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Erewash Core Strategy Review Examination

Matter 2 Statement

Iceni Projects Limited on behalf of
GLP

November 2023

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ON BEHALF OF GLP

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Icen Projects on behalf of GLP, the promoters of land to the southwest of Junction 25 of the M1.
- 1.2 Representations were submitted at the Regulation 19 stage by GLP, classified under representation numbers 136 & 273.
- 1.3 This Statement builds upon those previous representations in response to the Inspector's Matter 2 questions.

2. MATTER 2 – THE DUTY TO COOPERATE

Economic Growth/ Employment Land Provision

10. What are the cross boundary issues relating to economic growth and employment land provision?

- 2.1 We consider that the need for strategic logistics development and the unmet need arising within the wider HMA are cross boundary employment issues that are relevant to the Duty to Cooperate.
- 2.2 Erewash Borough Council suggests at paragraph 2.2 of its Duty to Cooperate Statement (Appendix 2 of EBC01) that the Core Strategy Review does not make any proposals for the development of land that would have a significant impact on another authority in Nottingham HMA, and therefore such matters are not strategic issues, as defined by Section 33A(4) of the Planning and Compulsory Purchase Act 2004 (as amended), that would be relevant to the Nottingham HMA. However, we disagree with the Council's narrow interpretation of Section 33A(4), and consider that economic growth and employment land provision are strategic matters.
- 2.3 Erewash Borough is part of the Nottingham HMA, and the 2021 Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (EBE1) identifies Erewash as being within the Core HMA, which represents a self-contained FEMA. Therefore the policy decisions of one authority within the HMA in relation to economic growth will inevitably have the potential for a significant impact on other authorities. The commissioning of a joint evidence base by the HMA authorities seemingly acknowledges this. Any unmet need arising from the HMA will be a relevant and important consideration for Erewash, whilst any decisions made by Erewash in relation to the quantum of employment space will have a significant impact on the remainder of the HMA authorities.
- 2.4 The Planning Practice Guidance indicates that strategic matters may involve the distribution of identified needs (including unmet needs) within the relevant area¹ and also refers to those matters covered by strategic policies as defined by Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004 (as amended)². Employment is identified by Erewash as a strategic policy in the Core Strategy Review, and thus the distribution of employment floorspace across the HMA must logically be a strategic matter.

¹ Paragraph 12, Reference ID 61-012-20190315

² Paragraph 14, Reference ID 61-014-20190315

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- 2.5 Furthermore, the Inspectors' conclusions on the withdrawn St Albans Local Plan³ indicated that it was illogical to argue that the Duty to Cooperate only applies to proposals in the Plan, and confirmed that approaches to unmet need would be a strategic matter.
- 2.6 Therefore we consider that employment is a strategic matter to which the Duty to Cooperate applies. In particular, the need for new employment land, and the provision of strategic logistics floorspace, is an issue that spans the HMA as a whole, which requires active and ongoing cooperation.
- 2.7 Notwithstanding the Council's argument that this is not a strategic matter, it refers to a process of engagement undertaken with the Nottingham HMA. The Duty to Cooperate Statement of Common Ground between Erewash and Nottingham HMA (CD3a) refers to a need for 40 ha of employment land in Erewash to 2038, based on 2021 Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study, and that the 55 ha proposed at Stanton North makes adequate provision, with this also providing for strategic logistics. Paragraph 2.11 of Erewash's Duty to Cooperate Statement (Appendix 2 of EBC01) goes on to suggest that there is no requirement to provide additional land to meet employment needs arising from elsewhere in the Housing Market Area. However, this is not actually stated as an agreed matter in the Statement of Common Ground.
- 2.8 Furthermore, the Statement of Common Ground with the Nottingham HMA authorities (CD3a) was published in June 2022, before the publication of the Nottinghamshire Core & Outer HMA Logistics Study (August 2022) (EBE2). This study identifies a need for 425 ha of strategic logistics development across the HMA, equivalent to 3-5 new large logistics parks. The report indicated that based on the pipeline at the time, there was a residual need to deliver an additional 172 ha. This highlights a very significant quantum of employment land needed within the HMA, of which Erewash forms an important part. The study is a key part of Erewash's evidence base, and it identifies a broad area around Junction 25 of the M1 as an Area of Opportunity within Erewash where some of this strategic need could potentially be met.
- 2.9 The emerging Greater Nottingham Strategic Plan seeks to allocate 2 sites for strategic logistics⁴, however this would still leave a significant unmet need across the HMA. The Background Paper produced by the HMA authorities⁵ suggests that taking account of allocations and the latest supply, there would still be 63-79 ha of residual unmet need. Based on Iceni's assessment, detailed in our Matter 8 Statement, the actual scale of the unmet need could be as high as 134.9-150.9 ha. In any event, there is clearly a significant unmet need for strategic logistics development arising within the

³<https://www.stalbans.gov.uk/sites/default/files/attachments/ED40%20%20Inspectors%20Post%20Hearings%20Letter%2014.4.20.pdf>

⁴ [Strategic Distribution and Logistics \(September 2023\)](#)

⁵ [Strategic Distribution and Logistics Background Paper \(September 2023\)](#)

HMA. In our view this is an important strategic issue, which has been identified in the joint evidence base commissioned by the Nottingham HMA. Strategic logistics is by its very nature a cross-boundary issue, with locational requirements focussed on matters such as proximity to the strategic road network, site size, electricity connections, access to labour, and proximity away from sensitive uses⁶, rather than borough-specific factors.

- 2.10 Taking the above into account, we consider that the need for strategic logistics floorspace, and the unmet need arising in the HMA, is an important cross boundary issue relating to economic growth and employment land provision.

11. Who has the Council engaged with on economic growth/ employment land matters? When did this engagement take place and what form did it take? What was the outcome of this engagement?

- 2.11 The Council refers to engagement with the Nottingham HMA in relation to employment land, amongst other matters, in its Duty to Cooperate Statement (Appendix 2 of EBC01), explaining the role of the Greater Nottingham Planning Partnership Joint Planning Advisory Board and the process of agreeing a Statement of Common Ground with the other Nottingham HMA authorities. The Duty to Cooperate Engagement Log at Appendix 2 of the Statement lists a series of formal meetings, responses to consultations and various drafts of the Statement of Common Ground, and officer engagement is also referenced.
- 2.12 However, this statement of events provides little detail on the nature and scope of these discussions, or evidence as to whether this engagement was constructive, active and ongoing as required by Section 33A(2) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.13 The authorities have clearly worked together to a certain extent within the framework of the Joint Planning Advisory Board, and commissioned joint evidence base documents in relation to employment land matters. However, there is a lack of detail within the Duty to Cooperate Statement or Statement of Common Ground regarding whether discussions have taken place on the apportionment of the identified employment need, and how the Erewash and Greater Nottingham Strategic Plans inter-relate in terms of seeking to meet the significant need for strategic logistics floorspace in the HMA.

⁶ As discussed at paragraph 10.4 of the 2022 Logistics Study (EBE2)

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- 2.14 Overall we therefore consider that there is a lack of evidence that the authorities have engaged constructively, actively and on an ongoing basis in relation to the need for strategic logistics development across the HMA, and how or whether the identified need can be met in full.