

Mr T Genway  
Broxtowe Borough Council  
Council Offices

Foster Avenue

Beeston

Nottingham

NG9 1AB

**EMAIL**

28<sup>th</sup> January 2019

Dear Mr Genway

**RE: Broxtowe Local Plan Actions M2A2; M2A3, M2A5; and M2A6**

Further to your email of 25<sup>th</sup> January 2019 (with enclosures), we make the following comments:-

**Action M2A2 – Mushroom Farm.** The Council have simply restated their view that the outline employment area was 23.4ha. This is not in dispute. The Council indicate that Mushroom Farm benefits from permissions (12/00721/ROC; 15/00469/REM and 18/00090/REM). In fact the site was first granted planning permission (on appeal) in August 2008. The Inspector confirmed that the Broxtowe Local Plan 2004 allocated 17.3ha (west of Eastwood Hall) / east of the A610 for employment uses on land which was released from the Green Belt for this purpose in that Local Plan. Outline permission (11/00503/OUT) was granted in July 2012 which extended the time limit to implement the earlier 2007 permission and reserved matters approval was granted in April 2018 to First Panattoni who are now constructing the employment units on site. Since the site was first allocated for employment in the Broxtowe Local Plan in 2004, it has been a known or committed site since that time. The Aligned Core Strategy Inspector considered employment matters within Issue 3 (paragraphs 119 – 136). The Inspector confirmed in paragraph 119 that the relevant evidence base for considering the employment supply issues was the Nottingham City Region Employment Land Study (NCRLS) 2007 and the “*Employment Background Paper 2012*” which updated and rolled forward aspects of the NCRLS. Within the Employment Background Paper 2012, it confirms that the supply of industrial and warehousing land at 2011 comprised remaining existing allocations and permissions for industrial and warehousing land and new provision made through Core Strategies. The Document identified “*existing employment areas*” and “*NCRLS Employment Allocations*”. Within the Broxtowe NCRLS Employment Allocations, the A610, Eastwood (Eastwood Hall) site is



identified under Ref EM1h as 17.3ha. It is clear therefore that both the ACS employment background paper and the Broxtowe Local Plan identified the site as comprising 17.3 ha of developable land rather than the 23ha that the Council indicate. Indeed the Council Officer Report which supported the original appeal proposal identified that the *"actual developed part of the site would be ... on 15.95ha of land"*. The net developable area is therefore much reduced from the 23ha gross site area due to the relationship with the listed Eastwood Hall, the need for landscaping and ecological considerations.

The Council have provided no new information to rebut my evidence and indeed their response to Action M2A3 reconfirms that the area of Mushroom Farm should be treated as 17.3ha (see below).

**Action M2A3 – Aligned Core Strategy.** The Council's clarification on the matter of how existing (pre 2011) commitments are treated is helpful. They note that in effect undeveloped commitments such as Mushroom Farm are rolled forward from previous studies into the Aligned Core Strategy. As I note above, the Studies which fed into the Core Strategy set the site area as 17.3ha and not 23.4ha. This results in a shortfall of 6.3ha. The Employment Background Paper 2012 also identifies 14.3ha of *"existing employment areas"* at Technology Drive, Beeston as under reference EM2. This is referenced as *"retain the existing land use"*. In effect therefore whilst new employment units will be created on the Beeston Business Park, this not new employment land which the ACS seeks to provide. As I raised at the Examination, the Council are therefore double counting this site in their assessment as it is already considered as an *"existing employment area"*. The Aero Fabrications scheme has a recent grant of planning permission for the expansion of their current activities but it lies within the Green Belt. Harworth accept that this comprises 3.5 ha of new employment land provided to meet the ACS requirement.

In summary therefore the response of the Council does not alter Harworth's conclusions that the new employment land provision put forward by the Council actually comprises:-

- Mushroom Farm, Eastwood – 17.3ha
- Beeston Business Park – nil
- Aero Fabrications, Eastwood – 3.5ha.

The total provision is therefore 20.8ha which leaves a **shortfall of 11.9 ha against the Council's "minimum" requirement.**

**Action M2A5 – Sustainability Appraisal.** The Council's Note M2A5 indicates that they rely upon the Greater Nottingham Sustainable Locations for Growth Study (GB/02) which by their own comments

confirms that “was undertaken in anticipation of releasing land from the Green Belt for housing growth”. This Study did not address the requirements of employment and specifically did not address rail related employment. They also note in the Sustainability Appraisal paragraph 8.20 and Map 2 (CD/12) that they rejected sites as not being “reasonable alternatives” and that these sites included the Bennerley Coal Disposal Plant. This is clearly the case as they were looking for housing sites on the urban edge and **NOT** rail related employment sites. The Council’s recent update information confirms my view that they did **NOT** review my Clients land at Bennerley within their Sustainability Appraisal. They also note that the Green Belt Review (GB/03) “was again undertaken in anticipation of needing to release land for housing” and that “the Council maintains the position that there is more than sufficient land within the urban area to meet the employment needs of the Borough..... (and).... it is not considered to be a “reasonable alternative” to release further land from the Green belt”. This is clearly incorrect as the Council are proposing to release the Aero Fabrications, Eastwood employment site from the Green belt and hence the Council must believe that there are “exceptional circumstances” to justify this. My Participant Statement shows that there is a further shortfall of at least 6.3 hectares of employment land irrespective of the HS2 displacement issues (see below).

The Council have now undertaken a Sustainability Appraisal of the Bennerley site which I understand to be new assessment for the reasons stated above. Harworth have had a very short time to assess the Council’s assessment but dispute the findings of the assessment in relation to Health; Heritage; Bio-diversity and Environment / Landscape.

Health – footpaths can be created around the edge of the site to formalise public access and hence this impact should be “Minor Positive”.

Heritage – whilst new development will change the context of the listed structure this will be in both positive and negative ways through the remediation / restoration of the site with appropriate landscaping as well as creating new buildings. The overall impact of such activities would not be “Major negative” but rather would be “Minor – moderate negative”.

Bio-diversity – It is accepted that there will be an adverse effect upon the Local Wildlife Site but this will be mitigated by new bio-diversity establishment and management resulting in a “Moderate negative”.

Environment and landscape – The development of the site would result in landscape change but it would result in remediation / restoration of the site with appropriate landscaping as well as creating new buildings and hence the overall impact of such activities would not be “Moderate negative” but rather would be “Neutral - Minor negative”.

**Action M2A6 – HS2 displacement.** The Council Note indicates that “once Masterplan(s) are agreed, significant quantities of new employment land will be available for development”. There has been no suggestion

through any of the Policies or Statements made by the Council that this will comprise anything other than an "Innovation Village" i.e. it will not meet displaced employment (rail related) requirements and hence this does not address the issue raised. The Council simply restate the information from HS2 which relates to a draft rail alignment and NOT that required for the redevelopment for the regionally significant Station development. The Council have produced no further information to rebut the clear evidence produced by AECOM. Harworth maintain their view that the AECOM information is correct and that the current Local Plan should identify sufficient sites to accommodate the displaced employment users (including rail users) as set out within the AECOM Report.

We therefore ask that you forward our letter to the Programme Office / Inspector with your Action Notes.

Yours sincerely

File Ref: P0-TP-SPA-LT-P4238-0001-00