

**STATEMENT OF COMMON GROUND BETWEEN:
BROXTOWE BOROUGH COUNCIL, GUY TAYLOR
ASSOCIATES & BARRATT DAVID WILSON HOMES**



POLICY 5.1: EAST OF CHURCH LANE BRINSLEY

BROXTOWE BOROUGH COUNCIL PART 2 LOCAL PLAN EXAMINATION



DATE: 14 NOVEMBER 2018

STATEMENT OF COMMON GROUND: EAST OF CHURCH LANE BRINSLEY

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SIGNATORIES

BROXTOWE BOROUGH COUNCIL STEFFAN SAUNDERS HEAD OF NEIGHBOURHOODS AND PROSPERITY	
GUY TAYLOR ASSOCIATES KEITH RODGERS	
BARRATT DAVID WILSON HOMES ROBERT GALIJ	R. Galij BA (Hons) BTP MRTPI

Please note that the published version will be redacted

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1. EXECUTIVE SUMMARY:

There are no significant areas of disagreement that that would affect the delivery of housing within the expected timescale.

There are a number of minor issues that need further discussion at the Examination Hearing Sessions, these are:

- Key Development Requirement for traffic calming measures; and
- Key Development Requirement to make area to the south of the allocation publically accessible amenity space.

2. INTRODUCTION:

This Statement of Common Ground (SoCG) is between Broxtowe Borough Council (BBC), Guy Taylor Associates, the Agent acting on behalf of the Landowner of the land east of Church Lane Brinsley (Policy 5.1) allocation (Respondent 717A) and Robert Galij, Barratt David Wilson Homes, the proposed developer (Respondent 717B).

This SoCG relates solely to the proposed allocation of land east of Church Lane Brinsley (Policy 5.1) in the Submission Version of the Part 2 Local Plan (CD/04).

3. ALLOCATION PROPOSALS:

Land east of Church Lane Brinsley is proposed for allocation through the Policy 5.1 of the Publication Version of the Part 2 Local Plan (CD/01) (incorporating modifications as detailed in the Consultation Statement (CD/20) and set out in the Schedule of Main Modifications (BBC/02) that will be subject to consideration by the Inspector) for the following:

4. Key Development Requirements:

New Homes:

- 110 Homes.

Connections and Highways:

- Enhance bus routes adjacent to the site.
- Provide traffic calming measures to reinforce the existing 30mph speed limit on the A608.

Green Infrastructure:

- 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).
- Provide SuDS and additional planting to the south of the residential allocation and make this area a publically accessible amenity space.
- Retain hedgerows and incorporate these into any landscaping scheme.

Heritage:

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

5. Key Development Aspirations;

1. Mitigate highways impact on the wider road network to ensure that congestion is not made worse than currently exists.

All policies should be read in conjunction with the Local Plan Part 1 – Broxtowe Borough Aligned Core Strategy. No policy should be applied in isolation; account will be taken of all relevant policies.

6. Open Design Review (OPUN/02):

The Key Issues (as set out in the Executive Summary) were:

- Providing an identifiable network of robust pedestrian and cycle routes utilising and integrating existing landscape features i.e. hedgerows.
- Positioning new access points in locations which minimise the impact on the existing landscape features and are designed to encourage reduced traffic speeds through the village
- Provision of a robust and generous green infrastructure specifically a transition zone beyond the buffer zone to Brinsley Brook / green corridor, utilising the existing hedgerows within any development etc.
- Retention and improved access to Brinsley recreation ground
- Recognition of the disused railway line as a non-designated industrial heritage asset.
- Provision of a robust visual and physical connectivity from the Church of St James the Great (including grounds) to the Headstocks and disused railway line.

7. DELIVERY

Generic delivery assumptions from the SHLAA which apply to all large sites (and have been subjected to consultation with the development industry) have been refined for this particular site as follows:

- 1 developer building on-site.
- Anticipated build-out of 110 dwellings over three years.
- Delivery of Affordable Housing in addition to market housing. Based on past average this would increase the build-out rate by 10 dwellings a year.
- Delivery would commence 6 months post grant of Full Planning Permission and site acquisition allowing for discharge of Conditions and Obligations and preliminary site works including new access.

SITE LOCATION AND SIZE:

The site is a 4.2 hectare greenfield site located adjacent to the Key Settlement of Brinsley. The Key Settlement of Brinsley is one of the search areas considered appropriate for new development (in accordance with the Settlement Hierarchy as set out in Policy 2: The Spatial Strategy of the ACS) with an 'up to' distribution figure of 150 new dwellings.

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CURRENT USE:		
Agricultural land.		
OWNERSHIP:		
Site is within single ownership.		
SITE ACCESS AND HIGHWAYS IMPROVEMENTS:		
Access to the site is expected via an upgrade of the existing northern access point. The Landowner has confirmed ownership of the respective area. Traffic calming measures will be sought to reinforce the existing speed limit on the A608. No Objection in principle from Nottinghamshire CC, Highways.		
PLANNING STATUS:		
No planning application submitted.		
REQUIRED INFRASTRUCTURE:		
Infrastructure	Summary Assessment	Further Work
Contamination:	<p>Greenfield Site.</p> <p>The Environment Agency reports that this site is underlain by a Secondary Aquifer A and that it is important that the water quality within the aquifer is protected and kept pollution free. [Environment Agency comments within pre-March 2017 stakeholder meeting representations] The Environment Agency reports that it has no [other] concerns.</p> <p>[Environment Agency comments within representations to the 'Brinsley Option 2 Site Consultation', 2017]</p>	
Emergency Services:	No requirements identified.	Liaison with Nottingham North & East Clinical Commissioning Group necessary.
Flood Risk:	<p>The eastern boundary of the site is formed by the Brinsley Brook which is within the remit of the Lead Local Flood Authority, which notes: 'Brinsley Brook along eastern boundary needs to be considered but overall, no Issues'.</p> <p>[Nottinghamshire County Council comments within pre-March 2017 stakeholder meeting representations]</p> <p>Severn Trent response in relation to sewerage and surface water flooding: Foul flows from the development will join a 225 mm</p>	The Lead Local Flood Authority will need to be contacted in respect of any requirements that they may have in relation to a planning application.

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	diameter 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.	
Transport:	<p>Public transport funding contributions for infrastructure and local bus service provision will be sought. Contributions to bus stop infrastructure will be required.</p> <p>Nottinghamshire County Council notes that the development should be designed in accordance with the 6C's Design Guide. <i>[Nottinghamshire County Council comments within pre-March 2017 stakeholder meeting representations]</i></p>	<p>Transport assessment and travel plan required. Highway mitigation and potential contributions to public transport to be agreed as part of S106 discussions.</p> <p>Highways Agreements (S38 and S278) to be progressed.</p>
Air Quality:	<p>No issues have been identified.</p> <p>The site is not within an Air Quality Management Area (AQMA).</p>	Mitigation (dependent upon detail of development).
Community Facilities:	Within representations to the 2017 Publication Consultation, the County Council stated that it will no longer be seeking contributions to library facilities as this cannot be presently justified with reference to library capacity and stock levels.	This would need to be subject to further consideration at the time of any planning application submission.
Education:	The LA notes that Brinsley is at capacity and therefore there will be requirements for land and contributions to extend educational provision in the area. There are cross-border issues with Ashfield District and so joint planning is required with all neighbouring districts. <i>[Nottinghamshire County Council comments within March 2017 stakeholder meeting]</i>	Further discussion required with LA & Ashfield District as part of the planning application process. This will require both authorities to work together to plan appropriate solutions.

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	<p>BBC Note: The limited number of dwellings proposed does not give rise to a realistic prospect of a new school. Contributions will still be required to address capacity issues at existing schools. This was discussed at a meeting between Broxtowe Borough Council and Nottinghamshire County Council on 24th July 2018 which was arranged to discuss the provision of infrastructure to support the Part 2 Local Plan.</p>	
<p>Green Infrastructure Open Space:</p>	<p>Section 106 contributions would be sought to enhance the sports and play / recreational facilities at the nearby Brinsley Recreation Ground. <i>[BBC Parks and Environment advice note, May 2017].</i></p>	<p>Further dialogue with BBC Parks & Environment required.</p>
<p>Health:</p>	<p>Based on the multiplier of £551 per dwelling cost, the estimate for contributions is £60,610. <i>[Nottingham North & East Clinical Commissioning Group figures, April 2017].</i></p> <p>Nottingham West Clinical Commissioning Group response to 2017 Publication Consultation in relation to the sites proposed in Awsworth, Eastwood and Brinsley: Land for Medical Centre required. 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</p>	<p>Further discussion with the Nottingham North & East Clinical Commissioning Group as part of the planning application process.</p>

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	for a co-located blue light service base. Funding contributions should be sought for this development through Section 106 contributions.	
Utilities:	<p>Severn Trent Water reports that a foul sewer passes through a small part of the site to the north-east, but that this is unlikely to be affected by development proposals.</p> <p>Electricity – No abnormal requirements.</p> <p>Gas – no abnormal requirements.</p> <p>Waste water – Please refer to 'Flood Risk' section.</p> <p>Water supply – no abnormal requirements anticipated.</p> <p>IT – No abnormal requirements.</p>	<p>Further discussion with Utilities providers required as part of planning application.</p> <p>Liaison with Severn Trent in relation to the foul sewer.</p>
Waste, Recycling & Energy Management:	<p>Recycling capacity at the Giltbrook Recycling Centre is generally sufficient. There is a severe shortage of space for additional dry recycling through the existing Waste Transfer Station (WTS) in Giltbrook. Any additional inputs / outputs to / from this WTS site will be constrained. Expansion would be difficult to achieve and so Nottinghamshire County Council would potentially be looking at developing a new WTS. Developer contributions to support that would be essential.</p> <p><i>{Nottinghamshire County Council representations prior to March 2017 stakeholder meeting}</i></p> <p>Each dwelling will require space for 4 bins to be located at the property.</p> <p><i>{Nottinghamshire County Council comments during March 2017 stakeholder meeting}</i></p>	<p>Liaison with BBC Waste & Recycling will be required.</p>
VIABILITY:		
<p>Evidence to inform the ACS (Three Dragons, Golland and GL Hearn) concluded that on smaller sites (tested at 1ha) market selling prices will broadly 'pick up' the values from surrounding or very local settlements.</p> <p>No viability issues raised by the site proponents. Latter have confirmed that the 30% affordable housing requirement will be fulfilled.</p>		
DELIVERY ASSUMPTIONS:		

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Representations received to the Publication Version Part 2 Local Plan consultation by Guy Taylor Associates on behalf of the landowners state that the site is available now and should be defined as deliverable within 5 years.																
ASSISTING DELIVERY OF THE SITE:																
Proposed site developer: Barratt David Wilson Homes has secured a legal interest and confirms development on site will progress during Financial Year 2020/2021. A three year programme of build and sales is anticipated.																
HOUSING TRAJECTORY:																
11- 12	12- 13	13- 14	14- 15	15- 16	16- 17	17- 18	18- 19	19- 20	20- 21	21- 22	22- 23	23- 24	24- 25	25- 26	26- 27	27- 28
									45	45	20					
STEPS TO ACCELERATE DELIVERY FURTHER:																
Remove site from the Green Belt.																

8. MATTERS NOT IN DISPUTE

All parties have agreed that the Key Development Requirements and Aspirations set out in Policy 5.1 in the Publication Version of the Part 2 Local Plan (CD/01) are appropriate and achievable.

9. MATTERS CURRENTLY IN DISPUTE

The site proponents question certain of the Key Development Requirements and Aspirations and the Housing Trajectory in the Submission Version of the Part 2 Local Plan (CD/04) now reflected in Proposed Main Modifications and Additional Modifications to the Publication Version, September 2018 (BBC/02). Under MM15, matters surrounding:

<p><u>Matter 1: Connections and Highways</u></p> <p>Broxtowe's Position: <i>"provide traffic calming measures to reinforce the existing 30mph speed limit on the A608"</i></p> <p>Guy Taylor Associates & Barratt David Wilson Homes Position: Not agreed.</p>

<p><u>Matter 2: Green Infrastructure</u></p> <p>Broxtowe's Position: <i>"Provide SuDS and additional planting to the south of the residential allocation and make this area a publically accessible amenity space".</i></p> <p>Guy Taylor Associates & Barratt David Wilson Homes Position: Disagree that the area provided offsite for SUDS is publically accessible amenity space.</p>

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APPENDIX 1: CHRONOLOGY

- **November 2013:** Site included as part of a larger site that 'could be suitable if policy changes' in the Site Allocations: Issues and Options consultation.
- **February 2015:** Site was included as a 'preferred option' in the Preferred Approach to Site Allocations: Green Belt Review consultation albeit that the site under consideration to be removed from the Green Belt at the time was larger (28.25 hectares) than the site now currently allocated for development. Historic England raised concern regarding the scale and location of development.
- **March 2015:** Brinsley Parish was designated as a Neighbourhood Area for the purposes of Neighbourhood Plan production.
- **October 2016:** Brinsley OPUN design Review.
- **October 2016:** Broxtowe held a site specific workshop with key stakeholders, which was informed by the findings of the Opun Design panel, to discuss how development of the site may progress.
- **February 2017:** Brinsley Alternative Site consultation (to consider alternative Cordy Lane site).
- **September 2017:** Publication Version of the Part 2 Local Plan published for 6 week public consultation, this site is included as a site allocation.
- **August 2018:** Plan Submitted to Secretary of State for Examination.