

Erewash Core Strategy Review Examination in Public

Matter , The Green Belt

Statement on behalf of Inovo Consulting Ltd

INTRODUCTORY STATEMENT

- i. Hearing Statements are submitted by Christopher Waumsley DipTP MRTPI of Inovo Consulting on behalf of the promoter of land **South West of Kirk Hallam (Lambert Limited)** for which a draft allocation is made under **Strategic Policy 1.5** of the Erewash Core Strategy Review Submission Version.
- ii. Lambert Ltd control and are promoters of land South West of Kirk Hallam which is proposed as a strategic residential led mixed use allocation in the draft plan. The intention is to provide a sustainable urban extension to the South West of Kirk Hallam incorporating a new local centre, strategic green and blue infrastructure including extension to the Pioneer Meadows Local Nature Reserve, and a new relief/link road between Sowbrook Lane South of Kirk Hallam to the A6096 Ladywood Road West of Kirk Hallam.
- iii. Inovo and Lambert Ltd have been positively engaged with the Policy Team, and more latterly, Development Management Team at Erewash since 2020 and throughout the evolution of the Core Strategy Review (CSR).
- iv. For context a summary of activity and engagement undertaken to date in respect of the proposed allocation site is set out below:
 - a) An initial development concept for a sustainable urban extension at Kirk Hallam was prepared in July 2020, worked up in conjunction with the planning authority and proposing a broad vision and overall objectives for development. This concept plan informed the preparation of technical survey and assessment work and was subject to public and stakeholder engagement alongside the November March 201 CSR consultation.
 - b) Responses to that consultation exercise and engagement with key officers, stakeholders and consultees in the period since has resulted in the evolution of the plan
 - c) Alongside this work the promoter's consultant team have carried out a wide range of assessments and studies to allow the identification of the technical considerations pertinent to the site's development. This technical information will inform the preparation of a hybrid outline/detailed planning application for the site's development with the relief/link road and first phase of development in detail and subsequent phases in outline.
- v. Inovo are appearing at the Examination in support of EBC's commitment to an urban extension South West of Kirk Hallam to meet the needs of the plan area within the plan period to 2037.
- vi. In response to the Inspectors Matters, Issues and Questions issued on 5th October 2023, Inovo wish to make a number of points to supplement the representations made by Inovo at the Regulation 18 and 19 stage consultations.

MATTER 5 – THE GREEN BELT

Issue – Whether the approach to the alteration of the Green Belt and development within it is justified and consistent with national policy.

Principle of Green Belt Release

Q1: What proportion of new housing allocated in the Core Strategy Review would be on land currently designated as Green Belt ?

- 1.1 It is anticipated that this question will be addressed by the Planning Authority.

Q2: What is the capacity to accommodate housing development in the Borough on non-Green Belt land? How has this been assessed and is this robust ?

- 1.2 It is anticipated that this question will be addressed by the Planning Authority. However it is self evident that approach of the adopted Core Strategy to avoid development of land within the Green Belt and promote development outside it has failed to deliver the anticipated housing development needed.

Q3: How is this affected by the spatial strategy ?

- 1.3 It is anticipated that this question will be addressed by the Planning Authority. However it is self evident that the adopted CS was over reliant on development coming forward within existing urban areas. Consequently a review of Green Belt boundaries is the only realistic option to meet the development needs of the area. The CSR Draft Options For Growth Jan 2020 identifies correctly a sequential assessment of growth options A) – H) and their ability to deliver the housing requirement. Consequently it would seem that the spatial strategy has been derived from a non-green belt first approach which on its own has been shown to fail to deliver the housing development needed, as evidenced by the Councils Housing Delivery Action Plan (EBH 11), and then on a most sustainable criteria.

Q4: How is it affected by other constraints ?

- 1.4 The availability of sites for development is constrained in Erewash for a number of reasons. In particular the rivers Trent, Derwent and Erewash and their tributaries sterilise large areas of the Borough due to flood risk and much of the road network in the urban areas of the Borough is at or near over capacity with limited opportunity for mitigation.
- 1.5 There is also no doubt that despite the strong housing market that has existed for most of the period of the adopted CS issues of viability have affected the development of Brownfield sites

outwith the Green Belt. This is partly an issue of existing use value and partly related to remediation costs.

- 1.6 There is also an issue with the availability of sites of a scale capable of delivering the supporting infrastructure necessary to make them sustainable and attractive to volume housebuilders, also evidenced in the Housing Delivery Action Plan.

Paragraph 141 of the NPPF identifies that before exceptional circumstances exist to justify changes to Green Belt boundaries a strategic policy making authority should be able to demonstrate that it has fully examined all other reasonable options for meeting its identified need for housing. Have all opportunities to maximise the capacity on non-Green Belt land been taken? As such:

Q.5 How has the Council sought to make as much use as possible of suitable brownfield sites and underutilised land?

- 1.7 It is anticipated that this question will be addressed by the Planning Authority. However from our own experience we consider the Council has been proactive in promoting and encouraging the development of brownfield sites and underutilised land not in the existing Green Belt. Despite this it has proven challenging in the extreme to devise a viable development scheme for such sites.

Q.6 How has the Council sought to optimise the density of development?

- 1.8 It is anticipated that this question will be addressed by the Planning Authority.

Q.7: Has the Council assessed whether there is any realistic potential to accommodate some of the development needs of the Borough in other authority areas, reducing the need to alter the Green Belt? How has this been assessed/ investigated?

- 1.9 It is anticipated that this question will be addressed by the Planning Authority.

Green Belt Review

Q.8 The Council has produced Green Belt Technical Paper (EBC05). Was the Council's approach to assessing Green Belt appropriate? What are your reasons for this view?

- 1.10 Inovo have expressed concerns in their responses to the CSR consultations that the approach to the Green Belt was not clearly enough evidenced. The Green Belt Technical Paper (GBTP)

provides clarity as to how this was carried out and where the approach to assessment of Green Belt assessment can be found. Whilst it is not easy to navigate through the various documents that comprise that assessment we are satisfied that the GBTP explains the approach and that this was appropriate and complies with the NPPF.

Q.9: How has the assessment of Green Belt land informed the Core Strategy Review and specifically proposals to alter the Green Belt to accommodate development needs?

- 1.11 It is anticipated that this question will be addressed by the Planning Authority. However the GBTP explains the rationale behind the selection of Preferred Options in the Green Belt. Those options reflect their relative sustainability and the constraints and opportunities they present.

Q.10: How has the Council assessed the suitability of land parcels and their contribution towards the purposes of including land in the Green Belt?

- 1.12 It is anticipated that this question will be addressed by the Planning Authority. However we consider the Green Belt topic paper has provided clarity in this respect.

Exceptional Circumstances

Q.11: Are there exceptional circumstances to alter the Green Belt in the Borough in principle? If so what are they? If not, how could housing and employment needs be met in other ways?

- 1.13 It is quite clear that if the development needs of the area are to be met development in the Green Belt is necessary. That is an exceptional circumstance. Paragraph 11 of the NPPF is explicit in stating that "Plans and decisions should apply a presumption in favour of sustainable development" and that for plan-making this means that "all plans should promote a sustainable pattern of development that seek to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects."
- 1.14 The plan-making authority has a legal duty under Section 39(2) of the Planning and Compulsory Purchase Act 2004 to prepare their Development Plan with the objective of contributing to the achievement of sustainable development. This cannot be achieved in Erewash without reviewing the Green Belt boundary to accommodate development needs.