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Aspbury Planning on behalf of D.W & J.W.E Wild

ID ref -634

Representations to Broxtowe Local Plan Part 2
Inspector's Matters, Issues and Questions

Matter 9 – Other Site Allocations

Matter 9 – Other site Allocations – Policies 7.1/7.2/7.3

1. Is there evidence that the development of each allocation is suitable, available, sustainable, viable and deliverable?

Policy 7.1 – The Kimberley Depot is the main works depot for Broxtowe Borough. It appears to be fully operational and there is no visible information in the public domain as to when it will become available or even if a replacement depot site has been identified. Given the nature of the uses on the site and surrounding nature conservation interest, contamination and ecological constraints are likely to affect viability and/ or deliverability of at least part of the site. Nottinghamshire Wildlife Trust wish to see a statement about the extent of the developable area, ideally limiting it to the existing built up part of the site. It is considered important that the allocation is sensitive to, and secures future positive management of the Kimberley Dismantled Railway Local Wildlife Site.

The Kimberley Caravan centre is an independent fully occupied site with substantial modern infrastructure. The response on behalf of Kimberley Town Council to the Publication Local Plan indicates that site owners will object unless an alternative site is found for them. There is substantial value in this site in its current use and it is highly questionable whether relocation of the caravan sales business is a commercially attractive proposition.

Policy 7.2 – The land south of Eastwood Road has been a local plan allocation since 2004. There have been no planning applications for residential development of the site and most of the developer / landowner respondents to the Local Plan question any stated intent to develop. The response on behalf of Kimberley Town Council to the Publication Local Plan indicates that a triangle of land at the rear of 29 to 47 Eastwood Road and East of Speedwell Lane within the allocation, is of high bio - diversity value and suggest it be deleted from the allocation. Nottinghamshire Wildlife Trust consider that this site 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 and express concern about the inclusion of the site as an allocation.

Policy 7.3 The Eastwood Road Builders Yard – has also has been a local plan allocation since 2004. Again there have been no planning applications for residential development of the site and again most of the developer / landowner respondents to the Local Plan question availability and deliverability.

It is a common representation amongst almost all of the independent respondents that there are very credible delivery doubts about all three of these Kimberley allocations and this has to be

considered alongside the Council's decision to under-provide in Kimberley against the ACS Policy 2 target of up to 600 dwellings by setting out a total supply in table 3 of the Publication Plan of 523 dwellings (comprising 102 completions from 2011, the three allocations totalling 180 and the residual 250 dwellings coming from sites with extant permissions and other deliverable urban sites). In the examination session, the respondent may request to take the Inspector to the Kimberley SHLAA table at page 27 of the 2017/18 SHLAA to confirm that beyond the allocated, committed and named urban capacity sites, there is no identified flexibility or capacity whatsoever to deliver beyond 523 dwellings in Kimberley without further Green Belt release, a process sanctioned as part of the Aligned Core Strategy and embraced in the other ACS Borough of Gedling where a number of significant Green Belt releases have been proposed their Key Settlements. This Matter is also addressed in our responses to Matter 11.

2. What is the expected timescale and rate of development? Is this realistic? –

Site -7.1 – Table 5 – Housing Trajectory of the Publication Version Plan - indicates that the Kimberley Depot site will start to deliver from 2024/25 and develop out one year before the end date of the plan so that all units count towards the required housing supply for the Local Plan. We presume that the trajectory start date is set purely on the basis of giving the longest period possible to try and replace the Broxtowe Council Depot and caravan sales sites which will clearly not be a straightforward task.

7.2- Table 5 - indicates that the land south of Eastwood Road will deliver all 40 units during 2021/22. However, the respondent has seen no up to date evidence of intent to develop and this must be a real concern given that the site has had a local plan allocation for 14 years and no planning application in that time.

7.3 Table 5 indicates that the Eastwood Road builder's yard will deliver all 22 units during 2023/24. In the absence of a publicly available confirmation of intent from the site owners and the late start date included in the trajectory, we again presume that there is no certainty particularly as this site has also failed to come forward in 14 years of Local plan allocation

In summary there appears currently to be no certainty whatsoever on timescale or rate of development or indeed genuine availability of all three sites

3. Having regard to the respective Main Modifications, are the Key Development Requirements appropriate and justified? How significant are the Key Development Aspirations to achieve a sustainable development? Should there be Requirements for e.g. measures to mitigate highways impact?

Policy 7.1 – Aside from the obvious requirement to relocate the Kimberley Depot and Kimberley Caravans (addressed previously) the key development requirements of this site primarily relate to providing green infrastructure to link to urban areas the north and east, providing a further green infrastructure route along the site access road and out to the south west, and, mitigating impacts upon the Local Wildlife Site on the southern boundary. All of these requirements have implications for site layout and overall site capacity and a recent enquiry of the Council regarding the availability of a Site Masterplan for inspection produced the response that no such masterplan was available.

Policy 7.2 – A key development requirement of this site is now to incorporate the field to the rear of 29-47 Eastwood Road into the Green Infrastructure provision and this reflects the comments of the NWT and Parish Council. However, the site capacity in the policy remains at 40 homes notwithstanding the potentially significant reduction in site area. The 2004 Local Plan allocation records a net site area at 1.0 hectares including the field to the rear of 29-47. In the absence of any capacity layout plan, a capacity approaching 40 dwellings on significantly reduced site area is highly unlikely unless some form of apartment scheme, incompatible with its surroundings, is proposed.

4. What are the site constraints, potential impacts or infrastructure requirements of the allocation and how would these be addressed?

Our responses to previous questions raise concerns that the identified site constraints and (green) infrastructure may/ will impact significantly on the availability and the deliverable capacity of the allocated sites 7.1 and 7.2.

5. How have the Opun Design Reviews informed the respective policies?

Policy 7.1 – The feasibility/constraints plan forming part of the Opun Review has informed the Key Development Requirements of the site allocation. Significant areas of the 7.4 hectare site are proposed for the retention of green spaces and the establishment or reinforcement of green routes which account for about half of the site. If the net development area respects these parameter, a developable area in the order of 3-4 hectares may be achievable. We have seen no reasoning or plan based capacity exercise however to confirm the capability to deliver 118 dwellings or indeed the reasoning behind the proposed increase in the allocation from 105 homes.

6. Where a site is to be released from the Green Belt, have the exceptional circumstances for releasing the site from the Green Belt been demonstrated? Would the release of the site prejudice or conflict with the purposes of the Green Belt?

Site 7.1 - We consider that exceptional circumstances for Green Belt release around Kimberley have been demonstrated through Green Belt review and the formulation of adopted policy in the Aligned Core Strategy including a sequential approach to development which supports GB release in Key Settlements including Kimberley. In geographical terms, the Kimberley Depot as a previously developed site within walking distance of Kimberley town centre has a number of potential locational and sustainability benefits. However, relocation of the existing depot to a similarly accessible location to serve the District presents a problem in itself and the genuine availability of this site has to be called into question, along with its capacity. There are other Green Belt sites around the settlement deemed '*Could be suitable if policy changes*' which are not quite as well placed geographically as the Kimberley Depot, yet do not conflict with the purposes of Green Belt and are importantly available for development. These site have been identified in the 2017-2018 SHLAA - Document H0/02.



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