

## **Awsworth Parish Council (68) and Awsworth Neighbourhood Plan Steering Group (6537)**

### **Broxtowe Part 2 Local Plan Examination – Hearing Statement - Matter 2: Employment**

This statement is in response to the representation by Pegasus on behalf of Harworth Group (2607) to Policy 9 - 'Retention of good quality existing employment sites'. Namely that -

'The plan should be amended to allocate the land at the Bennerley Coal Disposal Point for rail related employment uses and the Proposals Map should be amended to show the allocated site removed from the Green Belt as indicated on the plan at **Appendix 3**'.

Harworth's representation potentially impacts severely and adversely on Awsworth Neighbourhood Plan (ANP) Policy BCP 1 'Bennerley Country Park', which coincides with the same area of brownfield / derelict land located in the Green Belt and mainly within Awsworth Parish. Also, Policy GI 4 'Local Green Spaces' (namely G14 – 'Naptha Wood', shown partly within the area shown on the plan at Appendix 3).

Harworth's representation refers to 'housing allocation' which we assume should read 'employment allocation'.

### **Summary**

Awsworth Parish Council (APC) and Awsworth Neighbourhood Plan Steering Group (ANPSG) have shared interest in the land at Bennerley because the main site and southern part of the access road from the A610 is situated in Awsworth Parish. The extensive (c20 Hectares) derelict site comprises approximately 15% of the total Parish area, is in a sensitive location given its designation as Green Belt and Local Wildlife Site, adjacent to the nationally important listed grade II\* Bennerley Viaduct which is a key local landmark and closely surrounded by numerous settlements.

APC/ANPSG wish to ensure a sustainable future for land at the former Coal Disposal Point. Notwithstanding its long industrial past the land has remained disused and neglected for more than 20 years. It increasingly gives rise to anti-social behaviour and safety concerns, especially due to off-road bikers on the site and surrounding highways, public bridleways and footpaths.

Natural revegetation has softened and improved the general appearance. Through our emerging Neighbourhood Plan we wish to see the land put to beneficial use that is acceptable in planning and environmental terms which is not detrimental to the Parish or village of Awsworth.

The site has significant potential for beneficial use as a country park or informal public access. This would complement and enhance the local environment, green infrastructure network, heritage assets, landscape, wildlife, recreational and tourism value in this part of the Erewash Valley.

We acknowledge the site represents a major vacant previously developed site in the Green Belt and regeneration for employment uses would provide economic benefit. However, we do not consider the economic case put forward (AECOM report) for a major rail related employment allocation satisfies the requirement for exceptional circumstances to be clearly demonstrated to justify amendment to the Green Belt boundary. We do not consider that there is a clear justification to amend the Submission Draft Local Plan to allocate land at Bennerley for rail related uses.

## **Awsworth Neighbourhood Plan**

The local context is the well-advanced ANP (Consultation Draft February 2018). Policy BCP1 'Bennerley Country Park' supports the use of land at Bennerley as a country park for the benefit of parishioners and visitors (subject to criteria). For the submission plan (expected January 2019) BCP1 will be expressed in more aspirational terms along the following lines:

'The Plan supports that the former Bennerley Coal Disposal Point remains open in use and character. Development proposals that harm the openness of the former Bennerley Coal Disposal Point will be resisted. Its development for recreational use such as Country Park or informal public open space will be supported providing the proposals do not detract from its open character. The Parish Council will work in partnership to actively progress its use as a Country Park for the benefit of residents and visitors'. (Criteria in the consultation draft will be retained).

We understand Harworth's position regarding aspirations for the future redevelopment of their land at Bennerley. While we also understand their disappointment with the approach the ANP proposes to take to the site, our vision for the site's future is fundamentally different to what Harworth are proposing and want the plan to support. It also takes account of local community preferences expressed through the community questionnaire, which supported alternative futures for the land (particularly those including a 'country park' in some combination).

This is a key issue for ANP given the area forms a significant part of the parish, is an underused local asset with significant potential but which has long been derelict and increasingly attracts anti-social behaviour. That is why ANPSG approached Harworth quite early in the process, to explore whether there was scope for the plan to support their economic aspirations, subject to realising community benefit to reasonably compensate for the unavoidable impact such a major scheme would undoubtedly have. We worked closely and constructively with Harworth over several months which inevitably impacted on the plan timetable. The public consultation exercise arranged by Pegasus in June 2017 was especially useful in assisting the local community to understand what was being proposed. Consideration was subsequently informed by AECOM's report.

ANPSG was asked by APC to consider whether the plan (and APC) should be recommended to support Harworth's aspirations for development of land at Bennerley and inclusion of a policy to support their proposals.

The Neighbourhood Plan process is an opportunity to try to ensure that the land is put to beneficial use rather than lying unused for another 20+ years. Land at Bennerley is 1 of the 3 biggest issues for the plan, together with Bennerley Viaduct and Harworth's proposed housing off Newtons Lane (which ANP Policy H1 supports). ANPSG want to get the best outcomes for Awsorth and its people.

Broxtowe's Part 2 Local Plan does not include Bennerley as an employment allocation. Harworth wants the Neighbourhood Plan to include a policy which states that APC supports their proposals in principle and also looks to remove the land from Green Belt through Broxtowe's Local Plan process.

For support to be forthcoming ANPSG considered it essential to be satisfied that any impacts on the local environment or local people would not be unacceptable and that significant community benefits for Awsorth would be provided were any development of land at Bennerley to be supported. Any policy would require criteria to be satisfied before planning permission is given.

Harworth (Pegasus) arranged a public consultation event in Awsorth Village Hall 19/6/2017 and consultation summary of the 43 responses received. They provided a report by AECOM 'Bennerley Development Proposals – An assessment of Freight Feasibility' July 2017. ANPSG provided comments on the consultation summary and a summary of 'positives' and 'negatives' from the report.

**Having considered available information combined with local knowledge in August 2017 ANPSG unanimously agreed to recommend the following to APC which was unanimously approved:**

**NOT TO SUPPORT the proposals put forward by Harworth or that the Neighbourhood Plan should include an in-principle supporting policy** – on the basis of the information available ANPSG is not persuaded that the potential positive aspects of the proposals outweigh the likely negative impacts including in view of proposed 24/7 working and the likelihood that few jobs would be for local people – contrary to Harworths suggesting that noise is not an issue ANPSG is particularly concerned about potential noise impacts on new residents who will be living in homes proposed for land off Newtons Lane as well as on existing residents especially those in the west and north of the village – there are also concerns about harm to wildlife interest on the site - and about a proposed second road access to the site from Shilo Way.

**NOT TO SUPPORT removing the land from the Green Belt** – ANPSG are concerned that the openness of the Green Belt in this sensitive area between Awsworth and Cotmanhay would be detrimentally affected and compromised by development of the type and on the scale envisaged by Harworth’s potential options.

**TO SUPPORT instead that the Neighbourhood Plan should include an alternative policy which supports the use of the land as a country park but that any built development is appropriate to this use and the setting and is carefully designed** – ANPSG is keen to support a more sustainable future for the land which does not result in adverse impacts on the parish or its residents - one that allows public accessibility for use by local people and visitors from further afield but which would need to be commensurate with protecting and enhancing the acknowledged wildlife value of the site – ANPSG consider this would provide a valuable community asset as a ‘green lung’ and potentially could be developed into the future as a major recreational facility that could be used for informal recreational purposes and encouraging appropriate public access – particularly in conjunction with Bennerley Viaduct and the many other local green assets in the surrounding area - this would also accord with the majority view (over 60%\*) expressed in the Questionnaire who were in favour of a country park on the land at Bennerley. [\*NB: Retained as it is 3%; Re-used for new employment 8%; Re-used for a new ‘Country Park’ or similar 6%; Re-used for a ‘Country Park’ but with some employment uses provided 16%; Re-used for nature conservation 6%; Re-used for a new ‘Country park’ & nature conservation 18%; Re-used for a new ‘Country Park’ & nature conservation but with some employment use 36%; Re-used for some other use 8%]

**TO AGREE that the policy in support of a country park should emphasise and support the special importance of the adjacent Bennerley Viaduct** – ANPSG support a different more sustainable vision for the future use of this wider area – the viaduct is an iconic and unique landmark and the key feature of our parish - in terms of protecting its heritage status as a listed building, particularly maintaining its open setting and the views to and more especially views from the structure, which the Harworth proposals would seriously harm – especially noting ANP will have a policy to protect the visual setting of the viaduct – re-using the area as a country park would also complement and lend weight to the Sustrans project to restore the viaduct as a key part of a longer distance cycling and walking route – note also ANP will have a policy to support the Bennerley Viaduct scheme – Harworths proposals would contradict and conflict with both of these Neighbourhood Plan policies.

**TO AGREE that the policy in support of a country park should not include support for any employment use (other than in relation to the country park or the Bennerley Viaduct scheme)** – ANPSG consider this element should not be supported – the Questionnaire suggested some limited employment use – however, the Part 2 Local Plan includes sufficient land for general employment use in the Borough.

### **Harworth's response to the ANP consultation draft plan:**

Harworth say that given the site history, in the absence of redevelopment of this brownfield site the land will remain derelict. We do not agree that the site need remain derelict subject to an acceptable scheme being put forward. Certainly, we share their desire to see the land put to beneficial use. However, we do not agree that their preferred redevelopment is either the most appropriate or an acceptable long-term solution. The circumstances in relation to the site and surrounding area have changed markedly over more recent years. While a large part of the wider site may have been previously developed, the land has been unused for more than 20 years and to a degree has helpfully revegetated. The fact that the land has an industrial past going back many years does not mean that this should necessarily be perpetuated into the future or that this is the only future use for the site. Moreover, any redevelopment must be acceptable in planning terms. The AECOM report was an economic feasibility study and we acknowledge the potential economic benefits such a scheme might provide. However, there are also planning and environmental considerations which should be taken into account.

The site is in the Green Belt, which means any redevelopment would have to demonstrate exceptional circumstances in order to be permitted. The major scheme envisaged by Harworth would have a considerable impact on the current openness of the Green Belt, would encroach into the countryside and would reduce separation between Awsworth and Cotmanhay. The site is already quite closely surrounded by numerous settlements which continue to grow, such that more than 100,000 people now live within 2-3 miles. Harworth's preferred scheme would significantly impact on these local communities to varying degrees, especially Awsworth village, not least the c250 new homes being proposed by Harworth on land east of Shilo Way. We are concerned that this would be seriously detrimental to the living conditions of existing and new residents alike, through noise, dust, traffic and other unavoidable consequences of such a massive project, especially one operating on a 24/7 basis. We do not agree that there is clear justification either for removal of the site from the Green Belt or its allocation for strategically important rail related employment uses. Crucially, our draft plan is in accord with Broxtowe Part 2 Local Plan, which does not propose that this site be removed from the Green Belt or allocated for employment use.

By contrast, our suggested alternative re-use of the land as a 'Country Park' offers a more acceptable and sustainable re-use of the site providing a range of benefits for people, for example in terms of recreation and health, as well as protecting and enhancing nature and wildlife. It would provide a valuable local amenity close to a large and growing local population found in adjacent parts of Broxtowe and Erewash. Such provision would also complement the local network of Green Corridors and the Green Infrastructure Strategy. It is significant that Broxtowe and Erewash have both expressed support for the draft plan's alternative vision for land at Bennerley.

Harworth comment that Bennerley Viaduct was listed for its architectural interest which historically sat within an industrialised landscape that included the Bennerley Coal Disposal Point, such that in their view redevelopment of this derelict site would not conflict with the purposes of listing the structure. They also consider that Policy BV2, in seeking to safeguard the open setting of the structure, does not reflect the purposes of listing and is not justified. We do not agree with their interpretation. Notwithstanding that the viaduct once stood in an industrialised setting and was originally listed for its architectural interest, we contend that it should properly be considered in the current circumstances, which also includes the Green Belt location. It should be noted that the most recent industrial use of the site as a coal disposal facility was only permitted on a temporary basis for purposes associated with time-limited opencast extraction in the local area. This was allowed as an exception to the strict planning policy governing development in the Green Belt. That use was quite different from the permanent development now being advanced. The present situation in relation to the viaduct is of a large structure spanning the valley floor, made more impressive because of its

open setting. Policy BV2 reasonably proposes to add local value by identifying and protecting this open setting, thus protecting important views towards and from the viaduct, which is a valuable national, regional and local heritage asset. This policy also looks to complement Policy BV1 which relates to Bennerley Viaduct itself and the on-going project to see it restored and re-used. Our view is that the Harworth proposals for land at Bennerley would detrimentally impact on both the listed viaduct and its setting. In response to Harworth's comments we propose to include the wording taken from the Historic England List Entry, to more clearly explain the historic interest of Bennerley Viaduct.

Harworth comment that while Policy BCP1 sets out the draft plan's aspirations to support the development of land at Bennerley as a Country Park the plan provides no details how these aspirations would be delivered. We agree and therefore propose that the plan policy and supporting text should be expanded to make clear that the Plan supports the principle of a Country Park on land owned by Harworth at the former Bennerley Coal Disposal Point (and potentially other land in their wider local landholding). To give greater certainty the Plan would also make clear that this would need to be delivered by means of a co-operative approach involving all interested parties (including Harworth Group, Awworth Parish Council, Broxtowe Borough Council, Erewash Borough Council and others).

Harworth consider ANP's proposed approach for the site not only ignores the unique strategic opportunity for rail related uses to provide local jobs, it would mean that the site would remain derelict and the current conflicts associated with off-road biking would continue. We have certainly not ignored the potential opportunity proposed by Harworth. On the contrary we have worked with Harworth and Pegasus over several months to see if we could marry our respective aspirations. We have carefully considered all available information. However, we concluded the plan should not support their preferred way forward. We are not persuaded that their scheme is necessarily unique or strategic as they contend. We do not believe that the proposals would result in sufficient numbers of local jobs and would more probably attract those from elsewhere already working in the rail sector.

While we acknowledge Harworth's proposals would secure regeneration of the site the above comments explain why the plan does not support this course of action. We appreciate that this would support Sustrans' aspirations for the viaduct as a recreational cycling route but are not convinced that major redevelopment at Bennerley is necessarily a pre-requisite for such support. Whilst we realise that redevelopment could also help to deal with the problem of off-road bikers, this need not be the only way to solve the problem. APC is considering how best to tackle this issue outside the neighbourhood plan process should the land remain derelict.