paragraph 88 of the NPPF does not limit the meaning of 'very special circumstances' (it refers simply to harm being "clearly outweighed by other considerations"). I consider that circumstances where such development is clearly envisaged in the Core Strategy and is necessary to meet the housing need could properly constitute 'very special circumstances' in an individual case. Moreover, I consider that there is a serious risk of such findings, more particularly by planning inspectors than the Secretary of State, but, even in the latter case, there would be a significant risk.
47. Furthermore, if the Council is unable to demonstrate a five-year supply of deliverable housing sites, any relevant policies will not be considered up-to-date and applications will be considered on the basis of the presumption in favour of sustainable development (NPPF [49], albeit that NPPF [14] does not apply in the case of Green Belt). This could cause a piece-meal approach to developing the Green Belt which is less sustainable than the plan-led approach and may well also result in considerable expenditure to the Council in unsuccessfully (and, potentially, unreasonably) resisting appeals.
48. If the Council is successful in amending the Core Strategy, then I consider this will be dependent on the housing land supply tallying with the overall housing need for

Broxtowe (for the reasons set out above) and, in those circumstances, the policy should ‘work’ for making development-control decisions.

49. If the Core Strategy is revoked in full or in part by the Secretary of State, however, then the Council will operate in a local policy vacuum insofar as this issue is concerned until a replacement Core Strategy / Local Plan is adopted and decision-makers will only be able to consider national policy and other material considerations. The concerns regarding a piece-meal approach set out in relation to a failure to bring forward the Part 2 Local Plans would apply .

Conclusion

50. In summary:

- (i) it is possible for the Secretary of State to revoke the Core Strategy (or parts of the Core Strategy), following the Council’s invitation, but the Secretary of State is not obliged to do so and I consider it unlikely that he would;
- (ii) the Council can progress amendments to their Core Strategy at any time, but any amendments will be subject to the same duties, material considerations and examination for soundness as the original plan itself;
- (iii) there is no requirement for the Council to agree to progressing amendments (or inviting revocation) with Nottingham City Council and Gedling Borough Council, but, if the Council is amending the Core Strategy, it will need to comply with the duty to co-operate, engage actively and constructively with the other authorities and satisfy the examining inspector that they have done so;
- (iv) absent a revised evidence base to support a lower objectively assessed housing need for Broxtowe, I do not consider that there is any sound basis for revising the exceptional circumstances that were found sound by the Inspector for Green Belt review;

- (v) it may be possible to progress amendments to the sites which are suitable for Green Belt release (and at what scale, and when), following sustainability appraisal, either as an amendment to the Core Strategy and / or through refinement in Part 2 Local Plans;
- (vi) failure to progress Green Belt boundary review through Part 2 Local Plans will risk causing a piece-meal approach to development control decisions with the potential for ‘very special circumstances’ being found and developments being granted planning permission on appeal in the Green Belt.

51. Overall, having adopted a sound Core Strategy relatively recently which is based on a sound, up-to-date evidence base and there being no material changes in national policy, I consider the council will face a real uphill struggle should they seek to persuade an independent inspector that reducing the objectively assessed housing need for Broxtowe and / or removing the acceptability of the principle of reviewing Green Belt boundaries in the Core Strategy is sound.

52. If the current administration is unhappy with the prospect of Green Belt release, it should look to the hierarchical approach, which already finds form in Core Strategy Policy 3 (paragraph 2), and progress Part 2 Local Plans with that in mind and with an eye to limiting harm to the existing Green Belt by taking into account the considerations in paragraph 3 of Policy 3.

53. If I can be of any further assistance, Instructing Solicitor should not hesitate to contact me in Chambers.

MORAG ELLIS QC

FRANCIS TAYLOR BUILDING

INNER TEMPLE

EC4Y 7BY

31st July 2015

IN THE MATTER OF:

**AMENDMENTS TO THE GREATER
NOTTINGHAM –
BROXTOWE BOROUGH, GEDLING
BOROUGH AND
NOTTINGHAM CITY – ALIGNED CORE
STRATEGIES**

ADVICE

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Ref: PH/ACS

Report of the Director of Housing, Leisure and Property Services

HOMELESSNESS DUTY DISCHARGE INTO THE PRIVATE RENTED SECTOR POLICY1. Purpose of report

The purpose of this report is to provide details of the Council's proposed policy of discharging the Authority's homelessness duty into the private sector in accordance with the Localism Act 2011.

2. Background

The Localism Act 2011 has made significant changes to the way in which local authorities can deal with homelessness applications under Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002. These changes mean that people who apply as homeless to the Council can no longer refuse an offer of private rented accommodation in favour of a social rented tenancy.

In order to make use of the powers, a policy for discharging the Council's homelessness duty into the private rented sector has been developed which sets out the procedural arrangements for discharging the homeless duty.

3. Summary

The policy on discharging the Council's homeless duty into the private rented sector is attached as the appendix. Having the ability to discharge the Council's homelessness duty in the private sector will provide the Council with more accommodation options to offer to a household to whom a homelessness duty has been accepted. This should result in homeless families and households not having to be housed into temporary accommodation.

4. Financial implications

There are no financial implications arising from adopting the policy.

Recommendation

Cabinet is asked to RESOLVE that the policy allowing the Council to discharge its homelessness duty by offering accommodation in the private rented sector, be approved.

Background papers

Nil



Discharge of Homelessness Duty into the Private Rented Sector Policy

September 2015

1. Introduction

- 1.1 Under existing legislation (principally the Housing Act 1996, as amended by the Homelessness Act 2002) local housing authorities are broadly able to discharge their homeless duties (following the Authority accepting someone as statutorily homeless) through securing suitable, available accommodation for the household (s.193 of the Act); this is usually taken to be social housing.
- 1.2 An offer of private rented accommodation can be made, usually through a 'qualifying offer' (with the consent of the applicant). An offer of suitable private rented property can also be made in order to prevent homelessness, for applicants that are threatened with homelessness within 28 days (using s.195 of the Act).
- 1.3 The Localism Act 2011 (sections 148 and 149) has amended the 1996 Housing Act, and new statutory regulations have been produced. These provide a new power that allows suitable 'Private Sector Offers' to be used to end the main homelessness duty, without requiring the applicant's agreement. This applies to new homeless applicants applying as homeless from the 9 November 2012. The regulations require local authorities to take a number of matters into account in determining the suitability of accommodation.
- 1.4 These changes are part of the Government's wider social housing reforms. They seek to give greater freedoms to local authorities to make better use of good quality private sector accommodation that can provide suitable accommodation for households accepted as homeless. The Government considers that allowing people owed the main homelessness duty to turn down offers of suitable accommodation in the private rented sector and wait for an offer of social housing, was unfair to other households on the housing register who would have to wait longer, and to the taxpayer who is funding expensive temporary accommodation.
- 1.5 This approach gives local housing authorities greater opportunity to use the private rented sector to satisfy housing needs. This should reduce the Council's need to use temporary accommodation. It has long been recognised that placing families in short term temporary accommodation, especially Bed and Breakfast style accommodation, can be very detrimental to all members of the household concerned.

2. Private Sector Rental Housing Offers of Accommodation

- 2.1 The use of Private Sector Rental (PSR) offers allows local authorities to develop clear policies on the use of these, and to consider the individual circumstances of each household when deciding whether or not to apply this option.
- 2.2 The term of an Assured Shorthold Tenancy must be for at least 12 months. If an applicant becomes unintentionally homeless within two years of the tenancy start date, a new 'Reapplication Duty' applies. This is regardless of their Priority Need, although they must remain eligible and be homeless unintentionally.

- 2.3 This duty provides more of a 'safety net' for such applicants for this two year period. This does not have to be a re-application to the same authority nor from the same property. So Broxtowe is likely to receive re-applications and be obliged to carry out the associated checks regardless (although the local connection provisions have also been amended).
- 2.4 In making decisions, Broxtowe Borough Council shall have regard to the prevailing housing supply and demand pressures in the local area. The existing requirement for local authorities, as far as reasonably practicable, to secure accommodation in their own district remains, thereby helping applicants to retain established links to schools, doctors, social workers, key services and support.

Accommodation must now only be suitable. The previous requirement that it was also 'reasonable to accept' has now been removed (unless applicants have specific contractual obligations otherwise). This is a shift to checking issues before an offer, rather than addressing reasons for refusal after it. 'Suitability' in the Order is in two parts.

The first concerns location, and the second relates to property condition and management. The affordability of accommodation must also be taken into account. There are rights of review on suitability and appeal to the County Court.

3. Broxtowe Borough Council Approach

- 3.1 Broxtowe Borough Council will consider a 'Private Sector Offer' (PSO) to end the main homelessness duty in all cases. If a Homeless Prevention Officer considers that a 'Private Sector Offer' is appropriate to the needs of the applicant, and if suitable accommodation can be secured, then such an offer will routinely be made. This will usually be made as a direct offer.
- 3.2 The Homelessness Service will no longer give any guarantee that homeless households will receive an offer of social housing. This supports the current approaches to prevent homelessness wherever possible, and to encourage applicants to apply for housing through the housing register (part 6) route, rather than through the homelessness (part 7) route.
- 3.3 In considering the individual circumstances of each household, when deciding whether to make a PSO, officers will consider the following guidance:
- The Council will consider the affordability of the accommodation, having regard to Housing Benefit/Local Housing Allowance rates and the overall Benefit Cap that could be applied to the household. This means that this measure is unlikely to be used often for single persons under 35 years of age (as the single room rent could apply). The Benefit Cap may also make a PSO inappropriate on the grounds of cost, for larger families.
- 3.4 The Council will try to secure two year agreements with landlords, where possible.

4. Suitable Accommodation

- 4.1 Broxtowe Borough Council will always seek to offer private sector accommodation within the district, except:
- When it considers it beneficial to move the applicant/household out of the district, for example, to reduce the risk of domestic violence, other violence, or harassment; or to assist persons in breaking away from detrimental situations, such as drug or alcohol abuse; or
 - When the applicant consents to move away from Broxtowe; or
 - When a person has very limited/no local connection to Broxtowe (for example, they may have approached having fled violence from another area).
- 4.2 Therefore, unless any of the following three considerations apply (as set out below) then where suitable accommodation is not available within Broxtowe, private sector offers will be made in other areas in towns and cities which have reasonable facilities and transport links.
- 4.3 In determining whether a location is suitable, Broxtowe Borough Council will consider:
- If the applicant (or their partner) are in employment (usually taken to be at least 16/24 hours per week); if they are, then the location must be within a reasonable travel to work area of that employment, and have transport links frequent enough to enable this
 - If the applicant is verified as the carer for another person, who cannot readily withdraw this care without serious detriment to the well-being of the other party, then the location will need to be of sufficient proximity to enable this, although this may require public transport; although sometimes inconvenient it is not always unreasonable to rely on public transport
 - If any members of the household are undertaking GCSEs at school (Years 10 & 11 – children aged 14 to 16), or other proven vital examination, then they should not be required to change schools.
- 4.4 If the applicant or any member of the household requires specialist medical treatment or support, which can only be provided in Broxtowe, then the location will need to be of sufficient proximity to enable this, although this may require public transport. Broxtowe Borough Council will also have regard to other medical treatment or support required by the applicant or any member of the household, and where health professionals consider that it will be disruptive or detrimental to change provider or location.
- 4.5 Regardless of location, Broxtowe Borough Council will seek to offer accommodation that is reasonably accessible to local services and amenities, especially for persons on low incomes, and those with a need to rely on public transport.

5. Accommodation Not Suitable?

5.1 Broxtowe Borough Council officers will either:

- Inspect all PSR accommodation before it is offered, or
- Request another local authority or agent to undertake an inspection on its behalf (usually for out-of-area properties).

Inspections will be documented to record condition (using the HHSRS approach) and to ensure consistent quality.

5.2 Any moveable electrical items in the property will require a Portable Appliance Test (PAT) within the last year, with a suitable indication of this usually expected to be identifiable on the inspection on the appliances plug. Lettings will not commence until a valid electrical safety certificate has been provided.

5.3 Where the local housing authority are of the view that any electrical equipment does not meet the requirements of the Electrical Equipment (Safety) Regulations 1994 the landlord will be requested to remove or upgrade the equipment to conform with current regulations.

5.4 The inspection of the property will check that it is fire safe. Working smoke detectors are expected to be provided (battery or mains) in all accommodation. Should additional fire safety provisions be expected, for example, where a building has common parts, then a copy of the Fire Risk Assessment will be required from the Landlord. If required, expert assistance will be sought from the Council's Private Sector Housing team.

5.5 All furniture and furnishings supplied by the landlord must also be shown to comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended).

5.6 If the property has an active gas supply (for heating or cooking) then should a recent carbon monoxide detector not be provided by the landlord, Broxtowe Borough Council will instruct the landlord to have a detector installed.

5.7 If the property has a gas supply, then all landlords/agents will be asked to supply a current Gas Safety Certificate. Lettings will not be started until the Council has receipt of a copy of this.

5.8 Any landlord or agent used is not deemed a 'fit and proper' landlord, from the records that they hold.

5.9 Houses in Multiple Occupation (HMO) properties are not expected to be used for PSOs. Where they are, Private Sector Housing will be contacted to ensure that the property is properly licensed and compliant.

5.10 All landlords/agents will be asked to supply a valid Assured Shorthold Tenancy (AST) agreement, Officers will ensure that an acceptable, written AST is used,

clearly setting out the tenants and landlords obligations, rent and charges, and is free from any unfair or unreasonable terms.

- 5.11 Landlords will also be informed of the requirements to use Tenancy Deposit Schemes by officers prior to sign-ups if the landlord is not utilising the Council's Deposit Guarantee Scheme.

Document Version Management

Version	Status	Date	Author/Edit	Details of changes
V1.0	Draft	24 August 2015	C Eyre	Initial draft
V1.1	Draft 2	2 September 2015	C Eyre	Format changes
V1.2	Final Draft	14 September 2015	L Pepper	Format/content changes

Report of the Director of Housing, Leisure and Property Service

HOUSING SERVICES ANNUAL REPORT 2014/151. Purpose of report

To seek Cabinet approval for the Housing Service Annual Report. This is a regulatory requirement of the Homes & Communities Agency.

2. Background

The Homes and Communities Agency (HCA) is responsible for the regulation of social housing. The regulatory framework for social housing in England from April 2012 sets out a number of standards that registered providers are expected to meet. The consumer standards apply to all registered providers, including local authorities.

A specific expectation of the Tenant Involvement and Empowerment standard is the provision of timely and relevant performance information to support effective scrutiny by tenants of their landlord's performance in a form which registered providers seek to agree with their tenants. Such provision must include the publication of an annual report which should include information on repairs and maintenance budgets. Another specific expectation is that registered providers shall publish information about complaints each year, including their number and nature, and the outcome of the complaints.

Apart from these two specific expectations there is no guidance on what should be included in the report. The Editorial Panel and Resident Involvement Group have both been involved with selecting information that tenants would want to see in their report and have had an input into the design and format. Both groups have signed off the report and are happy that it contains useful and relevant information. This report is circulated separately with the agenda papers.

3. Detail

The annual report provides tenants with information against the four consumer standards as set out in the HCA's regulatory framework. It details performance against these standards, achievements and plans for 2015-16. The four consumer standards cover Tenant Involvement and Empowerment; Homes; Neighbourhood and Community; and Tenancy.

4. Financial implications

There are no financial implications arising from the report.

Recommendation

Cabinet is asked to RESOLVE that the Housing Services Annual Report 2014/15 as set out in the appendix be approved.

Background papers

Nil

Report of the Director of Housing, Leisure and Property Services

SOCIAL LETTING AGENCY1. Purpose of report

The purpose of this report is to update Cabinet on the development of a private rented sector access scheme and which has been piloted by the Council's Housing Allocations and Options team since January 2015 and to outline draft proposals for developing this into a Social Letting Agency.

2. Background

Broxtowe Borough Council faces a difficult few years where demand for housing continues to increase whilst supply will become more difficult. Changes to housing benefit and economic social uncertainty have compounded the imbalance in supply and demand across all housing tenure. Since August 2013 the Council has developed a private rented sector) access scheme. This was established to enable home seekers who are on the Council's housing register but who may struggle to afford private sector agency registration fees, to access properties available to let in the private sector. In addition the scheme provides landlords with a management service which deals with the day to day management of rental property, taking care of all the maintenance issues throughout the tenancy in addition to providing a tenant finding service.

3. Summary

Details of the PRS access scheme and the proposed outline to develop it into a Social Lettings Agency can be found in appendix 1. The key objectives are to ensure that the supply of affordable rented properties extends beyond the social rented sector and to work with private sector landlords to provide a full lettings service.

4. Financial implications

Initial projections have indicated that the proposed Social Lettings Agency may be viable on the basis of the success of private lettings to date but a full business case is required to assess the detailed cost implications. The maintenance of the existing private lettings arrangements and the development of the proposal will require the extension of an existing post, to the value of £12,833 in this financial year and £25,666 over a full year. The costs will be included within the 2015/16 revised estimates and the 2016/17 budget figures.

Recommendation

Cabinet is asked to RESOLVE to:

- 1. Extend the post of Private Sector Liaison Officer for one Year to 30 September 2016 to maintain the private rented sector access scheme.**
- 2. Delegate responsibility to the Director Housing, Leisure and Property Service to develop a full business case for the proposed Social Lettings Agency.**

Background papers

Nil

APPENDIX 1

Home Lets Social Lettings Agency**1 Introduction**

- 1.1 The Council prevents around 450 households a year from becoming homeless, and takes housing applications from another 1,680 households a year. Government statistics show that approximately 19% of homelessness cases were as a result of households being unable to find alternative accommodation when their tenancy ended.
- 1.2 Anyone being served with a notice to quit is entitled to make a homeless application and qualify, if they met the criteria, to be placed in band 2 under the Broxtowe Borough Council's choice based lettings scheme.
- 1.3 This is despite there being suitable private rented accommodation available to address their needs.
- 1.4 Until recently it has been legally acceptable for a household that is homeless to refuse private rented accommodation, even though they were previously living in private rented accommodation, because they wished to wait for social housing. This can result in a slow turnover of homeless households being accommodated in temporary accommodation, as it can take 6 months or more to secure social housing when placed in band 2.
- 1.5 The Localism Act 2011 gives Councils the power to discharge their full homeless duty by making an offer of private rented accommodation, provided it is for at least 12 months, and fulfils a specific criterion that makes the offer of accommodation suitable, regardless of the applicants' wishes to be housed in social housing. The homeless legislation was always considered to be a safety net, and not the means for accessing social housing. A separate report on the discharge of the homeless duty is included elsewhere on the agenda.
- 1.6 Private sector accommodation is difficult to source through local letting agents, who often refuse to accommodate homeless households or those on low incomes on the grounds that their landlords will not accept tenants in receipt of housing benefit.
- 1.7 Some letting agents' cost of registration can be prohibitive for those seeking accommodation.
- 1.8 The development of a Social Letting Agency Scheme (SLA) will help to increase the availability of private sector housing to those who are homeless or at risk of homelessness or for home seekers who apply to the Council for housing to have increased housing options through accessing the private sector.

2 Detail

- 2.1 In October 2010 the 'First Lets', a joint venture with Rushcliffe and Gedling Borough Council, was suspended due to funding issues.
- 2.2 The 'direction of travel' for the First Lets project was working towards promoting private rented property as a viable option for those seeking housing. Links with a number of private landlords had been formed and the project was naturally moving towards the development of Social Lettings Agency (SLA).
- 2.3 In August 2013 Broxtowe Borough Council recruited a Private Sector Liaison Officer with the objective of resurrecting the aims and objectives of the First Lets project under a brand name of Home Lets.
- 2.4 Home Lets developed into a private rented access scheme in which applicants on the Council's housing register could access the private rented sector through the Council.
- 2.5 By April 2015 Home Lets had secured the commitment of 44 private sector landlords who wished to work with the Council and make available their properties to let to people from the Council's housing register. A further 91 landlords have expressed interest in working with the Council's Home Lets team.
- 2.6 This has resulted in 211 households obtaining tenancies in the private sector through Home Lets.
- 2.7 The current portfolio of properties that are available to the Council from the private sector consists of:
 - 8 shared houses with 34 rooms
 - 29 x 1 bedroom properties
 - 27 x 2 bedroom properties
 - 10 x 3 bedroom properties.

3 Property Management

- 3.1 30 private sector landlords have made requests for a property management service and they have indicated that they would be willing to pay for the service if this was provided by Home Lets. Should the additional numbers of landlords who have expressed interest in working with the Home Let's team be converted into clients of the Social Letting Agency then a viable business case for the service can be developed.
- 3.2 A commercial assessment of property management services found that typically the high street management agencies charge around 12% of the monthly rental income to manage a private let.
- 3.3 A competitive price package that allows landlords to buy into a service package, Bronze, Silver or Gold or a simple 'pay as you' go option allowing landlords to

pick an element of the property management service depending on individual requirements.

- Advertising properties
- Tenant finding, undertaking assessments of tenant's needs to ensure suitability for private rented properties
- Support for both landlord and tenants to ensure a successful landlord/tenant relationship
- Carry out affordability assessments and support with housing benefit claims
- Complete the tenancy agreements
- Complete the inventories
- Carry out tenancy inspections
- Discounted rates apply to landlords who sign up for a Silver and Gold service.

3.6 The actual charges that can be applied and the range of services that can be offered will be subject to the Council's position as a Local Authority and its trading powers under the Localism Act 2011. A consideration of this issue needs to be included in the development of the full business case for the proposed agency, including detailed assessment of other potential costs, such as insurances and indemnities, business costs, marketing and advertising and other overheads as well as detailed projections of income.

3.7 A provisional tariff is shown overleaf which is based on a subsidised service. A more detailed analysis of potential market rates will be included in the business case

Home Lets Pricing Schedule 2015-16 (Provisional)

	Pay As You Go	Bronze Service £250	Silver Service £370 per tenancy	Gold Service £550 per tenancy/Year
Rental Advice and Assistance	Free			
Property Advertising	£23.00			
Tenant Finder	£12.50			
Housing Applicant Check	£18.75			
HHSRS inspection	£77.00			
Accompanied viewing (per viewing)	£28.00			
Enhanced Reference and Identity Checks	£48.00			
Tenancy Agreement Administration (Sign Up)	£52.00			
Utility and Council Tax Notification	£12.50			
New Tenant Visit (within 6 weeks TCD)	£28.00			
Photographic and written inventory unfurnished	£52.50 unfurnished			
Photographic and written inventory furnished	£87.50 furnished			
Tenancy Deposit administration including "Prescribed Information"	£40.00			
Tenancy Agreement continue administration (1 renewal per year)	£12.50			
Tenant enquiries (up to approximately 1 hour talk time)	£28.00			
Mid-term tenant visit	£26.00			
Pre termination visit	£48.00			
Letter of non-conformance to tenants	£28.00			
Issue of section 21 notices where/when appropriate	£50.00			
Issue of section 8 notices where/when appropriate	£50.00			
Key Minding Service	£28.00			
Void Property Inspection	£76.00			
Void Property Management	Price upon request			
Property Cleaning	Price upon request			
Maintenance inspection	37.5			

Electrical Periodic inspections (NICEIC)	140			
Minor repairs during tenancy.	£22/hour			
Gas certificate up to 3 appliances	120			
Electrical Safety Certificate	120			
Electrical Repairs	£45/hour			
EPC survey and certificate	£82 2/3 bed house			
	£90 4 bed house			
	£100 5 bed house			
General plumbing work	£45/hour			
Handyman with a toolbox	£25/hour or £120/day			
Handyman with a spade	£25/hour or £120/day			
Property Clearance	1 yd3 + 10 mins loading and sweep £84			
	2yd3 + 15 mins loading and sweep £108			
	4yd3 + 20 mins loading and sweep £150			
	7yd3 +30 mins loading and sweep £216			
	10yd3 + 45 mins loading and sweep			
	£276			
	14yd3 + 60 mins loading and sweep			
	£348			
24 Hour Emergency (make safe, disconnection) Out of Hours Service	£60 call out (1 Hour) £45 (hour 2+)			
Lock Change	£ varied			

4. Service Level Agreement

4.1 A service level agreement (SLA) in the form of a contract between the landlord and the Council will also help to generate confidence amongst landlords in accepting tenants on housing benefit.

4.2 The main features of the SLA will be;

- Accommodation will be let to an applicant who is on the Council's housing register
- The minimum a property will be let is 6 months
- The Council provides an element of housing management to the tenants, and appropriate levels of support are provided in accordance with identified need
- Each property managed by the Council will generate revenue capable of covering the costs associated with managing the property, as outlined in the pricing schedule.
- The SLA will not cover the cost of property damage as a result of a tenant's actions or responsibilities in relation to their tenancy agreement.
- The exception to this will be where a tenant has been approved for the Council's Deposit Guarantee Scheme. The amount of any claim will be limited to the amount stated in each individual deposit guarantee agreement.
- The SLA will not cover for the loss of rent should the tenant default on their commitment to pay the rent.
- The exception to this will be where a tenant has been approved for the Council's Deposit Guarantee Scheme. The amount of any claim will be limited to the amount stated in each individual deposit guarantee agreement.

4.3 Private landlords will enter into a contract with the Council similar to that of a high street property management agency.

APPENDIX 2**Financial Implications**

Table 1 sets out the estimated income the post is expected to generate in year 1 of the proposed property management service.

In terms of expenditure the financial implications are set out and identified by recruiting to the permanent post of Private Sector Liaison Officer Grade 5.

Finally the non-cashable savings that are achieved by the ability to prevent homelessness and find accommodation in the private sector can be identified as the amount of resources that would have been required had this not been possible.

The report adopts the position statement of the Shelter and Acclaim Consulting 2010 report, Value for money in housing options and homelessness services, which identifies through benchmarking local authorities the cost of preventing households from becoming homeless in comparison to the cost of a homeless acceptance.

1. Cost of a successful prevention: £826
2. Cost of administration of a homelessness acceptance (+ temporary accommodation management): £2,112

Adopting this position it is estimated that the Council produces a non-cashable saving of £1,286 per household who are prevented from becoming homeless and where the Council have secured accommodation in the private rented sector.

All income, expenditure and savings are associated with the general fund.

Income	Price Schedule Annual Income £	Number of registered interests (approximate)	Annual Income £
Gold service	550.00	25	13,750.00
Silver service	370.00	10	3,700.00
Bronze service	250.00	5	1,250.00
Pay as you go	12.50	40	500.00
Total Income			(19,200.00)
*Pay as you go estimate based on minimum service cost			
Expenditure			
Salary grade			20,099.00
plus			
Employers NI contribution	8.00%		1,608.00
Employers Superannuation contribution	19.70%		3,960.00
Total employee costs			25,666.00
Net Income/Expenditure			6,466.00
Non-Cashable Savings		£	
Expected number of tenancies secured in the private sector	135	1,286.00	(173,610)

Report of the Director of Housing, Leisure and Property Services

SOLAR PANEL PROPOSALS FOR RETIREMENT LIVING SCHEMES1. Purpose of report

To advise members of proposals to install solar panels at a number of the Council's retirement living schemes and to seek appropriate delegated powers.

2. Background

Government recently started consulting on proposals which would see the present feed-in tariffs (FIT) significantly reduced or even abolished (for new schemes) from January 2016. These changes would increase the pay-back period from around 3-5 years to over 15 years.

To pre-empt this deadline, and using existing approved HRA budgets (central heating and energy efficiency), it is proposed to install solar panels at a number of retirement living schemes in the Borough. Previous proposals for a more widespread scheme across the Borough have had to be deferred as the deadline is now too tight to achieve delivery before the FIT reductions.

3. Proposals

It is proposed to install solar panels at 4 retirement living schemes at a cost of up to £200,000:

- Cloverlands Court, Watnall
- Greenwood Court, Chilwell
- Lombardy Lodge, Toton
- The Spinney, Nuthall.

The Council would keep both the FIT and the communal area electricity bill reductions. Due to the very tight timescales which require installation and commissioning prior to 31 December it will not be possible to undertake a full competitive tendering process and permission is therefore sought to waive standing orders accordingly.

4. Financial implications

The £200,000 is from an existing approved capital HRA budget and the estimated payback period is 3 to 5 years dependent on the detailed costings and designs which are currently being finalised.

Recommendation

Cabinet is asked to:

1. **NOTE the proposal to spend up to £200,000 of existing approved budgets on installing solar panels at 4 retirement living schemes subject to the business case.**
2. **RESOLVE to waive standing orders in relation to procurement and to delegate the contract award to the Director of Housing, Leisure and Property Services in consultation with the Housing Portfolio Holder.**

Background papers

Nil

Report of the Director of Housing, Leisure and Property Services

OXYLANE – JOINT PLANNING APPLICATION1. Purpose of report

To consider if the Cabinet decision to submit a joint planning application with Oxylane is still appropriate.

2. Background

At its meeting on 16 October 2014 Cabinet resolved that the principle of a joint planning application in association with Oxylane, to support the development of a new leisure centre within the complex, be supported. A copy of the report on which that decision was made is attached at appendix 1.

Cabinet also resolved that should the application considered by the Development Control Committee be rejected, the Council will withdraw from any further involvement.

3. Detail

At the time of the earlier decision the proposal of a new leisure facility within the Oxylane complex was considered the singular opportunity for developing leisure provision in the north of the Borough. This was subsequently highlighted in the Leisure Facilities Strategy approved by Cabinet on 17 February 2015, though was not part of the Cabinet resolution.

4. Financial implications

Whilst there are no direct financial consequences, the Leisure Facilities Strategy included cost and income assessments which were based on the financial benefits of pursuing a joint planning application on a shared site. Should the Oxylane development not proceed the costs and benefits of the leisure facilities strategy will need to be re-assessed.

Recommendation

Cabinet is asked to CONSIDER the earlier decision to support the joint planning application and RESOLVE accordingly.

Background papers

Nil

APPENDIX 1**1. Purpose of report**

To seek support to a joint planning application with Oxylane to develop a new leisure centre within the proposed sports village and associated retail development at the site adjacent to the M1/A610. In addition to provide a supplementary estimate of £15,000 to progress work necessary to finalise details of the new leisure centre within the application. This is in accordance with the Council's priority of bringing people together and the objective of encouraging healthy participation in the arts, culture and leisure.

2. Background

Cabinet approved the principle of the development of a new leisure centre on the Oxylane site and the Heads of Terms for a lease of the site at its meeting on 24 September 2013. Furthermore, at the meeting on 17 December 2013 Cabinet also approved work to progress a detailed financial viability study and procurement process. Subsequent to this the Development Control Committee refused, for a second time, the planning application.

3. Detail

Oxylane are keen to submit a further revised planning application in support of the sports village concept. Appendices 1 and 2 contain additional information on the changes since the original applications which are felt to enhance the potential success of the scheme the third time. It is proposed that this development provides the best opportunity for the development of a new leisure facility in the north of the borough and that by joining with Oxylane the application will be strengthened. If planning permission for the development is given, then a further more detailed report on the design and financial aspects will need to be brought back in due course.

4. Financial implications

A sum of £15,000 is required to develop plans and elevations for the proposed leisure centre in order to meet the requirements of the planning application. This will cover only these pre-development costs. In the event that approval to proceed is obtained, the full financial implications of the scheme will be identified as subsequent reports are brought to Cabinet

Recommendations

Cabinet is asked to RESOLVE that:

- 1. The principle of a joint planning application in association with Oxylane to support the development of a new leisure centre within the complex, be supported.**
- 2. An allocation of £15,000 to provide resources to progress the application to be met from revenue contingencies, of which £28,950 remains, be approved.**

Background papers

Nil

APPENDIX 2

It is anticipated that the following changes within the third planning application will further address the concerns and objections raised during the previous two planning applications. These include:

- The support of UK Trade and Industry (UKTI) who are backing the potential of up to £900 million of investment into the UK economy with the first development taking place in Broxtowe; a copy of the letter of support will be available at the meeting
- The ending of the agreement in relation to Eastwood Community Sports Centre
- Greater clarification in the forthcoming application to Section 106 commitments in respect of -
 - Improved sustainable transport links to the site
 - Guaranteed open space provision with no further retail development
 - Building design
- Additional details and commitment to habitat improvement including the planting of 5000 trees
- Maintenance and restoration of Grade 2 listed buildings at Home Farm, which are on the buildings at risk register
- Inclusion of an additional 14 acres to the north of the original site to create an accessible open space on the site of the former Nuthall Country Park
- Improved access for pedestrians and cyclists.

It should be stressed, however, that any such development would be an exception to Green Belt policy and as such, this Council could not approve the development, only recommend its approval to the Secretary of State.

Planning position

Should Cabinet agree to approve the collaboration in principle, it would do so entirely without prejudice as to whether planning permission might be forthcoming for the scheme. The development control system must remain resolutely independent on the merits of recommending any such proposal for permission. In any event, as the proposal would be a departure from planning policy, it would have to be subject to determination by the Secretary of State should he choose to call in any application which is drawn up.

Report of the Director of Housing, Leisure and Property Services**SPIN BIKES****1. Purpose of report**

To seek a supplementary capital estimate in respect of the replacement of the X-Bikes at Kimberley Leisure Centre (KLC) and Chilwell Olympia Sports Centre (COSC).

2. Background

Exercise classes are part of the Vitality Health and Fitness Membership package. One significant part of the class programme is indoor cycling. KLC and COSC deliver group cycling classes using Trixter X-Bikes, whilst Bramcote Leisure Centre (BLC) uses Star Trac Spinning Bikes.

3. Proposal

The existing X-Bikes at both KLC and COSC are in urgent need of replacement. A range of options has been examined for the replacement of the existing bikes and the preferred solution is to replace the X-Bikes with spin bikes, further information can be found in the appendix.

4. Financial implications

The total cost of the replacement spin bikes is £26,747.50. Whilst provision exists in the current capital programme for the replacement of the bikes, no funding is currently available to meet the costs.

Recommendation

Cabinet is asked to RESOLVE a supplementary capital estimate of £26,747.50 to purchase replacement spin bikes to be funded from reserves.

Background papers

Nil

APPENDIX

Background

Exercise classes are part of the Vitality Health and Fitness Membership package. One example of this is indoor cycling. KLC and COSC deliver group cycling classes using Trixter X-Bikes. Whilst unique, over time X-Bikes have been surpassed in the leisure industry by 'Spin style Bikes' as the preferred cycle class option for customers.

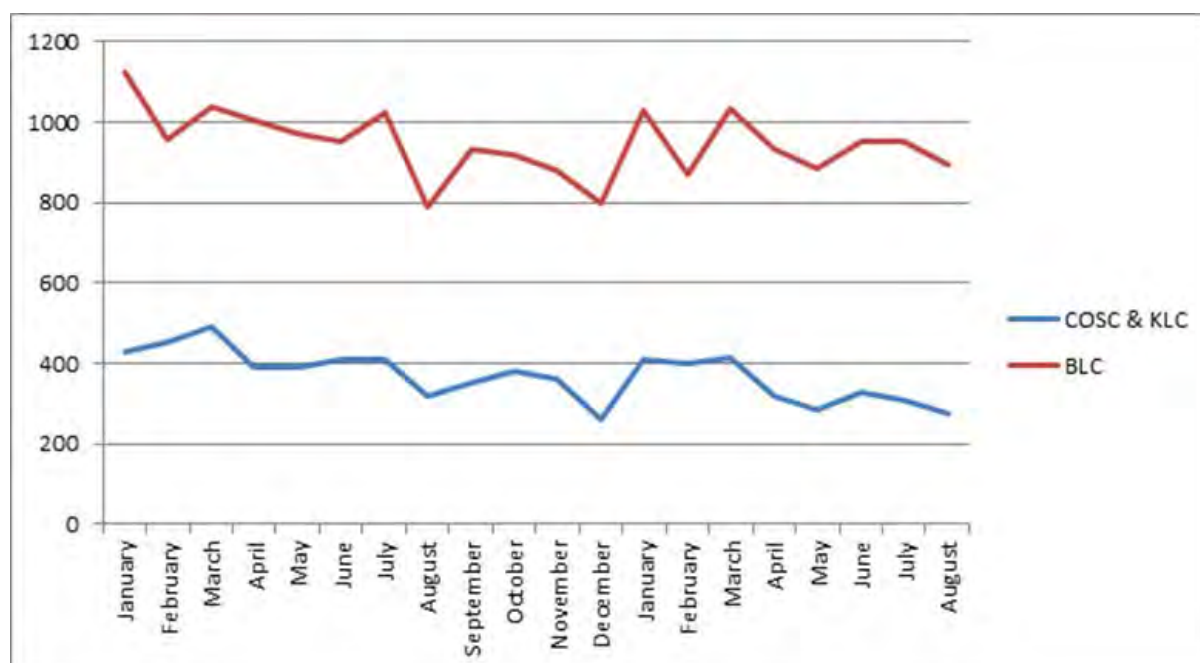
The decline of X-Biking makes it difficult to recruit and train staff. The most significant problem however is the condition of the bikes, with the equipment on both sites proving unreliable with some bikes written off and others with limitations due to on-going maintenance issues.

Attendances

At COSC class attendances have decreased by 50% from July 2014 to July 2015 while at KLC class numbers have decreased by 15% over the same period. It is believed that a significant portion of the decrease is directly due to the poor state of the X-Bikes which contributes to a negative experience, resulting in customers moving elsewhere.

Spinning classes are increasing in popularity. At BLC spin class attendances have always proved popular with occupancy levels between 90 - 100%. To accommodate such demand, BLC have added extra classes to their timetable, even in the last 18 months, during which time COSC and KLC have seen a decline. The graph below illustrates the differences:

Figure 1 – number of spin bike/X-bike attendances January 2014 - August 2015



Maintenance

The X-Bikes are now over 5 years old (KLC) and 6 years old (COSC). The deterioration in the condition of the X-Bikes, particularly at COSC is a contribution to the decline of the class attendances. At COSC 3 bikes are no longer fit to be used and cannot be repaired without considerable expense. In 2014 - 15 COSC paid £700 to keep the remaining bikes working in a limited way. This diminishes the potential of the classes, having reduced bikes available for customers.

At KLC parts from other bikes have been used to keep repair costs down. However it is proving more and more difficult to obtain spare parts with Trixter recently being bought out by Pulse Fitness and withdrawing their focus on the X-Bike. Alternative parts from Raleigh have been sourced recently to enable the bikes to stay in service, but these are not ideal. £1,000 has already been spent in 2015 - 16 on repairs and servicing the X-Bikes at KLC and it is estimated that an additional £1,000 is expected to be spent on general repairs during the next 12 months. It is reasonable to assume that the annual cost of maintenance across both sites will be considerably more than £2,000, potentially much more.

Customer Experience

A major part of the issue when maintaining the X-Bikes is ensuring consistency between bikes. As the parts for the bikes wear at different rates, this affects the resistance and cycling experience. Although significant time is spent each week on cleaning and servicing the bikes they are difficult and troublesome to maintain. Both centres have received letters and emails of complaint about the standard of the bikes and lack of consistency from one bike to another. Negative comments from the Net Promoter Score system are also being generated. Examples of recent complaints are shown at the end of this appendix.

COSC have three bikes permanently out of order as they are too expensive to be repaired. There have been occasions when KLC have had two bikes out of service. Due to the on-going maintenance issues and increasing costs, there is the potential that the number of available bikes will have to be reduced even further. This affects income, customer satisfaction and member retention.

Proposal

Immediate replacement of the X-Bikes is needed and it is proposed to trade in the existing X-Bikes and purchase 'spin style' indoor cycles. No budget currently exists for this but there is a provisional sum in the capital programme (against COSC for fitness equipment which was due to replace the X-Bikes). As can be seen from this proposal we can replace the bikes at two centres for less than the forecast budget for one.

Introducing 'Spin style Bikes' will offer a different experience to customers from X-Biking. It will contribute towards retaining existing members who are disgruntled, enable both sites to increase the occupancy of existing classes, improve the quality of the customer's exercise, reduce complaints, decrease maintenance costs and

provide a new opportunity to market the classes to new customers. Once re-established, it will also give the centres the ability to provide more classes to customers, subject to demand.

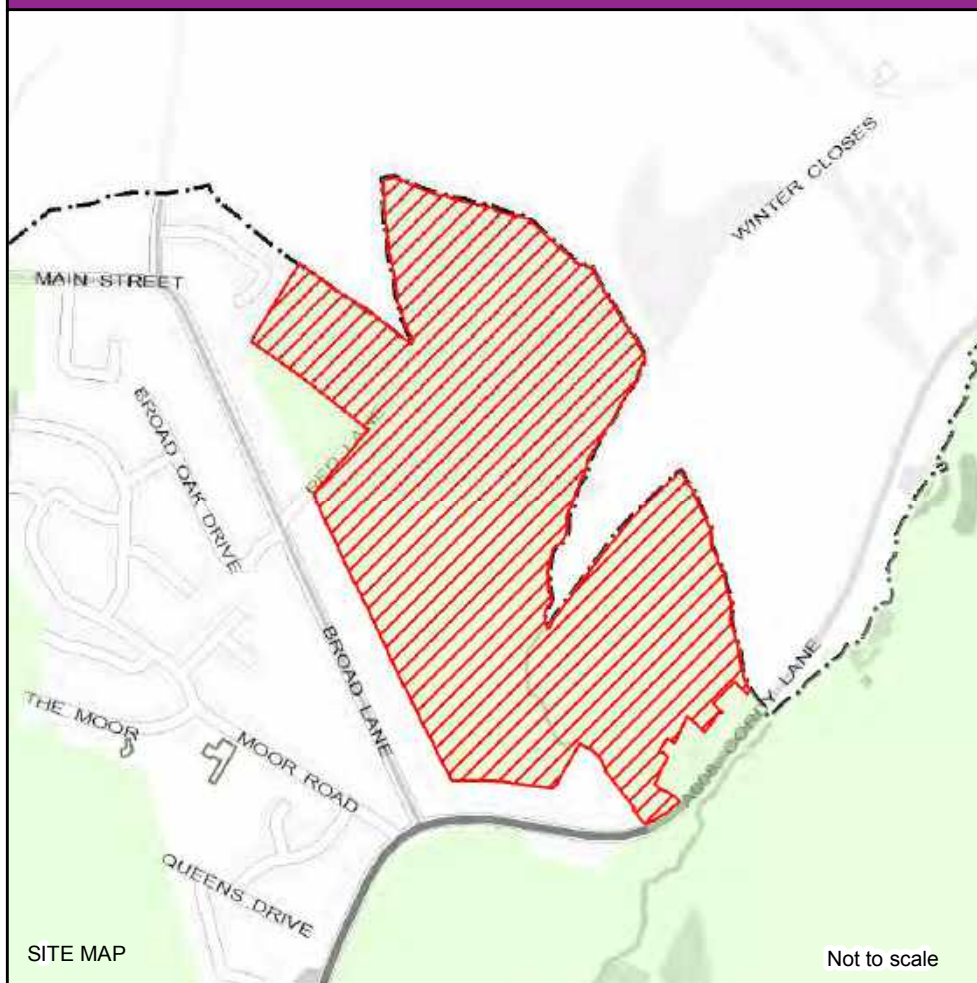
Another significant consideration in making this choice is the 'Spinning' brand. Spin and Spinning is a recognisable name, indeed it is the name of choice that all group cycling enthusiasts use when talking about indoor cycling. Purchasing these bikes will enable the three centres to capitalise on the spinning brand jointly and enable more effective marketing of the opportunity to existing and potential members.

Cost Summary

Spin Bikes (Spinner NXT Chain) (40no.)	£22,000
Delivery & Installation	£1,450
Training	£2,500 (10 staff)
Trade In	£2,602.50
TOTAL REQUIRED	£26,747.50



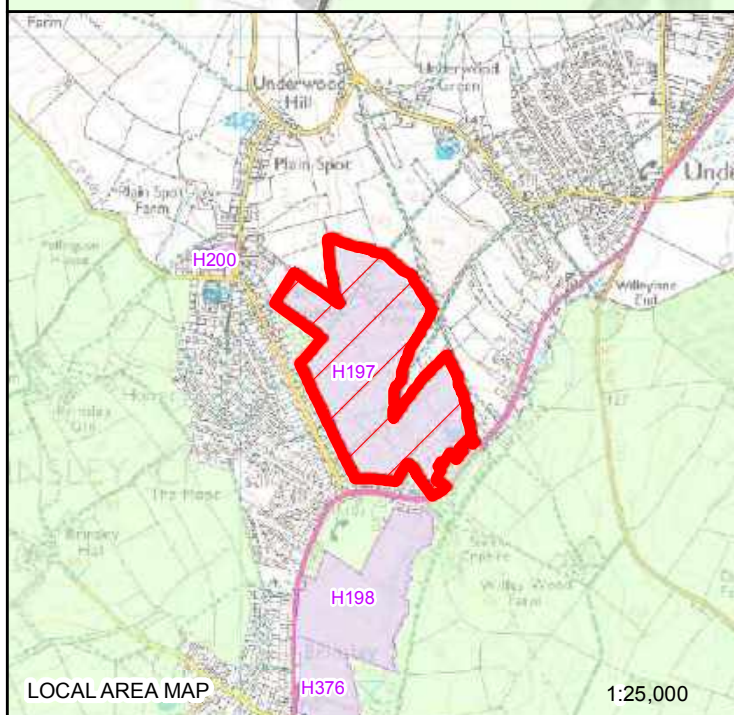
BRINSLEY



SITE MAP

Not to scale

BOROUGH MAP



LOCAL AREA MAP

1:25,000

- SHLAA Site
- Other SHLAA sites
- Green Belt Extent
- Broxtowe Boundary

Site area (ha): 29.1

Potential dwellings: 300

Site type: Green Belt

Final Reasoned Judgement:

Could be suitable if Green Belt policy changes, subject to the details of any proposals. Issues to be considered include visual prominence of development, access and highway capacity, the risk of overland flooding from a drain, the impact on footpaths through the site and potential for coalescence with Underwood without a defensible boundary. Consequently it is unlikely to come forward ahead of other preferable sites around Brinsley; given these constraints a significantly reduced dwelling number would be deliverable.

The Local Plan Review 2003 Inspector considered development of the site would involve encroachment onto the countryside and that the site fulfils important Green Belt purposes. The Inspector also considered that there were other more sustainable sites available elsewhere.

Could be suitable if policy changes

Published Site Constraints

Site Reference: 197

Site Area 29.03

Planning Policy Status

Existing Use

Location

Previously developed in whole or part

Material Planning Policy Considerations except Land Use

Landscape Quality and Character

Agricultural Land

Topographical Constraints

Ridgelines and Site Prominence

Highways Infrastructure Constraints

Utilities Water

Utilities Gas and Electricity

EIA

Bad Neighbours

Flood Risk

Natural Environmental Constraints

Built Environmental Constraints

Contaminated Land Issues

Conservation Area Status

Ownership Constraints

Operational or Tenancy Issues

Info from Housing Market

Public Transport Accessibility

Proximity to Tram Stops

Facilities within the Locality

Pedestrian and Cycling accessibility to site

Green Infrastructure Public Benefit

North of Cordy Lane Brinsley

Easting: 446387

Northing: 350163

Non-allocated and No Planning Permission

Agricultural

Adjacent named settlement as listed

Site predominantly Greenfield (more than 70%)

Significant policy constraint which may be removed in the long term

Mixed

Grade 4

Minor topographical constraints

No ridge line issue, site prominent from the main road through the village

Current information suggests insufficient capacity, no detailed assessment made

Not likely to be an issue

Not likely to be an issue

N/A

Setting with no adverse effects

EA Maps suggest area at no risk from flooding

No environmental constraints or designations

No Built Environment Constraints

No Known Constraints

Site is not within a designated Conservation Area and has no impact upon a designated Conservation Area

Unknown

Unknown

Moderate

Within 20 minute walk of a bus stop

No tram stops within 20 minute walk

Village or local centre within 10-15 minute walk

Moderate number of basic pedestrian / cycle routes linking site to centres of residence

Public benefit through existing GI facility within a 5 minute walk

[REDACTED]
Sent: 14 February 2017 11:23

To: Jon Pop [REDACTED]

Subject: RE: Jobs and Economy Committee Meeting 26.01.17

Morning Jon

The most up-to-date publication of the SHLAA (15/16) is available here:

<https://www.broxtowe.gov.uk/for-you/planning-building/planning-policy/strategic-housing-land-availability-assessment-shlaa/>

Our webpage was a little confusing because you had to click on 'show more' button to see the most recent one, however I have requested that this be amended urgently and so I hope it will be showing on the main page within the next few hours.

The last time the full assessments were published was for the issues and options consultation in 2013 (albeit that your clients site was still part of a larger site - 197), this information can be found: <https://www.broxtowe.gov.uk/media/2206/03-brinsley-doc.pdf>

Other Key information that will be relevant to you is, the 2010 Tribal Sustainable locations for Growth (which is included in the above document) - Brinsley extract is available here: <https://www.broxtowe.gov.uk/media/2891/extract-from-2010-tribal-greater-nottingham-sustainable-locations-for-growth-report.pdf>

The Preferred Approach to Site Allocations (Green Belt Review) 2015 available here: <https://www.broxtowe.gov.uk/media/2076/gb-review-consultation-document.pdf>

I hope this helps, however if you have any further questions please don't hesitate to contact me. If I don't hear from you beforehand I hope you enjoy your holiday!

Kind Regards

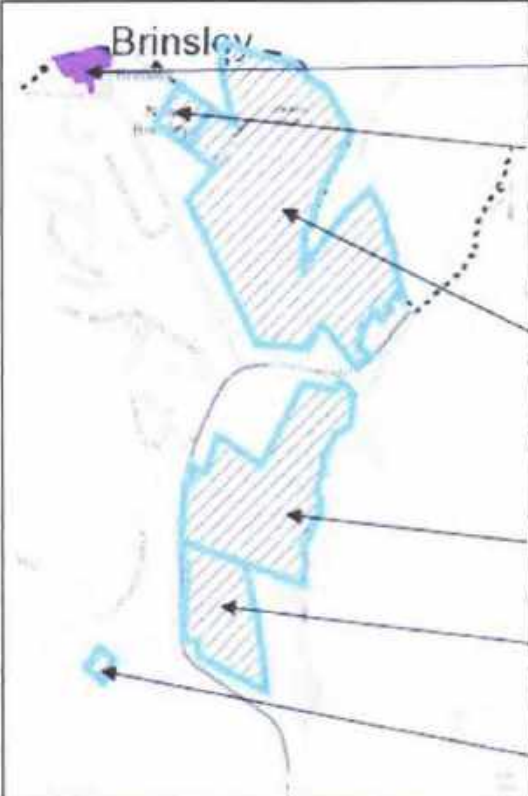
Amanda

From: Jon Pop [REDACTED]

Sent: 13 February 2017 11:08

Subject: RE: Jobs and Economy Committee Meeting 26.01.17
[REDACTED]

Can you please provide me with the SHLAA assessments for all the sites in Brinsley that have been considered by the Council. The website seems to only have details from 2014/15. These are the sites that I am interested in seeing the full assessment details for

	SHLAA Site 200	21 dwellings West of High Street
	SHLAA Site 681	15 dwellings Land to the rear of Clumber Avenue, Could be suitable if policy changes
	SHLAA Site 197	285 dwellings North of Cordy Lane
	SHLAA Site 198	200 dwellings East of Church Lane
	SHLAA Site 376	85 dwellings land opp 28 church lane
	SHLAA Site 128	11 dwellings Robin Hood Inn, 17 Hall Lane

Thanks in advance.

I look forward to hearing from you.

Kind regards

Jon Pope BSc (Hons) MSc MRTPI
Chartered Town Planner

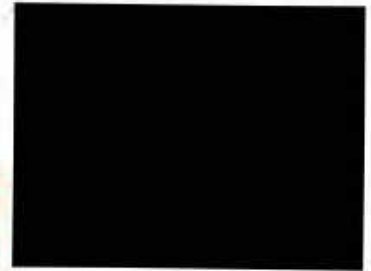


Our ref: CDB/PB/B-01

26 January 2017

Mr S Saunders
Head of Neighbourhoods & Property
Broxtowe Borough Council
Foster Avenue
Beeston
Nottingham
NG9 1AB

Dear Mr Saunders



Brinsley Parish Council – Preferred Site Allocation

Further to Brinsley Parish Council's meeting on Wednesday 18th January, as you are aware the council voted against the inclusion of land off Church Lane as Broxtowe Borough Councils preferred site to be included in the local plan for possible future development. Members resolved that they would put forward an alternative site to the north of the A608 Cordy Lane. On behalf of Brinsley Parish Council I have been instructed to formally respond with details of the alternative site for Broxtowe Borough Councils consideration.

In reaching their decision due notice has been taken of the residents views which were obtained, as part of the consultation by Brinsley Parish on their neighbourhood plan, a public exhibition was held at the parish hall, specifically regarding the proposed adoption of the development site referenced H198 extending to 5.2 hectares (12.8 acres) and to consult parishioners on other sites identified as possible development sites within the existing village envelope.

The consultation took place on Saturday 3rd December, from feedback questionnaires on the day, overwhelmingly the respondents were not in favour of the proposals for the development of the proposed site, and this view is endorsed by the Parish Council.

The enclosed plan shows land within the ownership of Mr & Mrs Mee, who have confirmed that they are willing for the land to be developed and further more state that they have instructed agents to act on their behalf to negotiate with an Interested developer. Mr & Mrs Mee have confirmed this to the Parish, a copy their confirmation letter is attached for your records. This therefore demonstrates that the alternative site put forward by the Parish is indeed deliverable.

The parish council fully recognises that additional housing will be located within the parish which will necessitate the loss of some green belt land due to the lack of development sites within the village envelope capable of producing the number of

houses identified as being required. The land off Cordy Lane is currently within the green belt however the removal of this designation to facilitate new development is considered to have a far less impact on the character and openness of the village than the Church Lane site proposed by Broxtowe Borough Council.

The development of the Cordy Lane site is seen as a more natural extension to the village enabling new development to integrate with the existing, whereas the church Lane site to the east of the A608 would be divorced from the village forming in effect a standalone development to the village centre and its facilities, this coupled with the inevitable connectivity issues that would arise of having to cross the busy A608 would make the integration of this development difficult.

The land identified accessed off Cordy Lane extend to 3.655 ha (9.03 acres) this is edged red on the plan comprising of fields 3, 4 and 6. The site has defensible boundaries to the northeast of mature hedgerows, to the northwest and southwest a stream.

Broxtowe's evaluation contained in their document *Site Allocations Issues and Options dated November 2013*, evaluates several sites for possible development. Cordy Lane site had a reference of H197 and the Church Lane site a reference of H198, both sites evaluated at that time were far greater in extent than either site proposed at present. In both cases there are final reasoned judgements made as to the site suitability. Both sites were categorised as could be suitable if policy changes were made to the green belt boundary. Within that reasoned judgement it would appear that the main issue with the Cordy Lane site highlighted by the Planning Inspector whilst considering the 2003 Local Plan Review was the possible coalescence with Underwood. This is not now considered to be an issue as the site is smaller, having defensible boundaries. The Church Lane site likewise has decreased in size, however an issue highlighted by the Inspector at the time of the 2003 Local Plan Review still remains that it was acknowledged the importance of agricultural land and the green belt in protecting and checking the unrestricted sprawl of development and protecting the countryside. Furthermore the Inspector made specific comments raising concerns of the integration of development of the Church Lane site with the village. As commented on above any development of the Church Lane site would prove difficult to fulfil the objectives of having a cohesive atmosphere/feeling part of a village community due to the isolated location with a physical boundary of the A608.

It is therefore the parish council's belief that the Cordy Lane proposed site would be a more sustainable development capable of integration within the village having better and more logical connectivity. The comments of the Inspector have been mitigated in relation to the Cordy Lane site, due to the reduction in its extent, that coalescence with Underwood would not now be an issue, whilst the issue that any development on the Church Lane site would be difficult to be integrated within the village is considered as still remaining a major issue.

With the above in mind on behalf of the Parish Council we would urge the inclusion of the Cordy Lane site for future development as being capable of being deliverable.

If you require further information or clarification please do not hesitate to give me a call.

Regards

Yours sincerely



Charles D Baker FRICS
Encs

c.c. Brinsley Parish Council

NO. 2 POPLAR FARM

BRINSLEY



☐ ☐ ☐ ☐

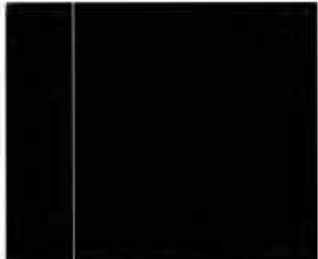
DATE

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FIELD	AREA ACRES	HAS
1	4.91	1.728
2	3.52	1.486
3	3.94	1.59
4	4.03	1.632
5	1.05	0.425
6	1.1	0.446
TOTAL	17.91	7.762

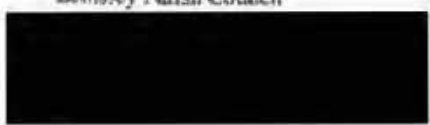


03/11/89



24th January 2017

Parish Clerk
Brinsley Parish Council



Dear Clerk

Re: Land at Cordy Lane, Brinsley for potential residential development

I write with regard to the Rixtows Core Strategy for this area and identification of sites which could offer the potential for residential development, including sites which are currently under protection with greenbelt status.

I can confirm that the land owned by my family as identified on the plan of Cordy Lane, Brinsley - a greenbelt area with direct access from the site onto Cordy Lane, may be considered as suitable for a potential development site.

I confirm I have a land agent who is actively in contact with two developers who have expressed interest and I am hopeful a developer will be secured, subject to release of the land from greenbelt.

I understand the residents from Brinsley have selected my site as their preferred area for development and look forward to receiving further information in due course.

Yours sincerely

J. Mee



Broad Lane, Brinsley

Highway and Access

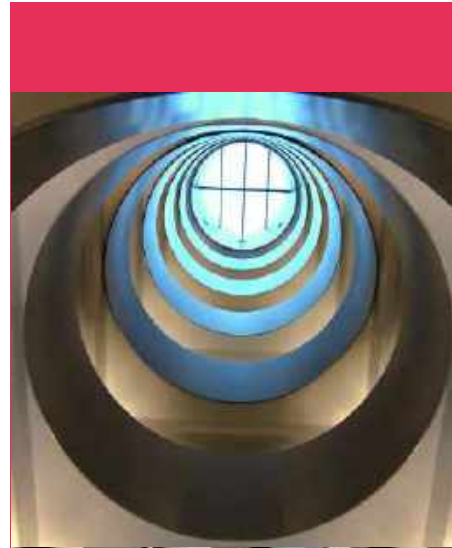
Technical Note

Curtins Ref: TPNO64554/TN

Revision: Final

Issue Date: 23 March 2017

Client Name: GPS Planning & Design Limited



Control Sheet

Rev	Description	Issued by	Checked	Date
000	Draft	AH	MP	21.03.17
001	Final	AH	MP	23.03.17

This report has been prepared for the sole benefit, use, and information for the client. The liability of Curtins with respect to the information contained in the report will not extend to any third party.

Author	Signature	Date
Aaron Hand BA (Hons) Graduate Transport Planner		23 March 2017

Reviewed	Signature	Date
Matt Price BSc (Hons) MSc TPP MCIHT Associate		23 March 2017

Authorised	Signature	Date
Matt Price BSc (Hons) MSc TPP MCIHT Associate		23 March 2017

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Drawing 064554-00-XX-DR-TP-03001-P01 – Illustrative Site Access Layout and Visibility Splays

Appendices

Appendix A – TRICS Output Data

1.0 Introduction

1.1 Background

- 1.1.1 Curtins were appointed by GPS Planning & Design Limited to provide highways and transportation advice in respect of proposals to deliver up to 40 dwellings on land to the rear of 145 Broad Lane, Brinsley in Nottinghamshire. The site is bounded by residential properties along Clumber Avenue to the west, further agricultural land to the north, Red Lane to the east and Broad Lane to the south and is highlighted in **Figure 1** below. Access to the site is to be provided via 145 Broad Lane following the demolition of existing buildings which occupy the plot.



Figure 1 – Site location and boundary

1.2 Purpose of this report

- 1.2.1 The purpose of this Technical Note is to outline safe and suitable access arrangements for the site alongside an overview of accessibility and the potential highway impact of the development, ensuring that any proposals are in line with guidance provided by Nottinghamshire County Council as the Highway Authority. In turn, it will demonstrate that the site is suitable to be included within the emerging Broxtowe Borough Council (BBC) Local Plan.

- 1.2.2 Paragraph 32 of the National Planning Policy Framework (NPPF) confirms that developments should provide “safe and suitable access”. It places a key emphasis on the presumption in favour of sustainable development. In respect of highways and transportation issues, paragraph 32 of the NPPF sets out the following requirements:

‘All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- safe and suitable access to the site can be achieved for all people; and*
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.’*

- 1.2.3 This Technical Note addresses the above concerns and takes into account current best practice and highway design guidance contained in the document ‘Manual for Streets’ (DfT, 2007) and its companion document ‘Manual for Streets 2 – Wider Application of the Principles’ (CIHT, September 2010). It also demonstrates due regard to the local highway authority’s adopted guidance, the ‘6Cs Design Guide’ (updated December 2016).

2.0 Site Access Arrangements

2.1 Related guidance

- 2.1.1 Given the nature and location of the proposed development, it is considered that the proposed site access should be designed in accordance with the general design criteria set out within Table DG1 of the 6Cs Design Guide. This guidance highlights a 'residential access road' as a suitable means of access, permitting up to 50 dwellings from a single point of access when served by a 4.8 metre wide carriageway.

2.2 Site access

- 2.2.1 An illustrative site access arrangement can be seen in **Drawing 064554-00-XX-DR-TP-03001-P01**, demonstrating the general layout of a residential access road to serve the proposed development at 145 Broad Lane, Brinsley. The proposed T-junction access is designed in accordance with the above 6Cs Design Guide parameters and includes a 4.8 metre wide carriageway (suitable to serve up to 50 dwellings) with 1.75 metre footways along both sides of the carriageway extending into the site. The proposed junction would also include a six metre kerb radii in accordance with the minimum requirements of Table DG5 of The 6Cs Design Guide. It is noted in *Inclusive Mobility* (2002) section 2.2 that a minimum footway width of 1.5 metres is required to accommodate both a wheelchair user and ambulant person, and that additionally 1.75 metres is suitable for a wheelchair user with a personal assistant.
- 2.2.2 Visibility splays at the potential site access junction have been assessed to the standards outlined in Table DG4 in The 6Cs Design Guide, which require 43 metre splays in both directions due to a 30mph speed limit along Broad Lane. **Drawing 064554-00-XX-DR-TP-03001-P01** highlights that these are achievable in both directions along Broad Lane from a 2.4 metre setback distance to one metre into the carriageway (as per Figure DG2a of The 6Cs Design Guide), within land that appears to be publicly maintained highway based on Ordnance Survey mapping.
- 2.2.3 Paragraph 32 of the National Planning Policy Framework (NPPF) confirms that developments should provide a "*safe and suitable access*". It has subsequently been demonstrated that both the required visibility splays and appropriate access dimensions can be achieved in accordance with Nottinghamshire County Council's local guidance and therefore the access proposals are considered both safe and suitable.

3.0 Local Highway Network and Accessibility

3.1 Local highway network

- 3.1.1 Broad Lane is an unclassified, two-way residential road extending from the A608 in the south to Main Street and High Street in the north. The road is subject to a 30mph speed limit and includes footways along both edges of the carriageway. Broad Lane also provides access to Red Lane, a small residential and farm access lane, and Broad Oak Drive, approximately 170 metres to the south of the site frontage at 145 Broad Lane.
- 3.1.2 Broad Lane constitutes one of the main distributor routes through Brinsley, providing access to the main residential areas and nearby villages to the north via Main Street and High Street including Bagthorpe, Jacksdale and Underwood. To the south of the proposed site, Broad Lane provides direct access to Brinsley Recreation Ground and the A608, which provides subsequent access to larger local service centres such as Eastwood and Heanor. The A608 also provides clear routes to the A610 towards Nottingham and M1 motorway.

3.2 Site accessibility by sustainable modes

- 3.2.1 The site is situated in an established residential area of Brinsley and as a result there are a number of sustainable travel links within the vicinity of the proposed development. The closest bus stop to the site is approximately 200 metres south along Broad Lane, adjacent to the junction with Broad Oak Drive. This stop provides access to the Rainbow One line and is provisioned with a bus lay-by, sheltered waiting facilities and timetable information.
- 3.2.2 There are additional bus stop facilities approximately 400 metres to the north along High Street which are also served by the Rainbow One line and 500 metres to the south along Church Lane/A608 which are served by both the Rainbow One and Black Cat lines. A summary of the available bus services is outlined in the **Table 3.1** below.

Service	Route	Morning peak (8 - 9am)	Daytime	Evening peak (5 - 6pm)	Saturday
Rainbow One	Alfreton > Eastwood > Nottingham	Three services	Four per hour	Four services	Four per hour
Black Cat	Derby > Ilkeston > Heanor > Mansfield	Two services	Two per hour	Two services	Two per hour

Table 3.1 – Summary of local bus services

- 3.2.3 A review of the local bus services in the table above highlights that there is a high frequency of services to a number of local towns and cities including Nottingham, Derby, Ilkeston and Alfreton. This good provision of services enables the opportunity to undertake multi-modal journeys with access to a wide range of interchange facilities such as Nottingham Rail Station.
- 3.2.4 As highlighted previously, due to the site being situated in a predominantly residential area there is a good level of pedestrian infrastructure surrounding the site. There are lit footways present along both sides the Broad Lane which provide clear and direct routes to local amenities and bus stop facilities. It is also noted that although there is no formal provision of cycling infrastructure around the site, a significant number of the surrounding roads are lightly trafficked residential streets and therefore suitable to accommodate cyclists within the carriageway. A number of more rural roads to the north of Brinsley also provide the opportunity for cyclists to access adjacent villages such as Jacksdale and Underwood.
- 3.2.5 It is considered that overall the site provides ample opportunity to support travel be sustainable and active travel modes. There is a good provision of bus services within the vicinity of the site and existing pedestrian infrastructure is of a good standard. The surrounding roads are also suitable to accommodate cyclists given their residential and lightly trafficked nature.

4.0 Highway Impact

4.1 Trip generation

4.1.1 The TRICS database was examined to identify suitable trip rates to calculate the potential peak hour and daily traffic movements that could be generated by the proposed residential development. The category 'Residential – Houses Privately Owned' was selected to ensure a robust assessment, specifying a range of between 5 and 50 dwellings, excluding sites in Greater London, Ireland and Northern Ireland and weekend surveys. 'Edge of Town' was considered the most suitable location parameter and was the only category selected. This search resulted in 24 surveys taken from 24 sites. A site in Shrewsbury (TRICS reference SH-03-A-03) was considered a suitable comparison for the proposed development given its location adjacent to a major A road, single access point and comparable level of public transport facilities. The site also ranked sixth in the AM peak period and first in the PM peak period. Full details of the TRICS search are contained at **Appendix A**.

4.1.2 The following trip rates (per dwelling) within **Table 4.1** (shown below) were therefore considered suitable in respect of the proposed development. Based on these trip rates, the development of 40 dwellings would generate the following vehicle movements.

Time Range	Trip Rates (per dwelling)		Traffic Generation (40 dwellings)		
	Arrivals	Departures	Arrivals	Departures	Total
07:00-08:00	0.500	0.200	20	8	28
08:00-09:00	0.200	0.500	8	20	28
09:00-10:00	0.000	0.200	0	8	8
10:00-11:00	0.100	0.100	4	4	8
11:00-12:00	0.300	0.500	12	20	32
12:00-13:00	0.100	0.000	4	0	4
13:00-14:00	0.200	0.100	8	4	12
14:00-15:00	0.300	0.200	12	8	20
15:00-16:00	0.200	0.300	8	12	20
16:00-17:00	0.300	0.200	12	8	20
17:00-18:00	0.700	0.600	28	24	52
18:00-19:00	0.100	0.200	4	8	12
Daily	3.000	3.100	120	124	244

Table 4.1 – Traffic generation profile

4.1.3 'Guidance on Transport Assessment' [DfT, March 2007] suggests that the analysis period for any proposed development should primarily address the weekday morning and evening peak periods. It advises that developments may have a significant highway impact where increases of 30 or more two-way vehicle movements occur during peak hours. The above traffic generation calculations indicate that the proposed development would result in an increase of only 28 movements during the morning peak period and 52 movements in the evening peak period. Though during the evening peak movements exceed 30, this increase results in less than one vehicle per minute. It is therefore considered that the

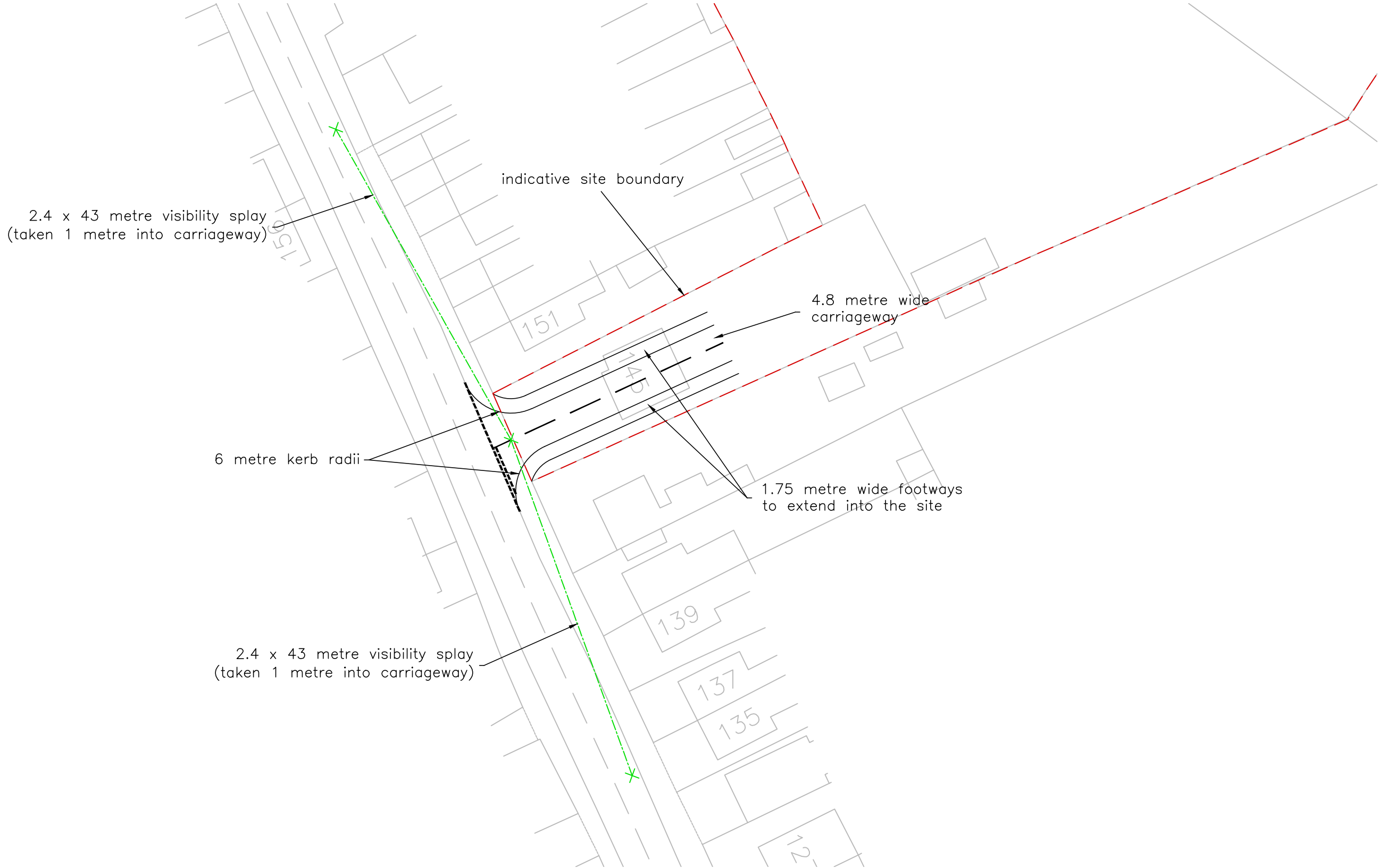
increase in traffic as a result of the proposed development should not result in any detrimental impact on the surrounding highway network.

5.0 Summary and Conclusions

5.1 Summary

- 5.1.1 Curtins were appointed by GPS Planning & Design Limited to provide traffic and transportation advice in respect of proposals to construct 40 new dwellings on land to the rear of 145 Broad Lane, Brinsley. This Technical Note has been produced to outline proposed access arrangements for the site and provide an overview of the surrounding highway network, accessibility and impact of the development on the highway network.
- 5.1.2 The layout shown within **Drawing 064554-00-XX-DR-TP-03001-P01** demonstrates that the required visibility splays can be achieved in both directions along Broad Lane without obstruction or requiring the use of third-party land. The illustrative access can also be provided in accordance with The 6Cs Design Guide and best practice design.
- 5.1.3 The site is situated within an established residential area and therefore a good standard of pedestrian infrastructure is currently present within Brinsley and along Broad Lane. Though there is no formal provision of cycling infrastructure in the local area, it is considered that the local highway network is suitable for cycling within the carriageway. It has also been demonstrated that the development area is well served by public transport and the number of potential trips generated by the site is unlikely to have a detrimental impact on the surrounding highway network.
- 5.1.4 It is therefore considered that the proposed development would comply with current transport and highway planning guidance and is unlikely to negatively impact on the local highway network. The site represents a good location for the provision of housing in highway terms and it is believed the site in question should be taken forward within the emerging Broxtowe Borough Council Local Plan on this basis.

Drawings



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nottingham@curtins.com
www.curtins.com

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Project: Broad Lane, Brinsley					Status: PRELIMINARY				
Drg Title: ILLUSTRATIVE SITE ACCESS LAYOUT					Drawn By: AH		Checked By: MP		
					Designed By: AH		Date: 21/03/2017		
					Scale: 1:500				
Project No:		Originator:	Zone:	Level:	Type:	Discipline:		Category / Number:	Rev:
64554		- CUR	- 00	- XX	- DR	- TP	002		- R

GENERAL NOTES:

001	ISSUED	21/03/17	AH
Rev:	Description:	Date:	By:

Appendix A – TRICS Output Data

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
 Category : A - HOUSES PRIVATELY OWNED
 VEHICLES

Selected regions and areas:

02	SOUTH EAST	
	ES EAST SUSSEX	1 days
	EX ESSEX	1 days
	SC SURREY	1 days
	WS WEST SUSSEX	1 days
03	SOUTH WEST	
	DC DORSET	1 days
	SM SOMERSET	1 days
04	EAST ANGLIA	
	NF NORFOLK	1 days
	SF SUFFOLK	1 days
06	WEST MIDLANDS	
	SH SHROPSHIRE	3 days
	WK WARWICKSHIRE	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE	
	NE NORTH EAST LINCOLNSHIRE	1 days
	NY NORTH YORKSHIRE	3 days
08	NORTH WEST	
	CH CHESHIRE	3 days
	GM GREATER MANCHESTER	1 days
09	NORTH	
	CB CUMBRIA	2 days
11	SCOTLAND	
	EA EAST AYRSHIRE	1 days
	HI HIGHLAND	1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Secondary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: Number of dwellings
 Actual Range: 9 to 432 (units:)
 Range Selected by User: 5 to 80 (units:)

Public Transport Provision:

Selection by: Include all surveys

Date Range: 01/01/08 to 13/11/15

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Monday	3 days
Tuesday	5 days
Wednesday	4 days
Thursday	9 days
Friday	3 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count	24 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaken using machines.

Selected Locations:

Edge of Town	24
--------------	----

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	19
No Sub Category	5

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

C1	1 days
C3	23 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Secondary Filtering selection (Cont.):

Population within 1 mile:

1,001 to 5,000	3 days
5,001 to 10,000	7 days
10,001 to 15,000	8 days
15,001 to 20,000	3 days
20,001 to 25,000	1 days
25,001 to 50,000	2 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

5,001 to 25,000	2 days
25,001 to 50,000	4 days
50,001 to 75,000	3 days
75,001 to 100,000	9 days
100,001 to 125,000	3 days
125,001 to 250,000	1 days
250,001 to 500,000	1 days
500,001 or More	1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	7 days
1.1 to 1.5	17 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

Yes	2 days
No	22 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present	24 days
-----------------	---------

This data displays the number of selected surveys with PTAL Ratings.

RANK ORDER for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
VEHICLES

Ranking Type: TOTALS Time Range: 08:00-09:00

15th Percentile = No. 20 WS-03-A-04 Tot: 0.417

85th Percentile = No. 5 NY-03-A-10 Tot: 0.704

Median Values

Arrivals: 0.182

Departures: 0.350

Totals: 0.532

Mean Values

Arrivals: 0.174

Departures: 0.385

Totals: 0.558

Rank	Site-Ref	Description	Town/City	Area	DWELLS	Day	Date	Trip Rate (Sorted by Totals)			Park Spaces Per Dwelling
								Arrivals	Departures	Totals	
1	HI-03-A-13	HOUSING	INVERNESS	HIGHLAND	9	Thu	21/05/09	0.556	0.444	1.000	3.11
2	WK-03-A-02	BUNGALOWS	COVENTRY	WARWICKSHIRE	17	Thu	17/10/13	0.588	0.353	0.941	2.06
3	GM-03-A-10	DETACHED/SEMI	MANCHESTER	GREATER MANCHESTER	29	Wed	12/10/11	0.138	0.759	0.897	2.79
4	CH-03-A-05	DETACHED	CREWE	CHESHIRE	17	Tue	14/10/08	0.235	0.588	0.823	3.71
5	NY-03-A-10	HOUSES AND FLA	RIPON	NORTH YORKSHIRE	71	Tue	17/09/13	0.183	0.521	0.704	0.83
6	SH-03-A-03	DETACHED	SHREWSBURY	SHROPSHIRE	10	Fri	26/06/09	0.200	0.500	0.700	3.00
7	EX-03-A-01	SEMI-DET.	STANFORD-LE-HOPE	ESSEX	237	Tue	13/05/08	0.177	0.523	0.700	2.53
8	CB-03-A-03	SEMI DETACHED	WORKINGTON	CUMBRIA	40	Thu	20/11/08	0.225	0.450	0.675	3.10
9	CH-03-A-09	TERRACED HOUSE	MACCLESFIELD	CHESHIRE	24	Mon	24/11/14	0.250	0.417	0.667	1.33
10	EA-03-A-01	DETACHED	KILMARNOCK	EAST AYRSHIRE	39	Thu	05/06/08	0.231	0.359	0.590	3.03
11	NY-03-A-11	PRIVATE HOUSIN	BOROUGHBRIDGE	NORTH YORKSHIRE	23	Wed	18/09/13	0.000	0.565	0.565	6.26
12	CB-03-A-04	SEMI DETACHED	WORKINGTON	CUMBRIA	82	Fri	24/04/09	0.183	0.366	0.549	1.74
13	SM-03-A-01	DETACHED & SEM	BRIDGWATER	SOMERSET	33	Thu	24/09/15	0.182	0.333	0.515	3.97
14	SH-03-A-05	SEMI-DETACHED/	TELFORD	SHROPSHIRE	54	Thu	24/10/13	0.130	0.370	0.500	1.17
15	SC-03-A-04	DETACHED & TER	BYFLEET	SURREY	71	Thu	23/01/14	0.141	0.352	0.493	2.49
16	ES-03-A-02	PRIVATE HOUSIN	PEACEHAVEN	EAST SUSSEX	37	Fri	18/11/11	0.081	0.405	0.486	1.59
17	NY-03-A-07	DETACHED & SEM	BOROUGHBRIDGE	NORTH YORKSHIRE	23	Tue	18/10/11	0.087	0.391	0.478	1.96
18	CH-03-A-02	HOUSES/FLATS	CREWE	CHESHIRE	174	Tue	14/10/08	0.103	0.374	0.477	2.81
19	NE-03-A-02	SEMI DETACHED	SCUNTHORPE	NORTH EAST LINCOLNS	432	Mon	12/05/14	0.067	0.354	0.421	1.00
20	WS-03-A-04	MIXED HOUSES	HORSHAM	WEST SUSSEX	151	Thu	11/12/14	0.139	0.278	0.417	2.28
21	DC-03-A-08	BUNGALOWS	BOURNEMOUTH	DORSET	28	Mon	24/03/14	0.179	0.143	0.322	4.68
22	SF-03-A-05	DETACHED HOUSE	BURY ST EDMUNDS	SUFFOLK	18	Wed	09/09/15	0.000	0.222	0.222	4.17
23	NF-03-A-03	DETACHED HOUSE	THETFORD	NORFOLK	10	Wed	16/09/15	0.100	0.100	0.200	3.70
24	SH-03-A-06	BUNGALOWS	SHREWSBURY	SHROPSHIRE	16	Thu	22/05/14	0.000	0.063	0.062	2.00

This section displays actual (not average) trip rates for each of the survey days in the selected set, and ranks them in order of relative trip rate intensity, for a given time period (or peak period irrespective of time) selected by the user. The count type and direction are both displayed just above the table, along with the rows within the table representing the 85th and 15th percentile trip rate figures (highlighted in bold within the table itself).

The table itself displays details of each individual survey, alongside arrivals, departures and totals trip rates, sorted by whichever of the three directional options has been chosen by the user. As with the preceding trip rate calculation results table, the trip rates shown are per the calculation factor (e.g. per 100m² GFA, per employee, per hectare, etc). Note that if the peak period option has been selected (as opposed to a specific chosen time period), the peak period for each individual survey day in the table is also displayed.

Site Reference: SH-03-A-03 Multi-Modal Site
 Created: Version: 2010(a)v6.5.2 08/10/09
 Latitude/Longitude: 52.7129, -2.7993
 Land Use Type: 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 Region/Area: WEST MIDLANDSSHROPSHIRE
 Version/Creation Date: 2010(a)v6.5.2 08/10/09

Description: DETACHED
 Street: SOMERBY DRIVE
 District: BICTON HEATH
 Town: SHREWSBURY
 Post Code: SY3 5PD
 Planning Authority:

Location: Edge of Town
 Location Sub Category: No Sub Category
 Use Class: C3

Population within 500m: 1477
 Population within 1 Mile: 5,001 to 10,000
 Population within 5 Miles: 75,001 to 100,000
 Car ownership within 5 Miles: 1.1 to 1.5

Public Transport Provision Summary

Day	Period	Total buses/trams within 400m	Total Trains within 1000m	Total Services
Monday-Friday	0700-1900	120		120
Monday-Friday	0700-1000	30		30
Monday-Friday	1600-1900	30		30
Saturday	0700-1900	120		120
Sunday	0700-1900	80		80

Is site associated with a travel plan: No
 If not, are there any plans to implement a Travel Plan in the future? No
 Is survey data available before the implementation of the Travel Plan?
 Is the location of the site hilly or flat: Flat
 Urban Regeneration: No

Site area: 0.51 hect
 Number of dwellings: 10
 Housing Density: 25.00

No. of developments for this Site: 1
 No. of survey Days for this Site: 1

Comments

This site is located on the western edge of Shrewsbury just off Welshpool Road. Welshpool Road runs east into Shrewsbury town centre and west towards Welshpool.
 Developments in the local area include a business park, hospital, pub/restaurant, a hospice and other residential developments.
 The site has 1 vehicle access point off Somerby Drive.

Bus (or tram) site accessibility

- Is there at least 1 bus (or tram) stop within the site frontage or within 400m of the site frontage? : Yes
- If yes to question 3, are there at least 2 buses (or trams) per hour (per direction between 0700 and 1900) with routes serving significant areas of population within a 5 kilometre radius? (Mon-Sat): Yes
- If yes to question 5, what are the service characteristics? (please complete the outline information below)

Destination (town/area)	Number per hour	Approx. journey time
Shrewsbury	5	30

Design features encouraging non-car modes

12. Pedestrians

None

13. Pedal cycles

None

14. Public transport

None

Design features encouraging non-car modes

Road Network Distance to Local Developments	
Year of Analysis	2009
Nearest Primary School	0.4 kilometres
Nearest Secondary School	2.3 kilometres
Nearest Local Shop/Corner Shop	0.5 kilometres
Nearest Main Supermarket	3.1 kilometres
Nearest Doctors Surgery	0.6 kilometres
Nearest Hospital with Minor Injuries/A & E	0.1 kilometres
Nearest Sports/Leisure Centre	2.6 kilometres

Census Data	
Year of Census	2001
Census Output Area/Data Zone	39UEGD0007
Number of people employed within Census Output Area	165
Number of households within Census Output Area	125
Number of people living within Census Output Area	335
Area of Census Output Area (hectares)	16.00
Population density within Census Output Area (per hectare)	21.02

SITE PHOTO



Site reference: SH-03-A-03 Multi-Modal survey site
 Trade name: FLORENCE CLOSE

Site area (h/a): 0.51
 Site area excluding public open spaces (h/a): 0.40

Open since 2002

Occupied dwellings 10
 Unoccupied dwellings 0
 Total dwellings 10

Housing Density 25.00
 Privately owned units 10
 Non-Privately owned units 0
 Name of nearest site CAVENDISH HOUSE
 Distance to nearest similar site 1 Km

Average Bedrooms Per Unit 3.3
 No of units with 1 bedroom 0
 No of units with 2 bedrooms 0
 No of units with 3 bedrooms 7
 No of units with 4+ bedrooms 3
 Total bedrooms 33
 Unit Density 19.6

Residential unit types

	Private	Non-Private	Total
Detached houses	10	0	10
Semi-detached houses	0	0	0
Terraced houses	0	0	0
Bungalows	0	0	0
Flats (in houses)	0	0	0
Flats (in blocks)	0	0	0
Other (specify below)	0	0	0

Other:

Comments

At the time of the survey, house number 2 was being extended.
 The nearest similar site is 0.02km away.

Multi-Modal survey site

On-Site parking

Total no. of parking spaces	30
Parking Spaces Per Hectare	58.824
Parking Spaces Per dwelling	3.000
Arrivals Per Parking Space	1.00

Number of spaces

On-Street	0
Driveway	20
Garages	10
Communal parking spaces	0

Off-Site parking details

Is there off-site parking available

Yes

Off-Site parking included in the counts

No

Free On-Street parking available nearby

Yes

If yes, considered easy to find a space

Yes

If prepared to pay, easy to find somewhere to park off-site all day

No

Parking restrictions

Area subject to parking restrictions (controlled parking zone - CPZ)

No

Off-Street parking

Off-Street parking available NO

Park & Ride

Park & Ride Type Facility providing relevant means of accessing the site

No

Site reference: SH-03-A-03 Survey date: 26/06/09 Day of week: Friday

Multi-Modal survey site

Vehicles surveyed: Total vehicles

Survey type: Manual Count

AM weather: Mild and Cloudy

PM weather: Mild and Cloudy

Initial car park occupancy: 12 Final car park occupancy: 11

BRACKETED ACCUMULATION FIGURES ARE NOT ABSOLUTE

Parking Capacity 50% (30 On-Site Spaces)

Data proportions in %

Motor cars	84	Motor cycles	0	Public service	0
Light goods	13	OGV (1)	3	OGV (2)	0
				Taxis	0

Time	Arr 30	Dep 31	Totals	Parking Accum
00:00-01:00				
01:00-02:00				
02:00-03:00				
03:00-04:00				
04:00-05:00				
05:00-06:00				
06:00-07:00				
07:00-08:00	5	2	7	15
08:00-09:00	2	5	7	12
09:00-10:00	0	2	2	10
10:00-11:00	1	1	2	10
11:00-12:00	3	5	8	8
12:00-13:00	1	0	1	9
13:00-14:00	2	1	3	10
14:00-15:00	3	2	5	11
15:00-16:00	2	3	5	10
16:00-17:00	3	2	5	11
17:00-18:00	7	6	13	12
18:00-19:00	1	2	3	11
19:00-20:00				
20:00-21:00				
21:00-22:00				
22:00-23:00				
23:00-24:00				

Comments

No PSV's, taxis or public transport users entered or exited the site during the survey.

Site reference: SH-03-A-03

Survey date: 26/06/09

Day of week: Friday

Multi-Modal survey site

Vehicles surveyed: OGV

Data proportions in % OGV (1) 100 OGV (2) 0

1 occupant per OGV is assumed, and included in the vehicle occupants count

Time	Arr 1	Dep 1	Totals	Accumulation
00:00-01:00				
01:00-02:00				
02:00-03:00				
03:00-04:00				
04:00-05:00				
05:00-06:00				
06:00-07:00				
07:00-08:00	0	0	0	(0)
08:00-09:00	1	1	2	(0)
09:00-10:00	0	0	0	(0)
10:00-11:00	0	0	0	(0)
11:00-12:00	0	0	0	(0)
12:00-13:00	0	0	0	(0)
13:00-14:00	0	0	0	(0)
14:00-15:00	0	0	0	(0)
15:00-16:00	0	0	0	(0)
16:00-17:00	0	0	0	(0)
17:00-18:00	0	0	0	(0)
18:00-19:00	0	0	0	(0)
19:00-20:00				
20:00-21:00				
21:00-22:00				
22:00-23:00				
23:00-24:00				

Site reference: SH-03-A-03

Survey date: 26/06/09

Day of week: Friday

Multi-Modal survey site

Vehicles surveyed: Cycles

Time	Arr 1	Dep 0	Totals	Accumulation
00:00-01:00				
01:00-02:00				
02:00-03:00				
03:00-04:00				
04:00-05:00				
05:00-06:00				
06:00-07:00				
07:00-08:00	0	0	0	(0)
08:00-09:00	1	0	1	(1)
09:00-10:00	0	0	0	(1)
10:00-11:00	0	0	0	(1)
11:00-12:00	0	0	0	(1)
12:00-13:00	0	0	0	(1)
13:00-14:00	0	0	0	(1)
14:00-15:00	0	0	0	(1)
15:00-16:00	0	0	0	(1)
16:00-17:00	0	0	0	(1)
17:00-18:00	0	0	0	(1)
18:00-19:00	0	0	0	(1)
19:00-20:00				
20:00-21:00				
21:00-22:00				
22:00-23:00				
23:00-24:00				

Site reference: SH-03-A-03

Survey date: 26/06/09

Day of week: Friday

Multi-Modal survey site

People Surveyed: Pedestrians

Time	Arr 1	Dep 1	Totals	Accumulation
00:00-01:00				
01:00-02:00				
02:00-03:00				
03:00-04:00				
04:00-05:00				
05:00-06:00				
06:00-07:00				
07:00-08:00	0	0	0	(0)
08:00-09:00	0	0	0	(0)
09:00-10:00	0	0	0	(0)
10:00-11:00	0	0	0	(0)
11:00-12:00	0	0	0	(0)
12:00-13:00	0	0	0	(0)
13:00-14:00	0	0	0	(0)
14:00-15:00	1	1	2	(0)
15:00-16:00	0	0	0	(0)
16:00-17:00	0	0	0	(0)
17:00-18:00	0	0	0	(0)
18:00-19:00	0	0	0	(0)
19:00-20:00				
20:00-21:00				
21:00-22:00				
22:00-23:00				
23:00-24:00				

Site reference: SH-03-A-03

Survey date: 26/06/09

Day of week: Friday

Multi-Modal survey site

People Surveyed: Total people

Time	Arr 34	Dep 37	Totals	Accumulation
00:00-01:00				
01:00-02:00				
02:00-03:00				
03:00-04:00				
04:00-05:00				
05:00-06:00				
06:00-07:00				
07:00-08:00	2	1	3	(1)
08:00-09:00	3	8	11	(-4)
09:00-10:00	0	2	2	(-6)
10:00-11:00	1	1	2	(-6)
11:00-12:00	4	6	10	(-8)
12:00-13:00	1	0	1	(-7)
13:00-14:00	2	1	3	(-6)
14:00-15:00	5	3	8	(-4)
15:00-16:00	2	3	5	(-5)
16:00-17:00	6	2	8	(-1)
17:00-18:00	7	6	13	(0)
18:00-19:00	1	4	5	(-3)
19:00-20:00				
20:00-21:00				
21:00-22:00				
22:00-23:00				
23:00-24:00				

Calculation Reference: AUDIT-148308-170317-0357

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
 Category : A - HOUSES PRIVATELY OWNED
 VEHICLES

Selected regions and areas:

06 WEST MIDLANDS
 SH SHROPSHIRE 1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Secondary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: Number of dwellings
 Actual Range: 10 to 10 (units:)
 Range Selected by User: 5 to 50 (units:)

Public Transport Provision:

Selection by: Include all surveys

Date Range: 01/01/08 to 13/11/15

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Friday 1 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count 1 days
 Directional ATC Count 0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaken using machines.

Selected Locations:

Edge of Town 1

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

No Sub Category 1

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

C3 1 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Secondary Filtering selection (Cont.):

Population within 1 mile:

5,001 to 10,000 1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

75,001 to 100,000 1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

1.1 to 1.5 1 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

No 1 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present 1 days

This data displays the number of selected surveys with PTAL Ratings.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
VEHICLES

Calculation factor: 1 DWELLS

BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	1	10	0.500	1	10	0.200	1	10	0.700
08:00 - 09:00	1	10	0.200	1	10	0.500	1	10	0.700
09:00 - 10:00	1	10	0.000	1	10	0.200	1	10	0.200
10:00 - 11:00	1	10	0.100	1	10	0.100	1	10	0.200
11:00 - 12:00	1	10	0.300	1	10	0.500	1	10	0.800
12:00 - 13:00	1	10	0.100	1	10	0.000	1	10	0.100
13:00 - 14:00	1	10	0.200	1	10	0.100	1	10	0.300
14:00 - 15:00	1	10	0.300	1	10	0.200	1	10	0.500
15:00 - 16:00	1	10	0.200	1	10	0.300	1	10	0.500
16:00 - 17:00	1	10	0.300	1	10	0.200	1	10	0.500
17:00 - 18:00	1	10	0.700	1	10	0.600	1	10	1.300
18:00 - 19:00	1	10	0.100	1	10	0.200	1	10	0.300
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:		3.000			3.100			6.100	

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 10 - 10 (units:)
 Survey date range: 01/01/08 - 13/11/15
 Number of weekdays (Monday-Friday): 1
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys automatically removed from selection: 0
 Surveys manually removed from selection: 15

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

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Landscape Technical Note

**Land off Broad Lane,
Brinsley, Nottinghamshire**

Date: 23/03/17

Ref: INF_N0426 LTN01

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Produced by: Influence Environmental Ltd
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Appendix A

INF_N0426(03)001	Illustrative Masterplan
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1 Introduction

- 1.1 This Landscape Technical Note has been prepared by Influence Environmental Ltd (Influence) for GPS Planning Ltd in relation to a submission to Broxtowe Borough Council for land off Broad Lane, Brinsley to be considered for residential allocation within the local plan as part of the authority's current ongoing review of the green belt land and residential allocation sites within the Borough.
- 1.2 Following discussion with GPS Planning Ltd, Influence was instructed to provide a Landscape Technical Note (LTN) in order to present an overview of the site and development proposals in the context of the surrounding landscape and to determine general visibility of the site including identification of potentially sensitive landscape and visual receptors.
- 1.3 The Illustrative Masterplan (see Dwg No.INF_N0246(03)001 - Appendix A) has been informed by this desk study and a site visit carried out by Influence on 16 March 2017.

2 The Site

- 2.1 The site lies within the administrative boundary of Broxtowe Borough Council, and is situated at the north eastern edge of Brinsley a small village located approximately 13km northwest of Nottingham city centre and approximately 2.5km to the north of the town of Eastwood (see Figure INF_N0426 PL01).
- 2.2 The site covers an area of approximately 1.5 Ha and is comprised of a small rectangular field/paddock together with associated stable buildings and areas of hard standing. It is understood that the site would be accessed from Broad Lane via demolition of the existing 145 Broad Lane property. The site has an open boundary with fields to the north and northeast and is contiguous with the rear boundaries of properties fronting onto Broad Lane and Clumber Avenue which form the nearest residential receptors. Other close range receptors include properties fronting onto Red Lane to the southeast which are within 80m of the sites eastern boundary.

Proposals

- 2.3 The proposed development is shown on the Illustrative Masterplan (see Appendix A) and is comprised of the following elements:
- Mixed residential development consisting of 38no. residential units, inclusive of affordable housing;
 - Associated landscaping, including an area of public open space and landscape buffer planting;
 - Central spine road and secondary road network.

3 Methodology

Guidance

- 3.1 The format of this LTN is based on the principles set out in the Guidelines for Landscape and Visual Impact Assessment Third Edition, the Landscape Character Assessment Guidance for England and Scotland, An Approach to Landscape Character Assessment.
- 3.2 Viewpoint photographs have been presented in accordance with the Landscape Institute's Advice Note 01/11 Photography and Photomontage in Landscape and Visual Assessment.

Zone of Theoretical Visibility

- 3.3 A computer modelled Zone of Theoretical Visibility (ZTV) was initially run to establish the potential visibility of the proposed development in the surrounding landscape (see Figure INF_N0418 PL03).
- 3.4 The Zone of Theoretical Visual [ZTV] illustrates the extent of where a feature or features would be potentially visible from in the surrounding landscape. The ZTV for the proposed development was generated using 'Windsoft' software which is a Digital Terrain Modelling [DTM] programme that uses Ordnance Survey contour data to build the initial terrain model. The programme then renders the model using a square grid to represent where the proposed development is theoretically visible from. The model was based on a maximum building height of 8m above existing ground level and was run initially to examine potential visibility within a 4km radius of the site boundary.
- 3.5 It should be noted that the ZTV has been generated assuming a 'bare ground' terrain model, using topographical data only and does not take any account of vegetation or the built environment, which often screen views of a development. It is, as such, a 'worst case' ZTV and over-emphasises the actual visibility of the site. In reality trees, hedges and buildings may make views of the proposed development impossible from many of the areas included within the ZTV.

Study Area Extent

- 3.6 An initial study area of up to a 4km radius was chosen. Following a site visit the actual, as opposed to theoretical, visibility of the site was determined and the study area was predominantly focussed upon a 2km radius from the site. This was considered appropriate by virtue of the generally constrained nature and limited visual envelope of the application site (see Figure INF_N0426_PL03). The study area is considered to encompass the most likely concentration of potentially significant effects resulting from the proposed development.

Representative Photographs

- 3.7 Following the completion of the ZTV and further analysis of Ordnance Survey (OS) mapping a site visit was carried out on 16 March 2017 in order to understand the site within the context of the surrounding landscape and to identify key sensitive receptors surrounding the site. During the site visit, photographs were taken to demonstrate key views towards the application area from the surrounding landscape (see Figures INF_N0426 VP01-VP07).

- 3.8 It should be noted that a greater number of locations were visited than have been included in the report. Locations, from which no clear views were obtainable, particularly from the north and west of the site, have been excluded from the assessment, in line with GLVIA3 guidance.
- 3.9 Photographs were taken using a Canon EOS 6D digital SLR camera with full frame sensor using a 35mm lens focal length using a high quality setting of >12-megapixel resolution.
- 3.10 Each of the viewpoints presented in the report are made up of several photographs which have been stitched together using photo-stitching software to form a panorama. Photographs have been taken using a minimum of a 50% overlap and the software ensures that each photo frame within the panorama has between 30-50% overlap with all other adjacent frames. This process serves to avoid the distortion that can occur at the edges of pictures. During the stitching process none of the photographs were distorted or re-scaled.
- 3.11 At the time that the baseline photographs were taken the NGR co-ordinates of the viewpoint were recorded using a GPS. Height [in terms of metres AOD] was also recorded at each viewpoint. Photographs were taken at 1.7m above ground level [i.e. approximately eye level].

4 Landscape Policy Review

- 4.1 Aspects of Local Plan Policy and guidance which are of particular relevance to the proposed development and LTN are examined below.

Local Planning Framework

- 4.2 The application site is subject to designations and policies set within Broxtowe Borough Council (BBC) Local Development Framework (LDF), which consists of the Aligned Core Strategies (Part 1) Adopted September 2014 and the emerging Development Management Policies Document (DPD) (Part 2). The DPD includes policies and specific site allocations required to meet housing need within the Borough. BBC has consulted on the following aspects of the DPD:
- Development Management Policies: Issues and Options
 - Preferred Approach to Site Allocations: Green Belt Review
- 4.3 Following a request from Brinsley Parish Council the Borough Council is specifically consulting upon potential development sites off Church Lane (Option 1); and off Cordy Lane (Option 2). Option 2 is an alternative to the Option 1 site originally recommended to the Jobs and Economy Committee on 26 January 2017.
- 4.4 Brinsley will need to accommodate 110 dwellings and Broxtowe Borough Council is now inviting views on which sites should be allocated for this development.
- 4.5 It is intended that the sites that the Council are recommending for allocation and that the Development Management Policies associated with them, once finalised, will be combined to form 'Part 2' of the Local Plan which will then be published for a further round of consultation prior to being formally submitted for Examination to the Planning Inspectorate.
- 4.6 Other relevant documents and guidance include the Greater Nottingham Landscape Character Assessment (June 2009).
- 4.7 A brief summary of the key aspects of the local plan policies and related guidance considered pertinent to the application site and proposed development is provided below.

Core Strategy

- 4.8 The Core Strategy was adopted in September 2014, and sets out the vision, objectives and policies to help deliver the development required within the borough.
- 4.9 Policies from the Core Strategy that are considered relevant to the LTN in relation to its promotion as a site for residential development are:
- **Policy A:** Presumption in Favour of Sustainable Development: The policy states that 'A positive approach will be taken when considering development proposals reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework';
 - **Policy 3:** The Green Belt: The policy states that in reviewing Green Belt boundaries to deliver the distribution of development, Local Plans will use a sequential approach

to guide site selection including review of Green Belt land adjacent to the development boundaries of the main built areas;

In reviewing Green Belt boundaries, consideration will be given to: in particular the need to maintain the openness, establishing a permanent boundary which allows for development in line with the settlement hierarchy and retaining or creating defensible boundaries;

- **Policy 10:** Design and Enhancing Local Identity: Among various aspects the policy requires development proposals to reinforce valued local characteristics, to be of appropriate scale and massing and to reduce impacts on important views and vistas, including of townscape, landscape, and other individual landmarks, and the potential to create new views; and setting of heritage assets. The policy also states that proposals will be assessed with reference to the Greater Nottingham Landscape Character Assessment;
- **Policy 11:** The Historic Environment: The policy states that proposals will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance;
- **Policy 16:** Green Infrastructure, Parks and Open Space: As part of general policy proposals will be required to protect and enhance existing green infrastructure. In addition proposals must ensure that landscape character is protected, conserved or enhanced where appropriate in line with the recommendations of the Greater Nottingham Landscape Character Assessment;
- **Policy 17:** Biodiversity: This policy states that designated international, national and local sites of biological or geological importance for nature conservation will be protected in line with the established hierarchy of designations and further sites will be designated where they meet the relevant national or local criteria;

Development on or affecting other non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that the need for the development outweighs any harm caused by the development and that adequate mitigation measures are put in place.

Other Relevant Guidance

Greater Nottinghamshire Landscape Character Assessment (June 2009)

- 4.10 This document provides guidance on landscape strategy and management practices required to restore, repair and conserve the landscape character within the district.

Landscape, Conservation and Cultural Heritage Designations

- 4.11 The site itself does not lie within a local or national landscape designation, nor within a specially protected area. Figure INF_N0426.PL02 shows that there are a limited number of local landscape, heritage and nature conservation designations present within the vicinity of site. The nearest to the application area which may potentially be affected by development of it are:
- Brinsley Village Conservation Area;
 - Brinsley Headstocks Local Nature Reserve;

- Brinsley Hall Farmhouse (Grade II listed);
- Wansley Hall Manorial Site SAM;
- Church of St James (Grade II Listed);
- Green Belt Land.

4.12 To comply with policies cited above, the effects of any development related to the proposed site on the setting of these designations should be considered and any impacts upon them clearly identified.

4.13 Following field study, apart from a small area of green belt land and sections of a limited number of PRowWs to the north and east, in general development of the proposed site would not impinge on the settings of any designation present in the immediate area.

5 Landscape Character

Local Landscape Character

- 5.1 The landscape character within the area surrounding the site is described within the Greater Nottinghamshire Landscape Character Assessment (June 2009). The proposed site lies within the general county Landscape Character Area; Derbyshire and Nottinghamshire Coalfields and specifically with NC03 Selston and Eastwood Urban Fringe Farmland Draft Policy Zones (DPZ).

NC03 Selston and Eastwood Urban Fringe DPZ

- 5.2 The site lies towards the north western edge of this LCA at the urban fringe of Brinsley. General landscape characteristics of the LCA are described as being rolling and undulating. The area is a densely settled landscape with prominent remnants of a previous industrial heritage interspersed between tracts of land given over to agricultural use. Fields are medium to large in scale, semi-regular in form and often enclosed by thick, species rich hedgerows, although the restored land commonly has a more regular field pattern bounded by single species hedgerows, or post and wire fencing. Woodland cover is limited resulting in an open landscape that is contained only by topographical variation. The undulating topography and presence of a number of low ridgelines allows views to be gained from elevated vantage points. In particular long range views out across the Erewash valley may be gained from bordering ridge lines to the west. In a number of instances views to the numerous urban fringes are often curtailed and filtered by the presence of hedgerows and undulations in the landform.
- 5.3 Landscape condition is described as 'moderate' with restoration of previously mined sites serving to improve overall appearance and landscape character. The overarching landscape strategy for the area is to 'enhance' with the following specific actions recommended within the assessment:
- *Conserve and enhance the pattern of hedged fields;*
 - *Enhance the hedgerow pattern by replacement planting where hedges are becoming fragmented;*
 - *Enhance the woodland cover through the area by identifying opportunities for small-scale woodland planting, especially on settlement fringes;*
 - *Enhance the restored coal mining landscapes to ensure they become successfully integrated into the wider landscape through management of the plantation woodland;*
 - *Conserve the dense, species rich hedgerows which border the pastoral fields and enhance the single species thorn hedgerows on the restored land;*
 - *Conserve areas of woodland along streams and enhance these features with planting where appropriate;*
 - *Conserve and enhance the remaining pastoral landscapes through non-intensive management to ensure they retain their present character;*
 - *Conserve and enhance the distinctive local character of the mining villages such as the uniform rows of red brick terraces;*

- *Enhance the urban edges through identifying opportunities for hedgerow or tree planting to filter views to the urban fringe;*
- *Restrict further urban edge expansion and promote measures to achieve a better integration of settlements into the wider landscape through planting of small groups of hedgerow trees and careful placement of built development to reduce its prominence in the landscape;*
- *Conserve the mining heritage in the landscape, such as the Brinsley Headstocks and Durban House which contribute to the literary associations to D.H. Lawrence;*
- *Seek to retain mature hedgerow trees and trees on verges and encourage regeneration of replacement stock.*

6 Landscape and Visual Observations

Landscape Character of the Site and Surrounding Area

- 6.1 The site is formed from a relatively enclosed parcel of land situated at the north eastern edge of Brinsley (see Figure INF_N0426 VP01). Landform is relatively flat set at around 106m AOD along the southern section of the site but rises more steeply up to a height of 119m AOD towards the north eastern corner. It is currently divided into three sections.
- 6.2 The section to the north and east is occupied by a rectangular field which is given over to pasture. The field is divided into plots by temporary wooden post and wire fencing and currently functions as a paddock. It is delineated along the northern and eastern periphery by wooden post and rail fencing and along the western boundary by fencing and vegetation bordering the rear gardens of properties fronting onto Clumber Avenue and Broad Lane. A drainage ditch, remnant hedgerow vegetation and a group of mature trees together with occasional wooden fencing define the southern boundary of the field separating it from the second part of the site which is comprised of stable buildings, areas of hard standing and a small field located towards the southwest which abuts rear gardens of properties fronting onto Broad Lane. This area is bounded to the east and south by concrete post and wooden panel fencing. The third part of the site consists of land associated with 145 Broad Lane which is formed from a mixture of hard standing, block paving including patio area and a small lawn to the rear of the property.
- 6.3 Apart from a group of mature trees located towards the south western part of the site there are no landscape features of note within it and landscape character can best be described as unremarkable. Condition is moderate to low and overall landscape value is considered to be relatively low.
- 6.4 The landscape immediately surrounding the site, particularly to the north is typical of the NC03 Selston and Eastwood Urban Fringe DPZ with medium sized field bounded by hedgerow running between small to medium sized settlements and scattered farmsteads.
- 6.5 Topography immediately to the north and east of the site rises to form a series of low ridges between Westwood and Bagsthorpe in the north and around Underwood in the east. Although open long views are occasionally possible from routes that cross the ridges the presence of substantial built form and intervening vegetation frequently limits and filters views towards the site. At lower elevations along Brinsley Brook and along parts of the Erewash Valley, topography serves to envelope the landscape limiting views out and increasing the sense of enclosure. This results in a landscape which is more intimate in scale and character in these areas.

Land use in the wider area is principally given over to scattered settlement, areas of pasture, occasional arable crop cultivation and pockets of woodland often associated with restored land profiles. Tree cover immediately surrounding the site is limited to small pockets of relatively new woodland planted on steep slopes and more mature woodland running along riparian corridors. Encroachment of peri-urban activity, particularly the growth of equestrian facilities has led to further blurring of the rural/settlement interface in some places.

- 6.6 Drainage patterns in the wider area largely flow along a north to south axis with the Erewash Valley forming the principal drainage basin. Brinsley Brook, to the east of the site, forms the flows southward through Brinsley Headstocks Local Nature Reserve which is a frequently used amenity and wildlife site.
- 6.7 Field patterns in the vicinity are medium in scale and are frequently bounded by degraded gappy hedgerows, although the degree of maintenance and intactness was observed to vary considerably over relatively short distances.
- 6.8 A section of the M1, approximately 3km to the east, the busy A610 to the west and A608 to the south substantially impinge on rural character and serve to diminish a sense remoteness and tranquillity.

Visual Observations

General Visibility

- 6.9 Drawing INF_N0426.PL03 illustrates the extent over which the site is theoretically visible. As stated above this effectively represents the worst case scenario and is based on topography alone. It does not take account of intervening built form and vegetation present in the landscape which substantially screens the site from view. The plan shows that the sites visibility, from distance, is substantially confined particularly to the north and east.
- 6.10 Following ZTV analysis field survey has shown that the actual, as opposed to theoretical, visibility of the site is substantially less. The study has shown that the visual envelope of the site is limited by the following factors:
- The built form within Brinsley itself, to the west and south effectively precludes any close range views eastwards and northwards over the site, including from Brinsley Hall and The Church of St James;
 - Tree cover to the south along Brinsley Brook, and plantations to the east around Winter Closes, together with tree and scrub running alongside Public footpaths (particularly FP54) generally serve to screen views northwards and westwards towards the site;
 - At close range the presence of hedgerow and occasional hedgerow trees at field boundaries to the northeast of the site restrict visibility to the extent that views are intermittent and frequently filtered from this direction;
 - Hedgerows, woodland cover together with substantial built form in the landscape also serve to limit views of the site when travelling on the local communications network and on local public rights of way beyond 1 km distance;
 - The undulating topography surrounding the site and within the wider study area serves to restrict views towards it particularly from the east and from low lying areas to the west.
- 6.11 The above factors combine to substantially restrict the visual envelope and effectively screen the site from distances beyond a 2.5km radius to the north, south and east. However, at distance to the southeast and southwest minor long range views towards the site are at least partially perceptible from the ridgeline that demarcates the western edge Erewash Valley.

- 6.12 Elsewhere, at distance, built form and vegetation in the landscape is such that the proposed development area is only very partially visible and effectively indistinguishable in the landscape and the wider built form of Brinsley. This includes from elevated areas around, Eastwood to the south and Langley Mill to the southwest.
- 6.13 At close range, apart from dwellings that abut the site boundary, residential development to the west and south along Broad Lane, Church Lane and Cordy Lane are substantially screened from the site. However, the application area is occasionally, partially from footpaths on elevated ground to the north and east as discussed below.

Visual Receptors

Residential Receptors

- 6.14 The site is partly visible from the rear of a number of properties fronting onto Clumber Avenue, and Broad Lane (see Figures INF_N0426 VP05). Although in most instances visibility is restricted to oblique filtered views from upper floor rear windows there are still a limited number of residences where the sites interior is at least partially visible through gaps in boundary vegetation. In these instances views are possible from rear gardens and ground floor rear windows. In general the site is well screened from properties on Red Lane including from Oaktree Farm which is bounded by dense peripheral vegetation. At distance, views towards the site from the rear of properties on Cordy Lane are generally substantially screened by intervening vegetation, although very occasional, generally filtered views, may be perceptible from a number of properties situated on the approach to Broad Lane. The contained nature of the site is such that it is effectively imperceptible from other residential receptors in Brinsley.
- 6.15 Although very minor views toward the site may be possible from residential receptors on elevated land at distance to the south east and west, including parts of Eastwood and isolated farmsteads on the ridgeline north of Langley Mill, distance, intervening built form and oblique angle of view is such that visibility is substantially limited. As such any proposed built form associated with the site is likely to be viewed as connected and continuous with existing built form of Brinsley and will, to a large extent, be imperceptible in the landscape from these locations.

Users of Public Rights of Way

- 6.16 Sections of a number of public footpaths that run in close proximity to the application area have at least partial, filtered views towards it. The nearest of these is the footpath running along Red Lane to the east. In this instance users of a section of the footpath to the south of Oaktree Farm have views towards the elevated north eastern section of the site but not of the sites interior (see Figure INF_N0426 VP01). View southwards towards the application area is intermittently possible from a section of footpath FP49 which runs to the north of the site (see Figures INF_N0426 VP02 and INF_N0426 VP03). In this instance intervening hedgerows and occasional tree cover serve to partially screen the site to the extent that views are often intermittent, filtered and oblique. Other close range footpaths include part of FP54 to the south east (see Figure INF_N0426 VP04). Apart from an open section on the approach to Broad Lane much of this route is bounded by scrub and occasional tree screening associated with the adjacent stream. From this vantage point any build development on the application area will be viewed intermittently and perceived as an extension of, and continuous with, existing built form on Red Lane. As discussed above there is potential for partial visibility from a number of other

routes in the wider area (see Figure INF_N0426 VP06). However, users of these routes would perceive a very minor or negligible change which would be experienced intermittently, over short duration and viewed as a partial and very minor increase in the built edge of Brinsley.

Communications Network

- 6.17 The proposed development area is substantially screened from the surrounding road network with only oblique, partial, intermittent glimpsed views being possible from short sections of Broad Lane to the west and Cordy Lane to the South. At distance very obscure, negligible glimpses of development at the proposed site would be visible over a short duration from sections of the A610 that runs across the ridge line.
- 6.18 The development area is effectively imperceptible from the wider road network in the area.

7 Conclusion

Landscape Matters

- 7.1 The site occupies an enclosed area of land on the north eastern edge of Brinsley. It is contiguous with existing development to both the north and west and is currently given over to a combination of grazing land/paddock, stable blocks, area of hard standing together with garden and drive associated with 145 Broad Lane. The landscape character of the site is unremarkable and to some extent is atypical of wider green belt land which is more open in aspect. Apart from a group of mature trees at the southern boundary there are no distinguishing landscape features present on the site and overall amenity value is considered to be low.
- 7.2 Were the site to be developed only a small part of the NC03 Selston and Eastwood Urban Fringe DPZ would be physically affected by the proposals. In addition the introduction of residential development would not be out of character with the DPZ as a whole which is already partly defined by and supports substantial urban development. Effects on any other surrounding local Landscape Character Areas (DPZ) will be limited to negligible changes in views out across the landscape. Due to the enclosed nature of the site and the extent of surrounding tree cover and built form, proposed development of the site will generally have no effect on other specifically identified landscape receptors in the area including; Brinsley Conservation Area, Brinsley Headstocks Local Nature Reserve and the Church of St. James.
- 7.3 In conclusion the proposals will not introduce uncharacteristic elements into the landscape and are contained both in extent and visually. As such the proposed scheme will result in very low to negligible landscape effects and will not substantially alter current landscape baseline conditions.

Visual Matters

- 7.4 The enclosed, nature of the site together with the amount of surrounding tree cover and built form in the landscape substantially restricts the visual envelope. Any perceived changes, particularly from the south, east and west will be minor. The development will be absorbed by and viewed as part of the immediately adjacent built form.
- 7.5 Beyond 2km of the site boundary the proposed development area is generally only partially perceptible from elevated land to the southeast and southwest and west. This includes areas of countryside crossed by a number of public footpaths. Views from users of these routes towards the site are very minor, intermittent, frequently oblique and obscured. Distance and screening is such that the application area is not easy to discern as a distinct feature within the landscape. In addition the proposals will not intrude beyond the built eastern edge of Brinsley and consequently any effects resulting from the proposals are likely to be absorbed within the wider context and viewed as part of existing built form.
- 7.6 At distance there are potential very minor, occasional, partial, oblique views over the site from residential properties located on higher ground to the south east and south west. In this instance the proposed scheme would be viewed as an extension to the existing built edge and as such would not be perceived as a separate obtrusive element. In addition skylines from these locations would largely remain unaltered.

- 7.7 At close range the site is at least partially screened by intervening hedgerow, hedgerow trees and occasional woodland from public footpaths running to the north east. However, there are parts of these routes where built form would be visible most notably from a short section of Red Lane and from sections of footpath FP49 and FP54. Users of these routes are likely to perceive only an occasional minor change to views largely perceptible over a short duration during winter months.
- 7.8 The most sensitive visual receptors are those located in properties that have rear gardens that are contiguous with the site boundary. In particular a number of properties located on Clumber Avenue and Broad Lane currently have a partially open, although not distant view, visible from the rear. Receptors in these dwellings have potential to be exposed to some visual disturbance as a result of the proposals. However, although the proposed development will cause a shortening and enclosure of a partially open view, retention of existing vegetation, proposed building orientation and length of proposed rear gardens will serve to ameliorate potential effects.

General Conclusion

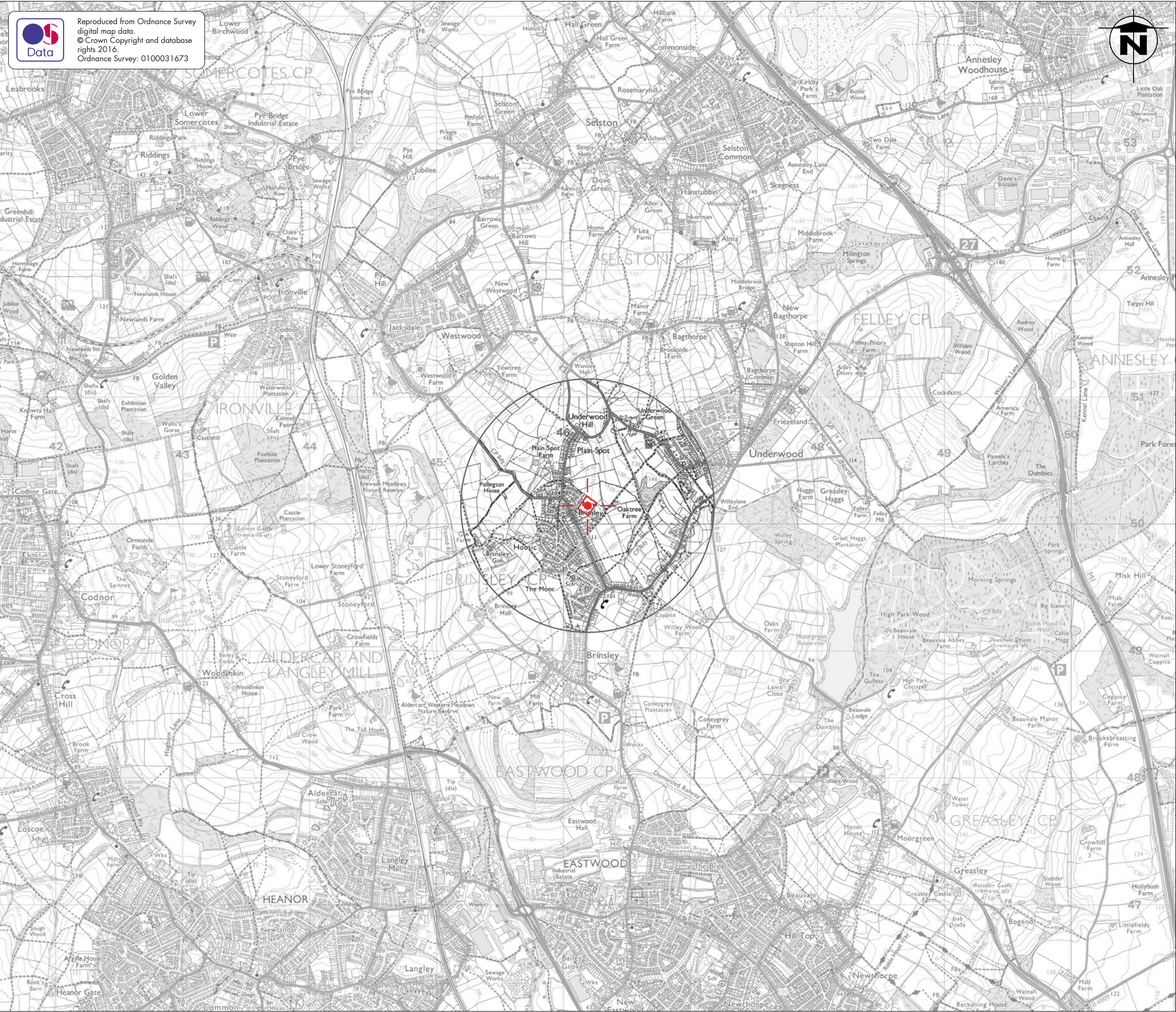
Although the proposed site lies within green belt land, its location on the urban fringe and enclosure by surrounding built form is such that its inclusion as a site for residential development would not impinge on the openness of the wider green belt designation.

The nature, scale and design of the proposed development is considered to be in line with the urban character surrounding the site. The introduction of additional built form would be viewed as being enclosed within and as part of the built north eastern edge of the village and not as a projection or separate entity in the landscape.

Given the above considerations and the very limited area where landscape and visual effect would occur it is concluded that development on the proposed site can be accommodated in the surrounding landscape without unacceptable disturbance to current landscape and visual baseline conditions.

Figures

INF_N0426	PL01	Site Location
INF_N0426	PL02	Topography
INF_N0426	PL03	ZTV and Viewpoint Locations
INF_N0426	VP01-VP07	Viewpoint 01 – Viewpoint 07



Legend

 Application Site

0m500m1km2km



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PROJECT
Land off Broad lane,
Brinsley, Nottinghamshire


CLIENT
GPS Planning & Design Ltd

TITLE
Location Plan

STATUS	FINAL
SCALE	NTS
DRAWN	JB
JOB NO:	NO426
DWG NO:	PL01
REV NO:	-
DATE	21.03.17
CHECKED	JM
ORIGINAL SIZE	A3



- Legend
- 

 Application Site
- 

 2.0km radius

Height Above Ordnance Datum (AOD)

- 

 40m - 50m
- 

 50m - 60m
- 

 60m - 70m
- 

 70m - 80m
- 


 80m - 90m
- 


 90m - 100m
- 

 100m - 110m
- 

 110m - 120m
- 

 120m - 130m
- 

 130m - 140m
- 

 140m - 150m
- 

 150m - 160m
- 

 160m - 170m
- 

 170m - 180m



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TITLE
Topography





STATUS FINAL			
SCALE NTS		DATE 17.03.17	
DRAWN JB		CHECKED IM	
JOB NO: N0426	DWG NO: PL02	REV NO: -	ORIGINAL SIZE A3



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Legend

-  Application Site
-  4.0km radius
-  2.0km study area
-  Zone of Theoretical Visibility (ZTV)

The ZTV illustrates the potential visibility of the proposed development based on topographical (bare earth) data only. Therefore, it does not take into account objects that may occur in the landscape, such as woodland or buildings, which may affect lines of sight.

The ZTV has been run to a height of 10m.



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PROJECT
Land off Broad lane,
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CLIENT
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TITLE Zone of Theoretical Visibility and Viewpoint Locations			
STATUS FINAL			
SCALE	NTS	DATE	23.03.17
DRAWN	JB	CHECKED	IM
JOB NO:	DWG NO:	REV NO:	ORIGINAL SIZE
N0426	PL03	-	A3

Application Site



Viewpoint 01 - View from Red Lane looking north west towards the site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.03.17
Time: 14:04
OS Grid Reference: 446306 350057
Distance to Site: 85m
Elevation: 114m AOD

Viewpoint Location Plan



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Land off Broad Lane,
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TITLE
Viewpoint 01

STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM

JOB NO: DWG NO: REV NO: ORIGINAL SIZE:
N0426 VP01 - A3



Viewpoint 02 - View from footpath Selston FP49 looking south westwards towards the site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.03.17
Time: 14:25
OS Grid Reference: 446549 350375
Distance to Site: 356m
Elevation: 133m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 02
STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM

JOB NO: DWG NO: REV NO: ORIGINAL SIZE:
N0426 VP02 - A3



Viewpoint 03 - View from Footpath Selston FP47 looking south eastwards towards the site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.03.17
Time: 14:37
OS Grid Reference: 446477 350557
Distance to Site: 427m
Elevation: 139m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 03
STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM

JOB NO: N0426 DWG NO: VP03 REV NO: - ORIGINAL SIZE: A3

Application Site



Viewpoint 04 - View from footpath Selston FP54 looking north east towards the application site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35
Date: 16.03.17
Time: 14:21
OS Grid Reference: 446538 349864
Distance to Site: 394m
Elevation: 111m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 04

STATUS	FINAL	DATE	March.17
SCALE	NTS	CHECKED	IEM
DRAWN	IEM		

JOB NO:	DWG NO:	REV NO:	ORIGINAL SIZE:
N0426	VP04	-	A3



Viewpoint 05 - View from housing on Clumber Avenue looking south east towards the site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.02.17
Time: 15:41
OS Grid Reference: 446113 350190
Distance to Site: 28m
Elevation: 112m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 05
STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM

JOB NO: DWG NO: REV NO: ORIGINAL SIZE:
N0426 VP05 - A3



Viewpoint 06 - View from the public footpath Greasley FP47 looking north westwards towards the application site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.03.17
Time: 15:06
OS Grid Reference: 446956 349284
Distance to Site: 1.1km
Elevation: 113m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 06

STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM

JOB NO:	DWG NO:	REV NO:	ORIGINAL SIZE:
N0426	VP06	-	A3

Application Site



Viewpoint 07 - View from Aldercar Lane looing north eastwards towards the site



Wider Context View

Viewpoint and Camera Details:

Camera: Canon EOS 6D
Lens: Canon 35mm
Date: 16.0317
Time: 16:06
OS Grid Reference: 444348 348688
Distance to Site: 2.2km
Elevation: 77m AOD

Viewpoint Location Plan



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TITLE
Viewpoint 07
STATUS FINAL
SCALE NTS DATE March.17
DRAWN IEM CHECKED IEM
JOB NO: DWG NO: REV NO: ORIGINAL SIZE:
N0426 VP06 - A3

Appendix A

INF_N0426(03)001

Illustrative Masterplan

Residential Layout Option



Residential Units

- 3/4 Bedroom Detached Units = 10
- 2/3 Bedroom Semi-detached Units = 26
- 2 Bedroom Terrace Units = 3
- Total Units = 39

Drawing Number:
INF_N0246(03)001

Land off Broad Lane, Brinsley
Illustrative Masterplan

Midlands Office

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100 St Paul's Churchyard
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25 OCT 2017



28 June 2017

Dear Sir/Madam

A meeting of the Jobs and Economy Committee will be held on Thursday, 6 July 2017 in the New Council Chamber, Foster Avenue, Beeston, commencing at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:

S C Carr

E Cubley

T A Cullen

M J Crow (Vice Chair)

J W Handley

M Handley

A Harper (Chair)

P Lally

W J Longdon

R S Robinson

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 2

The Committee is asked to confirm as a correct record the minutes of the meeting held on 16 March 2017.

4. PART TWO LOCAL PLAN PAGES 3 - 40
- To consider the draft part 2 Local Plan, and to seek authority to publish this plan for a six week period of formal representations. A copy of the Part Two Local Plan is circulated separately with this agenda.
5. KIMBERLEY JOBS FAIRS PAGE 41
- To update members of the Committee on the Kimberley Jobs Fair.
6. TOUR OF BRITAIN – NOTTINGHAMSHIRE LEG: PAGE 42
- To seek approval to contribute to the costs associated with bringing the Nottinghamshire leg of the 2017 Tour of Britain to Broxtowe.
7. TOWN CENTRES UPDATE PAGE 43
- To update members on town centres.
8. ECONOMIC DEVELOPMENT UPDATE PAGES 44 - 48
- To update members of the Committee on the progress made within Economic Development.
9. UPDATE ON KEY SITES PAGES 49 - 54
- To update members of the Committee on the progress of housing sites across the Borough.
10. CONSENT STREETS IN BEESTON PAGES 55 - 63
- To recommend that the Council resolves to introduce consent streets in Beeston and to approve the associated charges and policies.
11. STAPLEFORD WI-FI UPDATE PAGE 64
- To provide members with an update on the Stapleford Wi-Fi project
12. WORK PROGRAMME PAGE 65
- To consider items for inclusion in the Work Programme for future meetings.

JOBS AND ECONOMY COMMITTEE

16 MARCH 2017

Present: Councillor A Harper, Chair

Councillors: M J Crow
T A Cullen
J Handley
M Handley
R I Jackson
E Kerry (sub)
P Lally
W J Longdon

Apologies for absence were received from Councillors B C Carr and H G Khaled.

41. DECLARATIONS OF INTEREST

There were no declarations of interest.

42. MINUTES

The minutes of the meeting held on 23 February 2017 were confirmed and signed.

43. WI-FI FOR STAPLEFORD TOWN CENTRE

The Committee was updated on the progress of the installation of public Wi-Fi in Stapleford Town Centre. The project was on time, though there had been some issues with BT installing the required infrastructure. It was recommended that the Committee monitor the progress of the project through a quarterly report.

RESOLVED that the Town Centre Manager prepare a quarterly report to be brought to the next meeting.

44. FUNDING UPDATE NOTTINGHAMSHIRE PRE-DEVELOPMENT FUND – ECONOMIC DEVELOPMENT

The Committee noted that the Council had received funding from Nottinghamshire County Council for pre-development work on sites that could be suitable for housing, but were difficult to develop.

There was concern that the tone of the report predetermined that land at Chewton Street, Eastwood would be suitable for housing. The Committee was assured that the funding was to conduct the early stages of a scoping report, contamination survey and remediation strategy. If it were found that the site could not be remediated, the Council would not build housing on it.

45. JOB FAIRS

The meeting noted that there had been a successful jobs fair in Stapleford on 8 March 2017, with another planned in Kimberley on 24 April 2017.

A report on the Stapleford jobs fair from Councillor Richard Macrae was read out by the Chair. There was concern over the type of jobs on offer, with particular reference to a lack of jobs in engineering and industry. It was noted that another jobs fair was to take place in Stapleford in September 2017. The Committee was informed that areas with high unemployment were to be targeted with jobs fairs.

46. PART TWO LOCAL PLAN POLICIES

The Committee considered policies that were to be included in the Part Two Local Plan.

There was a discussion about what constituted quality employment land. It was noted that regular inspections of employment land were undertaken to ensure that the buildings, size, parking, communications and environment were such that they would be attractive to employers and employees. Poor sites had previously been protected by a blanket policy on employment land. The importance of retaining quality employment sites was emphasised and it was considered that the policy on employment land would allow the Council to repurpose sites that were no longer useful as employment land and increase flexibility with the land resource.

There followed a discussion about Mushroom Farm. It was clarified that the site was considered of a high quality for employment and that the developer was starting to take orders from the business that were to occupy the site for bespoke buildings.

RESOLVED that the policies listed in the appendix be approved for inclusion in the Part Two Local Plan.

47. WORK PROGRAMME

A report containing more detail about HS2 development and one on the outcome of the Gedling Local Plan Examination were added to the 11 May 2017 Committee.

RESOLVED that the Work Programme be approved.

Report of the Director of Legal and Planning Services

PART TWO LOCAL PLAN**1. Purpose of report**

To consider the draft part 2 Local Plan, and to seek authority to publish this plan for a six week period of formal representations.

2. Background

The Jobs and Economy Committee considered a number of allocations and policies its meetings on 26 January 2017, 23 February 2017 and 16 March 2017. The first of these three meetings considered the issue of housing allocations and resolved that further consultation work be undertaken in relation to the final choice of site in Brinsley. This has been done and the outcome to this is reported in appendix 1. The other main issues of substance relate to the allocations at the HS2 strategic location for growth and at Beeston town centre, and the policies in relation to Affordable Housing, housing mix, Gypsy and travellers and retail policy including amendments to town centre boundaries. All of these policies and allocation are included in the draft plan (to be finalised in the week commencing 18 April) and are summarised in appendix 3. An equalities impact assessment in relation to the draft plan is being prepared and will be available for the 6 July 2017 Committee. A copy of the Part Two Local Plan is circulated separately with this agenda.

3. Details

The draft plan strikes the appropriate balance between taking the decisive steps including site allocations needed to achieve a significant upturn in housing completions, whilst protecting the environment. The recommended allocation at Brinsley remains the originally proposed option 1 (land off Church Lane) for reasons more fully explained in appendix 1. The details of the consultation responses are in appendix 2. In summary option 1 performs better on Green Belt policy grounds as it does not lead to the coalescence of settlements and option 2 leads to a significant reduction in the gap between Brinsley and Underwood in Ashfield District. The issue of coalescence between one parish and another is not relevant.

4. Financial implications

The Local Plan examination is likely to cost up to £80,000. This is included in the budget for the 2017-18 financial year.

Recommendation

The Committee is asked to RESOLVE that:

1. The policies and allocations listed in the appendices be approved for inclusion in the Broxtowe Part 2 Local Plan.
2. The draft Part 2 Local Plan be approved to be published for a six week period of formal representations with delegated authority to the Head of Neighbourhoods and Prosperity in consultation with the Chair of the Jobs and Economy to undertake editing changes to the plan and to publish the necessary background supporting evidence.

Background papers: Nil

APPENDIX 1

Brinsley Site

The site off Church Lane (option 1) is recommended for inclusion in the Part 2 Plan.

Relevant factors for allocation

The criteria used for site allocations were reported to members on page 36 of the 26 January 2017 report to Jobs and Economy committee and these factors remain relevant now. These comprise the 14 criteria in the Sustainability Appraisal and the five purposes of including land in the Green Belt. The merits of each of these two locations was considered at various stages with a summary given below.

2003 Broxtowe Local Plan Inspector's Report

There is nothing to choose between them. Both were rejected in the previous Local Plan in line with the Inspector's recommendation.

2010 Tribal Report

Areas to the east of Brinsley (option 1 was included as a potential growth direction).
Areas to the north east (option 2 was not due to coalescence risk with Underwood).

2013 Issues and Options publication

The published material repeated the findings of the Tribal report above and no strong preference for either area regarding consultation responses. At the time (November 2013 to January 2014) there was no final position in relation to the Core Strategy and the majority of objections related to any Green Belt development around the village.

2014 Core Strategy

Policy 2 did not stipulate where development was to occur in relation to directions for growth in Brinsley. A figure of up to 150 homes was accepted for the village and a process for Green Belt review was established in Policy 3. No directional steer in relation to Brinsley was given in the ACS or Inspectors report.

2015 Preferred approach to site allocations Green Belt Review

There was a clear preference for Option 1 in the published material, due mainly to a significant difference between the two in terms of merging. Duty to cooperate issues were relevant as Ashfield District Council were involved in joint assessment which clearly pointed away from locations leading to the merging of Underwood with Brinsley. There were significant objections to this approach in the consultation responses.

2017 Sustainability Appraisal

Nothing to choose between the two sites.

Consultation Responses

In terms of the overall numbers these are reported below. There appears to be a slight preference in numerical terms for option 1 albeit a number of these respondents live outside of Brinsley.

There are three responses that are of particular significance due to being concerns expressed by a duty to cooperate partner or by being a neighbourhood plan group. These are from Ashfield District Council, Brinsley Parish Council and the Jacksdale/ Underwood/ Selston (JUSt) Neighbourhood Plan group.

Ashfield and the JUSt group have a preference for Option 1 for the same reason, which is concern relating to the reduction of the gap between Brinsley and Underwood. Brinsley Parish Council prefer option 2 having undertaken their own consultation over a number of months and referring to a reduction in the gap between Parish Boundaries in relation to option 1.

Each of the respective site promoters refers to points in favour of their own site while questioning the delivery of their competitor site. None of the statutory consultees have concerns in principle regarding the ability to deliver homes on either site. It is the case that more work has been done in relation to option 1 which has been under positive consideration for allocation since the publication of the Green Belt review in February 2015. This does mean that there is a greater likelihood of early housing delivery on option 1. These points are summarised in Table 1 below.

Table 1

Issue	Option 1	Option 2	Comments and preference if any
2003 Inspector's Report			None
2010 Tribal Report	*		Option 1 performs better regarding coalescence issues.
2013 Issues and Options	*		Option 1 but for exactly the same reasons as the 2010 Tribal report.
2014 Core Strategy			None
2015 Preferred Options	*		Option 1. The joint work with Ashfield (and outcome of it) is highly relevant as Ashfield are a Duty to Cooperate partner.
2017 SA			None regarding 'significant effects' although on both Heritage and landscape grounds option 2 is in a marginally less sensitive area. The reason the sites score the same is that as a result of

			additional work on Option 1 these potentially adverse impacts have been addressed by restricting the development parcel to a small parcel of the previously envisaged larger site.
Consultation responses			Option 1 but marginal. The response of Brinsley is significant but this is counter balanced by the views of Ashfield and JUST.
Delivery			Option 1 but marginal due to greater certainty that the site can be developed for the numbers of homes without needing additional land.

Conclusion

There is no planning policy which seeks to maintain gaps between the edge of parish boundaries. On Green Belt policy terms the issue of reducing the size of the gap between the villages of Brinsley and Underwood for option 2 means that option 1 remains the recommended allocation. On other grounds the differences between the two sites are marginal and the views of Brinsley Parish Council as the neighbourhood planning body for the area concerned should be afforded significant weight. However, even allowing for this, the Green Belt issues as also expressed by Ashfield and the JUST Neighbourhood Plan group mean that option 1 remains the option that has the greatest likelihood of being found sound at Examination.

For this reason it remains the recommended option.

APPENDIX 2

Detailed Brinsley consultation response summary

Summary

Allocate Option 1	
Number from Brinsley	128
Aldercar	2
Alfreton	2
Allenton	1
Alvaston	2
Arnold	2
Awsworth	2
Bramcote	1
Branston	2
Breadsall Village	1
Breaston	2
Burleigh	2
Calke	1
Castle Donington	1
Chaddesden	2
Clay Cross	1
Codnor	1
Cossall	1
Eastwood	19
Giltbrook	8
Heage	1
Hilton	1
Ilkeston	10
Jacksdale	1
Kimberley	4
Langley Mill	3
Littleover	1
Mapperley	3
Newthorpe	7
Nuthall	1
Papplewick	1
Rainworth	1
Ripley	17
Sandiacre	2
Selston	3
Shepshed	1
Somercotes	1
Stapleford	1
Stenson Fields	1
Sudbury	1
Sutton-in-Ashfield	2
Swadlincote	2
Swanwick	4
Underwood	19
Watnall	4

Woodthorpe	7
Total	281**
Allocate Option 2	
Number from Brinsley	160
Annersley Woodhouse	1
Awsworth	1
Derby	2
Eastwood	2
Giltbrook	1
Mapperley	1
Total	168*

**6 duplicate responses

*3 duplicate responses

Neither site or No Preference	13
Statutory Consultee and Duty to Co-operate	
No preference	7
Option 1	3
Option 2	6
Land Owner Developers	
Option 1	1
Option 1 + additional land	1
Option 2	1
Different site to the North of the village	1
Total	
Option 1 (without duplicate responses)	280
Option 2 (without duplicate responses)	172
Different site	1
Neither site or No preference	13

Brinsley Alternative site consultation

Commentator Name (Commentator ID)	Summary of Comments	
Statutory Consultees and Interest Groups		
Environment Agency	<p>No preference on which site is developed – no difference in terms of environmental constraints.</p> <p>As set out in the SA, secondary aquifer is present below the entire settlement and mitigation measures may be required.</p> <p>Environment Agency comfortable that any potential issues can be addressed by way of future discussions.</p>	<p>Noted. EA have expertise in Flood Risk and their contention that there is no material difference regarding environmental constraints is a significant material consideration.</p>
Natural England	<p>Since Natural England duties relate to the protection and enhancement of the natural environment, Natural England's concerns relate primarily to safeguarding protected sites, species and landscapes and ensuring adequate green infrastructure provision. It follows that we have no particular comment to make except to advise that development sites should be located so as to avoid any adverse impacts on nationally and internationally designated nature conservation sites.</p> <p>Natural England considers that there are a number of environmental designations and issues which may affect the size, scale, form and delivery of development sites and should be taken into account.</p> <p>Although the list below is not exhaustive, key</p>	<p>Noted. NE is the expert group in relation to wildlife and the provision of Green Infrastructure. As with the EA above, their comments should be afforded significant weight.</p>

	<p>environmental considerations include:</p> <ul style="list-style-type: none"> • International and national nature conservation sites, including Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites, SSSIs, National Nature Reserves; • Locally and regionally designated sites for geodiversity and biodiversity; • UK BAP habitats and significant proportions of BAP or protected species; • Ancient woodland; • Landscape character. 	
Highways England	<p>Given the relatively small scale of development being proposed, and the distance of the site from M1 junctions in the area, that there will be no significant impacts on the operations of the Strategic Road Network.</p>	Noted
Sport England	<p>No specific issues. Either option should promote the use of the recreation ground rather than provide formal open space. Playing Pitch strategy suggests that £80,000 would be required to improve the facilities. The boundary between Option 1 and the recreation ground would need to be carefully designed so as to ensure no impact on the use of the recreation ground or on the amenity of future occupiers. Does not appear that cricket is played on the</p>	Noted

	site however if it is then impact of cricket would need to be checked specifically.	
Nottinghamshire County Council	<p>As raised at previous stages of consultation, the adopted (and emerging) Minerals and Waste Local Plans form part of the development plan for the area and as such need to be considered as part of the development of the Part 2 Local Plan. The County Council will not reiterate the points already made at previous stage, instead would highlight the following points relating specifically to the Option 2 site:</p> <ul style="list-style-type: none"> - The site lies within a Minerals Safeguarding and Consultation Area for Coal (as per Policy DM13 of the emerging Minerals Local Plan). The reference to the presence of coal under 'other' in the consultation document is welcomed. The County Council would refer to the views of The Coal Authority in terms of assessment the impact of the development against Policy DM13. - There are no existing waste facilities in the vicinity of the site which would raise an issues in terms of safeguarding in line with Policy WCS10 of the adopted Waste Core Strategy. <p><u>Nature conservation</u> - Option 2 is not covered by any nature conservation designations. However, the Winter Close Grassland, New Brinsley LWS (5/2328) abuts part of the north-western boundary of the proposed allocation and</p>	Noted

	<p>would need to be protected during development. The site appears to be dominated by improved (or possibly semi-improved) grassland, bounded by hedgerows and has some potential to support protected species; as such, a Preliminary Ecological Appraisal of the site should support any planning application. The site layout should be designed to retain existing features such as trees and hedgerows.</p> <p><u>Right of Way</u> - There are no recorded public rights of way over Option 2.</p> <p>The County Council would take this opportunity to inform the District Council that Brinsley Footpath No 31 crosses Option 1. The route on the ground is understood to deviate from the route shown on the Definitive Map. Should this option be taken forward, this discrepancy should be noted and any future developer advised of such.</p> <p><u>Landscape and visual impact</u> (comments provided by Via East Midlands on behalf of the County Council) - As with Option 1, Option 2 lies within Policy Zone NC03 (Selston and Eastwood Urban Fringe Farmland) within the Nottinghamshire Coalfield Character Area. The overall landscape strategy is to enhance. Any development of this site should following the recommended Landscape Actions where possible. Winter Close BioSINC/LWS lies to the north of the site (neutral grassland). Ecological</p>	
--	--	--

	<p>surveys should be carried out, including recommended mitigations measures. Visual impact on existing residents along Cordy Lane and Broad Lane should be considered.</p> <p>Option 2 provides a more integrated extension to the village than Option 1, which was to the east of the A608.</p> <p><u>Public Health</u> -Detailed comments on the links between planning and health were provided as part of the County Council's response to the previous Additional Sites Consultation. Further to these general comments, in terms of the Option 2 site, the relevant local health report can be found attached. This sets out the health profile of the local area and shows that many of the indicators for the area local to the site are 'not better than the England average'.</p> <p>As with all sites being considered for allocation, it is recommended that the relevant Local Estate Forum and Clinical Commissioning Group be consulted on the proposals in terms of the likely additional healthcare requirements that will be generated as a result of the development of the site(s). Further details on the impact of proposals at this site on public health will be provided when more details are available at the planning application stage.</p> <p><u>Strategic Highways</u> - The County Council has no comments to make on the alternative site in relation to strategic transport planning.</p>	
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Ashfield District Council (ADC)	<p>ADC have concerns regarding the impact of Option 2 on the Green Belt between Brinsley and Underwood.</p> <p>Policy 3 of the Greater Nottingham Aligned Core Strategy (ACS) indicates that the principle of the Nottingham Derby Green Belt will be retained. Section 3 of Policy 3 indicates that, in reviewing Green Belt boundaries, consideration will be given to:</p> <ul style="list-style-type: none"> a) The statutory purposes of the Green Belt, in particular the need to maintain the openness and prevent coalescence between Nottingham, Derby and other surrounding settlements; b) Establishing a permanent boundary which allows for development in line with the settlement hierarchy and/or to meet local needs; c) The appropriateness of defining safeguarded land to allow for longer term development needs; and d) Retaining or creating defensible boundaries. <p>ADC is of the opinion that the proposed Brinsley Option 2 consultation site would have an adverse effect on the coalescence of Brinsley and Underwood. Policy 3 of the ACS identified the prevention of</p>	<p>ADC is a duty to co-operate partner. Any Local Plan inspector will attach significant weight to the views of ADC for this reason. If the Inspector concludes that the <u>process</u> of duty to cooperate had not been adequately met, then he/she may find the plan not legally compliant. Flaws in the legal compliance of the plan cannot be rectified by main modifications. This finding is unlikely as Broxtowe has undertaken the necessary process steps to adequately consider the views of all duty to cooperate partners including ADC.</p> <p>What is more likely is that an Inspector may find that the <u>outcome</u> of duty to cooperate is flawed if BBC go against the wishes of our immediate local authority neighbour with inadequate planning grounds for doing so, and this has implications for soundness. Flaws in soundness of a Local Plan can be rectified by modifications to the plan (significant changes) although this still remains a serious matter with time and cost implications. Elsewhere in this report there is information relating to the officer view of a clear difference on Green Belt policy grounds with Option 1 (as endorsed by ADC) amounting to a significantly better option to release from the Green Belt than Option 2.</p>
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	<p>coalescence as an important consideration in reviewing Green Belt boundaries. The 2015 Green Belt Review undertaken by Broxtowe indicates that the area scores very high in Green Belt terms with regard to the merging of settlements. Development would directly adjoin Ashfield's boundary and would go beyond the built up area in Brinsley towards Underwood's settlement boundary. ADC was proposing to allocate land at Winter Closes in Underwood in the 2013 withdrawn Ashfield Local Plan. The Council has now determined that the site is not suitable because it scores very high in relation to merging of settlements (Underwood and Brinsley) in the 2015 Ashfield Green Belt Review. It should be noted that, in the interests of good planning practice and the Duty to Cooperate, a requirement in the 2011 Localism Act, Ashfield has worked closely with Broxtowe to ensure a consistent approach to reviewing Green Belt boundaries. The site assessments undertaken should play a crucial role in determining which sites are the most appropriate in Green Belt terms.</p> <p>As part of their response (letter dated 14th October 2013) to the public consultation on the 2013 withdrawn Ashfield Local Plan, Brinsley Parish Council objected to the proposals to allocate Winter Closes. One of their reasons related to</p>	
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	<p>the effect it would have on the coalescence between Brinsley and Underwood. The Parish indicated that: <i>"This initial development, therefore, could lead to significant further development which will give the risk of coalescence between the two villages of Underwood and Brinsley which would be completely unacceptable as we would then lose the separation between the two villages and Brinsley is one of the last true villages in Broxtowe surrounded by Green Belt on all sides"</i>. Brinsley Parish Council's response to Selston Neighbourhood Area Consultation in 2013 in relation to Winter Closes proposed allocation stated that their proposal, to remove Winter Closes, would ensure that the narrow Green Belt gap between the two villages is removed from consideration for development purposes, which is to the benefit of both communities and in line with National Planning Practice Guidance concerning the prevention of coalescence of settlements. The allocation of the Option 2 site would clearly go against Brinsley Parish Councils Commitment to protect the narrow Green Belt gap between Brinsley and Underwood.</p> <p>In conclusion, ADC has concerns that the allocation of Option 2 would significantly reduce the gap between Underwood and</p>	
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	Brinsley. Both Ashfield's and Broxtowe's Green Belt Assessments for the area between Underwood and Brinsley have scored very high with regard to merging of settlements. The prevention of coalescence is a key priority in terms of Green Belt Policy.	
Broxtowe Borough Council - Environment	Odd shape in the way that it extends into the countryside with no logical boundary other than field boundaries which mark land ownership.	
Health and Safety Executive (HSE)	No representations to make.	
HS2	No comments to make.	
JUS-t (Jacksdale, Underwood, Selston tomorrow) Neighbourhood Planning Group	<p>With regard to the Greater Nottinghamshire and Ashfield Green Belt Assessment Framework of February 2015 we have concerns on 3 out of 5 of the assessment criteria for development in the green belt.</p> <p>1) To check the unrestricted sprawl of large built up areas</p> <p>We do not find that the site is contained by physical features on its border with Ashfield. The site encroaches into the green belt 'corridor' between Underwood and Brinsley in an unchecked manner and therefore does not round off the settlement of Brinsley, but rather encroaches towards Underwood.</p> <p>2) To prevent neighbouring towns/settlements merging into one another</p> <p>Under this criteria it is</p>	

	<p>necessary to assess the extent to which the development would reduce the size of the gap between settlements. The site would reduce this gap by half, which we do not find acceptable. Additionally the perception of the gap would be decreased to nothing, as at some points from Cordy Lane there would be no physical gap to be seen and Brinsley and Underwood would appear to merge. This would be a new development built completely up to the border line between Underwood and Brinsley.</p> <p>3) To assist in safeguarding the countryside from encroachment</p> <p>Whilst the site may be 'urban fringe' along its length with Cordy Lane, as mentioned above it extends into the green belt 'corridor' between Underwood and Brinsley and thus Brinsley encroaches on Underwood.</p> <p>Furthermore, during the Selston Neighbourhood Area Designation Consultation Period, Wednesday 16 October to Friday 29 November 2013, Brinsley Parish Council objected to the inclusion of the green belt land adjacent to Winter Closes, Underwood and requested that the Selston Neighbourhood Plan Designated Area be redrawn to exclude this land. Although the Selston Neighbourhood Plan Designated Area does still include this land, it was</p>	
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	<p>agreed to remove this land from the areas to be considered for development in consideration of Brinsley's objection.</p> <p>Throughout Ashfield District Council's Local Planning process and also throughout the JUSt Neighbourhood Planning process it was determined to continue to leave this narrow green belt gap between Underwood and Brinsley undeveloped to avoid the coalescence of the two settlements. As a result of the JUSt consultations in Underwood the green belt area encompassed by Winter Closes, Underwood was left untouched, even as far north as the former pit site in Underwood. Having worked hard to maintain the green belt in this area from Ashfield's side we would consider this site's encroachment into the green belt to be significant and would not be in support of it as an alternative site in its current proposed form.</p>	
Seven Trent Water	<p>Provided surface water is managed sustainably and is not connected to the foul sewerage system then no sewer capacity issues are envisaged with either option. It is assumed that surface water from both developments would be discharged to the nearby watercourse but consultation with Nottinghamshire County Council in their role as Lead Local Flood Authority is recommended to ensure the development does not increase surface water flood risk.</p>	

	<p>The existing public foul sewers cross both of the development sites.</p> <ul style="list-style-type: none"> •Option 1 has a foul sewer passing through a small part of the site to the north-east and so is unlikely to be affected by development proposals. •Option 2 has a 300mm diameter foul sewer passing directly through the central spine of the site and so to accommodate new development is likely to require diverting. <p>Should any of the public sewers require a diversion the developer would be liable to fund the cost of the work.</p>	
Nottinghamshire Building Preservation Trust	<p>Option 2: Support Parish Council – Option 2 is more continuous with existing centre to the North of Cordy Lane. Physical Links will more easily be established.</p>	
Friends of Brinsley Headstocks	<p>Support Option 2 – would not have negative impact on wildlife.</p> <p>Option 1 would have unfavourable impact on ecology of the Headstocks nature reserve. SINC site adjacent to option 1 – potential impact on Willow tit – on red list for conservation). Development would cause drainage problems for the brook which regularly floods and would have negative impact on pond (which has received confirmation of funding to be constructed).</p>	
Nottinghamshire Wildlife Trust	<p>Support Option 2 as least damaging allocation in terms of biodiversity.</p> <p>Option 1 is located</p>	

	<p>immediately adjacent to Brinsley Headstocks LNR and associated Local Wildlife Sites, Brinsley Brook Grassland LWS (5/2302) and Brinsley Headstocks LWS (5/3405), which are identified for their botanical interest. The wildlife value of Brinsley Headstocks, which has been well recorded, may be harmed by any substantial increases in recreational use, which would be inevitable if Option 1 is taken forward.</p> <p>The LNR and adjacent land is considered locally by members of the Friends Group and others who carry out regular birdwatching locally, as being more valuable for birds. This is certainly likely because the LNR itself supports more structural diversity in its habitats, with areas of woodland, plantation, hedges alongside meadows and the Brinsley Brook. These features are largely lacking from land within Option 2, which is predominantly arable. The LNR currently has good, strong habitat connectivity along the brook and to Saints Coppice to the north, which could be adversely affected by built development if Option 1 is taken forward.</p> <p>Option 1 contains areas of permanent grassland whereas the majority of land within option 2 is mainly arable, which contains no known botanical interest is less valuable in wildlife terms,</p>	
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	<p>apart from hedges which we would like to see sensitively retained within any development.</p>	
<p>Greasley Parish Council</p>	<p>Option 1 constitutes an incursion into shared Green Belt area between the two Parishes and eastern boundary of site immediately abuts common boundary. If Option 1 is carried forward then the eastern edge should be established as a defensible boundary to prevent detrimental impact on adjacent Green Belt land. The design of the resulting development should also preclude future access being achievable across the common boundary. Option 2 is preferred by Brinsley Parish and Greasley offer their support. Other matters arising are for the determination of Brinsley on behalf of their community.</p>	<p>The purpose of Green Belt is to prevent neighbouring settlements from merging; preventing development in a Parish from touching a neighbouring Parish boundary is not a purpose of the Green Belt.</p>
<p>Brinsley Parish Council</p>	<p>Option 2 is the preferred site for the Parish Council. It can easily accommodate 110 dwellings. The developer has stated their intention to proceed immediately once approval is gained from Broxtowe BC. Site has access onto Cordy Lane with robust traffic calming currently under review by developer. Walking and cycling routes would integrate the site into the community. Natural play area to blend with adjacent countryside is also proposed. Site is unaffected by any significant environmental or wildlife issues and no flooding issues present. Small area of site used as a sewer pit was removed.</p>	

	<p>from use and would present no contamination risk although it would be subject to testing.</p> <p>Option 1 would narrow the gap between two settlements and would ignore the purpose of the greenbelt by allowing encroachment into the countryside. This was opposed by Historic England in the Green Belt Review. Proximity to the headstocks heritage site which relies on open aspect within the protected landscape of the village.</p> <p>Borders a heritage nature reserve and wildlife corridor and development would cause catastrophic disturbance to this location with no suitable re-location site for wildlife.</p> <p>Access requirements to the site needs clarification.</p>	<p>Option 1 does not narrow the gap between two settlements to any significant degree.</p> <p>Natural England have no objection</p>
Cllr John Handley	<p>Site chosen by the people of Brinsley</p> <p>Meets the needs of the council to provide houses and the requirements of Brinsley through provision of larger family homes and smaller retirement style properties.</p> <p>Does not visibly encroach onto the Green Belt and does not form coalescence with Greasley.</p>	
Site Promoter (s) (Owner / Agent / Developer)		
Other Developers / Landowners		
P Routeledge	<p>Object to Option 2</p> <p>Lack of defensible boundary will result in the</p>	

	<p>coalescence of Brinsley and Underwood</p> <p>Major road safety concerns regarding access to the highway</p> <p>Site was found unsuitable through the Core Strategy</p> <p>Rejected in Tribal</p> <p>Previously rejected by the Parish Council</p> <p>Potential site contamination issues from previous use</p> <p>Whole of zone 4 (as shown in Green Belt review) should be allocated or safeguarded for future housing/employment development</p> <p>Site 376 abuts existing residential housing, sewers are already on site and a willing developer is in place. There are existing safe accesses onto Church Lane.</p>	
Public		
Support Option 1		
<p><u>Core Strategy:</u></p> <ul style="list-style-type: none"> Core Strategy Inspector endorsed Option 1. <p><u>The Green Belt:</u></p> <ul style="list-style-type: none"> Has a defensible boundary that would not cause coalescence issues with Greasley Parish. Although the two Parishes share a boarder there is no development in Greasley near the site. Site is contained <p><u>Roads and Traffic Issues:</u></p> <ul style="list-style-type: none"> Road safety needs to be considered to stop speeding cars and signage for children crossing should be installed. Traffic Lights should be used whichever option is chosen Traffic Survey required All surrounding roads are busy (particularly A608) – concern about any 		<p>The Core Strategy Inspector did not endorse any specific site development in Brinsley.</p> <p>The purpose of Green Belt is to prevent neighbouring settlements from merging; preventing development in a Parish from touching a neighbouring Parish boundary is not a purpose of the Green Belt.</p>

<p><i>housing in the village</i></p> <p>Schools and access to facilities:</p> <ul style="list-style-type: none"> • Issue with schools in Brinsley and Eastwood. • Need more facilities for children and teenagers • Doctors needed • Children will have safe access to the recreation ground and picnic area without having to cross the main road. • Option 1 closer to amenities and playing fields <p>Wildlife:</p> <ul style="list-style-type: none"> • Would not interfere with the views of open countryside or of the Headstocks Heritage and Wildlife site. <p>Impact on the village:</p> <ul style="list-style-type: none"> • Option 1 will keep village balanced and breathe life into the heart of the village • Preferred site for people in Brinsley and Broxtowe BC • Least disruptive option and can be screened by trees • Doesn't affect as many properties as option 2 (including impact on property values) • Previously used for coal industry • Would feel like an integral part of the village, would be close to local amenities and would provide opportunity for children to integrate with existing children using the recreation ground and Headstocks – children should be encouraged to use the green spaces within the village. • The village does not have a centre, however the recreations ground, Parish Hall and convergence of routes in and out of the village would suggest that option 1 is nearest to the centre. • Pedestrian routes made directly from Church Lane onto the recreation ground would encourage shared use community green space – will promote cohesion and reduce isolation. • Nearest to the existing bus stop. • Church Lane site part of existing village layout and fits within the natural curve of the A608. <p>Object to option 2:</p>	<p>Impact on property value is not a planning consideration.</p>
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The Green Belt:

- Coalescence issues between Brinsley and Underwood, Winters Close in Underwood is very close to option 2 site.
- Ashfield proposed to build at Winters Close and Brinsley Parish Council strongly objected to that as did several local residents. Cannot understand why Brinsley Parish Council are now advocating a suite which will do the same thing they were objecting to.
- Tribal 2010 stated that this area should be avoided due to coalescence risk with underwood and lack of defensible boundary.
- Will lose the 'green break' between the two settlements of Brinsley and Underwood.
- Last Inspector said there should be no building on Option 2 due to coalescence between Brinsley and Underwood, if this happens both villages will lose their identity.
- Green Belt across the border in Ashfield is being maintained- this is inconsistent with their approach.
- Building option 2 would blur the boundary between Brinsley and Underwood.
- Option 2 will lead to urban spread
- Not suitable due to proximity with Ashfield boundary
- No defensible boundary
- Encroachment into the countryside
- Development would reduce the gap between Brinsley and Underwood and proximity of site to boundary line would create coalescence.
- Reduction in the gap would be significant when travelling towards Underwood as there would be no gaps in the main road frontage.
- Important part of the Green Belt giving feel of open countryside to the village and provides a 'soft edge' to the existing line of development.
- Losing the Green Belt here would result in a continuous urban sprawl between settlements and would defeat the object of safeguarding the countryside

from encroachment.

Roads and Traffic Issues:

- A608 extremely busy and to add traffic close to a corner is unacceptable.
- Concern about other business that have entrances in close proximity to the new access (including a nursing home)
- Speeding and overtaking on Cordy Lane is a serious existing problem.
- Impact of extra traffic on congestion at Nuthall Island
- Concern about congestion generally in Brinsley and the additional pollution this will create
- Very bad bend in the road for access – would be dangerous
- Access to the site would be from a dangerous blind bend – to guard against the existing high volume of traffic and the excessive speed of some vehicles then serious traffic calming measures would be required to avoid serious risk. The cost of these measures is likely to be prohibitive.

Schools and access to facilities:

- Would not be close to amenities and would be out on a limb at the furthest end of the village.
- Site would not integrate with the rest of the village.

Landscape:

- Result in loss of green space visible from Cordy Lane.

Impact on the village:

- Development of Option 2 will take away rural feel of the village and habitat for wildlife.
- Option 2 is nearly out of the village
- Will have an impact on a larger number of existing properties in the village.

Contamination and land stability:

- Serious contamination due to the site being a pit head with ground instability including pit shafts (shown on historical map).
- Site has significant former mine workings which will cause issues for large number of properties on the site and 'sink hole' can be seen in car park of Yew Tree pub which is one of many mine shafts in immediate area.

<ul style="list-style-type: none"> • Sited on contaminated land from earlier sewage and mining activities. • Subsidence in the car park of the Yew Tree Pub <p><u>Flooding:</u></p> <ul style="list-style-type: none"> • Badly floods (overland) • Stream to the southwest already floods and badly affects bordering residents – natural soak away affect will be removed and is likely to lead to further significant flooding. • 3 streams which channel water from the fields under the main road • Parts of the site are wet and boggy and therefore drainage/flood risk should be considered. <p><u>Footpaths:</u></p> <ul style="list-style-type: none"> • Would have an impact on footpaths <p><u>Electricity:</u></p> <ul style="list-style-type: none"> • There is a 33KV overhead power line crossing the site – this represents serious health and safety concerns unless under-grounded or re-routed (which would have significant cost implications). <p><u>Parish Council:</u></p> <ul style="list-style-type: none"> • Option 2 has been chosen by the Parish Council based on inadequate consultation and following recommendations of the Neighbourhood Plan steering group, some of who have a vested interest in the choice of the site. The response of the consultation between the two sites was very close however it is being reported as an overwhelming majority. • Lack of transparency within the Parish Council and some people were refused a response form. • Developer of site 2 was given opportunity to present to residents which was not given to developer of Option 1. • Plans in the consultation do not match those being displayed at Brinsley Parish Hall which shows significantly larger area of land. 	<p>Brøxtowe Borough Council is the Local Authority undertaking the consultation and the information relating to the two sites on the BBC website was clear. Access to the response forms was available on the BBC website and paper copies at various locations. Allegations about poor consultation on the part of Brinsley PC or the narrow margin of support should not detract from the clearly stated position of the Parish Council that they are in support of Option 2. This is a position both as the Parish Council and Neighbourhood Planning group that they are entitled to come to.</p>
Public	
Support Option 2:	
<u>The Green Belt:</u>	

- Closer to Underwood but far enough away to prevent coalescence.
- Has less effect on the Green Belt
- Too close to Ashfield's boundary and not enough room for all of the houses proposed.
- Considerable distance from Underwood and should not be a problem with Ashfield.
- Separate from Ashfield boundary by a working farm

Roads and Traffic Issues:

- Can be better accessed via a mini-roundabout / large traffic island from Cordy Lane which would also act as a traffic calming measure.
- Can access onto Cordy Lane without turning onto blind corner
- Could access from Winters Close – to alleviate traffic issues in Brinsley
- Could second road be used to access site from Broad Lane? Or upgrade footpath to be a road
- Traffic in the village already busy.
- Yew Tree Pub site could be used to make access to site better
- Right at end of village where people are likely to exit for the motorway – ideal location for Junction 27 commuters
- Would welcome speed cameras
- Poor bus service to village
- More stringent speed restrictions and weight limit restriction for heavy goods vehicles should be considered.

Schools and access to facilities:

- A local shop should be included in the development to prevent more traffic at existing shop.
- Site has easy access to bus stops and shops especially for older generations and infirm particularly wheelchair users.
- School upgrade to be considered

Wildlife:

- Option 2 has low wildlife value
- Wildlife buffer zone needed
- Low value for wildlife – uninteresting botanically

Footpaths:

- Option 2 would have less impact on 'the lines' walking route

- Physical Links can be more easily established
- Footpaths to school and shops without crossing the road

Flooding:

- Less issue with flooding
- Careful consideration of flood risk needed as ground is heavy clay with underground springs

Heritage:

- This site will not encroach on the Conservation Area.

Future Development:

- Option 2 could be extended when/if needed to build more houses in the same area.

Impact on the village:

- Option 2 consolidates the village.
- Closer to existing residential development.
- Keep village to one side of the road
- Less impact on views enjoyed by tourists and villagers - Less visual impact on the village
- Already part of the residential area.

Design/ type of development:

- In part it borders an industrial area which should be developed first.
- Bungalows for the elderly should be considered
- All dwellings should be built with solar panels as standard

Object to Option 1:The Green Belt:

- Option 1 would have a bigger impact on the Green Belt between Brinsley and Eastwood.
- Would spoil beautiful views across the Green Belt.
- Would encroach into the countryside.
- Will cause coalescence with Greasley boundary narrowing the distance between settlements
- Roundabout to access the site would be dangerous – accidents have already taken place on the corner.
- Projects into attractive open countryside would create new settlement on previously undeveloped location

Schools and access to facilities:

- Land next to playing fields should be made available for sports and leisure facilities.

Wildlife:

- Nearer to environmentally sensitive areas (i.e. Nature Reserve, Brinsley Brook and 'Long Meadow' and Brinsley Headstocks)
- Adjacent to a SINC
- Redwing and Fieldfare feed in fields and hedgerows
- Option 1 would have a negative impact on wildlife and the brook
- Children and cats would adversely affect the wildlife
- Will impact on people feeding the wildlife

Flooding:

- Option 1 more likely to flood

Heritage:

- View of Brinsley Village across to the Headstocks would be lost if Option 1 were developed.
- Should not be disturbing all the work that has taken place around the headstocks.
- Links to DH Lawrence important on Option 1
- View from Church Lane is unique and attracts tourists from around the world – impact on tourism

Future Development:

- If building is allowed near the Headstocks then more will follow.

Impact on the village:

- Option 1 would completely alter the character of the village by reducing the open views admired by villages and tourists.
- Option 1 would spoil the green fields feel of Brinsley Park and playing fields which are a well-used focal point of the village.
- Option 1 is separate to the existing village
- Highly visible
- Peace and tranquilly of the village would be affected
- Would cause light pollution at night in an area which enjoyed starlight previously

Other General Issues:

- Number of public toilets in Brinsley should be addressed if more residents are proposed.
- The village will require new services which don't exist i.e. GP practice, Police post and bus service
- Where will all the children be schooled?
- Additional parking problems around Brinsley school need to be considered
- Brinsley will become a through road with all the building in Eastwood – planning should prevent making Brinsley residents lives difficult
- If count one off houses being built then the 110 figure should come down. (Suggestion that 20 would be adequate).
- Building either option will mean that it will cease to be a 'village' - Only remaining village in Broxtowe
- Green Belt should be developed as a last resort – have all brownfield sites within the borough been considered?
- Concern that consultation will continue indefinitely and the cost implications
- Unethical to build on the Green Belt – single dwellings refused by 110 acceptable?
- Could consider developing a proportion of sites + other potentials rather than focusing on one area.

Other Sites

- Brownfield Site behind the Durham Ox should be used for old folks home
- Halls Lane - no working farms and access would be safer from the main road and three possible access options.
- Brownfield site on Main Street for elderly accomodation
- Bottom of Whitehead Drive and Windsmoor Road (Gypsy Fields)
- The Old Yew Tree pub
- Green Belt from bottom of Broad Lane to Jacksdale
- Disused Barracks in Broxtowe that should be built on instead.
- Site of A610 behind Warburtons factory – cleared and whilst allocated for employment development it could provide housing.
- Empty plot on Cordy Lane two doors up from Bowl Pavillion.
- Chetwynd Barracks at Chilwell
- Birnhams site at Brookhill Lees
- Church Lane – near to Headstocks – much easier for access sites close to school should be reconsidered
- Top end of Brinsley Hill – would affect less people and properties could overlook Erewash Valley
- Land Left of Main Street
- Top of Broad Lane towards Jacksdale
- Should consider not building at all
- Site opposite the Post Office (adjacent to the Headstocks)

APPENDIX 3

Policies

Policy XX: Housing size, mix and choice

1. Affordable housing should be provided at the newly-allocated sites at Awsworth, Bramcote, Brinsley, Stapleford and Toton or for any site within the Green Belt comprising 10 or more dwellings at a proportion of 30% or more.
2. Affordable housing should be provided at the newly-allocated site at Kimberley at a proportion of 20% or more.
3. For other proposals for development of more than 10 units within Use Classes C2 or C3, affordable housing should be provided at the following proportions:
 - 'Beeston' submarket: 30% or more;
 - 'Eastwood' submarket: 10% or more;
 - 'Kimberley' submarket: 20% or more;
 - 'Stapleford' submarket: 10% or more.
4. Any applications which propose less affordable housing than is indicated in parts 1, 2 and 3 of this policy must be accompanied by a viability assessment.
5. Affordable housing provision should be made on site, unless there are exceptional circumstances. Affordable properties should be integrated with market housing and should be of a similar size, type and external style as the market housing.
6. Developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough are met.
7. For developments of more than 10 dwellings, at least 10% of dwellings should comply with optional requirement M4(2) of the Building Regulations regarding 'accessible and adaptable dwellings'.
8. For developments of more than 20 dwellings, at least 5% of provision should be in the form of serviced plots for self-build or custom-build, and/or custom-build homes by other delivery routes.

Justification

As recognised in the Council's Corporate Plan and Housing Strategy, there is an urgent need to maximise the delivery of affordable housing in the Borough. It is however also essential that expectations of affordable housing provision should not harm delivery by making developments unviable. Parts 1, 2 and 3 of the policy therefore strike a balance between the two objectives. The electoral wards included in each submarket are given below and relate to the urban areas of each ward and not the Green Belt which is considered under the Green Belt part of the policy (part 1). The point that affordable housing will be expected to be provided on Green Belt sites should not be taken as support for development in such locations which is restricted in other policies in this Local Plan, the Core Strategy and the NPPF:

- The Beeston sub-market comprises wards of Attenborough and Chilwell East, Beeston Central, Beeston North, Beeston Rylands, Beeston West, Bramcote, Chilwell West, and Toton and Chilwell Meadows;
- The Eastwood sub-market comprises the wards of Eastwood Hall, Eastwood Hilltop, Eastwood St Marys, Brinsley and Greasley;
- The Kimberley submarket comprises the wards of Kimberley, Nuthall East and Strelley, Watnall and Nuthall West, and Awsworth, Cossall and Trowell;
- The Stapleford sub-market comprises the wards of Stapleford North, Stapleford South East and Stapleford South West.

The viability assessments referred to in part 4 of the policy must include a declaration, from a director or person of similar standing of the applicant company, that:

- The assessment is a true and fair reflection of the viability of the proposed development and that costs and values in the assessment are consistent with those within viability assessments that have been undertaken for internal or financial purposes; and
- The company undertaking the assessment has not been incentivised according to the outcome of the viability process or the level of planning obligations that the applicant is required to provide.

In the interests of transparency and public confidence in the planning process, viability assessments will be made publicly available alongside other application documents, unless there are exceptional circumstances. The Council does not consider it appropriate for an appraisal to apply a fixed land value as an input which is based on a price paid for land or an aspirational sum sought by a landowner. Any permission granted contrary to parts 1, 2 or 3 of the policy on the basis of a viability assessment will be subject to a clause requiring viability to be reviewed in the future.

With regard to part 6 of the policy, the appropriate mix of size, type, tenure and density will be assessed in liaison between the Council's housing and planning departments, in accordance with the Council's Housing Strategy.

Given the relatively high proportion of elderly people in the borough, it is important that a sufficient proportion of new housing makes appropriate provision for people with mobility issues. Part 7 of the policy addresses this matter.

Self-build and custom-build dwellings can help to meet the needs of local people who have expressed interest in this form of development via the Council's Register. They can also provide a boost to small-scale local housebuilders and add to the variety of housing provision. Part 8 of the policy is intended to help in these regards.

What the Aligned Core Strategy says

Policy 8.5 sets a 30% affordable housing target for Broxtowe and policy 8.6 says that any local variation in affordable housing requirements, and the mix and threshold for affordable housing, will be set out in part 2 Local Plans.

Policy 8.2 says that part 2 Local Plans will define a proportion of homes that should be capable of being adapted to suit the lifetime of its occupants.

What consultation responses say

In response to the 'Issues and Options' consultation there were representations in support of having a local policy. There were suggestions that Neighbourhood Plans could deal with the issues, that any policy should be flexible and that custom/self-build could form part of affordable provision. At the 'Topics Workshops' various opinions were expressed on several issues, including: whether or not affordable housing requirements should vary across the borough; the appropriateness of various size thresholds; the importance of 'flexibility'; the merits of on-site and off-site provision; the extent to which associated viability assessments should be made public; and the potential for a Supplementary Planning Document.

What other relevant information says

The 'Nottingham Core Viability Update Study' (September 2013), which updates the 'Nottingham Core Affordable Housing Viability Assessment' (October 2009), indicates that the percentage figures used in the policy are likely to be appropriate.

The Aligned Core Strategy 'Housing Background Paper' (June 2012) and its 'Addendum' (May 2013) refer to potential levels of net affordable housing need per annum (taken from the 'Nottingham Core Strategic Housing Market Assessment Needs Updates' of 2009 and 2012) of 445 and 535 respectively. They also note that: "Evidence clearly indicates that achieving this level of provision through the planning system is unviable".

Broxtowe's 'Corporate Plan 2016-2020' defines one of the Council's five 'priorities' as being: "A good quality affordable home for all residents of Broxtowe".

Broxtowe's 'Housing Strategy 2015-2020' notes that the borough contains a higher proportion of older people than the national average. It also notes the importance of achieving "the highest possible delivery of new affordable homes".

Strategic policy context

Aligned Core Strategy Policy 8: Housing Size, Mix and Choice

Monitoring

The following indicators will be monitored, in accordance with the monitoring arrangements in the Aligned Core Strategy:

- Completions by dwelling type, size and tenure;
- Affordable housing completions by type, size and tenure.

Policy XX: Gypsies and Travellers

The Borough Council has a need to find two pitches for Gypsies and Travellers and will work with its neighbouring planning authorities to identify a suitable site or sites within Greater Nottingham to ensure this need is met.

Justification

The Council will take a pro-active approach to ensure provision to meet identified need. Notwithstanding this, it may be that sites are promoted by the private sector. Any such proposals will be assessed against the criteria of policy 9.2 of the Aligned Core Strategy; suitable locations within the urban area are more likely to be appropriate.

This policy does not deal with Travelling Showpeople, who are not of a defined ethnicity but rather follow a particular economic occupation. As noted in the Gypsy & Traveller Accommodation Assessment (referred to below), the most appropriate planning approach is therefore considered to be to respond to demand as it emerges, should sites be proposed for Travelling Showpeople use.

What the Aligned Core Strategy says

Policy 9 says that part 2 Local Plans will allocate sites in accordance with the evidence base.

What consultation responses say

There were no representations on this issue in response to the 'Issues and Options' consultation. At the 'Topics Workshops' there were comments that: a criteria-based policy might be more appropriate than site allocations; Council-owned land might be considered; and previously-developed sites might be allocated on an interim basis prior to development for other purposes.

What other relevant information says

The 'South Nottinghamshire Gypsy & Traveller Accommodation Assessment 2014-2029' was published in January 2016. It covers Broxtowe, Gedling, Nottingham City and Rushcliffe. It identifies a need of 2 pitches for Broxtowe for the period 2014-2019. It also suggests that the majority of this need relates to the period 2014-2019.

Strategic policy context

Aligned Core Strategy Policy 9: Gypsies, Travellers and Travelling Showpeople

Monitoring

In accordance with the monitoring arrangements in the Aligned Core Strategy, the number of pitches will be monitored which are allocated, granted permission and implemented.

Beeston Town Centre will follow the design work progressing and will include an evening economy emphasis with cinema, public realm, eating and drinking at ground floor with significant residential above (100 units)

HS2 will follow the approach already endorsed at Cabinet with flexibility to respond to changing circumstances.

APPENDIX 4

Summary of additional policies and allocations not previously considered by Committee**Policies****Town Centres**

All four town centres of Beeston, Eastwood, Kimberley and Stapleford are to have their town centre boundaries reduced to include the retail core of each centre, but to exclude areas comprising housing or other uses which are not considered necessary to include within the Town Centre boundary. There are policies requiring a more proactive effort to secure the re-use of upper floors as part of development proposals. In combination this approach is intended to secure more compact and walkable centres with more efficient use of land to improve their vitality and viability, at the same time as securing a greater likelihood of housing proposals coming forward in locations on the edge of the centres and on upper floors within them.

The area along Chilwell Road/ High Road bounded by the Chilwell Road Methodist Church at the east and Bartons site at the west is designated as a Centre of Neighbourhood Importance. This area is complementary to Beeston Town Centre with an encouragement in the policy for a mix of residential and commercial properties of relatively small size with a focus on the evening economy.

For edge of or out of centre retail, an impact threshold of 500 square metres floorspace is applied to protect the vitality and viability of town centres.

Allocations

The land south of Beeston Square (Phase 2) is allocated for mixed use development including a cinema, a mix of uses adding to the evening economy and 100 homes. There is a requirement for a landmark building to provide a gateway into Beeston from the south.

The HS2 Strategic Location for growth is allocated for mixed use development and also comprises key development requirements beyond the end of this plan period in 2028. For development up to 2028, 500 homes are required at a minimum density of 40 dwellings to the hectare, plus supporting infrastructure. Beyond the plan period there are requirements for a mixed use 'innovation village' comprising large scale employment development blended with green infrastructure in close proximity to the station, comprehensive links to and through the central residential area of the site connecting Chetwynd Barracks with the site via the tram, walking and cycling routes, with a multi-use bridge going over the station to allow the tram to be extended further and providing links between the HS2 station, Stapleford and Long Eaton. Aspirations are set out to secure the relocation of the sewage works and electricity substation with a further ambition to secure a new purpose built School for George Spencer Academy within the site, potentially as part of a new education/ leisure campus on the eastern side of Toton/ Stapleford Lane.

Other issues

The Plan includes several policies which have been added since the committee meetings of 23 February and 16 March 2017 and which have not therefore been considered previously by members:

- Policy 15, 'Housing size, mix and choice': Sets percentage requirements for the provision of affordable housing in various parts of the borough. Requires viability assessments for applications with smaller percentage provision. Requires provision to be on-site, unless there are exceptional circumstances, and requires affordable provision to be integrated with market housing. Requires a mix of house size, type, tenure and density. Requires a proportion of dwellings to be accessible and adaptable for disabled people. Requires a proportion of provision to be in the form of self-build and/or custom-build.
- Policy 16, 'Gypsies and Travellers': Commits the Council to identifying a site within the existing built-up area to provide two pitches for Gypsies and Travellers.
- Policy 18, 'Shopfronts, signage and security measures': Sets criteria for the assessment of applications, including a requirement that two thirds of the area of shutters should comprise an open grille or large slots.
- Policy 20, 'Air Quality': Sets criteria for the assessment of applications, including requirements for the provision of electric vehicle charging points.
- Policy 25, 'Culture, Tourism and Sport': Encourages proposals that make provision for sports pitches, in particular for children, or which enhances the borough's tourism offer.
- Policy 26, 'Travel Plans': Expects the submission of a Travel Plan with all applications for 10 or more dwellings.
- Policy 29, 'Cemetery extensions': Allocates and protects land for cemetery extensions at Chilwell and Brinsley.
- Policy 30, 'Landscape': Requires developments to be consistent with the guidelines of the Greater Nottingham Landscape Character Assessment.

In addition, changes have been made to the presentation of some of the policies which have previously been considered by members:

- Several previously separate policies have been amalgamated in policy 28, 'Green Infrastructure Policies', policy 31, 'Biodiversity Assets', and policy 25, 'Culture, Tourism and Sport'.
- A previously separate policy on 'design for biodiversity' has been incorporated in the policy 17, 'Place-making and design'.
- A previously separate policy on 'developer contributions for green space' has been incorporated in policy 32, 'Developer Contributions'.
- Policy 17, 'Place-making and design' has also been expanded to include references to sites within, or released from, the Green Belt.
- Policy 9, 'Retention of good quality employment sites' has been expanded to include references to local environmental and amenity issues.
- Part of policy 22, 'Minerals', has been transferred to the 'justification' text.
- Several previously separate policies have been amalgamated in policy 19, 'Pollution, Hazardous Substances and Ground Conditions'.

Report of the Director of Legal and Planning Services

KIMBERLEY JOBS FAIR1. Purpose of report

To update members of the Committee on the Kimberley Jobs Fair.

2. Information

On 24 April 2017 a jobs fair took place in Kimberley at the Town Hall which was organised by the Senior Economic Development Officer. The fair featured a range of employers including Caunton Engineering, New College Nottingham, SOLO consultants and RAF Nottingham.

The main aim of the fair was to provide a forum where employers and job seekers could meet one another, which may ultimately lead to job opportunities in the future and have an impact on reducing unemployment levels within Broxtowe. Promoting job opportunities is also a main strand of both the Council's Service Plan and the Economic Regeneration Strategy.

An update on the feedback received from this event will be reported verbally on the evening.

Moving forward, it is the intention to undertake regular jobs fairs across the Borough and this will be reflected in the amended delivery plan that accompanies the revised Economic Regeneration Strategy, which will be put before this Committee later this year.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

Jobs and Economy Committee – 6 July 2017

Late/ Additional items

1. The new policies referred to in the report are in Appendix 4 and the finalised version of the Gypsy and Travellers policy is on page 104 of the Draft Local plan. This policy states-

'A suitable site will be identified within the existing built up area to accommodate the requirement for two pitches for Gypsies and Travellers to ensure the identified need is met. This provision will be made by 2019.'

2. Bramcote.

The Neighbourhood Forum have requested that the Bramcote site remains in the Green Belt, The site of the School is allocated for Local Green Space or publicly owned Leisure Centre, the School site is not permitted to be 'white space' or brownfield, the forum has adopted a housing target for Bramcote of 236 dwellings over the lifetime of the plan of which 180 are already accounted for as being built, under construction or with planning permission, and the very special circumstances to allow development in the Green Belt do not include the financial difficulties that may apply.

3. Beeston.

It is requested by local residents that the 'Horses Field' off Cornwall Avenue is not built on.

4. Brinsley.

Additional information submitted by a site promoter to the rear on Broad Lane (SHLAA site 681 which is not part of either Option 1 or Option 2)

- Rather than relying on one parcel of land to be released a number of smaller sites should be released to sensitively absorb the housing requirements.
- Smaller sites would mitigate and/or minimise any negative impacts on the character of the surrounding countryside and the Green Belt.
- 1.5ha site discreetly nestled behind the dwellings along Broad Lane and Clumber Avenue, wider landscape gives site enclosed nature.
- Situated (in part) at a lower level to the other proposed housing site options.
- Landscape character of the site is 'unremarkable' and is contained both in extent and visually.
- Development of the site would not impinge on the openness of the wider Green Belt and any cross-boundary issue of coalescence with Underwood.
- Access would be gained from the demolition of number 145 Broad Lane (which is unclassified two-way road with footways on either side). Visibility splays can be achieved in both directions.

- Site is well served by public transport and number of trips is unlikely to have detrimental impact on existing highways network.

Issues with other site(s):

Criticism of each of Option 1 and Option 2.

5. Comments from and relating to Brinsley Parish Council

Additional correspondence from the Parish Council raising concerns about the report and allegations contained within it including about the Parish Council's consultation process and references to previous inspectors reports.

Additional correspondence of which one letter is anonymous re-iterating concerns summarised within the officer report regarding the consultation process undertaken by the Parish Council. In addition there is support expressed for Option 1 and concern expressed at the process involved in relation to the Neighbourhood Plan steering group

6. Additional correspondence from the promoters of Option 1. Following a query raised about land ownership at the proposed access point to Option 1 the response is below-

Further to the recent options consultation for Brinsley, I would like to explicitly confirm for the avoidance of any doubt that my clients Mr and Mrs T. Anthony hold full ownership of all of the lands contained within option 1 (H198). Furthermore, their title is unimpeded by any loans or mortgages against their land holding.

Details

Agent	
Please provide your client's name	
Your Details	
Title	Miss
Name	Claire Appleby
Organisation (If responding on behalf of an organisation)	
Address	<div></div> <div></div> <div></div>
Telephone Number	
Email Address	<div></div>
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.)
5: Brinsley Site Allocation					

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

Question 2

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

Additional details

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.	no issue
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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>road safety / traffic calming needs to be addressed, cars already excel the speeding limit on cordy / church lane.</p> <p>primary school development to be cater for the influx of young people.</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>	<p>No</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	

[REDACTED]

From: Claire Wright [REDACTED]
Sent: 19 September 2017 11:12
To: Policy
Subject: Re: BROXTOWE PART 2 LOCAL PLAN - PUBLICATION VERSION CONSULTATION

Dear Steffan Saunders

I write as a resident of Brinsley in regards to your proposals for the village, and our Parish Council's objections to the site you have chosen.

The Parish Council state that an overwhelming number of people in the village support their plan for an alternative site on fields off Cordy Lane. I doubt this assertion, as no one I have spoken to thinks the fields on Cordy Lane (option 2) is a good idea, especially with the mining subsidence in the immediate vicinity, and the fact that this will have more of a visual impact on the village (ie look totally out of place and character) compared to option 1, which is your preferred site. Many people in Brinsley aren't overly bothered, as they don't live along Cordy Lane/Church Lane/Mansfield Road, and it won't affect them.

It's also worth noting, that from what I understand, it is properties along Cordy Lane/Church Lane, owned by Parish Councilors that will be affected by Option 1, and I have also been told that one person only joined the Parish Council to object to the plans. A clear conflict of interest it seems. I have been told, that plans are already well advanced with the owner of the land that you are planning to use, switching to BPC's option two will mean starting from scratch, and costing tax payers even more money.

I also read with great interest, that part of your plans involve traffic calming in the village. We have been asking for this for years, we need something to slow down the traffic, including large HGV's who use the village as a rat-run from the M1 at J27 to Eastwood/Langley Mill. We have plenty of evidence from Brinsley Community Speedwatch, which I was Co-ordinator of, and Nottinghamshire Police of the problems with speeding traffic on the A608 in Brinsley, particularly on Cordy Lane, where the long straight hill is too tempting for many people who just boot it overtaking traffic, with no thought for people exiting their driveways, crossing the road or oncoming traffic.

Whilst no-one ever really wants a large development of this scale in a mainly rural and historically sensitive area, I appreciate that you have an obligation over the next 10 yrs to meet a growing need for housing.

In summary, the utter NIMBY-ism of Brinsley Parish Councilors and Cllr John Handley (who no doubt wants to prop up his votes) is ridiculous, and I urge you to stick to your original plans and refute their objections.

I look forward to hearing from you in due course,

Kind regards

[REDACTED]

[REDACTED]

On 18 September 2017 at 14:32 Policy <polycymailbox@broxtowe.gov.uk> wrote:

18th September 2017

Dear Sir / Madam,

BROXTOWE PART 2 LOCAL PLAN - PUBLICATION VERSION CONSULTATION

The Council is inviting your views on the Publication Version of the Part 2 Local Plan (which follows the Part 1 Local Plan, the Aligned Core Strategy).

The Part 2 Local Plan allocates specific sites to meet the development requirements set out in the Aligned Core Strategy and details further policies against which future planning applications will be assessed.

The Publication Version of the Part 2 Local Plan is the version of the Plan that Broxtowe Borough Council wants to submit to the Secretary of State for examination. An independent planning inspector will examine the Plan to make sure that it is **legally compliant** and **sound** and that the **Duty to Cooperate** has been met. Any responses you make to this consultation will be considered by the planning inspector.

Details of where to view the consultation documents and how to respond to the consultation, can be found on the reverse of this letter, or on our website;
www.broxtowe.gov.uk/part2localplan.

The consultation period will run from **Monday 18th September 2017 to 5.00pm on Friday 3rd November 2017**; all representations must be received within this time.

For further information, please contact the Planning Policy Team at Broxtowe Borough Council by telephoning **0115 917 3452** or e-mailing: policy@broxtowe.gov.uk.

Yours faithfully

Steffan Saunders

Head of Neighbourhoods and Prosperity

Broxtowe Borough Council

Neighbourhoods & Prosperity

Chief Executive's Department

Council Offices, Foster Avenue

Beeston, Nottingham, NG9 1AB

Tel: 0115 917 7777

www.broxtowe.gov.uk

Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations 18, 19 & 20)

Statement of Representation Procedure & Location of Documents for Inspection

Broxtowe Borough Part 2 Local Plan – Publication Version

The Part 2 Local Plan covers the whole administrative area of Broxtowe Borough and forms the second part of the development plan until 2028. The Part 2 Local Plan includes site allocations for specific development and policies that will be used to manage development,

and land uses, within the Borough. It has been published for a period of public representation before submission to the Secretary of State

Public Representation Period: 18th September 2017 to 5pm on 3rd November 2017

All representations must be submitted within this period and received by the Council by 5:00 pm on Friday 3rd November 2017.

How to make Representations:

Responses should be made on the appropriate forms; these are available

- Online at www.broxtowe.gov.uk/part2localplan
- Paper copies are available at the locations listed below, all paper forms should be sent back to: **Planning Policy, Broxtowe Borough Council Offices, Foster Avenue, Beeston, NG9 1AB**

Representation forms can also be requested from the Planning Policy team at the Borough Council by telephoning 0115 917 3452 or e-mailing: policy@broxtowe.gov.uk

Locations of Documents:

Copies of the Broxtowe Borough Part 2 Local Plan and supporting documentation (Policies Map, Sustainability Appraisal and Statement of Consultation) are available for inspection at the following locations:

- Online at www.broxtowe.gov.uk/part2localplan
- Paper copies are available at;
- Broxtowe Borough Council Offices, Foster Avenue, Beeston, NG9 1AB (8.30am to 5.00pm Monday – Thursday and 8.30am – 4.30pm on Fridays);
- Libraries within the borough;
 - Beeston Library, Foster Avenue, Beeston, Nottingham NG9 1AE
 - Eastwood Library, Wellington Place, Eastwood NG16 3GB
 - Inham Nook Library, Barn Croft, Chilwell NG9 4HU
 - Kimberley Library, Main Street, Kimberley, NG16 2LY

- Stapleford Library, Church Street, Stapleford, NG9 8GA
- Toton Library, Stapleford Lane, Toton NG9 6GA
- Opening times for the above libraries can be found at <https://www.inspireculture.org.uk/reading-information/find-a-library/>

Large print versions of these notices are available on request.

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Details

Agent	
Please provide your client's name	
Your Details	
Title	Ms
Name	sharon Lane
Organisation (If responding on behalf of an organisation)	
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div>
Telephone Number	<div>██████████</div>
Email Address	<div>████████████████████</div>
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.)
5: Brinsley Site Allocation	53				

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

Additional details

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.	happy with the site proposed by broxtowe borough council. Dissapointed with parish council who have claimed to represent the views of the whole village and suggested that the residents of Brinsley prefered an alternative site
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Question 4

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.	none required
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Question 5

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

Details

Agent	
Please provide your client's name	
Your Details	
Title	Mr
Name	David Woodhead
Organisation (If responding on behalf of an organisation)	
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Telephone Number	<div>██████████</div>
Email Address	<div>████████████████████</div>
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.)
5: Brinsley Site Allocation					

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

Question 2

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

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	No
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>The site allocation is not in line with the wishes of the villagers who expressed a preference on the site allocations. It is less sustainable than the alternative site on Cordy Lane as it will be more intrusive on the Headstocks heritage and wildlife areas, will not fit into the existing shape of the village as well and therefore be more unsightly, and will also be more readily expanded in the future which will further damage the look and feel of the village for its residents.</p>
---	---

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>Site chosen for the development should be the Cordy Lane site. This is in line with the villagers majority wishes and also in line with the draft Brinsley Neighbourhood Plan. It is also more sustainable as it will be less visually damaging to the existing village as well as having a lesser adverse impact on wildlife and the heritage Headstocks site.</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>	<p>No</p>
<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	Mrs
Name	Gillian Anne Woodhead
Organisation (If responding on behalf of an organisation)	
Address	██████████ ██████████ ██████████
Telephone Number	██████████
Email Address	████████████████████
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
5: Brinsley Site Allocation					Incorrect site chosen, not in line with planning guidance and village consultation process

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

Question 2

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

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	No
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>The Church lane site is not appropriate because:-</p> <ol style="list-style-type: none"> 1. it would spoil the rural feel of the village - most of the existing houses being on the other side of the road. 2. The A608 is a busy road so it would be safer for pedestrians and resident traffic if the new development was on the same side as all the amenities. 3. The Headstocks Nature Reserve is in close proximity to this proposed development. It is a very important area for local wildlife diversity which would suffer with the encroachment of housing with increased disturbance and pollution. The area is also important historically with its mining history and DH Lawrence connections. The residents value this area highly, as do many visitors to our Village. 4. The Village Recreation Ground and Park are also adjacent to this site and its rural feel, forming the green heart to our village, would be destroyed if this development is allowed to go ahead.
---	--

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>The modification required is to change the proposed building development to the Cordy Lane Site because:-</p> <ol style="list-style-type: none"> 1. It is not so important for wildlife. 2. It is on the same side of the road as the majority of the existing village and therefore would have less visual impact. 3. It would be closer to existing amenities and would avoid crossing of the busy A608 4. The majority of the residents preferred this site, in line with the Localism Act. 5. There would still be sufficient distance between the neighbouring settlement of Underwood

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	Mrs
Name	Kath Large
Organisation (If responding on behalf of an organisation)	
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div>
Telephone Number	<div>██████████</div>
Email Address	<div>██████████</div>
Would you like to be contacted regarding future planning policy consultations?	No
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.)
	53	5.1			

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

Question 2

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

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	No
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>Development would have a significant impact on the nature reserve and amenities, which is visited by many people and not just the people from the village I have spoken to many visitors who love it and come back again.</p>
---	--

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>The impact would be sufficiently less to the village as a whole as it is already a residential area. There would be a safer access to the school and other local amenities. The traffic is bad now and will be worse with more housing.</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>	<p>No</p>
<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	Mrs
Name	Maureen Lees
Organisation (If responding on behalf of an organisation)	
Address	<div></div> <div></div> <div></div>
Telephone Number	
Email Address	<div></div>
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.)
5: Brinsley Site Allocation					

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

Question 2

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

Question 3

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

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>The Church Lane site would be a disaster if it was removed from the green belt, it is next to the Headstocks conservation area, and would allow too much activity, and drive the wild life out which we have striven to encourage. Building on that land would also alter the whole aspect of the village, all the amenities are on the other side of Church Lane, The alternative site for removal from green belt, off Cordy Lane, is much more within the village, and a safer option for children to attend school. All amenities are on the opposite side of Church Lane so the Cordy Lane site is more sensible.</p>
---	---

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>as previous page.</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>	<p>No</p>
<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	Andrew and Tracy Palmer
Your Details	
Title	Mr
Name	Andrew and Tracy Palmer
Organisation (If responding on behalf of an organisation)	
Address	██████████ ██████████ ██████████ ██████████
Telephone Number	██████████
Email Address	██████████
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
5: Brinsley Site Allocation	3	3			This development would damage the last village in Broxtowe. The sit os close to the Headstocks heritage site and would spoil the site.

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	Yes

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>Development at the church lane site would damage the headstocks heritage site. All of which is a green barrier to the rest of broxtowe.</p>
--	--

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>Please use the land at Cordy lane, which is adjacent to an existing development on board lane, and would be easily absorbed in to the village, rather than using green land on church lane.</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>	<p>Yes</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	<p>This development plan has an immediate impact on our home and family life and we should be consultanted.</p>

Details

Agent	
Please provide your client's name	
Your Details	
Title	Mr
Name	michael edmondson
Organisation (If responding on behalf of an organisation)	
Address	<div></div> <div></div> <div></div>
Telephone Number	<div></div>
Email Address	<div></div>
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.)
5: Brinsley Site Allocation	53				

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

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>the alternative site proposed by brinsley parish council, and approved by the majority of villagers is a far more sensible site, less obtrusive to the existing village and does not impinge on the recreation ground or the headstocks at all</p>
--	---

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>implement the parish council proposal</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>	<p>No</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

RECEIVED
-5 OCT 2017

Broxtowe Borough Council
Planning & Community Development
-6 OCT 2017

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		
	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.)	Omission of consideration of existing issues within Brinsley, particularly existing traffic hot spots that will be made much busier by the development		

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

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

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

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

Your comments

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

I believe the plan to be unsound because it does not place any consideration or discussion on how existing heavy traffic areas are going to be affected by the construction of new homes, only roads directly next to the development.

- 1) The Cordy Lane/Willey Lane junction. This junction will be put under extra pressure. In peak times you can wait for 20 minutes along the A608 on Cordy Lane. Measures need to be taken to improve this junction if traffic flow is to increase.
- 2) Both Brinsley & Underwood Primary presently create traffic issues with parents parking on narrow lanes, this will be exacerbated with more children.
- 3) Broad Lane will experience more traffic as parents use it as a cut through to Underwood and the school to avoid queuing on Cordy Lane. This will be further exacerbated by new homes. Speed is also an issue on this road as is safety due to parked cars.

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 Cordy Lane junction needs to be improved. Visibility to the right is often poor. It is a very busy junction at peak times and many cars come in and out of Underwood at speeds over 30mph.

- Improve visibility to the right
- put in a roundabout - allowing cars to move more freely and forcing drivers to reduce speed as they come in and out of underwood & Brinsley
- Improve the junction when you turn inwards from Moor Green towards Brinsley. * at peak times.

Waiting times are already upwards of 20 mins*. No consideration of increased pressure on this junction was stated in the plan. Mornings, school pick up & evening rush will make the junction busier, slower & more dangerous to those turning right.

- consider the difficulties at peak times at Brinsley School in particular. Moor Rd is very chaotic then.

- Take the bollards off Broad Lane. Make parking bays. This would allow for traffic to move more freely. Implement speed reminders & measures to reduce speed along an already increasingly busy rd. Extra homes in Brinsley will add to that traffic.

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**.

From: Geoff Limb [REDACTED]
Sent: 01 November 2017 10:28
To: Policy
Subject: Part 2 Local Plan

Hello

I have been advised by your webteam to send my comments regarding the above via email as your online form failed after I had spent considerable time composing and entering my submission.

My name is Ian Geoffrey Limb and I live at 27 Lawrence Drive, Brinsley Nottingham, NG16 5AU.

I would like to record my support for development off Cordy Lane - Option 2.

May I state beforehand that I have no financial interest in either site and my only concern is that Brinsley should retain its rural ethos. For this reason I consider Option 2 will be more discreetly located, not materially changing the village whilst achieving the requirement of additional dwellings.

In my opinion Option 1 will be far more visible from the main through road with the appearance of a suburban estate as a backdrop to the recreational playing field. This will detrimentally alter the atmosphere of the village unnecessarily. I feel both aims can be met amicably by adopting Option 1.

I realise that by a minority within the village stubbornly refusing to accept any further development we have, regrettably had a decision foisted upon us that is against the wishes of the majority who bothered to vote, but it is not too late to reconsider and comply with the wishes of the village.

I would suggest that as a condition of granting permission to a developer that he be financially obligated to construct a large traffic island on the A608 not only to provide access to the development but also as a speed calming measure that will benefit all. To achieve this the island should be positioned so that access is gained via bends sufficient to slow all vehicles and avoid anyone negotiating it at speed. This suits Option 2 more than Option 1.

Regards

Ian Limb

2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	Roy Anwar				
Organisation (if responding on behalf of the organisation)					
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: as above

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	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	53	5.1
	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		
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Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

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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

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

Your comments

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NOT COMPLIANT WITH NPPF Policy N° 125, WITH REGARDS PARTICULARLY TO HARMFUL EFFECTS ON WILDLIFE

Question 4: Modifications sought

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As identified in the Notts Wildlife Trust's Report on the matter, these problems would be less severe if the option to develop the Cordy Lane Option were adopted.

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.**

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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

IT IS EVERYONE'S DEMOCRATIC RIGHT AND DUTY TO PARTICIPATE.

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.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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☐

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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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input checked="" type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
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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.

Church Lane is a bad place to build
as it would spoil the open aspects
and damage wildlife

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.

I suggest Bunchy Parish, would be
Cordley Lane

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Yes, I wish to participate at the public examination

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



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- **'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?

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr <input type="radio"/> Mrs <input checked="" type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	Elaine Annable
Organisation (If responding on behalf of the organisation)	—
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
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Church Lane should be identified as 'local green space' because of the tranquility and historical significance of the area. Plus the richness of wildlife should be respected & protected.

The development would greatly change the character of the best village in Broxtowe.

Site encroachment into the countryside.

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.

Consider the alternative site of Coroby Lane, which should be entered in place of Church Lane because:-

It is an area which is already residential & would not intrude into the rest of the village.

It does not contain heritage assets as Church Lane does.

It is not a landscape which defines the village.

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Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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It is high value environmental land with many species of plants & wildlife

In close proximity to the setting of the Headstocks Heritage site a development would spread to this

This would damage the character of the village considerably.

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Consider the alternative site of Cardy Lane which should be entered in place of Church Lane because:-

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It is land of least environmental value.

The area is already residential & would not intrude into the rest of the village.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
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Your comments

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Chack Lane
 Should stay as a green open space.
 stay in the greenbelt for the pleasure and
 openness for future families

Question 4: Modifications sought

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I WANT WHAT THE VILLAGE WANT. BUILD ON
CORDY LANE ,

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✓

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- 2 NOV 2017

Broxtowe Local Plan



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Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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

Please tick here ☐

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	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	<input checked="" type="checkbox"/>
It is not effective	
It is not positively prepared	
It is not consistent with national policy	<input checked="" type="checkbox"/>

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.

Looking at future expansion
of recreational facilities
Too near to core conservation area.

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.

I fully agree with the Parish Council
a support the Condy Lane site.

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Yes, I wish to participate at the public examination

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



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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.

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Me Other:
Name	PAULINE BARKER
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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

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

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

Your comments

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

The site encroaches into countryside and will damage the character of the village.
 It would be dangerous for children crossing the main road to school.
 Development will spread to Headstocks Heritage site.
 The whole of church lane site should be identified as local green space.
 Light pollution would be harmful to wildlife and especially bats.

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.

Consider putting the cordy lane site
in place of church lane site because it does
not ruin heritage assests. And is safer for
children to get to school

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Yes, I wish to participate at the public examination

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

X

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

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

Guidance Note:

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

'Legally Compliant':

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

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'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.
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S.O/S.I

NS = NNP

Broxtowe Borough Council
Planning & Community Development

-2 NOV 2017

6902

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	PAULA BROOKS
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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Your comments

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Development would greatly damage the nature reserve & picnic site, it would damage the character of the village. The whole of Church Lane should be identified as 'local green space' because of tranquility and historic significance and richness of wildlife.

Development on Church Lane would impact on the nature of the village and be irreversible & cannot be justified.

12548

12549

Question 4: Modifications sought

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It is in an area which is already residential & would not intrude into the rest of the village. It does not contain heritage assets as Church Lane does. It is not a landscape which defines the village.

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Broxtowe Part 2 Local Plan

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017



Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	NEIL BRICE
Organisation (If responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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

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

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

Your comments

<p>I THINK CHURCH LANE SHOULD BE LEFT AS A "LOCAL GREEN SPACE" AND THE PROPOSED DEVELOPMENT WILL ENCROACH INTO THE COUNTRYSIDE.</p>

Question 4: Modifications sought

THE PARISH COUNCIL • N/PLAN GROUP
HAVE IDENTIFIED THE CORDY LANE SITE
AND I SUPPORT THIS

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

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

BRINSLEY PARISH COUNCIL
30 OCT 2017
DATE RECEIVED

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

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

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

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

Your comments

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

WE FEEL THIS PLAN FAILS IN ITS DUTY TO CO-OPERATE, IN AS MUCH AS THE PEOPLE OF BRINSLEY HAVE VOTED DEMOCRATICALLY FOR THE ALTERNATIVE SITE SUPPORTED BY THE BRINSLEY NEIGHBOURHOOD STEERING GROUP. DOES THIS MEAN NOTHING TO THE PLANNERS AT B'B'C'? WHO'S INCOME, NEVER FORGET IS FUNDED BY THE CITIZENS OF BROXTONE B' COUNCIL, AND BY DEFINITION THE FOLKS OF BRINSLEY.

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.

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Broxtowe Part 2 Local Plan



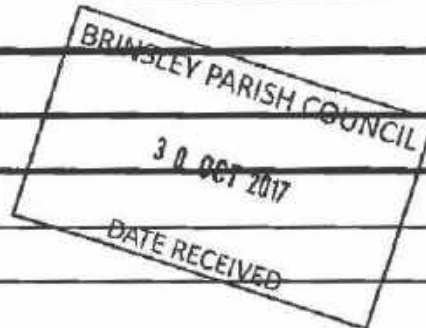
Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	IRIS BUCK				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					



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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Yes No

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Church lane site - on the points system is flawed.

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Easier and more open access to Cordy Lane site.

The future may require more recreational facilities and the church site would be better suited for that purpose.

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2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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The Church Lane site has been prepared with flawed information, and will also ruin the local life corridor

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I support Bursley Parish Council view and agree to build on Cordryhoe

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
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COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	MICHAEL CHAMBERS
Organisation (If responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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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	<input checked="" type="checkbox"/>
It is not effective	
It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

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.

SITE ENCROACHMENT INTO COUNTRYSIDE

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.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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



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

PLEASE USE CORDY LANE AS IT IS A
BETTER SITE NOT ENCROACHING ON
THE WILDLIFE.

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':

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

Please provide your client's name

Your Details

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

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

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Please tick here ☐

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	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	✓ 53	51
	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		
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	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?

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

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

Your comments

<p>WOULD IMPACT ON NPPF POLICY 125 DESTROY WILDLIFE - OPEN ASPECTS OF THE VILLAGE</p>

Question 4: Modifications sought

BUILDING ON CORDY LANE WOULD NOT CAUSE THE SAME
DISRUPTION.

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4297

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

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

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	Policy 5: Brinsley Site Allocation	53	S-1
	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		
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	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
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	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
	Policies Map		
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

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

2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

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

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

Your comments

<p>development would encroach on the Countryside & Nature Reserve.</p>
--

Question 4: Modifications sought

No need to build on Any Green Belt .

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Broxtowe Part 2 Local Plan



Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	SHARON CHAMBERS
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	
E-mail address	[REDACTED]

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	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	33	5.1
	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		
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	Policy 15: Housing size, mix and choice		
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	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?

Local Plan Issue (Please tick 'Yes' or 'No')		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

It is not justified	<input checked="" type="checkbox"/>
It is not effective	<input checked="" type="checkbox"/>
It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

Your comments

SITE ENCROACHMENT INTO THE COUNTRY

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.

PLEASE BUILD ON CORDY LAND AS WE
CONSIDER A BETTER SITE FOR
DEVELOPMENT.

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.**

2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	BRINSLEY PAPER CANCEL
-----------------------------------	-----------------------

Your Details

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

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	Policy 7: Kimberley Site Allocations		
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If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
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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.

CHURCH LANE DECISION BASED ON FLAUN INFORMATION
will cause light pollution, noise which is
against NPPF Policy 123

Question 4: Modifications sought

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Cerady Lane is a much better site
as it is closer to the school. Poor
wildlife area

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:	Broxtowe Borough Council Planning & Community Development - 2 NOV 2017
Name	MICHAEL DAFF	
Organisation (if responding on behalf of the organisation)		
Address		
Postcode		
Tel. Number		
E-mail address		

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Other (e.g. omission, evidence document etc.)			

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

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

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

Your comments

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

The 5:1 site, Land off Cordy Lane is too close to Brinsley Brook and 31:1a sites; Headstocks, long meadow, St. Mary's Church etc.

Development of this field would have a devastating effect on wildlife and spoil the work done by Broxtowe on the 31:1a sites. It would also have an adverse effect on the 28c Fb sites on the Recreation Ground.

The only access on to Cordy Lane is on a corner and is not without danger already especially speeding.

There would be a negative impact on the character of the village for through traffic on Cordy Lane and Church Lane.

This field is the thin end of the wedge and the Anthony family (owners) would certainly wish to develop their other 2 fields down to the Headstocks site.

All these fields including 5:1 are subject to waterlogging for several months per year and frequent flooding.

I agree with Broxtowe Borough Council that land at Oak Tree Farm and Polcar Farm should not be considered for Housing development.

Question 4: Modifications sought

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If there must be Housing Development in Brinsley in my opinion the Inspector should consider land at Brinsley Moor between St. James Church and the Primary School. There would be less impact on 31:12 sites and wildlife. The character of the village would not be compromised for through traffic.

The graveyard at St. James Church 29 has already been extended in this site. 29b.

There could be 2 access roads - The Moor, Moor Road and Hall Lane.

There is no waterlogging or flooding threat on this site.

The new properties would have a fantastic view over the Erewash Valley and Codnor Castle etc.

I have not seen the landowners recently so do not know their opinion but some years ago when this site was first mentioned they were interested.

Since writing the above I have spoken to Mrs Taylor (owners) and they are in favour of their land being developed for housing.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

✓

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

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

Further information and explanation.

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.

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'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:

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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

Please tick here

☐

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Cordly lane site would be a lot safer as existing footpaths insitu lead to schools & amenities.

Also this site would blend in with existing buildings, and not a blot on the landscape.

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The proposed site of Church Lane would be very dangerous for volume of people crossing the main road to amenities especially children to school.

This site is of great value for nature & wildlife. And should remain a green belt.

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.

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'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:

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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The site of Church Lane is such an outstanding area for Nature, Wildlife & Heritage, it would be a crying shame to deface it.
Most of the people of the village support Cordy Lane and their views should be listened too.

Question 4: Modifications sought

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It has not got what Church lane
as to offer regarding Nature, Wildlife etc
Has the area is already residential
on Cordy lane. it makes sense to
continue it and not spoil a beautiful
view.

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2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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2.3	Sound		X

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THE CHURCH LANE SITE IS NOT CONSISTANT WITH NATIONAL POLICY BECAUSE LOCAL RESIDENTS HAVE VOTED IN FAVOUR OF THE CORDY LANE SITE.

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.

TO REMOVE THE CHURCH LANE SITE FROM THE
PLAN AND INSERT CORDY LANE.

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Yes, I wish to participate at the public examination

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

X

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- **'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?

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	JAMES ALAN DOLPHIN - ROWLAND				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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

Please tick here

☐

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www.broxtowe.gov.uk/part2localplan

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

Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
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	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
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	Policy 30: Landscape		
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	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?

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

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

Your comments

<p>CHURCH LANE IS A HIGHER VALUE SECTION OF ENVIRONMENTAL LAND THAN THE CURDY LANE SITE</p>

Question 4: Modifications sought

IF YOU HAVE TO TAKE ANY GREEN BELT
LAND, THEN I PREFER IT TO BU CORDY/LANE

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

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

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



Broxtowe Part 2 Local Plan

Agent

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

Your Details

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

Comments should be received by 5.00pm on Friday 3rd November 2017
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Please tick here ☐
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	Policy 7: Kimberley Site Allocations		
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	Policy 9: Retention of good quality existing employment sites		
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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

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

Your comments

AT THE CORE STRATEGY ^{INQUIRY} ~~STATED~~ THE INSPECTOR STATED THAT THE BRINSLEY LANDSCAPE IS A HERITAGE ASSET AND SHOULD BE PROTECTED IN THE PART 2 LOCAL PLAN SO DO NOT BUILD ON CHURCH LANE

Question 4: Modifications sought

IF THE ROADWAY IS JUSTIFICATION . BUILD THE HOUSE ON
CORDY LANE

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.**

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

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.

74 MANSFIELD ROAD.

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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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

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.

FLOOD RISK, MANSFIELD ROAD +
GREEN BELT POLICES NEITHER GREEN
INCREASE IN TRAFFIC.
110 HOUSES 210 CARS?
LOSS OF WILD LIFE

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.

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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Please tick here

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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

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.

I have been studying and recording the wildlife of Brinsley Healds Nature Reserve for ten years and have found it to be improving in biodiversity, due to the careful site management by the Friends of Brinsley Healds and Broxtowe Borough Council.

If Option 1 (Church Lane) is chosen for the housing development, it will adversely affect the quietest part of the Nature reserve, which is also the richest area for wildlife. This area, known as the Long Meadow, would border the development. It has recently been granted S.I.N.C. status and has proved to be the part of the reserve with the largest population of bats, which would be badly affected by light pollution from the new development. This area around Brinsley Brook, which borders Option 1, has recently afforded sightings of Willow Tit (a red list species) and we have installed nest boxes to encourage this species in this area.

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.

I consider that Option 2 (Cordy Lane) should be chosen for the development.

This area, although green, has very little ecological value and would have much less impact on the wildlife of the area.

Also, option 2 is on the same side of the main road as the school and shops in the village. The road is very dangerous to cross and is heavily used by Motorcycles, which seem to ignore the speed limit!.

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'.
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- **'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**.

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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

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

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

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

Your comments

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

I feel that Option 1 (church lane) would adversely impact on the peace, tranquility and historical significance of the Headstocks ^{Heritage} ~~Colliery~~ and Nature Reserve. I am concerned about the noise levels of the development and the effect it would have on Brinsley Brook, both from pollution and flooding. Option 2 would be a much better choice.

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.

Option 2 would be a much better choice for development.

There is no historical significance in this area, compared to the D.H. Lawrence connection and the mining heritage immediately adjacent to Option 1.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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



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

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'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:

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- 2 NOV 2017

Broxtowe Local Plan

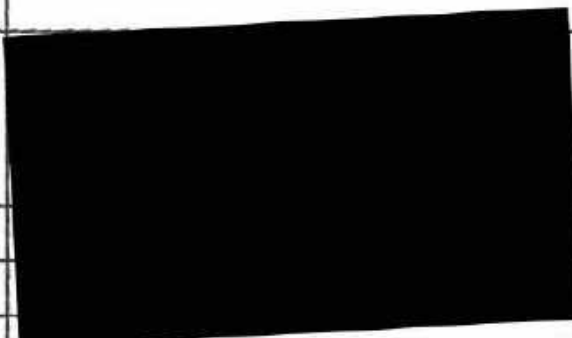


Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

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.

BUILDING ON CHURCH LANE WILL CAUSE LIGHT POLLUTION
• NOISE THROUGH THE VILLAGE, WHICH IS AGAINST
THE POLICY OF THE NPPF

Question 4: Modifications sought

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THE CORDY LANE SITE IS TO THE TOP END OF THE VILLAGE. AND THE BUILDING THERE WILL NOT HAVE THE SAME IMPACT ON THE VILLAGE

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	RACHEL FLEMSTONE
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	

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The Plan does not accurately reflect the value of Church Lane. It is a very high value with regard to wildlife and open spaces. Which is our 'Village Field'.

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building on Condy Lane will keep All The Buildings
on one Side of the Vicarage and not encroach into the
Green belt.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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2.1	Legally compliant		
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2.3	Sound		X

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

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

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I do not agree with any building on greenbelt. But Church Lane is a bad choice. The open views is what makes Bensley a village. Plus it would encroach into more of the green belt.

Question 4: Modifications sought

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Cordis Lane does NOT impact AS MUCH ON THE VILLAGE

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr	Miss	Miss	Ms	Other:
Name	SHEILA FLETCHER				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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

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

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

I don't think that Church Lane is a good site for building
it promotes Rainy as a village and a true Open space
with lots of Wildlife

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.

There is very little wildlife on Cavely Lane, or in
closer to the school.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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

X

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

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'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:

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other:
Name	S FROGGAN				
Organisation (If responding on behalf of the organisation)					
Address					
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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other:
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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

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

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Other (e.g. omission, evidence document etc.)			

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

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

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

Your comments

do not build on Church Lane as it is in close proximity to the Heritage sites and will spread to those sites.

Question 4: Modifications sought

I consider that Gordy Lane site much better for development.

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Yes, I wish to participate at the public examination	
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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

DOUGLAS GIBBS

Your Details

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>
Name	DOUGLAS GIBBS
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	
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DEVELOPMENT WOULD GREATLY DAMAGE THE NATURE RESERVE AND PICKNIC SITES, ON CHURCH LANE

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.

CORDY LANE DOES NOT HAVE HERITAGE SITE THAT
CHURCH LANE DOES.

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.**

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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Other (e.g. omission, evidence document etc.)			

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

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

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

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

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.

I believe the Church Lane site has been ASSESSED ON
 INCORRECT INFORMATION it also has NATURAL HERITAGE
 & wildlife - it is the Part of The Village that
 everyone identifies with -

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.

I do not want any building on the green belt
but if we have to. I support the Parish
Council decision to build on Cordy Lane.

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Yes, I wish to participate at the public examination

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

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other: <u>Griffiths</u>
Name	<u>Margaret Wendy Griffiths</u>
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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If you think this paragraph or policy of the Plan is not sound, is this because:	
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It is not positively prepared	
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BUILDING ON CHURCH WANE IS AGAINST GOVERNMENT
POLICY

IT WOULD RUIN THE ENVIRONMENT &

NATURE RESERVE

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.

Please take Church Lane out of
Part 2 Local Plan & add
Cordy Lane site instead. This
is much less environmentally valuable
land

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.

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'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:

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- 2 NOV 2017

Broxtowe Local Plan

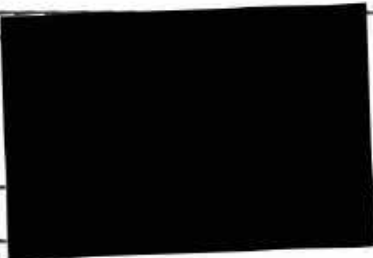


Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	<i>AV</i>
-----------------------------------	-----------

Your Details

Title	Mr	Mrs	Miss	Ms	Other	<i>GRIFFITHS</i>
Name	<i>MICHAEL</i>					
Organisation (If responding on behalf of the organisation)						
Address						
Postcode						
Tel. Number						
E-mail address						

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I DO NOT WISH TO SEE BUILDING ON CHURCH LANE
IT IS AGAINST GOVERNMENT POLICY ON
SAVING THE ENVIRONMENT AND HERITAGE

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TAKE CHURCH LANE OUT OF LOCAL PLAN

ADD CORDY LANE SITE INSTEAD

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	
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Your Details

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

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Development would encroach on THE countryside and damage the Headstocks nature reserve and picnic site. Would damage the character of the village as the proposed housing would be more on view.

Question 4: Modifications sought

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Consider the alternative site of Cordy lane in place of Church Lane because

- 1, It does not contain any heritage assets as Church Lane does.
- 2, The area is already residential and would not intrude on the rest of the village.
- 3, It is closer to the school and shops and on the same side of the ~~road~~ main road and so safer.

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	N/A
-----------------------------------	-----

Your Details

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

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Please tick here	<input checked="" type="checkbox"/>
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2.2	Compliant with the duty to co-operate		
2.3	Sound		✓

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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

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- 1 Inspector Inquiry on Core Strategy states that Brinsley's landscape is a Heritage Asset and should be protected in Part 2 Local Plan.
- 2 It is highly valuable environmental land containing much wildlife & plants.
- 3 In close proximity to Brinsley Headstocks, this proposed development would jeopardise & spread to it.
- 4 The peaceful dark landscape at night would be damaged by light & noise pollution. NPPF Policy 125 states this would be harmful to wildlife, especially bats.
- 5 Site impact on countryside & its rural nature.

Question 4: Modifications sought

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- 1 Consider alternative site of Cordy Lane in place of Church Lane (in accordance with Binsley resident's selected option for location of housing)
- 2 Alternative provides solution with use of land of least environmental impact.
- 3 Alternative contains no heritage assets.
- 4 Braxtowe's Church Lane site is on "unused" side of main road; no pavements yet would ~~extra~~ infrastructure to allow access to school & shops & bus stops.

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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

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- 2 NOV 2017

6941

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Church Lane site has a lot of wildlife. If this were to be built on the wildlife would disappear. The light pollution would drive the bats away as well as other wildlife. That is what greenbelt is for. To protect the environment.

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Church Lane should be removed from the local plan and replaced with the Cordy Lane site which has less environment issues.

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X

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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✱ IT GOES AGAINST GREEN BELT POLICIES

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THE CORDY LANE SITE WOULD BE
A BETTER SITE

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2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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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	<input checked="" type="checkbox"/>
It is not effective	
It is not positively prepared	
It is not consistent with national policy	

Your comments

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

YOU SHOULD NOT DESTROY ANY GREENBELT, AND CERTAINLY NOT CHURCH LANE, THAT AREA IS EVERYTHING TO THE LOCALS, IN PARTICULAR, THE FOOTPATHS - HEADSTOCKS

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.

CORDY LANE IS JUST A LOW VALUE FIELD
1 SUPPORT BUILDING ON THIS 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 at publication stage. After this stage, further submissions will be only at the request of the Inspector.

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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 be heard at the public examination.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	STEVEN HICKON				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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Please tick here ☐

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	Policy 7: Kimberley Site Allocations		
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	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
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Other (e.g. omission, evidence document etc.)			

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

Your comments

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IF WE NEED HOUSES IN THE VILLAGE. CHURCH LANE IS NOT THE PLACE. IT HAS LOTS OF VALUES THAT OTHER SITES DO NOT

Question 4: Modifications sought

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I AM IN AGREEMENT WITH THE PARISH COUNCIL
THAT BUILDING ON CORDY LANE IS CORRECT

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	MRS	Mr	<input checked="" type="radio"/> Mrs	Miss	Ms	Other:
Name	RUTH HILL					
Organisation (If responding on behalf of the organisation)						
Address						
Postcode						
Tel. Number						
E-mail address						

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Your comments

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Much To near the wildlife site and also a historic site.

The houses would encroach on the look of the village much to noticeable

The Council should also take notice of the residents who voted for the other site..

Question 4: Modifications sought

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It is land of the least environmental value, it would be easier for any school children to get to Brinsley school and much safer.

Also it would have a less visual impact.

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5065

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

Please provide your client's name

Your Details

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

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

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Other (e.g. omission, evidence document etc.)			

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

2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

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

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

Your comments

BUILDING ON CHURCH LANE WOULD CAUSE MUCH NOISE RUINING THE PEACEFUL LANDSCAPE. THIS IS AGAINST NPPF POLICY 125

Question 4: Modifications sought

DONT BUILD ON ANY GREEN BELT, IF REALLY UNAVOIDABLE I
AGREE WITH B/A COUNCIL AND CHOOSE CORBY LANE

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

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

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

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

It is not justified	<input checked="" type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input type="checkbox"/>

Your comments

<p>Church Lane must not be built on. it is a Heritage Site, AND A WILDLIFE Site.</p>
--

Question 4: Modifications sought

It is a low Value Site, and would cause less damage to the village AND the open views.

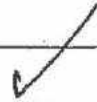
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Yes, I wish to participate at the public examination

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

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.

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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Please tick here

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Policies Map			
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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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
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Your comments

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WOULD DAMAGE THE CHARACTER OF THE LAST VILLAGE IN
SROXTOWE

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.

IT DOES NOT CONTAIN HERITAGE ASSETS AS CHURCH LANE
DOES.

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Question 5: Public Examination Attendance

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Yes, I wish to participate at the public examination

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

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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Please tick here

☐

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

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Sustainability Appraisal			
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Enclosed between recreational facilities and conservation area.

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I support the Parish Council and
prefer Condy Lane site.
Easier access onto Church Lane.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:	RONALD HUTSBY
Name						
Organisation (If responding on behalf of the organisation)						
Address						
Postcode						
Tel. Number						
E-mail address						

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

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	Policy 5: Brinsley Site Allocation	✓ 33	501
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FLOOD RISK
GREEN BELT POLICES
INCREASE IN TRAFFIC.

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REMOVE CHURCH LANE
SITE FROM LOCAL PLAN

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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It is not justified	<input type="checkbox"/>
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It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input type="checkbox"/>

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CHURCH LANE HAS NOT BEEN PREPARED WITH
TRUE INFORMATION, IT HAS VARIED WILDLIFE, FOOTPATHS
& THE HEADSTOCKS HERITAGE SITE

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.

Cordy Lane HAS Poor WILDLIFE . . LOW VALUE LAND
PREFER THIS SITE IF ANY

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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Please tick here



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CHURCH LANE HAS WILDLIFE • HERITAGE SITE
WITH MATURE LANDSCAPES • OPEN VIEWS

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CORRY LANE IS A MORE SUITABLE SITE FOR DEVELOPMENTS

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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The Cordy Lane site would have less visual impact for people in the village.

There is also less wild life on the Cordy Lane side.

If the Cordy Lane site is used, children would be able to travel to Brinsley School on foot without crossing the A608.

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The Cordy Lane site should replace Church Lane because :—

Most of the housing is already on that side of the A608.

At present the Church Lane side looks nice with the views across to Coney Gey and the Headstocks etc. It would be ruined by housing and development.

The village would be losing its identity!

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
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Please provide your client's name	
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Your Details

Title	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other:
Name	CAROLE JEPSON
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
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- I oppose development on Church Lane Site because. —
- This area is rich in wildlife with the nearby Nature Reserve and Headstocks Heritage Site. Development on Church Lane would impact adversely on this.
 - The Church Lane area should remain as a local green space and development would encroach into countryside.
 - Residents would have to cross A608, a busy road, to access school and other amenities.

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- In my opinion the Cordy Lane site should be entered in place of Church Lane because: —
- It is less likely to have a visual impact as most of the development of the village is on that side of the road.
 - The site is more contained and later spread of development would be more difficult.
 - The land is of low environmental value and would impact less on wildlife and plants.
 - Main amenities of village are on this side of road to access school etc.
 - It contains no heritage assets as church lane does.

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

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Your comments

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I have no issues with the site proposed.

The Parish Council claim to represent the views of all the people in Brimley. When we attended the consultation, we quickly concluded that any view contrary to theirs fell on deaf ears

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.

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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

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	Teresa Kerr
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Your Details

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

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The proposed development ^{on Church Lane} is too near the nature reserve + Brinsley Headstocks. The road is not able to cope with the extra traffic. Speeding drivers are already a big problem on the A608.

The working landscape would be ruined by housing + lighting ^{risk to wildlife + bats}. The area proposed has historical significance. The development on Church Lane would ^{pose the risk to the nature reserve + picnic site}.

There is a risk of so many people trying to cross the A608 to get to the village facilities. I do not want to lose the peace + tranquillity of the headstocks.

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The wishes of the majority of the villagers should be acknowledged, democratic rights should be upheld. The village has overwhelmingly chosen the Cordy Lane site and this should be accepted. The nature reserve and quiet + peaceful nature of the church lane site should be preserved. It is important that the heritage of the village is preserved → please choose the Cordy Lane site.

Cordy Lane site is already residential and does not have significant value as a heritage or wildlife site.

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Broxtowe Local Plan



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COUNCIL

Agent

Please provide your client's name

Your Details

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

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my whole family are against building on the Church Lane Site, its Heritage and open aspects must not be ruined.

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Condy Lane is the obvious choice

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Agent

Please provide your client's name

Your Details

Title	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other:
Name	ASHLEY KING				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
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It will spoil the heritage and the wildlife so Church Lane site is unsuitable.

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1 support Brinsley Parish Council's choice.

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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	Policy 7: Kimberley Site Allocations		
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I don't want building, but Cordy Lane is better option

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2.1	Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
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Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

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It is not effective	<input type="checkbox"/>
It is not positively prepared	<input checked="" type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

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Church Lane was chosen with incomplete information.
it is a lovely open green space. Also a Heritage Site

Question 5: Public Examination Attendance

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Yes, I wish to participate at the public examination

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

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Church Lane is a bad place to build
as it would spoil the open aspects
and damage wildlife

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I suggest Bunchy Parish, would be
Cordley Lane

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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my whole family are against building on the Church Lane Site, its Heritage and open aspects must not be ruined.

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Condy Lane is the obvious choice

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Broxtowe Part 2 Local Plan



Broxtowe
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COUNCIL

Agent

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

Your Details

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

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2.3	Sound		<input checked="" type="checkbox"/>

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It is not justified	<input checked="" type="checkbox"/>
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Your comments

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CHURCH LAWE IS TO CLOSE TO THE HEADSTOCKS AND
WILDLIFE CORRIDOR

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.

IF WE MUST BUILD ON GREENBELT AT ALL
CORDY LANE IS A MORE SUITABLE SITE

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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

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Please tick here

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

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

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

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

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

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.

BUILDING ON CHURCH VINE WOULD DAMAGE
WILDLIFE & HERITAGE

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1 SUPPORT BRINSLEY PARISH COUNCIL
CHACE

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	FREDERICK A KIRK				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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2.3	Sound		No

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

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

Your comments

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

1ST OF ALL AS A COUPLE LIVING DIRECTLY NEXT TO PROPOSED ENTRANCE + EXIT TO THE CHURCH LANE SIDE, THE POSITION IS TOTALY DANGEROUS IT IS A SHARP CORNER NOT VIALBE FOR A TWO LANE ROAD, 24TH OCTOBER FOR EXAMPLE THE REFUSE LORRY ENTERED THE VERY OPENING TAKING UP ALL THE WIDTH OF THE OPENING, NO WAY AT ALL WIDE ENOUGH, WE HAVE WITNESSED VEHICLES NOT MAKING THE SHARP CORNER MOUNTING THE PAVEMENT, HITTING THE LAMPOST + HAVING TO HAVE POST REPLACED, ONCOMING TRAFFIC ALMOST HITTING OUR VEHICLE WHEN INDICATING TO ENTER OUR PREMISES, PROBLEMS GETTING ACCESS AND LEAVING OUR PREMISES IS DIFFICULT BECAUSE OF HEAVY TRAFFIC NEVER MIND EXTRA VEHICLES CAUSING PROBLEMS, WHETHER DOCUMENTS HAVE CHANGED OVER THE YEARS, PART OF THE LAND BELONGS TO "THE ROOKERY" SO HOW CAN IT BE POSSIBLE TO VERIFY HOW MUCH LAND IS 'AVAILABLE FOR ACCESS. TURNING INTO CHURCH LANE OFF OF CORDY LANE, SEEMS IMPOSSIBLE TO ACHIEVE, IF PLANS GO AHEAD COULD IT NOT BE POSSIBLE FOR THE ENTRANCE/EXIT TO BE FROM CHURCH LANE? THEN THERE IS WILDLIFE IT WILL AFFECT, DAILY WE HAVE PHEASANTS TO FEED, RARE BIRDS, BUTTERFLIES, RABBITS, IT WILL TOTALY DESTROY ALL THE NATURE RESERVE, AND RARE PLANTS, IF IN TIME, ALL THE LAND IS TAKEN FOR BUILDING IT WILL DESTROY

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

WALKING FROM UNDERWOOD THROUGH TO BRINSLEY,
BUILDING ON CORDY LANE SITE WILL NOT INTERFERE
WITH THE LOOK OF OUR VILLAGE, IT DOES NOT
CAUSE A THREAT TO OUR HERITAGE AREA, WILL
NOT DESTROY OUR RARE PLANTS + TREES.

THE 'NEW BUILDS' ARE A DISTANCE FROM RESIDENTS
ON BROAD LANE, SO NOT AFFECT THEIR PRIVACY
TOO MUCH, NOT LIKE IT WOULD IF 'NEW BUILDS'
WERE ON CHURCH LANE.

SPACIOUS LAND, PLUS THE ACCESS/EXIT IS SITUATED
IN A BETTER POSITION THE ROAD BEING A LOT
WIDER.

SITUATED SO AS PEOPLE OF BRINSLEY WILL NOT HAVE
TO CROSS A BUSH ROAD TO REACH ALL THE
AMENITIES.

IT WILL NOT CAUSE SUCH A DEVASTATING IMPACT
ON OUR VILLAGE AS WOULD BUILDING ON CHURCH
LANE.

WE THOUGHT THESE CONSULTATIONS WERE FOR
THE VOTE OF VILLAGE RESIDENTS, BUT IT APPEARS
IT IS NOT TO BE!

IT WILL NOT INTERFERE WITH ASHFIELD, (UNDERWOOD)
RESIDENTS TO MUCH LAND IN BETWEEN.

THE VILLAGERS CHOICE WAS FOR CORDY LANE
SITE. (BUILD.)

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CHURCH LANE SITE

DANGEROUS PART OF CORDY LANE FOR CHILDREN TO CROSS THE ROAD TO GET TO SCHOOL.

"SPRINGS" SPECIAL HOME WILL BE SERIOUSLY AFFECTED, MAKING IT DIFFICULT FOR DELIVERIES, TAXIS, MINI BUSES, AND EMPLOYEES THERE.

DO WE REALLY NEED TO LOSE OUR GREEN BELT LAND, WHEN OTHER LAND IN BRINSLEY IS AVAILABLE.

BUILDING ON CHURCH LANE, WE ARE TO LOSE THE SIGHT OF OUR HERITAGE, & PICNIC AREA. WHEN THERE ARE OTHER AREAS TO BUILD ON, THE PEACE & TRANQUILITY WILL BE LOST.

NOT TO MENTION THE UNDERGROUND SEAMS FROM THE OLD PIT THAT ARE THERE, MAKING IT DANGEROUS TO BUILD, OR ISN'T THAT AN ISSUE ANYMORE!

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

no ✓

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other- <u>MRS MARGERY MARY KIRK.</u>
Name	<u>FREDERICK ANTONY KIRK.</u>
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
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CHURCH LANE SITE,
FIRST OF ALL ACCESS/EXIT ISNT SAFE, TO SHARP A BEND,
NOT AT ALL WIDE ENOUGH ON CORTH LANE, FOR VEHICLES TO
BE PASSING.
DANGER TO WALKERS DOWN TO RAILWAY LINES, + HERITAGE
SITE.
THE SPEED AND VOLUME OF TRAFFIC IS SO DANGEROUS
FOR THE SHARP TURNING INTO THE SITE. A LOT OF
NEAR MISSES ALREADY, TWICE THE LAMPOST HAS BEEN
DAMAGED ON THE CORNER, (SPEEDING) LAMPOST HAVING TO BE
REPLACED. DIFFICULTY FOR RESIDENTS ON BOTTOM OF CORTH
LANE TO ACCESS OR EXIT OUR PROPERTIES, ALSO "SPRINGS"
SPECIAL SCHOOL WILL BE SERIOUSLY EFFECTED ON THE
CORNER MAKING IT DANGEROUS FOR DELIVERIES, MINI BUSES
AND TAXI'S. IF CHURCH LANE IS SUCCESSFUL IT WOULD
BE FAR SAFER FOR ACCESS/EXIT TO BE APPROACHED
FROM CHURCH LANE! BUT EVENTUALLY OF COURSE THE
PLAN SEEMS TO BE TO USE UP ALL THE LAND ON CHURCH
LANE FOR DEVELOPEMENT OVERPOWERING ALL OF BRINSLEYS
PRETTY VILLAGE.

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THE BUILDING OF PROPERTIES ON CORDY LANE, ARE TO BE BUILT A DISTANCE AWAY FROM RESIDENTIAL PROPERTIES, NOT AFFECTING THEIR PRIVACY AND WILL BE MORE PICTURESQUE, ACCEPTABLE TO OUR LOVELY VILLAGE OF BRINSLEY.

NO NATURE RESERVE TO INTERRUPT THE WILDLIFE, AN AREA OF PATHWAYS TO ENJOY.

ACCESS/EXIT IS A FAR BETTER POSITION (WIDER ROAD)

A FAR LARGER AREA TO BE SET OUT IN LINE WITH THE VILLAGE, KEEPING THE NATURAL LOOK INSTEAD OF LOOKING TO BUILT UP FOR ~~THE~~ BRINSLEY. (NOT CRAMMED IN)

EASIER FOR SCHOOL CHILDREN, AND RESIDENTS TO GET ACCESS TO LOCAL AMENITIES.

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ON 3.

JORDY LANE CORNER IS A DANGEROUS AREA FOR CHILDREN CROSSING TO GET TO SCHOOL.

NOT TO MENTION THE VERY IMPORTANT ISSUE OF LOVELY WILDLIFE, BIRDS AND BUTTERFLIES WHO WE SEE DAILY VISITING OUR GARDENS, FOXES, PHEASANTS AND RABBITS, WHO WE FEED. PROPERTIES ARE TO BE BUILT DIRECTLY BEHIND US, TAKING AWAY OUR PRIVACY, LOOKING OVERPOWERING TO OUR VILLAGE. THE BUILDINGS WOULD NOT FIT IN WITH THE NATURAL AREA. TOO MANY IN A SMALL AREA!

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

TO SEE FOR OURSELVES IF EVERYTHING HAS
BEEN ~~BE~~ ~~HAVE BEEN~~ ACHIEVED CORRECTLY.
TO PUT OUR MINDS AT EASE, AS IT WILL
BE A BIG INPUT ON OUR EVERYDAY LIFE.

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

Guidance Note:

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

'Legally Compliant':

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

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'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?

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2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

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

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

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

Please tick here

☐

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

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	53	5.1
	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		
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	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
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	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?

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

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

Your comments

Development would greatly damage the Nature Reserve
 • Penrith Site. It is a higher Value Site with open views

Question 4: Modifications sought

Houses built on the Carly Lane Site would have a greater safety aspect for children going to school without having to cross the road

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Question 5: Public Examination Attendance

Yes, I wish to participate at the public examination	<input type="checkbox"/>
No, I do not wish to participate at the public examination	<input checked="" type="checkbox"/>



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.

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

Title	Mr Mrs Miss Ms Other
Name	Ray Lambourne
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	

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Please tick here ☐

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	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	53	51
	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		
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Question 2: What is the issue with the Local Plan?

2.1	Legally compliant	
2.2	Compliant with the duty to co-operate	
2.3	Sound	X

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

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

Your comments

The peaceful landscape would be damaged by noise and light pollution, which would spoil the whole feel of the Village, damage the area's wildlife and it is too close to the Hedstocke S.C.

Question 4: Modifications sought

Cordy lane is already a residential area, and would encroach on the rest of the village. Footpaths and walkways would lead directly to the school,

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2

✓

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

Broxtowe Borough Council
Planning & Community Development

- 3 NOV 2017

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	Policy 5: Brinsley Site Allocation	56	5.1 / 5.4
	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		
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Question 2: What is the issue with the Local Plan?

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

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

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

Your comments

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

You need to listen to the residents - their proposal of a site on Cordy Lane is the best site in the village of Brinsley. They have outlined the reasons and drawbacks of the comparative options. People living in the area should have the final say, unless there are valid reasons they are not aware of.

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.

As on previous page, please take note
of the Brinsley Neighbourhood Plan.

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Yes, I wish to participate at the public examination

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

✓

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2133

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

Please provide your client's name

Your Details

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

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Please tick here

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

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

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

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

Your comments

<p>goes against NPPF Policy 125. Church Lane should stay as an "open green space" it is close to the Headstock Site.</p>
--

Question 4: Modifications sought

Cordy Lane has No Heritage Site or Wildlife
Issues.

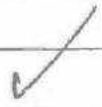
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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	<input checked="" type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: _____
Name	MR. D. S. LEES
Organisation (If responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	
E-mail address	

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	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	
It is not positively prepared	
It is not consistent with national policy	<input checked="" type="checkbox"/>

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 Church Lane site would encroach on the countryside & development would greatly damage the nature reserve & picnic site. It would damage the character & aspect of the village. Inspector Inquiry on Core Strategy states Brinsley landscapers a Heritage Asset & should be protected in Part 2 Local Plan. It is high value environmental land with many species plants & wildlife. The site is away from the residential area of the village, and people would need to cross a busy 'A' road to reach school & other amenities. It is also close proximity to Headstocks Heritage site & development would soon spread to this. The whole of Church Lane should be identified a "Local Green Space" because of tranquility, historic significance & richness of wildlife. The peaceful dark landscape at night would be damaged by noise & light pollution which NPPF Policy no 12.5 states would be harmful to wildlife especially bats.

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.

Alternative site on Cordy Lane would be preferred and should be considered in place of Church Lane because:-

it is an area which is already residential & would not intrude into the rest of the village.

Footpaths & walkways would lead to the School & amenities on the same side of the main road.

It does not contain heritage assets, as Church Lane does & it is not a landscape which defines the Village.

The land here has less environmental value than that of Church Lane.

It is also the wish of the majority of the village to use this site.

The headstock & disused mineral line is where the villagers go for exercise & peace and quiet it would no longer be this way if the Church Lane site was used.

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

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'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:

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- '**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?

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	Mrs M. H. LEES
Organisation (if responding on behalf of the organisation)	
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

☐

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	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
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The Church Lane site would encroach on the countryside + development would greatly damage the nature reserve + picnic site. It would damage the character + aspect of the village. It is also in close proximity to the Headstocks Heritage Site + development would soon spread to this. Inspector Garging in Case Strategy states Brinsley landscape is a Heritage Asset + should be protected in Part 2 Local Plan. It is high value environmental land with many species plants + wildlife. The site is away from the residential area of the village + people would need to cross a busy A road to reach School + shops. The whole of Church Lane should be identified as "Local Green Space" because of tranquility + historic significance + richness of wildlife. The peaceful dark landscape at night would be damaged by noise + light pollution which NPPF Policy no: 125 states would be harmful to wildlife especially bats.

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It is an area which is already residential - would not intrude into the rest of the village.

It does not contain heritage assets, as Church Lane does & it is not a landscape which defines the village.

The land here is less environmental in value than that of Church Lane.

Footpaths & walkways would lead to the School & shops on the same side of the main road, with 100 houses there is a potential for 300+ children to have to cross the main road if Church Lane site is used.

It is also the wish of the majority of the village to use the Cordy Lane site.

The headstocks & disused mineral line is used daily by much of the village for exercise - peace and quiet, it would no longer be this way if the Church Lane site is used.

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.

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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For more information: Tel: 0115 917 3453, 9112, 9155

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

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	Policy 5: Brinsley Site Allocation	53	5.1
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CHURCH LANE IS A WONDERFUL PART OF THE VILLAGE
IT IS THE MAIN FOCAL POINT WITH THE FOOTPATHS,
HEADSTOCKS • WILDLIFE MEADOW

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 AVAILABILITY OF LAND ON CORDY LANE, IS A BETTER
OPTION

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	CHRISTINA LEMONS
Organisation (If responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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AS PER THE NEIGHBORHOOD PLAN GROUP, I SUPPORT THE
VIEW THAT CORDY LAKE IS A BETTER SITE

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2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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I FULLY AGREE WITH THE POINTS PUT FORWARD
BY THE PARISH COUNCIL THAT CHURCH LANE SHOULD
NOT BE DEVELOPED

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Yes, I wish to participate at the public examination

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

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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Please tick here ☐

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CHURCH LANE IS NOT THE PLACE TO BUILD.
IT IS RICH IN WILDLIFE · WONDERFUL OPEN VIEWS

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CORDY LANE WOULD NOT HAVE THE SAME IMPACT

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5079

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

5079

Broxtowe Local Plan


**Broxtowe
Borough
COUNCIL**

Agent

Please provide your client's name

Your Details

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

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

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Please tick here



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church lane is already a very very fast road
it has wonderful views, and nature reserves

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build the houses on Candy Lane

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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Would infringe on the Nature Reserve site also the possibility of adding to The flood Plan of that area

Question 4: Modifications sought

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I Prefer the City Lane site in Preference to
Chand Lane as that Field area is Barren ground.

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr Mrs Miss Ms Other:
Name	WALTER P. MAQUOIT
Organisation (If responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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Would infringe on the Nature Reserve site.

It's High Value of environmental land.

Would be a possible flooding due to excess water etc.

The site is also away from the village. causing problems for crossing a busy road. re children going to school.

Question 4: Modifications sought

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Yes Coodes Lane site is preferable to the Church Lane Proposal. area is of great environmental value, on Coodes Lane. The footpaths are already available on the Coodes Lane site and chelwood are on the right side of the road.

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

Broxtowe Borough Council
Planning & Community Development
- 3 NOV 2017

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Please tick here

☐

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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
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Residents have been asked for their views three times and the majority have opted for the Cordy Lane site to be developed. If the voice of the community is ignored then this and future consultations will be tainted.

It seems a contradiction that while Broxtowe supports the award winning Brinsley Headstocks heritage and nature site, it seems willing to threaten this outstanding feature by permitting nearby development on Church Lane.

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Broxtowe Part 2 Local Plan



**Broxtowe
Borough
COUNCIL**

Agent

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

Your Details

Title	<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	<input type="radio"/> Other:
Name	ANDREW MARS				
Organisation (If responding on behalf of the organisation)	Broxtowe Borough Council Planning & Community Development				
Address	[Redacted Address]				
Postcode	[Redacted Postcode]				
Tel. Number	[Redacted Tel. Number]				
E-mail address					

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
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Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	Carolyn Melbourne				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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I think it will impact on the cultural and heritage as well as the nature conservation of the area.

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I think Church Lane should be taken out altogether, and replaced with the Cordy Lane site. This is 'the Land of best environmental value'. Plus children would not have to cross the road (which is very busy) to get to school.

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- **'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?

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr	Mrs	<u>Miss</u>	Ms	Other:
Name	Eve Melbourne				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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<p>If you would like to be contacted by the Planning Policy Team regarding future consultations.</p> <p>Please tick here <input type="checkbox"/></p> <p>Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: _____</p>
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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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

Your comments

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It will drive wildlife away from the area -
which is a bridle path along the mineral
line! It will totally spoil the character
of Brinsley.

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.

Church Lane should be taken out.

The Cordy Lane site would be more suitable.

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.**

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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.

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'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:

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Please tick here



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The development would greatly damage the nature reserve and would add more traffic to an already busy and dangerous to cross road

The whole of church lane should be closed as a road green space and the existing tranquility and historic significance should be preserved

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.

Build on the alternative site
in accordance with the parish council's
wishes.

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Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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2.2	Compliant with the duty to co-operate		
2.3	Sound		X

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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	X
It is not consistent with national policy	

Your comments

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I consider that the assessment of Church
house as a site for development is
flawed. It is vital for our Wildlife
and Heritage that it does not happen.

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Both the Neighbourhood Group & Parish Council
Recommend Condy Lane & support this

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6487
- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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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		No

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

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

Your comments

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

The ^{Green belt} review of the Church Lane site, was based on incorrect data. There is no exceptional circumstances to amend the boundary of the Green Belt to build housing. The site is of high environmental value. It overlooks the nature reserve which contains a SINC site for Woodland flowers. After the ermine valley, this is the second best site in the Parish, for wildlife. A significant number of birds & butterflies can be found on site. A recent bat survey found 3 species of bat on site. These are highly protected species which would be affected by light pollution.

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 alternative site of Cordy Lane should be entered in place of Church Lane.

The cordy lane site is of great environmental value, if green belt has to be built on.

It is linked to current residential housing and would not intrude into high value green space.

Northamptonshire Wildlife Trust and English Nature support the Cordy Lane site.

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.**

Q3.

Comment.

We were informed that Parishioners could select a suitable site, but Broxbourne have shown no interest in the site chosen. This was the main reason for introducing Neighbourhood Plans.

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

YES AS A MEMBER OF THE
STEERING GROUP WHO PREPARED
THE BRINSLEY NEIGHBOURHOOD PLAN.

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

Guidance Note:

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

'Legally Compliant':

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

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'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:

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- **'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.

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Please tick here ☒

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For more information: Tel: 0115 917 2452, 2449, 2455, 2456

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

Document	Policy number	Page number	Policy text/ Paragraph number
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	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awwsworth Site Allocation		
	Policy 5: Brinsley Site Allocation	53	5.1
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
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	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		
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	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		NO

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

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

Your comments

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

I am totally against the development of the Church Lane site. This should remain a green space because of the historic significance (Lawrence and Mining), and the attractive countryside and wildlife.

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 site at Cordy Lane should be entered in place of the Church Lane site. It is already residential and linked to the village centre.

The Church Lane site would spoil the Headstock Nature Reserve, and would intrude into the peaceful countryside.

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.

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

NO ✓

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

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- **'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?

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

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

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

Please tick here

☐

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

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	53	511
	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		
	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?

2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

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

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

Your comments

It is too Close to the Heritage Site and will ruin the open views of Brinsley, and destroy the wild life.

Question 4: Modifications sought

You should consider (if any) to build the new
houses on Cordy Lane, as it is a low
value site.

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

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

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.

S.I S.I

NS= NNP

3415
Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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2.1	Legally compliant		
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2.3	Sound		No

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If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
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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.

365 The development on Church Lane would damage the character of the Village, and would damage the Nature Reserve and its habitat.

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.

Replace the Church Lane site with the Cordy Lane site.

2366 The Cordy Lane site is already residential and would not intrude into the countryside.

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

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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Sustainability Appraisal			
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2.2	Compliant with the duty to co-operate		
2.3	Sound		NO

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

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

Your comments

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

The whole of church lane should be identified as local green space because of tranquillity and historic significance and richness of wildlife.

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 cordy lane site should be entered in place of Church Lane site

It is an area ~~which~~ which is already residential and would not intrude into the rest of the village.

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



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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:

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- '**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'.
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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other
Name	KAREN REDGATE & MR JEREMY REDGATE				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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

Please tick here



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[Redacted email address]

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

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

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

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.

1. THE PROPOSED DEVELOPMENT SITE OPTION 1 ENCRONES INTO THE COUNTRYSIDE
2. PROPOSED DEVELOPMENT WOULD GREATLY DAMAGE THE NATURE RESERVE AND PICNIC SITE.
3. THE SITE WOULD INVOLVE THE NEEGO TO CROSS DANGEROUS 'A' ROAD TO REACH SCHOOL AND AMENITIES

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

1. CONSIDER ALTERNATIVE SITE OF CORDY LANE SHOULD BE ENTERED IN PLACE OF CHURCH LANE BECAUSE :-
 - IT IS ALREADY A RESIDENTIAL AREA SO WOULD NOT ~~EN~~ UNTRUDE INTO THE REST OF THE VILLAGE.
 - IT DOES NOT CONTAIN HERITAGE ASSETS. CHURCH LANE SITE DOES
 - FOOTPATHS AND WALKWAYS WOULD LEAD TO SCHOOL AND AMENITIES ON THE SAME SIDE OF THE MAIN ROAD.

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Yes, I wish to participate at the public examination

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



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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	LYNDA SALT
Organisation (If responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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THE SITE IS AWAY FROM THE MAIN ROAD WHICH IS VERY BUSY AND THE ROAD WOULD BE DANGEROUS FOR BOTH CHILDREN AND ADULTS - ESPECIALLY GOING TO SCHOOL.

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THE CORDY LANE SITE WOULD NOT
INTRUDE ON THE REST OF THE VILLAGE
THIS LAND IS OF LEAST ENVIRONMENTAL
VALUE AND WOULD NOT AFFECT BIRDS
& WILDLIFE ECT. ALSO IT WOULD NOT
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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Broxtowe Borough Council
Planning & Community Development

2 NOV 2017

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	DAVID SAVAGE				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

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It is not justified	X
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It is not consistent with national policy	

Your comments

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- 1) THE SITE IS AWAY FROM THE RESIDENTIAL AREA OF THE VILLAGE; NEED TO CROSS A DANGEROUS 'A' ROAD TO REACH SCHOOL AND OTHER AMENITIES.
- 2) DEVELOPMENT WOULD GREATLY DAMAGE THE NATURE RESERVE AND PICNIC SITE
- 3) SITE ENCROACHMENT INTO THE COUNTRYSIDE

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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: <input type="text"/>
Name	ANGELA SMITH
Organisation (if responding on behalf of the organisation)	/
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	/

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It is not effective	<input checked="" type="checkbox"/>
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It is not consistent with national policy	<input checked="" type="checkbox"/>

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 Church Lane site for housing development is not sound. Church Lane is an important heritage site and as such deserves the utmost protection.

Building on the Church Lane site would have the most damaging visual impact on the village. The Church Lane site with the adjacent Headstocks area is an important heritage and wildlife site. The knock on effect would be to destroy the Borough's potential for tourism and damage the city of Nottingham's bid for City of Culture title. The value of the Headstocks local nature reserve would be seriously reduced and open the site up to the threat of future housing development.

I have been a community speedwatch volunteer in Brinsley and there is a significant problem of speeding on Church Lane. A housing development on Church Lane would mean that the problem would be increased and it would be far more difficult to manage traffic conditions from this site.

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 Cordy Lane site for housing development is far more sound. The site would have far less visual impact on the village. It has little wildlife, environmental value and no heritage value at all.

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



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'Sound'

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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:

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2786

- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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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

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building on Church Lane would completely damage the wildlife corridor - and heritage sites

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.

CONDY LANE IS SUPPORTED BY PARISH AND
1 SUPPORT

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Yes, I wish to participate at the public examination

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	SANDRA SWAIN
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	
E-mail address	

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

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Would damage the character of Brinsley as a village

THE site is away from residential area of the village, as the children will need to cross a dangerous 'A' road to reach school and other amenities

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The alternative site of Cordy Lane
should be entered in place of Church Lane

It does not contain heritage
assets as CHURCH LANE does

Land of least environment value.

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Broxtowe Part 2 Local Plan

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017



Agent

Please provide your client's name

Your Details

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

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

Please tick here ☐

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

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

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

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

Your comments

THE VIEWS OF THE PARISH COUNCIL AND VILLAGERS VIEWS HAVE BEEN COMPLETELY DIS-REGARDED. CHURCH LANE SHOULD REMAIN GREEN AND COMPLETELY OPEN. WE MUST PROTECT THE HERITAGE & NILDWFE.

Question 4: Modifications sought

I AGREE WITH THE PARISH COUNCIL, THAT
CORDY LANE IS A BETTER SITE.

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

5

Please use a separate sheet of paper if required. Please use one form per representation.

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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2.3	Sound		<input checked="" type="checkbox"/>

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It is not justified	<input checked="" type="checkbox"/>
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Your comments

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at Inspectors Enquiries, it was stated that Brinsleys Landscape is a heritage asset and should be protected in Part two of the Local Plan. also it would put wildlife at danger.

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.

Cordy Lane will keep the
Building on one side of the village
and have less impact to wildlife
views and heritage sites

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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



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

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



**Broxtowe
Borough
COUNCIL**

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	HEATHER THORNTON				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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Please tick here

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

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Yes No

2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		

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It is not effective	
It is not positively prepared	
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BUILDING ON CHURCH LANE WILL AFFECT
THE HERITAGE SITE AND DESTROY WILD LIFE
HABITAT.

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IN FULL AGREEMENT WITH PARISH
COUNCIL ANY BUILDING TO BE
SITED ON CORDY LANE

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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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"/>

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The Church Lane site does not comply with many government policies on

- natural environment
 - protection of heritage assets
 - protection of nature reserves & wildlife
 - location in residential area
 - preserve character of village
 - prevent encroachment into countryside
 - should comply with localism Bill and
- Enter village's choice of site into Local Plan

Question 4: Modifications sought

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Remove Chancel Lane site from
Part 2 Local Plan.
Replace with Cordy Lane site which
complies with government policies

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S.O/6.1

NS= NNP

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017

1189

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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CONTRAVENED MANY POLICIES OF NPPF - GREEN BELT POLICIES
 NO ACCOUNT TAKEN OF RESIDENTS CHOICE OF SITE
 BROXTONE IS RETURNING TO DAYS OF IMPOSING LARGE
 DEVELOPMENTS IN CENTRE OF VILLAGE WITHOUT
 RESIDENTS CONSENT.

12573
 12574

Question 4: Modifications sought

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ALERT RESIDENTS PREPARED SITE OF CARRY LANE
FOR ENTRY INTO PART 2 LOCAL PLAN
REMOVE CHURCH LANE SITE

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Agent

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

Your Details

Title	Mr Mrs <u>Miss</u> Ms Other:
Name	NATALIE TRAVIS.
Organisation (If responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awworth Site Allocation		
	Policy 5: Brinsley Site Allocation	53	5.1
	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		
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	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		
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	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?

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

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

Your comments

THE CHURCH LANE SITE HAS BEEN PREPARED WITH FLAWED INFORMATION, AND WOULD ENCROACH INTO THE COUNTRYSIDE AND RUIN THE "FEEL" OF THE VILLAGE

Question 4: Modifications sought

I DON'T WANT ANY BUILDING IN THE GREEN
BELT, BUT IF I HAVE TO, I PREFER IT
TO BE CORDY LANE

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.**

Yes, I wish to participate at the public examination

5

Please use a separate sheet of paper if required. Please use one form per representation.

Broxtowe Part 2 Local Plan

Broxtowe Borough Council
Planning & Community Development

- 2 NOV 2017



Agent

Please provide your client's name

Your Details

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

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

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

Please tick here

☐

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Other (e.g. omission, evidence document etc.)			

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

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

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

Your comments

THE DECISION TO BUILD ON THE GREEN BELT IS FLAWED. ANYONE WHO HAS TO ATTEND SCHOOL FROM THAT SITE, WILL HAVE TO CROSS THE VERY BUSY A608. PLUS IT IS TOO CLOSE TO THE HERITAGE AND WILDLIFE SITES.

Question 4: Modifications sought

CORDY LANE IS A BETTER SITE, PLEASE BUILD THERE,
IF ANYWHERE

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

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

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.

- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	MISS	Mr	Mrs	Miss	Ms	Other:
Name	DOROTHY TWEELS					
Organisation (if responding on behalf of the organisation)						
Address						
Postcode						
Tel. Number						
E-mail address						

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

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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		X

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

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

Your comments

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

This site would damage the character of Brinsley, and would damage the nature reserve with flooding, and noise and light pollution

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.

Delete Church lane site and
enter the Cordy lane site.

The cordy lane site is of
least environmental value if
does not define the villages
landscape.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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

✓

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

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

Guidance Note:

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

'Legally Compliant':

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

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

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'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?

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	VALERIE WAKEING
Organisation (if responding on behalf of the organisation)	
Address	
Postcode	
Tel. Number	
E-mail address	

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

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

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

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

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

Your comments

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

The wildlife needs protecting from the building of houses on a site so close to the Headstocks Nature Reserve. There is a sinc site to preserve where you want to build it is a travesty. Light pollution would be detrimental to the bird life. We should preserve our heritage and not destroy it. The Brook does flood in bad weather

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.

Please reconsider the allocation of the building site to Cordy Lane Site which is on the side of the main A608 where all houses have been built and keep the Church Lane Site as a protected wildlife Asset.

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Yes, I wish to participate at the public examination

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



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2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	Betty Watson & Derek Watson				
Organisation (If responding on behalf of the organisation)	—				
Address	[Redacted]				
Postcode	[Redacted]				
Tel. Number	[Redacted]				
E-mail address	[Redacted]				

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Please tick here



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

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

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

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

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.

Not consistent with Green Belt policy.
 unsafe road crossing to the shops and
 school especially for children and
 elderly.
 would disturb the Country Park area

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.

Remove Church Lane site from
proposal and take note of local
community wishes in accordance
with government policy

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.

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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

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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Please tick here



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

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	Policy 5: Brinsley Site Allocation	53	527
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	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		
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	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.)	THE BROXTONE BC PLAN OF BRINSLEY DOES NOT INCLUDE ANY COMPASS BEARING + INCLUDES THE CHURCH LANE SITE AS THOUGH IT ALREADY EXISTS.		

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	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
It is not effective	<input type="checkbox"/>
It is not positively prepared	<input type="checkbox"/>
It is not consistent with national policy	<input checked="" type="checkbox"/>

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.

- BRINSLEY LANDSCAPE IS A HERITAGE ASSET + SHOULD BE PROTECTED
- THE SITE IS AWAY FROM THE RESIDENTIAL AREA OF THE VILLAGE SO THERE WILL BE A NEED TO CROSS A DANGEROUS ROAD TO REACH THE SCHOOL + OTHER AMENITIES
- THE SITE IS CLOSE TO THE HEADSTOCKS HERITAGE SITE AND ANY FURTHER DEVELOPMENT WOULD SOON SPREAD TO THIS.

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.

GIVE CONSIDERATION TO AN ALTERNATIVE SITE
AT CORDY LANE INSTEAD OF THE PROPOSED SITE
AT CHURCH LANE -

- i) CORDY LANE - IS LAND OF LESSER ENVIRONMENTAL VALUE
- ii) CORDY LANE IS ALREADY A RESIDENTIAL AREA AND WOULD NOT INTRUDE INTO THE REST OF THE VILLAGE
- iii) FOOTPATHS + WALKWAYS WOULD LEAD TO AMENITIES AND THE SCHOOL ON THE SAME SIDE OF THE MAIN ROAD

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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

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)	<p>The plan omits any indication of a north point. The plan of the village includes the Church lane site as a "done deal"</p>		

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National policy dictates that local residents' wishes are taken into account. This does not as the preferred site of the residents lies off Cordy lane on the opposite side of the A608 (Those preferring Church lane 44% as opposed to 56% preferring Cordy lane)

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Accede to the preference stated by 56%
of residents

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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2.3	Sound		No

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DESTRUCTION OF THE COUNTRYSIDE
AND RURAL HERITAGE WHEN THERE
IS AN ALTERNATIVE OPTION AVAILABLE

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CORDY LANE OPTION WOULD NOT
HAVE SUCH A DETRIMENTAL IMPACT
ON THE VILLAGE

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

NO

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-2 NOV 2017 6895

5.1/5.0 NS = NWP

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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

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2.2	Compliant with the duty to co-operate		
2.3	Sound		no

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

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

Your comments

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THE SITE ON CHURCH LANE WOULD BE ON A RURAL SITE WITH LOVELY VIEWS AND A LOT OF WILD LIFE.
THE ALTERNATIVE SITE ON CORDY LANE IS A BETTER OPTION.

12 637
12 638

Question 4: Modifications sought

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THE CORDY LANE LOCATION,
WOULD HAVE A LESSER IMPACT
ON THE VILLAGE AS A WHOLE.

THE SCHOOL AND SHOPS ARE
ALREADY ON THE CORDY LANE
SIDE OF THE BUSY MAIN ROAD.

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

no

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2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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Please tick here ☐

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	Policy 6: Eastwood Site Allocation		
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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

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

Your comments

Church Lane site is encroaching into the countryside and would damage the character of the village

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Changing the Cordy Lane site would allow footpaths, walkways to lead directly to the school

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	[REDACTED]
Name	[REDACTED]
Organisation (If responding on behalf of the organisation)	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
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WITH LOTS OF WILDLIFE, IT IS ALSO A LOVED
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I AGREE WITH THE P/COUNCIL & SUPPORT
BUILDING ON CORDY LANE

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	TREVOR WESTBROOK				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
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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 Church Lane site was prepared with inaccurate information, and would ruin the Heritage Site & Wildlife.

Question 4: Modifications sought

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it would be preferred for Condy Lane Site to be included.

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AS CHILDREN WILL HAVE ACCESS TO SCHOOL OR
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BUILDING ON THE CHURCH LANE SITE WOULD DAMAGE
THE OPEN ASPECTS OF THE VILLAGE, AND ALSO
THE WILDLIFE / HERITAGE SITES

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X

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Please provide your client's name

Your Details

Title	<input checked="" type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other:
Name	D. WHITHAM
Organisation (if responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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

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

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

Please tick here

☐

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

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Document	Policy number	Page number	Policy text/ Paragraph number
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	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		
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	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
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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		NO

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

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

Your comments

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

THE CHURCH LANE SITE WOULD HAVE AN HARMFUL IMPACT ON THE ABUNDANT WILDLIFE AND FLORA ~~WATER~~ ~~RES~~ OF THE LAND WHICH RUNS ALONGSIDE THE SITE AND TO THE BRINSLEY HEADSTOCKS.

THE INSPECTOR INQUIRY ON CORE STRATEGY STATES THAT BRINSLEY LANDSCAPE IS A HERITAGE ASSET AND SHOULD BE PROTECTED IN PART 2 LOCAL PLAN..

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 VILLAGE AMENITIES, ARE ALL ON THE
CORDY LANE SIDE OF THE VERY BUSY MAIN ROAD,
APART FROM THE PLAYING FIELD.

TO BUILD ON THE CHURCH LANE SITE WOULD
PUT ADULTS, AS WELL AS THE CHILDREN ATTENDING
SCHOOL AT RISK WHEN CROSSING THE MAIN ROAD
TO THE SHOPS, ~~AND~~ SCHOOL AND CHURCH.

THE CHURCH LANE SITE IS OF HIGH VALUE
ENVIRONMENTALLY, WITH MANY DIFFERENT TYPES
OF PLANT AND WILDLIFE.

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Question 5: Public Examination Attendance

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

Yes, I wish to participate at the public examination

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

22

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

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'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:

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- **'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?

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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2.1	Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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It is not justified	<input type="checkbox"/>
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The Church Lane site would be a creeping destruction of the land which is vitally important to our rural heritage. Any development on Church Lane would have a harmful impact on the rural and open character of the village. The last village in Broxrowe!

Question 4: Modifications sought

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The Cordy Lane site would not be as intrusive and the land is of least environmental value.

Footpaths would be on the same side of the road for shops & school etc.

This site would have the least impact on the village.

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Yes, I wish to participate at the public examination

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

No

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- 2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

Title	Mr Mrs Miss Ms Other:
Name	Stephanie Wilhardt
Organisation (If responding on behalf of the organisation)	
Address	[REDACTED]
Postcode	[REDACTED]
Tel. Number	[REDACTED]
E-mail address	[REDACTED]

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Your comments

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The Church have development would
 - encroach into the Nature Reserve
 - would greatly damage the nature, heritage and picnic site

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 alternative site of Cordy Lane would

- keep the village on the same side of the road
- already contains alternative exit onto Red Lane
- not cause damage to the nature on the Headstock site

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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

I am Secretary of The Friends of Brinsley
Healdstocks ~~Heritage~~ Heritage and Nature Reserve

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr.	Mrs	Miss	Ms	Other:
Name	ELIZABETH WILLIAMSON				
Organisation (if responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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

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

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

Your comments

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

It contravenes greenbelt policies of the NPPF

It is in close proximity to the Headstocks Heritage site and development would soon spread to this

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.

Please reconsider the Cordy Lane site as this has the least environmental value and will have the least visual impact on the character of the village.

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

As a member of the Brinsley Neighbourhood Plan Steering group and Parish Council I should like to be involved in the public examination.

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:

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'Legally Compliant':

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

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'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:

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- 2 NOV 2017

Broxtowe Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	JOHN WILLIAMSON				
Organisation (If responding on behalf of the organisation)	75				
Address	[REDACTED]				
Postcode	[REDACTED]				
Tel. Number	[REDACTED]				
E-mail address					

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

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

Please tick here

☐

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

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2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		<input checked="" type="checkbox"/>

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

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

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.

It contravenes green belt policy NPPF Policy 125

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.

Consider alternative site
of cordy lane instead!

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.

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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.

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'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:

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- **'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?

2 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

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

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

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If you <u>would</u> like to be contacted by the Planning Policy Team regarding future consultations.	
Please tick here	<input checked="" type="checkbox"/>
Please help us [redacted] correspondence can be sent to: [redacted]	

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

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

Do you consider this paragraph or policy of the Local Plan to be: (please refer to the guidance note at for an explanation of these terms)		Yes	No
2.1	Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Compliant with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Sound	<input type="checkbox"/>	<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	<input type="checkbox"/>
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It is not positively prepared	<input type="checkbox"/>
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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.

SITE OPTION 1 ENCROACHES INTO THE COUNTRYSIDE
& DEVELOPMENT WOULD GREATLY DAMAGE THE
NATURE RESERVE AND PICNIC SITE

ALSO, SITE OPTION 2 WOULD HAVE WIDER
AND BETTER ACCESS THAN OPTION 1.

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.

WE CONSIDER ALTERNATIVE SITE OF CORDY LANE SHOULD BE ENTERED IN PLACE OF CHURCH LANE BECAUSE:-

IT IS AN AREA WHICH IS ALREADY RESIDENTIAL AND WOULD NOT INTRUDE INTO THE REST OF THE VILLAGE.

IT DOES NOT CONTAIN HERITAGE ASSETS AS CHURCH LANE DOES

IT IS NOT A LANDSCAPE WHICH DEFINES THE VILLAGE.

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.

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



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Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name

Your Details

Title	Mr	Mrs	Miss	Ms	Other:
Name	JAMES EDWARD WILSON				
Organisation (If responding on behalf of the organisation)					
Address					
Postcode					
Tel. Number					
E-mail address					

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PROTECT THE SCENIC CHARACTER
OF THE VILLAGE

Question 4: Modifications sought

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REPLACE CHURCH LANE SITE
WITH CORDY LANE SITE.

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✓

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- 3 NOV 2017

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

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

Your Details

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

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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		
	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		

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

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

Your comments

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

Please see attached responses to Brinsley Parish Council Supporting Development at Church Lane and not the Cordy Lane site preferred by the Parish Council. We are sending you this as we do not trust Brinsley Parish Council and we understand that some of the properties that may be affected by development are owned by members of the Parish Council.

Jars, [REDACTED]

2/11/17

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.

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.

RESPONSE TO THE BRINSLEY NEIGHBOURHOOD PLAN

I support the Brinsley
Neighbourhood Plan

(Please Tick)

YES

☐

NO

☒

I wish to comment on the following policy/policies :-

I Strongly object to the Cordy Lane development. It will have a negative visual impact - look totally out of place - at least off Church Lane it will be behind Brinsley Rec & mostly out of sight. The Cordy Lane site is in a dangerous bend, plagued by speeding vehicles often overtaking. I reject the view of 'no wildlife! We enjoy watching many species, including bats, owls, Buzzards, Sparrowhawks, Kestrels, Jays, rabbits, Foxes, dragonflies, Swallows etc in addition to all the other more 'common' wild birds. The site off Cordy Lane is a mining risk, our own house has suffered previous subsidence and there is a subsiding mine shaft to the rear of 51 Cordy Lane. There is also previous iron mining in the area and an old rubbish pit.

Name:

Address:

Email:

I Support Broxtowe BLC's plans, and they will be sent a copy of this so I do not

Tel:-

trust Brinsley PC to not pass on to BSC

Completed forms should be delivered to the Parish Hall or they can be collected by telephoning 01773 531251

Views that contradict those of the Parish Council. Development at

Extra forms are also available from the Parish Hall on request.

Cordy Lane will affect people on Cordy Lane. Broad Lane
CLOSE OF CONSULTATION—30TH NOVEMBER 2017

OPEN AFTERNOONS AND EVENINGS FOR INFORMATION AND ASSISTANCE ON
RESPONSE TO BOTH PLANS WILL TAKE PLACE IN THE BOWLS PAVILION.

THURSDAY EVENING	19th October 7:00pm—9:00pm
SATURDAY AFTERNOON	21st October 2:00pm—4:00pm
TUESDAY AFTERNOON	24th October 2:00pm—4:00pm
SATURDAY AFTERNOON	28th October 2:00pm—4:00pm

Copy to
Broxtowe BLC

RESPONSE TO THE BRINSLEY NEIGHBOURHOOD PLAN

I support the Brinsley
Neighbourhood Plan

(Please Tick)

YES

☐

NO

☒

I wish to comment on the following policy/policies :-

110 HOUSES IN BRINSLEY - STRONG OBJECTION TO CORDY LANE

I MUCH PREFER THE SITE OF THE NEW HOUSES
TO BE CHURCH LANE.

I FEEL THIS WOULD IMPACT ON FAR FEWER RESIDENTS
THAN WOULD ~~CHURCH~~ CORDY LANE.

THE PROPOSED CORDY LANE SITE IS SURROUNDED ON
ALL SIDES BY CURRENT HOUSING AND WOULD
IMPACT GREATLY ON THEIR VIEWS, WHEREAS CHURCH
LANE IS SET BACK AND ONLY OVERLOOKS BY
A FEW PROPERTIES. ACCESS IS FAR SAFER OFF CHURCH LANE
AS THE PROPOSED ACCESS TO CORDY LANE IS ON A BEND.
THERE IS SIGNIFICANT WILDLIFE AT CORDY LANE INCLUDING
Name: P. S. URIGHT DATS IN THE SUMMER, RABBITS,
PHEASANTS ETC

Address:

[REDACTED]

Email:

[REDACTED]

Tel:-

[REDACTED]

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ed by telephoning 01773 531251

Extra forms are also available from the Parish Hall on request.

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COPY TO BRINSLEY BK