

**Statement of Consultation
Targeted Consultation exercise**

Erewash Borough Council

March 2024

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1.0 Introduction:

1.1 This Statement of Consultation provides a record of the additional public consultation carried out for the Erewash Core Strategy Review (ECSR) that is currently going through the examination process. The consultees were given a six-week period that ran until **February 26th, 2024**, in response to the appointed Planning Inspector requesting additional consultation which targeted a group of 761 people who, although they had commented on an early draft of the Core Strategy Review, had not commented on the Publication (Regulation 19) draft.

2.0 Methods of consultation:

2.1 The Council contacted the vast majority of the 761 consultees via email. A much smaller number were notified by letter/post. Representation forms were provided with both types of notification, alongside instructions on where the documents submitted for Examination could be found.

2.2 The email, letter, and form can all be found below in the Appendices.

2.3 All documents pertaining to this stage of Core Strategy Review were published on the Council's website and included:

- Core Strategy Review Policy document;
- Core Strategy Policies Map;
- Statement of Consultation;
- Strategic Growth Area (SGA) Assessments and accompanying Map book;
- Sustainability Appraisal and Appendices;
- Habitats Regulation Assessment (HRA); and
- Statement of Common Ground

3.0 Analysis of representations:

Table 3.1: Total number of duly made representations

Representation type	Number of people who made a representation
Email/E-form	31
Letter	8
Total	39

3.1 The Council received 23 email bounce-backs from its mail out due to unregistered/incorrectly provided email addresses. In attempts to notify those where contact by email had failed, 11 of these were then subsequently contacted by post. The remaining 12 consultees could not be contacted in any

other way, as no additional identifiable information, such as address, had been provided by them.

- 3.2 There were 5 opt-out requests, either by mail, post or telephone call, asking to opt-out of any future contact from the Council.
- 3.3 All but 2 respondents were Spondon residents.
- 3.4 As a result, the Council have been able to analyse the 39 representations submitted in substantially more detail with information about this presented below.
- 3.5 In total, the 39 responses from the 761 consultees notified of the Targeted Consultation constitutes a 5.1% rate of response.

Table 3.2: Breakdown of representations' objections

Policy	Number of representations
South Stanton (SP1.2)	1
Acorn Way (SP1.3)	1
North of Spondon (SP1.4)	33
SW of Kirk Hallam (SP1.5)	1
North of Cotmanhay (SP1.6)	0
Not site specific	3
Total	39

Table 3.3: The % of representations who answered 'No' to the following questions

Question	Percentage answering 'No'
Do you consider the Core Strategy Review is <i>legally compliant</i> ?	23%
Do you consider the Core Strategy Review is <i>Sound</i> ?	38%
Do you consider the Core Strategy Review complies with the <i>duty to cooperate</i> ?	44%

- 3.6 From the representations, three people said they wished to participate in the Examination’s hearing sessions. Details of these will be forwarded to the Council’s Programme Officer.
- 3.7 It was evident in representations received by the Council in response to the Targeted Consultation that many comments made by respondents were identical in nature and replicated those previously received as part of the Council’s Regulation 19 Publication stage and presented within the Council’s Statement of Consultation (November 2022). The vast majority of the new comments received in the Targeted Consultation made were against Policy 1.4 North of Spondon, and these are reviewed below from 3.13 onwards and presented in tabular form.
- 3.8 *Spatial Portrait:*** No new comments.
- 3.9 *Strategic Policy 1 - Housing:*** No new comments.
- 3.10 *Strategic Policy 1.1 - Strategic Housing Sites:*** No new comments.
- 3.11 *Strategic Policy 1.2 - South Stanton:*** No new comments.
- 3.12 *Strategic Policy 1.3 - Acorn Way:*** No new comments.
- 3.13 *Strategic Policy 1.4 – North of Spondon:*** See table below

Table 3.4: Table of consultation responses to Strategic Policy 1.4

Issue raised	Council response
<p>Criticism that the Council will pocket the bonus payment for new homes, while Derby City Council funds doctors, schools, and road maintenance. Suggests that if the Borough Council is collecting the new homes bonus then the development should abut a village or development in Erewash which already can provide the above facilities, paid for and provided by EBC, at locations such as Ockbrook or Kirk Hallam.</p>	<p>EBC would receive Council Tax from all new properties helping in part to cover additional costs to services provided. As demonstrated in the Council’s published Statement of Common Ground, EBC has attempted to work with partner councils in order to better understand infrastructure requirements connected to local services and facilities and convey these through policies so the development can integrate with the surrounding network of infrastructure regardless of administrative boundaries.</p>
<p>Asked for environmental report on traffic impact to the village in Spondon.</p>	<p>Together, transport modelling both for the plan area (which extends into surrounding local authorities) and that undertaken specifically for the site show that whilst the proposed development impacts on certain roads within the site’s catchment, this impact doesn’t constitute the severe level of impact cited in the NPPF.</p>

<p>Concerns that the review prioritises Spondon development at 5, despite not meeting the Borough's strategic priorities. Points out that Council has rejected other localities with similar issues, such as Green Belt, limited access, and service pressure/ SGA26 clearly encroaches onto open countryside.</p>	<p>The justification for the North of Spondon site's inclusion within the Core Strategy Review is set out by its Strategic Growth Area (SGA) assessment, whilst both the site itself and its place within the wider spatial strategy have been assessed positively by the Council's Sustainability Appraisal.</p>
<p>The criteria for achieving an appropriate level of biodiversity net gain, including removing an essential part of the Green Belt east of Derby, fail to meet this criterion. Proposal is being rushed so they do not have to meet the new requirements of BNG mentioned in the new NPPF.</p>	<p>There is no legal requirement for any planning application submitted before 15th February 2024 to provide biodiversity net gain.</p>
<p>No contact from Council during consultation - failed the duty to cooperate with Spondon residents/ failed to write to people living- sharing borders with the proposed development site.</p>	<p>The consultation was targeted for the reasons set out at 1.1 of this statement. Wider consultation around the Core Strategy Review was carried out in full accordance with the Council's Statement of Community Involvement (SCI) and has been described within the Statement of Consultation (SoC). There is no 'duty to cooperate' with residents.</p>
<p>Suggests that the ground is clay and water sits on the ground - a lot of rain will exacerbate the already distressing situation.</p>	<p>The planning application submitted to the Council (ERE/0923/0024) has assessed in detail the site's susceptibility to flooding through a Flood Risk Assessment. This has influenced the provision of drainage proposed across the site, which sees the introduction of features such as a balancing pond and other landscaping to ensure adequate soakaway of rainfall.</p>
<p>Indicates the government's plan to clear and redevelop rundown empty housing is rushed and not in line with the intended spirit.</p>	<p>Unclear as to what relevance this has to the inclusion of Policy 1.4 in the Core Strategy Review.</p>
<p>Concerns about biodiversity include wildlife, ecology, nature conservation, habitats, species, hedgerows, and listed</p>	<p>All necessary scoping and assessment of biodiversity and ecology have been undertaken through the preparation of the planning application submitted for</p>

<p>birds in Schedule 1 of the Wildlife and Country Act.</p>	<p>the site. The views of specialist consultees have been sought through the production of the site allocation policy and the planning application. No objections have been received from the local planning authorities contracted ecology adviser, which is Derbyshire Wildlife Trust.</p>
<p>Council have failed to take into account the vast number of comments and objections relating to Strategic Policy 1.4 – Land North of Spondon (SGA26).</p>	<p>The Council has taken into account all representations made in response to Regulation 18.2 and 19 versions of the Core Strategy Review. This is evident from the Council's Statement of Consultation (SoC).</p>
<p>Concerns that the new development will be disjointed and the residents will probably feel they do not belong to our borough or Erewash/proposal does not serve residents of Erewash.</p>	<p>A proportion of Erewash's population live on the fringe of Derby in villages such as Little Eaton, Breadsall, Ockbrook and Borrowash. Residents of these villages wishing to access the housing market would benefit from this nearby development. Policy 1.4 (together with Policy 1.1) sets out how each of the proposed strategic housing sites will be delivered sustainably, incorporating a set of principles which will help with their integration into the immediate surrounds.</p>
<p>Spondon's sewers are struggling with waste, causing burst pipes and raw sewage spills, posing environmental and health risks due to inadequate capacity. Concerns that the proposed development would worsen drainage issues due to the water table, causing frequent flooding and negatively impacting properties.</p>	<p>Site promoters have been able to demonstrate through technical surveys and assessment that connecting site development safely to the area's wider drainage and sewer network can be achieved without concern.</p>
<p>Suggests ground surface water saturation is evident, and proposed footpaths would restrict existing drainage systems across private land.</p>	<p>The planning application submitted to the Council (ERE/0923/0024) has assessed in detail the site's susceptibility to flooding through a Flood Risk Assessment. This has influenced the provision of drainage proposed across the site, which sees the introduction of features such as a balancing pond and other landscaping</p>

	to ensure adequate soakaway of rainfall.
High water table and surface water causes ongoing problems in Spondon, additional problems likely due to increased housing proposed.	The planning application submitted to the Council (ERE/0923/0024) has assessed in detail the site's susceptibility to flooding through a Flood Risk Assessment. This has influenced the provision of drainage proposed across the site, which sees the introduction of features such as a balancing pond and other landscaping to ensure adequate soakaway of rainfall.
Indicates that the development would contribute to national shortage of farmland.	The land is classed as Grade 3 on the Agricultural Land Classification. It therefore is classed as good to moderate land. With its position in the centre of the classification, it does not sit at the higher end of the best and most versatile farming and agricultural land.
Spondon's bus service has significantly decreased, residents now primarily use the Ilkeston Flyer. New development could worsen this issue, as residents would lack a close bus stop to encourage public transport use.	The nearest bus stop is located 100 meters away from the site, with the Ilkeston Flyer service running to a 30-minute frequency. In post-pandemic times, fewer people have been reported as using public transportation. This development has the potential to increase patronage of certain public transport services, helping to safeguard their continued existence.
The open spaces proposed in the plan are not sized sufficiently to preserve the openness of the Green Belt space. Hence the development will create urban sprawl.	Strategic Policy 1.1 ensures that all proposed strategic developments are delivered through adhering to design-based criterion aiming to ensure each is sustainable, whilst connecting to their immediate surroundings.

- 3.14 Strategic Policy 1.5 – South West of Kirk Hallam:** No new comments.
- 3.15 Strategic Policy 1.6 – North of Cotmanhay:** No new comments.
- 3.16 Strategic Policy 2 – Employment:** No new comments.
- 3.17 Strategic Policy 2.1 – Stanton North:** No new comments.
- 3.18 Strategic Policy 3- Town, Local, and Village Centres:** No new comments.
- 3.19 Strategic Policy 4 – Transport:** No new comments.
- 3.20 Strategic Policy 5 – Green Infrastructure:** No new comments.

3.21 Core Strategy Review – Evidence base:

3.21.1 A new comment regarding the Core Strategy Review’s evidence was made as part of the Targeted Consultation. This is shown below.

Table 3.5: Table of consultation responses to the Council’s Evidence Base

Issue raised	Council response
<p>The Council's responses to identified strategies have not addressed the significant impact on local roads and transport infrastructure, nor have they shown cooperation with neighbouring councils or Nottinghamshire highways or National Highways. The plan's credibility is not validated due to the lack of data from Systra, which is not presented, and no modelling of traffic flow has been completed. This results in a lack of sound response.</p>	<p>The Council have worked closely with respected transport modellers Systra in developing a transport model which robustly appraises the impact of planned new growth made provision for in the Core Strategy Review on local roads and junctions. The model's development involved discussion and engagement with all neighbouring transport authorities, helping to identify local highway priorities and allow the model to account for developments within a particular area of influence. As such, cooperation has occurred with relevant partners, whilst the outputs from the model are part of the Council's evidence base and can be accessed via the Examination Library.</p>

Appendix A: Screenshot of the letter sent to consultees



Name & Address

Resources Directorate, Planning & Regeneration

Town Hall Ilkeston
Derbyshire DE7 5RP
Switchboard: 0115 907 2244
E Mail: planningpolicy@erewash.gov.uk

Please ask for: Planning Policy
Direct Tel: 0115 907 2255
Date: 12 January 2024

Dear Sir/Madam

RE: EREWASH CORE STRATEGY REVIEW – TARGETED CONSULTATION

The Erewash Core Strategy Review is currently being examined by a Planning Inspector appointed by the Secretary of State. That Inspector has noted that though you commented on an early draft of the Core Strategy Review, you did not comment on the submission draft. She has decided that she would like to see any comments you would like to make on the submission draft, and to give you the right to participate in public hearings on that document.

You can find a copy of the submission Core Strategy Review online at: www.erewash.gov.uk/localplan. Alternatively, copies of the document are available at the following locations: Long Eaton Town Hall, Ilkeston Town Hall, Borrowash Library, Ilkeston Library, Long Eaton Library and Sandiacre Library.

If you would like to make any comments, you should do so using the enclosed form by Monday 26th February at the latest. If you would like to participate in the subsequent hearings, you should record that on your completed form where prompted.

You do not have to reply to this letter. If you do not reply, we will delete your records from our database and not contact you about this matter in the future.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Steve Birkinshaw', is written over a horizontal line.

Steve Birkinshaw
Head of Planning and Regeneration

Appendix B: Screenshot of the email sent to consultees

RE: EREWASH CORE STRATEGY REVIEW – TARGETED CONSULTATION



Dear

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You do not have to reply to this letter. If you do not reply, we will delete your records from our database and not contact you about this matter in the future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Birkinshaw'.

Steve Birkinshaw
Head of Planning and Regeneration

Resources Directorate, Planning & Regeneration

Town Hall
Ilkeston
Derbyshire
DE7 5RP

Switchboard: 0115 907 2244
E Mail: planningpolicy@erewash.gov.uk

Please ask for: Planning Policy
Direct Tel: 0115 907 2255

Appendix C: Screenshots of the Council's e-Form based from the Planning Inspectorate's (PINS) model representation form

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Core Strategy Review Representation Form – Targeted Consultation

The consultation runs between Monday 15 January and 26 February 2024

For representations to be valid, a full name and address must be provided.

If you need to continue with more space for any of your answers, please attach further pages to this form.

All fields marked with an Asterisk (*) must be completed.

Title(*)

First Name(*)

Surname(*)

Job Title (where relevant)

Organisation (where relevant)

Address(*)

Postcode(*)

Telephone number(*)

Email Address(*)

Agent's details (if applicable) include name, address, contact number and email

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To which part of the Core Strategy Review does this representation relate? (one or more must be **ticked!**)

Policies Policies Map Other text

Please use the box below to tell us specifically where the representation relates to (a policy, the policies map or other text). Do not use the box to make your comments as this is required further down the **form!**

Do you consider the Core Strategy Review is Legally Compliant? (*)

Yes No

Do you consider the Core Strategy Review is sound? (*)

Yes No

Do you consider the Core Strategy Review complies with the duty to cooperate? (*)

Yes No

Please give details of why you consider the Erewash Core Strategy Review is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Core Strategy Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Please set out the modification(s) you consider necessary to make the Core Strategy Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Core Strategy Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (*)

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for **examination**

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Please use this space to continue any of your answers.