



## **Awsorth Neighbourhood Plan**

### **Regulation 18 Decision Statement: Referendum**

#### **Prepared by Broxtowe Borough Council**

#### 1 Summary

- 1.1 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended), Broxtowe Borough Council has produced this 'Decision Statement' in relation to the Awsorth Neighbourhood Development Plan (the 'Plan') submitted by Awsorth Parish Council.
- 1.2 Following an Independent Examination, Broxtowe Borough Council confirms that the Awsorth Neighbourhood Plan will proceed to a neighbourhood planning referendum.
- 1.3 This Decision Statement, along with the Independent Examiner's report, and other documents can also be viewed on the Broxtowe Borough Council website: <https://www.broxtowe.gov.uk/awsorthneighbourhoodplan>.

#### 2 Background

- 2.1 On 21 September 2015, Awsorth Parish Council submitted an application to Broxtowe Borough Council for the designation of Awsorth Parish as a Neighbourhood Area. On 1 December 2015, Broxtowe Borough Council approved the Neighbourhood Area Designation following a six-week consultation.
- 2.2 The Pre-Submission Draft Awsorth Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from 23 February 2018 and 13 April 2018.
- 2.3 Awsorth Parish Council formally submitted the Neighbourhood Plan to Broxtowe Borough Council on 9th December 2019. Broxtowe Borough Council held a consultation (Regulation 16) from 10th February 2020 until

Friday 10th April 2020 (extended as a result of the initial lockdown due to the Covid-19 pandemic).

- 2.4 An Independent Examiner was appointed to undertake the examination of the Submission version of the Awsworth Neighbourhood Plan. The Independent Examiner's Report was sent to Broxtowe Borough Council and Awsworth Parish Council on 19 January 2021.

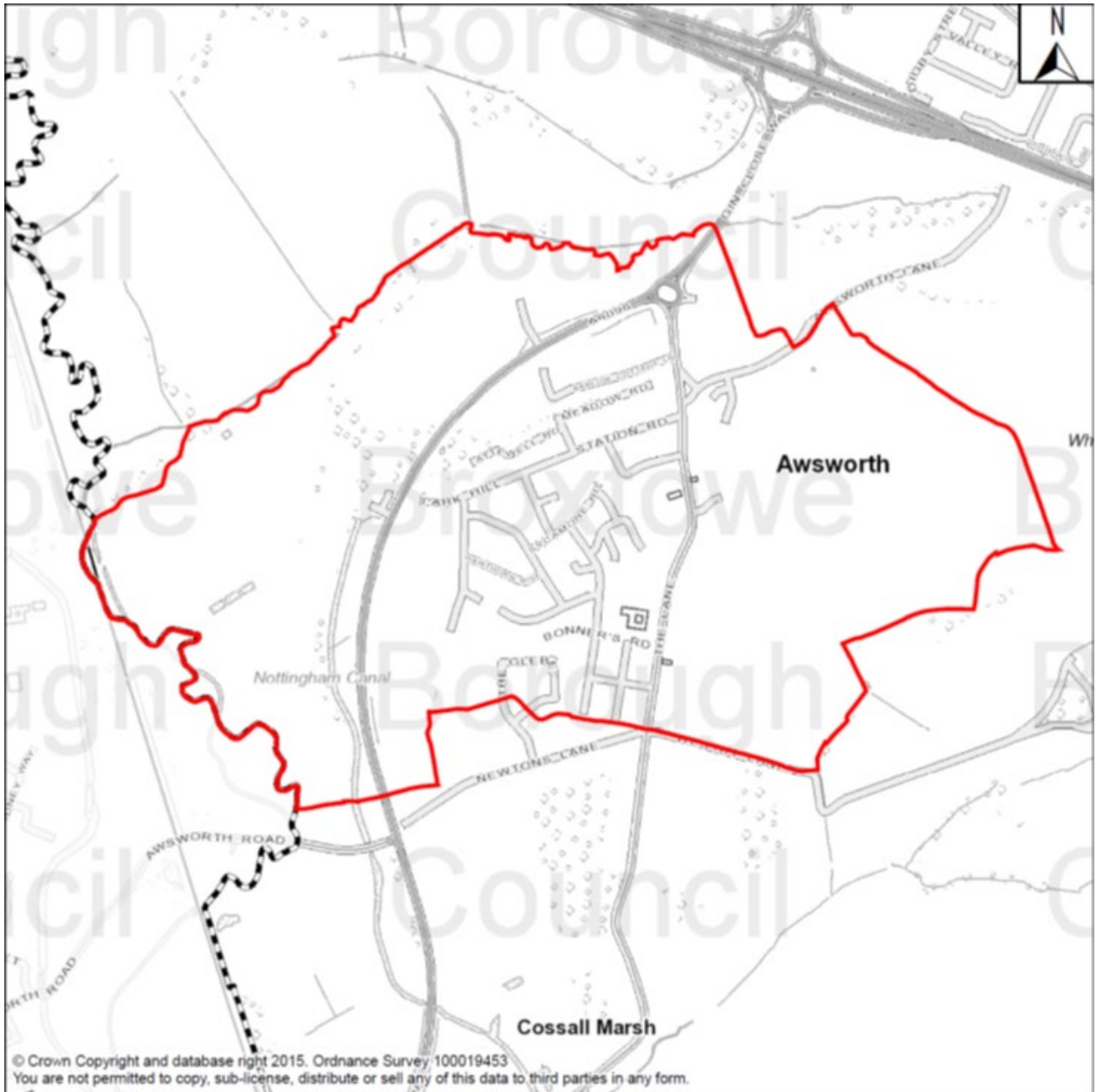
### 3 Decisions and Reasons

- 3.1 The Examiner has concluded that, subject to the modifications recommended, the Plan will meet the Basic Conditions and other relevant legal requirements. The Borough Council concurs with this view and has made the modifications proposed by the Examiner, as set out in Appendix A. Deleted text is shown as 'struck-through' in red and additional text is shown in blue.
- 3.2 Broxtowe Borough Council (in liaison with Awsworth Parish Council) agreed that all of the recommended modifications made by the Independent Examiner be included and revised in the Awsworth Neighbourhood Plan, in order for it to proceed to public referendum. This decision was made at the 25 March 2021 meeting of Broxtowe Borough Council's Jobs and Economy Committee.
- 3.3 The Borough Council has considered whether to extend the area in which the referendum is to take place, but agrees with the Examiner that there is no need to extend this area beyond the Neighbourhood Plan Area (the Parish of Awsworth, as per 'Plan A' below).
- 3.4 To meet the requirements of the Localism Act 2011, a referendum to be held on 10 June 2021, will pose the following question:

***“Do you want Broxtowe Borough Council to use the Neighbourhood Plan for Awsworth to help it decide planning applications in the neighbourhood area?”***

Broxtowe Borough Council

April 2021



*PLAN A: AWSWORTH NEIGHBOURHOOD PLAN AREA (THE PARISH OF AWSWORTH)*

## APPENDIX A: MODIFICATIONS RECOMMENDED BY THE INDEPENDENT EXAMINER

**Blue text:** new addition proposed / **Red text:** deletion from policy proposed

*\*Text in italics generally refers to the supporting text, appendices or Policies Map.*

### Policy H1

Extract from Examiner's report:

Recommended modification 1:

- in the second paragraph after "Figure 8)" insert "where proposals satisfy the other policies of the Neighbourhood Plan and"
- delete parts b) and e)
- in c) after "criteria" insert "or replacement updated guidance"
- in d) replace "unacceptably" with "significantly adversely"
- in f) (i) replace "via Newtons Lane, Cossall" with "leading to the secondary vehicular access point", and in f) (vii) after "enhance links that" insert "ultimately"
- in g) delete "and future"

### POLICY H 1: New Homes on 'Land west of Awsworth (inside the bypass)'

The site known as 'Land west of Awsworth (inside the bypass)', (approximately 10.1 Hectares as shown at Figure 8) is allocated through the Broxtowe Part 2 Local Plan for housing development to provide 250 new homes.

Awsworth Neighbourhood Plan supports development for around 200 homes on that part of the allocation site within Awsworth Parish (approximately 8.2 Hectares as shown on the Policies Map & Figure 8) **where proposals satisfy the other policies of the Neighbourhood Plan and** subject to the following:

a) In overall terms the development incorporates a 'master plan' approach and high quality design to respect the existing settlement form and character of Awsworth and to ensure that functionally and physically it is well connected to and integrates with Awsworth village;

New Homes

~~b) The development provides for a mix of housing sizes and types (including adequate provision of high quality affordable homes in accordance with Broxtowe Borough Council standards) taking into account the most up to date assessment of housing need and site characteristics;~~

c) All homes should be built to meet 'Building for Life (BfL) 12' criteria **or replacement updated guidance** (see Appendix3);

d) The layout of new homes and gardens should not **unacceptably significantly adversely** impact on the amenity of neighbouring properties by way of privacy, daylight, noise and visual intrusion;

~~e) New homes should generally be no more than 2 to 3 storeys in height (including any 3rd storey utilising the roof space wherever possible) with all new homes, especially higher ones, located an appropriate distance from each other and from existing properties;~~

#### Traffic & Transport

f) A Transport Plan should be submitted addressing the need to:

(i) ensure the proposal does not result in an unacceptable adverse direct or residual cumulative impact on congestion or road and pedestrian safety. Primary vehicular access to the site via the A6096 Shilo Way to the north west and secondary more limited vehicular access ~~via Newtons Lane, Cossall,~~ **leading to the secondary vehicular access point** to the south (providing a link to Awsworth village via The Lane) is supported. There should be no vehicular access via Park Hill or Barlow Drive North;

(ii) where feasible, provide for the integration of adequate but sympathetically designed traffic-calming measures into any through-route provided between Shilo Way and Newtons Lane to deter 'rat-running';

(iii) incorporate adequate measures to mitigate any adverse effects caused by any increase in traffic through Awsworth village and along the A6096 Shilo Way;

(iv) the relationship between the proposed road layout and existing or new homes should ensure that the impact of new roads on both new and existing homes is acceptable;

(v) provide for adequate parking that is well designed and integrated into the development;

(vi) enable bus access through the site, to facilitate provision of conveniently accessible public transport services, (which can provide links to the main nearby urban centres, as well as Ilkeston Station); and

(vii) ensure safe, convenient and integrated, high quality walking and cycling routes through the site and enhance links that **ultimately** connect to Awsworth village and to important community facilities, (especially Awsworth School, Bennerley Viaduct and Ilkeston Station) to support their patronage and facilitate active means of transport;

#### Community Facilities & Assets

g) Provide for an appropriate range of recreational and community facilities to meet existing **and future** needs, either on-site or by means of contributions to allow provision elsewhere in Awsworth Parish;

h) Incorporate appropriate (based on Broxtowe Borough Council standards) on-site open space to provide at least 1.85 hectares of additional amenity green space and

children's play facilities for the new homes and existing homes nearby, and which links to the wider green network;

i) Provide a landscaped buffer, including tree planting with a particular emphasis on native species, of at least 25 metres depth between the A6096 Shilo Way and the new housing, to provide a soft landscaped edge to the development and opportunities for informal and formal recreation, as well as minimising noise and other disturbance from traffic movements on the A6096 Shilo Way for occupiers of the dwellings;

j) Incorporate sustainable urban drainage, where possible, including balancing ponds within the landscaped buffer designed to encourage wildlife and biodiversity;

k) Retain, and where possible, improve existing important boundaries and features such as trees and hedgerows of good amenity or arboricultural / biodiversity value. Where features are unavoidably lost they will be replaced by suitable new planting;

l) Incorporate design features, which will increase biodiversity and encourage wildlife to live within and easily pass through the development, including: green corridors; porous boundaries; bat and bird boxes; and native plant species;

m) Ensure that development protects and mitigates any negative impact on Common Toads or other protected species should they be found on site;

n) Ensure that development maintains or enhances the setting of heritage assets including the Grade II\* Listed Bennerley Viaduct and where possible contributes towards its conservation or enhancement;

o) Provide a locally themed piece of public artwork to add lasting value to the development; and,

p) Provision of a neighbourhood shop would be supported (small local convenience store with floorspace of 100 - 150 square metres, excluding any form of hot food takeaway, provision subject to viability).

(see Policy DC1 'Developer Contributions from New Development in Awsworth' which may apply to some of the above criteria)

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## **Policy H2**

### **Extract from Examiner's report:**

#### **Recommended modification 2: In Policy H2**

- **Delete the first sentence**
- **in the second sentence replace "They should" with "To be supported housing development proposals must", and delete "price"**
- **in the third sentence replace ", where possible, will be required to" with "must"**

~~Housing development proposals should meet the existing and future housing needs of the residents of Awsworth. They should~~ To be supported housing development proposals must provide for a mix of housing types, sizes, ~~price~~ and tenures specifically to meet identified local need.

New housing development ~~must~~ ~~, where possible, will be required to~~ demonstrate how it reflects:

- a) the priority need identified in **Background Report 1** for smaller homes (less than 3 bedrooms), suitable for those entering the housing market (such as young people and small families), and older people who wish to downsize; or,
  - b) the needs identified in more up-to-date published evidence of housing need at a local or borough level.
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## Policy H4

Extract from Examiner's Report:

### Recommended modification 3: In Policy H4

- after “windfall development proposals” insert “(for one or two dwellings) on land within the Key Settlement Boundary identified on the Policies Map”
- delete criterion a)
- in c) after “systems” insert “, and “
- in d) replace “, and;” with a full stop
- delete criterion e)

**On the Policies Map add the Key Settlement Boundary, and delete Policy H4 from the list of Plan wide policies in the Policies Map legend.**

Small-scale residential windfall development proposals (for one or two dwellings) on land within the Key Settlement Boundary identified on the Policies Map will be supported subject to the following:

~~a) Incorporating Design Principles set out in Policy BED 3;~~

~~ba)~~ Convenient access to public transport;

~~eb)~~ Protection of habitat and, where possible, incorporation of features to encourage wildlife and biodiversity (such as porous boundaries, bat and bird boxes, native plant species) and sustainable urban drainage systems, ~~and;~~

~~(dc)~~ Any local amenity considerations and mitigation in relation to existing and future residents. ~~, and;~~

~~e) Any other provision or mitigation required in the local circumstances of the site.~~

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## Policy BED 1

Extract from Examiner's Report:

### Recommended modification 4: In Policy BED1

- in the second paragraph:
  - after "significance" replace "and" with "and/or"
  - after "Structures" insert "of Local Heritage Interest"
  - replace "will not be supported" with "will be assessed having regard to the scale of harm and the significance of the heritage asset"
- commence the third paragraph with "To be supported"
- delete the second sentence of the third paragraph
- delete the final sentence which should be re-worded and presented as an Aim of the Neighbourhood Plan

The Plan identifies the buildings and structures listed below as Awsworth Character Buildings and Structures of Local Heritage Interest.

Development proposals that harm the historic significance and/or setting of Awsworth Character Buildings and Structures **of Local Heritage Interest, as identified in the Schedule (Table 1) & shown on the Policies Map & Figure 9 (& see Background Report 3),** ~~will not be supported~~ **will be assessed having regard to the scale of harm and the significance of the heritage asset.**

**To be supported** ~~D~~development proposals will be required to take into account the character, context and setting of these locally important assets including important views towards and from them. ~~Development will be required to be designed appropriately, taking account of local styles, materials and detail.~~

~~Designation of the buildings and structures as a 'Local List' by Broxtowe Borough Council is supported.~~ *\*(This deleted sentence should be re-worded and presented as an Aim of the Neighbourhood Plan)*

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## Policy BED 2

Extract from Examiner's Report:

### Recommended modification 5: In Policy BED2

In Policy BED2 replace the second paragraph with "The creation or enhancement of high-quality walking and cycling routes, and installation of



**associated directional signage, along the Great Northern Line corridor will be supported.”**

Within the **Awsorth Historic Core and Great Northern Line Local Areas of Special Character, as shown on the Policies Map & Figure 10**, development proposals should be of high quality and must be designed to respect and enhance the specific characteristics of the Character Area.

~~Opportunities to create, maintain or enhance high quality walking and cycling routes along the Great Northern Line corridor will be supported. Improved directional signage to help walkers and cyclists will be encouraged.~~ The creation or enhancement of high-quality walking and cycling routes, and installation of associated directional signage, along the Great Northern Line corridor will be supported.

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### **Policy BED 3**

**Extract from Examiner’s Report:**

**Recommended modification 6: In Policy BED3**

- in the first sentence delete “landscaping” and replace “access, as appropriate” with “any access and landscaping components”
- replace the second paragraph after “design” with “of proposals must not significantly adversely affect the visual or residential amenity of any existing dwelling”
- replace the third paragraph with “All proposed public and private spaces must be attractive, safe and accessible for all users.”
- delete the fourth paragraph

Development proposals should respect the local character of Awsorth, having regard to scale, density, massing, height, ~~landscaping~~, layout, materials, architectural detailing and ~~access, as appropriate~~ any access and landscaping components.

The layout, building form and design ~~should have regard to nearby dwellings and the new buildings should normally be no more than 2 storeys high. Where a 3rd storey is proposed this should make use of the roof space wherever possible~~ of proposals must not significantly adversely affect the visual or residential amenity of any existing dwelling.

All proposed public and private spaces must be attractive, safe and accessible for all users. ~~Where appropriate, development proposals should provide attractive, safe and accessible public and private spaces, that are easy to get around for all, including those with disabilities.~~

~~Policy BED3 applies to all housing development proposals including Policy H1— 'Land West of Awsorth (inside the bypass)'. Where applicable, non-residential development proposals should also accord with the design principles of Policy BED 3.~~

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## Policy GI 1

### Extract from Examiner's Report:

#### Recommended modification 7: In Policy GI1

- delete the second sentence
- delete “indicatively” from the final paragraph

**On the Policies Map re-align the indicative green infrastructure corridor, and on Figure 11 re-align the Kimberley Cutting Secondary Corridor, in both cases to pass south of the Whitehead & Foulds site through the adjacent tree-covered area. Remove the word “Indicative” from the Policies Map legend and remove the Note in the title to Figure 11**

Development proposals should ensure that existing Green Infrastructure is protected and, where appropriate, enhanced to provide a high quality and accessible network of well-connected multi-functional spaces for the benefit of wildlife, residents and visitors. ~~This includes having regard to the aims of the Greenwood Community Forest.~~

Development proposals will be supported where it can be demonstrated that they maintain the integrity of the Green and Blue Infrastructure network, and where appropriate, enhance, restore or create areas that contribute to the network. Where appropriate, this includes the creation of buffer zones, to protect existing habitats on or near the site.

Where new Green Infrastructure is proposed, the design should reflect and enhance the area's local character, including landscapes, habitats and the use of local plant species.

Development proposals within or adjacent to the 4 **Green Infrastructure Corridors**; Erewash Valley; Nottingham Canal; Nuthall Cutting & Kimberley Railway; Kimberley Cutting (**shown *indicatively* on the Policies Map & Figure 11**) must maintain and enhance functionality and connectivity of the corridor.

*\*(On the Policies Map re-align the indicative green infrastructure corridor, and on Figure 11 re-align the Kimberley Cutting Secondary Corridor, in both cases to pass south of the Whitehead & Foulds site through the adjacent tree-covered area. Remove the word “Indicative” from the Policies Map legend and remove the Note in the title to Figure 11)*

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## Policy GI 2

### Extract from Examiner's Report:

#### Recommended modification 8:

**Continue Policy GI2 with “Development proposals on existing employment use sites identified on the Policies Map may only offer limited potential to contribute to the quality and local distinctiveness of the landscape.”**

All development proposals within or affecting the setting of the Parish's local landscape character areas **listed below (and shown on the Policies Map & Figure 12)** should make a positive contribution to the quality and local distinctiveness of the landscape **(to accord with Broxtowe Part 2 Local Plan - Policy 30: Landscape):**

**1. 'Erewash River Corridor' (NC01)** – the floodplain and fringe areas in the western part of the Parish along the east side of the River Erewash and south of the Gilt Brook,

and;

**2. 'Babbington Rolling Farmlands' (NC02)** – 2 areas **(a)** mostly comprising open farmland in the eastern part of the Parish but also **(b)** land west of A6096 Shilo Way, including Nottingham Canal, Naptha Wood and open land northwards towards the A610.

Development proposals should therefore be consistent with the 'landscape actions' for the area concerned (NC01 and NC02), as set out in the Greater Nottingham Landscape Character Assessment (GNLCA) and in Appendix 7 of the Broxtowe Part 2 Local Plan.

Development proposals on existing employment use sites identified on the Policies Map may only offer limited potential to contribute to the quality and local distinctiveness of the landscape.

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## Policy GI 3

### Extract from Examiner's Report:

#### Recommended modification 9: In Policy GI3

- delete the first paragraph
- in the third paragraph replace “should not be permitted” with “will not be supported”

- delete the first sentence of the fourth paragraph
- delete “including Bennerley Coal Disposal Point Site in particular” from the fourth paragraph

~~The biodiversity of Awworth Parish shall be protected and enhanced to achieve an overall net gain in biodiversity. Development proposals should include sufficient information on biodiversity, including a wildlife survey where appropriate.~~

Development proposals should promote preservation and restoration of important wildlife sites (**shown on the Policies Map & Figure 13**) including local and national priority habitats and local wildlife sites and the protection and recovery of priority species populations where applicable.

Development proposals that cannot avoid (through, for example, locating to an alternative site with less harmful impacts), adequately mitigate, or as a last resort, compensate for the loss of a locally or nationally identified site or priority species, ~~should not be permitted~~ will not be supported.

~~Biodiversity improvements will be actively pursued in accordance with opportunities for enhancement identified in the Broxtowe Borough Council Green Infrastructure Strategy 2015 – 2030.~~ Proposals for enhancement, enlargement, creation and reconnection of wetland habitats in the Erewash Valley, ~~including Bennerley Coal Disposal Point Site in particular,~~ will be supported.

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## Policy GI 4

Extract from Examiner’s Report:

Recommended modification 10: In Policy GI4

- delete the second sentence
- replace the final sentence with “Proposals to improve walking and cycling access routes to a designated Local Green Space will be supported.”

Supplement Figure 15 with a series of Maps within the Neighbourhood Plan document presented at a scale that is sufficient to identify the precise boundaries of each designated Local Green Space.

The following areas **shown on the Policies Map & Figure 15 (& see Background Report 2)** are designated as Local Green Spaces. ~~Development proposals that would harm the openness or special character of a Designated Local Green Space or its significance and value to the local community will not be supported unless there are very special circumstances which outweigh the harm to the Designated Local Green Space.~~

- G1** The Lane Recreation Ground (The Rec)
- G2** Shilo Recreation Ground and Shilo Pocket Park
- G3** Former GNR embankment north side of Meadow Road
- G4** The 'Donkey Piece' – junction of Main Street/ Gin Close Way
- G5** Highway verge at Four Lanes End & east of The Lane
- G6** Highway verge along north side of Station Road
- G7** Amenity area to east of Glebe Farm House **G14**
- G8** 'Curly Wurly' link – Chesterman Close and Barlow Drive South
- G9** Linear area between Naptha House and Newtons Lane
- G10** Grass field to north side of The Lane Recreation Ground
- G11** Haddon's Field south of ('Lower') Main Street
- G12** End of former GNR embankment near Gate Inn
- G13** Glasshouse Yard Grassland
- G14** 'Naptha Wood'
- G15** Awsworth Primary and Nursery School playing field area
- G16** St Peter's Churchyard and adjacent site of old Mission Room

~~Opportunities will be sought from new development in the vicinity of Designated Local Green Spaces to improve walking and cycling access to green space~~  
 Proposals to improve walking and cycling access routes to a designated Local Green Space will be supported.

*\* (Supplement Figure 15 with a series of Maps within the Neighbourhood Plan document presented at a scale that is sufficient to identify the precise boundaries of each designated Local Green Space)*

## Policy GI 5

Extract from Examiner's Report:

Recommended modification 11: In Policy GI5

- after the list W1-W11 delete "Opportunities for"
- in the final two paragraphs after "species that are", and after "15 metres will", delete "normally"

The areas of woodland\*, tree belts\* and hedgerows **listed below (\* trees shown where possible on the Policies Map & detailed in Figure 16)** are important because they are a UK Priority Habitat, Local Priority Habitat, provide an integral part of a Green Infrastructure Corridor or contribute to the landscape character of the Parish. Development proposals that would result in the loss, damage or deterioration of these assets will not be supported unless the harm is outweighed by the benefits of the development and appropriate mitigation can be provided.

- W1** Nottingham Canal fringes & Awsworth Bypass Creative Conservation Area
- W2** 'Naptha Wood' - west & east of Naptha House

- W3** Shilo Recreation Ground & Shilo Pocket Park
- W4** Trees along course of Gilt Brook & River Erewash
- W5** Northern part of landscaped bund west of 'Naptha Wood'
- W6** North east end of Bennerley Viaduct & southern part of adjoining landscaped bund
- W7** Tree belt along south east side of the Concrete Road
- W8** Scrub woodland west end of GNR embankment near Gate Inn
- W9** Field hedgerows & trees in area east of Awsworth to Whisgills
- W10** Field hedgerows & trees at Glass House Yard Grasslands
- W11** Trees and hedgerows at Land Off Newtons Lane - west of Awsworth (inside the bypass)

~~Opportunities for t~~The creation, restoration, extension and enhancement of hedgerows and field margins will be supported.

Plant selection should use native species that are ~~normally~~ found in the locality and which make a positive contribution to the landscape character and biodiversity of the site and surrounding areas.

An appropriate buffer zone, where appropriate of semi-natural habitat, should be established between any development and any area of ancient woodland. A minimum buffer of 15 metres will ~~normally~~ be required between the development and ancient woodland or veteran trees.

## Policy CFS 1

### Extract from Examiner's Report:

#### Recommended modification 12: In Policy CFS1

- in part b) after "location" insert "for users"
- in C9 delete "Schoolhouse"

Development proposals that would result in the loss or detriment to the existing community use of an important community facility **identified below (and shown on the Policies Map & Figure 17)**, will not be supported unless it can be demonstrated that:

- a) the operation of the facility is no longer viable for community uses, through a process of community engagement and active marketing of the facility for a period of no less than 12 months; or,
- b) that a replacement facility of an equivalent or better standard is provided in an equally accessible location **for users**.

**C1** Awsworth Village Hall **C2** Awsworth Youth Centre **C3** Awsworth Parish Office **C4** St Peter's Church

- C5 'Crown Inn' Public House
  - C6 'The Lodge'
  - C7 Awsworth Chemist
  - C8 Awsworth Primary & Nursery School
  - C9 Awsworth School House ~~Schoolhouse~~ Day Nursery
  - C10 Shilo Sports Pavilion
  - C11 The Lane Sports Pavilion
  - C12 The Lane Bowls Pavilion
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## Policy CFS 2

### Extract from Examiner's Report:

#### Recommended modification 13: In Policy CFS2

- in a) replace the text after "adverse" with "highway safety impact;"
- replace b) with "car and cycle parking requirements can be met off-road;"

Development proposals to enhance the provision of community facilities that meet an identified need in the Parish will be supported where it can be demonstrated that:

a) there will not be an unacceptable adverse **highway safety impact;** ~~impact on the local road network (including on-road parking);~~

b) **car and cycle parking requirements can be met off-road;** ~~adequate car and cycle parking facilities will be provided;~~

c) development integrates well with existing walking and cycling infrastructure and enables convenient walking and cycling accessibility; and,

d) the amenity of nearby residents will not be adversely affected by the nature of the use, including noise or traffic generated.

Proposals that seek to co-locate community facilities and that are located conveniently for public transport and are conveniently accessible by walking and cycling will be considered favourably.

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## Policy CFS 3

### Extract from Examiner's Report:

#### Recommended modification 14: In Policy CFS3

- in the second sentence replace “ensure” with “strengthen”, and replace “encouraged” with “supported”
- delete “normally” from the last two sentences
- in the final paragraph delete “especially those appropriately painted to match the colour of the shopfront”, and delete “subject to the grille thickness and colour being appropriate”

Development proposals which would result in the loss of an existing retail use will only be supported if it can be demonstrated that the on-going use for this purpose is no longer viable, and that the premises have been actively marketed for a minimum of 12 months for shopping purposes.

Proposals to ~~ensure~~ strengthen the long-term viability and vitality of the retail areas will be ~~encouraged~~ supported. These might include, but are not limited to:

- a) increased parking and cycling provision in the vicinity of the retail areas;
- b) improvements to the quality and accessibility of walking and cycling facilities to and from local shops;
- c) improvements to the presentation of the parade of shops at Lawrence Avenue and the immediate environs; and,
- d) improved directional signage particularly for people on foot and cycle.

Proposals that remove, replace or adversely affect shop fronts by poor or unsympathetic design, will not be supported. The installation of solid, or almost solid, external roller shutters and external shutter boxes on shopfronts will not be supported. External perforated roller shutters with a high proportion of ‘open’ lattice to solid shutter will ~~normally~~ be supported, ~~especially those appropriately painted to match the colour of the shopfront~~. External lattice, ‘brick bond’ and open chain link grilles will ~~normally~~ be supported ~~subject to the grille thickness and colour being appropriate~~.

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## Policy E1

### Extract from Examiner's Report:

#### Recommended modification 15:

On the Policies Map legend replace “Local Business Areas (Policy E1)” with “Existing Employment Use (Policy E1)”



*\*(On the Policies Map legend replace “Local Business Areas (Policy E1)” with “Existing Employment Use (Policy E1)”*

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## **Policy E2**

### **Extract from Examiner’s Report:**

#### **Recommended modification 16: In Policy E2**

**part b) after “adverse” insert “highway safety” and after “including” insert “through on-road”**

Proposals to combine living and small-scale employment space and/or new small-scale business premises will be supported, provided that:

- a) It will not have an unacceptable adverse impact on residential amenity or nearby occupiers;
  - b) It does not have an unacceptable adverse **highway safety** impact on the local road network including **through on-road** parking;
  - c) the scale, design and form is in keeping with the character of the area; and
  - d) the operation of the business can be contained in the curtilage of the premises.
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## **Policy TT 1**

### **Extract from Examiner’s Report:**

#### **Recommended modification 17: In Policy TT1**

**replace “along roads within the Parish will be encouraged” with “will be supported”**

Traffic management measures including in conjunction with new development that improve highway, cyclist and pedestrian safety ~~along roads within the Parish will be encouraged~~ **will be supported**, particularly where road safety issues have been identified locally, especially The Lane / Main Street as well as Station Road and Park Hill.

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## Policy TT 2

### Extract from Examiner's Report:

#### Recommended modification 18: In Policy TT2

- in the second paragraph replace “in Awsworth village” with “within the Key Settlement Boundary (identified on the Policies Map)”
- in both parts a) and b) delete “in the village”

**On the Policies Map identify the Key Settlement Boundary that lies within the Neighbourhood Area, and in the list of Plan wide policies in the legend to the Policies Map after “TT2” insert “(part of policy only)”**

Development proposals should incorporate sufficient, safe and convenient car parking provision in accordance with agreed local standards. Generally, this provision should accord with the standards set by Nottinghamshire County Council for new development.

Development proposals that result in a reduction in car parking provision ~~in Awsworth village~~ within the Key Settlement Boundary (identified on the Policies Map) will only be supported where:

- a) it can be demonstrated that the loss of parking will not have a severe adverse effect on parking provision and road safety ~~in the village~~; or,
- b) adequate and convenient replacement car parking provision will be provided on the site or a nearby location ~~in the village~~.

*\*On the Policies Map identify the Key Settlement Boundary that lies within the Neighbourhood Area, and in the list of Plan wide policies in the legend to the Policies Map after “TT2” insert “(part of policy only)”*

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## Policy BV 1

### Extract from Examiner's Report:

#### Recommended modification 19: In Policy BV1

**replace “and particularly those which” with “or”**

Development proposals that protect ~~and particularly those which~~ or enhance the structure and setting of Bennerley Viaduct (**shown on the Policies Map & Figure 22**) will be supported. This includes proposals on, under and adjacent to the

structure, proposals for the walking and cycling trail across the viaduct, together with necessary connections to the local area network of footpaths and cycle trails.

Development proposals to provide appropriate explanation and education facilities for visitors to the viaduct will be supported, including an appropriately sited and designed visitor centre of suitably modest scale. However, such a proposal should have special regard to the sensitive location in the Green Belt and floodplain in addition to minimising the impact on this Grade II\* Listed Building. In particular, any proposal should fall within the definition of appropriate development in the Green Belt.

Any proposal should minimise loss of and disruption to wildlife and maximise opportunities to protect and enhance wildlife in this part of the Erewash Valley floodplain.

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## **Policy BV 2**

**Extract from Examiner's Report:**

**Recommended modification 20: In Policy BV2**

**replace "protect" with "demonstrate how they seek to respect"**

Any development proposals within the visual setting (**shown on the Policies Map & Figure 22**) of Bennerley Viaduct must ~~protect~~ **demonstrate how they seek to respect** the open setting of the Grade II\* Listed Building including in relation to location, orientation, scale, mass, height, materials, colour and landscaping.

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## **Policy NC 1**

**Extract from Examiner's Report:**

**Recommended modification 21: In Policy NC1**

- **in the first sentence replace "and particularly those which" with "or"**
- **continue part c) with "and"**
- **delete part d), and redesignate part e) as part d)**

Development proposals that protect ~~and particularly those which~~ **or** enhance the structure and setting of the Nottingham Canal (**shown on the Policies Map & Figure 14**) will be supported.

This includes proposals adjacent to the old canal, including those affecting the existing conservation grasslands, walking, cycling and horse-riding trails and paths, together with necessary connections to the local area network.

Any proposal should:

- a) have special regard to the sensitive location in the **Green Belt**;
- b) not cause harm to the status of the Nottingham Canal which is designated as a **Local Nature Reserve**;
- c) minimise loss of and disruption to wildlife and maximise opportunities to protect and enhance wildlife in this part of the Erewash Valley; and
- ~~d) have regard to **Policy GI 4: Designated Local Green Spaces (particularly G9 – Linear area between Naptha House & Newtons Lane)**; and,~~
- ed) enhance the local walking, cycling (and where possible horse-riding) infrastructure.

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## Policy BCDP 1

Extract from Examiner's Report:

Recommended modification 22: In Policy BCDP1

- replace the first paragraph with “Development proposals for the use of the former Bennerley Coal Disposal Point site and access road (shown on the Policies Map and Figure 22) for recreational purposes including a country park or informal public open space will be supported.”
- delete the second paragraph, including parts a) to d), and re-present it as an aim of the Neighbourhood Plan in supporting text and in Appendix 1

~~The Plan supports that land at the former Bennerley Coal Disposal Point site and access road (shown on the Policies Map & Figure 22) remains open in use and character. Development proposals that harm the openness of the former Coal Disposal Point and ‘Concrete Road’ access area will be resisted. Its use for recreational purposes such as a ‘Country Park’ (or informal public open space) will be supported providing proposals do not detract from its open character and Green Belt designation.~~ Development proposals for the use of the former Bennerley Coal Disposal Point site and access road (shown on the Policies Map and Figure 22) for recreational purposes including a country park or informal public open space will be supported.

~~The Parish Council will work in partnership to actively progress its use as a ‘Country Park’ for the benefit of parishioners and visitors, including improved non-vehicular linkages with the adjoining settlements, provided that any proposals:~~

- ~~a) accord with **Green Belt** purposes;~~
  - ~~b) protect and enhance the structure and open setting of the **Grade II\* Listed Bennerley Viaduct** (in accordance with **Policies BV 1 and BV 2**);~~
  - ~~c) maintain the functionality and connectivity of the **Green Infrastructure Corridors** (in accordance with **Policy GI 1**); and,~~
  - ~~d) do not cause harm to the status of the area as a **Local Wildlife Site** (in accordance with **Policy GI 3**);~~ *\*(re-present this deleted section as an aim of the Neighbourhood Plan in supporting text and in Appendix 1 Policy DC1 Developer Contributions from New Development in Awsworth)*
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## Policy DC 1

### Extract from Examiner's Report:

#### Recommended modification 23: In Policy DC1 after

**“1 hectare or more)” replace “for” with a full stop and “Any element of developer contributions that become available for locally determined expenditure will be directed to the”**

Developer contributions will, where appropriate, be sought through Section 106 and similar agreements from new development in Awsworth Parish (**in accordance with Broxtowe Part 2 Local Plan – Policy 32: Developer Contributions**) and will have regard to the following:

Financial contributions may be sought from **major developments** (that is, for **housing** development of 10 or more homes or the site has an area of more than 0.5 hectares, and, for **non-residential** development of 1,000 square metres or more additional floorspace or a site of 1 hectare or more). ~~For~~ **Any element of developer contributions that become available for locally determined expenditure will be directed to the** provision, improvement or maintenance, where relevant, of:

- a) Affordable housing;
- b) Health;
- c) Community facilities;
- d) Green Infrastructure Assets;
- e) Biodiversity;
- f) Education;
- g) Highways, including sustainable transport measures;
- h) Cycling, footpaths and public transport services and associated infrastructure;

- i) The historic environment, heritage assets and/or their setting; and
- j) Flood mitigation measures, including Sustainable urban Drainage Systems (SuDS).

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## **Annex**

**Recommended modification 24: Modify general text, figures or images including the Policies Map, to achieve consistency with the modified policies, and to correct identified errors**

*\*(Modify general text, figures or images including the Policies Map, to achieve consistency with the modified policies, and to correct identified errors).*