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INSPECTOR'S INTRODUCTORY COMMENTS

1. I set out below the approach I have taken in presenting this report.
2. My report follows the order of the Second Deposit Erewash Borough Local Plan itself, using the same chapter headings. For convenience I refer to that document as '**the Plan**' throughout, except where there is a danger of confusion. The '**Plan period**' runs to 2011, as does that of the Derby and Derbyshire Joint Structure Plan, adopted in January 2001, which I refer to in my report as '**the Structure Plan**'. My references to '**the Council**' are to Erewash Borough Council.
3. Objections are grouped according to the part of the Plan to which they relate: most frequently, to a particular 'Proposal' or paragraph. Each group is covered by a numbered 'section' in my report. In each section I set out the list of objection references considered, the issues arising, my conclusions, and finally my recommendations. For those Proposals attracting very large numbers of objections I have refrained from including a complete list at the beginning of the section, but have simply referred to Appendix A of my report. Transferring such lengthy lists to the Appendix should make the report easier to follow. For convenience I have generally arranged the objections under the same Proposals as the Proposals (and supporting text) under which they have been recorded by the Council. In a few cases I have included cross-references to their consideration in other sections of the report where necessary to achieve reasonable coherence.
4. Because the housing land allocations attracted a large number of representations I include separate sections on the supporting text, the wording of Proposal H1, each of the sites allocated or 'de-allocated' under that Proposal in the Second Deposit, and the 'omission sites' suggested by objectors.
5. Each section begins with the list of objections covered. The objector number is followed by the objection number and then the name of the objector. Conditionally withdrawn objections have the letters '**CW**' added after the objection number. Similarly, unconditionally withdrawn objections have the letters '**UW**' added. It was not until 17 April 2004 that I received the Council's finalised lists of withdrawn objections. These lists bear the date of 8 April 2004 and I treat them as definitive. Because this information included objections withdrawn at Second Deposit stage and arrived after I had started my report I have also included them in my lists of objections, identifying them with the letter '**W**'. However, because my report is based on the Second Deposit it does not include consideration of those objections. Similarly, although I have identified unconditionally withdrawn objections in the report I do not report on them as their withdrawal is not conditional upon any Proposed Changes to the Plan.
6. I have considered the conditionally withdrawn objections, although it has not generally been necessary to refer to their status in dealing with the issues. I

have been careful to ensure that the issues are considered, especially where it has not been made clear upon what conditions the objections have been withdrawn.

7. Throughout the report I have used the term '**Proposed Change**' to refer to the Council's 'Proposed Pre-inquiry Modifications' dated September 2003 (*Core Document 11*) and its 'Additional Proposed Changes' dated March 2004 (*Core Document 145*). The former are numbered PIM1-60, while the latter are numbered PIM61-90. The distinction is significant because Proposed Changes PIM1-60 have been advertised and subject to a formal public consultation process. I therefore give them due weight. Proposed Changes PIM61-90 have not, and so I have treated them with a greater degree of circumspection in my assessment of how they address the issues raised. Any objections to the Proposed Changes have been listed separately after the main objection lists in each section of the report.
8. Almost all of the Proposed Changes are dealt with in my report. PIM86 and PIM90 do not appear to be related to particular objections and so I have not considered them. The fact that I have not recommended them should not be taken to indicate my opposition to them. PIM86 proposes that references to 'Proposals' in the Plan be changed to 'Policies'. This would be in keeping with common practice, and I should add that I have used both terms in my report.
9. In each section I have endeavoured to respond to all the principal and material points made by objectors. Although fully taking into account the cases put to me, and also the representations of support for the Plan, I do not necessarily make specific reference to them in my conclusions. I refer to the Proposed Changes only to the extent necessary to deal with the issues raised by the objections in each section.
10. Unless stated otherwise in my report, the references to Government guidance relate to the documents that applied at the close of the inquiry. For brevity I use the commonly used abbreviations for these documents, followed by the relevant paragraph number. The abbreviations used in my report are defined in the list below.
11. In coming to my conclusions I have taken account of Government guidance in PPG12(3.14) on the need to avoid excessive detail. In some cases I have concluded that changes to the Plan should not be made, even if they are agreed on both sides, on the grounds that they are unnecessary and detract from the national objective of making local plans simpler and more focused documents.
12. At the end of each section I make **recommendations**. It should be noted that these generally relate to the subject matter of the objections in that section. Therefore, a recommendation of no modification should be taken to mean no modification as a result of the objections dealt with in the section concerned. Similarly, if my recommendation is for only one modification in a section covering several different objections, issues and Proposed Changes it can be taken that no other modifications are recommended in respect of the objections covered in that section.

13. Where recommending modifications to Plan policies I have endeavoured to put forward specific wording in the hope that this will be helpful to the Council. In doing so I have taken account of any suggested changes affecting the policy concerned. In those cases where it has not been advisable to recommend a specific form of words (for example, owing to a need to consult, consider alternatives, or obtain further information) I have tried to give a good indication of the nature and contents of the modifications I recommend. The Council will need to ensure that any necessary consequential amendments are made to the reasoned justification and Proposals Map to accord with any modifications made to the policies.
14. Finally, I attach to my report a number of **appendices**, including lists of inquiry appearances and documents.

Abbreviations

AONB	Area of Outstanding Natural Beauty
CCTV	Closed circuit television
cSAC	candidate Special Area of Conservation
DEFRA	Department for Environment, Food and Rural Affairs
DoE	Department of the Environment
dph	dwellings per hectare
DTLR	Department of Transport, Local Government and the Regions
HGV	heavy goods vehicle
ICNIRP	International Commission on Non-Ionising Radiation Protection
LNR	local nature reserve
m, mm, km	metres, millimetres, kilometres
PPG	Planning Policy Guidance
QUELS	Quality of Employment Land Study, 2002 (CD82)
RIGS	Regionally important geological sites
RPG8	Regional Planning Guidance for the East Midlands
SSSI	Site of Special Scientific Interest
sq m	square metres

1 GENERAL MATTERS

1.1 RECREATION / WILDLIFE CONFLICT

Objections

281 3944 Government Office for the East Midlands
491 1630W Mr R Barker

Issues

1. The Plan could take a stronger approach to the resolution of wildlife/recreation conflict.

Inspector's Reasoning and Conclusions

1.1.1 It may well be possible for the Plan to take a 'stronger approach' to this issue, but the objector offers no specific suggestions. Nor is it clear why a stronger approach is thought to be required. Leaving aside my recommendations on other issues, I see no particular need for further strengthening and recommend accordingly.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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.....

2 CHAPTER 1 - INTRODUCTION

2.1 GENERAL POINTS

Objections

281	769 W	Mr	M	Gorman	Government Office for the East Midlands
391	1020 CW	Ms	K	Devonport	Countryside Agency
391	1021 CW	Ms	K	Devonport	Countryside Agency
491	3838 CW	Mr	R	Barker	

Issues

1. The sustainability concept is not fully explained, there is no statement of objectives and no spatial strategy for development to provide the framework for other policies.
2. The chapters of the Plan should be re-ordered to give a more logical flow from borough-wide issues to more topic-based and local issues.
3. There needs to be a commitment to monitoring and reference to a comprehensive programme of sustainability appraisal.
4. In paragraph 1.6a '*developing the local economy*' should be replaced with '*to assist the local economy to develop in a sustainable way*'.
5. In paragraph 1.6a '*safeguarding the local environment*' should be replaced with '*protect and where possible enhance the local environment*'.

Inspector's Reasoning and Conclusions

2.1.1 In response to the first 3 issues, raised at First Deposit stage, additional text was added to this chapter of the Second Deposit. In general terms this addresses the issues adequately and I note that the objections concerned have been withdrawn. I see no need for a re-ordering of the chapters.

2.1.2 Paragraph 1.6a simply reproduces the strategic aims set out in the Council's Statement of Intent. It would not be appropriate to make any alterations, therefore, and again I note that the objection has been withdrawn.

2.1.3 I conclude that no modifications should be made as a result of these objections.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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2.2 PARAGRAPHS 1.7-1.8 - ABOUT THIS PLAN

Objections

281	770 W	Mr M Gorman	Government Office for the East Midlands
281	771 W	Mr M Gorman	Government Office for the East Midlands
1391	3659	E Campbell	

Issues

1. The explanation in paragraph 1.7a needs to be re-located to before paragraph 1.5 where the changes to the First Deposit first appear; or alternatively, as a footnote to paragraph 1.5.

Inspector's Reasoning and Conclusions

2.2.1 Paragraph 1.7a is only intended for the Second Deposit. It will be absent in the adopted Plan, as will the markings to which it relates. The deletion of the paragraph is signalled in Proposed Change PIM61, with which I concur.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM61.

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2.3 PROPOSAL LP1 - SUSTAINABLE DEVELOPMENT

Objections

29	3802 CW	S Stowell	Sport England - East Midlands Region
103	3585	Mr P Tame	National Farmers Union
313	3905	Mr R Hepwood	Miller Homes (East Midlands)
1368	3576	Mr T Cleeves	RSPB

Issues

1. Paragraph 1.11 needs to be updated to reflect the current status of RPG8.
2. Criterion 4 of Proposal LP1 would be impossible to meet in many rural areas where there is no alternative to travel by car.

Inspector's Reasoning and Conclusions

2.3.1 Issue 1 is a simple factual point that is adequately dealt with in the Council's Proposed Change PIM1.

2.3.2 Proposal LP1 is an overall policy that applies generally. Having regard to Government guidance in PPG13(40-44) I consider that it is appropriate for it to apply to rural areas as well. The need for the same overall policy approach is advised in PPG13(40) in particular. While there is also a need to be realistic in recognising the constraints in rural areas, I believe that these can be taken into account in the other more specific Proposals: for example, in Proposals E5a and

E5b, which are especially relevant to rural areas. It should also be noted that Proposal LP1 contains 3 other criteria, and that the assessment of the overall 'sustainability' merits of a proposed development will not be based solely on criterion 4. In seeking to minimise the need to travel, criterion 4 is properly reflecting strategic policies and Government guidance and I conclude that it should remain in Proposal LP1.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM1.

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3 CHAPTER 2 – HOUSING

3.1 GENERAL ISSUES AND OMISSIONS

Objections

281	744	Mr	Gorman	Government Office for the East Midlands
281	748	Mr	Gorman	Government Office for the East Midlands
355	946	W	Mr D Abrahams	English Nature
1326	3386			Breaston Village Preservation Group

Issues

1. There is a need for a separate policy to encourage the good design and layout of development, reflecting the importance of crime prevention, community safety and energy efficiency in accordance with Government guidance in PPG3.
2. A positive policy is required to encourage the re-use and conversion of buildings, in accordance with Government guidance in PPG3.
3. There is no phasing policy for the release of allocated housing sites.

Inspector's Reasoning and Conclusions

3.1.1 The Second Deposit adds new policies (Proposals H13 and DC10a) on design. Together with other policies, including DC10 on designing out crime, I consider that this subject is adequately covered. In coming to this conclusion I have taken into account the lack of any more specific suggestions by the objector and the guidance in PPG12(3.5) that development plans should not contain policies for matters other than the development and use of land, and should not contain policies which duplicate provisions in other legislative regimes.

3.1.2 Proposal H2 and the Second Deposit's new Proposal H10a make adequately positive provision for the re-use and conversion of buildings for residential purposes. Also, Proposal GB5a makes provision for conversions and re-use in the Green Belt. Subject to my recommendations the Plan strikes a reasonable balance and does not need to be more positive. In the absence of any more specific suggestions I conclude that no further policies are required in response to the second issue.

3.1.3 There is a 'phasing of housing' policy at Proposal H11, but for reasons given under that policy heading I conclude that it should be deleted. The related recommendation is also included under Proposal H11 below.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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3.2 PARAGRAPHS 2.1 - 2.33A - HOUSING

Objections

3	3		Mr	K Scattergood	
3	3604	CW	Mr	K Scattergood	
29	3805	CW		S Stowell	Sport England – East Midlands Region
73	153	W			Locko Estate
281	750	W	Mr	Gorman	Government Office for the East Midlands
281	751		Mr	Gorman	Government Office for the East Midlands
281	752	W	Mr	Gorman	Government Office for the East Midlands
281	753	W	Mr	Gorman	Government Office for the East Midlands
281	3921		Mr	Packman	Government Office for the East Midlands
281	3922		Mr	Packman	Government Office for the East Midlands
282	3751				Corus UK Limited
282	3754				Corus UK Limited
282	3755				Corus UK Limited
313	3906		Mr	Hepwood	Miller Homes (East Midlands)
313	3907		Mr	Hepwood	Miller Homes (East Midlands)
313	3908		Mr	Hepwood	Miller Homes (East Midlands)
313	3909		Mr	Hepwood	Miller Homes (East Midlands)
313	3911		Mr	Hepwood	Miller Homes (East Midlands)
349	1987	W			Hallam Land Management Limited
350	916				Northern Sport in Receivership
350	902				Northern Sport in Receivership
350	912				Northern Sport in Receivership
350	919				Northern Sport in Receivership
390	1015				The House Builders Federation
390	1018				The House Builders Federation
390	1019				The House Builders Federation
390	4051				The House Builders Federation
390	4052				The House Builders Federation
390	4053				The House Builders Federation
390	4054				The House Builders Federation
390	4055				The House Builders Federation
390	4056				The House Builders Federation
450	1215	W	Mr	D Corns	Ilkeston Civic Society
450	1216	W	Mr	D Corns	Ilkeston Civic Society
491	3839		Mr	Barker	
735	3685		Mr	D Mudd	
735	3686		Mr	D Mudd	
736	3683			P Mudd	
762	1855			G H Sharlot	
1160	3611		Mr	Gibson	
1160	3612		Mr	Gibson	
1305	3439	CW	Mrs	P M Peebles	
1305	3951		Mrs	P M Peebles	
1326	3997				Breaston Village Preservation Group
1326	3998				Breaston Village Preservation Group
1326	3999				Breaston Village Preservation Group
1326	4000				Breaston Village Preservation Group
1326	4001				Breaston Village Preservation Group
1326	4002				Breaston Village Preservation Group
1334	3411		Mr	D Oldershaw	
1406	3730	CW		Sue Bolter	

1407 3746 Mr J Simpkin

Objections to Proposed Changes

312	4083			Second Site Property Holdings
312	4084			Second Site Property Holdings
312	4091			Second Site Property Holdings
312	4092			Second Site Property Holdings
390	4094			The House Builders Federation
390	4095			The House Builders Federation
390	4096			The House Builders Federation
390	4097			The House Builders Federation
390	4098			The House Builders Federation
390	4099			The House Builders Federation
390	4100			The House Builders Federation
1407	4079	Mr	J Simpkin	
1407	4080	Mr	J Simpkin	
1407	4081	Mr	J Simpkin	
1474	4086			W Westerman Ltd
1474	4087			W Westerman Ltd

Issues

The housing requirement

1. With reference to paragraph 2.2a, the population estimates are now out of date.
2. Paragraph 2.5 should make it clear that the Structure Plan requirement of 3200 dwellings for Ilkeston includes an allowance of 650 dwellings for Long Eaton.
3. In view of the reduced provision for housing in policy 20 of RPG8 it appears that the plan allocates more sites for housing than would be required to meet the area's strategic requirement, contrary to Government guidance in PPG3(30).
4. The Council's use of the residual method of calculating the housing requirement is contrary to the advice in PPG3 which now advocates the 'plan, monitor and manage approach.
5. The plan fails to take account of Government guidance that there should be provision for a 10-year supply of housing land from the date of plan adoption.
6. The housing land requirement is treated in the plan as non-negotiable and yet Government guidance has removed the emphasis on maintaining a 5-year supply.

Housing land supply: planning permissions and urban capacity

7. The current housing land supply position is not set out clearly: there is a need to quantify the various sources of supply, to list the allocations in each sub-area, and identify and explain the contribution to be made by the reduction in vacancy rate referred to in paragraph 2.12.
8. A discount needs to be applied to outstanding planning permissions and other sources of supply, as not all will result in completions.

9. Table B does not include a figure for small sites (under 10 dwellings), and this could have a critical bearing on the question of whether any additional land needs to be allocated.
10. There appears to be some double counting, as the Oakwell Brickworks site appears to be both an existing and a new allocation.
11. There is an inadequate assessment of brownfield sites, no explanation of 'windfall rates' and no movement towards urban renewal so as to avoid the development of land in the Green Belt.
12. The plan should indicate the extent to which identified urban capacity could accommodate future housing need through both potential 'windfalls' and major previously developed sites.
13. There should be an indication of the steps the Council is taking to facilitate the residential re-use or redevelopment of previously developed land.
14. With reference to paragraph 2.25, there should be more consistency in the plan about the extent to which housing land requirements are met through windfall sites.
15. The plan should contain more information about the Urban Capacity Study: for example, it is not clear how the discount rate is derived, what contribution vacant land not previously developed will make, or whether all 'windfall sites' are taken into account.
16. Not all the Urban Capacity Study sites identified are 'brownfield' in nature.
17. The Urban Capacity Study has overestimated housing development that will be brought forward from this source, and so further allocations will be needed to meet the shortfall.
18. Paragraph 2.25a unjustifiably assumes that the majority of Long Eaton sites identified in the Urban Capacity Study will come forward for development in the plan period.
19. Full details of the housing land supply being brought forward through the Urban Capacity Study should be provided in Table A.
20. The new paragraphs 2.6a and 2.6b incorrectly relate urban capacity sites to Table A rather than Table B.
21. For clarity it should be stated that in Long Eaton around 16 ha of land is expected to come forward as 'windfall' sites.
22. With regard to **Proposed Changes** PIM5-8, PIM10-11 and PIM13 the accuracy of the housing provision figures relating to paragraphs 2.8, 2.9, Table B, 2.9a, 2.18, 2.25 and 2.29 is questioned.
23. With regard to **Proposed Changes** PIM5 and PIM7 the revised Urban Capacity Study contributions continue to over-estimate housing development that will be brought forward from this source: in particular, insufficient account has been taken of the declining trend in new dwellings arising from property sub-division, and the discount rates applied to certain categories of supply sources do not fully reflect constraints such as ownership, access and land contamination.

Land allocations and site selection method

24. Paragraph 2.19 is an oversimplification of how the housing market works: there can be problems with brownfield sites and a realistic approach needs to be taken in providing for housing land requirements.
25. The negative and prohibitive phrasing of paragraph 2.20 needs to be revised to more adequately reflect the objectives of PPG3.
26. Land allocated for housing in Ilkeston is excessive and out of balance with other allocations, especially in view of the potential in Long Eaton.
27. The allocation of allotments in Ilkeston is not justifiable in the absence of a 'robust assessment' of open space in accordance with PPG17.
28. If brownfield sites are to be allocated they should be subject to comparative analysis to ensure the most sustainable pattern of development.
29. There is an inadequate explanation of the sequential approach to site selection.
30. The description of the sequential approach in paragraph 2.20 needs to be more in keeping with Government guidance in PPG3(30).
31. In paragraph 2.20 the reference to brownfield sites in the search sequence should be qualified to relate to urban areas.
32. With regard to Proposed Change PIM11 it is important to provide sufficient housing land to meet the Ilkeston sub-area requirement as stated in the Structure Plan: there is no justification for re-distribution in the Local Plan.
33. In relation to paragraphs 2.25 and 2.28, and paragraph 2.9a introduced by Proposed Change PIM8, there is no justification for a greater allocation of housing for the Long Eaton sub-area than stated in the Structure Plan.
34. The Council's Proposed Change PIM11 to paragraph 2.25 does not justify the decision not to allocate further housing sites in the Long Eaton area, because the sustainability merits of the Nottingham Road site have not been compared with sites examined in the Urban Capacity Study.

Household composition

35. Paragraph 2.15 is based on the misconception that there is a perfect match between new household formation and new housebuilding, and it should therefore be re-written.
36. In the same paragraph the presumption towards 1 and 2 bedroom properties is questioned: each site should be considered on its own merits and take account of the specific needs of the local area.
37. Paragraph 2.15 fails to take into account the existing housing stock and the nature or size of accommodation that households actually wish to attain; and this may lead to inadequate provision to meet demand.
38. With regard to Proposed Change PIM10, the basis for the assertion about the demand attributable to single person and lone parent households is not clear, and nor are its consequences in terms of the required housing supply.

Housing density

39. It is not clear whether the density figure in paragraph 2.18 is applicable to allocated housing sites as an average or throughout the area as a whole.

40. There is no justification for the housing density figure and no guidance for circumstances where a higher figure would be more appropriate: a more sophisticated approach is required.

Other issues

41. Table D is unclear in respect of both its date and the number of houses in each category to be accommodated on brownfield or greenfield sites.
42. With reference to paragraphs 2.20-21, retail sites should be located alongside housing re-developments not roads such as the relief road, which are not so accessible by modes other than the car.

Site specific issues

43. Residential development of the **Oakwell Brickworks** site is both viable and deliverable within the period of the plan; and its allocation should be re-instated to avoid the unnecessary use of greenfield sites, to address the contamination problem, and to raise the brownfield contribution in the Ilkeston sub-area, which, as the plan indicates, is only 38%.
44. In paragraph 2.26 it should be made clear that open space and community facilities at the **Western Mere School** site will only be sought where needs cannot be met by existing provision; and the words 'entered into' should be replaced by 'negotiated'.
45. It is inappropriate to allocate part of **Pewit** golf course for housing development as it is a greenfield site and such a proposal has recently been rejected by the Secretary of State.
46. The Pewit site should be kept for leisure purposes and the free enjoyment of the community.
47. Residential development at Pewit Golf Course appears to be favoured by the Council despite the land not having been allocated for this use in the plan.
48. Any redevelopment of the 9-hole Pewit Golf Course should not take place until the new 18-hole course is available for use.
49. In paragraph 2.32a the reference to doubt concerning the access at the **Drummond Road** site should be removed because an acceptable access has now been agreed with the county highway authority.
50. In Proposed Change PIM16 the reference to allotment sites at **Kensington Gardens** and **Devon Street** being largely unused should also recognise guidance in PPG17(18) that under-use should not be taken as necessarily indicating an absence of need in the area.
51. The Council's Proposed Changes (PIM11, PIM12, PIM17) relating to its deletion of the housing allocation at **Nottingham Road**, Long Eaton are contrary to the Government's sustainability objectives and approach to identifying housing land as set out in PPG3, and it would undermine efforts to regenerate a vacant and unsightly site close to Long Eaton town centre.
52. To meet future housing requirements and to achieve a natural boundary for the Green Belt, land should be allocated for residential development at **Hill Farm and Clark's Field** on the western edge of the Borough.

Inspector's Reasoning and Conclusions

The housing requirement

3.2.1 On the first issue I concur with the Council's Proposed Change PIM62, which replaces paragraphs 2.2a and 2.3a with text that contains more up to date information from the 2001 Census.

3.2.2 With regard to the second issue the references in paragraphs 2.6 and 2.25 are adequate in pointing out the provision in the Structure Plan for some of the demand in the Long Eaton sub-area to be met in the Ilkeston sub-area.

3.2.3 On issue 3 the housing requirement for Erewash is taken from the Structure Plan, in accordance with guidance in PPG12(28). In terms of the annual rate of provision the new strategic guidance in RPG8 and draft revised RPG8 is substantially lower. I accept that this needs to be taken into account, bearing in mind the guidance in RPG8(4.45). However, RPG8 provides no breakdown of the provision figures below county level and so it is not clear that the rate of provision in Erewash is to be lowered on a pro rata basis. Even if it were to be considered on a proportionately lowered annual rate basis, the figure for Erewash would not, as it happens, be significantly different from that required to fulfil the Structure Plan requirement. This was accepted by both sides in hearing the *Ackroyd and Abbott Homes* objections at the inquiry. In this respect, therefore, I do not conclude that the provision for housing made by the Plan is excessive.

3.2.4 I find no basis for the claim that the Council's use of the residual method in calculating the housing requirement is contrary to the advice in PPG3. It need not be incompatible with the 'plan, monitor and manage' approach, and I note that the Council intends to employ that approach in attempting to ensure that the requirement is met.

3.2.5 Clearly, the Plan does not make provision for a 10 year supply of housing land from the expected time of plan adoption. I regard this as an important deficiency, especially in view of the Ministerial Statement of 17 July 2003, which drew attention to existing guidance in PPG3(28) and PPG12(6.8), and which highlighted the need for development plans to make provision for at least 10 years potential supply of housing from the forecast adoption date. While it is true that PPG12(6.8) also advises that a local plan should be prepared to the same period covered by the relevant structure plan, that advice is qualified by the words 'where possible' and is set in a context that appears to me to give priority to meeting the 10 year requirement. That the last few years of the 10 year period would in this case be beyond the period of the Structure Plan, and could not therefore be assessed as being in conformity, would not itself present any great problem in my view. The development plan system is due to change over this period and the plan, monitor and manage approach would allow flexibility to make adjustments in future years in response to evolving strategic guidance. The implication of my conclusion on this matter is that more housing land may need to be allocated in the Plan, in order to meet the requirement for the Borough. I consider this aspect further in dealing with the land allocation issues below.

3.2.6 I note that the objection giving rise to issue 6 has been withdrawn following the production of the Urban Capacity Study and the related amendments made to the Plan. I do not consider that it calls for any further amendments.

Housing land supply: planning permissions and urban capacity

3.2.7 Table B of the Second Deposit largely meets the need to set out the housing land figures more clearly. However, it is desirable to show the complete picture by including in the table a section for the specific site allocation figures, as

in the updated table at the end of the Population and Housing Topic Paper. For similar reasons the small and medium size sites with planning permissions should also be included, as in the Topic Paper.

3.2.8 The Topic Paper brings the figures up to date and such an amendment should be made to Table B. It would also help to clarify the Table if the title were amended to 'housing requirements and provision' and if the double asterisk were inserted in the table in order to correspond with the footnote (as now proposed in PIM63). Because other parts of the reasoned justification feed into Table B it would also be necessary to update Table A and paragraphs 2.6b, 2.8 and 2.9.

3.2.9 The deletion of paragraph 2.12 by the Second Deposit removes any need to specifically account in the table for any related action to reduce vacancy rates. I note that the latter are dealt with in the Urban Capacity Study.

3.2.10 As noted in PPG12(6.24), it is important that the provisions in the Plan are realistic and likely to be implemented during the Plan period. Accordingly I accept the need to make an allowance for non-implementation, both in respect of planning permissions and site allocations. The Urban Capacity Study has already involved a discounting process and so there is no need to apply a further discount factor to that source of supply. While a 10% discount rate is commonly used, it is appropriate for the Council to apply a rate that is in line with its own experience of development in the Borough, taking into account the views of its relevant consultees. It is widely accepted that not all permissions and allocations will be completed during the plan period, and I have seen no evidence to demonstrate that Erewash is any different in this respect. Indeed the Second Deposit itself recognises the uncertainties that affect the allotments sites and there are some notable examples of allocations in the adopted Local Plan that have still not come to fruition. I conclude that allowance for non-implementation should be made and that this should be reflected in Table B.

3.2.11 The Oakwell Brickworks is no longer allocated and so I see no double counting of this site in the Second Deposit.

3.2.12 The First Deposit was plainly deficient in its treatment of urban capacity, but this has largely been overcome in the Second Deposit by reference to the Urban Capacity Study. Moreover, the Proposed Changes take account of the revised Urban Capacity Study with its more up to date April 2003 figures. The Council points out that the Study has followed Government good practice guidance¹. In view of this I now find little substance in the view that there is inadequate assessment of brownfield sites and no movement towards urban renewal. The Plan, in Table B, does now indicate the extent to which 'urban capacity' could accommodate future housing need through potential 'windfalls', and the sites investigated are stated in the Study to have no upper or lower size limit.

3.2.13 PPG12(3.14) advises that excessive detail should be avoided in local plans and, with this in mind, I do not consider that the plan needs to contain much more information about the Urban Capacity Study. That said, the present references in the Plan are extremely brief and I doubt that its significance would be readily understood by some readers. The Proposed Changes do not really address this shortcoming. In my view there should at least be a brief description of the purpose of the study: perhaps only one or two sentences along the lines of paragraph 1.5 of the Study itself (April 2003 version). It is not necessary to explain how the discount rates have been derived, but it would be worth at least

¹ 'Tapping the Potential' December 2000

mentioning that a discounting process has been employed in order to determine how much land could realistically be brought forward for housing during the Plan period. Given that the Study itself is available, I do not consider it is necessary for the Plan to include the other additional information referred to by objectors.

3.2.14 It would be appropriate to insert the additional text into paragraph 2.6a of the Plan. That paragraph could also include the first sentence of paragraph 2.6b, which presently causes some confusion by introducing a paragraph that is concerned with a different source of supply: that is, recently granted planning permissions. On a related point, there also needs to be a reference to the urban capacity contribution in, or just after, paragraph 2.7. At present it is a missing element in the sources of supply, which then lead to the resulting shortfalls and surpluses described in paragraph 2.8. I appreciate that there is a reference to it in paragraph 2.9, but this appears to be disjointed and out of position: it should logically come before paragraph 2.8.

3.2.15 The Urban Capacity Study contribution to housing land supply is shown in Table B. I do not believe it is essential to add full details of this contribution to Table A, as one objector suggests. However, it is necessary to correct the Table reference in paragraph 2.6a, and this point is dealt with by Proposed Change PIM2.

3.2.16 The stated objective of the Urban Capacity Study is to identify brownfield sites, and it is not evident to me that the identified contribution from this source fails to meet this objective. Some objectors appear to be concerned about the sufficiency of information in the Urban Capacity Study itself, but any shortcoming in that respect is not such as to leave me with significant doubts about the figures used in the Plan.

3.2.17 There is no explanation for the view that the Plan should, in the interest of clarity, state that around 16 ha of land is expected to come forward as 'windfall' sites in Long Eaton. It would seem to serve little purpose and I do not recommend it.

3.2.18 Some objectors claim that the Urban Capacity Study has in various respects over-estimated the amount of housing development that will be forthcoming from this source, yet there is little detailed evidence to challenge the methods adopted and assumptions made. In looking at the objections to Proposed Changes PIM5 and PIM7 I find no fault with the figures on subdivisions and am not convinced that discount rates fail to take adequate account of constraints. The authors of the Study have clearly taken some account of past trends and I have no reason to doubt the value of local experience, which has also had a bearing. I do not conclude that the contribution from this source needs to be reconsidered.

3.2.19 I find that the Plan's proposals do help to '*facilitate the residential re-use or redevelopment of previously developed land*'. In the absence of any more specific suggestions from the objector I conclude that it is unnecessary for the Plan to give any further explanation of the steps the Council is taking in this respect.

3.2.20 Paragraph 2.25 is changed substantially in the Second Deposit, and alternative wording is again presented in Proposed Change PIM11. As a result, I find no inconsistency about the extent to which housing land requirements are met through windfall sites. I support the Change.

3.2.21 In my view the Urban Capacity Study provides adequate justification for the contribution from this source, referred to in paragraph 2.25a. In any event I concur with the Council's Proposed Change PIM12 to delete that paragraph. In

view of other Changes, including PIM11, it no longer serves a useful purpose. PIM11 is itself required to update paragraph 2.25 in the light of the revised Urban Capacity Study. On a related contextual point, and to enable the paragraphs to flow logically, paragraph 2.24 should be moved to come after paragraph 2.25 as it fits more readily into this section, which opens with a description of allocations to be made in the 3 sub-areas.

3.2.22 With regard to the Proposed Changes PIM5-8, PIM10-11 and PIM13 there is a lack of specific detail in the objections to demonstrate any inaccuracy in the figures presented. However, useful though they are in presenting a more up to date picture, I see that some of the Proposed Changes do require attention in this respect. In particular, in PIM7 there appears to be a minor inaccuracy in the figure for over-provision in the Derby sub-area, which also affects the corresponding EBC totals. This is corrected by PIM63.

3.2.23 In PIM8, it is not at all obvious at paragraph 2.9a where the figure of 21 dwellings comes from because at this stage there has been no reference to the provision through site allocations. A bit more explanation is required on this point and, again, the inclusion of the site allocations in Table B would make the text more meaningful. In PIM13 the figure of 301 dwellings may need to be checked in view of my comment on the Derby sub-area figures; but apart from this, the last sentence should make it clear why the provision needs to be on '*new medium/large scale sites*'. For simplicity my recommendations allow for the correct and up to date figures and dates to be used in the tables and supporting text. The minor clarification in PIM10 is unnecessary in my view.

Household composition

3.2.24 The Council has attempted to address some of the issues on household composition in paragraphs 2.13-15 of the Second Deposit. It seems that those paragraphs are included to support the conclusion about future housing demand in paragraph 2.18. However, the text does not make it clear what bearing that conclusion or its supporting paragraphs has on the subsequent Proposals in this chapter. I can see no significant linkage. My main conclusion, therefore, is that paragraphs 2.13-15 should be deleted. This would make it unnecessary to address the detailed issues arising on that text.

3.2.25 If it is necessary to retain the conclusion in paragraph 2.18, I consider that Table C would on its own constitute sufficient support and could be cross-referenced in 2.18. However, the Council should satisfy itself that the Table and the conclusion in paragraph 2.18 do lend support to its proposals and are worth retaining. Otherwise they too should be deleted, in the interests of making the Plan concise and easy to follow.

Housing density

3.2.26 The Second Deposit paragraph 2.16 brings the applicable density figure into line with Government guidance in PPG3(58) and is well justified in terms of the aim of that guidance to make more efficient use of land. It is consistent with that guidance that the applicable density should be a minimum of 30 dwellings per ha. I find no basis for the view that the standard should be an average of 30 dwellings per ha: that would suggest that densities of less than 30 are normally acceptable as long as an average of 30 is maintained. I therefore endorse the last sentence of paragraph 2.16. However, it is not consistent with the last clause of paragraph 2.18, which is expressed in terms of an average. That clause should be amended to read: '*the density of housing development in Erewash should be at least 30 dwellings per ha*'. It would be clear from this that the density figure

should apply to the Borough as a whole. That is not to say that there may not be exceptional cases where densities of less than 30 are justified by special circumstances.

3.2.27 Higher density figures will often be appropriate in individual schemes. This will depend on the detailed circumstances of the site and its surroundings and I conclude that it is not necessary for the Plan to give more detailed prescriptive guidance on the matter.

3.2.28 In passing I note that it is not easy to tell where the section on housing density finishes. To make the Plan easier to follow the Council should consider inserting another sub-heading to indicate where the subsequent section begins and the nature of its contents.

Land allocations and site selection method

3.2.29 Paragraph 2.19 may be an oversimplification of how the housing market works but it adequately serves the purpose of helping to explain the approach to the housing proposals. Some amendments in the Second Deposit appear to have responded to this issue and I see no need to change the paragraph further for the purpose of providing a better explanation of the housing market.

3.2.30 I do not consider paragraph 2.20 to be unduly negative and prohibitive. While it to some extent follows the sequential approach set out in PPG3(30), some amendment is required to more closely reflect that guidance, which is of great importance in site selection. Indeed, I would go further and suggest wording that also takes account of RPG8 policy 1, which refines the sequence for the purposes of the East Midlands. For example the last sentence of paragraph 2.20 could be modified to read: *'In order of preference the site search sequence is: brownfield land in urban areas, other suitable locations in urban areas, urban extensions, and finally other suitable sites that are well served by public transport'*.

3.2.31 I accept the point that some reference should also be made to the need to ensure that selected sites are suitable and available for development. This would of course reflect the stated aim in PPG3(3), and it could appropriately be inserted in paragraphs 2.20 or 2.21. It would be particularly pertinent in Erewash bearing in mind the greenfield sites that are allocated in Proposal H1; and the more so if the Council's Proposed Changes to H1 are adopted.

3.2.32 I cannot agree that land allocated for housing in Ilkeston is excessive and out of balance. The question of balance between the sub-areas has been addressed in the Structure Plan, and I see no justification for re-opening it now. Table B and Proposal H1 show that the Council's allocations in the Ilkeston sub-area are not sufficient to raise housing provision to the level required to meet the Structure Plan requirement. This remains the case even with the Council's Proposed Changes.

3.2.33 Proposal H1 allocates 4 allotments sites for housing development, while Proposal R6 affords allotments protection, as does Government guidance in PPG17. There is not necessarily a policy conflict here, in that some allowance is made for development where there is no longer a continuing need for the facilities. PPG17(10) indicates that open space such as this should not be built on unless an assessment has been undertaken and clearly shows it to be surplus to requirements. At the inquiry the Council was not able to confirm that a robust assessment had been carried out. I am aware that planning permission has been granted for the development of two of the sites. I am also aware that the sites are

wholly or partly unused, although this should not be taken as necessarily indicating an absence of need in the area. I conclude that the allotments sites should not be allocated in Proposal H1 until the Council has satisfied itself that the sites are surplus to requirements, in accordance with the guidance in PPG17(10). If the sites are allocated, justification for this should refer to the results of the assessment and not simply rely on the comment² that they are 'largely unused'.

3.2.34 The housing requirement for Erewash is stated in Housing Policy 14 of the Structure Plan. The policy makes quantitative provision for the Borough as a whole. It also divides the total figure between the three sub-areas. Proposal H1 and Table B indicate that the Plan provides for sufficient housing to meet the overall requirement for the Plan period, but that there is a shortfall in the Ilkeston sub-area and a surplus in the Long Eaton and Derby sub-areas. The Proposed Changes and the Housing Topic Paper show a similar position although the figures are not the same.

3.2.35 I accept that the Plan should aim to meet the sub-area requirements as stated in the Structure Plan. However, I also accept that there are several arguments in favour of accepting the shortfall for the Ilkeston sub-area in this case. First, the latest figures in the Housing Topic Paper show that the shortfall is not great: at 158 dwellings it is a little less than 1 year's supply. Secondly, to put this in context, the Structure Plan figures are rounded to hundreds and the policy states that they should be '**located generally**' in the sub-areas concerned. This suggests to me that minor deviations from the figures would not be regarded as serious. Thirdly, it is notable that the County Council has not objected to the Plan on these grounds: indeed, it evidently regards the housing chapter to be in conformity with the Structure Plan.

3.2.36 Fourthly, it is reasonable to suppose that the harm that results from the Ilkeston shortfall can to some extent be mitigated by the projected over-provision in adjoining sub-areas, especially Long Eaton. The latest figures indicate that the overprovision there is well in excess of the Ilkeston shortfall. That is not to say that it is generally acceptable to plan for sub-area shortfalls as long as overall balance is achieved. In this case I am conscious that the Structure Plan provision for the Ilkeston sub-area explicitly includes an element (650 dwellings) to accommodate overspill from Long Eaton in order to protect the general extent of the Green Belt here. The recent figures indicate that the over-provision at Long Eaton is not dependent on site allocations but results from higher than expected urban capacity. In my view these circumstances considerably moderate the degree of seriousness of the Ilkeston shortfall.

3.2.37 By the same token they reduce my concern about the over-provision in the Long Eaton sub-area. Because the over-provision arises even without making site allocations, there is some justification for the Council's Proposed Changes that would delete the two allocations in Proposal H1 of the Second Deposit. It would accord with the last sentence of PPG3(30), which indicates that the search for potential housing sites should not be extended further than required to provide sufficient capacity to meet the housing requirement.

3.2.38 I agree that the brownfield land allocations should be subject to comparative analysis to ensure the most sustainable pattern of development. Indeed, this should apply to **all** allocated sites. From paragraphs 2.20-21 of the reasoned justification it appears that such an exercise has been done, although there is little information as to **how** it has been done and the extent to which it has

² as in Proposed Change PIM16

followed guidance in PPG3(30-31) and policies 1 and 2 of RPG8. The Proposed Changes would of course remove some of the allocations. But some would remain and I conclude that a little more explanation of the application of the site selection process is required in order to justify them.

3.2.39 In a similar vein I have already accepted the need to improve the explanation of the sequential approach to site selection in paragraph 2.20. There is understandable concern that although the Second Deposit text has been improved, it nevertheless still fails to distinguish between brownfield sites within and outside the urban areas. This could have important implications for sites such as Western Mere School, which was allocated in the Second Deposit. The Council accepts that 'the policy' does not wholly reflect PPG3. I have suggested how paragraph 2.20 could be changed to achieve greater consistency with Government guidance. I deal with the policy in the next section, which addresses Proposal H1.

3.2.40 Paragraph 2.21 of the Second Deposit is slightly expanded to better accord with PPG3(2). However, I think there is also a need to refer to other 'sustainability criteria' in PPG3(31): notably, the ability to build communities and take account of the capacity of existing and potential infrastructure. Otherwise there may be doubt that the approach to Proposal H1 has taken full account of all the recognised criteria associated with producing the most sustainable pattern of development.

3.2.41 Whether or not the Council's Proposed Change PIM11 to paragraph 2.25 is sufficient justification for not allocating the Nottingham Road site for housing development is a question that is generally covered by my site specific conclusions in section 3.5 below. In more general terms I accept that it does provide some justification for not allocating sites in the Long Eaton sub-area, bearing in mind Government guidance in PPG3(30) and the Council's conclusion that there is already over-provision in the sub-area.

Other issues

3.2.42 The lack of clarity in Table D is resolved by part of Proposed Change PIM9, which would delete paragraph 2.17a and the Table and insert new text as paragraph 2.17b. The deletions would leave the last sentence of paragraph 2.17 stranded. Having stated that an aim of the Plan is to meet the brownfield target, there should be some indication of the extent to which the Plan proposals would measure up to the target, as part of their justification. While concurring with the deletions I conclude that an additional sentence or two should be added to provide this indication. The addition of paragraph 2.17b would seem appropriate, but would depend on the outcome of my recommendations affecting the allocated sites concerned.

3.2.43 It is not appropriate to deal with the issue of locating retail sites in this part of the Plan, which deals with housing. Paragraph 2.21 already states the need for new housing sites to be well related to shops.

Main conclusions

3.2.44 The main conclusions I draw from my consideration of the housing provision issues arising from objections to the introductory paragraphs of this chapter are as follows.

- (a) Provision needs to be made for non-implementation, in respect of both outstanding planning permissions and land allocations. An appropriate rate could be based on past performance; but to give some indication of numbers a commonly used discount of 10% would

result in the need to allocate an additional 150 dwellings, based on figures in the Housing Topic Paper.

- (b) To accord with Government guidance an additional 3 or 4 years of housing provision are required, in order to provide for 10 years of supply from the date of Plan adoption. Based on annual figures produced at the inquiry, I estimate that this could involve the allocation of an additional 700 to 950 dwellings in total.
- (c) There should be a reconsideration of the allocation of allotments sites in order to comply with guidance in PPG17(10). Should such allocation be found to be unwarranted, the replacement of the two allotments sites without planning permission would involve new allocations totalling some 186 dwellings, after adding the non-implementation allowance referred to in (a) above.

3.2.45 I carry my conclusions forward to the following sections of my report, which deal with Proposal H1 itself, and related site specific issues. However, this needs to be qualified in respect of conclusion (b). That conclusion suggests that the Plan should be allocating a much greater amount of housing land and for a longer period. With the information to hand I am not in a position to make sound recommendations on all the specific areas to be allocated. This would require more information on potentially available sites and how they compare and perform in terms of sustainability criteria and the sequential approach described in strategic guidance. It might also mean making important decisions on the Green Belt that could pre-empt the forthcoming coordinated review of the Green Belt referred to in current and emerging Regional Planning Guidance.

3.2.46 Were I to recommend that the Council undertake the necessary information gathering and analysis work for the purpose of modifying the Plan to provide for conclusion (b), it is likely that the adoption of the Plan would be very considerably delayed. This would be contrary to all the Government's objectives for the transition to the new development planning system, as set out in draft PPS12(5.1.1). I believe it would greatly slow the Council's progress to the new Local Development Framework. Secondly, it would also harm the aim of maintaining continuity in the development plans system as a framework for development control. The relevant provisions in the current adopted Local Plan extend only to 2001 and so there is a presently a development plan hiatus, which it is desirable to minimise. Thirdly, it would fail to minimise transitional costs. That is because the scale of modifications to the Plan would be considerable, and would be followed soon afterwards by the process of establishing the new Local Development Framework.

3.2.47 I therefore conclude that it would be better for the Council to move quickly to the adoption of the Plan, making adequate provision for the period of the Structure Plan, but then being able to make an early start on the Local Development Framework. This would allow a more efficient transition and one that should allow housing provision for the years up to and beyond 2011 to be addressed without undue delay.

3.2.48 At this stage, and for the purpose of this section, my other conclusions affect the supporting text and lead to the following recommendations.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Changes PIM2, PIM11, PIM12 and PIM62

I also recommend that the Local Plan be modified by:

- (a) revising Table B to include updated and corrected figures, and also to include figures for the specific site allocations and for small and medium size sites with planning permissions (as in the table at the end of the Population and Housing Topic Paper), taking into account my other recommendations;**
- (b) changing the title of Table B to 'housing requirements and provision' and inserting the double asterisk to correspond with the footnote;**
- (c) including an appropriate allowance for non-implementation of outstanding planning permissions and site allocations in Table B;**
- (d) adding to paragraph 2.6a a brief description of the purpose of the Urban Capacity Study and reference to the discounting process that has been employed in order to determine how much land could realistically be brought forward for housing during the Plan period;**
- (e) updating the figures and dates in paragraphs 2.6b, 2.8, 2.9 and Table A;**
- (f) moving the first sentence of paragraph 2.6b (updated) to paragraph 2.6a;**
- (g) adding reference to the Urban Capacity Study in, or just after, paragraph 2.7, perhaps by moving paragraph 2.9 to that position;**
- (h) inserting a paragraph 2.9a along the lines of Proposed Change PIM8 but updated as necessary, and ensuring that reference to the over-provision figure is adequately explained;**
- (i) amending paragraph 2.29 along the lines of Proposed Change PIM13 but subject to any necessary correction of the figures and adding an explanation of why provision needs to be on 'new medium/large scale sites';**
- (j) deleting paragraphs 2.13-15;**
- (k) making the deletions envisaged in Proposed Change PIM9 and adding paragraph 2.17b of PIM9 subject to amendments to indicate the extent to which the Plan measures up to the brownfield target and to reflect any changes arising from my recommendations on the greenfield allocations in Ilkeston;**
- (l) reconsidering the need to retain the third bullet point of paragraph 2.18 and Table C; and, if they are to be retained, adding an explanation of how they support the Proposals that follow;**
- (m) amending the last bullet point of paragraph 2.18 to read: '*the density of housing development in Erewash should be at least 30 dwellings per ha*';**
- (n) inserting another sub-heading to indicate (1) the end of the 'housing density' section, (2) where the subsequent section**

begins, and (3) the nature of that subsequent section's contents;

- (o) amending the last sentence of paragraph 2.20 to better reflect guidance in PPG3(30) and RPG8 policy 1, perhaps along the following lines: *'In order of preference the site search sequence is: brownfield land in urban areas, other suitable locations in urban areas, urban extensions, and finally other suitable sites that are well served by public transport'*.
- (p) inserting in paragraphs 2.20 or 2.21 some reference to the need to ensure that selected sites are suitable and available for development;
- (q) adding to paragraphs 2.20 or 2.21 a little more explanation of the site selection process in order to justify the site allocations and make it clear that the sustainability criteria in PPG3(31) have been taken into account;
- (r) moving paragraph 2.24 to a position just after paragraph 2.25.

.....

3.3 PROPOSAL H1 - HOUSING

Objections

76	168	W		Derbyshire County Council
211	476	W		Nottinghamshire County Council
281	754	W		Government Office for the East Midlands
281	3923			Government Office for the East Midlands
281	3941			Government Office for the East Midlands
326	830			Cairnpalm Ltd
326	3658			Cairnpalm Ltd
328	896	W		Tarmac Central Ltd
330	844			Dalmally Ltd
330	847			Dalmally Ltd
330	849	CW		Dalmally Ltd.
349	901			Hallam Land Management Limited
349	1988	W		Hallam Land Management Limited
350	911			Northern Sport in Receivership
387	995		Mr R Rusling	Ackroyd & Abbott Homes Ltd
390	1004		Mr P Cronk	The House Builders Federation
390	4057			The House Builders Federation
491	1281	CW	Mr R Barker	
491	3840	CW	Mr R Barker	
492	2742	W		CPRE Derbyshire Branch
651	1649	W		Derbyshire Wildlife Trust
736	3681		P Mudd	
1325	3377		Mr R Barber	Westbury Homes (Holdings) Limited
1329	3391	CW		Del Rosa Developments Ltd
1371	3608			Tronos plc
1407	3747		Mr Simpkin	
1408	3748		Mr White	RMC Group Services

Objections to Proposed Changes

390	4103		The House Builders Federation
1407	4082	Mr J Simpkin	
1474	4088		W Westerman Ltd

Issues

General

1. The revised allocations in Proposed Change PIM17 leave a shortfall in the Ilkeston sub-area, which it is not appropriate to balance with an over-provision in another sub-area.
2. More housing land should be allocated in the Long Eaton sub-area to address the imbalance between supply and demand and to avoid the resulting adverse planning effects.
3. To ensure that the Structure Plan requirement is met it would be sensible and appropriate to include a flexibility allowance of about 20% and increase land allocations accordingly.
4. With regard to Council's Proposed Changes, the accuracy of the housing provision figures in Proposal H1 is questioned.
5. There is insufficient information as to whether or how the Structure Plan housing land requirement will be met.
6. With reference to PIM17, the proposed allocations result from an undue focus on meeting sub-area targets: a more flexible approach is required to avoid sequentially inferior and less sustainable sites being selected and harm to conditions in the housing market.
7. The reference in H1 to the need to be satisfied with the details of '*other matters as appropriate*' is open to very wide interpretation and is therefore of concern.
8. With reference to guidance in RPG8(4.61), it is not clear that the selection and release of allocated sites have taken account of the urban capacity of the nearby cities.
9. Major sites identified in the Urban Capacity Study should be allocated in Proposal H1 to accord with Government guidance in PPG3(28&45) and to reduce pressure to develop non-urban land.
10. There is a need to allocate more land for housing in the Ilkeston sub-area, as, apart from the shortfall here, it would be difficult to achieve the required density of about 40 dwellings per ha on the developable parts of the allocated sites; and no allowance has been made for the doubts about completing the development of some of the allocated and urban capacity sites within the plan period.
11. Land should be allocated for housing in the Derby sub-area in order to ensure that housing land is available in the event that adequate urban consolidation 'windfalls' fail to materialise.
12. Allotments sites should not be allocated for development but should be protected to meet the demand of future generations in accordance with the principles of sustainable development.

13. Greenfield sites should not be allocated for development: there should be a register of vacant commercial and industrial premises.

Site specific issues

14. The Pewit site, off **West End Drive**, should not be allocated for development as it is important for wildlife and should be kept for leisure purposes and the free enjoyment of the community.
15. There is no justification for allocating housing land at the former **Western Mere School** site when there is a requirement for a new school at Draycott.
16. In view of the doubts about completing the Oakwell Brickworks and Heanor Road sites within the Plan period, land at **Kensington Gardens** should be allocated to ensure that the requirement for Ilkeston is achieved.
17. For similar reasons the **Woodlands Farm** site should be allocated and not be left until the latter part of the Plan period as indicated in the last sentence of paragraph 2.33.
18. To meet the Structure Plan target for the Derby sub-area and account for any need not being met through urban consolidation here, land with a high sustainability rating should be allocated for housing to the rear of **Victoria Avenue, Borrowash**.
19. Allocated sites at West End Drive, Drummond Road, Heanor Road, Kensington Gardens and Devon Street are greenfield open spaces which have not been subject to 'robust assessments' in accordance with PPG17(1) and which have other problems that make them less suitable for allocation than a site to the north of **Stanley Lodge Farm, Stanley Common**.
20. The **Charnos site on Corporation Road, Ilkeston** is preferable to the allocated sites in terms of the sequential approach in PPG3, and its allocation would help to meet the Structure Plan requirement for housing land in the Ilkeston sub-area.
21. The allocation of the former **Long Eaton stadium** would help meet the requirement for Long Eaton in a 'sequentially preferable' way and also enable development of greenfield and open space sites to be avoided.
22. In view of doubts about the availability of sites in urban areas, land at **High Lane West, West Hallam** should be allocated as development here would not affect the coalescence or separate identities of settlements.
23. For similar reasons, and to take the pressure off the Ilkeston sub-area, land in a sustainable location between **Pasture Lane and Meadow Lane**, Long Eaton should be allocated for housing development.
24. Unused land at **Dallimore School, Kirk Hallam** should be allocated for housing development.

Inspector's Reasoning and Conclusions

3.3.1 The first 3 issues have all been dealt with in the last section (3.2) and there is no need to repeat my conclusions here. While accepting the need for a flexibility allowance, I find no convincing evidence to support the suggested 20% figure or to divert me from the conclusion that an appropriate figure should be derived from local experience and the analysis of the existing data on past implementation rates.

3.3.2 With regard to Council's Proposed Changes, the accuracy of the

housing provision figures in Proposal H1 is again questioned; but there is little detailed evidence to substantiate the case for amending them. With the Council's Proposed Changes and my recommendations arising from the issues in the previous section I would be satisfied with the sufficiency of information in the Plan. Table B would show how the Structure Plan housing requirement is to be met. Delivery timescales have not been attempted, but I do not regard their inclusion in Proposal H1 as essential. I will return to that matter in considering the site specific and phasing proposals.

3.3.3 I accept that the requirement for the Council to be satisfied with the details of '*other matters as appropriate*' is open to very wide interpretation. It does not achieve the clarity and precision required in development plan policies, and I therefore conclude that the following re-wording be considered: '*... subject to compliance with the other Proposals in the Plan and to the provision of satisfactory access, drainage, sewerage and landscaping details*'.

3.3.4 With regard to RPG8(4.61), the objection concerned is not specific and I find no particular reason in this case to make references in the Plan to the urban capacity of nearby cities and how this should affect the release of allocated sites. I am also conscious that the Council is now proposing only two allocations, which account for a very limited amount of housing in the context of the total provision for the Plan period. I conclude that there is no need to make changes in response to this issue.

3.3.5 As far as I can see there is no conflict with PPG3(28&45) as a result of not allocating the major sites identified in the Urban Capacity Study. I can see that there might well be planning advantages in allocating such sites, even in circumstances where the residual requirement is expected to be met from windfalls and outstanding planning permissions. Such advantages are recognised in PPG3(34), albeit largely implicitly, and I bear this in mind in my consideration of the site allocations below.

3.3.6 I consider the implications of the Ilkeston sub-area shortfall in the previous section. It does not seem to me that the dwelling numbers attributable to the allocated sites are unrealistic and in need of downward adjustment, although I accept that there is some uncertainty about timing and full completion during the Plan period. I have already concluded that to some extent this should be allowed for by applying a discount.

3.3.7 As for the Derby sub-area it is evident from the Housing Topic Paper that there is now over-provision here even allowing for a non-implementation allowance. Again, PPG3(30) advises not to extend the search for sites further than required to provide sufficient capacity to meet the housing requirement. That said, I recognise the merits of making some allocations to guard against over-reliance on windfalls. This enters into my consideration of land allocations following the site-specific sections below.

3.3.8 *W Westerman Limited* raises some reasonable points on the need for more flexibility in providing for sub-areas. I have already dealt with a similar issue in the previous section (3.2) and it would not be appropriate to go further by re-opening issues that have already been determined in the Structure Plan.

3.3.9 I have already concluded that further consideration is required in respect of the allocated allotments land, in accordance with Government guidance; but do not accept that there should no development there in principle. Whether or not greenfield sites should be allocated for development depends on the results of the systematic search for sites carried out in accordance with the sequential

approach referred to in the previous section.

3.3.10 Whether or not there is a register of vacant commercial and industrial premises is a matter for the Council and I do not consider that this point calls for any modification of the Plan.

3.3.11 The following recommendations result from my conclusions on the text of Proposal H1. I leave my recommendations on the allocated sites listed under the Proposal to the following site specific sections. In summary I there recommend the inclusion of the Oakwell Brickworks site and, subject to an important proviso, the retention of the Heanor Road and Devon Street sites. The other sites should be deleted, but part of the Woodlands Farm site should be reconsidered for inclusion if a demonstrable need remains. The site specific issues raised above are therefore carried forward, to be dealt with in the sections on the sites concerned.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing the text of Proposal H1 (preceding the list of sites) with the following:

Applications for housing development will be permitted on the sites identified below, subject to compliance with the other Proposals in the Plan and to the provision of satisfactory access, drainage, sewerage and landscaping details.

.....

3.4 PROPOSAL H1 – HEANOR ROAD, ILKESTON

Objections

328	899	W	Tarmac Central Ltd
330	843	CW	Dalmally Ltd
349	1990		Hallam Land Management Limited
350	915		Northern Sport in Receivership
492	1299		CPRE Derbyshire Branch
1369	3597		Derbyshire County Council

Issues

1. Allotments are widely valued and their use for housing would cause a loss of amenity.
2. Because the allotments are still partly in recreation use the allocation conflicts with Proposal R5 of the adopted Local Plan and with Proposal R6 of the First Deposit Local Plan (2001), which indicate that redevelopment is only acceptable where there is no longer a continuing need for the facilities on recreation or amenity grounds.
3. Allocation of this greenfield site is contrary to the sequential approach to identifying sites for housing.
4. There is no need for the Heanor Road allocation as the requirement, after taking account of urban consolidation, can be met at the Oakwell Brickworks site even after allowing for some unusable land.

5. PPG3(30) advises that there is no need to extend the search for sites any further than necessary to meet the agreed housing requirement.
6. The delivery of housing during the plan period would be uncertain owing to fragmented ownership and some owners causing difficulties and wishing to stay.
7. There are access problems for traffic getting on to Heanor Road.
8. The allocation here would impact heavily on local junior and infant schools.

Inspector's Reasoning and Conclusions

3.4.1 With reference to the first two issues I recall my conclusion from section 3.2 that allotments sites should not be allocated in Proposal H1 until the Council has satisfied itself that they are surplus to requirements. This follows from guidance in PPG17(10). If the required assessment demonstrates that there is no continuing need on recreation or amenity grounds the allocation of this site would also be compatible with Proposal R6. It is accepted that the site is not previously developed land, and although its allocation would not be 'contrary' to the sequential approach I would not rate it so highly, either in sustainability or other terms, as to override the above Government guidance.

3.4.2 Although the Housing Topic Paper shows the Heanor Road allocation as providing fewer dwellings (135) than the overall figure for over-provision (178), I doubt that this would be the case after making additional provision for non-implementation. In the light of my main conclusions in section 3.2, I cannot conclude that the Heanor Road site can be rejected on grounds of lack of need. My conclusion is not affected by the fate of the Oakwell Brickworks site because, as far as I can judge, the capacity of that site would not be sufficient to satisfy the overall need for a 10 year supply of housing land.

3.4.3 Paragraph 2.32 of the Plan acknowledges the likely delay with the bringing forward of this site, owing to the complexities of assembling the land from a large number of owners. However, it also sees a probability of the site becoming available for development in the latter part of the Plan period and there is no firm evidence that causes me to doubt that judgement. My recommendation on the non-implementation allowance would address the risk involved in relying on the site to be completed during the Plan period.

3.4.4 There is little evidence of access problems for traffic getting on to Heanor Road. Based on my own observations and the traffic report submitted by *Cairnpalm Limited* I conclude that this issue does not count against the proposed allocation.

3.4.5 Again, I have no firm evidence of insurmountable problems concerning the impact on local junior and infant schools. Proposal C3 would provide an adequate safeguard in my view.

3.4.6 My overall conclusion on this allocation is that it depends on the outcome of the recommended assessment of allotments sites.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Heanor Road from Proposal H1, unless the Council can first satisfy itself, by means of a robust assessment, that the allotments that would be displaced by the development are surplus to amenity and recreation requirements.

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3.5 PROPOSAL H1 – NOTTINGHAM ROAD, LONG EATON

Objections

349	1991			Hallam Land Management Limited
447	1191	CW		Transport 2000
762	1856		G H Sharlot	
1369	3594			Derbyshire County Council
1430	3956	CW	C G Corbett	(Councillor)
1430	3957	CW	C G Corbett	(Councillor)

Objections to Proposed Changes

312	4093			Second Site Property
312	4085			Second Site Property
390	4109			The House Builders Federation

Issues

1. This site is more suitable for a business park development than for housing as the land is likely to be contaminated, is sandwiched between two railway lines and a major road, and is preferable to the Longmoor Lane employment proposal in environmental terms; and the central location would allow sustainable travel and easy access to facilities for employees.
2. The allocation conflicts with Proposal H2 of the adopted Local Plan and with Proposal H2 of the First Deposit Local Plan (2001), and it should be deleted from Proposal H1.
3. Although the Nottingham Road site, a former gas depot, is more suited to employment uses, the former gas work training site on Waverley Street should be allocated for low cost housing.
4. The site has access problems, particularly for traffic getting on to Nottingham Road.
5. There is a fragmented land ownership, which makes the 'deliverability' of the housing development questionable.
6. The cost of relocating those who wish to move and the cost of site remediation would far outweigh the value of the land for residential development.
7. It would result in the need for adaptations at Grange Primary School to create an additional teaching area.
8. The Council's Proposed Changes to delete this site from Proposal H1 are opposed, as the identified sources of housing land supply are deficient.
9. These Proposed Changes are contrary to the sustainability objectives of Government guidance and would result in planning harm by undermining prospects of regenerating a vacant and unsightly brownfield site close to Long Eaton town centre.

Inspector's Reasoning and Conclusions

3.5.1 The site has a substantial frontage on Nottingham Road and I am not convinced that achieving an acceptable access would be an insuperable problem for a residential use. Indeed, in this regard such a use could be advantageous as the site is presently employment land, albeit largely vacant.

3.5.2 Evidence on the implications of fragmented land ownership and relocation costs for the 'deliverability' of a housing development is sparse and this matter does not appear to have played a part in the Council's decision to delete the site in its Proposed Changes. In view of my recommendation for a non-implementation allowance this issue does not weigh against the Nottingham Road allocation in my assessment.

3.5.3 Nor is it evident that the need for adaptations at Grange Primary School weighs against the Proposal, given the provision in Proposal C3.

3.5.4 I have already concluded that the sources of housing land supply in the Long Eaton sub-area are not deficient for the Plan period. However, I appreciate the planning benefits of making specific land allocations and, in view of my main conclusions in section 3.2, I would not reject the Nottingham Road site on the grounds that there is no need for housing land here.

3.5.5 In terms of the sequential approach and sustainability criteria I rate this site highly as potential housing land, although for some similar reasons it is also well suited to employment uses. To my mind the question of allocating the site for housing must turn on the strength of the competing need for retaining the employment use. The Council does not oppose employment uses here and I am not satisfied that they should be ruled out on access grounds.

3.5.6 Latest figures³ on the industrial land position show that there is a substantial shortfall in meeting the strategic requirement, including a specific shortfall in the Long Eaton sub-area. I note also the view of the County Council that the Plan fails to achieve conformity with the Structure Plan in this respect. The Borough Council has expressed concern about the exacerbation of the employment land supply problem as a result of redundant industrial sites being lost to other uses. This is reflected in the Plan: for example, Proposals E2 and H2. Similarly one of the aims of Structure Plan Economy Policy 1 is to limit the loss of employment land. It arises particularly from pressure for housing land.

3.5.7 I am of course aware of the Government's recent emphasis on removing barriers to housing by putting unneeded employment sites back into use. But in Erewash it does not appear that an excess supply of such land is being reserved by the Council. Moreover, the relevant development plan policies make specific allowance for change of use to housing where certain criteria are met. Against the above background, and bearing in mind my recommendation on the Longmoor Lane business park proposal, I conclude that the case for allocating the site for housing is not compelling. Accordingly I support the part of the Council's Proposed Changes that delete the references to the site in Proposal H1 and its supporting text. I also support Proposed Change PIM57 to delete the site from the Proposals Map.

3.5.8 I do not see this 'de-allocation' as undermining prospects for regenerating a vacant and unsightly site close to Long Eaton town centre. Such improvement might also be made by redevelopment for employment or perhaps mixed uses. But even if I am wrong about this there would still be reasonable scope for other redevelopment under Proposals H2 and E2.

³ Document EBC1/D, Appendix B

3.5.9 With regard to the third issue, I find little evidence to support the view that the former gas work training site on Waverley Street should be allocated for low cost housing. In any event, it no longer appears either to be realistic or to have an important bearing on the proposed de-allocation of the Nottingham Road site.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM57 and by deleting the references to the Nottingham Road site in Proposal H1 and its reasoned justification.

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3.6 PROPOSAL H1 – WESTERN MERE SCHOOL, BREASTON

Objections

See Appendix 1

Objections to the Proposed Changes

390 4110 The House Builders Federation

Issues

1. The allocation at Western Mere School would add to urban sprawl, contrary to the purpose of the **Green Belt**.
2. The Proposal would create a harmful precedent for more urban sprawl.
3. There are no exceptional circumstances to justify allocating part of the Green Belt for housing purposes.
4. **Retention of the site as a school site** under Proposal C1 would avoid the need to take Green Belt land at Cleveland Road, Draycott for a new school site.
5. It is shortsighted to replace a school site with residential development, which would itself regenerate a need for a school at Breaston.
6. It would be better to put the land to **alternative uses**: for example public open space, sports facilities, a community centre, a hospital unit, a wildlife habitat, or agricultural use.
7. Having regard to urban capacity and sources of housing land supply in the Long Eaton sub-area, there is no **need** for this housing allocation.
8. There is little evidence that the site has been properly identified by following the **sequential approach** set out in PPG3, and that it has been properly tested against the **sustainability criteria** in PPG3(31).
9. To describe the site as 'brownfield' is a misrepresentation as the former school covered only about 10% of the area and it is misleading to describe the playing fields as brownfield.

10. There is no evidence that the need for the larger area of **public open space** here, as allocated in the adopted Local Plan, is now any less than it was when the current Local Plan was adopted.
11. There is no provision in the Proposal or supporting text for ensuring no loss of playing fields as a result of the development of those there at present.
12. There should be a policy to prevent the development of housing sites until the required public open space has been provided especially in areas that are presently deficient.
13. Despite the open space provision and reduced housing land allocated in the Second Deposit, these revisions do not go far enough and there is still inadequate detail of the development envisaged.
14. It is inappropriate to identify areas of open space and community facilities on the development site at this stage; and, accordingly, the words '*... on the former playing fields off the Draycott Road*' should be deleted from paragraph 2.26.
15. In paragraph 2.26 the reference to **community facilities** at Western Mere School is too vague: if the allocation is retained the reference should be strengthened to be part of the policy statement.
16. In paragraph 2.26 it should be made clear that community facilities and open space will only be sought where needs cannot be met by existing provision; and the words 'entered into' should be replaced by 'negotiated'.
17. Nearby housing has been affected by **flooding** problems in the past and the proposed housing, by increasing run-off, would only serve to exacerbate these problems.
18. The supporting text should refer to the need to provide for **access** to the watercourse for maintenance purposes in accordance with Proposal DC9(2).
19. The proposed access roads are inadequate to serve a residential site of this size and existing problems of congestion on the local road network would be made considerably worse, together with the associated **noise and pollution** problems.
20. There is already a particular **road safety** problem in the vicinity of the Hills Road / Draycott Road junction and the increased traffic would only make this worse.
21. With cars parked down the sides of relatively narrow roads leading to the site there would also be increased dangers for pedestrians, and especially schoolchildren.
22. The size of this development would lead to a loss of **village identity and character**.
23. In view of Western Mere School's sensitive location on the edge of the Green Belt the Proposals Map should identify a wide landscape buffer along the site boundary.
24. **Local services and facilities** are already over-stretched and could not cope with the additional housing proposed: in particular there would be capacity problems with parking in the village centre, with medical and dental services, with schools, and with the sewerage system.

25. The site is of substantial and growing value for **wildlife**, especially birds, and this would be adversely affected by development.
26. The Council's **Proposed Changes PIM17 and PIM58**, to delete the site from Proposal H1, are not justified in view of the potential planning benefits of the allocation and the deficiencies in the sources of housing land supply.

Inspector's Reasoning and Conclusions

3.6.1 The site of the former Western Mere School is retained as a housing allocation in the Second Deposit. The Council's Proposed Changes PIM12, PIM17 and PIM58 would delete it on the grounds that it is no longer necessary to meet the Structure Plan housing requirement. PIM87 would ensure that the Proposals Map would show the land concerned as Green Belt, as currently designated in the adopted Local Plan.

3.6.2 The Green Belt is the most significant planning constraint affecting this site. Relevant Government guidance in PPG2 begins by noting the great importance that the Government attaches to the Green Belts, the fundamental aim of which is to keep land permanently open. From public vantage points I had no difficulty in seeing that the site is presently predominantly open. It contributes to this aim even though it contains previously developed land that once accommodated a school.

3.6.3 PPG2(2.7) states that, where local plans are being revised, existing Green Belt boundaries should not be changed unless alterations to the Structure Plan have been approved, or other exceptional circumstances exist, which necessitate such revision.

3.6.4 I have considered the housing land supply position in sections 3.2 and 3.3 above. My conclusions there do not lead me to conclude that it constitutes exceptional circumstances that justify the allocation of the Western Mere School site. In short, the Housing Topic Paper indicates that in the Long Eaton sub-area there is an over-provision of potential housing land equivalent to 286 dwellings. This takes account of the Proposed Changes including the de-allocation of the Western Mere School site. Even with a non-implementation allowance of, say, 10% I estimate that there would still be an over-provision.

3.6.5 The owner of the site considers that there should be more flexibility in the sub-area housing provision figures, especially in Long Eaton. Here, the figure is 'artificially' limited to take account of the Green Belt constraints, and compensatory provision is included in the figure for the Ilkeston sub-area. The sub-area requirements have been established in the Structure Plan and I have already indicated that it would not be appropriate for me to re-open the question of their validity. While it is possible that resisting the increase in 'over-provision' would lead to some of the adverse market and planning consequences claimed by this objector, I consider that these fall well short of amounting to the exceptional circumstances that would justify the proposed housing development in the Green Belt.

3.6.6 Another argument in favour of the allocation is that it would provide scope for achieving a greater mix of housing types, including affordable housing and, perhaps, family homes. While accepting that this may be an advantage of allocated sites, to the extent that they are bigger than sites accommodating outstanding planning permissions and 'urban capacity' sites, it has not been demonstrated in evidence. I am not convinced that this provides the justification to allocate the objection site.

3.6.7 Nor are the other benefits of developing this site sufficient to tip the balance in favour of the allocation. The creation of public open space and community facilities as part of the development would no doubt be beneficial, but it is not evident that it would provide exceptional grounds. Similarly I would not see any compelling merit in the re-use and enhancement of this brownfield site. Although partly derelict I did not find it to be particularly unsightly. It merges reasonably well with the adjacent open countryside and, from a detailed account of observations submitted by one objector, it appears to be of some value as a wildlife habitat.

3.6.8 The Green Belt issue is alone sufficient to lead me to the conclusion that this site should not be included in Proposal H1. It is not at all evident to me that any merits of the site in terms of the sequential approach and sustainability criteria are of such strength as to offset the harm to the Green Belt. I have considered the other issues raised by objectors but they do not add significantly to the balance of my conclusion. That is not to say that they are immaterial: for example I can see that the traffic generated by the objection scheme would aggravate existing road conditions and erode local amenity, although with the information before me it is impossible to quantify this effect or the degree to which it could be mitigated.

3.6.9 In response to a more general policy issue raised by one objector I do not accept that it is necessary to introduce a policy on the provision of the required open space in advance of the related development.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Changes PIM12, PIM17, PIM58 and PIM87 insofar as they relate to the Western Mere School housing allocation.

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3.7 PROPOSAL H1 – DRUMMOND ROAD, ILKESTON

Objections

354	3776 UW	Environment Agency
1369	3595	Derbyshire County Council
1412	3768	P N Gough

Objections to the Proposed Changes

390	4101	The House Builders Federation
76	4089	Derbyshire County Council

Issues

1. There is no justification for allocating greenfield sites such as Drummond Road when there are brownfield sites, such as Oakwell Brickworks, which could accommodate many more houses.
2. The site contains 2 public rights of way, which should be retained.

3. This allocation would 'hit' Chaucer Infant and Junior School.
4. In paragraph 2.32a the reference to doubt concerning the access at the site should be removed because an acceptable access has now been agreed with the county highway authority.
5. With regard to the clarification in Proposed Change PIM15, the Council's expressed doubt about this site being developed means that its allocation must be questionable.
6. Also in response to the Proposed Changes, this site should be deleted in order to avoid double counting: the resulting shortfall could be taken up by the recently granted planning permission.

Inspector's Reasoning and Conclusions

3.7.1 The issues have in this case been overtaken by events in that a planning application for 78 houses has been approved by the Council⁴. I saw that the site has been cleared and note the Council's expectation⁵ that development is likely to proceed shortly. It should now be included in the stock of outstanding planning commitments and removed from Proposal H1. This should be reflected in Table B to avoid double counting, and should be accompanied by the deletion of paragraph 2.32a. It follows that there is no need for Proposed Change PIM15.

RECOMMENDATIONS

I recommend that the Local Plan be modified by the deletion of the Drummond Road site in Proposal H1 and the deletion of paragraph 2.32a.

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3.8 PROPOSAL H1 – DEVON STREET, ILKESTON

Objections

354	3774	UW	Mr	D Marsh	Environment Agency
1418	3825		Mr	C Baker	
1426	3900			P S Reed	
1427	3901			S A N Roberts	

Objections to the Proposed Changes

390	4102			The House Builders Federation
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Issues

1. There is insufficient parking available.

⁴ Housing Topic Paper paragraph 6.6

⁵ Housing Topic Paper paragraph 6.7

2. During the period of construction it would be impossible for heavy goods vehicles to gain access along Devon Street without introducing parking restrictions, which would be unacceptable to residents.
3. The increase in traffic would cause congestion difficulties on Corporation Road, which already accommodates a lot of heavy goods vehicle traffic.
4. Making an access from Gallows Inn Close would be objectionable.
5. With regard to Proposed Change PIM16, the basis for deleting the reference in paragraph 2.33a to the need for the agreement of allotment holders is questioned.
6. In Proposed Change PIM16 the reference to allotment sites being largely unused should also recognise guidance in PPG17(18) that under-use should not be taken as necessarily indicating an absence of need in the area.

Inspector's Reasoning and Conclusions

3.8.1 I see no reason why adequate parking provision could not be made in this case.

3.8.2 It appears that Devon Street is not the only possible access route. From what I have seen, and with the limited information to hand, I am not convinced that access, or the resulting increase in traffic on Corporation Road, would cause serious or insuperable problems.

3.8.3 Apart from my earlier conclusions in section 3.2 above I have no firm grounds to doubt the basis for the amendments proposed in PIM16, which provide an improved reasoned justification for the allocation.

3.8.4 My only reservation about the allocation of this site relates to the need for a review of the allotments sites, referred to in section 3.2 of my report, in order to comply with guidance in PPG17(10). Subject to an outcome favourable to the Plan, and assuming that planning permission has not already been granted, I conclude that the allocation should remain and that paragraph 2.33a should be amended as proposed.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM16, subject to (a) a prior assessment, along the lines advised in PPG17(10), and a finding that the Devon Street allotments site is surplus to open space requirements; and, if that finding is made, subject to (b) minor amendments to reflect the deletion of the Kensington Gardens site as recommended in section 3.9 below, and to refer to the assessment, as part of the reasoned justification for the allocation of the Devon Street site.

In the event that the Devon Street site is found not to be surplus to requirements, I recommend that it be deleted from Proposal H1 and that paragraph 2.33a be amended accordingly.

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3.9 PROPOSAL H1 – KENSINGTON GARDENS, ILKESTON

Objections

354	3779	UW	Mr	D Marsh	Environment Agency
1369	3598		Mr	Wildgoose	Derbyshire County Council
1434	3971		Mrs	S Parry	

Objections to the Proposed Changes

76	4089	Derbyshire County Council
390	4102	The House Builders Federation

Issues

1. The development would have some impact on Kensington Junior and Larklands Infant Schools.
2. The development would generate additional traffic on to an exit road, St John's Road, which is already narrow and dangerously congested.
3. In relation to the Proposed Changes, this site should be deleted in order to avoid double counting: the resulting shortfall could be taken up by the recently granted planning permission.
4. In view of the doubts about completing the Oakwell Brickworks and Heanor Road sites within the Plan period, land at Kensington Gardens should be allocated to ensure that the requirement for Ilkeston is achieved.
5. With regard to Proposed Change PIM16, the basis for deleting the reference in paragraph 2.33a to the need for the agreement of allotment holders is questioned.
6. In Proposed Change PIM16 the reference to allotment sites being largely unused should also recognise guidance in PPG17(18) that under-use should not be taken as necessarily indicating an absence of need in the area.

Inspector's Reasoning and Conclusions

3.9.1 The issues have in this case been overtaken by events in that outline planning permission has now been granted for the development of some 72 dwellings⁶. Accordingly, the site should now be included in the stock of outstanding planning permissions and removed from Proposal H1. This should be reflected in Table B to avoid double counting, and it should be taken into account in amending paragraph 2.33a, which might also be modified by Proposed Change PIM16 (as recommended in section 3.8 above).

RECOMMENDATIONS

I recommend that the Local Plan be modified by the deletion of the Kensington Gardens site in Proposal H1, and by the deletion of the reference to it in paragraph 2.33a (as may be modified by Proposed Change PIM16).

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⁶ Housing Topic Paper paragraph 6.9

3.10 PROPOSAL H1 – WEST END DRIVE, ILKESTON

Objections

3	3606	Mr	Scattergood	
264	3623	Mrs	Talbot	
265	3621	Mr	Talbot	
354	3778	CW Mr	Marsh	Environment Agency
496	3619		S Morley	
611	3617		S Anderson	
735	3684	Mr	Mudd	
1356	3653	Mrs	Ramsey	
1361	3652	Mr	Stone	
1369	3596	Mr	Wildgoose	Derbyshire County Council
1374	3618	Mr	Anderson	
1378	3636	Mrs	Beardsley	
1379	3639	Mr	Bennett	
1380	3641	Mrs	Lord	
1381	3643	Mr	Hissitt	
1385	3649	Mr	Wheeldon	
1386	3650	Mrs	Wheeldon	
1387	3651		A J Buck	
1388	3654	Mr	Everett	
1389	3655	Mrs	Everett	
1390	3656	Miss	Everett	
1394	3671	Mr & Mrs	Cotton	
1395	3672	Mr & Mrs	Lord	
1396	3674	Mrs	Lord	
1397	3676		J Saville	
1398	3677	Mr	Saville	
1401	3689	Mrs	Wheeldon	
1402	3690	Mr	Wheeldon	
1403	3725	Mr	I Stevenson	
1409	3756	Mr	Briggs	West Hallam Parish Council
1411	3767	Mr	A Stevenson	
1415	3810	Mrs	Brady	
1416	3812	Mr	Talbot	
1417	3814	Mr	Brady	
1424	3893	Mrs	Skelston	
1425	3894	Mr & Mrs	Holmes	
1433	3968		J Stocks	
1435	3976		S Moore	
1436	3979	Mr	Moore	

Objections to the Proposed Changes

390	4111			The House Builders Federation
1473	4070	Mr	Birch	

Issues

1. This **greenfield** site should not be used to meet the area's housing land requirement when there are urban brownfield sites that could be used, such as Oakwell Brickworks and various derelict buildings in the town.
2. There is no evidence of **need** for more housing in the north of the Borough, and in Cotmanhay there are many empty homes.
3. The Secretary of State refused to grant planning permission for a specific housing proposal in the vicinity of the objection site in January 2002 and his reasons are again relevant now.
4. Residential development at Pewit Golf Course appears to be favoured by the Council despite the land not having been allocated for this use in the Plan.
5. The site is a great asset for the local community, being an attractive grassland of considerable **recreational and amenity value** that adds to the quality of life: the proposed housing would harm this value and would not enhance or complement the current sports and golf projects.
6. The locality has already been adversely affected by new sports facilities constructed on the nearby recreation ground: this makes the retention of the site for informal recreation use even more important.
7. The site is a valuable **wildlife** habitat and one of the few unspoilt open spaces close to the town centre that offer opportunities for people to stroll in a countryside environment.
8. The Nutbrook Trail and its wildlife would also be adversely affected.
9. The junction of West End Drive with Oakwell Road is inadequate to cope with the additional **traffic** from the development and would pose an increased hazard for pedestrians and schoolchildren near to the entrance of the school.
10. Due to roadside parking on the access road and to heavy traffic congestion for part of the day emergency vehicles would be restricted in seeking access to the new development.
11. The increased traffic would cause more **pollution** in the area.
12. If this allocation is retained in the plan there should be provision for taking the site **access** from Derby Road to mitigate traffic related problems.
13. The indicative **floodplain** encroaches on the western margin of the site and so it is unlikely that the whole site is developable for housing, and a sustainable drainage system would be appropriate.
14. The **density** of the allocation is questioned, as this is a low-density housing area.
15. The development would 'hit' Chaucer Infant and Junior School.
16. Any redevelopment of the 9-hole Pewit Golf Course should not take place until the new 18-hole course is available for use.
17. Owing to various deficiencies in the identified sources of housing land supply and the reliance on the speculative urban capacity figure, the Council's **Proposed Change (PIM59)** to delete this site allocation is not justified.
18. The **Proposed Change** fails to take proper account of the shortfall in allocations for the Ilkeston sub-area, the recognition in the Second Deposit that West End Drive is the only allocated site in the sub-area without land

assembly and availability problems, and the permission that has been granted for 84 dwellings on the former Cantelupe School site.

Inspector's Reasoning and Conclusions

3.10.1 This site was included in the Second Deposit to meet the housing shortfall that resulted from the deletion of the Oakwell Brickworks site from Proposal H1. Proposed Changes PIM14, PIM17 & PIM59 would now delete this allocation and its reasoned justification as the site is no longer thought by the Council to be required to meet the Structure Plan housing requirement for Erewash.

3.10.2 Although the housing proposal at West End Drive would displace the 9-hole Pewit Golf Course, there is a planning permission for a new 18-hole course on nearby land to the north. Following the Proposed Changes, the Council is reconsidering its plans for the golf course and has referred to work currently being done to produce a 'leisure strategy'. I can see that there would be some sense in waiting for this before taking any decision to retain the objection site as a housing allocation.

3.10.3 The site is within the urban area but, being a greenfield site, it would not be in the top priority category in the search sequence described in PPG3 or RPG8. RPG8 adds to the sequence a second stage relating to this kind of site. However, I have some doubts that it would even fall within this stage as it may well warrant protection as an amenity area. The Council acknowledges that the site has a level of amenity value that is important to the local community, and this is borne out in representations from local residents and West Hallam Parish Council. The fact that recreational development has taken place on the nearby recreation ground appears to enhance the value of the objection site in meeting the demand for less intensive recreation and informal amenity uses.

3.10.4 In my assessment the Oakwell Brickworks site⁷ has a higher rating and should be preferred in terms of the sequential approach and sustainability criteria; and I have already accepted the strength of the case for re-allocating it in Proposal H1. That being the case, I conclude that the need to allocate more land for housing over the Plan period is not strong enough to justify the allocation of West End Drive. This is despite the availability of the site, the housing land supply shortfall in the Ilkeston sub-area, and my finding that the housing requirement is greater than that identified by the Council⁸.

3.10.5 The other objection issues do not add significantly to my overall conclusion that the site should be deleted as proposed by the Council. While appreciating the local concern about the traffic implications of more development here, there is little firm evidence on this matter and I cannot be sure that adverse effects could not be adequately mitigated by development proposals. In this regard I note the conclusion of the Secretary of State in an appeal decision⁹ that satisfactory arrangements could be made to cater for traffic from the development then proposed, and that highway and pedestrian safety would not be adversely affected. Although objectors to the development of the West End Drive site have referred to other aspects of this decision in support of their case, the decision does not play an important part in my conclusion. This is because principal reasons for the decision appear to have been the degree of need at the time, now well over 2

⁷ See section 3.11

⁸ See section 3.2 above

⁹ Decision reference EMP/1025/220/7 dated 3 January 2002.

years ago, prematurity, and the need to avoid prejudicing the outcome of the development plan process.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Changes PIM14, PIM17 and PIM59 insofar as they relate to the allocated housing site at West End Drive.

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3.11 PROPOSAL H1 – OAKWELL BRICKWORKS, ILKESTON

Objections

3	3605	Mr	K	Scattergood	
62	138	Mr	J P	Oliver	
180	364		J	Davis	
282	3749				Corus UK Limited
328	898	W			Tarmac Central Ltd
330	845	CW			Dalmally Ltd
349	1989	W			Hallam Land Management Limited
350	914				Northern Sport in Receivership
354	3775	UW			Environment Agency
611	3616		S	Anderson	
651	1650	W			Derbyshire Wildlife Trust
735	3687	Mr	D	Mudd	
736	3682		P	Mudd	
1393	3668	Mr		Shooter	
1399	3680	Miss	K	Stevenson	
1409	3758				West Hallam Parish Council
1431	3962				Trustees of the Halford Trusts
1435	3977		S	Moore	
1436	3978	Mr	A	Moore	

Issues

1. In omitting the Oakwell Brickworks site, Proposal H1 fails the 'sequential test' referred to in paragraph 2.29 of the Plan, and it contradicts the objectives set out in paragraphs 2.20-21.
2. The site is capable of reclamation and of making a major contribution to the Borough's development needs: redevelopment of Oakwell Brickworks would take the pressure off important greenfield sites such as West End Drive, would raise the brownfield contribution in the Ilkeston sub-area, and should be regarded as a priority.
3. The allocation for housing should be re-instated because the site is in a deplorable condition, attracts anti-social behaviour, is contaminated, and represents a risk to local residents and visitors.
4. Allocation for housing would present an opportunity to create recreation and amenity space for the benefit of the community.

5. Residential development is both viable and deliverable within the period of the Plan.
6. The site's deletion in the Second Deposit failed to take account of the inclusion of additional land, which, when taken with market forces and the shift to higher density, would create conditions conducive to development.
7. The western portion of the site allocated in the First Deposit is a viable housing site and this area should be re-instated in Proposal H1.
8. The contaminated condition of the land, the fact that it has not been developed over many years despite its allocation in the adopted Local Plan, and the inclusion in the proposed site of playing fields that are subject to the protective guidance of PPG17, mean that there remains uncertainty about the likelihood of development during the Plan period and a danger that its allocation would prevent the housing requirement being met by other less problematic sites.
9. To allocate the area included at First Deposit stage would be harmful insofar as it would involve encroaching on an area that is a protected strategic gap in the adopted Local Plan.
10. The area includes Wildlife Site ER144, and so its allocation would conflict with Proposal EV8.

Inspector's Reasoning and Conclusions

3.11.1 The Council appears to accept that much of the site is previously developed land, and I would not question that. I appreciate that in the First Deposit adjoining greenfield areas were added to the site that was allocated in the adopted Local Plan. However, I would rate the enlarged site highly in terms of the sequential approach and sustainability criteria in both PPG3 and RPG8. On this basis, and despite the presence of some on-site constraints and the promotion of several other sites by objectors, I conclude that the site deserves to be given priority in considering sites for housing development. It is notable that the Second Deposit allocates no brownfield sites for residential development in the Ilkeston sub-area.

3.11.2 From the evidence submitted by *Corus UK Limited* I infer that it would be feasible to reclaim the contaminated parts of the site, create safer, managed areas for public access, amenity and nature conservation and provide land for housing development that would make a significant contribution to the strategic housing requirement. In particular, the development would help to remove the housing shortfall for the Ilkeston sub-area, and its contribution would be even more important were the allocation of the allotments sites in Ilkeston to be withdrawn. In view of my related findings in section 3.2 I cannot agree with the Council that a site such as this is '*not required to meet the Structure Plan housing requirements*'¹⁰.

3.11.3 Although not open to the public, derelict parts of the site are in regular informal use and I can understand the Parish Council's assessment of the benefit to the local community of remedial action and site enhancement. This might well be enabled and expedited by development.

3.11.4 The Council indicates¹¹ that the primary reason for de-allocation was

¹⁰ Document EBC65, paragraph 3.2

¹¹ Housing Topic Paper paragraph 5.4

the costs of decontamination and the consequent likelihood that the site would not be developed during the Plan period. However, I find no new evidence on this matter that could account for that change of view. It might explain why the site has not been developed since its allocation in the adopted Local Plan in 1994. However, the much-enlarged site is surely more attractive as a development prospect. *Corus UK Limited* considers that the project is deliverable during the Plan period. Apart from the enlarged site they refer to the increase in housing land values relative to decontamination costs. Also, with the projected housing shortfall in the Ilkeston sub-area and the very limited housing land allocations now proposed it is reasonable to suppose that there would in future be a reduced tendency for the development of the Oakwell Brickworks site to be put off simply because there were easier and more profitable greenfield sites available to develop. I conclude that it has not been demonstrated that this very worthwhile project would not be viable and achievable in the Plan period. That is not to say that there is no uncertainty, but the recommended non-implementation allowance would at least enable the provision in Proposal H1 to take this into account.

3.11.5 It may be the case that the site owner would in any event have to do a certain amount of site remediation as part of a duty of care. However, it seems to me that the allocation of the enlarged site would add considerable impetus to site reclamation undertaken as part of a comprehensive scheme. This would provide the local community with a better and more timely balance of benefits in terms of housing, open space, amenity and nature conservation. I am far from convinced that the allocation would hold back the development of less problematic sites allocated in the Plan.

3.11.6 I do not favour an allocation limited to the western greenfield portion of the site. It would not rate so highly in terms of sustainability and would fail to enable the redevelopment of the brownfield portion of the site and the important benefits to which I have referred. The inclusion in the site of the playing fields is more questionable insofar as they are subject to the guidance on protection in PPG17. I have very little evidence on this matter and can only conclude that a prior assessment would need to be carried out, if not already done, to satisfy the Council that the inclusion of that area could be justified in terms of both Government guidance and emerging and adopted development plan policies.

3.11.7 In the First Deposit the housing allocation encroached on an area that is designated as a 'strategic gap' in the adopted Local Plan. I can understand the Council's concern to maintain clear separation between Kirk Hallam and Ilkeston; but can also understand its apparent conclusion that the benefits of the First Deposit allocation would outweigh any harm in terms of maintaining the strategic gap. I do not therefore see the strategic gap as being an overriding issue here. As I have concluded later in my report, there are insufficient grounds for adding this area to the Green Belt at this time and the site does not presently warrant the degree of protection that Green Belt designation affords.

3.11.8 Although the First Deposit allocated site included Wildlife Site ER144, I do not consider that there need be a conflict with Proposal EV8. That policy does allow for development where there are sufficiently good reasons for it. Moreover, I have no reason to doubt that an acceptable pattern of uses could be devised to ensure that some of the importance of the site for nature conservation could be retained and provided for in future. I note from the Wildlife Sites Register¹² that much of the ecological interest derives from the open grassland habitats. In the

¹² Core document 87

longer term I judge that these would benefit considerably from management that is presently lacking. Similarly, development at Oakwell Brickworks could help to conserve a listed kiln that is located within the Wildlife Site.

3.11.9 All things considered, and with certain qualifications, I conclude that the site should be allocated for housing development.

RECOMMENDATIONS

I recommend that the Local Plan be modified by re-instating in Proposal H1 the housing land allocation at Oakwell Brickworks. The allocated area, to be defined on the Proposals Map, should be along the lines of that identified in the First Deposit, but subject to a re-assessment of the playing fields area to ensure that all land allocated is consistent with other Proposals in the Plan and with the criteria of Government guidance in PPG17 and relevant Structure Plan policies. The reasoned justification for the allocation should also be re-instated and should explain the need for the site to be considered as a whole.

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3.12 PROPOSAL H1 – WOODLANDS FARM, ILKESTON

Objections

67	147	UW	Mr	A	Cooke	
109	241	W	Mr	J R	Heath	
179	363		Mrs	J A	Abbott	
259	603		Mr & Mrs	C A	Woods	
310	789		Mrs	M	Murfin	
328	897	W				Tarmac Central Ltd
330	850	CW				Dalmally Ltd
466	1243		Mr & Mrs		Keightley	
467	1244	UW	Mrs	K M	Jackson	
468	1245	W	Mr & Mrs	L W	Wood	
469	1246	W		L & A	Dodd	
470	1247		Mr & Mrs	I	Whitchurch	
471	1248	W	Mr	G M	Dyer	
472	1249		Mr & Mrs	J R	Pilkington	
473	1250		Miss	S	Myers	
474	1251		Mr	R T	Parker	
492	1298	W				CPRE Derbyshire Branch
506	1335		Mr & Mrs	I	Whitchurch	
793	1854	W		J&B	Stevenson	
1328	3390	CW				Amber Valley Borough Council
1382	3981		Mr	B	Godber	

Issues

1. The Woodlands Farm allocation in the First Deposit should be re-instated and also extended to the north east, in order to provide certainty of meeting the Structure Plan housing requirement for the Ilkeston sub-area.
2. The land is under-used and does not perform any Green Belt function.

3. It is well contained and well related to the residential area of Cotmanhay; and it rates highly in terms of site selection guidance in PPG3(30).
4. It is well related to services and facilities in Cotmanhay and is within easy walking distance of Ilkeston town centre.
5. The site allocated in the First Deposit is partly brownfield and is preferable in policy terms to the proposed greenfield allocations.
6. Given the recognised uncertainty about completing the implementation of allocations at Oakwell Brickworks and Heanor Road within the Plan period, the Plan should not state that the Woodlands Farm site will be developed towards the end of the Plan period.
7. The allocation of this site would involve more than a small revision of the Green Belt boundary and such a release from the Green Belt has not been justified.
8. It would result in a loss of good wildlife habitat.
9. It would result in a loss of peace and quiet and of views over the Erewash valley.
10. It would reduce the open land separating Ilkeston/Cotmanhay, Shipley and Heanor and would compromise the Green Belt's function of preventing settlement coalescence.
11. It would involve the permanent loss of a greenfield site that is too peripheral to be regarded as part of the urban area of Ilkeston town.
12. It would result in a loss of privacy for nearby dwellings.
13. It would feed additional traffic on to an already congested road system.
14. It would set a precedent for further fields to be developed hereabouts.
15. It would impose a further strain on support services, such as doctors and schools, which are already stretched.
16. There are many vacant properties and more appropriate brownfield sites, such as Oakwell Brickworks, to accommodate the additional housing requirements for this sub-area.

Inspector's Reasoning and Conclusions

3.12.1 The site that was allocated in the First Deposit was deleted by the Second Deposit. A substantial portion of it, and the whole of the suggested extension, are designated as Green Belt in the adopted Local Plan. I found the areas within the Green Belt to be open countryside that does contribute to the purposes of including land in the Green Belt. In view of my conclusions on housing land supply and other Green Belt sites such as Western Mere School, I do not consider that housing need is so strong a factor as to constitute the exceptional circumstances required to justify the necessary amendments to the Green Belt.

3.12.2 The part of the site that is not Green Belt does deserve some consideration as it is partly 'brownfield' land and adjoins the existing residential area and substantial urban area of Ilkeston. However, I would not rate it as highly as the Oakwell Brickworks site. Its brownfield area is relatively small and the public benefit associated with its redevelopment would be much more limited as far as I could see. It does not appear to be so accessible to the town centre and does not perform so well in terms of the sequential approach or sustainability criteria set

out in Government guidance¹³. Nor, on the face of it, does the site compare favourably with the allocated greenfield sites in the Plan; although my view on this might change if the outcome of my recommended review of the allotments sites were to militate against their allocation.

3.12.3 There is little evidence to substantiate the other planning arguments against the allocation of this site, and I would not regard the allocation of the non-Green Belt part of the site as setting a harmful precedent as there is little other undesignated land remaining in this locality. I conclude that the part of the site that is not Green Belt could be reconsidered for allocation as housing land in the event that further land is required. The extent of any requirement will depend on further consideration of factors referred to in section 3.2, especially paragraph 3.2.44 (a) & (c).

3.12.4 As indicated in issue 6, the First Deposit indicated that the Woodlands Farm site would be developed towards the end of the Plan period. In view of the reduced size and partly brownfield character of the site I refer to, and having regard to my conclusions on phasing issues (section 3.23 below), I do not consider that this point would need to be made in any re-introduced reasoned justification for this site. I deal with phasing issues under Proposal H11 below.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan unless the allocation of further housing land is found to be required and, on reconsideration, the Woodlands Farm site is found to be suitable and available for development. In this event the land allocated should be limited to the area outside the Green Belt. The modification would then involve adding the site to Proposal H1, re-introducing a reasoned justification, and including on the Proposals Map the area allocated.

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3.13 OTHER 'OMISSION SITES'

Objections

Objections are included in sections 3.2 and 3.3, and for convenience the relevant issues are reproduced below.

Issues

1. To meet the Structure Plan target for the Derby sub-area and account for any need not being met through urban consolidation here, land with a high sustainability rating should be allocated for housing to the rear of **Victoria Avenue, Borrowash**.
2. Allocated sites at West End Drive, Drummond Road, Heanor Road, Kensington Gardens and Devon Street are greenfield open spaces which have not been subject to 'robust assessments' in accordance with PPG17(1) and which have other problems that make them less suitable for allocation than a site to the north of **Stanley Lodge Farm, Stanley Common**.

¹³ PPG3(30-31) and RPG8(policies 1 & 2)

3. To meet future housing requirements and to achieve a natural boundary for the Green Belt, land should be allocated for residential development at **Hill Farm and Clark's Field** on the western edge of the Borough.
4. In view of doubts about the availability of sites in urban areas, land at **High Lane West, West Hallam** should be allocated as development here would not affect the coalescence or separate identities of settlements.
5. For similar reasons, and to take the pressure off the Ilkeston sub-area, land in a sustainable location between **Pasture Lane and Meadow Lane**, Long Eaton should be allocated for housing development.
6. Unused land at **Dallimore School, Kirk Hallam** should be allocated for housing development.
7. The **Charnos site on Corporation Road, Ilkeston** is preferable to the allocated sites in terms of the sequential approach in PPG3, and its allocation would help to meet the Structure Plan requirement for housing land in the Ilkeston sub-area.
8. The allocation of the former **Long Eaton stadium** would help meet the requirement for Long Eaton in a 'sequentially preferable' way and also enable development of greenfield and open space sites to be avoided.

Inspector's Reasoning and Conclusions

3.13.1 I deal here with other 'omission sites' promoted by objectors to Proposal H1 and its reasoned justification. The first 6 issues deal with sites that are located in the Green Belt; and for the reasons given in my conclusions on the Woodlands Farm and Western Mere School sites (above) I do not consider that the housing land supply position is such as to amount to the exceptional circumstances required to justify the related adjustment to the Green Belt boundary. Nor do I find that they are to be preferred to the sites already allocated or recommended for consideration. Policy 6 of RPG8 proposes a critical review of the Green Belt boundaries to take account of development needs up to 2021. But I note that the emerging replacement guidance envisages that this should be undertaken in a coordinated manner within a common framework covering appropriate areas in the 3 counties concerned. The allocation of any of the Green Belt objection sites below would effectively pre-empt this process: it would be premature and potentially inconsistent with the planned wider-ranging review.

Victoria Avenue, Borrowash.

3.13.2 In this case the objector draws attention to the lack of specific allocations in the Derby sub-area and to the dependence of the Council's over-provision figure on an Urban Capacity Study site that the Council acknowledges as uncertain¹⁴. Again, I do not regard the lack of allocations as being critical, given the current over-provision. I would have expected the Urban Capacity Study to have made an allowance for any uncertainty in applying its various discounts. But even if that has not been done in this case, the size of the projected shortfall that would result from omitting the site concerned would too small to amount to the exceptional circumstances necessary to justify the necessary alteration to the Green Belt. Nor would the objection site's merits as an 'urban extension' or in terms of sustainability be sufficient to provide this justification in my assessment.

Stanley Lodge Farm, Stanley Common

¹⁴ see footnote in Table B of PIM7 and PIM63.

3.13.3. I saw that this objection site comprises a field that is exposed to view from the public path that crosses it, from the adjoining road, and from an extensive area of adjacent countryside to the south. To me the site appeared as part of the settlement's rural fringe and by encroaching on the open countryside development here would be conspicuously harmful to the purposes of including land in the Green Belt. Any merits of the objection proposal in terms of sustainability or the development pattern favoured in strategic guidance do not amount to exceptional circumstances in my opinion. I do not accept that Structure Plan General Development Strategy Policy 6 is a permissive policy that over-rides the need to show exceptional circumstances and that more readily allows the Green Belt boundary to be altered for the purpose of site specific Local Plan allocations.

Hill Farm and Clark's Field

3.13.4 This substantial site would, in the Council's estimation, provide between 834 and 1390 dwellings. The objector draws attention to the Inspector's report on the South and South-east Derbyshire Green Belts Plan, but I can find little in the relevant section – C17 – of that report to support the allocation of the objection site. The report is now over 20 years old, yet I still share that Inspector's view that Morley Road provides a firm and readily identifiable limit to the urban development. I see little advantage in moving the Green Belt boundary out to Acorn Way in order to accommodate housing development here. The land concerned plainly serves the purposes of including land in the Green Belt and it has not been demonstrated that it is required to meet the housing needs of the Derby area.

3.13.5 I am also aware of the Inspector's view, in the City of Derby Local Plan Inspector's report, that the Acorn Way within the Derby City area provides a very firm western edge to the 'green wedge'. But it does not follow from this that the Acorn Way in the vicinity of the objection site is so advantageous as a potential boundary as to amount to exceptional circumstances. I believe that it falls well short of that, especially in view of my above conclusion on the existing Morley Road boundary.

3.13.6 Reference has also been made to the precedent of development at the Derby County Football Club training ground and to the non-viability of the present farming use of the objection site; but I have little evidence on these matters and consider that they too fall well short of amounting to exceptional circumstances.

High Lane West, West Hallam

3.13.7 The site comprises a relatively substantial area of pasture fields on the edge of West Hallam, and is well seen from the road. Again, I conclude that its merits in terms of sustainability or other factors do not amount to exceptional circumstances.

Pasture Lane and Meadow Lane, Long Eaton

3.13.8 Despite the objector's reference to brownfield land this appeared to me to be a greenfield site and part of the open countryside, despite the presence of pylons. Development would not be consistent with Green Belt purposes; nor would it result in a more defensible Green Belt boundary as far as I could see. The site may have merits as a sustainable location, although I have little detailed evidence of them. As the Council points out the presence of the pylons and the nearby level crossing are disadvantages. I conclude that there are no exceptional circumstances to justify altering the Green Belt to accommodate development

here.

Dallimore School, Kirk Hallam

3.13.9 That this site is an apparently unused field is not itself a strong argument for development in the Green Belt. No other factors have been put forward to support the presence of exceptional circumstances and I conclude that there are none.

Charnos site on Corporation Road, Ilkeston

3.13.10 This is not in the Green Belt, but is a vacant brownfield site within the urban area of Ilkeston. I accept that it would be a priority in terms of the sequential approach to identifying potential housing sites. It appears to be relatively sustainable and is also big enough to provide a range of housing types within an area that is already partly residential. However, like the Council I am not convinced that the site is not needed for employment uses, especially in view of the employment land position reviewed in the next chapter. The objector considers that the site is likely to be unattractive to employment users but has provided little firm evidence to support that view. Nor can I be sure that there would be environmental benefits; or that environmental factors would not, as a result of residential development, constrain the potential use of the existing employment land adjoining the site. On balance I conclude that the site should not be allocated for housing purposes.

Stadium site, Long Eaton

3.13.11 The Council indicates that this is now vacant brownfield land, the racing activities having stopped in 1997. Being within the town it would appear to rate highly as a potential site for residential development. However, its allocation for this purpose would pre-empt the assessment that should first be undertaken in accordance with PPG17(10)¹⁵. Also, it has not been shown that the allocation of the site for housing is necessary, given the housing land supply situation in the Long Eaton sub-area¹⁶.

Conclusion

3.13.12 My conclusion is that none of the above omission sites should be allocated for housing development in Proposal H1.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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3.14 PROPOSAL H2 – URBAN CONSOLIDATION

Objections

281	749 W	Mr	M	Gorman	Government Office for the East Midlands
281	3931	Mr	C	Packman	Government Office for the East Midlands
313	793	Mr	R M	Hepwood	Miller Homes (East Midlands)
491	1282 W	Mr	R	Barker	
651	1648 W				Derbyshire Wildlife Trust

¹⁵ See paragraph 8.11.1 below

¹⁶ See section 3.2 above

Objections to Proposed Changes

390 4104

The House Builders Federation

Issues

1. To reflect Government guidance in PPG3(2 & 42) the Proposal should be revised to give priority to the re-use of previously developed urban land and to facilitate the residential re-use of surplus employment land.
2. Blanket restriction of the use of employment land for housing is inappropriate in view of Government's proposed changes to PPG3.
3. The '*loss of local amenities*' should not be included as a criterion in Proposal H2, as they may no longer be needed.
4. **Proposed Change PIM18** amends the Proposal for clarity, but some further re-wording is required in respect of the phrases '*.. and other matters as appropriate ..*' and '*..subject to the Council being satisfied ..*'.
5. Clarification of '*significant*' is required in Proposal H2.

Inspector's Reasoning and Conclusions

3.14.1 Proposal H2 is unnecessarily cumbersome and also imprecise in its use of such phrases as quoted above. I consider that it would be clearer and easier to follow if the latter part were instead to read: '*... premises, subject to meeting the requirements of the other policies, particularly policies H13, E2, DC1 and DC10b*'. This would also address the first three issues in that it removes criteria that could be interpreted comparatively strictly and in such a way as to undermine the thrust of the Government guidance referred to. The protection of employment land is already adequately covered by Proposal E2, and issues relating to that policy are dealt with in the next chapter.

3.14.2 Although Proposed Change PIM18 is required to correct a grammatical error towards the beginning of the Proposal, it introduces another error by inserting a full stop after the word 'permitted'. The first two lines of the Proposal should therefore be amended to: '*Within the urban framework of Ilkeston, Long Eaton and Sandiacre, housing development will be permitted if it*'. On page 5 of the Council's additional set of Proposed Changes¹⁷ (March 2004) I note the apparently erroneous reference to 'PIM6', which also relates to this text and which I take to be a mistake.

3.14.3 With regard to the final issue, the word 'significant' was deleted in the Second Deposit.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing the beginning of Proposal H2 with: '*Within the urban framework of Ilkeston, Long Eaton and Sandiacre, housing development will be permitted if it*'; and replacing the end of the Proposal with: '*... land or premises, subject to meeting the requirements of the other policies, particularly policies H13, E2, DC1 and DC10b*'.

¹⁷ core document 145

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3.15 PROPOSAL H3 - PROTECTED HOUSING AREAS

Objections

1160 2811 Mr G Gibson

Issues

1. It is inappropriate to preserve the Northgate Street area of Ilkeston purely for housing as this might 'sterilise' the lower end of Bath Street as a suitable site for large-scale retail redevelopment.

Inspector's Reasoning and Conclusions

3.15.1 The Council has, in paragraph 10.2 of the Housing Topic Paper, identified sound reasons for continuing to restrict the area of retail and business development in the Northgate Street area. In particular, to withdraw this Proposal in Ilkeston could lead to retail dispersal and affect the success of the Bath Street Heritage Economic Regeneration Scheme. In the absence of any substantive counter-arguments I conclude that the Proposal should remain as it is.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

.....

3.16 PROPOSAL H4 - VILLAGE HOUSING DEVELOPMENT

Objections

651 1647 W Derbyshire Wildlife Trust
1377 3629 Mr S Middleton

Issues

1. The M1 widening proposals are enough for the area, and compounding the problem is the proposed link of the M1 motorway with the expanding East Midlands Airport.
2. Paragraph 2.34 seems to contradict itself: enough Green Belt has disappeared.

Inspector's Reasoning and Conclusions

3.16.1 The first issue expresses a point of view but does not seem to me to warrant any change to this Proposal, which seeks to control housing development at villages outside the Green Belt.

3.16.2 I see no contradiction in paragraph 2.34. In any event, this paragraph appears to relate directly to Proposal H2.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

.....

3.17 PROPOSAL H5 - KEY RESIDENTIAL AREAS

Objections

178	362	Mr & Mrs	S K	Wallace
292	714	Mr	G W	Keeling
1092	2623	Mrs	V M M	Wallis
1291	3189	W	K	Smedley

Issues

1. Firfield Avenue, Breaston should be added to the areas subject to this Proposal because (1) it has the character of a substantial residential settlement similar to the Poplar Estate and any further subdivision of curtilages would result in substantial change to its character, appearance and environment; (2) like the Poplar Estate, it was originally split into substantial plots and is covered by the same covenants restricting plot subdivision; and (3) because of the proximity of Firfield Primary School it would be dangerous to allow any development that would generate traffic in this narrow road.

Inspector's Reasoning and Conclusions

3.17.1 I found the area defined as 'Poplar Estate' to comprise fairly substantial residential properties set in spacious grounds with generous, well-vegetated frontages. Firfield Avenue is a much smaller area served by a short cul-de-sac. Generally it did not appear to me to have the character of the Poplar Estate. The area at the end of the cul-de-sac has the appearance of larger dwellings on more spacious plots, but it is very limited as seen from the road. I can see little justification in designating such a small area, especially in view of the Council's observations¹⁸ on circumstances here. I conclude that it would not be of practical planning benefit.

3.17.2 That Firfield Avenue has similar origins and covenants as the Poplar Estate does not have much of a bearing in my assessment, as the purpose of the policy is to protect the character and amenity of the designated areas. The highway safety implications of development would need to be assessed in their own right and should not be a criterion for designating Proposal H5 areas.

3.17.3 I conclude that there is insufficient justification to include Firfield Avenue as a Key Residential Area and that other policies are adequate to protect its character and amenity.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

.....

¹⁸ paragraph 3.3, EBC94

3.18 PROPOSAL H6 - SITE FOR TRAVELLING PEOPLE

Objections

1358 3501 Mr A Shirley Country Land & Business Association
1377 3628 Mr S Middleton

Issues

1. The Plan should not provide for this sort of development.
2. Criterion 1 should be amended to refer to 'residencies' rather than 'residential area'.
3. It should also require no adverse impact on businesses already existing in the area.
4. Such development should be located within or adjacent to an urban area where there are plentiful facilities, and in public transport corridors to enable access.

Inspector's Reasoning and Conclusions

3.18.1 I believe that it is reasonable for the Plan to include this Proposal, which aims to meet the needs of travelling people while protecting the environment. Its inclusion is consistent with Structure Plan Housing Policy 8 and with Government guidance¹⁹ to meet the housing requirements of the whole community.

3.18.2 The Council indicates²⁰ that it would consider amendments to criterion 1 to take account of the second and third issues. Some clarification would be worthwhile and I accept that it is not just residential areas that could be affected. Re-wording along the following lines would be appropriate: *'It does not detract from the use of nearby properties or harm the amenities of nearby residences or residential areas'*. The word 'properties' would include businesses and other uses that could be affected. To restrict such development to urban areas and public transport corridors would be excessive, especially in view of the other criteria in Proposal H6.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing criterion (1) of Proposal H6 with the following:

***'It does not detract from the use of nearby properties or harm the amenities of nearby residences or residential areas'*.**

.....

3.19 PROPOSAL H7 - AFFORDABLE HOUSING

¹⁹ PPG3(2)

²⁰ EBC121

Objections

281	747	Mr	M	Gorman	Government Office for the East Midlands
313	794	Mr	R M	Hepwood	Miller Homes (East Midlands)
313	795	Mr	R M	Hepwood	Miller Homes (East Midlands)
325	823	Cllr	P	Milner	Morley Parish Council
326	832 W				Cairnpalm Ltd
390	1016	Mr	I A	Moss	The House Builders Federation
1325	3378 W	Mr	R	Barber	Westbury Homes (Holdings) Limited
1327	3388				McCarthy & Stone (Dev) Ltd
1358	3502	Mr	A	Shirley	Country Land & Business Association

Objections to Proposed Changes

390 4105 The House Builders Federation

Issues

1. There needs to be policy provision to meet the housing needs of special groups: particularly the elderly, the disabled and students.
2. With reference to paragraph 2.41, the exclusion of (low-cost) market housing is contrary to advice in Circular 6/98.
3. The Proposal goes beyond the reasonable provisions of Circular 6/98 in that it proposes land transfer for affordable housing from the developer to the Council at no cost.
4. Despite the reference to the Green Belt in paragraph 2.43, there is a need for a policy for the provision of affordable housing in the rural area.
5. Without a rigorous and robust housing needs survey there is no basis for the policy.
6. An assessment of housing need in the Borough needs to be carried out and reflected in the plan to accord with PPG3(13-15).
7. With regard to Proposed Change PIM19, the justification for the wide ranging 10%-30% proportion of affordable housing is questionable, and although this is stated to be appropriate to meet needs within the Borough it is not clear that this is what would be directly sought from developers.
8. To properly reflect Circular 6/98(10) the Proposal should include additional criteria for assessing site suitability for affordable housing: in particular, the economics of provision and the need to achieve a successful housing development should be taken into account.
9. Circular 6/98(16) states that it may not always be necessary to use planning obligations to achieve the provision of affordable housing.

Inspector's Reasoning and Conclusions

3.19.1 In response to the first issue the Council suggests²¹ the possible addition of the following new policy and supporting text on special needs housing.

'PPG3 paragraph 13 requires local authorities to provide a reasonable mix of house types to meet the requirements of the whole community.'

²¹ EBC8

The Borough Council's Housing Needs Survey 2002 provides information on the level of need for specialised housing within the Borough.

The Council will seek to ensure that the housing needs of people requiring special needs, such as the elderly and people with disabilities, are met and that these groups are not limited in their choice of housing.

The Borough Council will encourage developers and other agencies to provide suitable dwellings which accommodate special needs, which will enable more people to live as independently as possible in the community.

PROPOSAL H7A – SPECIAL NEEDS HOUSING

IN DEVELOPMENTS OF 25 DWELLINGS OR MORE OR ON SITES IN EXCESS OF 1 HA AND WHERE THERE IS CLEAR EVIDENCE OF NEED, THE BOROUGH COUNCIL WILL NEGOTIATE WITH DEVELOPERS TO PROVIDE A PROPORTION OF DWELLINGS THAT ARE DESIGNED TO SPECIAL NEEDS STANDARDS, PARTICULARLY ON LEVEL SITES THAT ARE WELL SERVED BY SHOPS, COMMUNITY SERVICES AND PUBLIC TRANSPORT.'

3.19.2 At the inquiry Morley Parish Council indicated that this would satisfy its objection. PPG3(11&13) advises that plans should encourage the provision of housing to meet the needs of specific groups, such as those mentioned in the above text. Accordingly, I generally concur with the addition of this Proposal provided that the reference to 'special needs standards' is explained in the supporting text. So that the Proposal can be understood, readers should be given a clearer indication of what these standards are.

3.19.3 Turning to the second issue, I find it difficult to follow the logic of the second sentence of paragraph 2.41. There needs to be a definition of the term 'affordable housing' so that it is clear exactly what it includes. It is not obvious that the term is defined in the Glossary, and a full definition should be introduced early in the reasoned justification as it is critical to the understanding of the whole Proposal. Some guidance on this is included in Circular 6/98(9a). This states that affordable housing should include low-cost market housing as well as subsidised housing. It is not evident that circumstances in Erewash demand otherwise. I therefore conclude that there is some justification in the *Miller Homes* objection 794. However, with regard to the third issue I note that its representation 795 on the Second Deposit is in fact a supporting comment, as the Plan no longer makes reference to making land available for affordable housing at no cost. That issue is therefore partly resolved.

3.19.4 However, it is also questionable whether Proposal H7 should require the transfer of land from the developer to the Council. Circular 6/98(17) states that local planning authorities should not prescribe which partners developers should use to deliver the affordable housing, but rather, should aim to ensure that arrangements will deliver the objectives of the policy set out in the Plan. Paragraph 2.41 of the Plan contains a useful explanation of the process of provision, but it is illustrative in that it describes how affordable housing would "typically" be facilitated. It is reasonable for the Plan to set out a preferred approach. But, in view of the above guidance I consider that the policy itself should allow some flexibility. To this end the third sentence of Proposal H7 could be amended to: '*Planning conditions or 'Section 106' planning obligations will be used to ensure that affordable housing provision meets local needs and remains affordable*'. This also takes account of the final issue, and of Circular 6/98(16), which states that both conditions and planning obligations may legitimately be used.

3.19.5 On issue 4, paragraph 2.43 explains why Proposal H7 applies only to urban areas. It is a little misleading for it to add that it would not be appropriate to have an affordable housing policy for the rural area owing to its Green Belt status. This is because Proposal GB8 appears to provide, or at least to come close to providing, just such a policy, albeit entitled 'low cost housing in the Green Belt'. Paragraph 2.43 should therefore be amended and should include a more specific cross-reference to Proposal GB8. In response to this issue, raised by the Country Land & Business Association, the Council has referred me²² to its Proposed Change PIM19. However, PIM19 relates to another issue and to paragraph 2.44, which I deal with below.

3.19.6 In 2002 a housing needs assessment of the Borough was carried out on behalf of the Council²³. It aimed to provide robust information at a local level in accordance with PPG3 and in support of Local Plan policies. It reveals a considerable level of affordable housing need and I conclude that it resolves issue 5. Moreover, the assessment is now proposed to be referred to in a replacement paragraph 2.44, introduced by PIM19. This goes some way to resolving issue 6. However, in accordance with PPG3(15) and to provide a robust justification for the Proposal, paragraph 2.44 should also indicate the numbers and types of affordable homes that need to be provided. This would provide a firmer basis for the reference in PIM19 to the 10%-30% of affordable housing that will be sought on individual sites. At least, I assume that this is the amount to be sought from developers. As *The House Builders Federation* points out, PIM19 needs to be clarified in this respect.

3.19.7 Circular 6/98(10) indicates that Plan policies for affordable housing should take account of two criteria: (1) site size, suitability and the economics of provision, and (2) the need to achieve a successful housing development. It seems to me that these are fundamental to the policy and to the understanding of how it should be applied. I therefore accept that they should be included as explicit elements of the policy, preferably in the second sentence, and not simply left to be inferred from the catch-all term "*and all other material considerations*" or from the reference to Circular 6/98 in the supporting text. That is not to say that the wording of the Circular should be slavishly and fully reproduced: but something more specific is needed if the Plan is to be clear and, in the words of PPG12(3.1), '*easily understood by all who need to know about the planning policies and proposals in the area*'. My view on this is strengthened by the fact that such a considerable amount of the new housing coming forward in Erewash will be on sites that are not allocated in the Plan and which cannot therefore be the subject of indicative site specific targets in the Plan. The phrase "*and all other material considerations*" could be deleted as this sentence indicates only the basis of the negotiations; and in any event it can be taken for granted that planning decisions would take account of other material considerations.

3.19.8 However, while agreeing with the thrust of the *McCarthy and Stone* objection, I do not consider it necessary for Proposal H7 to be entirely replaced by their suggested alternative policy. Indeed I consider that it is commendable for Proposal H7 to include the numerical thresholds for negotiating affordable housing: these are important criteria that would apply directly to planning applications. Following PPG12(A24) it is appropriate to include them in the Proposal rather than in its reasoned justification. I appreciate that detailed changes may before long be made to Government guidance on this subject, but I do not regard that as a good

²² EBC106/35.1

²³ summarised in core document 79

reason not to be so specific. If changes are eventually made, it would be possible to alter the Plan to the extent necessary and whatever stage it is at. Also, it is reasonable for Proposal H7 to concentrate on the subject of affordable housing, particularly if the above Proposal H7A is introduced to address other special housing needs.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) adding a new policy on special needs housing together with a reasoned justification, along the lines of the Council's suggested 'Proposal H7A' as set out above, but subject to some additional explanation of 'special needs standards' in the reasoned justification;
- (b) adding to the reasoned justification of Proposal H7 a definition of 'affordable housing' and a clarification that it can include low-cost market housing as well as subsidised housing;
- (c) amending the third sentence of Proposal H7 to: '*Planning conditions or 'Section 106' planning obligations will be used to ensure that affordable housing provision meets local needs and remains affordable*';
- (d) amending paragraph 2.43 to: '*As the rural area of Erewash is designated Green Belt, and given the provision made by Proposal GB8, it is appropriate for Proposal H7 to apply to the urban areas*';
- (e) replacing paragraph 2.44 with the text of Proposed Change PIM19 together with a brief indication of the numbers and types of affordable homes that, on the basis of the local housing needs assessment, need to be provided;
- (f) also adding to the new paragraph 2.44 a clarification to the effect that the 10%-30% range will be the indicative range of affordable housing to be sought on individual qualifying sites;
- (g) altering the second sentence of Proposal H7 to read: '*The amount of affordable housing will be negotiated with the developer on the basis of (a) housing need in the catchment area; (b) site size, suitability and the economics of provision; and (c) the need to achieve a successful housing development*'.

.....

3.20 PROPOSAL H8 - EXISTING HOUSING SITES

Objections

281	746 W	Mr	M	Gorman	Government Office for the East Midlands
281	755 W	Mr	M	Gorman	Government Office for the East Midlands
328	895 W				Tarmac Central Ltd
390	4058		C	Muston	The House Builders Federation

1358 3503 Mr A Shirley Country Land & Business Association
1407 3745 Mr J Simpkin

Issues

1. 'Brownfield' sites (criterion 1) are not necessarily more sustainable than greenfield sites in terms of criterion 2 or of criteria in PPG3(31), and so the Proposal needs to make it clear that not all brownfield sites are automatically sustainable or preferable.
2. There needs to be a more flexible approach to allow for the possibility of an alternative use for which the site may be better suited.

Inspector's Reasoning and Conclusions

3.20.1 Renewal of permission under Proposal H8 is not solely dependent on brownfield status (criterion 1). The other criteria in the Proposal are also applicable and generally reflect those in PPG3(31). They would not favour sites in the open countryside away from other development. I take the criteria, together, to be a reasonable set of 'sustainability tests' in the context of Erewash. Meeting all the criteria, as required, would give a proposal a high sustainability rating and there would be no reason to withhold permission in terms of Government guidance in PPG3(40). I conclude that the Proposal does not need to be clarified or otherwise amended in respect of the first issue.

3.20.2 I can see little justification for the final sentence of the Proposal, which appears rather arbitrary. It may help to prevent erosion of the housing 'land-bank', as indicated in paragraph 2.45, but it cannot be assumed that this is the paramount consideration in a particular case. There may be good planning reasons or changed circumstances that make other uses preferable on the site concerned. I share the objector's view that more flexibility is required and conclude that this part of the Proposal should be deleted.

3.20.3 In passing I notice a spelling mistake in criterion 1 and a need to correct the syntax in criterion 4. Concerning the latter, I suggest replacing the last five words of the criterion with: '*... and does not lie on unstable land*'.

RECOMMENDATIONS

I recommend that the Local Plan be modified by (a) deleting the last sentence of Proposal H8, (b) correcting the spelling mistake in criterion 1 of Proposal H8, and (c) by replacing the last five words of criterion 4 of Proposal H8 with: '*... and does not lie on unstable land*'.

.....

3.21 PROPOSAL H9 - SECTION 106 OBLIGATIONS

Objections

350	910				Northern Sport in Receivership
390	1017	Mr	I A	Moss	The House Builders Federation
1325	3379	W Mr	R	Barber	Westbury Homes (Holdings) Limited
1358	3504	Mr	A	Shirley	Country Land & Business Association

Issues

1. The requirement to provide community facilities as part of major housing developments should only be applied where a need is demonstrated.
2. It needs to be clear how 'major housing sites' are defined: for small to medium size developments it would not be appropriate to demand this level of input from a developer.
3. It should also be made clear that what is required is provision that is directly related to the development proposed.
4. To reflect Circular 1/97(5) the policy should be worded in terms of '*seeking to negotiate*'.
5. Additional provision should be sought only where there is a shortfall in existing provision.

Inspector's Reasoning and Conclusions

3.21.1 From Circular 1/97[B7] I infer that planning obligations may be appropriate where additional community facilities of the kind referred to in paragraph 2.46 are required as a direct result of the development proposed. But local planning authorities should only seek to negotiate such obligations if it would be wrong on land-use planning grounds to grant planning permission without them. Proposal H9 and its supporting text do not appear to recognise that additional facilities would not necessarily be required as a result of the development proposed – for example, where there is already sufficient capacity in local schools, etc. This shortcoming could be overcome by inserting the words '**to the extent necessary**' after the word '**provided**' in Proposal H9; and by replacing the word '**will**' with '**may**' in the first line of paragraph 2.46. This also effectively resolves the final issue.

3.21.2 I accept that greater clarity is required concerning the definition of 'major housing sites', and so does the Council²⁴. Its Proposed Change PIM55 would add a definition of 'major development' to the Glossary at the back of the Plan. That is not sufficient in my view as there would be nothing to alert readers to the fact that 'major housing sites' are defined in the same way as 'major development' and that the definition of that term is included in the Glossary. A simpler and more helpful and direct solution would be to amend the first line of Proposal H9 so that it reads: '**For proposed housing developments comprising 10 or more dwellings the Council will seek**'. And for grammatical reasons the word '**the**' should be inserted before '**new dwellings**' in the last line.

3.21.3 The above amendments, and particularly the first, would also resolve issue 3 in my view.

3.21.4 Issue 4 arose from the First Deposit and is adequately addressed by the revised wording in the Second Deposit.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) **inserting the words '*to the extent necessary*' after the word '*provided*' in Proposal H9;**

²⁴ see Housing Topic Paper paragraph 13.3

- (b) replacing the word 'will' with 'may' in the first line of paragraph 2.46;
- (c) amending the first line of Proposal H9 so that it reads: '*For proposed housing developments comprising 10 or more dwellings the Council will seek*'; and
- (d) inserting the word 'the' before 'new dwellings' in the last line of Proposal H9.

.....

3.22 PROPOSAL H10A - CONVERSION TO RESIDENTIAL USE

Objections

185 3630 CW English Heritage East Midlands Region

Issues

1. In some cases the subdivision of a large dwelling may be detrimental to its character or that of the area, and so the Proposal should refer to the need to conserve the character of distinctive properties, especially where they are listed or in a Conservation Area.

Inspector's Reasoning and Conclusions

3.22.1 The Council's Proposed Change PIM20 satisfies the objector, but its syntax is faulty. This gives rise to ambiguity, as it is not clear whether or not the effect on the shopping street scene is only in terms of the design of a proposal. To avoid this the criterion could be split as follows: '4. *A design that respects the character of the building; and*, 5. *Where appropriate, no harm to the shopping street scene.*'

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing criterion 4 of Proposal H10A with the following two criteria:

- '4. *A design that respects the character of the building; and*
- 5. *Where appropriate, no harm to the shopping street scene.*'

.....

3.23 PROPOSAL H11 - PHASING OF HOUSING

Objections

See Appendix 1

Issues

1. To avoid harm to important open space, local amenity, character, and wildlife habitats the Proposal should not envisage the development of **any**

- greenfield sites during the Plan period because there is sufficient brownfield land for redevelopment, especially in the Ilkeston area.
2. The Proposal should state that all brownfield sites should be used before any greenfield sites are brought forward for development.
 3. There is no need for a phasing policy because only 5 sites are allocated, of which only 2 are greenfield.
 4. Proposal H11 is too vague and imprecise.
 5. It introduces uncertainty about the development of greenfield sites, since it is not clear how the Proposal will be implemented and enforced.
 6. The Proposal could result in an inflationary housing land shortage due to the doubtful ability of the allocated sites to be developed during the Plan period.
 7. More flexibility is required: if the Oakwell Brickworks site cannot be brought forward in the early part of the Plan period the Proposal should not have the effect of holding the greenfield allocations back.
 8. The Proposal should be deleted until there is a clear achievable timetable for bringing the brownfield sites forward.
 9. Windfall sites will come forward on an *ad hoc* basis and so it is not possible to back-phase greenfield development unless more brownfield sites are allocated for residential development.
 10. The Proposal should include trigger points to ensure that greenfield sites are brought forward for development if brownfield releases are being delayed for any reason.
 11. H11 is not really a phasing policy, as this is concerned with the timeliness of development: it would be better described as a '*sequential approach to housing development*'.
 12. H11 should be revised to take account of the relative sustainability of the allocated housing sites (whether greenfield or brownfield) in the light of the Government guidance in PPG3(30-32).
 13. The increase in traffic near to a busy school and road junction would be unacceptable.

Inspector's Reasoning and Conclusions

3.23.1 It is not evident that there is sufficient suitable brownfield land available to meet the housing requirement, especially in the Ilkeston sub-area where the allocated sites are greenfield. As far as I can see, acceptance of my recommendation to allocate the Oakwell Brickworks site would not change this situation as it is probable that greenfield land at that site would need to be included in a scheme to make it attractive for implementation during the Plan period. Therefore I do not reject Proposal H11 on the grounds that it is unnecessary due to there being no need for greenfield development in the Plan.

3.23.2 Nor would it be realistic to require that all brownfield sites should be used before any greenfield sites are brought forward for development. This is because there are only two allocated brownfield sites in the Second Deposit, and none in the Ilkeston sub-area. Moreover the Council now proposes, with some justification, to delete the two brownfield sites. As the Council points out, many of the objections to Proposal H11 arose from the local concern about development in

the vicinity of the Rutland Recreation Ground and the allocation in the Second Deposit of the greenfield site at West End Drive. This is reflected in the final issue, which is site specific, and with no direct bearing on Proposal H11.

3.23.3 Issue 3 relates to the First Deposit. While the Second Deposit allocates more sites, including greenfield and brownfield, the Council now proposes to allocate only two sites, both greenfield. Consequently the issue now has more significance and it leads me to question the value of a phasing policy in the circumstances of Erewash.

3.23.4 To begin with, the Plan period is likely to have only about 6 years to run, after adoption. Also, it is the Government's objective to move as quickly as possible to the new system of Local Development Frameworks. I have already concluded²⁵ that it would be best to adopt the Plan with minimal delay and move quickly to addressing some of its shortcomings in the new local development documents.

3.23.5 Secondly, it seems likely that the greenfield sites, if they are eventually allocated in the Plan before me, will in any event be rather slow and uncertain in progressing to development. Quite apart from my recommendation to carry out a prior assessment²⁶ of the allocated allotments sites, the Council takes the view, both in the Plan and its written submissions²⁷, that these sites could be naturally delayed until later in the Plan period due to land assembly and other development problems. Nothing I have heard or read causes me to take a different view.

3.23.6 Thirdly, given the extent of reliance on existing outstanding planning permissions and 'urban capacity' or windfall sites, I consider²⁸ that a criteria-based policy of managed release would be more appropriate than one of releasing sites over defined phases of the Plan. Yet even then, it is difficult to see how the policy could sensibly operate without a reasonable 'pool' of allocated sites, to be assessed against the criteria concerned.

3.23.7 The two allocations now proposed by the Council are both in the Ilkeston sub-area. Having regard to the projected shortfall in this sub-area the introduction of an effective policy of managed release may be counterproductive in that it would make it harder to meet the challenge of maintaining an adequate annual delivery of housing completions. Holding back the release of the allocated greenfield sites would risk creating a hiatus in housing land supply. Even if the policy allowed for a trigger mechanism there would inevitably be a lag between any actual 'under-performance' and the advancement of the greenfield sites, after the discovery, through results of monitoring exercises, that the greenfield sites are needed sooner rather than later. On behalf of *Cairnpalm Ltd* it is also argued that reliance on over-provision in the Long Eaton sub-area, to compensate for the Ilkeston shortfall, further weakens the case for a phasing policy. I can see that holding back a greenfield site in Ilkeston would not have as much effect on brownfield sites coming forward in Long Eaton. However, in view of the proximity and small size of the sub-areas I am not sure that this would be a particularly notable factor.

3.23.8 If the Oakwell Brickworks site were allocated it might remove some of the uncertainty associated with windfall sites. But there is doubt as to whether

²⁵ at the end of section 3.2 above.

²⁶ in relation to PPG17(10).

²⁷ For example, paragraph 2.3 of EBC104

²⁸ with reference to page 8 of 'Planning to Deliver' DTLR July 2001

that site itself is capable of being implemented in the first part of the Plan period. Holding back the development of the greenfield sites until Oakwell Brickworks is developed could also create problems therefore. It should also be remembered that development here is likely to be partly on greenfield land. In short, I would not see its allocation as providing justification for Proposal H11.

3.23.9 For all these reasons I conclude that a phasing policy is likely to be of no real planning benefit and might well cause problems in the circumstances.

3.23.10 In any event Proposal H11 is too vague, with very little supporting information as to how it would be implemented. For example it is unclear whether or not, or in what circumstances, giving 'precedence' to the development of brownfield sites would mean refusing planning permission for the development of greenfield sites. From one of the Council's statements²⁹ I infer that the policy seeks to protect greenfield sites at all costs. A more flexible alternative suggested by *Dalmally Ltd* has advantages in terms of its clarity, but I remain doubtful that it would serve a useful purpose.

3.23.11 As a phasing policy Proposal H11 is rather crude and I note that the Council concedes that it is 'a little outdated'³⁰. For reasons already given I am not convinced that a criteria-based alternative, as suggested by the Council, would be worthwhile. The Council considers that this could be based on the sequential approach in PPG3(30). But that is but part of the site selection process. Even were it to also incorporate additional 'sustainability' criteria as set out in PPG3(31) I doubt that it would be effective in fulfilling the purpose of managed release, as outlined in PPG3(32-34), if only because of the nature and paucity of allocated sites and the limited Plan period. In these circumstances I doubt that any of the suggested policy alternatives for the phasing of housing land development would work effectively. I therefore conclude that Proposal H11 should be deleted and not replaced.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal H11.

.....

3.24 PROPOSAL H12 - DENSITY OF HOUSING

Objections

281 745 W Mr M Gorman Government Office for the East Midlands

Issues

No issues arise, as the objector was satisfied with changes incorporated in the Second Deposit.

.....

²⁹ EBC9 paragraphs 6.2 & 7.1

³⁰ EBC163 paragraph 3.4

3.25 PROPOSAL H13 - QUALITY AND DESIGN

Objections

1406 3731 CW S Bolter

Issues

1. The Proposal should also require housing to be designed with community safety in mind and with layouts that are "... *within defensible space and such that makes the target hardened*".

Inspector's Reasoning and Conclusions

3.25.1 An additional criterion worded along these lines would be incomprehensible in my view and I do not recommend it. I consider that community safety is adequately addressed in Policy DC10 on 'designing out crime'. I note that the objection is recorded as conditionally withdrawn but conclude that it does not warrant any modification to Proposal H13.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

.....
.....

4 CHAPTER 3 - EMPLOYMENT

4.1 GENERAL POINTS AND OMISSIONS

Objections

281	661	Mr	M	Gorman	Government Office for the East Midlands
355	945	Mr	D	Abrahams	English Nature
389	3568				Orange Personal Communications Services Limited
391	1023	CW	Ms	K Devonport	Countryside Agency
1410	3764				B & Q Plc

Issues

1. This chapter fails to address the employment needs of the rural area.
2. There should be a policy for farm diversification, in accordance with Government guidance in PPG7.
3. There should be a policy for home-based working and 'tele-working', which would support the Plan's sustainable development strategy.
4. There is a lack of consideration for nature conservation interests in this chapter.
5. With regard to existing employment sites, paragraph 3.18a conflicts with the more flexible approach in criterion 2 of Proposal E2.

Inspector's Reasoning and Conclusions

4.1.1 The Plan would address the employment needs of the rural area through Proposal E5a on rural employment and, as introduced by Proposed Change PIM24, Proposal E5b on farm diversification. The latter is a positive criteria-based policy that appears to have attracted no objections. I conclude that no further changes are required in relation to the first two issues.

4.1.2 On issue 3 the Council points out that home-based working and 'tele-working' generally does not require planning permission and is not controversial. It considers that a policy is not necessary, and I have no reason to disagree.

4.1.3 I do not accept that there is a lack of consideration for nature conservation interests in the employment chapter. The introduction to the chapter confirms the importance of sustainability, the need for minimal impact on wildlife resources, and the fact that the sites proposed for employment use have been tested to ensure that they are compatible with sustainable principles. These principles, including the need to protect and enhance the natural environment, are set out in Proposal LP1 in the Plan's Introduction. As they apply to all development proposals, they do not need to be repeated in subsequent chapters dealing with particular types of development. Moreover detailed treatment of nature conservation policy is included in the environment chapter and does of course apply generally.

4.1.4 The final issue relates specifically to Proposal E2 and is dealt with

under that heading below.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM24.

.....

4.2 INTRODUCTION TO EMPLOYMENT CHAPTER

Objections

1326	3991	Breaston Village Preservation Group
1358	3507	Country Land & Business Association

Issues

1. With regard to paragraph 3.5, it is not appropriate to prevent the development of non-agricultural businesses in the rural area or the modest expansion of existing businesses in the Green Belt: there should be a policy here to recognise the changes occurring in the agricultural economy and the need for communities to remain/become sustainable.
2. The reference to RPG8 in paragraph 3.6 is welcome but does not go far enough: its advice regarding the demand for employment land and the implications of the QUELS report³¹ need to be more explicitly taken into account.

Inspector's Reasoning and Conclusions

4.2.1 Paragraph 3.5 is part of the introductory text. In setting the scene for the employment chapter I do not find that it suggests the prevention of either the development of non-agricultural businesses in the rural area or the modest expansion of existing businesses in the Green Belt. It appears to me to be reasonably balanced in describing the aims of fostering new employment while avoiding conflict with Green Belt Proposals. The policy gap identified by the objector has been addressed by Proposal E5a on rural employment and, as introduced by Proposed Change PIM24, Proposal E5b on farm diversification. Even in the Green Belt, policies do not prevent business growth. Proposal GB5a makes provision for conversions of buildings and changes of use in the Green Belt and recognises that this may result in environmental improvement where the alternative may be vandalism and dereliction. I conclude that no further changes are required in response to this issue (Proposed Change PIM24 having been recommended in the previous section).

4.2.2 The QUELS Report assesses the quantity and quality of employment land supply in the East Midlands Region and its results inform the emerging Regional Planning Guidance. For the purpose of the Introduction I consider that the reference to this guidance is adequate since the April 2003 draft takes, and no

³¹ Quality of Employment Land Study – see core document 82

doubt the final version that follows will take, account of relevant research results. It may be relevant to refer to particular findings of the report in the reasoned justifications of employment policies, but the objector is not very specific in suggesting parts of the Report that would help in this respect. I am also conscious that the focus of QUELS was on larger sites and on the sub-regional rather than the District level. I conclude that there is no need to introduce new text in response to this issue.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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4.3 PROPOSAL E1 - INDUSTRIAL AND BUSINESS LAND

Objections

218	640				Metropolitan & District Developments Ltd
281	743	W	Mr	M Gorman	Government Office for the East Midlands
348	3918				Severn Trent Property Ltd
350	909				Northern Sport in Receivership
447	1192	CW			Transport 2000
448	1204				Broxtowe Borough Council
651	1653	W			Derbyshire Wildlife Trust
1305	3954		Mrs	Peebles	
1326	3994				Breaston Village Preservation Group

Objections to Proposed Changes

76	4090				Derbyshire County Council
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Issues

1. The Council's **Proposed Changes** fail to provide sufficient employment land having regard to the Structure Plan requirements for the Ilkeston and Long Eaton sub-areas.
2. To guard against adverse effects on the vitality and viability of other local centres nearby, the Proposal should add that applications for other uses (including **retail** uses) on the allocated sites will not be permitted.
3. Employment allocations should allow for an area for the development of **speedway** facilities, particularly at Digby Street, Meadow Lane and Longmoor Lane.
4. To ensure that the **Longmoor Lane** allocation retains the necessary amount of employment land (10 ha) paragraph 3.15 should explain the need for a reserve strip of land to be allocated on the northern side of the site, to be used in the event of M1 widening work proceeding; and the additional allocation should be identified on the Proposals Map.
5. The reference in paragraph 3.15 to the M1 widening proposals does not go far enough in that there is no explanation of what contingency proposals

exist and no reference to the effect on the already poor air quality in this area.

6. The reasoned justification in paragraph 3.15 is not compatible with Proposal LP1 on sustainable development.
7. The Longmoor Lane allocation is contrary to sustainability objectives: the location not far from the motorway junction and with no public transport means that it would generate additional car trips, contribute to congestion at junction 25, and attract employment away from Long Eaton town centre.
8. To help make up an employment land shortfall the 3.4 ha site to the north of **Nottingham Road**, Long Eaton should be allocated as a business park under proposal E1: its excellent transport links and central location make it preferable to the Longmoor Lane site, and employment use would be more suitable than the residential use envisaged in Proposal H1.
9. Land to the **west of Bostocks Lane, Risley** should be allocated for industrial and business development under this Proposal: it is well located in terms of transport facilities and surrounding uses, and the development would enhance the visual amenity, character and employment opportunities of the area without affecting the function of the Green Belt.

Inspector's Reasoning and Conclusions

4.3.1 I have examined the employment land provision in my appraisal of the Longmoor Lane proposal in section 4.6 below. I have concluded that it is reasonable to rely on the Stanton Ironworks site to meet the required provision identified by the Council. This is not entirely satisfactory as it would not reduce the shortfall for the Long Eaton sub-area. While I accept that there is also some uncertainty as to how much employment land could be developed at this site during the Plan period, I am conscious of the Council's finding that there is a distinct lack of suitable locations for new employment sites in the Borough. It appears that there will be a need to re-assess the industrial land position and potential sites for further provision in the light of the new Regional Planning Guidance when it is adopted. This may have a significant effect on the present Structure Plan requirements. I conclude that the Council should move without delay to the adoption of the Local Plan and make an early start on the new Local Development Framework for the Borough. This would allow the shortcomings of the Plan, including the employment land provision, to be re-assessed and addressed in a more informed, effective and efficient context.

4.3.2 The Second Deposit and the Council's Proposed Changes would, with justification, delete certain allocated sites. However, provided my above conclusion is accepted, I consider that my recommendations on the site-specific proposals would make acceptable provision for employment land. It would be necessary to carry out further assessments of potential sites, monitor the position and make appropriate alterations to this provision should it become obvious that expectations at Stanton Ironworks will not be realised.

4.3.3 Proposal E1 provides for **industrial and business development**. This is defined in paragraph 3.7 of the reasoned justification with reference to the 'Use Classes Order', 1987. It is therefore sufficiently clear which uses Proposal E1 provides for, and there is no need to add further explanation to this end. *Broxtowe Borough Council* has also referred to Proposal E2 in relation to this issue. While I accept that the changes incorporated in the Second Deposit are helpful in relation to that policy there does remain some scope for confusion in the use there of the

terms 'employment sites' or 'employment uses'. I suggest that the Council replaces these terms with 'industrial and business' sites and uses, so that the definition is clear and the meaning is consistent with Proposal E1. It also seems to me that this part of the Plan would be easier to follow if Proposal E2 were entitled '*Protection of Industrial and Business Uses*'.

4.3.4 I find no good reason for providing for **speedway** facilities in employment allocations. It is quite probable that this would detract from the objectives of employment development and, in the absence of a strong case, I do not recommend it.

4.3.5 The issues relating to Longmoor Lane and its reasoned justification are dealt with in section 4.6 below insofar as they relate to the merits of the allocation. In view of my recommendation to delete the site from Proposal E1 there is no need to deal with the subsidiary points of detail.

4.3.6 The final two issues relate to 'omission sites' and I deal with them both in section 4.8 below.

4.3.7 In summary, the issues raised in this section lead to recommendations for changes only in relation to Proposal E2, and they are additional to the separate consideration of Proposal E2 in section 4.9 below.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing the terms 'employment' sites and uses in Proposal E2 with 'industrial and business' sites and uses, and by entitling Proposal E2 '*Protection of Industrial and Business Uses*'.

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4.4 PROPOSAL E1 - DIGBY STREET, ILKESTON

Objections

354 932 W Mr D Marsh Environment Agency

Issues

There are no issues here as the objection was withdrawn as a result of the deletion of this site in the Second Deposit.

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4.5 PROPOSAL E1 - MEADOW LANE, LONG EATON

Objections

218 500 Metropolitan & District Developments Ltd
651 1654 W Derbyshire Wildlife Trust

Issues

1. The site should not be allocated as there is a significant risk that it would not be developed during the Plan period, for reasons referred to in paragraph 3.13.

Inspector's Reasoning and Conclusions

4.5.1 Paragraph 3.13 acknowledges that development at Meadow Lane would require infrastructure investment and might not take place until the latter part of the Plan period. The Council considers that the site is likely to be developed before 2011, and there is no evidence to cause me to doubt that the necessary investment would be forthcoming. Indeed, in submissions³² to the inquiry the objector accepts that the difficulties are not insurmountable and that it is likely that the site would be developed later on in the Plan period. The probability that it would be later on is not itself a sound reason to delete the allocation, and I conclude that it should remain.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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4.6 PROPOSAL E1 - LONGMOOR LANE, BREASTON

Objections

See Appendix 1

Objections to Proposed Changes

348 4071

Severn Trent Property Ltd

Issues

1. There is no proven **need** for a 10 ha allocation of employment land at Longmoor Lane: it would exceed the Structure Plan requirement and there is still a substantial area of the allocated land in the current Local Plan that has not yet been utilised.
2. The site is not **sustainable**: it is isolated from other employment uses, remote from good public transport, lacking in safe and convenient cycle and pedestrian links to a residential area, not consistent with Structure Plan Economy Policy 2 or Transport Policy 4; and being near the M1/A52 junction it would only encourage the car-commuting that policies aim to reduce.
3. The supporting text should include an explanation and justification of the site's selection, with reference to the sequential approach mentioned in paragraph 3.2.

³² paragraph 4.2, document 218A

4. The Proposal would harm the purposes of including land within the **Green Belt**: in particular it would substantially and conspicuously reduce the already limited gap between Breaston and the urban area of Long Eaton.
5. The size and location of the development would cause Breaston to lose its **identity** and separate village status.
6. There is no explanation of the **exceptional circumstances** that would provide justification for locating such a development in the Green Belt.
7. It would breach the well established and defensible Green Belt boundary along the M1 and create a precedent for further harmful development in the Green Belt and around Breaston, including to the north of Longmoor Lane, where development is presently only very limited.
8. The development would inhibit the take-up of **brownfield sites** in the larger urban areas of Derby and Nottingham, and would undermine efforts to regenerate parts of those areas.
9. Even in Erewash there are **alternative** substantial brownfield sites, such as Stanton Ironworks, as well as many empty units in Long Eaton and elsewhere, that should be developed before resorting to an unspoilt greenfield site in the Green Belt.
10. The **traffic** generated by the Proposal would add significantly to **congestion** problems both in the village and at busy road junctions nearby: not least motorway junction 25.
11. Because Longmoor Lane is of limited width, has on-street parking, is used by cyclists, pedestrians and riders, and has difficult junctions, the additional traffic would be harmful in terms of **road safety**.
12. The reasoned justification should include a reference to Proposal T11, concerning the need for a **transport assessment**.
13. By significantly increasing water run-off, the development would increase the **flooding problem** on Longmoor Lane and put nearby vulnerable residential areas, such as Holly Avenue, at greater risk of harm.
14. The development would add to **air pollution** levels that have already been found to be below recommended standards in this locality.
15. The development would increase **noise and vibration** to the detriment of the local community.
16. Its location almost opposite a **cemetery** in a rural setting would be inappropriate and insensitive.
17. Situated on sloping ground, the development would be **visually intrusive** and would harm the amenities of local residents.
18. It would also affect the countryside setting and amenity value of the **public path** along the southern and western sides of the site.
19. The site is of value to **wildlife**, and particularly birds, which would be adversely affected by the development.
20. The development would be at the cost of good **farmland** and could affect the viability of the farm of which it forms part.
21. The development would add to existing pressure on **village services and facilities**.

22. The suggestion that the Proposal could involve the restoration of the short section of former **canal** alongside the boundary of the site is not sufficient to justify development; nor is it in the spirit of Circular 1/97 on planning obligations.
23. The **reasoned justification** for the allocation is deficient, especially in terms of the nature/uses of the proposed business park, the need for off-site infrastructure and road traffic implications, the consideration given to alternative locations, how the development would be phased, and whether any flood assessment has been done.
24. A better planning framework is required including a development brief and a travel plan.
25. An additional 0.7 ha of land needs to be allocated on the northern side of the site, as a reserve strip, in order to compensate for any loss of the site to a possible motorway widening scheme.
26. The Council's Proposed Changes, which would delete the Longmoor Lane allocation, fail to take full account of the locational advantages of the site, the further reduction of employment land that has occurred since the allocation was first proposed, and the shortcomings in terms of the range of sites required to attract inward investment and diversify the skills base of the Borough.

Inspector's Reasoning and Conclusions

4.6.1 Proposal E1 of the Second Deposit allocates 10 ha of land at Longmoor Lane for business use. Proposed Changes PIM21, PIM65 and PIM88 would delete the site from Proposal E1 and its reasoned justification, and would return it to Green Belt on the Proposals Map³³. In view of the Green Belt status of the site and the lack of any approved alterations of the Structure Plan to support a change to the Green Belt boundary to accommodate an employment land allocation here, I consider that the principal issue in this case is whether or not there are exceptional circumstances that necessitate the alteration of the Green Belt boundary for this purpose. This I believe to be the relevant Green Belt policy test, being based on Government guidance in PPG2(2.7) relating to the revision of local plans.

4.6.2 The Council has indicated that with the Proposed Changes there would be a shortfall of 5.59 ha of employment land on the Structure Plan Economy Policy 14 provision of 20 ha for the Long Eaton sub-area. This figure has been agreed with the County Council³⁴. In addition, *Severn Trent Property Ltd* argues that employment sites at Meadow Lane and Manor House Road, Long Eaton are unlikely to be fully implemented during the Plan period. I do not find firm grounds for this, and would not therefore expect these sites to add to the shortfall. On the other hand I do accept that since the time of the First Deposit there has been a loss of factory sites to housing uses, that the scope for securing additional employment land within the urban parts of the Long Eaton sub-area is very limited, and that there appears to be a lack of suitable alternative sites in the Long Eaton sub-area to make good the shortfall.

4.6.3 The Council believes that the overall shortfall of employment land in the Borough can be met by the regeneration of derelict land at Stanton Ironworks

³³ In restoring the Green Belt, Proposed Change PIM88 supersedes PIM60

³⁴ EBC1/D, Appendix B

(Proposal E3). Although that site is in the Ilkeston sub-area it is also quite near to the Long Eaton sub-area. Indeed, in comparison with Longmoor Lane it is nearer to parts of the residential area of Sandiacre, which lies within the Long Eaton sub-area. In weighing the harm caused by failing to meet the Structure Plan employment land requirement for the Long Eaton sub-area I accept that Proposal E3 is capable of being taken into account as a mitigating factor. My reasoning here is in some respects similar to that reported earlier in connection with the sub-area shortfall for housing provision³⁵.

4.6.4 The reclamation and regeneration of the Stanton Ironworks site was proposed in the adopted Local Plan, but there has not been much progress. The Council understands that issues have now been resolved and that contracts are soon to be let, leading to the restoration within 2 to 3 years of some 50 ha of land to a state ready for redevelopment. I appreciate that this may be optimistic and that there is much to be done first, including the removal of serious contamination, the reclamation of minerals and the provision of infrastructure; and that there is not yet a commitment to funding or a firm timetable. The uncertainty at this site is reflected in the Structure Plan, which refers to the present owners' wish to retain the whole site for their own use³⁶. However, things do now appear to have moved on. The present owners have confirmed that they are prepared to become an active partner in the redevelopment proposal, in association with the Borough and two County Councils, and to work with the East Midlands Development Agency to provide the infrastructure requirements in order to bring about the development of the vacant land before 2011³⁷. Letters from the Derby and Derbyshire Economic Partnership and from the Erewash Partnership provide further encouragement³⁸. I conclude that there does appear to be some momentum, that the Stanton Ironworks proposal does deserve priority (at least in the context of the Borough), and that it is reasonable to place reliance on it for employment land provision within the Plan period.

4.6.5 It is debatable whether or not the Stanton Ironworks proposal should count as a contribution to new employment land. Having regard to comments from the County Council and the fact that there was a low level of activity on much of the land at the Structure Plan's base year, I lean to that Council's view that a strict interpretation of the methodology would not be appropriate in the particular circumstances of Stanton³⁹. I conclude that it is acceptable to take Stanton Ironworks into account in making employment land allocations, and that this mitigates the consequences of failing to make full provision for the Long Eaton sub-area.

4.6.6 The Longmoor Lane site would make a considerable contribution to the range and choice of sites available for industrial and commercial development, and I have no doubt that this would be of benefit in terms of Government guidance (PPG4: 6) and regional business needs. The latter have recently been clarified in the 'QUELS Study', which is in turn influencing the emerging Regional Planning Guidance and the Regional Economic Strategy. However, nothing I have read in these documents⁴⁰ indicates that a business park, such as proposed, should be provided in Erewash, let alone at the location proposed. I find an inadequate basis

³⁵ see section 3.2 above

³⁶ paragraph 21.16 of Explanatory Memorandum

³⁷ EBC1/C, Appendix A

³⁸ EBC1/C, Appendices B & C

³⁹ EBC1/D, Appendix A

⁴⁰ core documents 47, 82B and 144

for the claim that the proposed allocation of the Longmoor Lane site is necessary for the delivery of the Regional Economic Strategy.

4.6.7 I can see that the Longmoor Lane site does have locational advantages for a business park and acknowledge that the demands of businesses should be a key input to the preparation of development plans. The site is well seen from the M1 motorway and is quite near to Junction 25. It is on the urban edge in open countryside and, as a greenfield site, it could easily be attractively landscaped. On the other hand I am not convinced that it is a particularly sustainable location. Apart from its location in the Green Belt, it is not previously developed land, is not within the urban area, and I would not describe it as having good public transport. There is a danger that being fairly near to the M1/A52 junction would encourage the car-commuting that planning policies aim to limit. Having regard to local objections, and having experienced the traffic conditions in the locality, I have some sympathy for the view that the proposal would add significantly to traffic congestion problems, notwithstanding the potential for mitigation measures. Therefore I would not rate the site highly in terms of the locational factors listed in Government guidance (PPG4: 9-10).

4.6.8 I come to a similar conclusion in relation to the more up to date Regional Planning Guidance (RPG8). The objection proposal does not seem to me to perform well against the sequence of locational priorities in Policy 1. Policy 84 does provide for employment development adjoining settlements in the Three Cities Sub-Area, but this is in locations that respect environmental constraints and have good public transport. Quite apart from my doubts about the public transport, the objection site is clearly in the Green Belt and so the proposal would not respect what I regard as an environmental constraint. That it is a constraint of great importance is stated right at the beginning of relevant Government guidance in PPG2. At the inquiry there was reference to the relative increase in demand for office development and to the shortage of sites suitable for science and technology uses⁴¹. But were these uses to be envisaged at the objection site they would not fit well with the criteria in policies 18 and 16, respectively. Paragraph 4.12 adds that employment intensive development is often linked to Class B1 uses. These are compatible with other land uses and are a vital component of mixed-use inner city regeneration. At a sub-regional level, it is therefore reasonable to expect that the objection proposal could detract from plans and efforts to encourage such regeneration.

4.6.9 Emerging Regional Planning Guidance (core document 47) takes account of the findings of the QUELS Study, yet I find no new policies that particularly favour the objection proposal. In any event, that draft guidance carries little weight at this stage.

4.6.10 Leaving aside Economy Policy 14, I also find little in the Structure Plan to support the objection proposal. General Development Strategy Policy 6 aims to maintain the Green Belt. Paragraph 2.68 of the Explanatory Memorandum specifically refers to the need to prevent the coalescence of the Derby and Nottingham built up areas and to maintain the separate identities of the Erewash towns and villages to the east of Derby. The Structure Plan period extends to 2011 and so this is not inconsistent with the proposal in Regional Planning Guidance to review the Green Belt with a view to accommodating development needs up to 2021. As for the period to 2011, the Structure Plan Explanatory Memorandum

⁴¹ Emerging from the QUELS Study, and reflected in paragraph 4.2.9 of emerging Regional Planning Guidance in core document 47.

draws attention to the sensitive nature of the Green Belt between Derby and Nottingham, and to the need to resist pressure to roll back the Green Belt in the Long Eaton sub-area. In view of the major opportunities for employment creation in several of the surrounding areas, which are well placed to meet the needs of Long Eaton, it also considers that it may not be necessary to make additional provision within the Long Eaton sub-area⁴². Indeed, paragraph 22.38 quite plainly states that all significant development in the Long Eaton sub-area should take place east of the M1 in order to safeguard the general extent of the Green Belt. While this is not a Structure Plan policy, it is consistent with the Structure Plan Written Statement and deserves some consideration. Certainly it militates against the objection proposal.

4.6.11 At the inquiry, reference was made to the Baker Associates sustainability assessment of the Nottingham – Derby Green Belt⁴³; and in particular to its recommendation that, in establishing the pattern of future development, Regional Planning Guidance should not be inhibited by the existence of the Green Belt. However, this report is looking well beyond the period of the Plan before me. Also, I infer, both from the Report and from the emerging Regional Planning Guidance that it informs, that the review of the Green Belt boundaries should be coordinated across a much wider area than the Borough, and within a common framework⁴⁴. In my view the objection proposal is significant enough to pre-empt such a review, and the aims of the existing and emerging Regional Planning Guidance are not well served by such piecemeal changes. Having studied the implications in a wider context, the Baker Report itself appears to recognise that development proposals in locations between Nottingham and Derby may prove to be unacceptable because of their effect on the separation of settlements; and that there are other suitable general locations that would avoid such an effect ⁴⁵.

4.6.12 For all these reasons I conclude that although there is a need for more employment land in the Long Eaton sub-area, it is not so strong as to amount to exceptional circumstances justifying the alteration of the Green Belt boundary to accommodate the objection proposal.

4.6.13 My conclusion is strengthened by two further factors. The first relates to my conclusion arising from housing issues in the previous chapter⁴⁶. There I concluded that the Council should move quickly to the adoption of the Plan and make an early start on the new Local Development Framework for the Borough. This would allow the shortcomings of the Plan, including the employment land shortfall, to be re-assessed and addressed in a more informed, effective and efficient context. Having regard to the Employment Topic Paper I am not confident that sufficient work has yet been done, against the backcloth of up to date strategic planning guidance, to allow a fully informed decision on further employment land allocations. In particular, I am conscious that the results of the QUELS Study have yet to be reflected in adopted Regional Planning Guidance and that, in the light of the Study, the Regional Economic Strategy sees a need to 'restructure' local plans in relation to site provision and development⁴⁷.

4.6.14 The second factor is the degree of harm that the objection proposal

⁴² paragraph 2.20

⁴³ core document 83

⁴⁴ for example paragraph 3.3.35, core document 47

⁴⁵ paragraph S11, core document 83

⁴⁶ see section 3.2 above

⁴⁷ core document 144, page 64

would cause to the purposes of including land within the Green Belt. There can be no doubt that the proposed development at Longmoor Lane would encroach on the countryside. Although the 10 ha site could be landscaped, set back from Longmoor Lane and screened by peripheral planting, the development would undeniably reduce the site's openness and thereby harm the most important attribute of the Green Belt. Moreover, the encroachment and loss of openness would be conspicuous from the M1 motorway. Even with boundary planting, I judge that it would also be notable from the public path running along the western and southern sides of the site.

4.6.15 The fact that the proposed development would be allocated in the Local Plan would not prevent it from appearing as unrestricted urban sprawl, especially as it would break through a very strong and well-established Green Belt boundary feature (the motorway). I do not believe that the resulting new boundary could be so readily recognisable and secure. Although the development would be on the north side of Longmoor Lane it is to me inconceivable that it would not contribute significantly to the coalescence of Long Eaton and Breaston. This would undermine one of the stated aims of the Green Belt: that is, to maintain the separate identities of the Erewash towns and villages to the east of Derby⁴⁸. Finally, I appreciate that the Longmoor Lane business park might well attract a different kind of user than those who would occupy redeveloped urban land, for example at Stanton Ironworks. Nevertheless I consider that there would be a significant risk of adverse effects on efforts to encourage the recycling of derelict and other urban land, which is often more problematic. This effect might not be the major one, but I conclude that it would contribute to what in total would amount to considerable harm to the Green Belt in Erewash.

4.6.16 Other than those factors already mentioned, there are no planning benefits that come close to outweighing the harm to, and conflict with, Green Belt policy; and on this basis alone I find against the proposal at Longmoor Lane. Objectors have raised a number of other issues, listed above, but they do not add significantly to my overall conclusion, which is in favour of the Council's Proposed Changes to delete the allocation.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Changes PIM21 and PIM88, and by the deletion of the Longmoor Lane site in Proposal E1.

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4.7 PROPOSAL E1 - BRIDGEFIELD, BREASTON

Objections

See Appendix 1

Issues

⁴⁸ Structure Plan Explanatory Memorandum, paragraph 2.68

1. The deletion of this site allocation in the Second Deposit is inconsistent with the **employment needs** of the area.
2. There is no proven need for a 0.75 ha allocation of employment land at Bridgefield: there have for long been vacant units on the existing industrial estate here and also there is adequate brownfield land that could be used elsewhere.
3. The proposal would harm the purposes of including land within the **Green Belt**: in particular it would amount to the encroachment of built development on to open countryside.
4. No **exceptional circumstances** have been given to justify the adjustment of the Green Belt boundary that would be required to accommodate the development.
5. This industrial development would contribute to Breaston's loss of **identity** and separate village status.
6. It would create a **precedent** for further harmful development in the Green Belt and to the rear of the nearby properties, owing partly to the lack of complete defensible boundaries around the site.
7. The **traffic** generated by the proposal, including heavy vehicles, would add significantly to **congestion** problems both in the village generally, on the already congested Draycott Road, and at busy road junctions nearby.
8. The resulting additional use of the access on to Draycott Road would cause increased **road safety** problems, especially in view of the other uses, junctions and heavy vehicle movements in the vicinity.
9. The development would be too close to dwellings on The Crescent and Belvoir Close (including homes for the elderly), and with little space for creating a landscape buffer there would be harm to the outlook and **residential amenities** of the occupiers.
10. By increasing water run-off and occupying a low-lying area next to an existing stream the development would increase the **flooding problem** for the nearby properties.
11. The development would increase noise, dust and **air pollution** problems for nearby dwellings.
12. The site is of value to **wildlife**, and particularly birds, which would be displaced by the development.
13. The site is adjacent to an industrial estate and so the locality is well used to this kind of usage.
14. The proposal would simply extend an already ugly, ill-planned and partly derelict industrial environment and eyesore.
15. It would also spoil an **attractive area** that has been planted as part of a local school project and which serves to contain the existing development.
16. A better planning framework is required including a **development brief**, an indication of the amount of development to be accommodated, and basic details of the landscaping and infrastructure requirements.

Inspector's Reasoning and Conclusions

- 4.7.1 The site at Bridgefield has been deleted in the Second Deposit, yet I
-

consider it here because its deletion is subject to an objection, albeit one that is logged by the Council under Proposal GB1. The objection is mainly based on the first of the above issues and I deal with it here so that it can be considered in the context of the other issues raised in relation to this site.

4.7.2 The site's location in the Green Belt is a particularly important consideration. Again I consider that the principal issue is whether or not there are exceptional circumstances to justify altering the Green Belt boundary to accommodate the allocation of employment land. I have already accepted that, taking account of the Council's Proposed Changes, there is a shortfall of employment land allocated in the Long Eaton sub-area, having regard to the provision in Structure Plan Economy Policy 14. The objection site is only small in comparison with this shortfall, although it would make some contribution. I doubt that it would contribute much in terms of the range of sites available given that it is effectively an extension of an existing employment site. It is not a good sign that objectors have stressed the persistence of vacant floorspace on the existing site, although I cannot be sure about the reason for this. Bearing in mind the policy considerations I have just examined at some length in relation to the Longmoor Lane site, I have little hesitation in concluding that the 'need' factor is not alone sufficient to constitute exceptional circumstances in this case.

4.7.3 It is not disputed that the allocation of the Bridgefield site would detract from the purposes of including land within the Green Belt. In particular it would encroach on the countryside setting of Breaston, causing a reduction in openness and an increase in urban sprawl. I am aware that the undeveloped nature of this site is of importance to the local community, and that it has been the subject of a tree planting project by the local school. Also, although the site is only small, its allocation for industrial and business development would not assist the Borough's efforts to regenerate urban areas. These factors only serve to strengthen the case against the Bridgefield site on Green Belt grounds.

4.7.4 I am unable to find any other significant factors in favour of the Bridgefield allocation or that would constitute exceptional circumstances. I therefore conclude that the alteration of the Green Belt boundary to accommodate an employment land allocation here would not be justified. Apart from this, there is very considerable opposition from the local community. While accepting that there are other reasonable grounds of objection, it is unnecessary for me to examine them further as they would only serve to tip the balance of considerations even further against the reinstatement of the Bridgefield allocation.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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4.8 PROPOSAL E1 - OMISSION SITES

Objections

218 640
447 1192 CW

Metropolitan & District Developments Ltd
Transport 2000

Issues

1. Land to the **west of Bostocks Lane, Risley** should be allocated for industrial and business development under this proposal: it is well located in terms of transport facilities and surrounding uses, and the development would enhance the visual amenity, character and employment opportunities of the area without affecting the function of the Green Belt.
2. To help make up an employment land shortfall the 3.4 ha site to the north of **Nottingham Road**, Long Eaton should be allocated as a business park under proposal E1: its excellent transport links and central location make it preferable to the Longmoor Lane site, and employment use would be more suitable than the residential use envisaged in proposal H1.

Inspector's Reasoning and Conclusions

4.8.1 The objection site to the **west of Bostocks Lane, Risley**, and nearby land on the other side of the road does of course have a planning history. Having studied the related Inspector's reports and decisions I do not consider that consistency demands the rejection of the objection proposal. This is because planning circumstances have changed. In particular I have in mind the greater emphasis on sustainability criteria at all levels for guiding the location of various kinds of development; and the need to more critically re-assess the role and definition of local countryside designations, including that applicable to the objection site under Proposal EV3/2 of the adopted Local Plan. It is also relevant to take account of the extent of the business development allowed on appeal on the other side of Bostocks Lane, and the need for the Plan before me to make adequate provision for employment development.

4.8.2 As I have concluded in the Green Belt Chapter (section 11.2) there is inadequate justification for adding the objection site to the Green Belt. In this respect I am particularly conscious of the conclusions in the Inspector's report on the '*South and South-East Derbyshire Green Belts Plan*' concerning land in this vicinity⁴⁹. I also question the value of continuing its protected open land status under a policy resembling Proposal EV3/2 of the adopted Local Plan. The site is no longer an important link between areas of open land to the east and west. To me it appears to be no more than a small enclave of unused open land within the urban area. It has some degree of physical linkage with the Green Belt, but this is limited in visual terms by boundary features and is rendered more tenuous by the separating effect of the 'old' Bostocks Lane. The site is in a prominent position by the 'entrance' to the village, but its visual amenity value could be retained if not enhanced by thoughtful landscaping in association with the proposed development. The small size of the site and its engulfment by adjoining development limits its value in terms of 'openness' alone.

4.8.3 While I have concluded that it is reasonable to place some reliance on Stanton Ironworks in making provision for employment land, I accept that there is some uncertainty in the amount of development that it will be possible to realise there during the Plan period. With the deletion in the Second Deposit and the Proposed Changes of all but one of the employment allocations in Proposal E1, there is also a notable lack of choice in available new sites. The objection site would, I understand, be readily available, and it would contribute to the range of development opportunities in accordance with Government guidance in PPG4(6) and part of policy 12 of RPG8.

⁴⁹ core document 141

4.8.4 At the inquiry the Council doubted that the objection proposal would meet the requirements of policies 15 or 18 of RPG8, concerning strategic high quality employment sites and office development, respectively. It is true that the site is not ideal in these terms, particularly in view of its greenfield status and its location away from town centres. However, in terms of most RPG8 planning criteria and Structure Plan Economy Policies 1 and 2 I find that the site performs quite well; and I have little evidence of more suitable non-employment sites that could be brought into employment use. Indeed, in the light of its search for new employment sites the Council accepts that there is 'a *distinct lack of suitable locations*'⁵⁰. A business development at the objection site would in my view relate well with its surroundings. Although at a motorway junction, it would also be conveniently close to a good public transport service. As the objector points out⁵¹ the attractiveness of the site to potential developers is also borne out by the rapid development of the business area on the other side of the road. The locational demands of businesses are a key input to the preparation of development plans. The degree to which the objection proposal would undermine efforts to regenerate more problematic previously developed land, such as Stanton Ironworks, is of course a factor to take into account. But the size of the objection site is only 0.37 ha according to the objector. After providing space for landscaping, the size of any acceptable development would be so relatively small as to have a very marginal effect in these terms, especially as it could be developed at an early stage in the remaining Plan period.

4.8.5 In short the objection proposal would be capable of making a small but worthwhile contribution to maintaining the momentum of employment development in the Borough without causing undue harm. Taking account of the nearby presence of housing to the north west, I conclude that it should be considered for allocation as Class B1 business development under Proposal E1.

4.8.6 Following the proposed deletion of the Longmoor Lane site from Proposal E1 I note that the objection concerning the **Nottingham Road** 'omission site' has been withdrawn. As I understand it, the site is already employment land, albeit largely vacant. Having regard to my conclusions⁵² on the possible allocation for housing purposes and in view of the access problems and the possibilities for mixed use redevelopment here, I can see that there is something to be said for the Council's preferred approach of non-allocation of the site. This would allow scope and flexibility for suitable redevelopment schemes. I concur with the Council's view that there should be no allocation of the site under Proposal E1.

RECOMMENDATIONS

I recommend that consideration be given to modifying the Local Plan by including in Proposal E1 the allocation of the land to the west of Bostocks Lane, Risley for Class B1 business development.

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4.9 PROPOSAL E2 - EXISTING EMPLOYMENT SITES

⁵⁰ EBC141, paragraph 3.1

⁵¹ Document 218A, paragraph 2.21

⁵² Section 3.5 above

Objections

76	166 W			Derbyshire County Council	
211	481 W	Mr	R	Ling	Nottinghamshire County Council
281	742 W	Mr	M	Gorman	Government Office for the East Midlands
328	892 W				Tarmac Central Ltd
386	993				British Telecommunications Plc
454	1226				Wm Morrison Supermarkets Plc
454	3945				Wm Morrison Supermarkets Plc
1371	3610				Tronos Plc
1410	3764				B & Q Plc

Issues

1. Proposal E2 limits the scope for redevelopment when there may be no justifiable reason for doing so: it should deal with such applications on their merits, having regard to Government guidance in PPG3 and PPG13 and to the aims of other Proposals in the Plan, such as H2 and H4.
2. The restriction on retail use of employment sites should be qualified to reflect guidance in PPG6[3.23] that retail development should not **normally** be allowed on industrial and business land where the former **would have the effect of limiting the range and quality of sites that would be available**.
3. Paragraph 3.18a is unnecessary, unduly negative and inconsistent with the wording of paragraph 3.18 and criterion 2 of Proposal E2.
4. Criterion 3 is over-restrictive and should be amended to read: *'it can be demonstrated that an alternative use would result in environmental benefits both on site and to the surrounding area'*.

Inspector's Reasoning and Conclusions

4.9.1 From my appraisal of Proposal E1 I infer that circumstances in Erewash have made it difficult for the Council to identify suitable land for employment allocations sufficient to meet Structure Plan requirements. As a result there are very few site allocations for employment purposes, and a good deal of reliance on the Stanton Ironworks site. At the same time I note the concern about the number of employment sites that have been lost to residential use since the First Deposit was prepared⁵³. There is therefore the danger of a reduced variety of sites available to meet differing needs and a deficiency in the amount of land that is readily available and capable of development. There does appear to be a need to carry out an up to date review of employment land and to produce an agreed programme for progressing matters at Stanton Ironworks. Together with the new Regional Planning Guidance, expected later this year⁵⁴, this would help clarify what needs to be done to meet the strategic employment land requirements.

4.9.2 Until then I consider that a policy to protect industrial and business uses is justified. That is not to say that blanket protection is warranted, but that a criteria-based policy along the lines of Proposal E2 is required to prevent a harmful reduction of employment sites that could be very difficult to subsequently make good. Such a policy generally supports the last part of Structure Plan Economy Policy 1. I appreciate that Government is presently proposing to amend PPG3 to

⁵³ core document 142, report to the Council Executive meeting of 8 July 2003

⁵⁴ core document 47, paragraph 1.1.2

encourage the re-allocation of industrial and commercial land for housing use. But it does recognise that this may not be appropriate if it is shown that there is a realistic prospect of an industrial allocation being taken up in the Plan period.

4.9.3 In relation to the first issue I therefore conclude that the kind of policy sought by *British Telecommunications Plc*, which simply considers applications on their merits and in terms of other policies in the Plan, is inadequate. I also find no good reason to accept its suggestion of deleting the second and third sentences of paragraph 3.18. However, following the amendments in the Second Deposit it does seem appropriate for the third sentence to refer to Proposal E2a as well as Proposal E2.

4.9.4 The second issue was raised in connection with the First Deposit. Although the amendments in the Second Deposit do not provide the qualification sought by the objector I consider that the policy is broadly consistent with guidance in PPG6[3.23]. It is not necessary for Proposal E2 to adopt the wording of part of a sentence from that guidance; nor is it desirable in my view, as it would be very open to interpretation and would not provide a useful criterion for development control purposes.

4.9.5 Given that the general purpose of Proposal E2 is to protect the stock of industrial and business sites⁵⁵, it is reasonable to refer in paragraph 3.18a to the intention of resisting their redevelopment for retailing purposes. That paragraph then goes on to give the reasons for such resistance, and this also helps to explain the inclusion of criterion 2. I do not consider that the paragraph is unnecessary or unduly negative. The perception of inconsistency could be removed by amending the wording of the second sentence as follows: '*... to resist such proposals insofar as this is necessary to support the business sector ...*'; and I believe this would be worthwhile.

4.9.6 Finally, I do not favour the suggested alternative wording for criterion 3. There should be no need for a separate criterion to generally make it necessary to produce environmental benefits, particularly if all the other planning criteria are met and there is no problem with the use of the site. However, I do accept that there is a danger of criterion 3 being over-restrictive simply as a result of unclear wording. This is because it appears to demand '*relief of environmental problems*' without indicating their cause or location and without acknowledging that local problems may not exist or may not arise from the existing use of the site. I infer from the Council's statement that the criterion is intended to apply to proposals at sites causing environmental problems⁵⁶. It would be undesirable to permit alternative uses that resulted in a continuation of those problems. On the other hand, to require relief sufficient to offset the need to retain the land in employment use would probably be very difficult to gauge in practice. It also appears to me to be unnecessary, as criterion 1 already protects the development potential of such use. I conclude that the criterion should be re-worded as follows: '*It can be demonstrated that an alternative use would result in the substantial relief of any serious environmental problems associated with the existing use of the site*'.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

⁵⁵ as defined in paragraph 3.7 of the Plan

⁵⁶ EBC161, paragraph 3.2

- (a) adding a reference to Proposal E2a as well as E2 in the third sentence of paragraph 3.18;
- (b) amending the wording of the second sentence of paragraph 3.18a as follows: '*... to resist such proposals insofar as this is necessary to support the business sector ...*';
- (c) replacing criterion 3 of Proposal E2 with: '*It can be demonstrated that an alternative use would result in the substantial relief of any serious environmental problems associated with the existing use of the site*'.

.....

4.10 PROPOSAL E3 - STANTON IRONWORKS REGENERATION

Objections

76	3783				Derbyshire County Council
91	191			S J Tidmarsh	
185	389 CW	Miss	A	Plackett	English Heritage East Midlands Region
185	390 CW	Miss	A	Plackett	English Heritage East Midlands Region
185	391 W	Miss	A	Plackett	English Heritage East Midlands Region
281	741	Mr	M	Gorman	Government Office for the East Midlands
325	824	Cllr	P	Milner	Morley Parish Council
350	908				Northern Sport in Receivership
357	951				Highways Agency
449	1211				Breaston Parish Council
491	3841 CW	Mr		Barker	
491	3853 CW	Mr		Barker	
651	1652 W				Derbyshire Wildlife Trust
1326	3996				Breaston Village Preservation Group

Issues

1. It is not clear as to how or whether the Proposal contributes to the Structure Plan employment land requirement.
2. There is no evidence that the highway network, and especially the M1, the A52 and motorway junctions 25 and 26, could accommodate traffic associated with up to 145 ha of potential employment development.
3. Assuming the traffic could be accommodated, the reasoned justification would have to be expanded to identify the transport and road considerations to be taken into account, and Proposal E3 would need to require it to be demonstrated that the highway network would accommodate development in terms of capacity and safety.
4. New access arrangements would be needed to avoid an increase in heavy traffic through the centre of Sandiacre and the further harm that this would cause to the environment of that settlement.

5. There should be provision, in a development brief, for an assessment of the industrial archaeological interest of the site, together with any necessary conservation and recording of appropriate features.
6. As the proposed allocation of 105-135 ha of employment land here is far removed from the Structure Plan requirements the reasoned justification should clearly state how the additional allocation relates to the economic objectives of the Borough, employment land needs and the overall Local Plan strategy.
7. Contrary to the second sentence of paragraph 3.24, the Proposal should be more prescriptive, providing a more detailed planning framework and stating support for the allocation of part of the site as a business park, subject to there being a demonstrable need for such a development.
8. As it is not possible to be more prescriptive, the Proposal should make provision for adequate roads at an early stage.
9. A wider range of uses should be allowed in order to encourage early and successful comprehensive development on this vital East Midlands regeneration site.
10. The proposal should allow for the inclusion of land for the development of speedway facilities.
11. The minimum size of the development area should be increased to 115 ha in order to remove the requirement to develop good quality Green Belt land at Longmoor Lane, Breaston.
12. With reference to paragraph 3.22 it should be noted that many of the former employees commuted to the site by public transport and walking/cycling, and that raw materials were imported by rail.

Inspector's Reasoning and Conclusions

4.10.1. In response to the first issue the Council's Proposed Change PIM22 would replace paragraph 3.21 and relocate the replacement as paragraph 3.14a. While I concur with the deletion of paragraph 3.21, the proposed replacement does not make sense. Apart from being misplaced, it virtually repeats, and adds nothing of value to, the contents of the earlier paragraphs 3.9 and 3.11. To achieve greater clarity, the issue could instead be effectively addressed by adding the following sentence to the end of paragraph 3.19: *'But, as noted in paragraphs 3.9 and 3.11, only 26 ha of additional provision of employment land is relied upon during the Plan period'*. As an aside, the Council should check to ensure that the word 'primarily' in paragraph 3.11 is still factually correct in the light of its modifications.

4.10.2 This clarification would avoid giving the impression that a much larger area of industrial and business development at Stanton Ironworks is envisaged during the Plan period. Such an impression might have caused the second issue to be raised, as the *Highways Agency* has referred to the prospect of up to 145 ha of development here. I do not consider that this issue warrants any fundamental changes as the amount of the development envisaged is broadly consistent with that already approved for the Ilkeston sub-area in the Structure Plan. Also the

area subject to the policy is similar to that defined in the adopted Local Plan. Paragraph 3.22 points out that the complex used to employ some 10,000 people and occupied a much larger area. I have not been made aware of any changed circumstances that cast doubt on the ability of the road network to accommodate the traffic generated.

4.10.3 Considering the importance and long-established nature of this Proposal I am surprised that the reasoned justification does not elaborate on the required road and rail links, as potentially these could be quite substantial developments in their own right. If the Council has some basic and reasonably well thought out infrastructure requirements in mind it would be helpful to describe them briefly in the reasoned justification so that readers would have some idea of their objectives, nature and location. However, I accept that most of the considerations listed by the *Highways Agency* do not need to be detailed in the supporting text, as they are not required to justify the inclusion of the Proposal. Some of the more important items are covered already by the other Proposals in the Plan: for example, Proposal T10a on transport assessments would ensure that a particular scheme demonstrates acceptability in terms of highway capacity and safety. No further explanation of such matters is essential here.

4.10.4 The means of avoiding or mitigating the impact of additional traffic on the centre of Sandiacre could possibly be referred to in any additional text arising from my conclusion in the previous paragraph.

4.10.5 Issue 5 is adequately addressed by the addition of a paragraph dealing with the evaluation of the site's industrial archaeology. This is achieved by the Council's Proposed Change PIM66. The last sentence of that new paragraph (3.23a) could be omitted as it is effectively already covered by the first sentence of paragraph 3.24.

4.10.6 Concerning issue 6, I have already concluded that some cross-reference and clarification of the area to be developed, and how this relates to the Structure Plan employment land requirements, should be added to paragraph 3.19. While it would be possible to provide a stronger justification of the Proposal in terms of Local Plan strategy and objectives, I do not consider that this is essential on top of my other recommendations.

4.10.7 With regard to the second sentence of paragraph 3.24, I generally accept the Council's view that the Proposal E3 need not be more prescriptive. It appears that the planning process has not yet advanced sufficiently for this and that it is presently desirable to retain some flexibility. Thus, it is not necessary for the Proposal to make specific provision for a 'business park' here, although it is possible that this might be considered in the more detailed planning exercise to come. Similarly, at this stage there is no necessity to specify the phasing of different elements of any development scheme, including road links.

4.10.8 At the inquiry the *Morley Parish Council* confirmed that the need for a wider range of uses is not an issue that it will pursue any further, and I concur with the Borough Council's view that no such changes to the Plan should be made at this stage.

4.10.9 In view of the issues considered in relation to Proposal E1 I am satisfied that the proposed primary uses of the Stanton Ironworks site are soundly based. I agree with the Council that a specific allocation of part of the site as a major sports and leisure-based use such as speedway would probably detract from its strategic employment objectives. Moreover, I have no evidence to demonstrate that the need for a speedway facility here has anything approaching the strength of

need for industrial or business uses. I conclude that Proposal E3 should not specifically provide for such a facility.

4.10.10 On issue 11 I refer back to my conclusion that the area to be developed during the Plan period requires clarification. Leaving aside the 115 ha figure, I am not sure that it would be realistic to increase development provision at Stanton Ironworks during the Plan period simply in order to compensate for the non-allocation of Green Belt land at Longmoor Lane, Breaston. In the absence of any consideration of the planning implications I do not recommend it.

4.10.11 With regard to the final issue I see no merit in expanding paragraph 3.22 along the lines suggested. Although the points are of historical interest they would not add strength to the reasoned justification of Proposal E3.

RECOMMENDATIONS

I recommend that the Local Plan be modified:

- (a) **by deleting paragraph 3.21;**
- (b) **by adding the following sentence to the end of paragraph 3.19: *'But, as noted in paragraphs 3.9 and 3.11, only 26 ha of additional provision of employment land is relied upon during the Plan period'*;**
- (c) **if possible, by describing the required road and rail links in the reasoned justification, to give some idea of their objectives, nature and location;**
- (d) **in accordance with the Council's Proposed Change PIM66, subject to the omission of the last sentence of the new paragraph (3.23a).**

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4.11 PROPOSAL E4 - WEST HALLAM STORAGE DEPOT

Objections

76	3784				Derbyshire County Council
281	740 W	Mr	M	Gorman	Government Office for the East Midlands
350	907				Northern Sport in Receivership
354	3772 CW	Mr	D	Marsh	Environment Agency
455	1230 CW				TDG UK Storage and Distribution
651	1651 W				Derbyshire Wildlife Trust
1409	3759				West Hallam Parish Council

Issues

1. It is not clear as to how or whether the West Hallam Storage Depot is contributing to the Structure Plan employment land requirement.
2. Developments within Use Class B1 should be allowed for in the Proposal in order to help prevent the decline in employment on the site.
3. The Proposal should allow for redevelopment of part of the Depot for speedway facilities.

4. Because the local community has great concerns about the volume of heavy goods vehicle traffic and operational hours it should be made clear that any further development should be subject to an investigation into the surrounding road network.
5. Part of the site lies within the indicative flood plain and so any major redevelopment of this area would be dependent on the results of a flood risk assessment and would require consideration of drainage methods.

Inspector's Reasoning and Conclusions

4.11.1 With the deletion of paragraph 3.21,⁵⁷ and with the paragraph 3.25 description of the Depot as an existing area of warehousing, I believe that it would be reasonably clear from the Plan that this site does not contribute to the Structure Plan requirement for additional employment land over the Plan period.

4.11.2 The second issue was addressed in the Second Deposit. I have no reason to suppose that the provision now made for Class B1 use on the site is unjustified, harmful or inadequate. I therefore regard the issue as resolved. With regard to issue 4 the traffic and amenity implications appear to be satisfactorily addressed by criteria 1 and 2 of the Proposal. I do not see why Class B1 use of a limited part of the site should have any adverse traffic effects given the existing Class B8 use.

4.11.3 In view of the issues considered in relation to Proposal E1 I am satisfied that the proposed industrial and business uses of the Depot site are soundly based. As with Stanton Ironworks, I consider that a specific allocation of part of the site as a major sports and leisure-based use such as speedway would probably detract from strategic employment objectives. Moreover, I have no evidence to demonstrate that the need for a speedway facility here has anything approaching the strength of need for industrial or business uses. I conclude that Proposal E4 should not specifically provide for such a facility.

4.11.4 The Council's Proposed Change PIM23 adds a requirement for a flood risk assessment to paragraph 3.25b. This appears to have satisfied the *Environment Agency*, but it is not reflected in the Proposal itself. Having regard to Government guidance in PPG12(A24) I conclude that it is necessary correct this shortcoming by adding a corresponding criterion to Proposal E4.

RECOMMENDATIONS

I recommend that the Local Plan be modified:

- (a) **in accordance with Proposed Change PIM23;**
- (b) **by adding the following criterion to Proposal E4: '4. There are no adverse effects in terms of drainage and flooding, as shown by a flood risk assessment'.**

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4.12 PROPOSAL E5 - MIXED USE

Objections

⁵⁷ see recommendation (a) of previous section

1358 3508 W

Country Land & Business Association

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal E5.

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4.13 PROPOSAL E5A - RURAL EMPLOYMENT

Objections

281 3932

Government Office East Midlands

Issues

- 1. The range of permitted uses specified might restrict the scope for rural diversification, contrary to guidance in PPG7.

Inspector's Reasoning and Conclusions

4.13.1 The Council's Proposed Change PIM25 would delete the reference to Classes B1, B2 and B8 in Proposal E5a. While this would satisfy the objector, I do not believe it would make a material difference because the Proposal is explicitly concerned with 'industrial and business' development, which is defined in paragraph 3.7 of this chapter as falling within the same Classes.

4.13.2 PPG7, and especially the amendments inserting paragraphs 3.4A and 3.4B of that guidance, are particularly supportive of farm diversification. I have already concluded in favour of Proposed Change PIM24, which introduces a new policy on that subject⁵⁸. That new policy provides the additional scope sought by the objector. Consequently I conclude that no changes are required in respect of Proposal E5a.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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⁵⁸ see section 4.1 above

5 CHAPTER 4 - TRANSPORT

5.1 GENERAL POINTS AND OMISSIONS

Objections

281	739 W	Mr M	Gorman	Government Office for the East Midlands
357	952 W	Mr N	Hansen	Highways Agency
357	954 W	Mr N	Hansen	Highways Agency
358	955 W	Mr C M	Dunmore-Revill	Erewash Access Group
358	956 W	Mr C M	Dunmore-Revill	Erewash Access Group
358	957 W	Mr C M	Dunmore-Revill	Erewash Access Group
358	958 W	Mr C M	Dunmore-Revill	Erewash Access Group
491	3842 CW	Mr	Barker	

Issues

1. Should provision be made for the protection of a site and route for park and ride facilities adjacent to motorway junction 25, in accordance with the reference in the M1 multi-modal study?

Inspector's Reasoning and Conclusions

5.1.1 The reference in the M1 multi-modal study is not alone a sufficient basis for me to recommend safeguarding action in the Plan. In the absence of any further substantive evidence on this matter, including the views of key interested parties, I conclude that no provision should be made in the Plan.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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5.2 PARAGRAPH 4.1 - INTRODUCTION

Objections

64 140 CW Mr C R Davis

Issues

1. Provision needs to be made for a Long Eaton by-pass, a bus terminal in the centre of Long Eaton, new bus stops and shelters, cycle paths, and railway stations in Stapleford, Sandiacre, Ilkeston, Draycott and Borrowash.

Inspector's Reasoning and Conclusions

5.2.1 Although the objector is quite specific about the locations of the facilities he seeks I do not have sufficient evidence to support a positive recommendation on these matters. Also, the objection is withdrawn, and as far as

I can see the withdrawal is not linked to any Proposed Change.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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5.3 PARAGRAPHS 4.2 & 4.3 - OBJECTIVES

Objections

355	3569 W	Mr	D	Abrahams	English Nature
391	3573 W	Ms	K	Devonport	Countryside Agency
1358	3509	Mr	A	Shirley	Country Land & Business Association

Issues

1. With regard to the first and sixth objectives it should be recognised that people in rural areas are more dependent on cars owing to inadequate public transport services: they should not be disadvantaged or excluded by measures such as limiting parking provision.
2. Improving public transport (eighth objective) should be at the top of the list of objectives.
3. In the ninth objective it should be recognised that sustainable development does not only relate to proximity to public transport corridors but also to the environment, economy and social issues.
4. In the tenth objective it should be recognised that it is possible to be socially excluded yet still have access to a car.

Inspector's Reasoning and Conclusions

5.3.1 The first objective is concerned with the **need** to travel. In keeping with the intent of Government guidance (for example PPG13: 4), and to avoid the impression that it is aimed solely at car travel, the wording should be amended to: *'to reduce the need to travel, especially by car'*.

5.3.2 The sixth objective requires no change in my view, particularly as it includes the qualification *'...where there are alternatives'*.

5.3.3 There is no indication that objectives are listed in order of priority, and the Council confirms that they are not. There is therefore no need to re-position the objectives with this in mind.

5.3.4 The objectives are set out in brief for ease of reading and to set the scene. It would be out of context and unnecessary to set out a fuller explanation in this paragraph of the meaning and scope of the term 'sustainable development'. As the Council points out, this is covered in Chapter 1 of the Plan.

5.3.5 While understanding the objector's point concerning the tenth objective, I do not consider that amendments are called for. The objective does not attempt to define all the sectors of society whose needs may be overlooked: it simply gives a few notable examples.

5.3.6 I therefore conclude that only one small change needs to be made to

the objectives.

RECOMMENDATIONS

I recommend that the Local Plan be modified by amending the first objective in paragraph 4.2 to read: 'to reduce the need to travel, especially by car'.

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5.4 PROPOSAL T1 - LOCAL TRANSPORT PLANS

Objections

390	1008	Mr	I A	Moss	The House Builders Federation
1358	3510 W	Mr	A	Shirley	Country Land & Business Association

Issues

1. The implications of the local transport plan should be clearly stated: Proposal T1 is a statement of intent rather than a land use policy.

Inspector's Reasoning and Conclusions

5.4.1 I agree that Proposal T1 reads more as a general statement of intent. Because it does not serve as a policy for the development or use of land it should be deleted. The Council points out that it sets the context for the chapter, indicates the Borough Council's role and ensures that readers are aware of the relevant documents⁵⁹. However, this is more than adequately achieved by the preceding introductory paragraphs and does not need to be restated in the form of a policy.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal T1.

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5.5 PROPOSAL T2 - ILKESTON-AWSWORTH LINK ROAD

Objections

281	756 W	Mr	M	Gorman	Government Office for the East Midlands
354	928 W	Mr	D	Marsh	Environment Agency
447	1193				Transport 2000
448	1206				Broxtowe Borough Council
450	1217 W	Mr	D	Corns	Ilkeston Civic Society
450	1218 W	Mr	D	Corns	Ilkeston Civic Society
491	1283 UW	Mr	R	Barker	

⁵⁹ Transport Topic Paper, paragraph 2.1

Issues

1. The Proposal does not clearly state that land is protected for the link road and that development that would prejudice its implementation will not be permitted.
2. The Proposal should also protect land required for Ilkeston station together with associated park and ride, and bus interchange facilities; and should include a cross-reference to Broxtowe Local Plan, which may include some of the land involved.

Inspector's Reasoning and Conclusions

5.5.1 In respect of the first issue the Council's Proposed Change PIM67 further clarifies the wording in Proposal T2. I concur with this Change, which also satisfies *Broxtowe Borough Council*.

5.5.2 On the second issue, the Council points out that there is still uncertainty over the construction and location of the proposed railway station. I have no firm grounds to believe that the station will be implemented within the Plan period. PPG12(5.17) advises that development plans should only include proposals that are firm, with a reasonable degree of certainty of proceeding within the Plan period. In the circumstances I conclude that it would be inappropriate to extend Proposal T2 to include the station.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM67.

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5.6 PROPOSAL T3 - PARKING

Objections

211	482 W				Nottinghamshire County Council
281	738	Mr	M	Gorman	Government Office for the East Midlands
329	837 W				Derby City Council
450	1219 W	Mr	D	Corns	Ilkeston Civic Society
454	1227				Wm Morrison Supermarkets Plc
454	3946				Wm Morrison Supermarkets Plc
1325	3383 W	Mr	R	Barber	Westbury Homes (Holdings) Limited

Issues

1. The nature and status of the car parking appendix should be made clear; and, because it should form part of the Plan, the words 'for information only' should be removed from the end of paragraph 4.10.
2. Proposal T3 should make a clearer reference to the car parking standards.
3. Paragraph 4.10 should recognise the significance of car parking provision for the completeness, vitality and viability of town centres.

4. Paragraph 4.10 should also be amended to reflect Government guidance (PPG13: 56) concerning the relaxation of maximum parking standards in town centres.
5. Proposal T3 should be amended to allow the maximum parking standards to be exceeded in certain circumstances.

Inspector's Reasoning and Conclusions

5.6.1 Appendix 4 contains the Council's car parking standards and there should be no doubt that it is part of the Plan. This is necessary because the standards are used for making decisions on development proposals, and, as advised in PPG12(3.17), Plan policies should not attempt to delegate such criteria to supplementary planning guidance or development briefs. The need for the standards to be set by development plan policies is also to be inferred from PPG13(52) and policy 61 of RPG8. I therefore agree that the words 'for information only' should be deleted from the end of paragraph 4.10.

5.6.2 In the Second Deposit this paragraph does contain additional text about the nature and status of Appendix 4. This is generally helpful but I have one reservation. It arises from the Council's admission⁶⁰ that the standards are not wholly in line with those set out in Annex D of PPG13. It is not clear to me why they have not been brought into line, bearing in mind that the standards in Annex D are simple, are supposed to be applied throughout England and have been current now for over 3 years. In the absence of any good reason for departures I conclude that the detailed guidance in Appendix 4 should be altered as far as necessary to remove any inconsistencies with Annex D of PPG13, but bearing in mind that local planning authorities may adopt more rigorous standards where appropriate. The standards should also be consistent with policy 61 and Appendix 2 of RPG8.

5.6.3 It may be possible to replace the Appendix 4 standards with the new County Council standards, if they are in time. These will result from a review that will no doubt take into account the prevailing regional and national guidance. They were expected to be available in the spring of 2004. However, because Local Plan guidance and modifications are required now, they should not be held up simply to await the new county standards. If necessary, changes related to the latter could be introduced later by means of a Plan alteration.

5.6.4 With regard to the second issue, Proposal T3 has been amended in the Second Deposit so that it does make adequate reference to the car parking standards. For reasons already mentioned above, I do not support Proposed Changes PIM68 and PIM84, as they would remove Appendix 4 from the Plan and treat it as supplementary planning guidance.

5.6.5 In its statement the Council indicates that developments requiring a higher level of parking would be judged on their merits in accordance with PPG13(54)⁶¹. It would be useful to incorporate the gist of this into Proposal T3 so it is generally understood. Just as the Proposal presently describes the conditions that would require the required parking level to be significantly below the maximum standard, so it is of value for it to indicate how it would deal with proposed levels in excess of the maximum standard. It would be particularly helpful in this case because the Proposal presently states only that the Council will

⁶⁰ EBC85, paragraph 3.3

⁶¹ EBC85, paragraph 3.1

'have regard to' the maximum standards.

5.6.6 PPG13(54&56) does allow for the maximum standards to be exceeded in certain circumstances. However, it would not be appropriate for the Proposal simply to cross-refer to PPG13 in these cases. The Proposal should stand on its own because the Plan is supposed to implement national and regional policy, and not simply defer to it⁶². It is for the Council to consider a suitable form of words for the additional policy text. Something along the following lines would perhaps suffice, to be inserted before the last sentence of Proposal T3: '*A level of parking in excess of the maximum standard will only be acceptable in exceptional circumstances, and where it is demonstrated that it is needed in the interests of public amenity, safety or to otherwise clearly benefit the town centre as a whole*'.

5.6.7 Corresponding explanatory text should be included in the reasoned justification, and this would address issues 3 and 4. It could add that it may be appropriate for the need for a higher level of parking to be demonstrated through a Transport Assessment.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) deleting the words 'for information only' from the end of paragraph 4.10;**
- (b) altering the detailed guidance in Appendix 4 as far as necessary to remove any inconsistencies with Annex D of PPG13 and with policy 61 and Appendix 2 of RPG8;**
- (c) inserting some additional text in Proposal T3 to state on what basis proposals for levels of parking in excess of the maximum standard will be accepted; and**
- (d) adding a corresponding explanation to the reasoned justification.**

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5.7 PROPOSAL T4 - PUBLIC TRANSPORT

Objections

281 773
391 1024 W

Mr M Gorman
Ms K Devonport

Government Office for the East Midlands
Countryside Agency

Issues

1. Paragraph 4.11 should be expanded to reflect Government guidance in PPG13(72) and adopt a more positive approach to promoting public transport facilities.

Inspector's Reasoning and Conclusions

5.7.1 The Council's Proposed Change PIM69 brings paragraph 4.11 up to

⁶² see PPG12, paragraph 3.3

date and makes it more positive. I concur with the Change.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM69.

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5.8 PROPOSAL T5 - RAILWAYS

Objections

281	3990 W	Mr M	Gorman	Government Office for the East Midlands
391	1025 W	Ms K	Devonport	Countryside Agency
448	1205			Broxtowe Borough Council
648	1633			Railtrack plc
648	1634			Railtrack plc
1358	3511 W			Country Land & Business Association

Issues

1. The wording of Proposal T5 is rather vague in that it does not make specific reference to the potential station at Ilkeston North, does not mention the possibility of a completely new station, and it does not state that development that would prejudice the implementation of a railway station will not be permitted.
2. A policy is required to encourage and protect rail freight sites in accordance with both PPG13(45) and Structure Plan Transport Policy 7(1).
3. Land alongside the railway to the north of Sandiacre town centre should be protected for future rail-related uses.

Inspector's Reasoning and Conclusions

5.8.1 It is not evident to me that any schemes are sufficiently advanced to warrant specific reference in Proposal T5 to the potential station at Ilkeston North or the possibility of a completely new station. I am not aware that any land has been identified, discussed with consultees, and agreed by the Council for this purpose. I therefore doubt that the Proposal could be more specific. Without more information about where the policy would apply it would not be sensible to state that development that would prejudice the implementation of a railway station will not be permitted. The Proposal is adequate in that it states the criteria against which any definite proposals could be judged. By way of illustration it is helpful for paragraph 4.12 to go rather further in referring, as it does, to the possible re-opening of **a** station to serve Ilkeston.

5.8.2 The Council's statement⁶³ suggests that it now wishes me to take into account a Proposed Change (PIM70) to reflect the changes sought by *Broxtowe Borough Council* that had been agreed but omitted at Second Deposit stage (and presumably also at Pre-inquiry Change stage) due to an oversight. I find this puzzling, as PIM70 does not appear to address *Broxtowe's* objections. Nor is the additional wording satisfactory, as it appears to treat car parking, bus access and

⁶³ EBC97

ancillary features as environmental criteria. I conclude that it is better to keep the existing wording and avoid confusing matters unnecessarily.

5.8.3 With regard to the second and third issues Government guidance in PPG13(45) advises local authorities to identify and, where appropriate, protect sites which could be critical in developing infrastructure for the movement of freight. Although a site was identified by the former *Railtrack plc*, I have no evidence to demonstrate that it is 'critical' in this sense. Nor am I satisfied that other sites or threats exist to justify including the more general policy suggested by the objector. The Local Plan cannot be expected to provide a policy for every conceivable eventuality. That would run counter to the Government's attempts to make development plans slimmer and more focused.

5.8.4 I am not aware that the Local Transport Plans have any notable and specific bearing on these issues, I conclude that there is not a sufficiently strong case to include the additional policy and site provisions sought by objectors.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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5.9 PROPOSAL T6 - DISUSED TRANSPORT ROUTES

Objections

185	392 W				English Heritage East Midlands Region
281	3942				GOEM
391	1026 W				Countryside Agency
505	3599 CW	Mr	M	Sanders	The Ilkeston and District Local History Society

Issues

1. Criterion 7 of Proposal T6 is not consistent with the corresponding text in paragraph 4.13.

Inspector's Reasoning and Conclusions

5.9.1 The issue is adequately addressed by the Council's Proposed Change PIM27. This adds a criterion to Proposal T6 to protect the historic environment, consistent with the wording of the corresponding part of paragraph 4.13.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM27.

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5.10 PROPOSAL T7 - CYCLING

Objections

281	772	Mr M Gorman	Government Office for the East Midlands
281	3933	Mr C Packman	Government Office for the East Midlands
327	3761		Sainsbury's Supermarkets Ltd

Issues

1. Proposal T7 should be expanded to include the requirement to seek the provision of cycle facilities in connection with major new developments, as set out in PPG13(79).
2. The wording of the Proposal should be revised so that financial contributions towards facilities for cyclists will only be sought where appropriate, necessary and properly related to the development.

Inspector's Reasoning and Conclusions

5.10.1 In response to the first issue the Council's Proposed Change PIM28 would amend Proposal T7 to read: *'In considering applications for major developments improvements to the highway network, for cyclists, including the provision of cycle parking and changing facilities, will be sought as opportunities arise by negotiating section 106 obligations with developers'*. Although an improvement on the existing wording, there appears to be no reason, in the reasoned justification or in the submissions, for limiting its application to *'applications for major developments'*. There is a reference to major new development in PPG13(79), but that is only in relation to cycle routes and priority measures. It is not mentioned in relation to the cycle parking and changing facilities, for example. It is possible that these and other modest improvements could be justifiably sought in connection with development proposals that are less than *'major'*. I conclude that the word *'major'* should be omitted from the text of the Proposed Change.

5.10.2 With regard to the second issue, Circular 1/97[B2] advises that planning obligations should only be sought where they are, among other things, directly related to the proposed development and necessary to make it acceptable in land-use planning terms. In relation to the drafting of development plan policies, I infer from Circular 1/97[B16] that plans should indicate the circumstances in which planning obligations are likely to be sought; and that it is useful for local people and developers to have some idea of what might be expected. The suggestion in issue 2 would be worthwhile in this respect and I consider that the additional wording should replace the existing phrase *'as opportunities arise'*, which is rather vague.

5.10.3 To keep the Proposal reasonably succinct it could be left to the reasoned justification to describe the kinds of facilities for cyclists that would be sought. Mention of changing facilities could be added, as it is not there presently.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing Proposal T7 with the following:

***'In considering applications for development, facilities for cyclists will be sought by negotiating Section 106 planning obligations with developers, provided that the obligations are directly related to the proposed development and are necessary to make it acceptable in land-use planning terms'* ;**

and by adding, in the reasoned justification, that the facilities sought could also include changing facilities.

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5.11 PROPOSAL T8 - PEDESTRIANS AND DISABLED PEOPLE

Objections

390 1010 W The House Builders Federation

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal T8.

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5.12 PROPOSAL T9 - TRAFFIC CALMING AND TRAFFIC MANAGEMENT

Objections

457 1232 Mr P Dunbavin
447 1202 Transport 2000

Issues

1. Traffic calming is acceptable in principle but is poorly implemented and wasteful in Derbyshire.
2. The policy should be enhanced by the reduction of speed limits on residential streets (which should be designated as 'home zones') and in urban areas.

Inspector's Reasoning and Conclusions

5.12.1 I do not consider that these issues call for any change to Proposal T9 or its reasoned justification. They concern details of method and practice that do not have land-use implications and are more appropriately considered in the Local Transport Plans.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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5.13 PROPOSAL T10 - TRAVEL PLANS

Objections

281	686	W	Mr	M	Gorman	Government Office for the East Midlands
327	3760					Sainsbury's Supermarkets Ltd
1358	3512		Mr	A	Shirley	Country Land & Business Association

Issues

1. The word 'major' needs to be defined so that it is clear which development proposals would be required to include a travel plan.
2. The blanket requirement for developers to enter into Section 106 planning obligations is against Government guidance in Circular 1/97.

Inspector's Reasoning and Conclusions

5.13.1 The Council's Proposed Change PIM55 would add a definition of the term 'major development' to the Glossary of the Plan. This satisfactorily resolves the first issue but for two points.

5.13.2 The first is that it would not be at all obvious to the reader of this section of the Plan that the term is defined in the Glossary, especially as the words concerned are generally well understood. This can be simply attended to by adding a Glossary cross-reference to or after the first sentence of paragraph 4.17. The objector suggests a definition based on that of 'major shopping proposals' in PPG6. However, the quantitative criteria of the Glossary definition in PIM55 are preferable in my view as they relate more closely to the specific guidance on travel plans in PPG13(89 & Annex D).

5.13.3 The second point is that '*leisure or services, including schools and hospitals*' are not types of development that fall clearly into the categories used in the Glossary definition. Their addition to that definition should be considered.

5.13.4 In relation to the second issue the objector points out that, having regard to Circular 1/97, a planning obligation to secure a travel plan should only be required by Proposal T10 where it would be appropriate, necessary and properly related to the development. To better reflect Government guidance and to correct the syntax of the last sentence of the Proposal I conclude that the last sentence should be replaced with the following: '*Where a travel plan is necessary to make a development proposal acceptable, its provision and implementation will be secured by means of a Section 106 planning obligation or a planning condition*'.

RECOMMENDATIONS

I recommend that the Local Plan be modified by:

- (a) adding to the Glossary a definition of 'major development' along the lines of Proposed Change PIM55, but including reference to leisure and services development, including schools and hospitals;**
- (b) adding (for this definition) a cross-reference to the Glossary in or after the first sentence of paragraph 4.17;**
- (c) replacing the last sentence of Proposal T10 with the following: '*Where a travel plan is necessary to make a development proposal acceptable, its provision and implementation will be secured by means of a Section 106 planning obligation or a planning condition*'.**

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5.14 PROPOSAL T10A - TRANSPORT ASSESSMENTS

Objections

281	3934	Mr Packman	Government Office for the East Midlands
313	3914	Mr Hepwood	Miller Homes (East Midlands)
327	3763		Sainsbury's Supermarkets Ltd
1468	4043	Ms Skrytek	Derby Friends of the Earth

Issues

1. Proposal T10a is an administrative action rather than a policy.
2. The Proposal is too vague, particularly as it is not clear what constitutes 'major development'.
3. Proposal T10a should 'say public transport'.

Inspector's Reasoning and Conclusions

5.14.1 Proposal T10a requires an administrative action – that is, the submission of a transport assessment – as a prerequisite for gaining planning permission for major development proposals. As such, I believe that it is misconceived. It is not in accordance with Government guidance (PPG12: 3.5) that development plans should not contain policies for matters other than the development and use of land. It is not the purpose of development plan policies to set out procedural requirements, although it may be appropriate to refer to these in the supporting text. I therefore accept the view of the *Government Office for the East Midlands* that Proposal T10a should be deleted.

5.14.2 In view of my conclusion it is not necessary to consider the Council's Proposed Change PIM26 or the other issues listed above, the last of which arises from an objection that makes little sense to me.

5.14.3 My conclusion also leads me to recommend the deletion of paragraph 4.18a, since it would have no policy to serve as a reasoned justification for. It would be not be a significant loss because it virtually repeats guidance that is already published in PPG13(23). That said, the Council might wish to consider including some brief explanatory text on transport assessments just prior to its policies in this chapter. While not essential and not something I need to recommend, it could be helpful in making known the Council's expectations of applications and how they address transport issues.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal T10a and its reasoned justification.

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6 CHAPTER 5 - RETAILING

6.1 GENERAL POINTS AND OMISSIONS

Objections

76	162 W		Derbyshire County Council
281	684 W	Mr M Gorman	Government Office for the East Midlands
356	950 W		Westfield Shopping Towns Ltd
454	1228		Wm Morrison Supermarkets Plc

Issues

1. This chapter contains no assessment of the need for retail development and no assessment of the capacity of the town centres to accommodate that need.
2. It places on the applicant the onus of demonstrating need in relation to edge-of-centre sites.

Inspector's Reasoning and Conclusions

6.1.1 PPG6 advises local planning authorities to adopt a positive, plan-led approach to new retail developments. It advises them, in preparing planning strategies and policies, to consider the need for new retail development in the plan area over the lifetime of the plan. The extent to which this has been done here is not clear to me from Chapter 5. The Council considers that there is capacity within the town centres⁶⁴, but again it is difficult to glean very much about this from the Plan. Paragraph 5.5 is particularly lacking in this respect. Since the information would help to justify the retail proposals in the Plan I consider that a brief summary should be added to the reasoned justification.

6.1.2 Clarification in the Plan of the Council's conclusions on need and capacity would be of particular help in supporting Proposal S2, concerning edge-of-centre locations. As the objector points out, criterion 1 of that Proposal requires a need to be shown. Government guidance⁶⁵ indicates that development proposals should not be required to demonstrate that they satisfy the test of need if they are in accordance with an up to date development plan strategy; and the latter should take account of the need for new retail development.

RECOMMENDATIONS

I recommend that the Local Plan be modified by adding to paragraph 5.5 a brief explanation of the Council's conclusions on the need for retail development and the capacity of the town centres to accommodate that need; and of how this supports criterion 1 of Proposal S2 in the light of relevant Government guidance.

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⁶⁴ EBC36, paragraph 3.3, and Retailing Topic Paper paragraph 2.7

⁶⁵ Ministerial statement of 11 February 1999

6.2 PROPOSAL S1 - NEW SHOPPING DEVELOPMENT IN EXISTING CENTRES

Objections

76	164 W			Derbyshire County Council
94	196			Tesco Stores Limited
94	3669			Tesco Stores Limited
211	479			Nottinghamshire County Council
211	3881			Nottinghamshire County Council
281	757 W	Mr	M Gorman	Government Office for the East Midlands
312	791 W	Mr	P Sheppard	Lattice Property
329	838 W	Mr	R Salmon	Derby City Council
454	3948			Wm Morrison Supermarkets Plc
1391	3661 CW		E Campbell	

Issues

1. Proposal S1 should be re-worded to accord with PPG6 and Structure Plan policy that retail development should be compatible in scale and character with the town centre and that the development should not seriously affect the vitality and viability of any nearby town centres.
2. Also, the nature and scale of proposals for retail development should be linked to the current role and function of the town centre concerned.
3. Criterion 1 of Proposal S1 should be subject to an exception where the competitiveness of the centre would be impaired: it would be unreasonable of it to restrict the expansion of centres so that they cannot compete effectively.
4. Criterion 2 of Proposal S1 should be deleted as it should not require proposals within town centres to avoid harm to the vitality and viability of such centres; nor should it require other shopping proposals to be included in the assessment of cumulative impact.
5. Land to the south of Rutland Street, Ilkeston should be designated as part of the town centre, or allocated as a committed site for retail development, in recognition of its outline planning permission and to avoid undermining the certainty that should be provided by the plan-led system.
6. In paragraph 5.6a the Waverley Street site should be re-defined as a town centre location and shown as within the designated shopping centre (Proposal S1) on the Proposals Map.
7. The Use Classes mentioned in Proposal S1 should be cross-referenced to the Glossary as they will not be readily understood by everyone.

Inspector's Reasoning and Conclusions

6.2.1 The first issue arose on the First Deposit and was addressed in the revised wording of the Second Deposit, and particularly the incorporation of criteria 1 and 2. *Nottinghamshire County Council* remains concerned that nature and scale of proposals for retail development should be linked to the current role and function of the town centre. I consider that introducing another criterion to this

effect would over-complicate the assessment of proposals. Also, having considered the use, size and status of the defined centres, I am not satisfied that it would be of benefit in practice.

6.2.2 On the third issue *Wm Morrison Supermarkets Plc* accepts the importance of ensuring that retail development is appropriate to the size and character of a centre, but is concerned that expansion is not restricted so as to affect the competitiveness of centres. The criterion closely reflects, and helps to implement, Structure Plan Town Centre and Shopping Policy 2. It applies to individual schemes and I do not see a danger of it unnecessarily harming the competitiveness of a centre or preventing it from improving its relative importance over time. Indeed it seems to me that it would be more likely to benefit a centre by preventing schemes that would supplant its key characteristics and thereby undermine its overall competitiveness. Again, I conclude that to introduce the exception clause sought by the objector would unnecessarily complicate the Proposal, making it more difficult to understand and implement.

6.2.3 On issue 4, *Wm Morrison Supermarkets Plc* supports its case against criterion 2 by reference to PPG6(1.16 & 4.1). That guidance indicates that new retail developments should support the Government's objectives of sustaining and enhancing existing centres. It seems to me that criterion 2 would help to fulfil such objectives, and once again it appears to be closely aligned with part of Structure Plan Town Centre and Shopping Policy 2. While PPG6(1.16) describes a rather similar criterion as being a key consideration where out-of-centre developments are proposed, it does not follow that the factor cannot also be brought into play in considering within-centre schemes. As the Council points out, it needs to be borne in mind that the application of Proposal S1 is not restricted to shopping schemes.

6.2.4 On the other hand I can see that this factor is not likely to be so important in dealing with within-centre schemes because development that would otherwise be acceptable in terms of Proposal S1 would probably benefit rather than harm the centre in which it is located. As *Tesco Stores Limited* appears confident that development within centres would improve their vitality and viability it is difficult to understand its contention that schemes would be deterred by the prospect of being tested by the criterion. I doubt that the criterion would create the uncertainty that the objector fears.

6.2.5 However, a successful scheme might well have some impact on the vitality of a nearby competing centre. This need not be harmful in the longer run or overall: as noted in PPG6, the relative importance of centres will change over time, and it is not of course the role of the planning system to restrict competition or preserve existing commercial interests. In view of the possibility that 'harm' might be interpreted in terms of the relative competitiveness or success of centres I believe that a rather stronger word should be used in this part of criterion 2. I conclude that criterion 2 should be retained but with 'harm' in part replaced by 'jeopardise'.

6.2.6 Shopping development proposals may not get further than the proposal stage, and so I accept they should be omitted from the consideration of cumulative impact, and therefore from criterion 2. To retain the gist of the relevant phrase the wording could be amended to: '*... together with other shopping developments and planning commitments ...*'. This would be more compatible with guidance in PPG6(4.15).

6.2.7 In respect of issue 5, retail development has been permitted and

implemented on the site to the south of Rutland Street, Ilkeston. The part of the site accommodating the store is within the shopping centre defined in the adopted Local Plan. The shopping centre was redefined to exclude the site in the First Deposit of March 2001. The application for the store was considered by the Planning Committee in September 2000 and outline permission was granted in April 2001. Given the early stage of the emerging Plan at that time, it was not unreasonable of the Council to give due weight to the status of the site in the adopted Local Plan. Nor do I consider it irrational of the Council to retain in the Second Deposit the revised shopping centre boundary excluding the objection site. It was reasonable to review the boundary in the light of prevailing guidance, including PPG6, which was produced some time after the adoption of the Local Plan in 1994. The Council has properly taken account of the distance of the site from the primary shopping frontages, the barrier represented by the A6007 by-pass, the local topography, and the layout and design of the present development on the site. Taking account also of the disposition of the whole shopping centre and primary shopping area in relation to the objection site, I conclude that there is an adequate basis for not re-instating the shopping centre boundary to include the objection site. I do not accept that this creates uncertainty for the objection site. Moreover, it is notable that paragraph 5.6a and the Proposals Map now clearly identify the site as a 'committed retail site' for the purposes of Proposal S2.

6.2.8 I have more sympathy with the view that the Waverley Street site should be included in the defined shopping centre of Long Eaton in view of its closer relationship with the shopping centre and primary shopping frontages. However, Waverley Street forms a reasonable boundary for the shopping centre. In my view the retail commitment to, and development of, the objection site on the east side of Waverley Street is not a sufficient reason for adjusting the boundary, and I find no other compelling reasons for doing so. While it is true that the shopping centre to the south is defined to include to the east side of Cross Street, this can be justified by the existing uses and the fact that the primary shopping frontages on High Street swing round to the east on approaching the southern side of the shopping centre. The fact that the objection proposal would not extend the shopping centre beyond the railway to the east or Nottingham Road to the north is not itself a compelling argument; nor is the contention that the site would fulfil the criteria of Proposal S2. I concur with the Council's view that the site can be regarded as functionally 'edge-of-centre' and conclude that no change to the shopping centre boundary need be made in present circumstances. Similarly there need not be any change to the site descriptions in paragraph 5.6a.

6.2.9 The above conclusions take account of the emerging revised guidance in draft PPS6 and are no different as a result.

6.2.10 On the final issue, *E Campbell* appears to have withdrawn her objection on the basis of an agreed amendment that has not in fact been made in the Council's Proposed Changes. As far as I can see no change to meet her objection has been introduced, as intended, by PIM29 or by the second attempt in PIM85. Instead, and to clarify matters, the following sentence could be added to the end of paragraph 5.4c: '*In Proposal S1, non-retail uses appropriate to a shopping centre are considered to fall within Classes A2, A3, C1, C2, D1, and D2 of the Town and Country Planning (Use Classes) Order 1987 as defined in the Glossary*'. In considering this addition to the paragraph I also find that a small amendment is required to the first sentence to make it fully consistent with criterion 2.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) replacing criterion 2 of Proposal S1 with the following: *'The development, either individually or together with other shopping developments and planning commitments, will not harm the vitality and viability of the centre or jeopardise that of nearby centres'*;
- (b) adding the following sentence to the end of paragraph 5.4c: *'In Proposal S1, non-retail uses appropriate to a shopping centre are considered to fall within Classes A2, A3, C1, C2, D1, and D2 of the Town and Country Planning (Use Classes) Order 1987, as defined in the Glossary'*;
- (c) amending the last part of the first sentence of paragraph 5.4c to read: *'... in terms of the impact on centre vitality and viability'*.

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6.3 PROPOSAL S2 - NEW SHOPPING DEVELOPMENT IN EDGE OF CENTRE LOCATIONS

Objections

64	4034	Mr	CR	Davis	
76	165 W				Derbyshire County Council
94	197				Tesco Stores Limited
94	3670				Tesco Stores Limited
211	480 W	Mr	R	Ling	Nottinghamshire County Council
327	834				Sainsbury's Supermarkets Ltd
329	840 W	Mr	R	Salmon	Derby City Council
450	1220	Mr	D	Corns	Ilkeston Civic Society
454	1229 CW				Wm Morrison Supermarkets Plc
650	1638 CW				Somerfield Stores Limited

Issues

1. The definition of an edge-of-centre location should be clarified.
2. In order to achieve a balance between the elements of Government guidance in paragraphs 1.5 and 1.13 of PPG6, criterion 2 of Proposal S2 should be amended by adding an exception where the competitiveness of the centre would be impaired.
3. Criterion 3 should be amended to protect the vitality and viability of **any** existing shopping centre.
4. Criterion 6 needs to be revised to reflect Government guidance that financial contributions should only be required for CCTV and other infrastructure where such contributions would be appropriate, necessary and properly related to the development.
5. Criterion 7 should be more flexibly formulated to allow for cases where development further than 300 m from the primary shopping area should be regarded as edge-of-centre.

6. Criterion 7 should be amended to specify a distance of 200-300 m in order to recognise that the threshold of qualification as an edge-of-centre site will vary according to the size of the centre itself.
7. If the land to the south of Rutland Street, Ilkeston is considered to be edge-of-centre rather than within-centre the land should be allocated under Proposal S2, or at the very least designated as a committed site for retail development, in recognition of its outline planning permission and to avoid undermining the certainty that should be provided by the plan-led system.
8. Paragraph 5.6a should be re-worded to identify the site at Waverley Street, Long Eaton as being within the defined shopping centre, and the Proposals Map amended accordingly.
9. There should be no shopping development until the bottom of Bath Street is sorted out and the town is rid of the stigma of boarded up shops.
10. If shopping development takes place it should be linked by a town centre train.
11. The former gas training centre site is needed for a bus station and is unsuitable for retail use as it would cause traffic chaos and harm the trading pattern in the town.

Inspector's Reasoning and Conclusions

6.3.1 I share the view that the definition of edge-of-centre locations should be clarified. Paragraph 5.6 is almost adequate, but it assumes that 'shopping centres' are defined as such on the Proposals Map. In fact they are defined in the key of the Proposals Map as 'new shopping development in existing centres'. For simplicity and clarity I conclude that this description in the key should be amended to 'shopping centres'. This term would also match the wording of Proposal S1.

6.3.2 The second issue arises from concern that criterion 2 of Proposal S2 should be balanced by guidance in PPG6(1.5). The latter states that authorities should, in indicating a hierarchy of centres, recognise that the role, function and relative importance of centres will change over time. I have already reported on a similar issue (No 3) in the previous section. Once again I conclude that it is not necessary to provide for an exception in the criterion. Changes in the hierarchy of centres and the adequacy of the definitions and areas of centres can be re-examined and if necessary revised at regular reviews of the development plan. This would allow adequate scope for relative change over time.

6.3.3 Issue 3 arose from the wording in the First Deposit. The revised wording of criterion 3 in the Second Deposit provides for protection of other centres. Although the latter are described in the revised criterion as 'other nearby shopping centres', I believe that in practice the revision deals adequately with the issue.

6.3.4 The requirement to contribute to CCTV and 'any other infrastructure works' in criterion 6 is in need of qualification, is too open-ended, and lacks any proper justification in paragraph 5.6b. Moreover, it is not clear why this criterion is applicable to Proposal S2 but not to the allied Proposals S1 and S2a. Having regard to the existence of other policies, such as Proposal DC10, I am not satisfied that the criterion is necessary, even with the suggested amendment to bring it more in to line with Government guidance in Circular 1/97. The reference to 'any other infrastructure works' does cover the need to provide a suitable vehicular access to the development: but this can be secured more specifically by simply

adding it to the need to secure adequate car parking in criterion 4. Subject to this, I conclude that criterion 6 should be deleted.

6.3.5 Criterion 7 requires that new shopping development should be no further than 300 m from the defined shopping centre, as shown on the Proposals Map. While the definition of edge-of-centre will vary from place to place, it does not seem unreasonable to set a limit of 300 m given the observation in PPG6(3.14) that most shoppers are unlikely to wish to walk more than 200-300 m, especially when carrying shopping. I am also conscious in this case that the defined shopping centres extend some distance beyond the primary shopping frontages and that Annex A of PPG6 defines edge-of-centre locations as within easy walking distance (ie 200-300 m) of the primary shopping area. I conclude that criterion 7 should not be made more flexible.

6.3.6 To specify 'no further than 200-300 m' might allow for a rather tighter edge-of-centre definition where justified by the size of the centre concerned. Although theoretically reasonable, it is not clear how this would work in the context of the Erewash centres. Having regard to the content of criterion 2, which takes account of the position and scale of development relative to centres, I conclude that the suggestion in issue 6 would simply add an unnecessary complication to criterion 7.

6.3.7 Issue 7 arose from the First Deposit, and I have already dealt with a related issue in connection with Proposal S1. In my view the provision made for the committed new retail sites in paragraph 5.6a and criterion 1 of Proposal S2 of the Second Deposit is adequate to deal with issue 7. As the outline planning permission has now been implemented it would not be appropriate to allocate the site for shopping development under Proposal S2.

6.3.8 With regard to issue 8, I have already concluded in section 6.2 that the shopping centre boundary need not be extended to include the site at Waverley Street, Long Eaton in present circumstances. Accordingly there need be no change to the site description in paragraph 5.6a or to the shopping centre boundary on the Proposals Map in relation to this site.

6.3.9 Assuming that the *Ilkeston Civic Society's* concern is with the northern part of Bath Street within the defined shopping centre, it seems to me that criterion 1 of Proposal S2 adequately addresses issue 9. This is because it would resist edge-of-centre development if a proposed shopping development could be accommodated within the defined shopping centre or committed retail sites. To go further by barring edge-of-centre development until the bottom of Bath Street is 'sorted out' and the town is rid of the stigma of boarded up shops is lacking in justification. Moreover, once these criteria were expressed in clear and objective terms I am not convinced that they would be any more effective in achieving their aims than the existing Proposal in practice. I find still less justification for including a requirement that new shopping developments should be linked by a town centre train.

6.3.10 On the final issue, the Council appears to have taken the 'former gas training centre site' to be the Waverley Street site⁶⁶. No evidence has been provided to support the view that the site is needed for a bus station and that it is unsuitable for retail use. I conclude that no changes are warranted in respect of any of the site-specific issues in this section.

⁶⁶ EBC150, page 30

RECOMMENDATIONS

I recommend that the Local Plan be modified by:

- (a) re-defining 'new shopping development in existing centres' as 'shopping centres' in the key of the Proposals Map;
- (b) deleting criterion 6 of Proposal S2;
- (c) inserting the words 'and access' after 'car parking' in criterion 4 of Proposal S2.

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6.4 PROPOSAL S2A - NEW SHOPPING DEVELOPMENT IN OUT OF CENTRE LOCATIONS

Objections

103	221 CW	Mr P Tame	National Farmers Union
327	3762		Sainsbury's Supermarkets Ltd
454	3949		Wm Morrison Supermarkets Plc
650	3961 CW		Somerfield Stores Ltd

Issues

1. As an out-of-centre development proposal is effectively treated the same as an edge-of-centre proposal, Proposal S2a should be combined with Proposal S2, with introductory wording to reflect the sequential approach stated in PPG6(1.11).
2. Because Proposal S2a effectively requires developers to submit a full retail impact assessment in support of applications for out-of-centre retail developments it should apply only to major developments in excess of 2500 sq m gross floorspace in order to accord with PPG6(4.13).
3. Criterion 2 of Proposal S2a should limit the search for suitable sites to within-centre and edge-of-centre locations in the catchment area of a development proposal.
4. Criterion 3 of Proposal S2a should be amended to protect the vitality and viability of **any** existing town centres or local centres.
5. To reflect PPG6(4.9), criterion 5 should be revised to state: '*the development is or can be well served by public transport and has good links to the existing town centres, local centres and residential areas for pedestrians, cyclists and disabled people*'.
6. Apart from accommodating the traffic generated by the proposed development, Proposal S2a should ensure that the effect on overall travel patterns is considered and that private car usage is reduced.
7. Paragraph 5.7 should include reference to farm shops, which can be a profitable form of diversification.

Inspector's Reasoning and Conclusions

- 6.4.1 Edge-of-centre and out-of-centre locations represent different stages

in the sequential approach and it is not unreasonable to subject them to different policies. I have some sympathy with the Council's view that this helps to make the Local Plan clear. It also reflects the approach adopted in the Structure Plan, and it allows the respective policy criteria to be expressed in terms that are most appropriate for the different stages, yet without over-complicating the policy statements. Therefore I concur with the present separation of Proposals S2 and S2a.

6.4.2 PPG6(4.13) indicates that major development proposals in excess of 2500 sq m gross floorspace should be supported by full retail impact assessments. However, I do not infer from this that the criteria in Proposal S2a should be applicable only to such major proposals. Indeed, PPG6(4.13) goes on to state that such assessments may occasionally be necessary for smaller developments. Where it is apparent from the small size and the nature of a development that it is unlikely to have an impact on the centre as a whole it may be possible to apply the policy criteria without providing such a large amount of evidence. To limit Proposal S2a to major development proposals would also create a policy gap in respect of the smaller proposals. This gap would need to be filled by introducing another policy. I conclude that to amend the Plan in this way is unnecessary and would make it more cumbersome.

6.4.3 Criterion 2 of Proposal S2a requires that there should be no suitable sites available within or on the edge of shopping centres. Clearly, for a site to be suitable it would need to be in a position to serve its intended catchment area. Therefore I conclude that the wording of the criterion does not require amendment in respect of issue 3.

6.4.4 The Council has agreed that criterion 3 of Proposal S2a should be amended to protect the vitality and viability of **any** existing town centres or local centres. Its Proposed Change PIM30 makes the amendment, with which I concur. However, I cannot leave this issue without observing that the words '*... any existing town centres or local centres*' differ from those used in the equivalent criteria of Proposals S1 and S2, both of which refer to 'shopping centres'. There is no explanation for the difference in the reasoned justification for Proposal S2a. I suppose that the terms 'town centre' and 'local centre' relate to the Structure Plan hierarchy defined in Town Centre and Shopping Policy 1, and that they are used in Proposal S2a because out-of-centre proposals would be more likely to affect centres outside Erewash but referable to the Structure Plan hierarchy. The use of the terms is not the subject of objection here and I make no adverse comment about their use in criterion 3. However, for the criterion to be readily understood I conclude that there is a need to briefly explain, in the reasoned justification, the meaning of the terms and also their origin: that is, whether they correspond to the Structure Plan hierarchy.

6.4.5 Criterion 5 requires that the development, not the development site, is well served by public transport. The development proposal could include provision for public transport to ensure that it is well served. Therefore there is no need for the amendment set out in issue 5. Indeed, as the Council indicates⁶⁷, it would not be good enough to require that a development can be well served. The potential needs to be realised.

6.4.6 In the context of the *Somerfield Stores Ltd* objection I take it that issue 6 applies to Proposal S2a, as it would not appear to make sense for it to apply, as the objector specifies, to Proposal S3. The argument that Proposal S2a

⁶⁷ Retailing Topic Paper, paragraph 2.5

should go further than criterion 6 and include another criterion requiring a reduction of private car usage appears to be well founded in terms of Government guidance in PPG6(4.9-4.11). It is also relevant to note⁶⁸ that criteria-based policies such as this are expected to make it clear how they will appraise and take account of the overall impact on travel in each case. I believe that such guidance is especially pertinent to out-of-centre shopping developments, where, as noted in PPG6(1.16), the likely effect on overall travel patterns and car use is a key consideration. In the absence of any good argument against the *Somerfield Stores Ltd* suggestion I therefore accept it and conclude that an additional criterion should require that development reduces private car use. While noting that the objection is conditionally withdrawn, I am not aware of any change proposed by the Council to address this particular issue.

6.4.7 On the final issue, the Council indicates that farm shops are not a significant issue in Erewash⁶⁹, and I have no evidence to the contrary. I note that there is already a proposed policy (Proposal E5b) on farm diversification. In the absence of any more specific suggestions from the objector, who has conditionally withdrawn the objection, I conclude that little would be gained from adding a reference to farm shops in paragraph 5.7 or elsewhere in this chapter.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Change PIM30;**
- (b) by adding a brief explanation of the meaning and origin of the terms *town centres* and *local centres* to the reasoned justification for Proposal S2a;**
- (c) by adding a criterion to Proposal S2a, to be worded along the following lines: '*the development will reduce the amount of travel by private cars*'.**

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6.5 PROPOSAL S3 - PRIMARY SHOPPING FRONTAGES, ILKESTON AND LONG EATON

Objections

450 1221 W Mr D Corns Ilkeston Civic Society

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal S3.

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6.6 PROPOSAL S5 - LOCAL SHOPPING FACILITIES

⁶⁸ from PPG6: Annex B, paragraph 4

⁶⁹ Retailing Topic Paper, paragraph 5.2

Objections

281 758 W Mr M Gorman Government Office for the East Midlands
391 1028 CW Ms K Devonport Countryside Agency

Issues

1. Local village shops and facilities should be protected from conversion to other uses in order to maintain the vitality of villages.

Inspector's Reasoning and Conclusions

6.6.1 This issue appears to have been resolved by the introduction of Proposal S5a on the 'protection of local shops'. Since this Proposal was introduced at Second Deposit stage, and as I have no further observations, there is no need for me to recommend any modifications to the Plan.

6.6.2 As an aside, I note that the comments of *Derbyshire County Council* on the Proposal S5a have been recorded as supporting representations, despite the expression of some reservations about wording. No improvements have been suggested and I do not consider the shortcomings to be such as to recommend reconsideration of the representations.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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6.7 PROPOSAL S6 - FOOD AND DRINK ESTABLISHMENTS

Objections

281 759 W Mr M Gorman Government Office for the East Midlands
491 1284 W Mr R Barker

Issues

Since the objections were both withdrawn at Second Deposit stage there are no issues relating to Proposal S6.

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6.8 PROPOSAL S7 - SHOPFRONT DESIGN

Objections

281 760 W Mr M Gorman Government Office for the East Midlands

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal S7.

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6.9 PROPOSAL S7A - ADVERTISEMENTS

Objections

1422 3884 Outdoor Advertising Association

Issues

1. Criterion 1 of Proposal S7a should be deleted as the effect on the character and appearance of the host building would be part of the consideration of the effect on amenity under criterion 2.
2. Criterion 2 should be amended to refer only to the 'impact on amenity' in accordance with the provisions of the 'advertisement regulations'⁷⁰.

Inspector's Reasoning and Conclusions

6.9.1 The advertisement control regime enables local planning authorities to control advertisements only in the interests of amenity and public safety. There is no dispute that criterion 1 deals with an aspect of amenity. The Council considers that its separation from criterion 2 is useful in highlighting the need to consider the effects on the building concerned as well as the building's surroundings. PPG12(A16) advises that plans should be easily understood by all who need to know about the planning policies and proposals which apply in the area. I accept that the inclusion of criterion 1 is of some help in promoting this understanding. However the intended distinction between the two criteria could be sharpened, and their complementary relationship clarified, by amending criterion 2 so that it clearly applies to the surroundings or locality of the host building. At the same time I consider that its reference to the local environment should be deleted, as environmental impacts can be much wider in scope than normally covered by the term 'amenity'⁷¹.

6.9.2 To follow the objector's suggestion of a simplified policy referring only to the impact on amenity and public safety would be of doubtful value as it would do little more than repeat the basic requirements of the Regulations.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing criterion 2 of Proposal S7a with the following: 'The sign or advertisement is acceptable in terms of its impact on the amenity of the locality'.

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6.10 PROPOSAL S9 - FACTORY SHOPS

⁷⁰ core document 136

⁷¹ for example, as described in PPG19(11)

Objections

76 163 W Derbyshire County Council
391 1029 W Ms K Devonport Countryside Agency

Issues

Since the objections were withdrawn at Second Deposit stage there are no issues relating to Proposal S9.

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7 CHAPTER 6 - ENVIRONMENT

7.1 GENERAL POINTS AND OMISSIONS

Objections

177	361			ETSU (for the DTI)
281	674 W	Mr M	Gorman	Government Office for the East Midlands
351	921 CW	PC P	Wise	Derbyshire Constabulary
354	930 W	Mr D	Marsh	Environment Agency
355	939			English Nature
355	940			English Nature
355	943 W			English Nature
355	947 W			English Nature
355	948 W			English Nature
355	3570 CW			English Nature
355	3571 W			English Nature

Issues

1. Because environmental policies are likely to be very wide ranging, chapter 6 should be the lead chapter of the Plan, following the consideration of strategic issues.
2. There should be an overall policy addressing nature conservation issues for all relevant development proposals.
3. Promoting the development of renewable energy resources should be listed as an objective in this chapter.
4. The chapter should contain a section on renewable energy developments, including an appropriate policy and reasoned justification including reference to relevant Government guidance, its target for renewable energy generation by 2010, and the potential renewable resources available in the Plan area.
5. There is a need for a policy to protect and provide for the management of landscape features of major importance for wildlife, in accordance with Regulation 37 of the 'Habitats Regulations'.
6. For larger development proposals there should be a policy requirement for an environmental audit to be carried out, and applicants should be made aware of the current legal requirements concerning wildlife, including the offence of reckless disturbance.

Inspector's Reasoning and Conclusions

7.1.1 I find no compelling reasons to depart from the present arrangement of chapters in the Plan. Other chapters, such as chapter 9, have wide ranging policies, and I do not see that this need be the determining factor for the structure of the Plan. I conclude that no change is necessary in respect of the first issue.

7.1.2 The Council considers that the second issue is addressed by Proposal

EV7a, subject to Proposed Change PIM35. Issues relating to that Proposal are considered in the section specifically dealing with it below. In general terms I can see that it does not fully bridge the policy gap identified by *English Nature* in that it applies to 'areas of nature conservation interest' rather than to nature conservation generally. However, I consider that Proposal LP1 is sufficient to address the issue. This requires all development proposals to, amongst other things, protect and enhance the quality of the natural environment. The latter does of course include wildlife and geological features. Proposal LP1 provides a basis for justifying the need for mitigation measures where necessary. I conclude that the additional policy suggested by *English Nature* is unnecessary.

7.1.3 A section on renewable energy developments has been introduced into this chapter of the Second Deposit, together with Proposal EV17b. I deal with the issues arising from that addition in the relevant section below, but for the purpose of addressing the general issues raised here I conclude that there remain a few shortcomings. First, it does seem reasonable that Proposal EV17b should more clearly relate to the objectives of the chapter set out in paragraph 6.1. To this end an objective could be added, along the lines of the following: '*to contribute to energy conservation and the reduction in the emissions of 'greenhouse gasses' to the atmosphere*'. PPG12(4.4) confirms that this is a relevant environmental consideration for development plans. It would also reflect objective 9 of the Regional Spatial Strategy (in RPG8), which includes maximising the role of renewable energy generation.

7.1.4 Secondly, it would strengthen the reasoned justification of Proposal EV17b to include reference in paragraph 6.23b to the Government's target for renewable energy generation by 2010, as *ETSU* suggests. Thirdly, it would also strengthen the reasoned justification to include brief reference to the potential renewable resources available in the Plan area. The objector has suggested sources for this information, and its inclusion would demonstrate that the guidance mentioned in paragraph 6.23b has been taken into account in formulating the Proposal.

7.1.5 While I understand the value to wildlife of certain landscape features I am not convinced that an additional policy is required to protect such features. The objector has not specified the features concerned; nor is it evident to me that existing policies would fail to provide adequate protection in practice. In view of Regulation 37 of the 'Habitats Regulations' 1994 I do accept the need for a policy encouraging the management of landscape features of major importance for wildlife. This could, for example, take the following form: '*In considering development proposals the use of planning conditions and planning obligations will be considered where necessary to offset harm and secure the beneficial management of features of major importance for wildlife*'. The possible kinds of features include watercourses and traditional field boundaries, and the most locally relevant ones should be referred to in the new supporting text.

7.1.6 Bearing in mind the requirements of the Environmental Impact Assessment regulations, nationally designated areas of importance, and existing nature conservation policies in the Plan, I see no need for an additional policy requiring an environmental audit to be carried out in respect of larger development proposals. The supporting text of the nature conservation policies is the subject of Proposed Changes and generally makes sufficient reference to legal requirements in my view.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) adding an objective to the list in paragraph 6.1, along the following lines: *'to contribute to energy conservation and the reduction in the emissions of 'greenhouse gasses' to the atmosphere'*;
- (b) adding to the reasoned justification of Proposal EV17b a reference to the Government's target for renewable energy generation by 2010 and a brief indication of the potential renewable energy resources available in the Plan area;
- (c) adding to the nature conservation policies a policy such as the following, to encourage the management of important features: *'In considering development proposals the use of planning conditions and planning obligations will be considered where necessary to offset harm and secure the beneficial management of features of major importance for wildlife'*;
- (d) adding appropriate supporting text for the new policy, to include mention of the most locally relevant kinds of feature with which it is concerned.

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7.2 PARAGRAPH 6.1 - INTRODUCTION

Objections

185	399 CW	Miss A	Plckett	English Heritage East Midlands Region
390	1005	Mr I A	Moss	The House Builders Federation
505	1631 W	Mr M	Sanders	The Ilkeston and District Local History Society

Issues

1. Paragraph 6.1 mentions that the preservation of a historic building may require that it be converted to an appropriate use, but the inclusion of an enabling development proposal is needed to set out the Council's approach to such development.
2. From the start of paragraph 6.1 the Council's basic aim is stated to be the protection of the environment, yet this is only one of four broad objectives of the Government's sustainable development strategy⁷².

Inspector's Reasoning and Conclusions

7.2.1 On the first issue *English Heritage* appears to be satisfied with the Council's Proposed Change PIM75 to paragraph 6.1, which adds additional text describing the objector's concern and stating that all enabling development affecting 'historical' buildings must follow the criteria set out in one of *English Heritage's* publications. This Change is unacceptable because it is the job of the Local Plan to set out such criteria, insofar as they would be used in determining

⁷² As set out in PPG12(4.1)

planning applications. The Plan should not attempt to delegate such criteria to other documents. It is also inappropriate to identify or refer to such criteria, for one particular form of development, in an introductory paragraph that does not need to descend into such particulars and is only intended to illustrate the scope of the chapter. The chapter already includes policies dealing with development affecting buildings of historic interest and I am far from convinced that the addition of another policy is required.

7.2.2 As chapter 6 deals specifically with the environment it is quite reasonable for the introductory paragraph to begin by referring to a basic aim of protecting the environment. It is, after all, described only as 'a' basic aim, and it is now preceded by a sentence that provides some context. The full context is properly set out at the beginning of the Plan, where all the broad objectives of the sustainable development strategy are set out.

7.2.3 I conclude that no changes are warranted in respect of these issues.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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7.3 PROPOSAL EV1 - EREWASH VALLEY

Objections

185	393 CW	Miss	A	Plackett	English Heritage East Midlands Region
281	680 W	Mr	M	Gorman	Government Office for the East Midlands
491	1285 W	Mr	R	Barker	
505	1329 W	Mr	M	Sanders	The Ilkeston and District Local History Society
1358	3513 W	Mr	A	Shirley	Country Land & Business Association

Issues

1. The Proposal should protect and enhance the historic environment as well as the wildlife of the Erewash Valley.

Inspector's Reasoning and Conclusions

7.3.1 This issue was partly addressed in the Second Deposit. The remaining issue is resolved by the Council's Proposed Change PIM31, which adds the words 'and enhance' to Proposal EV1. I concur with the Change.

7.3.2 The Council's statement⁷³ indicates that I may wish to consider whether the boundaries of the Erewash Valley need to be defined within the Proposal or on the Proposals Map. I believe that this is an important point and since it has been raised by the Council, I have no hesitation in drawing attention to Government guidance in PPG12(A26). From the first sentence of this I am in no doubt that the whole area to which Proposal EV1 applies should be delineated on the Proposals Map. I make no formal recommendation to this effect since it does not arise from the remaining objection before me. Nevertheless I hope the Council will consider the matter in the context of my other recommendations relating to

⁷³ EBC109, paragraph 3.1.1

the Proposals Map.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with Proposed Change PIM31.

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7.4 PROPOSAL EV2 - DERELICT LAND

Objections

185	394 W	Miss	A	Plackett	English Heritage East Midlands Region
227	2746	Mr	C	Ball	RJB Mining (UK) Limited
281	679 W	Mr	M	Gorman	Government Office for the East Midlands
328	893 W				Tarmac Central Ltd
355	941 CW				English Nature
491	1286 W	Mr	R	Barker	
505	1330 CW	Mr	M	Sanders	The Ilkeston and District Local History Society
1325	3381	Mr	R	Barber	Westbury Homes (Holdings) Limited

Issues

1. Proposal EV2 is vague and imprecise, and it does nothing to further the aims of regenerating previously developed land.
2. Where specific objectives are identified, these, together with the intended use, should be clearly indicated on the Proposals Map.
3. The need for an Environmental Statement is catered for in separate legislation and therefore reference to it in the policy is superfluous.
4. The penultimate sentence of Proposal EV2 should be revised to reflect the wording in the supporting paragraph 6.4 concerning the protection of wildlife habitats.
5. The Proposal should also provide for the sensitive treatment of historical and architectural features.
6. In paragraph 6.4, reference should be made to the benefits of surface coal mining involving derelict sites, which would enable former colliery sites to be released quickly for beneficial new uses.

Inspector's Reasoning and Conclusions

7.4.1 PPG12(A23&A26) indicates that proposals should be clearly expressed with sufficient precision to enable them to be readily implemented. The Proposals Map should illustrate each of the proposals, defining sites for particular developments or land uses. Proposal EV2 does not accord with this guidance. It is phrased in pro-active terms and yet it is not clear who will implement the Proposal or the extent of commitment to implementation during the Plan period. Nor is it clear where the reclamation schemes will take place. The identified 'priority' areas are described in very general terms and appear to be very wide-ranging, including the great majority of the Borough. The description of the nature of the schemes and their after-uses is too open-ended to be of much guidance.

7.4.2 The Proposal does not therefore provide the certainty and the positive

lead for development that Government guidance expects⁷⁴. The Council indicates that the sites concerned are not identified because the information may be imperfect and cause property blight. I conclude that the Proposal is too vague to merit inclusion in the Plan. Moreover, I am not confident that there is sufficient information to justify its inclusion in a different form.

7.4.3 Apart from this fundamental weakness, I accept that the Proposal also suffers from the shortcomings raised in issues 4 and 5 (issue 3 having been resolved at Second Deposit stage). Again the penultimate sentence of the Proposal is rather vague in that there is no indication as to which 'habitat conservation principles' are referred to.

7.4.4 Following my conclusion that the Proposal should be deleted, I further conclude that paragraphs 6.4 and 6.5 should be deleted. While obviously supporting Proposal EV2, they appear to provide negligible support for the new Proposal EV2a, to which, in the absence of EV2, they would be associated. It also follows that the second of the listed objectives in paragraph 6.1 should be deleted, as the chapter would not provide a recognisable framework for derelict land reclamation.

7.4.5 In view of the above conclusions there is no need for me to deal with the final issue, which concerns a minor elaboration of paragraph 6.4.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal EV2 together with supporting paragraphs 6.4 and 6.5 and the second of the objectives listed in paragraph 6.1.

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7.5 PROPOSAL EV3 - CONSERVATION AREAS - DESIGNATION & AMENDMENT

Objections

185	395 W	Miss	A Plackett	English Heritage East Midlands Region
281	681 W	Mr	M Gorman	Government Office for the East Midlands
505	1331 W	Mr	M Sanders	The Ilkeston and District Local History Society
1358	3514	Mr	A Shirley	Country Land & Business Association

Issues

1. There should be no designation of new conservation areas unless both the management and improvement of existing designated areas are up to date.
2. A programme of improvement should be put in place for any future conservation areas, in order to ensure that there will be enhancement as a direct result of the designation.

Inspector's Reasoning and Conclusions

7.5.1 On the first issue I accept the Council's point that it is possible that in certain circumstances it may be justifiable and in the interest of the efficient use of

⁷⁴ for example PPG12(3.12)

resources to treat the designation of a new conservation area as more pressing than adherence to an existing programme of conservation area management and improvement. However, I am concerned that it is difficult to tell from Proposal EV3 whether or not the Council does propose to designate new conservation areas or review the boundary of any existing conservation areas, or even whether it has any plans to consider doing so. Uncertainty is engendered by the inclusion of the words 'as considered appropriate' in the first sentence. Reference is made to assessing the case for boundary reviews or new designations but there does not appear to be any commitment or plan to undertake any assessments during the Plan period. The Council claims⁷⁵ that the inclusion of Proposal EV3 is in accordance with PPG15(2.9) and yet without this information the policy framework of the Plan appears to be lacking. PPG15(2.9) states that the policy framework should make it clear to the public how detailed assessment documents relate to the Plan, but in this case it is not even clear that there will be any such documents. This is of importance because they might well carry weight in making planning decisions; although, again, this is not clear from the Plan, despite the guidance in PPG15(2.9).

7.5.2 I conclude that Proposal EV3 should be more definite about the likelihood of the production of conservation area assessments during the Plan period, and should be area-specific if possible. It should also give some indication of the weight to be attached to any expected assessment documents in the consideration of applications for planning permission and conservation area consent.

7.5.3 On the second issue, paragraph 6.6 already acknowledges the Council's duty to prepare schemes for the preservation and enhancement of its conservation areas. And Proposal EV3a lists the schemes to be prepared, presumably during the Plan period. I infer from PPG15(4.10) that these schemes should not themselves be set out in the Plan. Nor, in my view, is it necessary for there to be a commitment in the Plan to producing such schemes prior to the designation of any new conservation areas. I conclude that no changes are required in respect of the second issue.

7.5.4 I note that, while expressing full support for the Proposal, representation 1305/3203 suggests that the word 'amend' should instead be 'extend'. I see no reason for making such a change.

RECOMMENDATIONS

I recommend that the Local Plan be modified by amending Proposal EV3 to

- (a) give a clear indication of the likelihood of the production of conservation area assessments during the Plan period, with information specific to particular conservation areas if possible; and**
- (b) give an indication of the weight to be attached to any expected assessment documents in the consideration of applications for planning permission and conservation area consent.**

.....

⁷⁵ EBC120, paragraph 3.2

**7.6 PROPOSAL EV3A - CONSERVATION AREAS -
ENHANCEMENT SCHEMES**

Objections

281	682 W	Mr M Gorman	GOEM
1358	3515	Mr A Shirley	Country Land & Business Association

Issues

1. The Council should provide the funding necessary to ensure that the enhancement schemes progress.

Inspector's Reasoning and Conclusions

7.6.1 Precise funding commitments do not need to be detailed in the Plan. However, PPG12(6.28) states that the reasoned justification should include an indication of the assumptions made about the resources likely to be available for carrying out the Proposals. Proposal EV3a has been carried forward from the adopted Local Plan, without any reference to progress with implementation. This leads me to wonder about the realism of preparing all the listed schemes in what remains of this Plan period.

7.6.2 I therefore conclude that there should be some reference in the reasoned justification to what amount of progress can realistically be expected with the programme of proposed enhancement schemes with the resources that can reasonably be assumed to be available. The Proposal itself should be scaled down to an achievable size if the Council considers that the resources are unlikely to be available to complete the whole task within the relevant timescale.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) adding to the reasoned justification for Proposal EV3a an indication of what amount of progress can realistically be expected with the preparation of Conservation Area enhancement schemes during the Plan period with the resources that can reasonably be assumed to be available;**
- (b) correspondingly, making changes to the list of enhancement schemes in Proposal EV3a to the extent that this is necessary to make it realistic to achieve during the Plan period.**

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**7.7 PROPOSAL EV3B - CONSERVATION AREAS -
DEVELOPMENT CONTROL**

Objections

185	396 CW	Miss A Plackett	English Heritage East Midlands Region
185	3631	Miss A Plackett	English Heritage East Midlands Region
281	677 W	Mr M Gorman	Government Office for the East Midlands

281	678 W	Mr	M	Gorman	Government Office for the East Midlands
281	683 W	Mr	M	Gorman	Government Office for the East Midlands
281	761 W	Mr	M	Gorman	Government Office for the East Midlands
1327	3389				McCarthy & Stone (Dev) Ltd
1358	3516	Mr	A	Shirley	Country Land & Business Association

Issues

1. To comply with Government guidance and to avoid undue restriction of development the word 'and' in the following clause of Proposal EV3b should be replaced with the word 'or': '*... preserve and enhance the special character and appearance of the conservation area*'.
2. Part 3 of the Proposal does not reflect the 'Shimizu' judgement in that conservation area consent is not required for alterations or partial demolition of an unlisted building in a conservation area.
3. In considering the demolition of a building within a conservation area there should also be consideration of whether the building is capable of 'economic' beneficial alternative use.
4. Certain elements of the deleted part 4 of the Proposal could be re-instated in part 1: in particular, views, gardens, historic form and street patterns.
5. The word 'normally' should be deleted in the last sentence of the Proposal.
6. There needs to be sufficient flexibility in the Proposal to enable the conservation areas to benefit from development and change with the times.

Inspector's Reasoning and Conclusions

7.7.1 In the exercise of planning functions there is a duty⁷⁶ to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Accordingly, I agree that the wording in the clause quoted in the first issue should be altered to '*... preserve or enhance ...*': otherwise Proposal EV3b would be generally too demanding. The Council has not attempted to justify the existing wording, and it is amenable to the suggested change⁷⁷. I consider that the clause requires amendment in both parts 1 and 3 of Proposal EV3b. For the purpose of the Proposal it is not necessary to also alter the wording of part the same clause to '*character or appearance*'. To do so could in literal terms allow development that would cause harm to either character or appearance. However, the phrase 'character and appearance' as it is used in part 2 of the Proposal does require amendment to 'character or appearance' in order to properly reflect the statutory duty.

7.7.2 With regard to the second issue the use of the term 'substantially alter' in part 3 of the Proposal does appear to be inappropriate, as part 3 is ostensibly concerned with demolition. Substantial alterations need not involve the removal of very significant parts of buildings. Having regard to the contents of Environment Circular 14/97⁷⁸ I conclude that the term 'substantially alter' should be replaced with 'substantially destroy'.

7.7.3 The consideration of whether the building concerned is capable of 'economic' beneficial alternative use does not in my view need to be added as a separate factor to take into account. The scope of the existing criteria is such that

⁷⁶ under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

⁷⁷ EBC120, paragraph 3.3

⁷⁸ in particular, Appendix E

the case for such a change is not clear to me, and I find very little evidence to support it.

7.7.4 I accept the Council's view that it is not necessary to re-instate elements of the deleted part 4 in part 1. The elements presently referred to in part 1 are not intended to be exhaustive, as indicated by the words '... and other features ...' in the second sentence. To make the change suggested by the objector would detract from the succinctness of the Plan.

7.7.5 The word 'normally' is deleted in the last sentence of the Proposal in the Second Deposit. I note that for consistency a remaining 'normally' would also be deleted by the Council's Proposed Change PIM74, and that this Change also corrects a minor grammatical error at the beginning of the Proposal. I concur with this Proposed Change although some of the other (unchanged) text set out in PIM74 would of course need to change if my other recommendations in this section are accepted.

7.7.6 On the final issue, I do not see a need to introduce more flexibility into the Proposal. It is not clear to me exactly how the objector envisages that this could be acceptably achieved.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Change PIM74;
- (b) by replacing the clause '*... preserve and enhance the special character and appearance of the conservation area*' with '*... preserve or enhance the special character and appearance of the conservation area*' in part 1 of Proposal EV3b;
- (c) by replacing the phrase '*character and appearance*' with '*character or appearance*' in part 2 of Proposal EV3b;
- (d) by replacing the clause '*... preserve and enhance the character and appearance of the conservation area*' with '*... preserve or enhance the character and appearance of the conservation area*' in part 3 of Proposal EV3b;
- (e) by replacing the term '*substantially alter*' with '*substantially destroy*' in part 3 of Proposal EV3b.

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7.8 PROPOSAL EV4 - LISTED BUILDINGS

Objections

185	397 W	Miss	A	Plackett	English Heritage East Midlands Region
281	762 W	Mr	M	Gorman	Government Office for the East Midlands
1358	3517 W	Mr	A	Shirley	Country Land & Business Association

Issues

Since the objections were withdrawn at Second Deposit stage there are no issues relating to Proposal EV4.

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7.9 PROPOSAL EV5 - BUILDINGS OF LOCAL INTEREST

Objections

103	220	Mr P Tame	National Farmers Union
450	1222 W	Mr D Corns	Ilkeston Civic Society
1358	3518 W	Mr A Shirley	Country Land & Business Association

Issues

1. It is questioned whether 'buildings of local interest' are identified on a list, whether the criteria for such status are defined, and whether the designation has been the subject of consultation with the owners of the buildings concerned.
2. Proposal EV5 brings an unnecessary level of protection to some buildings whose survival in any form may depend on conversion.

Inspector's Reasoning and Conclusions

7.9.1 PPG12(A26) states that the Proposals Map should illustrate each of the detailed policies and proposals, defining the areas to which specified development control policies will be applied. Policies and proposals should be expressed with sufficient precision to enable them to be readily implemented and performance measured. Proposal EV5 is deficient in these respects. The buildings to which it would apply are not identified as such on the Proposals Map and it appears that there is not even a complete list of them. Nor is there any indication of detailed criteria that would enable them to be identified.

7.9.2 Paragraph 6.9 maintains that there are many buildings that fall outside the scope of Proposal EV4 but are nevertheless 'worthy of preservation'. However, in the light of Government guidance I do not consider that a policy such as Proposal EV5 is justified unless it is clear where it will apply. Thus, PPG15(6.16) does recognise that it is open to local planning authorities to draw up lists of locally important buildings for the purpose of formulating policies for their protection. That appears not to have been done in Erewash and I conclude that Proposal EV5 should not be included.

7.9.3 I do not consider that the buildings concerned would necessarily suffer as a result of my recommendation. For example, other policies in the Plan, such as H10a, DC2 and DC10a would serve to provide a reasonable level of protection. The Council may wish to carry out surveys and monitor the situation with a view to introducing a better-founded policy at a future review of the Local Plan should this be shown to be required.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal EV5 and its reasoned justification.

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7.10 PROPOSAL EV6 - REGISTERED HISTORIC PARKS AND GARDENS

Objections

185	398 W	Miss	Plackett	English Heritage East Midlands Region
185	3632 CW	Miss	Plackett	English Heritage East Midlands Region
505	3602 CW	Mr	Sanders	The Ilkeston and District Local History Society
1358	3519 W	Mr	Shirley	Country Land & Business Association

Issues

1. Proposal EV6 should refer also to other historic parks and gardens, and not just those that are registered.
2. The Proposal should apply to 'registered and locally important historic parks and gardens', and accordingly the deleted item 2 of the Proposal should be re-instated.

Inspector's Reasoning and Conclusions

7.10.1 Amendments in the Second Deposit appear to restrict Proposal EV6 to registered historic parks and gardens. The Council's Proposed Change PIM32 attempts to deal with the remaining issues by extending the title of the Proposal to include 'locally important' parks and gardens. The latter are not identified on the Proposals Map, and in the reasoned justification there is no indication of the criteria by which 'local importance' is determined. Indeed, parks and gardens of recognised local importance are not even mentioned in the reasoned justification, and it is not evident from either the Council's or objectors' representations that there are any that merit that description. Even if there were, the implications of the Proposal are not very clear in that it does not refer to them; and the construction of a list comprising only one numbered item in the second sentence reinforces the impression that something is missing.

7.10.2 I therefore conclude that the Proposed Change is inadequate and should not be made, notwithstanding that the remaining objections are conditionally withdrawn. As there is inadequate evidence that a policy is required for historic parks and gardens other than those that are registered, the scope of the Proposal should be limited as its title in the Second Deposit indicates. For succinctness and to avoid ambiguity and misinterpretation, the first two sentences could be rationalised to the following: *'Proposals for development that would harm the character or setting of registered historic parks and gardens will only be permitted in exceptional circumstances'*.

RECOMMENDATIONS

I recommend that the Local Plan be modified by replacing the first two sentences of Proposal EV6 with the following: *'Proposals for development that would harm the character or setting of registered historic parks and gardens will only be permitted in exceptional circumstances'*.

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7.11 PROPOSAL EV7 - SCHEDULED ANCIENT MONUMENTS

Objections

76	3790				Derbyshire County Council
185	400 CW	Miss	A	Plackett	English Heritage East Midlands Region
185	401 W	Miss	A	Plackett	English Heritage East Midlands Region
227	2747 W	Mr	C	Ball	UK Coal Mining Limited
281	763 W	Mr	M	Gorman	Government Office for the East Midlands
505	1332 (W)	Mr	M	Sanders	The Ilkeston and District Local History Society
505	3601 CW	Mr	M	Sanders	The Ilkeston and District Local History Society
1358	3520 W	Mr	A	Shirley	Country Land & Business Association

Issues

1. Paragraph 6.11 should be amended as it is now the Department of Culture, Media and Sport that issues consent, and it does so on the advice of, rather than in consultation with, *English Heritage*.
2. The text should refer to the fact that archaeological strategies are to be produced by the County Council for small towns (including Ilkeston and Long Eaton) featuring in the urban survey programme; and that it is hoped that these will be adopted as supplementary planning guidance.
3. Part 3 of Proposal EV7 should be strengthened by including a requirement that the local planning authority should not use its power to advise to the contrary without demonstrating good cause.
4. The Proposal description and section heading should not be entitled 'scheduled ancient monuments' because parts 2 and 3 of Proposal EV7 specifically relate to other sites of archaeological interest.

Inspector's Reasoning and Conclusions

7.11.1 On the first issue it seems that *English Heritage's* objection 400 is withdrawn as a result of the Council's Proposed Change PIM33. As far as it goes I concur with the Change. However, I see no reason why the whole of the objection issue should not be addressed by also replacing '*in consultation with*' with '*on the advice of*' at the end of paragraph 6.11. From the objector's representations I infer that this would better portray the decision process.

7.11.2 The second issue does not appear to have been dealt with in the Council's Proposed Changes as the Environment Topic Paper maintains⁷⁹. However, I cannot be sure that the supplementary planning guidance concerned will be adopted in the near future or even before the end of the Plan period. I conclude that it would be premature to include the suggested additional text, which would simply detract from the succinctness of the Plan.

7.11.3 The third issue arises from what the Council has registered as a supporting representation. I deal with it here because it appears to contain an objection and because the supporting representation (505/1332) is recorded as having been withdrawn at Second Deposit stage. The implication may be that the intended objection still stands. In any event the status of the representation is not important to my recommendations, as the issue does not in my view warrant any

⁷⁹ paragraph 8.1, Environment Topic Paper

amendments to the Plan. It is clear from part 3 of the Proposal that an archaeological assessment or field evaluation will need to be submitted where the sites concerned are affected. It is quite unnecessary for it to also state that the local planning authority should not use its power to advise to the contrary without demonstrating good cause.

7.11.4 The Council's Proposed Change PIM34 addresses the final issue. As with PIM33, PIM34 does not deal fully with the issue raised. The amendment of the title of Proposal EV7, although sensible in itself, should be accompanied by a corresponding amendment of the section heading immediately prior to paragraph 6.11.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) **in accordance with Proposed Change PIM33, subject to also replacing 'in consultation with' with 'on the advice of' at the end of paragraph 6.11;**
- (b) **in accordance with Proposed Change PIM34, subject to also amending the section heading immediately prior to paragraph 6.11 with 'scheduled ancient monuments and sites of archaeological significance'.**

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7.12 PROPOSAL EV7A - NATURE CONSERVATION

Objections

103	3586	Mr Tame	National Farmers Union
281	3935	Mr Packman	Government Office for the East Midlands
355	3835 CW		English Nature
491	3843	Mr Barker	

Issues

1. There is a conflict between the first sentence of Proposal EV7a and Proposal EV8(3), as the latter covers 'other sites'.
2. The second sentence of the Proposal is an administrative action rather than a policy and should therefore be moved to the supporting text.
3. In the first sentence the word 'other' should be deleted as it is misleading and superfluous.
4. In the first sentence the word 'local' should be replaced with 'relative' for accuracy and clarity.
5. The wording in the first sentence should be amended to: '*... unless there are significant and clearly demonstrable benefits resulting from the development*'.
6. It is not clear which sites part 3 of the Proposal applies to.

Inspector's Reasoning and Conclusions

7.12.1 It appears to me that the first three issues could be resolved by the Council's Proposed Change PIM35, which removes the words 'other' and 'local' in the first sentence of Proposal EV7a and transfers the second sentence to paragraph 6.14b of the supporting text. The Change demonstrates that the Proposal is intended to apply generally and not just to 'other' sites of 'local importance'. Proposal EV8 then deals with the policy differences associated with the hierarchy of nature conservation sites. However the wording of Proposal EV7a would remain cumbersome and generalised. There would still be a potentially confusing overlap with Proposal EV8 and, as EV7a appears to add nothing of consequence to the approach set out in EV8, I doubt the need for it.

7.12.2 As noted in PPG9(18), local planning authorities should have regard to the relative significance of international, national, local and informal designations in considering the weight to be attached to nature conservation interests. PPG9(24) goes on to indicate that the Plan should offer reasonable certainty to developers, landowners and residents alike about these relative weights and their use in reaching planning decisions. Proposal EV8 is capable of performing this role and I can see little point in retaining Proposal EV7a, even with the word 'relative' substituted for 'local' in the first sentence, or with the additional wording suggested in issue 5. I conclude that Proposal EV7a should be deleted, although its second sentence could usefully be re-instated in the reasoned justification as proposed in PIM35.

7.12.3 The final issue appears to relate to Proposal EV8 rather than to EV7a and so I consider it in the next section. However, I can understand how the confusion has arisen as the two Proposals run together, their texts are not clearly distinguishable from their titles, and the title of EV8 is quite long. The deletion of Proposal EV7a would have the additional benefit of making the nature conservation policies easier to follow.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) deleting Proposal EV7a;**
- (b) incorporating the gist of the second sentence of Proposal EV7a in paragraph 6.14b.**

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7.13 PROPOSAL EV8 - SITES OF SPECIAL SCIENTIFIC INTEREST, LOCAL NATURE RESERVES, SITES OF IMPORTANCE FOR NATURE CONSERVATION AND SITES OF LOCAL NATURAL HISTORY IMPORTANCE

Objections

103	3586	Mr P	Tame	National Farmers Union
227	2748 W	Mr C	Ball	RJB Mining (UK) Ltd
281	764 W	Mr M	Gorman	Government Office for the East Midlands
354	925	Mr D	Marsh	Environment Agency
355	934 W			English Nature
491	1287	Mr R	Barker	
491	3845	Mr R	Barker	

651	1639		Derbyshire Wildlife Trust
1358	3521 W	Mr A Shirley	Country Land & Business Association
1409	3757		West Hallam Parish Council

Issues

1. It is not clear which sites part 3 of the Proposal applies to.
2. A list of Local Biodiversity Action Plan species and habitats should be included, perhaps in an appendix.
3. 'Specific reference' should be made to the protection of the River Erewash and its corridor as a wildlife resource, conduit and recreational facility for the public.
4. A policy should be included to prevent culverting and to re-instate, protect and enhance open watercourses.
5. The following policy should be included: *'permitted development rights for the erection of buildings and structures, including the erection of gates, walls, fences and other means of enclosure, will be withdrawn, in consultation with the Environment Agency, for new development lying within 8 m of an open watercourse or within 5 m of the outer wall of a culverted watercourse'*.
6. The Proposal should be amended to state that *'... planning permission will not be given ...'* and the phrase *'as far as practicable'* should be removed.
7. The terminology is too flexible and indicates too little regard for nature conservation.
8. The number of wildlife sites and 'RIGS' needs correcting in paragraph 6.14.
9. The wildlife sites are not listed in an appendix or marked on the Proposals Map.
10. Apart from the sites recorded in the Wildlife Sites Register there are around 100 grade 3 wildlife sites many of which will be re-assessed against the new wildlife site criteria in the future.
11. The Proposal should indicate the different levels of protection that should be afforded to the different categories of site.
12. Sites referred to as 'not yet formally recorded' in paragraph 6.13 should not be afforded the same level of protection as LNRs, RIGS and Wildlife Sites.
13. There should be some reference to the use of planning conditions and/or planning obligations to provide mitigation and compensatory measures where appropriate.
14. There is a lack of a 'general biodiversity policy' covering important habitats, as required by the 'Habitats Regulations'.
15. The First Deposit Proposal EV8 should be re-instated but omitting the word 'normally'.
16. The 'Duck Pond' area located at the bottom of Derby Road should be designated as an area of scientific interest and a local nature reserve.

Inspector's Reasoning and Conclusions

7.13.1 The first issue is brought forward from the previous section of my report. The Council indicates⁸⁰ that part 3 of the Proposal applies to all wildlife sites not included in part 2 but that does not appear to me to be the case. I take it that part 3 of the Proposal applies to all sites meeting the County Wildlife Sites Register criteria, other than the designated sites in both parts 1 and 2. These 'other' sites are not shown on the Proposals Map or otherwise identified in the Plan. Nor is it clear from the Plan exactly what qualities they would need to possess to enjoy the protection afforded by the policy. There is therefore good cause for concern. PPG12(A23&A26) indicates that proposals should be clearly expressed with sufficient precision to enable them readily to be implemented. The Proposals Map should illustrate each of the Proposals, defining the areas to which specified development control policies will be applied. Proposal EV8(3) is inadequate in these respects. The existence of the sites to which it would apply can be determined only by comparing their habitats and species against criteria that are not specified in the Plan. This is unsatisfactory, and I conclude that part 3 should be deleted.

7.13.2 As Local Biodiversity Action Plan species and habitats are not themselves the subject of a policy I see no need to list them in an appendix to the Plan. I note the Council's agreement to consider including such a list in supplementary planning guidance. That is a matter for the Council: I do not consider it necessary for me to recommend it here.

7.13.3 The same applies to the matter of culverts in issue 4. I see no need to include a policy on culverts in the Plan, as its present range of policies should be capable of addressing the flooding, pollution and nature conservation issues arising; and of course the *Environment Agency* itself has powers and duties in this respect. Again, there is no real need to expand the reasoned justification as the Council proposes in Proposed Change PIM77.

7.13.4 I appreciate that the River Erewash and its corridor constitutes a feature of value and potential in the Borough, but it is not evident that it requires the 'specific reference' sought in issue 3. The Erewash Valley is of course the subject of Proposal EV1. No change is warranted in respect of this issue.

7.13.5 Proposal DC9 on development and flood risk provides for the retention of access to watercourses, and so it would not be appropriate to add to this chapter the policy suggested in issue 5. In any event the requirements are so specific and detailed as to be better suited to the proposed supplementary planning guidance.

7.13.6 Issue 6 relates to the much shorter Proposal in the First Deposit. It does not strictly apply to the wording of the Proposal in the Second Deposit, which is entirely revised. In the light of Government guidance in PPG9(27) I do not find the terminology of the revised Proposal to be too flexible or lacking in regard for nature conservation. Indeed, part 3 is in my view not flexible enough in that it appears to resist all development that would have an adverse impact on sites at the lowest level of the hierarchy of nature conservation sites, and without the inclusion of the qualifying clauses present in parts 1 and 2. This strengthens my conclusion that part 3 should be deleted and I return to this matter in dealing with issue 11 below.

7.13.7 The correction of the number of wildlife sites and 'RIGS' in paragraph 6.14 is achieved by the Council's Proposed Change PIM76. Although the figures in PIM76 are not the same as the up-dated information in the Environment Topic

⁸⁰ EBC38, paragraph 3.2

Paper (9.5) I rely on the Proposed Change as it is more recent and accords with the Council's statement (EBC128). Accordingly, any necessary changes should also be made to the Proposals Map so that it corresponds with the text.

7.13.8 I have already referred to guidance in PPG12(A23&A26) that has a bearing on issue 9. The inference that qualifying wildlife sites should be marked on the Proposals Map is reinforced by more specific Government guidance on nature conservation in PPG9(25). The latter makes it clear that this should apply not only to the sites in the upper parts of the site hierarchy, but also to sites identified as of local nature conservation importance. I conclude that all the part 1 and part 2 sites to which Proposal EV8 applies should be delineated on the Proposals Map with a notation specific to each part.

7.13.9 I have no good reason to doubt the practicability of this task, even though I appreciate that there is a considerable number of qualifying sites involved. The Council fears that it would involve entering too much information on the Map, but I am far from convinced of this, even taking account of my other recommendations concerning the Proposals Map. Sites will of course change in terms of their ability to meet the qualifying criteria. But the Plan and its successor documents will be subject to regular review and such information will be capable of being up-dated. The *Derbyshire Wildlife Trust* indicates that only a small number of sites are deleted or added to the Wildlife Sites Register each year⁸¹ and I note from the 2003 edition⁸² that only 5 sites have been removed from the Register since 1995. I would therefore expect there to be easily enough stability in the system to make inclusion on the Proposals Map worthwhile.

7.13.10 The Council proposes to identify the sites in supplementary planning guidance, but that does not satisfactorily resolve the issue in hand. Quite apart from the fact that it departs from the guidance in PPG9(25), it is desirable that the Plan is as far as possible complete in itself: supplementary planning guidance would be issued as a separate document, would not be part of the Plan, and would not be a convenient means of defining where the development plan policies apply. Moreover, defining the sites in the Plan means that they would carry the full weight that development plan status brings in terms of Section 54A of the Town and Country Planning Act 1990.

7.13.11 If, as I recommend, the sites are shown on the Proposals Map, it is not necessary that they be also listed in an appendix to the Plan. I notice that the Proposals Map key plainly indicates that 'sites of importance for nature conservation' and 'sites of local natural history importance' are included on the Proposals Map. This obviously needs to be corrected. 'Sites of local natural history importance' are also included in the title of the Proposal despite the fact that they are not mentioned in either the Proposal or its supporting text, including the list of designation categories in paragraph 6.13. I conclude that reference to this designation be deleted as it confuses matters and makes the Proposal title unnecessarily unwieldy.

7.13.12 As for the 100 or so 'grade 3 wildlife sites' referred to by the *Derbyshire Wildlife Trust*, I do not consider that they should be identified on the Proposals Map or subject to part 2 of the Proposal. This is because it is not evident that they can be shown to meet the relevant qualifying criteria. In the absence of any evidence to the contrary I take those criteria to represent a reasonable threshold of substantive nature conservation value. PPG9(18) indicates that local

⁸¹ Document 651A, paragraph 20

⁸² Core document 87

nature conservation designations should only apply to sites of substantive nature conservation value and that care should be taken to avoid unnecessary constraints on development. The fact that a 'grade 3 wildlife site' is not identified on the Proposals Map as a 'part 2' site does not mean that its nature conservation value would not be a material consideration in the event that the site is shown to meet the qualifying criteria during some future assessment of a development proposal.

7.13.13 I fully accept that Proposal EV8 should indicate the different levels of protection that should be afforded to the different hierarchical categories of site. This is well founded in PPG9(18,22,25). The issue, originally raised on the First Deposit, has been addressed in the Second Deposit. It has not been satisfactorily addressed in respect of part 3 of the Proposal in that it lacks the flexibility that has been built into parts 1 and 2 by virtue of qualifying clauses. As a result, part 3 appears to be more difficult to satisfy than the other two parts despite being no higher in the hierarchy. However, I have already concluded that part 3 should be deleted. Part 1 does appear to afford a rather greater degree of protection than part 2, as it should. But I consider that part 2 is in need of modest amendment. This entails the insertion of the word 'significant' before 'adverse effect' in the first line. Just as part 1 is concerned to safeguard the special interest of SSSIs, so part 2 should seek to prevent adverse effects that are significant. The supporting text should explain that an adverse effect would be considered to be significant if it harms the particular scientific or nature conservation interest upon which the designated status of the site depends. I also consider that the word 'clearly' should be deleted in part 2; partly because it is unnecessary, and partly because it tends to detract from the emphatic function of the same word in part 1. In part 1 the word is important in reflecting the greater significance of SSSIs in comparison with part 2 sites.

7.13.14 I agree that sites of interest, referred to as 'not yet formally recorded' at the end of paragraph 6.13, should not be afforded the same level of protection as LNRs, RIGS and registered Wildlife Sites. This view is supported by guidance in PPG9(18), already mentioned above. The Proposal, in the form I recommend it, would comply with this guidance.

7.13.15 The Second Deposit adds to the Proposal a sentence on the use of planning conditions and planning obligations in relation to mitigation and compensatory measures. However, by beginning with the words 'where appropriate ...' it is open to doubt when these means would be used. I conclude that for greater certainty and clarity the wording of the sentence should be amended to the following: '*Conditions and/or 'Section 106' planning obligations will be used to secure necessary mitigation or compensatory measures*'.

7.13.16 With regard to issue 14, *Derbyshire Wildlife Trust* has helpfully set out an example of a 'general biodiversity policy' covering important habitats. It is expressed in terms of maintaining viable networks of wildlife habitat and controlling development that would harm their integrity. In effect it would appear to apply a protective designation to certain habitat types. The last part of Structure Plan Environment Policy 14 contains a more generalised version of a similar kind of policy. In the absence of any details of the habitats concerned and their quality and extent I am not confident that the suggested policy, or any alternative that I can conceive, would fully comply with Government guidance in PPG9(18) or with the need for precision in defining where the policy would apply. I am also conscious that Proposal EV11 on creative conservation helps to fill the perceived policy gap in that it aims to achieve improved wildlife habitats as well as creating new ones. I conclude that it would not be justifiable to introduce a new

policy along the lines suggested.

7.13.17 Proposal EV8 of the First Deposit was justifiably replaced as it did not comply with the above-mentioned Government guidance in PPG9(18,22,25) concerning the need for policies that reflect the relative significance of site designations. I do not recommend that it be re-instated, even with the omission of the word 'normally'.

7.13.18 It has not been demonstrated in evidence that the 'Duck Pond' area located at the bottom of Derby Road meets the designation criteria of the designations referred to in the final issue. Moreover, it is not clear to me what is meant by an 'area of scientific interest'. If it is intended to mean a SSSI the designation would be a matter for *English Nature*.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) by deleting part 3 of Proposal EV8;
- (b) in accordance with the Council's Proposed Change PIM76, subject to any necessary changes being made to the Proposals Map so that it corresponds with the changed text of paragraph 6.14;
- (c) by identifying on the Proposals Map all the part 1 and part 2 sites to which Proposal EV8 applies using a distinct notation for each part and amending the Proposals Map key accordingly;
- (d) by deleting 'Sites of local natural history importance' in the title of Proposal EV8;
- (e) by inserting the word 'significant' before '... adverse effect ...' in the first line of part 2 of Proposal EV8 and also by deleting the word 'clearly' in part 2;
- (f) by adding to the reasoned justification for Proposal EV8 an explanation that an adverse effect will be considered to be 'significant' in relation to part 2 if it harms the particular scientific or nature conservation interest upon which the designated status of the site depends;
- (g) by replacing the last sentence of Proposal EV8 with the following: '*Conditions and/or 'Section 106' planning obligations will be used to secure necessary mitigation or compensatory measures*'.

.....

7.14 PROPOSAL EV9 - PROTECTED SPECIES AND THREATENED SPECIES

Objections

281 765 W
326 828 W

Mr M Gorman

Government Office for the East Midlands
Cairnpalm Ltd

355	935 W		English Nature
355	3832 CW		English Nature
491	1288	Mr R Barker	
491	3844	Mr R Barker	
1358	3522	Mr A Shirley	Country Land & Business Association

Issues

1. The first sentence of paragraph 6.15 should be amended to refer to threatened species and so provide a better context for Proposal EV9.
2. Also in paragraph 6.15, the reference to DTLR as the licensing body is inaccurate and should be amended to DEFRA.
3. Proposal EV9 should state '*planning permission will not be given*'.
4. In criterion 1 of the Proposal it should be stated that the consultant is to be independent and appointed by the Council.
5. Proposal EV9 is unnecessary as there are legal constraints preventing disturbance of protected and threatened species.

Inspector's Reasoning and Conclusions

7.14.1 The Council's Proposed Change PIM36 addresses the first two issues and has led to the conditional withdrawal of *English Nature's* objection to the Second Deposit. Despite this, I do not support the whole of the Change, which does not exactly follow the wording suggested by *English Nature*. As a result it retains the reference to Special Areas of Conservation, which represent but one of the provisions for species protection in the 'Habitats Directive'. To be more succinct and to provide a balanced context I conclude that the objector's wording should be adhered to. The second issue is simply resolved by an agreed correction.

7.14.2 The third issue relates to the First Deposit and in the absence of explanation from *Mr Barker* I am not sure that it survives in relation to the Second Deposit, where the text of Proposal EV9 has been extensively revised. In any event I conclude that it warrants no changes.

7.14.3 On issue 4, I would expect a professionally qualified consultant to give independent advice. It is not necessary for the Proposal to require this; still less would it be appropriate for the Proposal to require appointment of the consultant by the Council.

7.14.4 While it is true that other legislation provides protection for wild animals and plants, PPG9(44) makes it clear that this is additional to that offered by the planning system. The presence of a protected species is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat (PPG9: 47). Accordingly I do not accept that the inclusion of a policy on such species in order to guide planning decisions is unnecessary. My view is reinforced by other Government guidance in PPG12(4.4) and RPG8(policy 31), as well as by Environment Policy 14 of the Structure Plan.

7.14.5 Although it is not raised in an objection I draw the Council's attention to what appears to be the omission of one or more words in the penultimate sentence of criterion 3 of the Proposal. This may affect the interpretation of the policy and should therefore be given consideration.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) replacing the first sentence of paragraph 6.15 with the following: *'The EC 'Habitats Directive' requires member states to protect key habitats and threatened species of European significance'*;
- (b) replacing 'DTLR' with 'DEFRA' at the end of the third sentence of paragraph 6.15;

I also recommend that consideration be given to the need to complete or amend the penultimate sentence of criterion 3 of Proposal EV9 so that it can be fully understood.

.....

7.15 PROPOSAL EV10 - WILDLIFE SITES - REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Objections

103	219	Mr	P	Tame	National Farmers Union
355	936W				English Nature
1358	3523	Mr	A	Shirley	Country Land & Business Association

Issues

1. Because the term 'wildlife site' is not defined it could be interpreted very widely to include many sites not yet formally recorded, and this could affect farm businesses disproportionately.
2. Wildlife sites are non-statutory designations and do not warrant the use of 'Article 4 Directions'.

Inspector's Reasoning and Conclusions

7.15.1 Proposal EV10 applies to 'important wildlife sites', and yet there is no indication in either the Proposal or its reasoned justification as to which sites or designations are embraced by this term. It is not used in Proposal EV8 or its supporting text, which covers the various site designations; nor is it included in the site designations shown on the Proposals Map. It could be taken to mean sites included on the Wildlife Sites Register, but the use of the word 'important' suggests that the approach might be more selective. The Council points out⁸³ that 'wildlife site' is defined in the Glossary, but even if it occurred to readers to look there for the definition of such a simple term it would not be particularly helpful, as the definition simply states 'site of wildlife importance'. In short, it is not at all clear to which areas the policy would apply.

7.15.2 Although this shortcoming may be overcome by clearer and more consistent wording, I also share the more fundamental doubts arising in the second issue. Government policy⁸⁴ is that permitted development rights should not be

⁸³ EBC150

⁸⁴ Circular 9/95, appendix D

withdrawn locally without compelling reasons. Generally there would need to be exceptional circumstances and such action will rarely be justified unless there is a real and specific threat. Although activities such as paint-ball are mentioned in the reasoned justification for EV10 there is no reference to reliable information that damaging permitted development has been experienced in the Borough or that circumstances here are such that it is likely to occur in future.

7.15.3 That the Proposal is already included in the adopted Local Plan is not itself a sound reason for retaining it. PPG12(2.22) advises that the review process offers a positive opportunity to make development plans slimmer and more focused. Evidence that policies or proposals have served no useful purpose may be a trigger for removing them from the Plan. In this case there seems to be very little of substance to support the need for Proposal EV10, although I have noted the expressions of support by some bodies. The Council itself volunteers the information that to date there have not been any examples of removing permitted development rights in Erewash for a nature conservation reason⁸⁵. The feeling that the Borough ought to be making explicit provision to keep the option open in order to meet some possible future contingency is not a compelling basis for retaining the Proposal.

7.15.4 Policies in development plans should concentrate on those matters which are likely to provide the basis for considering planning applications or for determining conditions to be attached to planning permissions (PPG12: 3.14). I do not consider that Proposal EV10 would serve such a purpose, as it is more concerned with the degree of control exercised by the local planning authority in respect of these sites than directly with the development and use of land. In any event, the lack of such a Proposal would not prevent the action envisaged by the Proposal being taken should the circumstances warrant it. I conclude that there is insufficient justification for Proposal EV10 and that it should be deleted.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal EV10 and its reasoned justification.

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7.16 PROPOSAL EV11 - CREATIVE CONSERVATION

Objections

355	937	Mr D	Abrahams	English Nature
390	1007 W	Mr I A	Moss	The House Builders Federation

Issues

1. The wording of Proposal EV11 should be strengthened to require creative conservation in appropriate circumstances.

Inspector's Reasoning and Conclusions

7.16.1 The importance of creative conservation and its role in local plans is recognised in Government guidance: for example, PPG9(24). In its consideration

⁸⁵ Environment Topic Paper paragraph 9.10

of planning applications the Council can secure new or improved wildlife habitats in developments by seeking planning obligations. However it is clear from Circular 1/97[B2] that the use of this means would only be appropriate where such benefits were necessary to make the development proposal acceptable in land-use planning terms. It would not be appropriate to require such provision generally, or wherever there is potential for habitat creation or improvement. Nor would it be appropriate to require developers to enter into planning obligations.

7.16.2 However, in certain circumstances there may be justification for imposing planning conditions, which could require such provision. Indeed Circular 1/97[B20] indicates that where it is appropriate this means would be preferable to a planning obligation. Again, the use of the conditions would have to be necessary to make the proposal acceptable in land-use planning terms.

7.16.3 I conclude that the wording should be amended to reflect these points. The amendment should also remove the words 'where appropriate' at the beginning of the last sentence of EV11, since this gives no idea of when the Proposal would be applied and only creates uncertainty. The effect of the amendment would be further strengthened by reference to the Local Biodiversity Action Plan in the supporting text. This would help to focus attention on those new or improved habitat features that would be of particular value to nature conservation in the Borough. I see no need to refer to opportunities associated with mineral extraction, as suggested in supporting representation 227/2749.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) **replacing the last sentence of Proposal EV11 with the following: *'in its consideration of planning applications the Borough Council will seek to negotiate Section 106 planning obligations to create new or improved habitats where this is necessary to make the proposals acceptable in planning terms and where it cannot be achieved by imposing conditions on a planning permission'*;**
- (b) **adding to paragraph 6.17 a reference to the Local Biodiversity Action Plan as a source of guidance on the value of particular wildlife habitats.**

.....

7.17 PROPOSAL EV12 - PROTECTION OF TREES AND HEDGEROWS

Objections

281	766 W	Mr M Gorman	Government Office for the East Midlands
491	1289 W	Mr R Barker	
505	1333 CW	Mr M Sanders	The Ilkeston and District Local History Society
505	3600 CW	Mr M Sanders	The Ilkeston and District Local History Society
651	1642		Derbyshire Wildlife Trust
1367	3575	Mr E Pomfret	The Woodland Trust

Issues

1. Proposal EV12 should also protect ancient hedgerows and other historic boundaries.
2. There should be reference to the Council's commitments under the Hedgerows Regulations 1997.
3. Proposal EV12 should be strengthened to give extra protection to ancient woodlands, which are a key Biodiversity Action Plan habitat, are impossible to re-create, and are not always covered by other designations.
4. Criterion 2 of Proposal EV12 should be widened to include historic features, which can include woodlands and ancient hedgerows.
5. Criterion 2 of Proposal EV12 should be deleted because it is unnecessary: ancient woodlands are irreplaceable and deserve absolute protection.

Inspector's Reasoning and Conclusions

7.17.1 Hedgerows were added to the Second Deposit version of Proposal EV12 and I support this in principle, given that hedgerows, like woodlands, comprise trees and shrubs. It is not vital that other kinds of historic boundaries are included in the Proposal. They would cause the Proposal to lose its essential focus and in practice they would be afforded protection by other policies such as Proposal EV14a. Noting too that the relevant objection is conditionally withdrawn, I conclude that the first issue is adequately resolved.

7.17.2 In consequence of adding hedgerows to the Proposal I consider that the words '*... the removal of one or more trees ...*' in the first sentence of Proposal EV12 should be amended to '*... their removal ...*'. This is because it is possible that the hedgerows concerned would not contain recognisable 'trees'.

7.17.3 On the second issue the Council's Proposed Change PIM38 adds some text to paragraph 6.18, and this includes reference to the Hedgerows Regulations 1997. I have some reservations about this, as the Hedgerows Regulations only provide protection for hedgerows that meet certain detailed criteria, which qualify them as 'important'. On the other hand, the Proposal potentially affords protection to all hedgerows. Apart from this, the reference to the Hedgerows Regulations in the Proposed Change does not really add any support to, or explanation of, the inclusion of hedgerows in the Proposal. I conclude that it would be more useful for the paragraph 6.18 reference to the Hedgerows Regulations to be along the following lines: '*In weighing the importance of a hedgerow that it is proposed to remove as part of a development scheme, regard will be paid to criteria in the Hedgerows Regulations 1997 as well as the general public amenity value of the feature*'.

7.17.4 The Second Deposit version of Proposal EV12 has been strengthened by making specific reference to ancient woodlands. Proposed Change PIM38 would also amend criterion 2 of the Proposal to clarify its application to woodlands and hedgerows as well as to trees. Again, it is reasonable to draw the line here and not extend it to include historic features generally. Having regard to the resulting wider scope of criterion 2, I do not consider that it should be deleted. The features covered will be of variable importance and so it is appropriate to subject them to a weighing exercise in assessing the impact of a development proposal. No doubt the unquestionable importance of ancient woodland would be reflected in the weight it would carry in such an assessment. All the features concerned should be assessed in terms of their '*amenity and conservation value*' rather than simply

their 'amenity value'. This is because the latter term could be interpreted in narrower terms that do not take full account of the nature conservation or historical interest and importance of the features.

7.17.5 I conclude that Proposed Change PIM38 is, on its own, inadequate. But in making my recommendations I include its worthwhile elements and take account of the above points, while keeping the text succinct.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) by replacing the words '*... the removal of one or more trees ...*' in the first sentence of Proposal EV12 with '*... their removal ...*';
- (b) by adding text along the following lines to the reasoned justification for Proposal EV12, after paragraph 6.18: '*Individual trees and hedgerows can also be worth protecting, for their nature conservation value, historical interest or general amenity. Ancient woodland is irreplaceable and of special value. In weighing the importance of a hedgerow that it is proposed to remove, regard will be paid to criteria in the Hedgerows Regulations 1997 as well as the general public amenity value of the feature*';
- (c) by replacing criterion 2 of Proposal EV12 with the following: '*the proposed development outweighs the amenity and conservation value of the protected trees, woodlands or hedgerows*'.

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7.18 PROPOSAL EV13 - TREE PRESERVATION ORDERS

Objections

505 1334 W
1358 3524

Mr M Sanders
Mr A Shirley

The Ilkeston and District Local History Society
Country Land & Business Association

Issues

1. Tree Preservation Orders should only be made where there is a significant threat on a tree of amenity value.

Inspector's Reasoning and Conclusions

7.18.1 I have some doubts about the value of Proposal EV13 in that it amounts to little more than a commitment to use powers that are available to the Council for protecting trees. However, it does appear to be broadly consistent with related Government guidance to include policies on tree protection measures that the local planning authority will take when dealing with planning applications to develop land⁸⁶.

⁸⁶ 'Tree Preservation Orders: A Guide to the Law and Good Practice', paragraph 5.4

7.18.2 The Town and Country Planning Act 1990 provides the power to make Tree Preservation Orders where *'it is expedient in the interests of amenity'*⁸⁷. The Proposal properly limits the proposed action to trees that are threatened, and I do not consider it necessary to add that the threat should be 'significant'. On the other hand the Proposal does appear to me to go beyond the scope of the powers in indicating that Tree Preservation Orders will be made for trees that contribute to wildlife habitat but which are not necessarily of public amenity value. This arises from the inclusion in the Proposal of the words *'... contribution to public visual amenity or wildlife habitat ...'*. While it is not inconceivable that the wildlife attributable to a tree would be sufficient to confer public amenity value to the tree, it cannot be assumed that trees that are important wildlife habitat will inevitably be important as a public amenity. I find some support for this view in Government guidance, which states: *'Other factors, such as importance as a wildlife habitat, may be taken into account which alone would not be sufficient to warrant a Tree Preservation Order'*⁸⁸.

7.18.3 I conclude that the words 'or wildlife habitat' should be deleted from the Proposal. However, to avoid losing sight of this factor it could be added to paragraph 6.19 that the assessment of the public amenity value of trees might include the wildlife that they support.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) deleting the words 'or wildlife habitat' from Proposal EV13;**
- (b) adding to paragraph 6.19 some text to the effect that the assessment of the public amenity value of trees might include the wildlife that they support.**

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7.19 PROPOSAL EV14 - AREAS OF LOCAL LANDSCAPE SIGNIFICANCE

Objections

29	1588	S	Stowell	Sport England - East Midlands Region
76	161			Derbyshire County Council
103	218	Mr P	Tame	National Farmers Union
325	825 W	Cllr P	Milner	Morley Parish Council
391	1034 W			Countryside Agency
391	3859 CW			Countryside Agency
1358	3525	Mr A	Shirley	Country Land & Business Association

Issues

1. Proposal EV14 is contrary to PPG7(4.16) in that it does not indicate why normal planning policies cannot provide the necessary protection.

⁸⁷ Section 198(1)

⁸⁸ *'Tree Preservation Orders: A Guide to the Law and Good Practice'*, paragraph 3.2

2. There is inadequate justification for the Areas of Local Landscape Significance having regard to PPG7(2.15) and the advised landscape character approach to countryside conservation.
3. It is questionable whether the Areas of Local Landscape Significance are soundly based on a formal assessment of the qualities of the countryside, and whether the justification of the designation has been rigorously considered.
4. The text of paragraph 6.20 should be revised to properly reflect the countryside character approach to landscape considerations.
5. Areas of Local Landscape Significance are a non-statutory designation and should not therefore warrant the same degree of protection as Conservation Areas or the Green Belt.

Inspector's Reasoning and Conclusions

7.19.1 PPG7(4.16) points to the danger of undue restrictions on development arising from local countryside designations, particularly where there is an inadequate appraisal of the particular features of the local countryside that need to be respected and enhanced. It therefore advises that the function and justification of existing local designations should be rigorously considered during development plan reviews. Although carrying only limited weight at this stage, more recent guidance in draft PPS7 indicates in the Government's belief that local countryside designations are not necessary and that they should be removed in reviewing development plans⁸⁹.

7.19.2 Against this background I conclude that the objections and the issues they raise have considerable merit. I find no justification for the Areas of Local Landscape Significance and no evidence that the designation has been rigorously considered as part of the review of the Local Plan. Nor can I find any support for the designation in the Structure Plan. With the introduction of a Proposal on landscape character (EV14a) there is even less reason to contemplate a policy such as Proposal EV14 and I firmly conclude that the latter should be deleted. It follows that references to the designation elsewhere in the Plan (for example, in Proposal H6, and on the Proposals Map) should also be deleted.

7.19.3 I carry forward my consideration of issue 4 to the next section, as it is more closely related to Proposal EV14a.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal EV14 and all references to the Areas of Local Landscape Significance.

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7.20 PROPOSAL EV14A - LANDSCAPE CHARACTER

Objections

103	3588	Mr	Tame	National Farmers Union
391	3859 CW	Ms	Devonport	Countryside Agency

⁸⁹ draft PPS7 (September 2003), paragraph 25

Issues

1. Proposal EV14a should replace, or be amalgamated with, Proposal EV14.
2. In practice the impact of a development will be measured against a wider range of considerations than specified in Proposal EV14a, and so the Proposal should be qualified to the effect that those considerations are illustrative and not exclusive.
3. The text of paragraph 6.20 should be revised to properly reflect the countryside character approach to landscape considerations.

Inspector's Reasoning and Conclusions

7.20.1 The first issue is effectively resolved by my recommendation in the previous section. I see no merit in the alternative of amalgamating Proposals EV14 and EV14a. The Council's Proposed Change PIM39 would renumber and re-order the Proposals to suggest the greater priority of EV14a. This would not be an adequate solution either, as the substantive issues raised in the previous section would remain.

7.20.2 The Council's Proposed Change PIM37 attempts to deal with the other two issues, and I note that the *Countryside Agency's* objections are conditionally withdrawn. The Change replaces the text of paragraph 6.20 and I accept that it is an improvement. However, having regard to my recommendation in the previous section I consider that one sentence in the revised paragraph should be deleted. The sentence concerned is as follows: *'In the interests of maintaining and enhancing the Borough's finest countryside there should be a strong presumption against inappropriate development or land management in areas of local landscape significance'*. Apart from the lack of justification for Areas of Local Landscape Significance, this sentence suggests a strong degree of protection, which is quite inappropriate and out of keeping with Government guidance in PPG7(4.16). Otherwise, I consider it is acceptable for the qualification referred to in the second issue to be included, as it has been, in the supporting text as it is simply helping to explain the scope of the Proposal.

7.20.3 The Council's Proposed Change PIM39 recognises the need to change the heading immediately prior to paragraph 6.20. It follows from my conclusions that 'landscape character' would be a more appropriate heading.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with Proposed Change PIM37, subject to the omission of the following sentence: *'In the interests of maintaining and enhancing the Borough's finest countryside there should be a strong presumption against inappropriate development or land management in areas of local landscape significance'*;
- (b) by replacing the heading immediately prior to paragraph 6.20 with *'Landscape Character'*.

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7.21 PROPOSAL EV14B - ENVIRONMENTAL IMPACT ASSESSMENTS

Objections

281	3936	Mr	Packman	Government Office for the East Midlands
313	3915	Mr	Hepwood	Miller Homes (East Midlands)

Issues

1. Proposal EV14b constitutes an administrative action rather than a policy.
2. It incorrectly reflects the legislation and should recognise that the requirement for an Environmental Statement is controlled by the Town and Country Planning (Environmental Impact Assessment) Regulations.
3. There is no definition of the word 'significant' in the Proposal.

Inspector's Reasoning and Conclusions

7.21.1 The Council's Proposed Change PIM40 would delete the section headed 'Environmental Impact Assessments' and instead add some similar explanatory text after paragraph 6.1. I accept that the deletion of the whole section, including Proposal EV14b, is a commendable response to the first two issues. However, notwithstanding the suggestion of the *Government Office for the East Midlands* I see little benefit in effectively re-instating the deleted text at the beginning of the chapter. It would not appear to act as a reasoned justification for, or offer any explanation of, any of the Proposals that follow. The three paragraphs concerned would simply introduce excessive detail and make the Plan less succinct, contrary to the aims of Government guidance. They would also unbalance and detract from the focus of the present text, which concentrates on introducing the broad objectives of the chapter.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting the section headed Environmental Impact Assessments, including paragraphs 6.20a, 6.20b and Proposal EV14b.

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7.22 PROPOSAL EV15 - ENVIRONMENTAL POLLUTION

Objections

281	676 W	Mr	M Gorman	Government Office for the East Midlands
281	767 W	Mr	M Gorman	Government Office for the East Midlands
354	933 W	Mr	D Marsh	Environment Agency
491	1290 W	Mr	R Barker	
491	3846 CW	Mr	R Barker	

Issues

1. In part 1 of Proposal EV15 the words '*... where there is no significant ...*' should be replaced with '*... which leads to a minimal ...*'.
2. Reference should be made to any development affecting any current pollution standard (ie. NAQS air quality management areas in the M1 corridor).
3. The Proposal should have regard to the cumulative effects of development within an area over a time period.

Inspector's Reasoning and Conclusions

7.22.1 *Mr Barker* is recorded as having conditionally withdrawn his objection to the revised Proposal EV15 in the Second Deposit. However, there are no Proposed Changes to the Proposal and, as far as I can see, no other Proposed Changes that might explain the withdrawal. In the absence, too, of any further explanation to support the amendments suggested, I am not convinced that any of them are required.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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7.23 PROPOSAL EV16 - AQUIFER PROTECTION

Objections

281	675	Mr M Gorman	Government Office for the East Midlands
354	931 W	Mr D Marsh	Environment Agency
491	1291 W	Mr R Barker	
491	3847 UW	Mr R Barker	

Issues

1. Proposal EV16 is too restrictive and needs to indicate whether planning permission would be granted if measures to prevent contamination were carried out.
2. The aquifer protection zones should be identified on the Proposals Map.

Inspector's Reasoning and Conclusions

7.23.1 The first issue is effectively resolved in the Second Deposit, which revises the original wording of Proposal EV16.

7.23.2 PPG12(A26) states that the Proposals Map should illustrate each of the detailed policies and proposals, defining areas to which specified development control policies will be applied. With regard to pollution control, similar more specific guidance is contained in PPG23(2.18). The latter also points to the possible alternative of establishing criteria for considering locations of potentially polluting development, but I am not sure that that would be practicable in the case of Proposal EV16. I see no reason why the *Environment Agency's* Groundwater Vulnerability and Source Protection Maps should not be used to provide information for identifying aquifer protection zones on the Proposals Map. I find no basis at all

for the Council's argument that this would make the Plan difficult to interpret⁹⁰. On the contrary, it would make it easier to interpret by defining where the Proposal applies. I judge that the additional information need not overload the Proposals Map, even taking account of my other recommendations affecting the Proposals Map.

7.23.3 Because it is most important to know where the Proposal applies, it is not sufficient to argue that such information will at some future time be produced in the form of supplementary planning guidance. Apart from causing a policy hiatus in the meantime, this would effectively delegate part of the essential basis for making planning decisions to another document, contrary to Government guidance in PPG12(3.17). Whether or not further information on aquifers should also be included in supplementary planning guidance is a matter for the Council: it is not necessary for me to make a recommendation on that matter to resolve the issues raised in objections to the Plan. Therefore I draw no conclusions on the Council's Proposed Change PIM78. In any event, that 'Proposed Change' does not appear to make any change to the Plan itself. However, it does suggest to me that if some reference to supplementary planning guidance is to be made in the reasoned justification for Proposal EV16, the existing reference to 'special' planning guidance would need to be corrected. Indeed, that reference should be amended in any event as it might be inferred that it is in some way different from supplementary planning guidance.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) identifying on the Proposals Map the areas ('aquifer protection zones') to which Proposal EV16 applies;**
- (b) amending the last sentence of paragraph 6.22 to (1) make it clear that the aquifer protection zones are identified on the Proposals Map, and to (2) correct or delete the reference to the term 'special planning guidance'.**

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7.24 PROPOSAL EV17 - WORLD HERITAGE SITE AND BUFFER ZONE

Objections

185	402 W	Miss A	Plackett	English Heritage East Midlands Region
329	841 W	Mr R	Salmon	Derby City Council
388	998 CW	Mr J	Coleman	William Davis Ltd
1358	3528	Mr A	Shirley	Country Land & Business Association

Issues

1. Proposal EV17 should be deleted as, pending the results of the bid for World Heritage status, it is premature; and, having regard to Structure Plan Environment Policy 13, it is also superfluous.

⁹⁰ EBC40, paragraph 3.2

2. The Plan should explain the importance of the setting of the feature and thereby provide some justification for including in the designation the 'buffer zone' referred to in paragraph 6.23.
3. The boundary of the buffer zone should be amended so as not to unnecessarily constrain a potential development site at Little Eaton.

Inspector's Reasoning and Conclusions

7.24.1 Since the first issue was raised the Derwent Valley Mills World Heritage Site has been confirmed. Proposal EV17 is not, therefore, premature. Since it is expressed in more detailed and site-specific terms than Structure Plan Environment Policy 13, and with reference to an area defined on the Proposals Map, I also conclude that it is not superfluous.

7.24.2 The defined area to which the Proposal applies includes a buffer zone of protection around the site. It is not clear from the reasoned justification what criteria were used for defining this buffer zone or what qualities it has that make it worthy of protection in addition to the site itself. The Environment Topic Paper⁹¹ goes some way to providing this information, but there is no explanation of why it has not been included in the reasoned justification for Proposal EV17. I accept that a brief explanation needs to be included so that the rationale for the area designated in the Plan and the implications for its development potential can be fully understood. Moreover, I similarly conclude that too little is said of the important qualities of the World Heritage Site itself. Paragraph 6.23 refers to its historical and cultural importance, but there is no indication of how this manifests itself in terms of physical features. There is no reference to the 'mills, associated housing and other structures' mentioned in the Environment Topic Paper. Without going into unnecessary detail such information should be included in paragraph 6.23 in order to clarify the nature of what Proposal EV17 is seeking to protect.

7.24.3 I recognise that the railway embankment and the flood defence barrier help to separate the immediate environs of the River Derwent and the objection site referred to in the third issue. However, I am not convinced that this is sufficient to exclude the objection site from the setting of the designated site, particularly in view of the proximity of the river and the nature of the surroundings. I conclude that there is an inadequate case for amending the boundary of the protected area as identified on the Proposals Map.

RECOMMENDATIONS

I recommend that the Local Plan be modified by adding to the reasoned justification for Proposal EV17 a concise explanation of the criteria used to define the setting of the World Heritage Site, the particular qualities of this setting that the Proposal seeks to protect, and the kinds of features that require protection within the World Heritage Site itself.

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7.25 PROPOSAL EV17A - HAZARDOUS SUBSTANCES, HAZARDOUS INSTALLATIONS & MAJOR HAZARD PIPELINES

⁹¹ paragraph 15.2

Objections

491 3848 CW Mr Barker
1370 3603 Miss Partington Health and Safety Executive

Issues

1. The words '*... or that there is no reasonable alternative*' at the end of part B of the Proposal should be deleted.
2. The policy statement should describe the objective of maintaining appropriate distances between dangerous substance establishments and residential areas and areas of public use; and should also refer to the arrangements for consultation with the Health and Safety Executive.
3. The locations of the dangerous substance establishments and major hazard pipelines should be marked on the Proposals Map.

Inspector's Reasoning and Conclusions

7.25.1 It does not strike me as unreasonable to allow some flexibility in part B of Proposal EV17a so as to allow for circumstances where there is no alternative to a certain development proposal, which may be of considerable public benefit. Despite having withdrawn his objection *Mr Barker* remains concerned that the word 'reasonable' is too open to interpretation and that the system is naturally biased towards developers. I accept that alternatives should be reasonable and that it is sufficiently clear what 'reasonable' would mean in this context. I conclude that the policy test would not be too flexible and that no amendment needs to be made to the Proposal.

7.25.2 In relation to the second issue the 'policy statement' suggested by the *Health and Safety Executive* reads more as an explanatory text. I do not find that anything would be gained by adding it to, or substituting it for, the existing Proposal. I am also conscious that development plans should not seek to designate, by means of policies or proposals, areas where special consultation arrangements will apply (PPG12: 3.6). The Council's Proposed Change PIM41 incorporates bits of the statement in a revised reasoned justification for the Proposal. I accept that this is an adequate response to the issue, especially as the objector admits to not having considered the contents of the Plan in detail.

7.25.3 While supporting the gist of the Proposed Change I consider that the last sentence of the paragraph should be omitted. Stating that the Council will give priority to the health and safety of the public is more of a policy than a reasoned justification. Moreover, it is not entirely consistent with part B of the Proposal which, as noted above, allows for development in circumstances where there is no reasonable alternative.

7.25.4 I agree that the locations of the hazardous substance establishments and major hazard pipelines should be marked on the Proposals Map. Again, I refer to PPG12(A26) in support of this conclusion. Furthermore, PPG12(A16) indicates that the Plan should be easily understood by all those who need to know about the planning policies and proposals that apply in the area. This would not be possible if the locations of the hazardous substances installations and major hazard pipelines were not to be identified in the Plan, as it would be impossible to tell from the Plan whether or not Proposal EV17a would have a bearing on any development scheme.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with Proposed Change PIM41, subject to the omission of the final sentence of the proposed paragraph 6.23a;
- (b) by delineating on the Proposals Map the locations of all the installations to which part B of Proposal EV17a applies.

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7.26 PROPOSAL EV17B - RENEWABLE ENERGY

Objections

177	3960		Future Energy Solutions (DTI)
491	3849 CW	Mr Barker	
1404	3727 CW		National Grid Co Plc
1468	4046	Ms Skrytek	Derby Friends of the Earth

Issues

1. Criterion 1 is not feasible and should be revised to read: *'The proposal would not have an unacceptable visual impact on the landscape'*.
2. The word 'preferably' should be deleted in criterion 5.
3. To be technically correct criterion 5 should be amended to read: *'Connections with the local electricity distribution network are preferably made underground rather than by overhead power lines'*.
4. The responsibility for site clearance needs to be clarified, as the eventual site owner/operator may not be the developer.
5. Paragraph 6.23b should be amended to include the statement that *'all emissions and wastes from energy sources should be revealed by the developer, including how these are to be dealt with'*.

Inspector's Reasoning and Conclusions

7.26.1 The first issue is satisfactorily resolved by the Council's Proposed Change PIM42 to criterion 1, which adopts the wording suggested by the objector.

7.26.2 Once again, there is no obvious basis for the conditional withdrawal of Mr Barker's objection. I agree that the inclusion of the word 'preferably' is unsatisfactory. It prevents criterion 5 from relating properly to the main body of the Proposal, which states that *'... installations will only be permitted where ...'* (my emphasis). However, I am not satisfied that the general application of criterion 5 without the inclusion of the word 'preferably' would be justifiable. I take it that underground connections are preferred for visual amenity reasons. There are various kinds and sizes of renewable energy installations and it may not always be the case that underground connections are feasible or even necessary to avoid material harm to the landscape. I consider that overhead power lines could be treated in the same way as ancillary buildings in criterion 4. This, together with the revised criterion 1, would effectively achieve the purpose of criterion 5 as far as

I can see. I conclude that criterion 5 should be deleted and that criterion 4 should be amended accordingly.

7.26.3 The Council accepts the point made in issue 4 but does not suggest any alternative wording. I consider that an alternative along the following lines would overcome the problem: *'All structures associated with the development will be removed and the site restored in the event that the infrastructure becomes redundant'*. The reasoned justification should explain that this will normally be secured through a planning condition or planning obligation when planning permission is granted.

7.26.4 The suggested additional text for paragraph 6.23b would contribute little to the reasoned justification of the Proposal as drafted. It would detract from the succinctness of the Plan and make it less easy to follow. The issue appears to arise from concern about waste-to-energy incineration of household waste. As such, I would expect the implications to be more appropriately dealt with in the waste local plan for the area. I conclude that the suggested amendment of paragraph 6.23b is not worthwhile.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with Proposed Change PIM42 insofar as it relates to criterion 1 of Proposal EV17b;
- (b) by the insertion of the words *'or overhead power lines'* after *'ancillary buildings'* in criterion 4 of Proposal EV17b;
- (c) by the deletion of criterion 5 of Proposal EV17b;
- (d) by the replacement of criterion 6 of Proposal EV17b with the following: *'All structures associated with the development will be removed and the site restored in the event that the infrastructure becomes redundant'*;
- (e) by adding to the reasoned justification of Proposal EV17b a brief explanation that the measures required in criterion 6 will normally be secured through a planning condition or planning obligation when planning permission is granted.

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8 CHAPTER 7 - RECREATION AND LEISURE

8.1 GENERAL POINTS AND OMISSIONS

Objections

314	800	Mr D J Hind	
350	905		Northern Sport in Receivership
350	906		Northern Sport in Receivership
350	918		Northern Sport in Receivership
358	959W	Mr C Dunmore-Revill	Erewash Access Group

Issues

7. The Plan should contain a policy for the establishment of 'standards for the provision of sport and recreation'.
8. The Plan should contain policies for the provision of facilities for motor sports as recommended by the adopted Local Plan, the previous Local Plan Inspector and Government guidance in PPG17.
9. The Plan should contain a policy commitment to finding a suitable site for the development of a Long Eaton stadium.
10. There is a need for improved facilities for swimming in Long Eaton.

Inspector's Reasoning and Conclusions

8.1.1 While appreciating that a policy for the establishment of sport and recreation standards was included in the adopted Local Plan I do not consider that it would be appropriate to include it in the Plan before me. This is because it would depart from current Government guidance that development plans should not contain policies for matters other than the development and use of land (PPG12: 3.5). The establishment of standards does not itself require a development plan policy. It would be appropriate to include in the Plan the locally derived standards themselves, but it does not appear to me that such information is yet available.

8.1.2 With regard to the second issue motor sports are reported to have taken place at the Long Eaton Stadium until 1997. The Council has not found a replacement site, notwithstanding Proposal R15 in its adopted Local Plan. With no evidence of improved prospects there would be little point in adding a similar Proposal to the Plan before me. I can see the merits of a criteria-based policy on motor sports facilities but do not consider it essential in view of other policies, and particularly the existing more general criteria-based Proposal R11. In the absence of any detailed evidence on need and potential I have no adequate basis for recommending that a more specific policy should be introduced. My conclusion is the same in relation to the third issue (see also section 8.11 below).

8.1.3 The final issue appears to be largely concerned with the need for more resources to improve swimming facilities and refurbish the existing swimming pool. As the Council observes⁹², this is not a matter for the Local Plan and I conclude

⁹² EBC88, paragraph 3.1

that it does not call for any modifications.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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8.2 PROPOSAL R1 - RECREATIONAL TRAILS

Objections

1358 3529 W Mr A Shirley Country Land & Business Association

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal R1.

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8.3 PROPOSAL R2 - RIGHTS OF WAY

Objections

281 673 W Mr M Gorman Government Office for the East Midlands
491 1292 CW Mr R Barker

Issues

1. The Council should actively seek to increase the number of bridleways, incorporating circular routes and by-passing roads.

Inspector's Reasoning and Conclusions

8.3.1 Although *Mr Barker's* objection is withdrawn conditionally, there are no Proposed Changes that affect the Proposal or its reasoned justification and I accept that none are required.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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8.4 PROPOSAL R5 - PUBLIC OPEN SPACE

Objections

29 1589 S Stowell Sport England - East Midlands Region

29	1593		S	Stowell	Sport England - East Midlands Region
29	3804		S	Stowell	Sport England - East Midlands Region
281	671 W	Mr	M	Gorman	Government Office for the East Midlands
313	797	Mr	R M	Hepwood	Miller Homes (East Midlands)
349	1986 W	Mr	R	Walters	Hallam Land Management Limited
390	1006 W	Mr	I A	Moss	The House Builders Federation
491	1293 W	Mr	R	Barker	
1325	3382	Mr	R	Barber	Westbury Homes (Holdings) Limited

Issues

1. Proposal R5 and paragraph 7.7 are contrary to Circular 1/97 in seeking to make good existing open space deficiencies by requiring provision (through 'Section 106 obligations') from new developments.
2. A detailed playing field and open space assessment should be carried out so that the Plan can identify areas of deficiency and allocate sites suitable for the creation of new playing fields.
3. The Proposal should not be deleted but should allocate possible sites, taking into account the findings of the Playing Pitch Assessment and Strategy for the county.
4. Provision of open space should accord with the National Playing Fields Association standards.

Inspector's Reasoning and Conclusions

8.4.1 The first issue was resolved in the Second Deposit by the deletion of Proposal R5 and its reasoned justification. I accept that this was a reasonable course, given the guidance in Circular 1/97 and the fact that Proposal H9 already addresses the need for open space provision in relation to new housing sites.

8.4.2 The Council's Sports Facilities Strategy⁹³ and also the county-wide assessment go some way towards providing the information sought in the second issue. However, it is not evident to me that the Strategy has yet been adopted by the Council or that it has reached the stage of providing the basis for the Plan to identify areas of deficiency and allocate sites suitable for the creation of new playing fields. Nor does it appear to include consideration of all the functions that open space can perform. Therefore I do not conclude that Proposal R5 should be retained in amended form in order play a land allocation role.

8.4.3 The final issue originates from an objection to the First Deposit. While I am in some doubt as to whether or not it is intended to relate to the wording of the Proposal, I take it to be effectively resolved by the deletions in the Second Deposit.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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8.5 PROPOSAL R6 - PUBLIC OPEN SPACE, SPORTS FACILITIES AND ALLOTMENTS

⁹³ core document 80

Objections

See Appendix 1

Issues

1. The development of sports facilities, such as all-weather surface pitches, should be limited to brownfield sites or the improvement or extension of existing sports facilities.
2. Public open space is a scarce and valued resource: it should be kept freely available for public amenity and wildlife, and should not be developed.
3. Proposal R6 is a device to permit the development of open space under the guise of protecting it: the Proposal needs to be amended by deleting the qualification at the end, ie. '*... a suitable alternative is made available or if a public open space, sports facility or allotment is retained or enhanced through the redevelopment of a small part of the site*'.
4. Proposal R6 should be re-worded to indicate that any alternative facilities to be provided should be of an equivalent or greater quality and quantity.
5. It is questionable whether Proposal R6 is compatible with the allocation of allotments sites for housing in Proposal H1.
6. The Proposals Map should identify areas of public open space to be safeguarded by Proposal R6 and also areas of public open space to be provided in association with development.
7. The reasoned justification should refer to the open space appendix as the standard for open space requirements and not just as the matrix for commuted sum payments.
8. The Pewit golf course and nearby recreation ground are close to Ilkeston town centre and should be retained as open space for the use of everyone.
9. The Proposal suffers from uncertainty, as it is unclear what replacement land would be required and how it would be demonstrated that there is no continuing need for the facilities.
10. The definition of continuing need is too subjective, particularly in respect of sports facilities where no recreational standards are produced.

Inspector's Reasoning and Conclusions

8.5.1 I find no comprehensive, up to date and robust assessment of local needs for open space, sport and recreation facilities, as envisaged in PPG17(1). The Council refers to its Sports Facilities Strategy, but, as its name suggests, this concentrates on sports facilities and does not appear to include the full range of open space requirements. Paragraph 7.7 of the First Deposit points out that parts of the Borough are under-provided for in terms of open space, and this is reflected in many of the representations on Proposal R6. Undeveloped open space is likely to be lost forever once developed, and so in the above circumstances I accept the immediate need for a policy with strict criteria. However, as noted in PPG17(16), in considering planning applications the benefits to the community should be weighed against the loss of open space that would occur. It would not therefore be appropriate for the Proposal to state an unqualified ban on development of any open space. Similarly, in the absence of support from a comprehensive

assessment of requirements, as referred to above, it would not be appropriate to limit the development of sports facilities to brownfield sites or the immediate vicinity of existing sports sites.

8.5.2 Nevertheless, I agree with those objectors who consider that Proposal R6 is too accommodating to the development of public open space. Certainly I do not find that it amounts to a '*strong presumption against development on any land currently needed for open space or recreational purposes*' as maintained by the Council⁹⁴. The last qualification of the Proposal appears to be particularly weak: that is, the clause that reads '*...or if a public open space, sports facility or allotment is retained or enhanced through the redevelopment of a small part of the site*'. This appears to open the door to further erosion of areas of open space, facilities and allotments and their recreational function. It would consequently be at odds with Government guidance in PPG17(17[i]). I therefore conclude that this part of the Proposal should be deleted.

8.5.3 However, I would not go as far as to conclude that the preceding qualification should also be removed from the Proposal: that is, the part that requires that '*.. a suitable alternative is made available*'. I see no difficulty in regarding the provision of an alternative as acceptable as long as it is of an equivalent or greater quality and quantity and in a suitable location. This would also be consistent with PPG17(15[iii]), at least as far as playing fields are concerned; and, in a wider sense, with Leisure and Tourism Policy 3(5) of the Structure Plan. I agree that the proviso should be included in the Proposal itself, in order to achieve greater clarity.

8.5.4 Although I conclude that the last part of Proposal R6 should be deleted, I believe that the Proposal should allow for the development of recreational or sports facilities where they are of sufficient benefit to outweigh the open space that they would replace. The reasoned justification should explain that this would need to be demonstrated by reference to an up to date assessment of the kind described in PPG17(10). In keeping with that guidance, such an assessment should include consideration of all the functions that open space can perform.

8.5.5 In the interest of clarity and to prevent the amended Proposal becoming too cumbersome, I consider that it should be re-structured with numbered criteria. Having regard to my recommendations on the allocation of allotments sites in Proposal H1, I do not consider that there would be inconsistency between the two policies.

8.5.6 As areas of public open space, allotments and sports facilities are generally easily recognised on the ground, and because the Proposal does not apply only to a selection of such areas, I do not consider it essential to identify them on the Proposals Map. With regard to the other part of issue 6 it would not seem feasible at this stage to show on the Proposals Map areas of public open space to be provided in association with development.

8.5.7 It would not be appropriate for the reasoned justification for Proposal R6 to refer to the appendix⁹⁵ on open space because this Proposal deals with the protection of such space and not with new provision in association with development. Moreover, I am recommending that this appendix be deleted⁹⁶.

⁹⁴ Recreation and Leisure Topic Paper, paragraph 2.5

⁹⁵ part 3 of Appendix 4 of the Plan (on open space provision) and Schedule A

⁹⁶ see section 12.3

8.5.8 Issue 8 concerns site-specific matters arising from development that was at the time proposed on open space at Ilkeston. It helps to explain the strength of local feeling towards Proposal R6 and related policies but I do not consider that it calls for any further amendments of Proposal R6 itself.

8.5.9 On issue 9 I have already concluded that the Proposal should clarify certain requirements of any replacement land or facilities that are proposed as part of a development scheme. I have also concluded that the reasoned justification should make reference to the need for robust and up to date assessments. It would be helpful for the reasoned justification to add that these assessments could also be drawn on to demonstrate the lack of a continuing need. This would avoid giving the impression that 'continuing need' is based on subjective judgement. With the amendments I am recommending, I conclude that the Proposal would not suffer unduly from uncertainty.

8.5.10 As Proposal R6 is concerned with the protection of open space and facilities I do not consider it appropriate to add to it a 'sequential test' for new development, as suggested by one 'supporter' of the Proposal.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) **replacing Proposal R6 with a policy statement along the following lines: *'applications for the redevelopment or change of use of public open space, sports facilities or allotments will only be permitted where: (1) it is demonstrated that there is no longer a continuing need for the space or facilities on recreation or amenity grounds; (2) a suitable alternative is made available of equivalent or greater quality and quantity and at least as well located in terms of meeting local needs; or (3) it is for a recreation or amenity purpose that clearly outweighs the loss of the facility or space concerned'*.**
- (b) **adding to the reasoned justification for Proposal R6 an explanation that criteria 1 and 3 should be met by reference to an up to date and robust assessment of the community's current and future needs for open space, sports and recreation facilities, including a consideration of all the amenity and recreation functions that open space can perform.**

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8.6 PROPOSAL R8 - GOLF COURSES AND DRIVING RANGES

Objections

281 670 W
1358 3530

Mr M Gorman
Mr A Shirley

Government Office for the East Midlands
Country Land & Business Association

Issues

1. It is not necessarily inappropriate for golf courses to be established on land that is grade 2 or 3a in the Agricultural Land Classification, especially in view of the current amended Government guidance in PPG7 concerning development on the best and most versatile agricultural land.

Inspector's Reasoning and Conclusions

8.6.1 Current Government guidance in PPG7(2.17), as amended, does not rule out the development of best and most versatile agricultural land in circumstances where the development of agricultural land is unavoidable. However, there is a preference to use lower quality land for development, subject to sustainability considerations. It is not evident to me that meeting that preference would pose particular difficulties in the context of Erewash. Paragraph 7.10 of the Plan indicates that the golf course requirement for the Borough, as specified by Sport England, has already been met. Criterion 5 of Proposal R8 does not preclude golf course development on the best and most versatile agricultural land, but requires that it does not result in permanent loss or damage to the resource. In the circumstances I consider that this strikes a reasonable balance. The inclusion of the criterion is also generally consistent with policy 32 of RPG8. I conclude that no changes to the Proposal are warranted in response to the issue raised.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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8.7 PROPOSAL R9 - WATER RECREATION

Objections

354 926CW Mr D Marsh Environment Agency

Issues

1. Consultation with the Environment Agency will be required: in areas of flood risk, development should be limited to that regarded as essential to the operation of a permitted use.

Inspector's Reasoning and Conclusions

8.7.1 It appears that the objection has been withdrawn belatedly as a result of the addition of paragraph 7.12a in the Second Deposit. But paragraph 7.12a is positioned after Proposal R9, giving the impression that it supports Proposal R10 only. To follow the existing pattern in the Plan it appears that it should be positioned immediately after paragraph 7.12 so that, together with 7.11 and 7.12, it is seen to relate to both R9 and R10. I also consider that the words '*For flood defence reasons ...*' should be added to the beginning of paragraph 7.12a so that the purpose of the consultation requested by the *Environment Agency* is understood. Finally, although flood risk is referred to in criterion 4 of Proposal R9 I am perplexed by the fact that it is linked with 'Proposal DC8 development'. This may be an error as Proposal DC8 deals with telecommunications and not flood risk, which is Proposal DC9. This should be checked and corrected or clarified to avoid

confusion.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) moving paragraph 7.12a to a position immediately after paragraph 7.12;
- (b) inserting the words '*For flood defence reasons ...*' at the beginning of paragraph 7.12a;

I also recommend that the reference to Proposal DC8 in criterion 4 of Proposal R9 be checked and either corrected or, if not incorrect, explained in the supporting text.

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8.8 PROPOSAL R11 - RECREATION / TOURISM

Objections

103	3589	Mr P Tame	National Farmers Union
281	669 W	Mr M Gorman	Government Office for the East Midlands
281	768 W	Mr M Gorman	Government Office for the East Midlands
281	3937	Mr C Packman	Government Office for the East Midlands
352	922		NPRBS
354	3770 CW	Mr D Marsh	Environment Agency
391	1040 W	Ms K Devonport	Countryside Agency
1134	2730	Mrs I Lee	
1332	3950		Newton Park Retirement Benefits Scheme
1365	3566		Roger Bullivant Ltd
1365	3856		Roger Bullivant Ltd

Issues

1. Proposal R11 is not supported by any assessment of need for open space, sports and recreational facilities.
2. Built development should avoid greenfield sites, as there is enough brownfield land to accommodate any new facilities.
3. The Proposal should be amended to make it clear that hotel accommodation falls within its scope.
4. The Proposal should allocate land for hotel use at Abbey Hill / Alfreton Road, Derby, which should accordingly be shown on the Proposals Map.
5. In criterion 1, landscape character may not be sufficiently well known or defined for the criterion to be understandable.
6. With regard to criterion 5, being readily accessible by public transport, bicycle or on foot should not be the overriding consideration for farm diversification schemes in some rural areas, which are by their nature remote.
7. As the meaning of 'washland' may not be clear, the final sentence of paragraph 7.13 should be amended to read: '*Development in river*

floodplains will need to consider issues of flood risk in consultation with the Environment Agency'.

Inspector's Reasoning and Conclusions

8.8.1 As far as I can see, the Council is not yet in a position to identify deficiencies and formulate local standards based on a comprehensive assessment of needs as envisaged in PPG17. Thus, the strategies referred to in paragraphs 2.6 – 2.7 of the Recreation and Leisure Topic Paper cannot yet be closely reflected in the Plan, even assuming that together they will cover all the necessary ground. I do not consider that the Plan should be delayed to await the completion of this exercise, especially in view of the Government's aim to move as quickly as possible to the new system of development plan documents. In the meantime I consider that a criterion-based policy along the lines of Proposal R11 is worthwhile.

8.8.2 There is no evidence that brownfield land is sufficient to accommodate all likely developments under Proposal R11. Taking the Plan as a whole, with my recommendations, there would be an appropriate degree of protection for undeveloped land. I conclude that it would be excessive and unwarranted for Proposal R11 to preclude development on all greenfield sites.

8.8.3 Hotels provide tourist accommodation and so I presume that proposals for hotel development would fall to be considered under Proposal R11. This appears to be the Council's view⁹⁷, although it has not proposed to clarify the matter in the Plan. On the other hand another form of tourist accommodation – caravan sites – is subject to the separate Proposal R12a. It needs to be made clear (1) whether or not Proposal R11 is intended to apply to tourist accommodation including hotels, and (2) if so, whether or not Proposal R11 would apply in addition to Proposal R12a to the kinds of tourist accommodation listed under Proposal R12a. The necessary explanatory text could be provided in paragraph 7.13.

8.8.4 The objection site at Abbey Hill / Alfreton Road, Derby is affected by planning constraints, not least of which is the Green Belt. I report on the Green Belt implications in considering a related objection to Proposal GB1 below. I conclude there⁹⁸ that there are no exceptional circumstances to justify altering the Green Belt boundary to accommodate the suggested hotel development. In addition I am not convinced that the objection proposal would be compatible with Proposal DC9 on 'development and flood risk'; or with Proposal EV17, which seeks to protect the Derwent Valley Mills World Heritage Site and its setting. Moreover, with the evidence before me I cannot conclude on the planning merits that there is a compelling case in favour of a hotel at this location. I therefore conclude that the Plan should not make the allocation suggested.

8.8.5 With regard to criterion 1, the Council considers that the term 'landscape character' is sufficiently well known to be understood by the public. It may be generally understood, but there is little indication as to how it would be decided whether or not landscape character would be harmed. PPG7(2.15) envisages that local countryside character assessments will be carried out and that they will guide change and inform the preparation of development plans. The Structure Plan recognises the need to identify those features which contribute to the landscape character of an area and what needs to be done to maintain, strengthen and restore it. It goes on to refer to the County Landscape Character

⁹⁷ See last sentence of paragraph 4.1, Recreation and Leisure Topic Paper

⁹⁸ section 11.2 below

Assessment, and this is also referred to in paragraph 6.20 of the Plan before me. I conclude that paragraph 7.13 should indicate that, in applying criterion 1, particular account will be taken of the effect on features that contribute to the distinctive character of an area, and that some guidance on this is provided by the County Landscape Character Assessment. I appreciate that the Borough Council is planning to issue supplementary planning guidance, but I am not aware that this is sufficiently well advanced to justify a reference in paragraph 7.13.

8.8.6 The Council maintains that criterion 5 of Proposal R11 is consistent with Government guidance on transport in PPG13. However, with regard to farm diversification schemes, PPG13(43) indicates the need for realism in considering the availability of transport modes alternative to the car. Policies should not reject proposals where small-scale business development would give rise to comparatively modest additional daily vehicle movements. I accept that some allowance for this needs to be made in criterion 5. It could be achieved by amending the criterion to the following: *'development, other than small scale farm diversification schemes not involving significant local increases in motor vehicle movements, will be readily accessible by public transport, bicycle, or on foot'*.

8.8.7 The final issue is satisfactorily resolved by the Council's Proposed Change PIM43, with which I concur.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) by adding some explanatory text to paragraph 7.13 indicating (1) whether or not Proposal R11 is intended to apply to tourist accommodation including hotels, and (2) if it is, whether or not Proposal R11 would apply, in addition to Proposal R12a, to the kinds of tourist accommodation listed under Proposal R12a;
- (b) by adding some explanatory text to paragraph 7.13 indicating that, in applying criterion 1, particular account will be taken of the features that contribute to the distinctive character of an area, and that some guidance on this is provided by County Landscape Character Assessment;
- (c) by replacing criterion 5 of Proposal R11 with the following: *'development, other than small scale farm diversification schemes not involving significant local increases in motor vehicle movements, will be readily accessible by public transport, bicycle, or on foot'*;
- (d) in accordance with Proposed Change PIM43.

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8.9 PROPOSAL R12 - FLOODLIT ALL-WEATHER PITCH

Objections

See Appendix 1

Issues

1. Proposal R12 is unnecessary and a misuse of resources, as the existing facilities in the area are under-used.
2. The Proposal is premature prior to the production of the Borough's facilities strategy, which will identify priorities for future development.
3. Such facilities should be built on brownfield sites and not on greenfield land, especially where that land already has a more valuable function in providing an attractive and freely available area for recreation and amenity use.
4. Floodlit sports facilities should not be built near to housing due to the disturbance caused.
5. Without identifying a specific site it is not possible to test the Proposal against criteria of sustainability and quality of life.

Inspector's Reasoning and Conclusions

8.9.1 Although Proposal R12 is not site-specific, many of the objections are apparently made in connection with the recently constructed Sport Erewash development at the Rutland Recreation Ground in Ilkeston. At the inquiry the Council maintained that the Proposal had continuing relevance for the provision of such a facility in the south of the Borough. However, it accepted that because it is not locationally specific or criteria-based the Proposal is of little use.

8.9.2 I readily accept that Proposal R12 is of little use in its present form. Also, with regard to its future application I find no justification for limiting potential locations to existing public open spaces. I have no hesitation in concluding that the Proposal should be deleted. The Sports Facility Strategy has now been produced but the Council confirmed at the inquiry that it has not identified any further sites for floodlit all-weather pitches, and there are no detailed suggestions for a criteria-based policy. The other policies in the Plan provide a range of policy criteria against which any future proposals would be assessed. I therefore conclude that there is no immediate and essential need to replace Proposal R12 with an alternative.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal R12 and its reasoned justification.

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8.10 PROPOSAL R12A - RECREATIONAL CARAVAN, CHALET AND CAMP SITES

Objections

103 3590 Mr Tame National Farmers Union

Issues

1. Criterion 1 of Proposal R12a is impossible to comply with: the areas referred to are ill-defined and could cover the whole of rural Erewash.

Inspector's Reasoning and Conclusions

8.10.1 It remains unclear what the 'areas of high environmental quality' are. It might be inferred from the reasoned justification that they are 'areas of open countryside with little natural cover'. If so, they are not identified as such on the Proposals Map, the term is lacking in precision, and criterion 2 already appears to provide a reasonable degree of protection in this respect.

8.10.2 The Council's Proposed Change PIM44 attempts to clarify the reference in criterion 1 to 'natural history and local wildlife' by adding the word 'sites'. However, it is still unclear which areas are referred to, as this term is not used in Proposal EV8 or on the Proposals Map. Moreover Proposal EV8, subject to my recommendations, would itself appear to provide an appropriate degree of protection. The different wording in Proposal R12a would simply confuse matters.

8.10.3 I conclude that these elements of criterion 1 should be deleted and that the criterion be shortened and simplified to concentrate on protecting the amenities of local communities. Some re-wording is necessary, as the present requirement to be '... located away from ... the amenities of local communities' lacks precision. To provide greater clarity and justification paragraph 7.14a should also be amended to give the Council's view of what kinds of 'amenities' are most likely to be affected by this kind of development. Otherwise the last part of the final sentence would do little more than repeat the content of what remains of criterion 1, and would not serve as a reasoned justification.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) replacing criterion 1 of Proposal R12a with: 'the development will not harm the amenities of local communities';**
- (b) amending paragraph 7.14a to describe the kinds of 'amenities' most likely to be affected by such development.**

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8.11 PROPOSAL R13 - LONG EATON STADIUM

Objections

29	66	S	Stowell	Sport England - East Midlands Region
29	1592	S	Stowell	Sport England - East Midlands Region
313	799	Mr	R M Hepwood	Miller Homes (East Midlands)
350	917			Northern Sport in Receivership
451	1223	Mr	J H Dakin	
452	1224	S	Brylinski	
453	1225	Mrs	L M Gascoigne	
491	1295 W	Mr	R Barker	

Issues

1. There is no explanation for Proposal R13.
2. The Proposal is too rigid: it should allow for the consideration of appropriate alternative uses.

3. The Proposal should link the redevelopment of the stadium site with the provision of a replacement facility within the region: and to this end Proposal R16 of the adopted Local Plan should be reinstated along with a requirement concerning a replacement facility.
4. The Proposal should be deleted as it would involve accommodating a non-conforming use, and complaints from local residents about motor sports could result in the closure of the business.
5. Re-instating the motor sports use would involve investment and a level of activity that would disturb nearby residents and pollute their residential environment.
6. Local residents would also be greatly inconvenienced by the greater pressure on their limited on-street parking spaces.
7. Some of the site should be allocated for the use of Grange School, which has very little play space and may need additional buildings.

Inspector's Reasoning and Conclusions

8.11.1 I have taken account of the planning history of this site, including the most recent appeal decision on a residential development proposal⁹⁹. From the latter I note in particular the Inspector's findings that there was a continuing need for the sporting facility, but that sports activities other than those that formerly operated could be considered. While past sports uses had caused some harm to local residential amenities, such considerations would not preclude an acceptable redevelopment of the site. There is no substantial fresh evidence to cause me to take a different view on these findings. I am also conscious of Government guidance in PPG17(10) that open space and sports sites such as this should not be built upon unless an assessment has been undertaken which has clearly shown the land to be surplus to requirements. Consideration of requirements should include all the functions that open space can perform. I have already found that no comprehensive assessment for the Borough, along the lines of PPG17(1), has been yet been completed by the Council.

8.11.2 The Proposal is unqualified and, in view of the above, I do consider it to be unduly rigid. In conjunction with its supporting text it implies that only redevelopment for speedway, stock car racing and greyhound racing will be considered. There is no convincing reasoned justification for such an inflexible policy.

8.11.3 While I can understand the need to find a replacement facility to accommodate the activities for which the stadium achieved its regional significance, I do not consider that the redevelopment of the stadium site should be tied to the provision of a replacement facility within the region. After all, it is possible that alternative schemes of at least as much planning benefit would be supported by the findings of a robust and comprehensive assessment of the kind referred to above. I also believe that it would be pointless to reinstate Proposal R16 of the adopted Local Plan. I have no reason to suppose that the Council would have any greater success in finding a suitable relocation site in the Plan period ahead than it has had over the period of the adopted Local Plan. The need to review such policies critically is underlined by Government guidance in PPG12(2.22).

⁹⁹ Appeal ref: APP/N1025/A/01/1058254 (Appendix A of EBC102)

8.11.4 If proposals for a new stadium come forward within the Plan period they could be adequately considered against the other policy criteria in the Plan, including those in Proposals R6 and R11. It does not appear that the Council is yet in a position to include a more positive site-specific policy for the activities formerly accommodated at the Long Eaton stadium.

8.11.5 I therefore conclude that Proposal R13 should be deleted, although not for the reason that it would revive a non-conforming use. New development might be designed to avoid some of the amenity problems that have occurred in the past. With regard to the final issue I have insufficient evidence to support an alternative allocation of the site for the local school.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Proposal R13 and its reasoned justification.

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9 CHAPTER 8 - EDUCATION AND COMMUNITY FACILITIES

9.1 PROPOSAL C1 - SCHOOL SITES

Objections

349 1985

Mr R Walters

Hallam Land Management Limited

Issues

1. The designated school site at Cleveland Avenue, Draycott should be deleted and replaced by the site at the former Western Mere School, Breaston, in order to ensure that the former site remains in the Green Belt.

Inspector's Reasoning and Conclusions

9.1.1 The Council indicates that the Draycott site is the choice of the Education Authority. Although the site lies in the Green Belt I note from the adopted Local Plan that the former school site at Breaston is also in the Green Belt. The evidence on this issue is sparse and I conclude that there are insufficient grounds for amending Proposal C1.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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9.2 PROPOSAL C2 - SCHOOL PROVISION AND HOUSING DEVELOPMENT

Objections

390 1003
449 1210
1407 3743

Mr I A Moss
Mrs B A Whalley
Mr J Simpkin

The House Builders Federation
Breaston Parish Council

Issues

1. Proposal C2 needs to be further amended to fully reflect advice in Circular 1/97[7] concerning the tests that any planning obligations would need to meet.
2. Both the text and the Proposal should make it clear that housing development (for example if designed for the elderly) need not lead to increased school rolls; and that new facilities may not be required if, for example, there is a current surplus of school places.

3. Breaston Firfield School should be added to the requirement if the housing (Proposal H1) scheme at Western Mere School is confirmed in the Local Plan.

Inspector's Reasoning and Conclusions

9.2.1 Proposal C2 and its reasoned justification are generally consistent with Circular 1/97[7] and I accept the Council's view that it is not necessary for the Proposal to fully incorporate the tests set out in the in Circular. To do so would complicate and unbalance the Proposal and detract from its main purpose. This view is supported by Government guidance in PPG12(3.3).

9.2.2 Proposal C2 begins: '*Where the provision of additional school facilities is considered necessary due to a new housing development, ...*'. This is commendably clear and it is unnecessary to add the elaborations suggested in the second issue.

9.2.3 Proposal C2 applies generally, and so there is no need to refer to particular schools. Furthermore, I support the Council's deletion of the Western Mere School site in Proposal H1 of the Second Deposit, and so there would be no basis for the reference suggested in the final issue.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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9.3 PROPOSAL C3 - COMMUNITY FACILITIES

Objections

281	667W	Mr M Gorman	Government Office for the East Midlands
313	3917	Mr R Hepwood	Miller Homes (East Midlands)
390	1002W	Mr I A Moss	The House Builders Federation
1407	3744	Mr J Simpkin	
1468	4047	Ms D Skrytek	Derby Friends of the Earth

Issues

1. Paragraph 8.4 is contrary to Circular 1/97 in that it indicates that new community facilities may be sought by means of a planning obligation where they are no more than 'desirable'.
2. Proposal C3 needs to be amended to reflect all the tests for planning obligations in Circular 1/97[7].
3. To accord with the Structure Plan an amendment is required to force developers to show that there is no need for additional community facilities.

Inspector's Reasoning and Conclusions

9.3.1 I consider that the first issue is adequately resolved by the Council's Proposed Change PIM45, which would delete the words '*or be desirable*' from paragraph 8.4.

9.3.2 Proposal C3 is not inconsistent with Circular 1/97[7] and, again, it is not necessary for the Proposal to incorporate all the tests set out in the in Circular. To do so would complicate and unbalance the Proposal and detract from its main purpose. My view is supported by Government guidance in PPG12(3.3).

9.3.3 With regard to the final issue the objector has not identified a conflict with the Structure Plan. The issue does not raise strategic considerations and I do not consider that any changes to Proposal C3 or its supporting text are warranted. To require all developers, as a matter of policy, to demonstrate the additional community facilities that would be required, or that such facilities would not be required, as a result of individual developments, would impose on them an additional burden. I am far from convinced that this would be justified.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM45.

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10 CHAPTER 9 - DEVELOPMENT CONTROL

10.1 GENERAL POINTS AND OMISSIONS

Objections

185 403W Miss A Plackett English Heritage East Midlands Region
354 927 Mr D Marsh Environment Agency

Issues

1. A general development control policy should include the use of best practice in the protection and management of water resources, with the use of sustainable drainage systems for the discharge of surface water unless inappropriate.

Inspector's Reasoning and Conclusions

10.1.1 The *Environment Agency* objection originally arose from the First Deposit and was largely satisfied by the inclusion of Proposal DC10b, on sustainable drainage systems, in the Second Deposit. Some minor shortcomings in the supporting text for Proposal DC10b and in the positioning and title of the section concerned have since been adequately resolved by Proposed Change PIM82. This supersedes Proposed Change PIM50.

10.1.2 I have one reservation about the Proposal itself and its consistency with the reasoned justification. The first sentence refers to '*... the use of SUDS and other appropriate innovative methods such as reed beds ...*'. This is rather vague in that it is not clear what 'appropriate innovative methods' includes, apart from reed beds. It is also confusing as reed beds can be used in a sustainable drainage system. This may be inferred from paragraph 9.20d, which includes wetlands among the main SUDS methods, and from PPG25(Appendix E). I conclude that the Proposal should more clearly confine itself to sustainable drainage systems. To this end the above wording in the first sentence of the Proposal could be modified either (1) by deleting the words '*and other appropriate innovative methods such as reed beds*' or (2) by replacing '*and other*' with '*including*'. Since this point has not been raised in the representations or inquiry submissions I make my recommendation in more general terms.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM82.

I also recommend that the wording of the first sentence of Proposal DC10b be reconsidered with a view to avoiding any confusion that might arise from the possible inference that methods other than sustainable drainage systems are also encouraged.

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10.2 PROPOSAL DC2 - EXTENSIONS TO DWELLINGS

Objections

1391 3662 CW E Campbell

Issues

1. Flat roofs are occasionally part of the original character of a house.

Inspector's Reasoning and Conclusions

10.2.1 This point relates to criterion 5 of Proposal DC2 and has been addressed in the Council's Proposed Change PIM46. This alters the wording of that criterion and appears to satisfy the objector. I concur with the Change. However, a corresponding amendment to the last sentence of paragraph 9.11 is also required to ensure that the reasoned justification is consistent with the Proposal.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Change PIM46;**
- (b) by amending the last sentence of paragraph 9.11 to make it consistent with Proposed Change PIM46.**

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10.3 PROPOSAL DC5 - THE PROTECTION OF AGRICULTURAL LAND

Objections

76 160 W		Derbyshire County Council
227 2750 W		RJB Mining (UK) Limited
281 3938		Government Office for the East Midlands
281 665 W	Mr M Gorman	Government Office for the East Midlands
491 3850 CW	Mr R Barker	
491 3851 CW	Mr R Barker	
1358 3531 W	Mr A Shirley	Country Land & Business Association

Issues

1. To fully reflect Government guidance in PPG7 the following should be added to criterion 2 of Proposal DC5: '*... except where other sustainability considerations suggest otherwise*'.
2. The word 'harmful' should be deleted from the first sentence of paragraph 9.13.
3. Criterion 1 of Proposal DC5 should be removed, as it is not clear whose needs would take precedence when considering a development proposal.

Inspector's Reasoning and Conclusions

10.3.1 The first issue is fully addressed by a part of the Council's Proposed Change PIM47.

10.3.2 If a development in the vicinity of best and most versatile agricultural land is not harmful to the land then there is no reason to protect that land from the development. In planning terms 'development' does not necessarily involve works that would damage the land. There is therefore no need to delete the word 'harmful' from the first sentence of paragraph 9.13. In any event I note that the related objection is conditionally withdrawn according to the Council, although the basis for the withdrawal is not clear.

10.3.3 The objection relating to the final issue is also conditionally withdrawn, although the Council's Proposed Change PIM47 does not appear to me to deal with the issue. PIM47 would only replace the word 'overriding' with 'proven' in criterion 1. The advantage of the word 'overriding' is that it makes it clear that the need for the development would have to outweigh the harm caused to the best and most versatile agricultural land. To simply prove a need for the development would be relatively straightforward, especially as the supporting text provides no demanding guidance on this aspect. Moreover, it would not be an adequate test in that the planning merits of that need might still be considerably less than required to justify the harm to a valued resource. Therefore I do not support the part of PIM47 that relates to criterion 1. Although the existing wording does not define the 'need' concerned the decision-maker would be able to assess its planning merits in the light of submitted details when coming to a view on whether or not it is overriding. To remove criterion 1 would leave an emasculated test that would provide inadequate protection for the best and most versatile agricultural land. I therefore conclude that the criterion should be retained as it is.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM47, but only insofar as it relates to criterion 2 of Proposal DC5.

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10.4 PROPOSAL DC6 - NON-CONFORMING USES

Objections

103 217 Mr P Tame National Farmers Union

Issues

1. Proposal DC6 should be extended to include a presumption against new housing within 400 m of an existing noisy or smelly farm building or other non-conforming use unless the development is for an agricultural dwelling.

Inspector's Reasoning and Conclusions

10.4.1 In principle it is reasonable for the Council to argue that Proposal DC6 deals with non-conforming uses themselves and that housing proposals would be considered against policies in the housing chapter. However, as far as I can see there is no policy in that chapter to take account of the potential problem raised by

the objector. I accept that the matter needs to be dealt with: as the objector points out, development could otherwise create problems for farm businesses as well as prospective residential occupiers. PPG3(56) states that local planning authorities should adopt policies which focus on the quality of the places and living environments being created. Since Proposal H13 deals generally with quality and design matters I conclude that the issue could be addressed by adding a criterion to that Proposal to require housing development to be located so as to avoid being unduly affected by noise or smells from nearby uses. A fixed distance criterion would not be appropriate because it would not take account of local circumstances or potential for mitigation in particular cases.

RECOMMENDATIONS

I recommend that the Local Plan be modified by adding to Proposal H13 a criterion requiring development proposals to be located so as to avoid being unduly affected by noise or smells from nearby uses that would be expected to generate such effects.

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10.5 PROPOSAL DC7 - PUBLIC ART

Objections

390 1001 W Mr I A Moss The House Builders Federation

Issues

Since the objection was withdrawn at Second Deposit stage there are no issues relating to Proposal DC7.

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10.6 PROPOSAL DC8 - TELECOMMUNICATIONS

Objections

185	3633 CW	Miss A Plackett	English Heritage East Midlands Region
353	924	Ms H Cassini	Crown Castle UK Ltd
386	992		British Telecommunications Plc
386	3615		British Telecommunications Plc
491	1296 W	Mr R Barker	
491	3852	Mr R Barker	
1331	3393		One2One Personal Communications Limited
1420	3876		T-Mobile (UK) Ltd
1432	3965		Vodafone Ltd
1468	4048	Ms D Skrytek	Derby Friends of the Earth

Objections to Proposed Changes

185	4078	Miss A Plackett	English Heritage East Midlands Region
386	4072		B T Group Plc

Issues

1. Proposal DC8 fails to identify existing sites and so encourage new development towards existing telecommunications installations.
2. Health and safety considerations should be covered by an additional criterion in the Proposal requiring that installations comply with the ICNIRP guidelines, and that this is sufficient for planning purposes.
3. Existing sites should be listed in criterion 1 and supported by maintaining a masts register in accordance with PPG8.
4. Criterion 1 should be replaced by: *'There are no satisfactory alternative sites for telecommunications available and there is no reasonable possibility of sharing existing facilities'*.
5. Amenity and health concerns are an important issue and so criterion 2 of the Proposal in the First Deposit should be re-instated together with reference to health risks.
6. Criterion 3 should be replaced by: *'It is sited and designed so as not to result in significant adverse impact, subject to operations and technical requirements'*.
7. The need to avoid adversely affecting designated areas or areas of landscape significance should be re-instated in criterion 4 of the Proposal and in paragraph 9.16.
8. The protection of sensitive sites in criterion 4 is not strong enough in Proposed Change PIM48, and it is not clear what is included in the *'areas of best and most sensitive environments'*.
9. Criterion 4 (and also the amended version in PIM48) does not follow Government guidance in having regard for the technical constraints on the location of development, and should be re-worded as follows: *'If the development is located in a visually or environmentally sensitive area the developer should demonstrate that there are no suitable alternative sites for telecommunications available'*.
10. In connection with criterion 4, and to accord with Government guidance, reference should be made to technical considerations which can limit the opportunities to erect smaller masts or reduce the visual impact of a proposal.
11. In a similar vein, and to strike the right balance between visual intrusion and technical needs / technological limitations, the words *'technically acceptable'* should be inserted between *'intrusive'* and *'available'* in criterion 4.
12. The following new section should be added: *'in large new development proposals, sufficient provision for the installation of telecommunications facilities should be provided for underground through the laying of ducting to meet reasonably foreseeable demands and to minimise above-ground visual intrusion of equipment wherever practically possible'*.
13. Paragraph 9.16 fails to properly reflect the extremely positive thrust of Government guidance: for example in the policy objectives on page 3 of PPG8 and in paragraphs 1-8 of the Appendix to PPG8.
14. Contrary to paragraph 9.16a, planning decisions should take account of health aspects and concerns, as indicated by evidence from the Stewart Report, the *'precautionary principle'*, and various appeal decisions.

Inspector's Reasoning and Conclusions

10.6.1 It is not necessary to identify existing telecommunications sites in Proposal DC8 or its reasoned justification. The criteria of Proposal DC8 apply to the development proposal itself and not to other individual existing sites. Criterion 1 of the Proposal does require an awareness of existing sites and their potential, but I doubt that the Plan is the most suitable document for maintaining an up to date list of sites. As indicated in issue 3 it may be useful to maintain a separate masts register, but provision for that does not have to be made in the Plan and it is not a matter that I need to report on.

10.6.2 PPG8(94) notes that it is not for the local planning authority to seek to replicate through the planning system controls under the health and safety regime. Also, having regard to guidance in PPG8(97-100) I do not see compliance with the ICNIRP guidelines as being an issue in practice. I conclude that there is no real need to include a policy criterion to ensure such compliance or to repeat in the Proposal the gist of Government guidance that is already reproduced in paragraph 9.16a.

10.6.3 That paragraph closely reflects PPG8 and I do not accept that it needs to be amended in the light of the Stewart Report, the 'precautionary principle', and various appeal decisions, as suggested in the final issue. However, I should draw attention to a couple of corrections that should be made to the quoted passage. The word 'based' should be amended to 'base', and the word 'the' should be inserted before 'health aspects'. Although apparently minor, the corrections do affect the understanding of the passage and I include them in my recommendations.

10.6.4 Health fears, and the stress and anxiety to which they can give rise, are capable of being a material consideration in some planning decisions. I also appreciate that with the deletion of criterion 2 in the First Deposit there is no criterion dealing explicitly with the amenity of neighbours. However, I am not convinced that there is a need for such a criterion, given the combined effect of the other criteria, which are designed to limit environmental impact. Criterion 2 of the First Deposit was couched in very general terms and in my view it would add little of practical value to the Proposal.

10.6.5 Issue 4 relates to criterion 1 of the First Deposit. I consider that the objector's suggested replacement criterion is now unnecessary as the Second Deposit provides an alternative amended criterion. But for one shortcoming, the amended criterion is adequate. In recognition of the possibility that existing facilities would not be capable of meeting the developer's requirements, I conclude that the word 'suitable' should be inserted before the word 'existing' in criterion 1.

10.6.6 I find that criterion 3 is helpful in setting out the elements of a development proposal that will be subject to particular scrutiny. For this reason I consider that it is preferable to the alternative wording in issue 6. However, to clarify the purpose and meaning of criterion 3 and to remove its rather arbitrary tone the phrase '*acceptable to the Borough Council*' should be replaced by '*acceptable in terms of the visual impact of the scheme*'. I accept that there is also a need to be aware of operational and technical requirements but in my view this could be explained in the supporting text. I return to this point in dealing with issue 10 below.

10.6.7 In addressing issue 7 the Council's Proposed Change PIM48 would add

the following to the end of criterion 4: '*... particularly in areas of the best and most sensitive environments*'. While noticing that a similar phrase occurs in PPG8(37), I share the view of *English Heritage* that, in the context of the Plan, it is not clear which areas the phrase is intended to cover. *English Heritage* suggests replacing it with '*... and do not adversely affect designated areas or areas of landscape significance*'. This may be rather clearer but I consider that it is an unnecessary and potentially confusing elaboration. The designated areas are already subject to specific protective policies, the wording of which varies according to the type of designation concerned. I believe it would be preferable for the supporting text to explain that, in weighing visual impact in criteria 3 and 4, account will be taken of the sensitive qualities of designated areas and their protective policies as set out elsewhere in the Plan. This would also make it unnecessary to re-instate the deleted First Deposit text in paragraph 9.16, as envisaged in Proposed Change PIM48 and requested by *English Heritage*.

10.6.8 The suggested wording for criterion 4 in issue 9 also suffers from a lack of clarity in that the '*visually or environmentally sensitive areas*' are not defined. I consider that criterion 4 of the Second Deposit has adequate regard for technical constraints in its reference to 'available options'. However, I agree that this should be made clearer, preferably in a similar way to that suggested in issue 11: that is, by the insertion the words 'and technically acceptable' between 'available' and 'options' in criterion 4.

10.6.9 With regard to the similar concern in issue 10, the criteria would in my view be flexible enough to allow for the efficient development of the network and the demands imposed by the technology. However, the reasoned justification is somewhat lacking in this respect. To help account for the flexibility in Proposal DC8 a sentence could be inserted after the first sentence of paragraph 9.16, noting that consideration of the need for the apparatus takes account of the constraints faced by the operators, whether due to the nature of the technology or the legal requirement to provide a service.

10.6.10 With regard to issue 12 it is not clear whether the suggested text is to be added to the Proposal or to its reasoned justification. Either way, I do not consider it to be essential. Making provision underground is one possible aspect that could be examined in applying criterion 4. It does not require the addition of more text.

10.6.11 Paragraph 9.16 begins by referring to the need for telecommunications apparatus. I have already concluded that this could be expanded a little, but do not believe it to be necessary to incorporate the positive objectives of Government guidance. That would make the Plan less concise and it would not provide significant additional support or justification for the Proposal. Moreover, the Proposal is already cast in relatively positive terms. I conclude that no changes are required in relation to issue 13.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) correcting the quoted passage in paragraph 9.16a by altering the word 'based' to 'base', and by inserting the word 'the' before 'health aspects';**
- (b) inserting the word 'suitable' before the word 'existing' in criterion 1 of Proposal DC8;**

- (c) replacing the phrase '*acceptable to the Borough Council*' in criterion 3 of Proposal DC8 with '*acceptable in terms of the visual impact of the scheme*';
- (d) adding an explanation to the reasoned justification for Proposal DC8 to the effect that in weighing visual impact in criteria 3 and 4, account will be taken of the sensitive qualities of designated areas and their protective policies as set out elsewhere in the Plan;
- (e) inserting the words '*and technically acceptable*' between '*available*' and '*options*' in criterion 4 of Proposal DC8;
- (f) inserting a sentence after the first sentence of paragraph 9.16, to explain that consideration of the need for the apparatus takes account of the constraints faced by the operators, whether due to the nature of the technology or the legal requirement to provide a service.

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10.7 PROPOSAL DC9 - DEVELOPMENT AND FLOOD RISK

Objections

281	664	Mr M Gorman	Government Office for the East Midlands
354	949	Mr D Marsh	Environment Agency
390	1000W	Mr I A Moss	The House Builders Federation
1468	4049	Ms D Skrytek	Derby Friends of the Earth

Issues

1. Proposal DC9 is too rigid because it restricts all development in areas of high risk flooding.
2. The weakening of Proposal DC9 in the Second Deposit is unjustified, given that Government guidance supports no development in high flood risk areas.
3. The Plan should identify the flood risk areas.
4. In accordance with PPG25(30), the Plan should take account of the degree of flood risk by means of a sequential test for considering proposals and allocating sites for development.
5. Development should not be permitted if it is in undefended areas at risk of flooding, if it would create or exacerbate flooding elsewhere, if there is a loss of natural floodplain, if access to a watercourse for maintenance or flood defence purposes would be compromised, or if surface water run-off is not adequately provided for (where appropriate, in the form of sustainable drainage systems).
6. Reference should be made to the future issue of supplementary planning guidance on climate change, which would contain additional flood risk information as this becomes available.

7. The supporting text should also draw attention to the wider area at risk of flooding in a major event.

Inspector's Reasoning and Conclusions

10.7.1 The first issue arose from Proposal DC9 as worded in the First Deposit. The substantial revision of the Proposal in the Second Deposit appears to resolve the issue in that it introduces a flexible and measured approach more in keeping with Government guidance in PPG25.

10.7.2 I do not see the Proposal as having been unjustifiably weakened in the Second Deposit. This comment appears to arise from the misconception that PPG25 supports no development in high flood risk areas. In fact the approach in PPG25 is more sophisticated, as demonstrated in paragraph 30 and Table 1 of the guidance.

10.7.3 PPG25(51) indicates that areas of flood risk should be shown in local plans where specific policies are to be applied to minimise and manage the risk. Similarly PPG12(A26) indicates that the Proposals Map should show the areas to which particular policies and proposals in the Plan apply. Proposal DC9 clearly applies to 'areas of flood risk' and to be at all meaningful it is essential to identify those areas on the Proposals Map so that it can be seen whether the Proposal would apply in a particular case. It would not be satisfactory to simply refer readers to information sources at the *Environment Agency* or to supplementary planning guidance for this purpose. The Council points out that information on flood risk changes over time, but that is the case for many kinds of planning information and it is not evident that the rate and scale of change is such as to make inclusion on the Proposals Map worthless. In any event the Plan should be reviewed at intervals and alterations can be made if necessary; and it should not be long before the new Local Development Frameworks are put in place. A cautionary note could be added to the supporting text to indicate that the information on flood risk areas is likely to change and is being kept under review. This could be linked with an additional sentence drawing attention to the wider area at risk of flooding in a major event, as reasonably suggested in the final issue.

10.7.4 That is not to say that the Council's intention to produce supplementary planning guidance on flood risk matters is inappropriate. It might well prove to be useful, but it would not be a part of the Plan and would not carry the same status. The Council is also in some doubt as to what level of flood risk to map. I cannot be certain about the full range of information that is currently available but it should be possible to determine this in consultation with the *Environment Agency*, having regard to the guidance in PPG25(30 and Table 1). This is clearly fundamental to the application of the Proposal and needs to be quickly resolved.

10.7.5 The Council is also concerned about the unnecessary blighting of properties should the current information to be shown on the Proposals Map turn out to be inaccurate. I am not convinced that this would be a serious problem, as the information would need to be sought in any event in order to apply Proposal DC9. The above-mentioned additions to the supporting text would provide an adequate caveat. My conclusion that flood risk areas should be shown on the Proposals Map would, for obvious reasons, also need to be reflected in changes to paragraph 9.17a.

10.7.6 PPG25(30) indicates that, in respect of planning applications in flood risk areas, decision makers should be satisfied that there are no reasonable options

available in a lower risk category, consistent with other sustainable development objectives. In this respect I am not satisfied that the revised Proposal in the Second Deposit adequately addresses the *Government Office for the East Midlands* objection and its reference to a sequential test. Because I am not familiar with the extent of flood risk information available to the Council and because there is very little consideration of this point in the representations I cannot be too definite and prescriptive in making a recommendation on the matter. I conclude that if the Council has adequate information on the risk categories referred to in PPG25(30) it should consider incorporating this additional test in Proposal DC9. For example, this might be done by adding the following to the end of the last sentence of the Proposal as it appears in the Second Deposit: '*... and it should be demonstrated that there are no reasonable alternative options available in a lower risk category*'. Clearly there would also have to be some explanation of the flood risk categories in the supporting text.

10.7.7 The Council's Proposed Change PIM80 would make a number of small changes to Proposal DC9 which appear to largely resolve concerns expressed by the *Environment Agency* in pursuing issue 5. However, I have reservations with one of the changes, which involves adding 'mitigation' to the reference to compensatory measures. This is because if a development proposal in a flood risk area included mitigation measures that were 'satisfactory' then it would not be expected to increase flood risk. I conclude that this element of the Proposed Change should be omitted. The related need to provide sustainable drainage systems is of course addressed by the inclusion of a separate policy, and so there is no need to make provision for it in Proposal DC9.

10.7.8 On issue 6 I have already indicated that the production of the proposed supplementary planning guidance may be appropriate. Given that this is the Council's intention I concur with the Proposed Change PIM79 which adds a reference to the matter in paragraph 9.17a¹⁰⁰.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Change PIM79;
- (b) in accordance with the Proposed Change PIM80, subject to the omission of the word 'mitigation' in Proposal DC9;
- (c) by delineating on the Proposals Map the 'areas of flood risk' referred to in Proposal DC9, and by amending paragraph 9.17a to take this into account;
- (d) by adding to the reasoned justification for Proposal DC9 a cautionary note to indicate that the information on flood risk areas is likely to change and is being kept under review, and an additional sentence drawing attention to the wider area at risk of flooding in a major event.

I also recommend that consideration be given to the adequacy of local information on the risk categories referred to in PPG25(30 & Table 1); and if it is adequate, to the incorporation of an additional test in Proposal DC9 requiring that there should be no reasonable alternative options

¹⁰⁰ See also section 12.4

available for the proposed development in a lower flood risk category, consistent with other sustainable development objectives.

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10.8 PROPOSAL DC10 - DESIGNING OUT CRIME

Objections

390 1011 W Mr I A Moss The House Builders Federation

Objections to Proposed Changes

390 4106 The House Builders Federation

Issues

1. The requirement that residential proposals include crime prevention measures whatever their merit and regardless of other considerations is unreasonable and perverse.

Inspector's Reasoning and Conclusions

10.8.1 Because the original objection was withdrawn at Second Deposit stage I confine myself here to the above issue arising in the objection to the Proposed Change PIM49, which would make a minor amendment to paragraph 9.18 and add a new paragraph to Proposal DC10. The first part of the new paragraph requires residential and commercial development proposals to include crime prevention measures. The paragraph then goes on to list 3 kinds of measure that would be negotiated where appropriate. There is therefore some inconsistency in the paragraph and some uncertainty in the degree to which the 'requirement' for crime prevention measures is qualified.

10.8.2 It is reasonable and in accordance with Government guidance for development plan policies to promote designs and layouts which take account of crime prevention considerations. That much is clear from PPG3(56). However, I accept that it is not reasonable to make it a blanket requirement for development to include crime prevention measures without being more specific and regardless of the circumstances. The first part of the paragraph therefore requires reconsideration. The 3 measures listed in the second part of the paragraph may not be appropriate in all circumstances, and that is acknowledged in the existing wording. They would need to take account of other detailed planning requirements and to my mind it would be more appropriate to include them in supplementary design guidance rather than a development plan policy. The third measure simply amounts to a list of scheme elements requiring consideration with security needs in mind. In short the proposed paragraph is potentially confusing and of little value as a policy statement. Therefore I conclude that the Proposed Change should not be made insofar as it relates to Proposal DC10.

10.8.3 I concur with the Proposed Change (PIM49) to paragraph 9.18, but subject to another minor amendment in Proposed Change PIM81.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM49 but only insofar as it relates to paragraph 9.18, and subject to Proposed Change PIM81.

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10.9 PROPOSAL DC10A - DESIGN

Objections

281 3939

Government Office for the East Midlands

Issues

1. Proposal DC10a should include a criterion relating to community safety, having regard to section 17 of the Crime and Disorder Act.

Inspector's Reasoning and Conclusions

10.9.1 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. Having regard to the inclusion of Proposal DC10 on designing out crime, and in the absence of any explanation of what the suggested criterion would require and why it is considered necessary I conclude that there should be no change to Proposal DC10a as a result of this objection.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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10.10 PROPOSAL DC10B - SUSTAINABLE DRAINAGE SYSTEMS

Objections

390 4059

C Muston

The House Builders Federation

Issues

1. Owing to problems encountered with the adoption and maintenance of sustainable drainage systems their inclusion within schemes should not be a policy requirement, and there should be an acknowledgement of the problems.

Inspector's Reasoning and Conclusions

10.10.1 I have already dealt with the inclusion of this Proposal in section 10.1 above. PPG25(56) advises that local plans should include policies relating to sustainable drainage systems. In order to avoid the problems arising from increased surface water run-off, referred to in paragraph 9.20d of the Plan, I see no reason for Proposal DC10b not to make sustainable methods a requirement in

the particular circumstances referred to in the Proposal.

10.10.2 In section 10.1 I recommend the Council's Proposed Change PIM82, which would replace paragraph 9.20d with a revised version including a reference to the need for the cooperation of the relevant parties in respect of maintenance. This also incorporates a minor amendment contained in Proposed Change PIM50, which is therefore superseded.

10.10.3 I repeat this part of my earlier recommendation here and conclude that no further changes are warranted in respect of the above issue.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM82

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11 CHAPTER 10 - GREEN BELT

11.1 GENERAL POINTS AND OMISSIONS

Objections

103	215 W	Mr	P	Tame	National Farmers Union
227	2751				RJB Mining (UK) Limited
491	1628 CW	Mr	R	Barker	
1305	3407	Mrs	P M	Peebles	
1305	3408	Mrs	P M	Peebles	
1468	4050	Ms	D	Skrytek	Derby Friends of the Earth

Issues

1. Reference should be made in paragraph 10.11 to mineral extraction as a land use that preserves the openness of land and which need not conflict with Green Belt objectives.
2. The allocation of the Longmoor Lane site would jeopardise the Green Belt in the Borough.
3. With reference to paragraph 10.1, national Green Belt policy has not been complied with in the Plan.
4. With reference to paragraph 10.2, Proposals H1 and E1 do not conform to the current Green Belt.
5. With regard to agricultural development, there should be reference to wind farms.
6. The 'general weakening form' of the policies is not acceptable: for example the provision for low cost housing in the Green Belt is not supported by the sustainability appraisal.

Inspector's Reasoning and Conclusions

11.1.1 The first issue arises from the First Deposit, and I note that paragraph 10.11 has been deleted in the Second Deposit. In any event I find no need to add the suggested reference to mineral extraction to any other paragraph of this chapter. As the Council points out, mineral extraction is dealt with in the Derby and Derbyshire Minerals Local Plan.

11.1.2 On the second issue I have already found in favour of the Council's proposal to remove the Longmoor Lane employment land allocation from the Plan, and I note that *Mr Barker's* objection is conditionally withdrawn. That matter is dealt with in the employment chapter and there is no need to make any further recommendations here.

11.1.3 Issues 3 and 4 were raised on the First Deposit. It is not clear what changes may still be sought, especially in view of the important changes made to the Second Deposit and those proposed subsequently. In my view the issues do not warrant any further changes, either to the paragraphs and Proposals they refer to, or to other parts of the Plan.

11.1.4 On issue 5 the objector does not explain why a reference to wind

farms is required in relation to Proposal GB9 on agricultural development. I conclude that it is unnecessary and also note that there is a separate policy (Proposal EV17b) on renewable energy installations.

11.1.5 The final issue does not specify the changes thought to be necessary and it does not lead me to recommend any in addition to those arising from other objections considered below.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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11.2 PROPOSAL GB1 - GREEN BELT

Objections

3	3607	Mr & Mrs	K	Scattergood	
72	152	Mrs	L	Flint	
73	154				Locko Estate
93	195 W	Cllr	M H S	Waring	
103	3591 CW	Mr		Tame	National Farmers Union
218	501				Metropolitan & District Developments Ltd
227	2752	Mr	C	Ball	RJB Mining (UK) Limited
227	520				RJB Mining (UK) Limited
238	546		K & A	Jones	
264	3624	Mrs	K M	Talbot	
265	3622	Mr	G A	Talbot	
282	687				Corus UK Limited
282	688				Corus UK Limited
328	835 W				Tarmac Central Ltd
330	846 CW				Dalmally Ltd
387	996	Mr	R	Rusling	Ackroyd & Abbot Homes Ltd
388	997 CW				William Davis Ltd
390	1012	Mr	I A	Moss	The House Builders Federation
493	1302	Mr	B	Mitchell	
496	3620	Ms	S	Morley	
504	1328	Mr	R W	Gill	
1236	3500	Mr & Mrs	R	Parkes	
1305	3406	Mrs	P M	Peebles	
1332	3394				Newton Park Retirement Benefit Scheme
1365	3567				Roger Bullivant Ltd
1378	3637	Mrs	V	Beardsley	
1379	3638	Mr	P	Bennett	
1380	3640	Mrs	M E	Lord	
1381	3642	Mr	E R	Hissitt	
1382	3644	Mr	B	Godber	
1382	3980	Mr	B	Godber	
1393	4069	Mr	C R	Shooter	
1395	3673	Mr & Mrs		Lord	
1396	3675	Mrs	B	Lord	
1415	3809	Mrs	J R	Brady	

1416 3811 Mr GSW Talbot
1417 3813 Mr S P Brady
1421 3880 CW

Barratt East Midlands

Issues

1. Proposal GB1 should include a more comprehensive review of the Green Belt in the Borough in order to provide for development needs beyond the Plan period.
2. The reference to GB7 in criterion 1 of the Proposal appears to be incorrect as Proposal GB7 does not exist in the Second Deposit.
3. Proposal GB1 does not accord with other parts of the Plan since there are no proposals for urban regeneration in the Long Eaton sub-area and all development land allocations in Breaston are on Green Belt land.
4. There is no justification for the piecemeal extensions of the Green Belt boundary now proposed, as they are not consistent with PPG2 and are not part of an appropriate review provided for in the Structure Plan.

Site specific issues

5. The deletion in the Second Deposit of the **Bridgefield** industrial site in Breaston is inconsistent with the employment needs of the area and should take more account of the fact that the site is next to an existing industrial estate.
6. Land that forms part of the gardens to the **rear of 28, 30, and 32 Belper Road, Stanley Common** should not be included in the Green Belt as it serves no useful purpose and does not meet the 5 tests set out in paragraph 1.5 of PPG2.
7. The Green Belt boundary to the **rear of 38 Derby Road, Borrowash** should be altered to take a more rational course along existing back garden boundaries.
8. Land by **Station Road, West Hallam** should be excluded from the Green Belt as it is situated between residential development and would provide for a limited form of development.
9. Land to the **west of Bostocks Lane, Sandiacre** should not be designated as part of the Green Belt as it is now located within an urban framework and does not contribute to any of the 5 purposes of including land within the Green Belt; and such a change of the Green Belt boundary is contrary to the Structure Plan.
10. Land at the **Bennerley Disposal Point** should be excluded from the Green Belt as inclusion would restrict plans to redevelop the site as a sustainable, strategically located, rail-linked business park/distribution centre.
11. Land off **High Lane East, Ilkeston** should be removed from the Green Belt to allow residential development that would round off the existing settlement.
12. Land at **180 The Ridings, Ockbrook** should not be designated as Green Belt as there has been no consultation with the owner and it would restrict what the occupiers can do with their home.

13. The 'green wedge' to the **west of the Oakwell Brickworks site, Ilkeston** should not be made part of the Green Belt as this would be unjustified and contrary to Government guidance in PPG2(2.7).
14. There is no explanation of why the area of 'protected open land' (in the adopted Local Plan) **between Kirk Hallam and Ilkeston** has been added to the Green Belt: it should rather be safeguarded to meet development needs between 2011 and 2021 in accordance with Government guidance in PPG2(2.12) and to ensure the avoidance of incremental changes to the Green Belt boundary.
15. The designation of land to the **west of the Oakwell Brickworks site** as Green Belt would obstruct the beneficial decontamination and re-use of that site.
16. The proposed amendment of the Green Belt boundary to the **north east of Stanton-by-Dale** would be unjustified, contrary to Government guidance in PPG2(2.7) and arbitrary in its alignment.
17. Land adjacent to the **Woodlands Farm housing allocation, Cotmanhay** should be excluded from the Green Belt to allow for residential development, as the land does not contribute to the purposes of including land in the Green Belt and development would allow for the sensible and logical rounding off of the urban area.
18. In the same vicinity, the deletion of the proposed housing site and its inclusion in the Green Belt is unjustified in terms of PPG2 and is unsupported by a strategic Green Belt boundary review.
19. Land on the **western edge of Borrowash** should be excluded from the Green Belt in order to meet development needs to 2021.
20. As part of a comprehensive review of the Green Belt, a sustainable site on the western edge of **Little Eaton** should be removed from the Green Belt and safeguarded to meet future development needs.
21. The residential property of '**Beaumont**' on **Park Hall Lane, West Hallam** should be removed from the Green Belt and included within the settlement, as it is the last of such properties on the lane leaving the settlement.
22. Part of the residential property of **Attewell House, Station Road, Draycott** should not be incorporated in the Green Belt: as a well established garden of the property it clearly belongs to the village and is not suitable as Green Belt.
23. **Land at Abbey Hill / Alfreton Road** should be removed from the Green Belt as it is within well-defined boundaries and its suitability for the provision of tourist accommodation would outweigh any damage to Green Belt objectives.
24. A brownfield site should be decontaminated and used for house building to help meet the housing shortfall and save greenfield land.

Inspector's Reasoning and Conclusions

11.2.1 PPG2(2.12) contains guidance on considering longer-term development needs in reviewing development plans. It states that regional / strategic guidance should provide a strategic framework for considering this issue. The question of reviewing the Green Belt was considered in formulating the current Structure Plan, and it was decided that Green Belt policy should continue to be

applied to the broad areas set out in the 1990 Structure Plan. Certainly I find nothing in the current Structure Plan that supports the case for a more detailed review of the Green Belt in the Plan before me in order to provide for development needs beyond the Plan period. In considering the latter I am also mindful of the Government's objective to move as quickly as possible to the new system of local development documents, and of the opportunity that they will provide for addressing such needs.

11.2.2 Policy 6 of RPG8 states that Green Belts should be critically reviewed for development needs up to 2021 at the next review of structure plans. The draft revised RPG8 contains a very similar policy but, recognising the recent changes in the development plan system, it does not link the review to any review of structure plans. However, it states that the Green Belt review should be undertaken in a coordinated manner within a common framework covering appropriate areas of three counties. Notwithstanding the draft status of that guidance, it leads me to conclude that it would be inappropriate to attempt a review in the Plan before me, as this would pre-empt the wider review, possibly with harmful consequences. I conclude that no changes should be made in respect of the first issue.

11.2.3 The second issue arises from an error that is corrected by the Council's Proposed Change PIM51. I concur with the Change, which also corrects a number of other cross-references in Proposal GB1. For completeness my recommendation includes Proposed Change PIM82, which makes a further correction to the cross-references¹⁰¹.

11.2.4 The third issue arose from the First Deposit, since when both Proposal GB1 and the areas allocated for development have been revised to become quite different. Taking into account my recommendations on other Proposals, I do not consider that there is a need to make further changes to achieve the accord to which the objector refers.

11.2.5 The Plan includes several additions to the Green Belt, for which I find no explanation in the Plan. The Council maintains that they are not part of a review of the Green Belt, but changes made on the grounds of exceptional circumstances, as allowed for in PPG2(2.7). The latter provides for Green Belt boundary changes when revising local plans and where there are exceptional circumstances that necessitate such revisions. It is therefore a strict test, which is not surprising given the importance attached by the Government to Green Belt policy and given that the essential characteristic of Green Belts is their permanence.

11.2.6 The areas proposed to be added to the Green Belt include the categories of 'protected open land' subject to Proposals EV3/1-3 in the adopted Local Plan. The Council considers that the purposes of the 'protected open land' designations are essentially the same as those for the Green Belt. Including the areas concerned in the Green Belt would provide them with protection against the pressures of development and, by omitting Proposals EV3/1-3, it would make the Plan less confusing.

11.2.7 While I accept that there is a case for protecting the qualities of particular open areas presently outside the Green Belt, I am not convinced that the Council's reasons amount to exceptional circumstances that necessitate the

¹⁰¹ Owing to an apparent error in the numbering of the Proposed Changes there is an unrelated PIM82 in chapter 9 of the Plan, which I have already dealt with in section 10.10 above

inclusion of all those areas in the Green Belt. It is not evident that the areas have been the subject of the rigorous re-assessment envisaged in PPG7(4.16). I find no formal assessment of their qualities or the contribution they make to urban form and urban areas. There are some general references to the value of the protected open land areas in the adopted Local Plan, but these include their recreational, visual and wildlife qualities - not what I would consider to be the key criteria for deciding on the merits of including areas in the Green Belt. While the openness of the 'small rural sites'¹⁰² may provide a buffer between a built up area and the Green Belt I do not see that as being a sound reason for including them within the Green Belt: it begs the question of why they were not included in the Green Belt in the first place.

11.2.8 The Council also makes the point that the changes represent additions to, rather than subtractions from, the Green Belt. This makes no difference to the test in PPG2(2.7), which applies to all changes to Green Belt boundaries. At the 1993 Local Plan inquiry the Inspector accepted that protection other than that provided by the Green Belt was appropriate for the areas of open land concerned. But the planning policy context has changed. Local countryside designations now require more rigorous justification and considerable weight is given to the achievement of sustainable development patterns. Any decision to add these areas *en bloc* to the Green Belt should follow the kind of wide ranging and comprehensive review referred to in regional planning guidance. I am not satisfied that it is justified on the grounds of exceptional circumstances in PPG2(2.7). I therefore conclude that the additions to the Green Belt should not be made. This conclusion takes account of my findings on the cases for designating particular areas, which are included in my consideration of the site-specific issues below.

11.2.9 Before dealing with the site-specific issues I must draw attention to an inconsistency with Government policy on the control of development in the Green Belt. PPG2(3.1) makes some allowance for inappropriate development in very special circumstances. This important qualification is not included in Proposal GB1, which states that permission will only be granted for appropriate development. As this has not been raised in objections I go no further than to recommend reconsideration.

Site specific issues

11.2.10 I have already concluded¹⁰³ that an alteration to the Green Belt boundary to accommodate the First Deposit proposal to allocate employment land at **Bridgefield** industrial site in Breaston would not be justified on employment grounds. I find no exceptional circumstances to justify a change to the Green Belt boundary at that site.

11.2.11 The Green Belt land to the **rear of 28, 30, and 32 Belper Road, Stanley Common** is open and grassed, appearing as garden extensions. As such it does in my view make a very marginal contribution to the countryside setting of the settlement, despite being presently out of view and inaccessible to the public. Land does not need to be of public amenity value to serve a useful Green Belt purpose. The gardens affected are modest in size and although it does not seem very likely that the requested alteration of the Green Belt boundary would lead to development that would harm the Green Belt as presently defined, I would not rule out that possibility. As things stand I do not consider that the Green Belt designation unduly restricts the maintenance and improvement of the land

¹⁰² As referred to in paragraph 6.10 of the adopted Local Plan

¹⁰³ See section 4.8 of my report, above

concerned, or the occupiers' desire to undertake the 'sensitive landscaping' referred to by the objector¹⁰⁴. I do accept that the present Green Belt boundary is not well defined, in that it appears to run arbitrarily across back gardens, and that the alternative boundary suggested by the objector would make more practical sense. However, I do not find that this amounts to a sufficiently strong reason to alter the Green Belt boundary. On balance I conclude that there are no exceptional circumstances to justify altering the Green Belt boundary in this case although I note the Council's view that it warrants further consideration in the forthcoming comprehensive review of the Green Belt boundary, as proposed in Regional Planning Guidance.

11.2.12 I come to a similar conclusion in respect of the Green Belt boundary to the **rear of 38 Derby Road, Borrowash** and adjoining properties. In this case I would be rather more concerned about the possibilities of development in the objection area were the Green Belt designation to be removed. The area does contribute a little to the open and undeveloped semi-rural setting of the settlement, and to the purposes of the Green Belt, despite the presence of a fairly small and isolated builders yard just beyond the rear garden boundaries. The line of the Green Belt boundary runs across some long back gardens and does not follow any physical features. However, in the absence of exceptional circumstances I conclude that it should not be altered.

11.2.13 The land by **Station Road, West Hallam** is a field that comprises part of the undeveloped countryside on the southern edge of the village. The fact that it lies between the settlement boundary and a house to the south does not carry much weight in my assessment. The gap is much bigger than an infill plot and there is little indication of the kind of development the objector has in mind. I conclude that there are no exceptional circumstances to justify altering the Green Belt boundary in this case.

11.2.14 The case for including land to the **west of Bostocks Lane, Sandiacre** in the Green Belt was found to be lacking by the Inspector reporting on the South and South-East Derbyshire Green Belts Local Plan¹⁰⁵ in 1982. Moreover, I now question the value of continuing its protected open land status under any local policy designation. The site is no longer a significant link between areas of open land to the east and west. To me it appears to be no more than a small enclave of unused open land within the urban area. It has some degree of physical linkage with the Green Belt, but this is limited in visual terms by boundary features and is rendered more tenuous by the separating effect of the 'old' Bostocks Lane. The site is in a prominent position by the 'entrance' to the village, but its visual amenity value could be retained or even enhanced by thoughtful landscaping in association with the proposed development. The small size of the site and its engulfment by development limits its value in terms of 'openness' alone. Due to the residential development close to part of the western side of the site and the relatively small size and heavily enclosed and scrubby nature of the site I do not accept the Council's argument that the site appears to be an integral part of the landscape to the west when seen from the A52. In any event I did not find those views of the site to be particularly good. They are well short of the exceptional circumstances required to justify a change to the Green Belt boundary. In section 4.8 (above) I conclude that the site should be considered for allocation as Class B1 business development under Proposal E1. Following from my conclusions in 11.2.5-8 above, I firmly conclude here that it should not be added to the Green

¹⁰⁴ Document 72a

¹⁰⁵ core document 141

Belt.

11.2.15 From the evidence I am not convinced that there is a compelling case for developing Green Belt land at the **Bennerley Disposal Point** as a rail freight facility. The objector states that the facility would serve the proposed employment site in the adjoining Borough of Broxtowe, and yet I understand¹⁰⁶ that the business use of that site is now unlikely to proceed following the Inspector's Report on that Borough's Local Plan inquiry. In the absence of other strong grounds for siting the facility here, I conclude that there is insufficient justification for removing the site from the Green Belt.

11.2.16 Land off **High Lane East, Ilkeston** is a greenfield site within the Green Belt. Its potential to provide some housing and round off the existing development falls well short of exceptional circumstances. I conclude that it should not be removed from the Green Belt.

11.2.17 Land to the rear of **180 The Ridings, Ockbrook** is already part of the Green Belt and in my view it performs a worthwhile Green Belt function by preventing urban sprawl on the edge of the settlement. The house and some adjacent garden is not within the Green Belt and I do not consider that the Green Belt unduly restricts what the occupiers can do with their home. I conclude that there are no exceptional circumstances to justify altering the Green Belt boundary in this case.

11.2.18 The 'green wedge' to the **west of the Oakwell Brickworks site, Ilkeston** is one of the areas of protected open land that I considered in general terms in paragraphs 11.2.5-8 above. The Council considers that this particular area should be included within the Green Belt because it 'meets' 3 of the 'criteria' set out in PPG2(1.5)¹⁰⁷. However, it should be noted that this guidance sets out the purposes of including land in the Green Belt. Although these may be taken into account they are not presented as criteria for judging whether or not an addition to the Green Belt is justified. This leads me to suspect that the additions to the Green Belt proposed by the Council may be based to some extent on a misunderstanding of the guidance.

11.2.19 While accepting that the purposes referred to would to some extent be served by the addition of this land to the Green Belt, I believe this needs to be qualified in some respects. First it would not lead to the unrestricted sprawl of the built up area in my view because the area lies within an urban framework and is contained by firm physical features and well established or protected uses. Secondly, it can fairly be argued that to exclude this land from the Green Belt and allow the possibility of development could assist in the decontamination and urban regeneration of the adjoining Oakwell Brickworks site: a factor that has already been considered in dealing with the housing proposal in section 3.11 above. I can understand the Council's desire to prevent the merging of the built up areas of Kirk Hallam and Ilkeston, which are already very close to each other. I note that features such as the disused railway and school playing fields presently provide a fairly emphatic division between these areas. In the absence of a rigorous formal assessment of the kind called for in PPG7(4.16) I am not convinced that an area-based policy designation is necessary to achieve separation.

11.2.20 I have also considered the argument that the area to the west of Oakwell Brickworks provides a visual link with the Green Belt. It is not a strong

¹⁰⁶ from Green Belt Topic Paper paragraph 11.1

¹⁰⁷ see EBC65, paragraph 3.6

argument in my view. In any event I do not really find the link to be of importance owing to the presence of the course of the disused railway, which represents a containing feature and something of a break in continuity with open land to the west.

11.2.21 Extending the Green Belt boundaries to include **the area between Ilkeston and Kirk Hallam** is not presently necessary and has not been explained in the Plan. As the Council itself argues, '*... the appropriate Green Belt boundaries are best considered at the next strategic review*¹⁰⁸. The planned sub-regional review would present an opportunity to consider in a wider context the need to safeguard land to meet development needs between 2011 and 2021. The Council is particularly concerned about the increase in development pressure, but this could just as easily be used to argue the case for removing land from the Green Belt. In short I find no exceptional circumstances to justify extending the Green Belt into the area between Ilkeston and Kirk Hallam.

11.2.22 The proposed extension of the Green Belt boundary to the **north-east of Stanton-by-Dale** is justified by the Council on the grounds that the land is unsuitable for housing development. In particular there are a number of constraints including access, trees, drainage and a nearby conservation area. Those factors are the subject of other policies in the Plan and they do not amount to a sound reason for extending the Green Belt boundary. The Council also refers to the purposes of including land within the Green Belt. Although the objection land would make some contribution to those purposes I do not regard that contribution as particularly notable. The present Green Belt boundary appears to be well defined and reasonable in that it follows a firm, easily-recognised feature that separates the open farmland to the north from what appeared to me to be more secluded garden plots and areas more intimately connected with the settlement. In its written statement the Council expresses the view that the present boundary arises from an administrative error. It offers no evidence to support that view and it carries no weight in my assessment. It also refers to policy 6 of RPG8 but that policy appears to me to give no support to its case. I therefore conclude that there are no exceptional circumstances to justify the proposed extension of the Green Belt boundary here.

11.2.23 The **Woodlands Farm housing allocation, Cotmanhay** has been deleted in the Second Deposit. This appears to remove much of the case for reducing the Green Belt here in order to accommodate an extension to that housing proposal. The objection land comprises open countryside on the edge of the settlement and does contribute to Green Belt purposes. I conclude that there is no case for removing it from the Green Belt.

11.2.24 Part of the housing allocation in the First Deposit was on land not included in the Green Belt. With the withdrawal of the allocation, the Second Deposit includes the whole site in the Green Belt. I find no justification for this proposed extension to the Green Belt. Again the Council attributes the original exclusion from the Green Belt as an administrative error, but I have no evidence to support that contention. It also argues that this land should all be in the Green Belt to prevent potentially unacceptable development and maintain the separation of Ilkeston and Heanor. I find this argument to be weak, especially in view of the reasoned justification in the First Deposit¹⁰⁹, which explained that the revision of the Green Belt boundary here would not be to the detriment of the Green Belt,

¹⁰⁸ EBC65, paragraph 3.11

¹⁰⁹ paragraph 2.33

explicitly taking account of the effect on the substantial open area between Heanor and Ilkeston. While I would accept that the area presently outside the Green Belt is capable of making a modest contribution to the purposes of including land within the Green Belt, this falls well short of the exceptional circumstances required to justify extending the Green Belt boundary. I conclude that in this locality there is no case for altering the boundary of the Green Belt as it is defined in the adopted Local Plan. The related case for allocating housing land here has been considered in section 3.12 above.

11.2.25 I have already concluded that the case for a making a housing land allocation on the **western edge of Borrowash** is not so strong as to amount to exceptional circumstances justifying the removal of the land from the Green Belt¹¹⁰. The objector argues that by making a number of alterations to the Green Belt boundary the Council is effectively carrying out a partial review, and that this needs to be more comprehensive and on a longer time scale in accordance with PPG2(2.12). On the other hand, if the alterations are considered to be minor and justified by exceptional circumstances, it is argued that the exclusion of the Borrowash objection site is also justified in order to meet longer term strategic development requirements in a sustainable way. Having found against the proposed additions to the Green Belt, it follows that they provide no pretext for removing the Borrowash site from the Green Belt. To remove it would pre-empt the wider strategic review envisaged in Regional Planning Guidance, and I conclude that this could be potentially damaging in planning terms. As for the need to provide for longer-term development requirements, I refer back to my conclusions at the beginning of this section. I conclude that there should be no change to the Green Belt boundary at Borrowash.

11.2.26 For similar reasons I also conclude that the objection site on the western edge of **Little Eaton** should not be removed from the Green Belt. I note that the objector raising this issue has withdrawn the objection, although the conditional basis for this is not clear. In any event I again conclude that no changes to the Plan are required.

11.2.27 Although the residential property of '**Beaumont**' on **Park Hall Lane, West Hallam** is the last of the properties on the lane leaving the settlement, the dwelling is well separated from the adjacent row and on a much larger plot. The amount of open land within the property does enable it to serve a Green Belt purpose, and I am in no doubt that further housing development here would amount to urban sprawl and destroy its present spacious, semi-rural character. I find that there are no exceptional circumstances to justify altering the Green Belt boundary in this case. Accordingly, for planning policy purposes it would not be appropriate to include the objection land within the adjoining settlement boundary despite its association with the settlement.

11.2.28 The situation at **Attewell House, Station Road, Draycott** is different in that the objection land – part of the garden of the property – is presently outside the Green Belt. The Council justifies its proposal to include the land in the Green Belt by reference to appeal decisions that describe the land as being outside the built up edge of the village and being part of its countryside setting. While I do not question these descriptions of the objection land, I consider that they do not amount to exceptional circumstances. It is not unusual for larger garden plots to occur on the edges of settlements, yet within the settlement boundaries. I can understand the Council's concern about the harmful effect of

¹¹⁰ See section 3.13 above

further development here on the appearance of Draycott and its countryside setting, but it is not necessary to designate the land as Green Belt to be able to resist such effects. Other Proposals in the Plan address the need to protect the character and appearance of settlements and their surroundings, and the appeal decisions demonstrate that these qualities can be successfully protected. Proposal GB1 is essentially concerned with protecting the openness of the Green Belt rather than the visual quality and settings of sensitive settlement edges. This is not to say that the objection land could not serve a worthwhile Green Belt purpose; but neither that nor any other factors in this case provide the exceptional circumstances that would justify its addition to the Green Belt at this time. I conclude that the objection land should remain outside the Green Belt and within the Draycott settlement boundary.

11.2.29 **Land at Abbey Hill / Alfreton Road** comprises a substantial area of open agricultural land. Because it occupies a significant part of the limited gap between Derby and the small settlement of Breadsall I consider that it serves an important Green Belt function, having regard to the aim of the Green Belt to maintain the separate identity of Derby and the Erewash Valley towns and villages to the north and east of Derby¹¹¹. The objectors consider that the area could be developed for tourist accommodation, including a hotel. I have already reported finding no compelling case for such development¹¹², and I am not satisfied that this potential is alone sufficient to justify the removal of the site from the Green Belt. I am aware of the proposals for highway improvements in the locality but having seen the options under consideration¹¹³, it is not evident that these will necessarily have a substantial effect on the openness of the objection land. The fact that part of the objection land is also subject to Proposal EV17 (World Heritage Site and buffer zone) does not remove the need for the Green Belt designation. This is because Proposal EV17 has a different focus and cannot be expected to provide the same degree of protection in respect of openness. All things considered I conclude that there are no exceptional circumstances to justify altering the Green Belt boundary here.

11.2.30 The final issue has been raised in a number of identical objections. Although stated to be objecting to Proposal GB1 the representations do not make it clear which brownfield site(s) they relate to or what bearing the issue has on Proposal GB1. The Council understands them to relate to the Oakwell Brickworks site, in which case I have nothing to add to my conclusions on the Green Belt issue considered earlier in this section. I conclude that the issue calls for no changes to Proposal GB1 or to the extent of the established Green Belt in that locality.

11.2.31 In conclusion, none of the site-specific issues involve circumstances that I find to be exceptional and such as to justify alterations to the boundary of the Green Belt as it is defined in the adopted Local Plan.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Changes PIM51 and PIM82;**

¹¹¹ As recorded in the Structure Plan Explanatory Memorandum paragraph 2.68

¹¹² Section 8.8 above

¹¹³ Document 1365/A, Appendix 1

- (b) by deleting from the Proposals Map those areas shown as Green Belt that would constitute extensions of the existing Green Belt defined in the adopted Local Plan.

(NB: the reference to PIM82 relates here to the Proposed Change to Chapter 10 of the Plan and not to the Proposed Change, bearing the same reference, that applies in Chapter 9)

I also recommend that Proposal GB1 should be reconsidered in the light of Government guidance (PPG2: 3.1) which makes a degree of allowance for inappropriate development in the Green Belt.

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11.3 PROPOSAL GB2 - INFILL DEVELOPMENT WITHIN VILLAGES AND SETTLEMENTS

Objections

325 3765	Cllr P Milner	Morley Parish Council
391 1041 W	K Devonport	Countryside Agency

Issues

1. Reference in Proposal GB2 to both 'villages' and 'settlements' causes confusion: the Structure Plan example of referring only to settlements should be followed.

Inspector's Reasoning and Conclusions

11.3.1 The two words are both used in other parts of the Plan and I accept that the way that they are used in Proposal GB2 causes uncertainty. Referring to 'villages and settlements' in a policy statement implies that there is a significant difference between the two terms, and leads to doubt about their meaning when they are used on their own in other parts of the Plan.

11.3.2 At the inquiry the Council indicated that it would accept the deletion of 'villages' in Proposal GB2, but that it would also wish to delete the term elsewhere for consistency. I concur, although I do not think it essential to replace or delete 'village' where it is used in a descriptive sense that does not carry interpretative significance in making planning decisions: for example, in the title of Proposal H4.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting the words 'village and' and 'village or' in Proposal GB2; and by replacing the word 'village' with 'settlement' in those other parts of the Plan where the use of 'village' could cause uncertainty in the interpretation of policy statements.

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11.4 PROPOSAL GB4 - EXTENSIONS OR ALTERATIONS TO BARN CONVERSIONS

Objections

103	214 W	Mr	P	Tame	National Farmers Union
185	404 W	Miss	A	Plackett	English Heritage East Midlands Region
391	1042 W	Ms	K	Devonport	Countryside Agency

Issues

Since the objections were withdrawn at Second Deposit stage there are no issues relating to Proposal GB4.

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11.5 PROPOSAL GB5 - CONVERSION OR CHANGE OF USE TO EMPLOYMENT USES

Objections

103	213	Mr	P	Tame	National Farmers Union
325	827 CW	Cllr	P	Milner	Morley Parish Council
391	1043 CW	Ms	K	Devonport	Countryside Agency

Issues

1. The policy or supporting text should make a reference to the role of diversification and give more encouragement to the rural economy.
2. The requirement for employment generating uses to be close to a village and well related to a bus route is out of touch with the reality of rural locations.
3. The need for an existing clearly defined curtilage in criterion 5 is unnecessary as this matter can be addressed by planning conditions when an application is determined.

Inspector's Reasoning and Conclusions

11.5.1 These objections relate to the First Deposit. Proposal GB5 was deleted in the Second Deposit and replaced by Proposal GB5a. Since the objections have not been entirely withdrawn I deal with the remaining issues of relevance under Proposal GB5a in the next section. Consequently no modifications are recommended in this section.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

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11.6 PROPOSAL GB5A - CONVERSIONS AND CHANGE OF USE

Objections

103	3592	Mr	Tame	National Farmers Union
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185	3635	Miss	Plackett	English Heritage East Midlands Region
281	3943			Government Office for the East Midlands
325	3766	Cllr	Milner	Morley Parish Council
1358	3807	Mr	Shirley	Country Land & Business Association

Issues

1. Proposal GB5a is unworkable and unreasonable.
2. Due to an error in criterion 1(i) of Proposal GB5a it is not clear what the last word of the criterion should be.
3. Criterion 1(ii) is far too restrictive and ignores the benefits of saving redundant or derelict buildings, which the Proposal would condemn to demolition.
4. To remove an ambiguity, and to reflect the need to conserve the character of traditional farm buildings, criterion 1(iv) should be amended to the following: *'Particularly in the case of traditional farm buildings, the conversion can be carried out without adversely affecting the character of the building or its surroundings'*.
5. Criterion 1(iv) should be removed as it is impossible to convert any structure without occasioning some form of 'damage'.
6. Criterion 1(vi) would be impossible to fulfil for many schemes in rural areas where public transport is lacking.
7. Criterion 1(vi) needs redrafting as it would effectively preclude access by private car.
8. Criterion 1(vi) is too restrictive and would detract from Government policy to encourage farm diversification.
9. There is no logic or planning precedent to support part 2 of Proposal GB5a, which ignores the growing need to provide housing in rural communities, especially for the young.

Inspector's Reasoning and Conclusions

11.6.1 In relation to the first issue *Morley Parish Council* argued at the inquiry for the deletion of Proposal GB5a, considering it to be unnecessary as well as unworkable and unreasonable. Not to have such a policy would be contrary to Government guidance in PPG2(3.10) and I believe that Proposal GB5a can be workable and reasonable subject to some amendments to its criteria. Before turning to the criteria, I should add that to be properly workable it needs to be made clear where the Proposal will operate. Part 1 relates to 'rural buildings' and paragraph 10.6a points out that the rural areas of the Borough are all within the Green Belt. Because this chapter is concerned with the Green Belt, I take it that the Proposal is intended to apply to the Green Belt. This is confirmed in the Council's statements¹¹⁴. However, the supporting representations demonstrate that a different impression can be gained¹¹⁵. For the avoidance of doubt, and in view of my recommendations on the proposed changes to the Green Belt boundary, I consider that this should be clarified in the Proposal. For example, it could be achieved by adding the words *'within the Green Belt'* to the beginning of criterion 1 and / or to the Proposal heading. Otherwise there may be uncertainty

¹¹⁴ For example EBC54, paragraph 1.1

¹¹⁵ See representation 76/3796

about whether it would apply to an apparently or arguably rural building that happens to lie outside the Green Belt.

11.6.2 The second issue is satisfactorily dealt with by the Council's Proposed Change PIM52, which amends the spelling of the last word of criterion 1(i) to 'construction'.

11.6.3 I consider that the inclusion of a criterion along the lines of criterion 1(ii) is quite acceptable having regard to rather similar criteria in Government guidance¹¹⁶. Criterion 1(ii) strikes a reasonable balance between the benefits of saving redundant or derelict buildings and protecting the open countryside of the Green Belt. I can understand that there may be a lack of certainty about how much rebuilding would be considered to be 'significant', but the objector's suggested alternative, using the word 'extensive', would achieve no greater precision in my view. I conclude that the criterion is adequate as it stands.

11.6.4 Issue 4 is resolved by the Council's Proposed Change PIM83, which accepts the amended wording of criterion 1(iv) suggested by *English Heritage*. I support the Change. By removing the word 'damage' it also satisfactorily deals with issue 5.

11.6.5 I share the view that criterion 1(vi) would be impossible to meet for many beneficial conversion or re-use projects in the rural area. Indeed, it would largely emasculate the rural employment and farm diversification Proposals in chapter 3. Although apparently concerned to encourage schemes in sustainable locations it takes no account of the level of traffic that is, or could be, generated by the existing use of the building. PPG13(43) indicates the need to be realistic about the likely availability of alternatives to access by car in rural areas. For example policies should not reject proposals where small scale business development would give rise to only modest additional daily vehicle movements in comparison to other uses that are permitted on the site. While agreeing that some policy safeguard is appropriate, I conclude that the criterion should be simplified and re-worded along the following lines: '*if the use is likely to generate a substantial level and increase in traffic the site should be accessible by means of transport other than the private car*'.

11.6.6 I find part 2 of the Proposal to be generally in keeping with Government guidance in PPG7(3.15), which explains the logic behind the preference for employment uses. Against this there is very little evidence to support the removal of the criterion. There is of course an issue concerning the meeting of housing needs within the rural area, and I note that it is addressed by Proposal GB8, which I deal with below. I conclude that part 2 should be retained.

11.6.7 My above conclusions also deal to some extent with the issues arising from the replaced Proposal GB5. As for the other issues, the replaced reasoned justification in the Second Deposit does refer to the role of diversification and sustaining the rural economy. The requirement for a clearly defined curtilage reappears in criterion 1(viii) and I share the view that this is unnecessary. If a proposal were capable of satisfying criterion 1(vii) there would be no need for it to also satisfy criterion 1(viii) since the former would adequately safeguard the essential attributes of the Green Belt. Accordingly I conclude that criterion 1(viii) should be deleted.

11.6.8 In considering the above issues I have also had regard to the

¹¹⁶ See PPG2(3.8[c]) and PPG7(3.14[e] & 3.16)

suggested re-wording of Proposal GB5a suggested by *Morley Parish Council*¹¹⁷. Because it fails to cover some of the necessary ground included in Proposal GB5a I do not prefer it. I therefore recommend Proposal GB5a subject to the above amendments.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Changes PIM52 and PIM83;
- (b) by making it clear where Proposal GB5a applies: for example by adding the words 'Within the Green Belt' to the beginning of criterion 1 and / or to the Proposal heading;
- (c) by replacing criterion 1(vi) of Proposal GB5a with a criterion worded along the following lines: *'if the use is likely to generate a substantial level and increase in traffic the site should be accessible by means of transport other than the private car'*;
- (d) by deleting criterion 1(viii) of Proposal GB5a.

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11.7 PROPOSAL GB6 - CONVERSION OR CHANGE OF USE TO A DWELLING HOUSE

Objections

103	212	Mr	P	Tame	National Farmers Union
281	663 W	Mr	M	Gorman	Government Office for the East Midlands
1358	3532	Mr	A	Shirley	Country Land & Business Association

Issues

1. The policy or supporting text should make a reference to the role of diversification in view of its increasing importance in Government guidance.
2. The requirement to be in, or close to, a village, and close to a public transport route, is out of touch with the reality of rural locations.
3. The need for an existing clearly defined curtilage in criterion 3 is unnecessary as this matter can be addressed by planning conditions when an application is determined.

Inspector's Reasoning and Conclusions

11.7.1 As with Proposal GB5, these objections relate to the First Deposit. Proposal GB6 was deleted in the Second Deposit and, like GB5, was replaced by Proposal GB5a. The issues are already dealt with in my conclusions for Proposal GB5a and I find no need to make any further recommendations here.

RECOMMENDATIONS

I recommend that no modification be made to the Local Plan.

¹¹⁷ Document 325/B

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11.8 PROPOSAL GB7A - EXTENDING DOMESTIC CURTILAGES INTO THE GREEN BELT

Objections

325	826 W	Cllr	P Milner	Morley Parish Council
1358	3533 W	Mr	A Shirley	Country Land & Business Association

Issues

Since the objections were both withdrawn at Second Deposit stage there are no issues relating to Proposal GB7a.

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11.9 PROPOSAL GB8 - LOW COST HOUSING IN THE GREEN BELT

Objections

448	1207	Mr	D Lawson	Broxtowe Borough Council
491	1297 W	Mr	R Barker	

Issues

1. To accord with Government guidance in PPG3(B5) and to be consistent with paragraph 10.9 of the reasoned justification of Proposal GB8, the words '*adjoining existing villages*' should be inserted after '*Low cost housing ...*' in the first line of the Proposal.

Inspector's Reasoning and Conclusions

11.9.1 The Council accepts that the Proposal and its reasoned justification would benefit from clarification, and have proposed amendments to both in its statement EBC103. Contrary to paragraph 3.2 of the statement, I find no reference to the amendments in the Council's 'Additional Proposed Changes' document (CD145). I therefore repeat the two essential elements as follows. First, the beginning of the final sentence of paragraph 10.9 is proposed to read: '*Local, for the purposes of this policy, is taken to mean the housing demand within any village or adjacent to any existing village, ...*'. Secondly, the words '*.. and adjoining existing villages in ..*' are inserted after '*Low cost housing within ...*' in the first line of Proposal GB8.

11.9.2 The amendments appear to satisfy *Broxtowe Borough Council*¹¹⁸. While accepting that they go some way to clarifying Proposal GB8, I have two reservations.

11.9.3 First, it remains unclear from paragraph 10.9 whether the local

¹¹⁸ See letter of 8 March 2004 from Broxtowe Borough Council

housing need referred to in criterion 1 of the Proposal would have to arise from the particular village (or adjacent locations) to which the planning application relates. Or would it be permissible for the development scheme to meet the demand in a village other than the one in which a need is demonstrated? This should be clarified in a further amendment to paragraph 10.9. In my recommendation I take the opportunity to make a minor alteration to the amendment itself, to make it easier to follow.

11.9.4 Secondly, it is not clear which villages are referred to in the amended first line of Proposal GB8. Having regard to the use of the term 'village' in Proposal H4, it could be inferred that in Proposal GB8 the term applies only to the 3 Green Belt villages identified in paragraph 2.36. But if that is the case, it is not obvious from the Plan why the H4 villages excluded from the Green Belt are not also to be covered by Proposal GB8, as there would be sites in the Green Belt but adjoining those villages for which, on the face of it, there might also be an arguable case for more low cost housing. In any event I conclude that the villages concerned should be clearly identified in paragraph 10.9, or in the Proposal itself if there are only a few. If there are only a few, paragraph 10.9 should also include the reasons why other villages with their immediate surroundings in the Green Belt are not subject to the Proposal.

11.9.5 I am conscious that the Council might prefer the use of the term 'settlement' to 'village' in view of my recommendation at section 11.3 above. I do not consider that it matters for the purpose of Proposal GB8, as long as it is clear to which settlements or villages the Proposal applies.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) **amending the beginning of the final sentence of paragraph 10.9 so that it reads: '*Local, for the purposes of this policy, is taken to mean the housing demand within or adjacent to any village, whilst ...*' and by adding further text to explain whether or not the local housing need referred to in criterion 1 of the Proposal would be required to be attributable to the particular village (or adjacent locations) to which the planning application relates;**
- (b) **inserting the words '*.. and adjoining existing villages in ..*' after '*low cost housing within ..*' at the beginning of Proposal GB8;**
- (c) **adding to Proposal GB8 or to paragraph 10.9 the names of the villages to which Proposal GB8 applies;**
- (d) **adding to paragraph 10.9 reasons to justify the exclusion of villages from those to be named in (c) above, if any villages are to be excluded from that list.**

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11.10 PROPOSAL GB9 - AGRICULTURAL DEVELOPMENT

Objections

103	211 W	Mr P	Tame	National Farmers Union
391	1044 CW	Ms K	Devonport	Countryside Agency
1358	3534	Mr A	Shirley	Country Land & Business Association

Issues

1. Together with Proposals GB10 and GB5, Proposal GB9 gives insufficient encouragement to the rural economy and to farm diversification in particular.
2. Proposal GB9 is too restrictive on agricultural development, as the latter normally has to be on the holding where the activity it supports takes place.
3. It is not clear why criterion 2 is included.

Inspector's Reasoning and Conclusions

11.10.1 The first issue appears to have been resolved by revisions made in the Second Deposit and by the introduction of Proposal E5b on farm diversification (PIM24). As far as Proposal GB9 is concerned the revisions in the Second Deposit have been welcomed and supported by the *Countryside Agency*.

11.10.2 As indicated in PPG2(3.4), and echoed in the Structure Plan¹¹⁹, the construction of new buildings for agriculture may be appropriate development in the Green Belt. To require the development not to have an adverse impact on the Green Belt may therefore be excessively restrictive. This is because it would be difficult for a new building not to adversely affect the Green Belt in terms of openness – its main attribute – unless replacing other buildings. Criterion 1 would therefore largely nullify the allowance made for agricultural development in national and strategic guidance.

11.10.3 It is possible that the adverse impact is intended to relate to the visual amenity of the Green Belt, in which case I consider that criterion 1 would be justified and in keeping with the last part of Structure Plan General Development Strategy Policy 7. This would also be consistent with paragraph 10.10a of the reasoned justification, which refers to the need to safeguard the appearance of the Green Belt; but perhaps not with paragraph 10.10, which states that agricultural development should not compromise the objectives of the Green Belt. The main objective of the Green Belt is to keep the land permanently open.

11.10.4 I conclude that criterion 1 of Proposal GB9 could be made acceptable by inserting the words '*visual amenity of*' before '*the Green Belt*'; and by deleting the reference to Green Belt objectives in paragraph 10.10. The first two sentences of paragraph 10.10 partly repeat the content of paragraph 10.10a and otherwise add nothing of substance to the reasoned justification. They could therefore be deleted. The last sentence of 10.10 would then be better re-located to the end of paragraph 10.10a.

11.10.5 This last sentence of paragraph 10.10 gives the reason for including criterion 2, which is revised in the Second Deposit in response to the objection giving rise to issue 3. I conclude that no further changes are called for.

RECOMMENDATIONS

I recommend that the Local Plan be modified by

¹¹⁹ General Development Strategy Policy 7

- (a) inserting the words '*the visual amenity of*' before '*the Green Belt*' in criterion 1 of Proposal GB9;
- (b) by deleting the first two sentences of paragraph 10.10 and by moving the last sentence of 10.10 to the end of paragraph 10.10a.

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11.11 PROPOSAL GB10 - OTHER DEVELOPMENT IN THE GREEN BELT

Objections

281	662 W	Mr M Gorman	Government Office for the East Midlands
391	1045 W	Ms K Devonport	Countryside Agency
1358	3535 W	Mr A Shirley	Country Land & Business Association

Issues

Since the objections were withdrawn at Second Deposit stage there are no issues relating to Proposal GB10.

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12 APPENDICES

12.1 APPENDIX 1 - DERBY AND DERBYSHIRE JOINT STRUCTURE PLAN POLICIES

Objections

1391	3663 CW	Mrs	E Campbell
1391	3664 CW	Mrs	E Campbell

Issues

1. The layout of Transportation Policy 8 requires amendment.
2. There is a spelling mistake in Transportation Policy 14.

Inspector's Reasoning and Conclusions

12.1.1 These shortcomings are partly addressed by the Council's Proposed Change PIM53. However, the Council now intends to delete the Appendix *for clarity and to ensure there is no confusion*¹²⁰. This would be a part of Proposed Change PIM84, which would also remove the other appendices from the Plan.

12.1.2 Insofar as it applies to Appendix 1 I concur with PIM84, as it is not necessary to include Structure Plan policies in the Local Plan.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Appendix 1.

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12.2 APPENDIX 3 - PROTECTED SPECIES

Objections

29	1594 CW	S Stowell	Sport England - East Midlands Region
351	920 CW	PC P Wise	Derbyshire Constabulary

Issues

1. Appendix 3 is in need of updating to take account of the wildlife conservation provisions in the Countryside and Rights of Way Act 2000.
2. It should be required that environmental audits are carried out for larger developments.

(Objection 29/1594 mistakenly refers to appendix 3: it appears to relate to appendix 4, and so it is dealt with under that heading below)

¹²⁰ Core document CD145

Inspector's Reasoning and Conclusions

12.2.1 I report here on the first issue only, as the second issue has already been dealt with in relation to the objector's other objection in section 7.1 above.

12.2.2 The issue arose from the First Deposit and has to some extent been addressed in the Second Deposit. However, although reference to the more recent legislation and regulations are added as footnotes 10 and 11, these footnotes fail to function as such because, as far as I can see, they are not inserted in the text. I conclude that the text should be checked and if necessary revised to ensure that it has been properly updated; and that the footnote references should be inserted at the appropriate points in the revised text.

12.2.3 The Council's more recent Proposed Change PIM84 would delete Appendix 3 for the purposes of clarification and avoidance of confusion. For the same purposes I consider that it should be retained. It does help to define the meaning and source of protection for the species the subject of Proposal EV9 as well as the identity of those species. As such it enables the Proposal and its scope to be properly understood.

RECOMMENDATIONS

I recommend that the Local Plan be modified by checking and, to the extent necessary, revising the text of Appendix 3 to ensure that it is fully up to date; and by inserting the references to footnotes 10 and 11 at the appropriate points in the revised text.

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12.3 APPENDIX 4 - DEVELOPMENT CONTROL GUIDELINES

Objections

29	1594 CW	S Stowell	Sport England - East Midlands Region
211	3883		Nottinghamshire County Council
211	483	Mr R Ling	Nottinghamshire County Council
281	3940	Mr C Packman	Government Office for the East Midlands
281	685 W	Mr M Gorman	Government Office for the East Midlands
390	1013	Mr IA Moss	The House Builders Federation
390	1014	Mr IA Moss	The House Builders Federation
1325	3384 W	Mr R Barber	Westbury Homes (Holdings) Limited

Issues

Car Parking Guidelines

1. The specific maximum standards do not reflect current guidance in PPG13, RPG8, PPG3 or the Draft Interim Regional Transport Strategy.
2. Consideration should be given to providing specific advice on cycle parking in accordance with PPG13.

Residential Space Guidelines

3. It is inappropriate for the Local Plan to include rigid minimum standards for space around dwellings: they should be deleted.

Open Space Guidelines

4. Areas of open space deficiency should be identified in the Plan.
5. The basis for calculating occupancy rates in new development is unacceptable: it would need to be adjusted to reflect the proportion of one-bedroom or two-bedroom dwellings, or to allow for the requirements of developments for the elderly.
6. Schedule A should include figures to Spring 2000 at least, and a multiplier to allow for increases in costs during the Plan period.

Inspector's Reasoning and Conclusions

Car Parking Guidelines

12.3.1 The Council's Proposed Change PIM84 would also delete Appendix 4. I do not support that Change for the reasons given in section 5.6 above. In that section I recommend that Appendix 4 be amended as far as necessary to remove any inconsistencies with Annex D of PPG13 and with policy 61 and Appendix 2 of RPG8. Since the time that the first issue was raised the Regional Transport Strategy has been included in the final version of RPG8 (January 2002). I only need to add here that the guidance in PPG3(62) should also be taken into account in respect of parking standards for dwellings.

12.3.2. With regard to the second issue, which arose from the First Deposit, guidance on provision for cyclists is included in Appendix 4 of the Second Deposit. It has not attracted objections and I have no reason to believe that it requires any amendment.

Residential Space Guidelines

12.3.3 These guidelines, which occupy section 2 of Appendix 4 in the First Deposit, are not included in the Second Deposit. A note in the space where I would expect to find section 2 states that diagrams showing the standards have been omitted for 'ease of viewing'. In fact, the whole section is missing. Because Paragraph 3.2 of the Council's statement EBC23 states that they are included I must take it that their omission was either an error or not intended to indicate that they would be absent from the Plan when adopted. In any event, the omission could be effectively superseded by the Council's Proposed Change PIM84. Because the residential space guidelines do not appear to be directly linked to any of the Proposals in the Plan and are probably more suited to supplementary planning guidance, I am satisfied that they do not need to be re-instated in the Plan.

Open Space Guidelines

12.3.4 I have already considered matters similar to issue 4 in section 8.4 above. There I conclude that it may not yet be possible to properly identify the areas of deficiency. It is also relevant that the First Deposit Proposal R5, which made specific reference to areas deficient in public open space, is deleted in the Second Deposit. I conclude that no further amendments are required in relation to this issue.

12.3.5 On issue 5 the Council confirms that the open space guidelines in section 3 of Appendix 4 are not intended to be inflexible and that there would be consultation for each application. However, rather than amend the guidelines to make this clear, its Proposed Change PIM84 would delete Appendix 4, with a view to covering this subject in supplementary planning guidance. As with the *Residential Space Guidelines*, and for similar reasons, I concur.

12.3.6 Schedule A is linked to the *Open Space Guidelines* in section 3 of

Appendix 4, and its deletion along with section 3 would effectively resolve the final issue (see also section 14.1 below).

RECOMMENDATIONS

I recommend that the Local Plan be modified by

- (a) amending the *Car Parking Guidelines* in Appendix 4 to make them consistent with Government guidance including PPG3(62), which is applicable to residential development;**
- (b) deleting the *Open Space Guidelines* in Appendix 4;**
- (c) deleting Schedule A.**

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12.4 APPENDIX 6 - ENVIRONMENT AGENCY

Objections

354 929 Mr D Marsh Environment Agency

Issues

1. The wording of the flood defence responsibilities of the *Environment Agency* is misleading in suggesting that the Agency will be required to protect properties from flooding and improve watercourses.

Inspector's Reasoning and Conclusions

12.4.1 The objection was made to Appendix 6 of the First Deposit. Appendix 6 was deleted in the Second Deposit, but some text describing the *Environment Agency's* responsibilities was added as paragraph 9.17a of the Second Deposit. The issue remained but has been addressed by the Council's Proposed Change PIM79, which adopts the revised wording suggested by the objector. I have already recommended this Proposed Change in section 10.7 above, but to avoid any doubt or inconvenience I repeat my recommendation here.

RECOMMENDATIONS

I recommend that the Local Plan be modified in accordance with the Proposed Change PIM79.

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13

GLOSSARY

13.1 INDIVIDUAL GLOSSARY ENTRIES

Objections

1391	3678	E	Campbell
1391	3679CW	E	Campbell

Objections to Proposed Changes

390	4107	The House Builders Federation
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Issues

1. The entry for '**Article 4 Directions**' should recognise that Article 4(2) Directions do not need the approval of the Secretary of State.
2. In the entry for '**Development/Planning Briefs**' the reference should be to the Borough Council and not the City Council.
3. The definition of '**Major Development**' in Proposed Change PIM55 uses a threshold figure of 10 dwellings, which is inappropriately and unnecessarily low, given, for example, the requirements of Proposal T10a on transport assessments.

Inspector's Reasoning and Conclusions

13.1.1 Because 'Article 4 Directions' is a term that can be taken to relate to the whole of Article 4 of the Town and Country Planning (General Permitted Development) Order 1995, including 4(2), the Glossary entry does, strictly speaking, need to be corrected. The second sentence of the entry could either be deleted, or amended by replacing 'is' with 'may be'.

13.1.2 The second issue is resolved by the Council's Proposed Change PIM54.

13.1.3 Concerning PIM55, the Council explains¹²¹ that it took the 10-dwelling threshold from guidance notes on a website that allows local authorities to fill in Government forms electronically. It does not explain why this should have any bearing on choosing a threshold for particular planning policy purposes. However, it is also unclear why the threshold is regarded as inappropriately and unnecessarily low. In the context of Erewash it does not appear to me to be unreasonable to expect an assessment of the kind envisaged in Proposal T10a for a development of 10 or more dwellings. I am therefore content to accept the definition proposed by the Council.

13.1.4 I conclude that no modification of Proposed Change PIM55 is required to address issue 3. However, it should be noted that I have already recommended a modified form of PIM55 in section 5.13 above. That recommendation

¹²¹ EBC145, paragraph 3.1

accommodates my above conclusion and so there is no need for me to repeat it here.

RECOMMENDATIONS

I recommend that the Local Plan be modified

- (a) in accordance with the Proposed Change PIM54;**
- (b) either by deleting the second sentence of the entry for 'Article 4 Directions' in the Glossary, or by replacing 'is' with 'may be' in that sentence.**

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14 SCHEDULE A

14.1 GENERAL POINTS

Objections

390 4108

The House Builders Federation

Issues

1. The provision and maintenance of open space needs to be considered on the merits of particular cases, the specific requirements of the locality and the existing provision: Schedule A fails to do this and is unduly prescriptive, contrary to Circular 1/97[B17].
2. It is excessive to imply that maintenance contributions would be sought as a matter of course: Circular 1/97 indicates that they should only be sought in exceptional circumstances.
3. A 10-year period of maintenance contributions is akin to 'in perpetuity', and it is therefore excessive and unjustifiable having regard to Government guidance in Circular 1/97[B14].

Inspector's Reasoning and Conclusions

14.1.1 Although the Council proposed minor amendments to Schedule A in Proposed Change PIM56, its more recent additional Proposed Change PIM84 would delete the appendices to the Plan. Schedule A is referred to in, and is mainly related to, the open space guidelines in section 3 of Appendix 4. I have already agreed, in section 12.3 above, that section 3 of Appendix 4 should be deleted. I also conclude there that Schedule A should be deleted, as it would lose its essential context. The Council considers that it relates to the open space aspect of Proposal H9, but there are no cross references to link them and in view of my conclusions in section 3.21 above I do not consider that its retention in the Plan would be appropriate. If anything, the above issues strengthen my conclusion on this matter.

14.1.2 For convenience, and as far as Schedule A is concerned, I repeat my recommendation here.

RECOMMENDATIONS

I recommend that the Local Plan be modified by deleting Schedule A.

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15 PROPOSALS MAP

15.1 IDENTIFICATION OF AREAS ON THE PROPOSALS MAP

Objections

185	405 W	Miss A	Plackett	English Heritage East Midlands Region
282	3752			Corus UK Limited
1305	3402	Mrs P M	Peebles	
1305	3403	Mrs P M	Peebles	

Issues

1. The extension of the Green Belt boundary to the west of the Oakwell Brickworks site is unjustified having regard to the lack of exceptional circumstances, the lack of provision for it in the Structure Plan and the fact that the land was allocated for residential development in the First Deposit.
2. There appears to be no firm basis or criteria for defining the boundaries of the Areas of Local Landscape Significance.
3. The M1 is a major arterial roadway through the country and although it runs through the Green Belt it would be more appropriate to identify it as a road by means of a distinctive colour.

Inspector's Reasoning and Conclusions

15.1.1 The first issue has already been dealt with in section 11.2 above. Since I have recommended that all the proposed additions to the Green Belt on the Proposals Map should not be made, there is no need for me to make any more specific recommendation here in respect of the area to the west of the Oakwell Brickworks site.

15.1.2 In section 7.19 I recommend the deletion of Proposal EV14 together with all references to the Areas of Local Landscape Significance. There is therefore no need for me to consider issue 2 further, although for the avoidance of any doubt I recommend here that the Areas of Local Landscape Significance be deleted from the Proposals Map.

15.1.3 Since the Plan does not include any specific Proposals for the M1 motorway in Erewash it would not be appropriate to give it a distinctive notation on the Proposals Map. If the objector is suggesting that the M1 should be taken out of the Green Belt, that could be done without giving it any distinctive notation¹²². However, that would not be justified in terms of Government guidance (PPG2: 2.7) as there appear to be no exceptional circumstances to support such a boundary alteration. The fact that the M1 is a bigger road than other roads in the Green Belt is not an exceptional circumstance in my view. I conclude that this issue does not warrant any changes to the Plan.

RECOMMENDATIONS

¹²² As is already the case with a section of M1 to the east of Risley

I recommend that the Local Plan be modified by deleting the Areas of Local Landscape Significance from the Proposals Map.

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APPENDIX 1

LISTS OF OBJECTIONS TOO LONG TO FIT INTO THE RELEVANT SECTIONS OF THE REPORT

3.6 PROPOSAL H1 - WESTERN MERE SCHOOL, BREASTON

1	1	Mr	B	Ainsworth	
2	2	Mrs	C	Ainsworth	
4	10	Mrs	M T	Liquorish	
6	14	Mr	B	Roberts	
7	15	Mr	J H	Cox	
12	27	Mrs	D	Canning	
13	23	Mr	J	Canning	
15	29 CW	Mr	P S	Fox	
16	34	Mrs	A B	Mollart	
17	35	Mr	I	Mollart	
18	40		S R	Cockburn	
19	41	Rev	S	Cockburn	
20	46		D A	Cox	
21	47	Mr	N	Whitmore	
23	52	Mrs	C	Whitmore	
24	55	Mrs		Sheldrick	
25	58	Mr		Sheldrick	
26	60	Mr	P	Stuttle	
27	62	Mrs	J	Stuttle	
28	65	Mrs	P	Foweather	
29	1587 CW		S	Stowell	Sport England - East Midlands Region
30	69	Mr	P	Bonnington	
31	71	Mr	K	Whitmore	
32	75	Mrs	J	Whitmore	
33	78		R F	Acton	
34	81	Mrs	B	Kenderdine	
35	83	Mrs	S J	Bartram	
36	87	Mr	R H	Bartram	
37	88		A C	Perkins	
38	91		C	Stevenson	
39	107	Mrs		Truman	
40	125	Mrs	R	Jones	
41	2422	Mrs	A	Stanyon	
42	108	Mr	J G	Stanyon	
43	2426	Mrs	J M	Machin	
44	2427	Mr	P J	Machin	
45	119 CW		I L	Wood	
46	122	Mrs	S	Syson	

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48	123	Mr & Mrs	M	Rose
49	109	Mr	J	Gradwell
50	104	Mrs	R E	Poore
51	105	Ms	A	Winter
52	106	Mrs		Allen
53	111	Mrs	J R	Smith
55	126	Mrs	K	Hart
56	127	Mrs		Statham
57	131	Mrs		Knutton
70	150	Mr	C J	Hough
71	151	Mrs	L	Hough
75	158	Mrs	M	Hunt
78	200	Miss	A	Francks
79	240		J, H	Foster
80	245	Mrs	E	Hedley
81	243	Mr & Mrs		Clegg
84	242	Mrs	J	Percival
86	182		J	Abbott
87	185	Mr	N J	Fullarton-Fletcher
88	201	Mr & Mrs	W F	Taylor
89	202 W	Mr & Mrs	T	Morris
92	194		G R	Mounsey
95	198	Mr	J	Clarke
98	237	Mrs	L	Holmes
99	236	Mr	P	Meynell
100	235	Miss	C	Stanley
101	234	Mrs	D	Stubbs
102	233	Mr & Mrs		Gent
106	226		R	Juffs
108	238	Mr & Mrs	A	Breame
110	248	Mrs	E	Windsor
111	251	Mrs	M	Wright
112	252	Mr	S	Wright
114	254		D G	Fisher
115	258	Mr	J W	Taft Dec'd
116	261	Mrs	D M	Taft
117	262	Mr	E	Winterbottom
118	266	Mrs	R	Tomlinson
119	268	Mrs	J	Toni
120	271	Mr	R	Toni
121	276	Mr	B	Harrison
122	277	Mrs	B	Nutt
123	279	Miss	J	Bentham
124	282	Mr	S	Thurley
125	286	Mrs	G L	Wombwell
126	288		R F	Jepson
128	610	Ms	W	Torkoniak
131	427	Mr	P C	Dishart
132	426	Mr & Mrs		Phillips
134	424	Ms	H	Rhodes
135	422	Mr & Mrs	B	Hadfield
136	719			Withheld
137	414	Mr	D	MacIntyre

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138	516	Ms	C	Foxlow
139	425	Ms	A	Micallef
140	518	Mr	P	Fox
141	519	Mrs	R	Fox
143	485	Mr	S	Daly
145	314	Mrs	G W	Dishart
146	563		J L	Heather
147	609	Ms	J	Smallwood
148	447		J	Peters
149	526		E D	Leaviss
150	449 UW	Mrs	J	Priestley
151	436 W	Mr	H	Curtis
152	566	Mr	D	Hawksworth
153	416	Mr	D A	Yorke
154	410	Mr	K S	Reason
155	411	Mrs	C E	Reason
159	330	Mrs	E P	Heather
160	331	Miss	J	Hunt
161	332 W	Mr	P	Donaldson
162	333	Mr	R M	Barnard
163	334	Mr & Mrs	R	Rees
164	335	Ms	V	Livingston
166	337	Ms	J	Brittain
167	338		S J	Whittle
168	339	Mr	M	Taylor
169	340	Mrs	J M	Taylor
170	341	Mrs	M	Stacey
171	342	Mr & Mrs	R	Sisson
172	343		S B	Brooks
173	344	Mr	B	Wain
174	345	Ms	B	Nicholson
175	349	Mr	M	Woodman
178	1813	Mr & Mrs	S K	Wallace
181	368		A J	Gilbert
182	370		D J	Whyman
186	408		C D	Plumber
188	418	Mrs	M	Cutts
189	421	Mrs	C	Lamb
191	430		J & L	Cockayne
193	435		J	Christian
194	439 CW		P	Plampin
195	440	Ms	MC	Przeslawski
196	444		A	Pallier
198	1151 UW	Mr	J	Parkinson
200	1147	Mr	R	Nash
201	455	Mr & Mrs	W	Badder
203	459	Mr	M	Brodie
204	463 W	Mrs	G	Briggs
205	2721	Mrs		Brewin
206	466		S	Bevitt
209	471		R	Bennett
210	1676	Mr	R	Bond
213	488	Dr	S L	Davies

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214	1504	Mr	R A	Eaton
215	492	Mr & Mrs	M	Edson
216	498	Mrs	P	Milner
217	497	Mr	G	Milner
219	502	Mrs	M	McCaig
220	506		B R	Machin
221	509		K G	Morley
222	511	Mrs	P N	Morton
223	513	Mr	A	Millington
226	1152	Mr & Mrs		Flanagan
228	522	Mr	A	Lawley
229	529	Mrs	M N	Lofthouse
230	531	Mr	F	Lofthouse
231	537	Mr & Mrs	H B	Gray
232	533	Mrs	M	Grant
233	534 CW	Dr	D J	Knight
234	538 CW	Mrs	R E	Knight
236	540	Mrs	A D	Kilvington
239	547	Mr & Mrs	M E	Hayes
241	557 CW		J R	Housley
242	555	Ms	M	Hitchin
246	1148	Mr	J	Hunt
247	569	Mr & Mrs	J	Rumph
248	573	Mr & Mrs	P G	Roberts
249	577	Mrs	J A	Wright
250	580	Mr	J V	Wright
251	1149	Mr & Mrs	C J	Whalley
252	1106	Mrs	M	Wildbore
253	586	Ms	D A	West
254	588		J	Wooley
255	593	Mrs	M M	Walpole
256	596	Ms	G	Walker
257	597	Mrs	L	Williams
258	600	Mr	M	Williams
260	605		B G	Swallow
263	613 CW	Ms	A	Thornton
267	622	Mr	D	Trowhill
268	625	Mrs	C A	Shaw
269	627	Mr	G M	Shaw
270	630	Mr	C	Shaw
271	635	Mr & Mrs	D R	Statham
273	637	Mrs	G	Stafford
274	642	Mrs	J	Salt
275	645	Mr & Mrs	R	Stevenson
276	648		B J	Sanders
277	651	Mr	T A	Simons
278	655	Mr	A E	Simons
279	656	Mr	W	Steeples
280	1150	Ms	D	Sharlot
283	690	Ms	F	Naylor
284	691	Ms	E	Naylor
285	694	Mrs	M	Cleaver
286	3187	Mr	P	Bowdler

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287	698		T B	Hawkins	
288	701	Mrs	O	Goss	
289	703	Miss	V	Goss	
292	710	Mr	G W	Keeling	
293	713	Mrs	A	Keeling	
294	1713	Ms	A	Haylett	
295	720		E D	Russell	
296	1714		M	Haylett	
297	723	Miss	P I	West	
298	724	Mr	R	Graham	
299	725	Mr	C	Warwick	
317	804	Mrs		Barker	
318	808	Mr	S	Inight	
319	816	Mrs	S	Inight	
320	812	Mrs	J	Inight	
321	815	Mr	L	Inight	
322	820	Mrs	H	Shepherd	
324	1677	Mr	R K	Rose	
328	900 W				Tarmac Central Ltd
331	3175 CW	Mr	B	Guilford	
332	3176 CW		I F	Guilford	
333	856	Mr	I A	Neil	
335	859	Mrs	J L	Burrows	
336	860	Mrs	M	Cholerton	
337	870	Mr	R R	Thomas	
338	866	Mrs	M E	Blight	
339	1369		A	Smith	
340	869	Mr	C	Lowe	
342	874	Mr & Mrs		Clulow	
344	877	Mr	M G	Ashton	
346	882	Mr	P	Morris	
347	884 W	Mrs	K M	Presswood	
349	1992	Mr	R	Walters	Hallam Land Management Limited
350	913				Northern Sport in Receivership
354	3773 CW	Mr		Marsh	
359	1426	Mrs	R W	Davies	
360	961	Mr & Mrs		Grimmett	
364	1898	Ms	S	Matthews	
369	3179	Ms	C	Hicking	
370	972	Mrs	K	Cockbill	
372	976 CW	Mr	L W	Clulow	
392	1047	Mrs	P L	Morris	
393	1049	Mr & Mrs		Fowkes	
394	1053 CW	Mr & Mrs		Redfearn	
395	1056	Mr	D J	Parker	
397	1059	Mr & Mrs	D M	Jones	
398	1063	Mrs	J	Chaplin	
399	1065	Ms	G E	Roberts	
400	1069	Mrs	J	Crosby	
401	1072	Mr	G	Woolliscroft	
402	1078	Ms	C	Clayton	
403	1076	Mrs	K N	Dunnill	
405	1081		P	Long	

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406	1460	Mr & Mrs	R	Carter	
407	1085	Mrs	A	Gradwell	
408	1086	Mrs	M I	Kinselle	
409	1089		O C	Kinselle	
410	1090	Mr & Mrs		Young	
411	1092	Mr	D	Edwards	
412	1097		R	Baulk	
413	1658	Mrs	D	Coates	
414	1100	Mr	F S	Vanke	
416	1105	Ms	M	Sisson	
417	1107	Mrs	M J	Hanford	
418	2473	Mr	L A	Hanford	
419	1113	Mr	R G	Fisher	
420	1122	Mr	J G	Stanyon	
421	1115	Miss	V J	Wood	
422	1116	Miss	A M	Lord	
423	1118	Mr	P	Lord	
424	1121	Mrs	J	Lord	
425	1126	Mr	D	Jones	
426	1129	Mrs	C A	Wood	
427	1132		D G	Wood	
428	1137		W A	Needham	
429	1139		L	Needham	
430	1142	Mr	M	Greasley	
431	1144	Mr	S	Selby	
432	1145	Ms	S	Wilson	
433	1146	Mrs	J	Smedley	
437	1166	Mr	S	Salt	
438	1169	Mr & Mrs	C	Hawley	
439	1171 W		S R	Holt	
439	1184 W		S R	Holt	
440	1172	Mr	D L	Cope	
441	1175	Mr	G	Wyatt	
442	1179	Mrs	M	Morrell	
443	1180	Mrs	H L	Smith	
444	1185	Mr	D A	Shaw	
445	1187	Mrs	G	Selby	
446	1189	Mrs	M	Meachem	
449	1213	Mrs	S	Cheshire	Breaston Parish Council
462	3362	Mr	P	Johnson	
477	1255	Mrs	M	Tucker	
491	1629 CW	Mr	R	Barker	
492	1657				CPRE Derbyshire Branch
500	1321	Ms	D	Cooper	
501	1320 CW	Ms	L M	Brown	
509	1342	Mr	G W	Corke	
511	1346	Mr	J W	Smith	
512	1347		P M	Musson	
513	1350	Mr	D	Wood	
514	1351		A W	Moore	
515	1810	Mr	D M	Rolley	
519	1833 W	Mr	M	Poultney	
520	1358	Mrs	J P	Haddelsey	

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524	1870	Ms	K	Makepeace
525	1364	Ms	S	Makepeace
527	1367	Mr	M	Wright
529	1374	Ms	L	Wandsworth
530	1378	Mrs	J	Pottage Smith
531	1381		J O H	Carter
532	1382	Mr	A	Chapman
534	1388	Mrs	T D	Freudenreich
535	1391	Ms	S	Pell
536	1393	Mr	M J	Stock
537	1394			Thompson
538	1397	Mrs	D M	Thompson
539	1402	Mr & Mrs	W	Guy
546	3243	Mrs	M E	Taylor
547	1413		H E	Messam
548	3398	Mrs	P	Malster
549	1418	Mr	R	Wildbore
551	3294	Mrs	L	Ward
552	1421	Miss	S	Lowe
553	2417	Mrs	M	Lowe
559	1433	Mr	I B	Berry
561	1438	Mr	P J	Berry
562	1441	Mr	R A	Berry
563	1443	Ms	J	Berry
573	1456	Mrs	J M	Morris
574	1459	Mrs	L	Bennett
577	3295	Ms	S	Ward
578	1915	Ms	J	Sawyer
579	1473	Mrs	J	Edwards
580	1472	Miss	S	Edwards
581	1475	Mrs	J	Graham
582	1478	Mr & Mrs	T A	Woolley
583	1481		A	Eliot
586	1485	Mr & Mrs		Lees
587	1490		K	Kirk
588	1696	Mr & Mrs	B	Sheldon
589	1493	Mr	A	Smith
590	1495	Mrs	G	Smith
591	1503	Mr	R	Clifford
592	1502	Mrs		Wright
593	1507	Ms	L	Green
594	1510	Mr	C	Green
597	1513	Ms	K	Elam
598	1516	Mrs	A	Marsh
599	1883	Mr	P J	Marston
600	1518	Ms	D M	Marston
601	1520	Ms	K	Marston
603	1525	Mr	F	Willatt
605	1882	Mrs	M E	Juffs
606	1528	Mr	C P	Juffs
645	1624	Mr & Mrs	G	Needham
646	1625	Mr	A	McGregor
647	1626	Mrs	H M	Bennett

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652	1659		D J	Casswell
653	1660	Ms	J	Neely
654	1661	Mrs	D C	Quarton
655	1662	Mrs	W	Tucker
656	1663	Mr	M	Horrobin
657	1664		B C	Casswell
658	1665	Mr	D D	Hoyle
659	1666	Mrs	P A	Hoyle
660	1667	Mr	A	Hoyle
660	3692	Mr		Hoyle
661	1668		D	Simpson
662	1669		W	Pemberton
663	1670		B S	Tomlinson
664	1671	Mr	C	Davison
665	1672	Mrs	C P	Davison
666	1673		J H	Treece
667	1674	Mr	J	Buxton
668	1675	Mrs	S	Pemberton
669	1678	Mr	M	Squires
670	1679	Mrs	J	McGregor
671	1680	Ms	A	Davidson
672	1681	Mr	S	Lowe
673	1682	Mr	W	Yeomans
674	1683	Ms	J	Tysoe
675	1684	Mr & Mrs	L D	Ashford
676	1685	Mr	B M	Bennett
682	1697	Mrs	C	Kent
683	1698 UW	Mr & Mrs	A	Burton
684	1699		D H	Hales
685	1700	Ms	L	Alliott
686	1701	Mr	K	Alliott
687	1702	Mrs	L J	Fantom
688	1703	Mr	D C	King
689	1704 W	Mr	D A	Boot
690	1705		I	Shiel
691	1706	Ms	J	Black
692	1707		R W	Ringrose
693	1708		C D G	Smith
694	1709		B	Payne
695	1710		R E	Foster
696	1711		A	Daly
697	1712		P	Daly
698	1715		R K	Elston
699	1716	Mr	M	Shaw
700	1717		J R	Howe
701	1718	Mr	G	Prickett
702	1719	Mrs	D	Brown
703	1720	Ms	P	Newbold
704	1721	Mr	P	Wilcox
705	1722	Mr	S	Graham
706	1723 W	Ms	M	Rigden
707	1724	Mr & Mrs	M	Simpson
708	1725	Mr	R	Anderton

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

709	1726	Mr	S	Lloyd
710	1727		J V	Smith
711	1728	Ms	M	Ward
712	1729	Ms	H	Butterley
713	1730	Ms	M	Arden
715	1736	Mr & Mrs	K	Bull
716	1737		E	Fisher
717	1738	Ms	J N	Cross
718	1740	Mr	B	Peebles
719	1744	Ms	J	Jacques
720	1743	Mrs	I M	Prickett
721	1910	Ms	J	Underwood
723	1911	Mr	M	Burston
724	1912	Ms	A	Holroyd
725	1890		V R J	Wilson
726	1753	Ms	L	Morley
727	1756	Mrs	D	Gray
728	1757	Mrs	J A	Murby
729	1758	Mrs	D	Martin
730	1759	Mr	D	Martin
731	1760	Mr	T J	Allcock
734	2478	Ms	P A	Slack
749	1807		N R	Trueman
750	1808	Mr & Mrs	H J	Rose
751	1809	Mr & Mrs	L E	Prior
752	1811	Mr	R J	Corke
753	1812	Mrs	B	Corke
754	1814	Mr	P	Appleyard
755	1815	Mr	G	Hartopp
756	1816	Mr	M	Adcock
757	1817	Mrs	P M	Adcock
758	1818	Miss	S	Wasden
759	1819		A E	Stevenson
760	1820		J	Sharlot
761	1821	Mr	D	Sharlot
762	1822		G H	Sharlot
763	1823	Mrs	F	Topps
764	1824	Mrs	P	Litchfield
765	1825	Mr	D	Clarke
766	1826	Ms	I	Snedker
767	1827	Mrs	D E	Ellis
768	1828	Mrs	A	O'Halloran
769	1829	Mr & Mrs	V	Woodward
770	1830		R	Wasley
771	1831	Ms	B	Roberts
772	1832		M J	Bates
773	1834	Mrs	J A	Hurry
774	1835		R&V	Harris
775	1836 CW		T W	Mayfield
776	1837	Mr	E A	Smith
777	1838	Mr & Mrs	J	Rice
778	1839	Ms	H	King
779	1840	Mr	G	Acton

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

780	1841	Mr	D	Roberts
781	1842	Mr	J	Winder
782	1843	Ms	A	Atkins
783	1844	Mrs	B	Stone
784	1845	Mr	A A	Rhodes
785	1846		F	Robinson
786	1847	Mr	A	Marriott
787	1848	Mrs	D	Herrick
788	1849	Ms	J	Corke
789	1850	Mr	B	Bowes
790	1851 W	Mrs	D M	Whitby
791	1852	Ms	P	Rollo
792	1853	Mr	A D	Slater
794	1857	Mrs	B	Thraves
795	1858	Mr	T	Thraves
796	1859	Mr	S	Coates
797	1862	Mr	G A	Taylor
798	1866	Mrs	D M	Weaver
799	1867	Mr & Mrs	J	Light
800	1868	Mrs	E	Wright
801	1869	Mr	A	Rollo
802	1871	Mr	G	Makepeace
803	1872	Mr	L	Lane
804	1873		J S	Russ
805	1874	Mrs	S G	Broer
806	1875	Mrs	E M	Frayne
807	1876	Mr	D	Wilson
808	1877	Miss	M J	Fleming
809	1878	Mr & Mrs		Fleming
810	1879	Mr & Mrs	A	Burrows
811	1880	Mr	E	Allen
812	1881	Mr	M	Wigginton
813	1884	Ms	A	Elam
814	1885	Mrs	B	Ellis
815	1886	Mr	R	Ellis
816	1887	Mrs	C M	Hall
817	1888	Mr & Mrs		Rippin
818	1889		J L	Twells
819	1891	Ms	R	Harrison
820	1892	Mr	D	Hayes
821	1893		J	Thorpe
822	1894	Mr	M	Fox
823	1895	Mr	G	MacGregor
824	1896		P J C	Morris
825	1897	Mr	I T C	Colley
826	1899		C	Vickers
827	1900	Ms	J	Cavey
828	1901	Ms	H	Biggs
829	1902	Mrs	B M	Kaye
830	1903		P B M	Cropper
831	1904 CW		L	Humphries
832	1905	Mrs	J	Wellard
833	1906	Mrs	G M	Shaw

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

834	1907		S	Tizzard
835	1908	Miss	M	Yeomans
836	1909 CW	Ms	J	Jeffs
837	1913	Mr	F	Millward
838	1914		R V	Sawyer
839	1916	Ms	S	Browne
840	1917	Mr	A	King
841	1918	Mr	A	Glover
842	1919	Mr	J	Pycroft
843	1922	Mr	B E	Amos
844	1924	Mrs	M P	Amos
845	1927	Ms	R	Willgrass
846	1929		D	Parker
847	1932	Ms	V	Burston
848	1936	Mrs	F	Smith
849	1937	Mr & Mrs	W	Allen
850	1941	Ms	B	Nielsen
854	3363		R L	Raine
855	3350		J M	Frettingham
857	1993	Ms	E	Trueman
858	1998		J H	Astle-Fletcher
859	1999	Mrs	M E	Ronan
860	2002	Mrs	M H	Negus
862	2006	Mrs	M	Stevenson
864	2010	Mr	R	Marshall
885	2101	Mr	M	Armitage
886	2102	Mr	R	McTernan
887	2105	Mrs	C	McTernan
891	2125	Miss	S C	Wood
892	2128	Mr	R F	Hudson
893	2139	Ms	J	Wilson
894	2410		M A	Derrick
895	2476	Mr	M C	Skipp
896	2477	Mrs	M	Skipp
897	2412		H	Farnsworth
898	2142		M	Newbold
900	2140	Mr	I F	White
901	2480	Mrs	S	Burford
902	2411	Mrs	A P	Nurse
903	2409	Mr	G	Nurse
904	2694	Mrs	M	Taylor
905	2147 CW	Ms	J	Jowett
906	2150	Mr	P A	Taylor
907	2151	Mrs	V	Doleman
909	2613	Mr	S	Bowley
916	2611	Ms	T	Moss-Pearce
917	2424	Mrs	J A	Hind
918	2419		P	Hall
919	2420	Mr	A J	Hind
920	3181	Mr	G	Langley
921	2425		M E	Pinder
922	2428	Ms	J A	Pemberton
923	2423	Mrs	D	Wingate

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

924	3185		S R	Pinder
926	2229	Mr	D	Clow
927	3245	Mrs	M	Clow
929	2482	Mr	A W E	Wood
930	2481	Mr	W	Burford
939	2413	Mr		Repton
940	2414	Ms	M	Glover
943	2329	Mrs	D	Fowler
944	2334		C M	Slack
945	3194	Mr & Mrs		Kirk
948	2341	Mr	S	Reavill
950	2343	Mrs	J	Butcher
952	3974		H G	Nuttall
953	2418	Mr	H	Blackburn
954	2415	Mr & Mrs		Bootham
958	2421	Mr	B	Lofthouse
959	2725		B J	Needham
960	2729	Mrs	J	Tyers
961	2728	Mr	G M	Tyers
963	2695	Mrs	P E	Hicking
964	2393	Mr	H E	Smith
965	2394	Mr	J C	Whyman
966	2398	Mr	D	Lowe
967	2687	Mrs	I F	White
968	2474		A M	Winfield
969	2479	Mrs	L	Watkins
970	2475	Ms	J	Sanderson-Mann
971	3271	Mr	M D	Reavey
972	2416	Mrs	S D	Ainsworth
973	2429		P T	Winter
975	3975	Mr	C	Nuttall
987	2696	Mrs	M V	Reavey
988	3337	Mr	G	Harper
989	3338	Mrs	R	Harper
990	3339	Mr & Mrs		Bartram
991	3246	Ms	M	Keymer
992	2758	Mr & Mrs		Marshall
993	3248	Mr & Mrs		Morrell
994	3252	Miss	A	Edwards
995	3255		R N	Pickering
996	3257		J	Bates
997	3260	Mr	V	Taylor
998	3261	Mrs	J A	Lord
999	3262	Mr	A C	Lord
1000	3265	Mr & Mrs		Sutton
1001	3266	Mr	C C	Shelton
1002	3267	Ms	W	Shelton
1003	3268	Mr	P	Johnson
1004	3269	Mr & Mrs		Kilbourne
1005	3270		D&E	Stopford
1006	3272	Mr	N P	Keen
1007	3273		F A	Partridge
1008	2810	Mr	K	Thornhill

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1009	3274	Mrs	I	Robinson
1011	3341	Mr	R	Beeching
1012	3342	Mr	D	Barber
1013	3343	Mrs	E	Hind
1014	3344	Mr & Mrs		Bradbery
1015	3345	Mr	S	Cottee
1016	2516		R A	Summers
1017	3346	Mr & Mrs	D	Pike
1018	3348	Mrs	S L	Rose
1019	3349	Mr	G L	Rose
1020	3354	Ms	M	Clarke
1022	3355	Mr	N	Thompson
1023	3357	Mr & Mrs		Grace
1025	3358	Mrs	A	Chambers
1026	3360	Ms	C	Binding
1027	3364	Mrs	J	Sheldon
1028	3366	Mr	R	Allen
1029	3367	Ms	L	Danby
1030	3368	Mrs	D M	Talbot
1031	3331		S	Grundy
1032	3370	Mrs	W V	Longden
1033	3371		PA	Simpson
1034	3372	Mr & Mrs		Mawer
1035	3351	Mr	J	Rushby
1036	3352	Mrs	L	Rushby
1037	3275	Dr	M J	McCullagh
1038	3276		H	McCullagh
1039	3278	Mr	J L	Basham
1040	3279	Mrs	L	Phillips
1041	3281	Mr & Mrs	H	Rigby
1043	3289	Dr	T M	Grieve
1044	3290	Mrs		Webster
1045	3291	Ms	M	Webster
1046	3333 CW	Mr & Mrs	M G	Goodey
1047	3326	Mr & Mrs		Shipman
1048	3328	Mr	D I	Orchard
1049	3327	Cllr	M A	Orchard
1050	3329	Mr & Mrs	R J	Barber
1051	3334	Mr	A	Beadling
1052	3300	Ms	A E	Patterson
1053	3330	Mrs	E C	Grundy
1054	3292		K A	Ward
1055	3296	Mr	M	White
1056	3297		W	Eyre
1057	3293		M G	Ward
1058	3302	Mr & Mrs		Large
1059	3303	Ms	Y	Mallinson
1060	3304	Mr & Mrs		Walker
1061	3305	Mrs	R	Watson
1062	3306	Mr & Mrs	P	Winfield
1063	3332	Mrs	C	Clarke
1064	3307	Mrs	K A	Hornby
1065	3308	Mr	E A	Hornby

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1066	3298	Ms	A	Francis
1069	3239	Mr & Mrs	D	Fulcher
1070	3240	Mr & Mrs	J	Danby
1071	3241	Mr	C	Winfield
1072	3309	Mr	A	Moody
1073	3311	Miss	S	Burton
1074	3312	Mr	N	Toon
1075	3313	Mrs	S E	Toon
1076	3314	Miss	H J	Toon
1077	3315	Mr & Mrs	K	Church
1078	3316	Mrs	P	Darkins
1079	3317	Ms	E	Darkins
1080	3318	Mr	D	Newman
1081	3320			Fearn
1082	3321	Ms	G	Bartram
1083	3322	Mr	R	Minton
1084	3324	Ms	G	Chapman
1085	3323	Ms	L	Chapman
1086	3258	Mr & Mrs	W&I	Smith
1087	2606	Mr	P	Hicking
1088	2690	Ms	E	Prior
1089	2609	Mrs	K M	Jackson
1090	2615	Mr	N	Whittaker
1091	2618	Ms	J	Grant
1093	2626	Mrs	J	Fletcher
1094	2627	Mrs	D	Bowes
1095	2633 W	Mr	G	Presswood
1096	2634	Mrs	C D	Crossman
1098	2638	Mr	A G	Wood
1099	2641	Mr	C D	Haslam
1100	2644	Miss	M P	Wood
1101	2647	Mr & Mrs		Green
1102	2648	Mr	P	Davis
1103	2651	Mrs	S	Atkins
1104	2653	Mr	T J	Pearson
1105	2656	Mrs	C A C	Pearson
1106	2658	Ms	O	Riddell
1108	2661	Mr	K	Barrow
1109	2665		J	Bennett
1116	2675	Mr & Mrs	H R	Woodhouse
1117	2679	Ms	C	Gardner
1118	2681	Mr	T	Gardner
1119	2685	Mrs	W	Grice
1120	3325	Mr	A	Chapman
1121	2689	Ms	E	Ruff
1122	2693	Miss	E M	Green
1123	2697	Mr	I R	Winup
1124	2698			Hawkes / Syson
1125	2699		S	Waplinton
1126	2702	Mr	D R	Price
1127	2705	Mrs	D A	Price
1128	2708	Ms	C	Smith
1129	2713	Mr	H G	Pemberton

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1130	2716	Mrs	E	Pemberton
1131	2719	Mr & Mrs	J&B	Limb
1133	2723	Miss		Brewin
1135	3284		C	Cherry
1136	3288	Mr	P S	Heath
1137	3287	Mrs	S J	Heath
1138	2755	Mrs	D	Gavagn
1140	2759	Dr	J A	Higgins
1141	2763	Mrs	A J	Beeching
1142	2765	Mrs	D	Wortley
1143	2766	Mr & Mrs	M	Haynes
1144	2767			Wood
1146	3282	Mr & Mrs	J	Tinkler
1148	3253	Mr	M	Poulson
1149	3254	Mrs	M	Poulson
1151	3264	Mr	P	Hind
1152	3263	Mrs	B R	Hind
1153	3247		A	Orgill
1155	3259	Mrs	C M	Pegg
1156	3251	Mr	KE	Watson
1157	3277	Mrs	J	Haslam
1158	2804	Mr	W R	Hinks
1159	2807	Mrs	S M	Davies
1165	3285	Mrs	R	Carpenter
1166	2831	Ms	A	Dorian
1167	2834	Ms	B E	Rippin
1172	3335	Ms	S	Nemeti
1173	3369		J	Fearn
1176	3373		W	Orgill
1177	3340	Mr	C	Northover
1186	3347	Ms	L	Ellis
1188	3283	Mrs	M V	Wiggins
1192	3359	Ms	P	Perkins
1193	3361	Mrs	S	Johnson
1195	3301		S W	Judson
1197	2922 W	Mrs	V	Browne
1198	2925	Mr	N	Townsend
1199	2928	Mrs	T	Townsend
1202	2933	Ms	J	Marston
1203	2936		E	Adams
1204	2939	Mr	P	Cook (Deceased)
1238	3819	Mr		Hunt
1241	3982	Mr & Mrs		Baguley
1272	3310	Ms	R	Seal
1274	3242	Mr	P	Astle
1276	3113	Mrs	J	Keenan
1277	3114 CW	Mr	J	Bowden
1278	3117	Mr & Mrs	J	Skinner
1279	3188	Ms	J S	Greasley
1283	3183	Mr	A I	Topps
1284	3186		J	Simpson
1285	3184		H	Clark
1286	3180 W	Mr	J K	Cooper

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1287	3178	Mrs	M	Metcalfe			
1288	3177	Mr	N	Metcalfe			
1290	3174		A	Patchitt			
1291	3171		K	Smedley			
1292	3182	Mrs	M	Langley			
1293	3145	Mrs	D A	Maltby			
1294	3173	Mrs	Z	Clarke			
1295	3233		A J	Sherlock			
1296	3172		B J	Cutts			
1297	3647	Mrs		Bishop			
1298	3170	Mr & Mrs		Bishop			
1301	3235	Mr	B	Kemp			
1302	3196	Mrs	N	Barry			
1303	3197		D P	Barry			
1304	3199		P	Barry			
1305	3400	Mrs	P M	Peebles			
1305	3952	Mrs		Peebles			
1306	3232	Mr	R T	Shaw			
1307	3234	Ms	K	Sherlock			
1308	3236	Mr	J S	Biggs			
1309	3221	Mrs	M	Houghton			
1310	3237		GWM	Wood			
1311	3238		C M	Wood			
1312	3244		T B	Williams			
1313	3249	Mr & Mrs	T	Mortimer			
1314	3250	Mr	S	Meadwell			
1315	3256	Mrs	M	Jones			
1316	3280	Mrs	U	Sharma			
1317	3286	Ms	L	George			
1318	3299		O M	Wilson			
1319	3319	Mr	A	Woodhouse			
1320	3336	Mr	S	Stamp			
1321	3353		A	Majer			
1322	3356	Ms	C	Fardell			
1323	3365	Mrs	I B	Smith			
1324	3374	Mrs	H N	Roper			
1326	3386				Breaston Group	Village	Preservation
1326	4003						
1330	3875						
1333	3397 W	Mr	S	Stray			
1369	3593	Mr		Wildgoose			
1383	3645	Mr		Canning			
1423	3889			Gardner			

3.23 PROPOSAL H11 - PHASING OF HOUSING

Objections

65	141	Mr	K	Pilkington	
66	146	Mrs	J	Pilkington	
68	148	Mr	P	Lynam	
104	229	Mrs	J	Fowkes	
105	228	Mr	A R C	Fowkes	
107	230		D B	Stephenson	
211	478	Mr	R	Ling	Nottinghamshire County Council
237	545		M	Hewitt	
264	617	Mrs	K M	Talbot	
265	618	Mr	G A	Talbot	
300	729	Mrs	M G	Wright	
301	732	Mr	U S	Wright	
302	736	Mr	D	Storer	
303	775	Mr	P	Smart	
306	781	Mr	J	Smart	
308	785	Mr	J	Woodland	
309	788	Mr	M	Phelps	
311	1536	Ms	S J	Pierrepont	
313	796	Mr	R M	Hepwood	Miller Homes (East Midlands)
326	829				Cairnpalm Ltd
328	894 W				Tarmac Central Ltd
330	851				Dalmally Ltd
387	994	Mr	R	Rusling	Ackroyd & Abbott Homes Ltd
390	1009	Mr	P	Cronk	The House Builders Federation
460	1237	Mrs	R	Counce	
461	1236	Mr	D	Counce	
463	1239		R F	Ames	
476	1254	Miss	M	Hancock	
479	1257	Ms	P	Angliss	
480	1258	Mrs	M	Hector	
481	1259	Mrs	S	Angliss	
482	1260		A M	Hunt	
483	1261	Mrs	P	Cowlinshaw	
484	1262	Mr	R	Bowen	
485	1263	Mrs	E	Bowen	
488	1266	Ms	S	Sauvignet	
494	1304	Mrs	E	Mudd	
495	1305	Mrs	B	Topliss	
496	1309	Ms	S	Morley	
497	1310	Dr	A M	Cowe	
498	1314	Ms	D	Hidson	
499	1324		K B	Hidson	
502	1322	Mrs	D	Smith	
503	1325	Mr	J	Wheeldon	
507	1336		A C	Hewitt	
607	1539		C	Emmerson	

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

608	1531		A	Wheeldon	
609	1533	Mrs	J	Emmerson	
610	1534	Ms	V	Connell	
611	1535	Ms	S	Anderson	
612	1537	Mr	S P	Smith	
613	1538	Mr	M G	Lowry	
614	1540	Mr	K	Brewer	
615	1541	Miss	V	Betts	
616	1542	Mr	C	Major	
617	1543	Mrs	C	Smith	
618	1544	Mr	S	Clarke	
619	1545	Mr	N	Godsmark	
620	1546	Mrs	F	Godsmark	
621	1547	Mr	D	Conlon	
622	1548	Mr	B	Stovin	
623	1549 W	Mrs	M	Smith	
624	1550	Mr	G	Goddard	
625	1551	Mrs	K	Smith	
626	1552	Mr	T	West	
627	1553	Miss	M E	Wheatley	
628	1554	Mr	K O	Samples	
629	1555	Ms	L	Brewer	
630	1556		O M	Bramley	
631	1557	Mr	J	Smith	
632	1558		L	Elliott	
642	2120	Mrs	E	Conlon	
735	2108	Mr	D R	Mudd	
736	2109	Mrs	P	Mudd	
737	2110	Ms	N	Wootton	
738	2112	Mrs	C A	Hufton	
739	2113	Mr	M S	Hufton	
740	2114		K P	Beecroft	
741	2117	Mrs	R	Wheeldon	
742	2124	Mrs	J	Nash	
743	2119	Mrs	J M	Shaw	
744	2111	Mr	R L	Nash	
745	2121	Mr	G	Lloyd	
746	2122	Mr & Mrs	D	Pike	
748	2123	Ms	R	Thorley	
888	2115		P	Beecroft	
889	2116	Mr	O	Wheeldon	
890	2118	Mr	D J	Wheeldon	
1160	2814	Mr	G	Gibson	
1325	3380	Mr	R	Barber	Westbury Homes (Holdings) Limited
1358	3506	Mr	A	Shirley	Country Land & Business Association

4.6 PROPOSAL E1 - LONGMOOR LANE, BREASTON

Objections

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1	6	Mr	B	Ainsworth
2	8	Mrs	C	Ainsworth
4	4	Mrs	MT	Liquorish
5	11		G R I	Burton
6	13	Mr	B	Roberts
7	17	Mr	J H	Cox
12	26	Mrs	D	Canning
13	24	Mr	J	Canning
15	30 CW	Mr	P S	Fox
16	33	Mrs	A B	Mollart
17	36	Mr	I	Mollart
18	38		S R	Cockburn
19	43	Rev	S	Cockburn
20	44		D A	Cox
21	48	Mr	N	Whitmore
22	50	Mrs		Whitmore
24	54	Mrs		Sheldrick
25	57	Mr		Sheldrick
26	59	Mr		Stuttle
27	61	Mrs		Stuttle
28	64	Mrs		Foweather
30	68	Mr	P	Bonnington
31	72	Mr	K	Whitmore
32	73	Mrs	J	Whitmore
33	76		R F	Acton
34	80	Mrs	B	Kenderdine
35	82	Mrs	S J	Bartram
36	85	Mr	R H	Bartram
37	89		A C	Perkins
38	97		C	Stevenson
40	1099	Mrs	R	Jones
41	118	Mrs	A	Stanyon
44	2214	Mr	P J	Machin
45	120 CW		I L	Wood
46	121	Mrs	S	Syson
48	124	Mr & Mrs	M	Rose
49	116	Mr	J	Gradwell
50	117	Mrs	R E	Poore
51	115 CW	Ms	A	Winter
52	114	Mrs		Allen
53	110	Mrs	J R	Smith
54	113	Mrs		Marshall
55	551	Mrs	K	Hart
56	128	Mrs		Statham
57	130	Mrs		Knutton
58	132 CW	Mrs	J	Orgill
59	133 CW	Mr	L	Orgill
60	135	Mrs	L	Lee
61	136	Mr	S	Lee
74	156	Mr	G	Preston
75	157	Mrs	M	Hunt
76	167 CW			
78	170	Miss	A	Francks
79	171		J, H	Foster
80	172	Mrs	E	Hedley
81	174	Mr & Mrs		Clegg
82	175	Mr	G W	Whitehead
83	176	Mrs	B	Whitehead
85	179		S	Paton
86	181		J	Abbott
87	183	Mr	N J	Fullarton-Fletcher
88	186	Mr & Mrs	W F	Taylor

DCC

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

89	188 CW	Mr & Mrs	T	Morris
90	190	Mr	J R	Sensecall
92	192		G R	Mounsey
95	199	Mr	J	Clarke
96	203 W	Mrs	D	Rolley
97	204	Mr	N	Holmes
98	205	Mrs	L	Holmes
99	206	Mr	P	Meynell
100	208	Miss	C	Stanley
101	209	Mrs	D	Stubbs
102	210	Mr & Mrs		Gent
106	224 W		R	Juffs
110	246	Mrs	E	Windsor
111	249	Mrs	M	Wright
113	253	Mr	D J	Wright
114	255		D G	Fisher
115	256	Mr	J W	Taft Dec'd
116	259	Mrs	D M	Taft
117	264	Mr	E	Winterbottom
118	265	Mrs	R	Tomlinson
119	270	Mrs	J	Toni
120	272	Mr	R	Toni
121	274	Mr	B	Harrison
122	278	Mrs	B	Nutt
123	284	Miss	J	Bentham
124	285	Mr	S	Thurley
125	287	Mrs	G L	Wombwell
126	290		R F	Jepson
127	291	Mrs	M	Thomas
128	293	Ms	W	Torkoniak
129	294	Mrs	J	Bates
130	295	Mr	B	Bates
131	296	Mr	P C	Dishart
132	298	Mr & Mrs		Phillips
133	299	Mrs	P A	Dever
134	300	Ms	H	Rhodes
135	301 W	Mr & Mrs	B	Hadfield
136	715			Withheld
136	717			Withheld
137	303	Mr	D	MacIntyre
138	304	Ms	C	Foxlow
139	305	Ms	A	Micallef
140	306	Mr	P	Fox
141	307	Mrs	R	Fox
142	310	Mr	D	Winter
143	311	Mr	S	Daly
144	312		E	Taylor
145	313	Mrs	G W	Dishart
146	315		J L	Heather
147	316	Ms	J	Smallwood
148	317		J	Peters
149	319		E D	Leaviss
150	320 UW	Mrs	J	Priestley
151	321 CW	Mr	H	Curtis
152	323	Mr	D	Hawksworth
153	324	Mr	D A	Yorke
154	325	Mr	K S	Reason
155	326	Mrs	C E	Reason
156	327	Mrs	B C	Taylor
157	328		L	Taylor
158	329	Mr & Mrs	F	Watmough
159	562	Mrs	E P	Heather

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160	428	Miss	J	Hunt
161	484	Mr	P	Donaldson
163	572	Mr & Mrs	R	Rees
164	525	Ms	V	Livingston
165	454	Mrs	J	Northover
167	583		S J	Whittle
169	614	Mrs	J M	Taylor
170	660	Mrs	M	Stacey
171	658	Mr & Mrs	R	Sisson
172	464		S B	Brooks
174	453	Ms	B	Nicholson
175	348	Mr	M	Woodman
176	571	Ms	J	Richardson
181	365		A J	Gilbert
182	373		D J	Whyman
186	407		C D	Plumber
187	415	Mrs	C	Colquhoun
188	420	Mrs	M	Cutts
191	431		J & L	Cockayne
193	434		J	Christian
194	437 CW		P	Plampin
195	441	Ms	MC	Przeslawski
196	445		A	Pallier
197	446	Mr	G	Potts
198	450	Mr	J	Parkinson
200	452	Mr	R	Nash
204	462 W	Mrs	G	Briggs
205	465	Mrs		Brewin
206	467		S	Bevitt
207	468		A	Bevitt
209	472		R	Bennett
210	474	Mr	R	Bond
212	477	Ms	D	Irvine
213	487	Dr	S L	Davies
214	489	Mr	R A	Eaton
215	490	Mr & Mrs	M	Edson
216	493	Mrs	P	Milner
217	495	Mr	G	Milner
218	499			
219	503	Mrs	M	McCaig
220	505		B R	Machin
221	508		K G	Morley
222	512	Mrs	P N	Morton
224	514	Mr	K	McDowall
225	515 CW	Mr	P	Matthews
226	517	Mr & Mrs		Flanagan
228	523	Mr	A	Lawley
229	527	Mrs	M N	Lofthouse
230	530	Mr	F	Lofthouse
231	532	Mr & Mrs	H B	Gray
232	1161	Mrs	M	Grant
234	535 W	Mrs	R E	Knight
235	539 CW	Mrs	A A	Kavanagh
236	541	Mrs	A D	Kilvington
239	548	Mr & Mrs	M E	Hayes
240	552		J E	Hitchin
241	556 CW		J R	Housley
243	559	Mrs		Harvey
244	561 CW	Mr	G	Harvey
245	565	Mr	J	Homer
247	568	Mr & Mrs	J	Rumph
248	574	Mr & Mrs	P G	Roberts

Metropolitan & District Developments Ltd

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249	575	Mrs	J A	Wright	
250	578	Mr	J V	Wright	
251	581	Mr & Mrs	C J	Whalley	
252	582	Mrs	M	Wildbore	
253	584	Ms	D A	West	
254	590		J	Wooley	
255	591	Mrs	M M	Walpole	
256	594	Ms	G	Walker	
257	598	Mrs	L	Williams	
258	601	Mr	M	Williams	
260	607		B G	Swallow	
262	611	Ms	J	Thornhill	
263	612 CW	Ms	A	Thornton	
266	621 CW	Mr	P	Tansey	Nottingham City Council
267	623	Mr	D	Trowhill	
268	3214	Mrs	C A	Shaw	
269	628	Mr	G M	Shaw	
270	632	Mr	C	Shaw	
271	633	Mr & Mrs	D R	Statham	
272	636	Mrs	B	Salmon	
273	638	Mrs	G	Stafford	
274	643	Mrs	J	Salt	
275	646	Mr & Mrs	R	Stevenson	
276	647		B J	Sanders	
277	652	Mr	T A	Simons	
278	653	Mr	A E	Simons	
279	657	Mr	W	Steeples	
280	659	Ms	D	Sharlot	
283	693	Ms	F	Naylor	
284	692	Ms	E	Naylor	
285	695	Mrs	M	Cleaver	
286	697	Mr	P	Bowdler	
287	699		T B	Hawkins	
288	702	Mrs	O	Goss	
289	1483	Miss	V	Goss	
290	704	Mrs	M R	Ockelford	
291	706	Mr	F D	Ockelford	
292	708	Mr	G W	Keeling	
293	712	Mrs	A	Keeling	
294	716	Ms	A	Haylett	
296	1774		M	Haylett	
298	3118	Mr	R	Graham	
299	727	Mr	C	Warwick	
316	2438	Mrs	A	Lane	British Horse Society
317	806	Mrs		Barker	
318	807	Mr	S	Inight	
319	817	Mrs	S	Inight	
320	810	Mrs	J	Inight	
321	814	Mr	L	Inight	
322	819	Mrs	H	Shepherd	
323	821	Mr	G	Butcher	
324	822	Mr	R K	Rose	
329	836	Mr	R	Salmon	Derby City Council
331	852 CW	Mr	B	Guilford	
332	855 CW		I F	Guilford	
334	857 W	Mrs	P	Neil	
335	2272	Mrs	J L	Burrows	
336	3121	Mrs	M	Cholerton	
337	1404	Mr	R R	Thomas	
338	864	Mrs	M E	Blight	
339	1370		A	Smith	
340	868	Mr	C	Lowe	

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341	871	Mr	P	Machin	
342	873	Mr & Mrs		Clulow	
343	876		M	Swindell	
344	878	Mr	M G	Ashton	
345	880	Mr	M R	Reeve	
346	883	Mr	P	Morris	
347	886	Mrs	K M	Presswood	
357	953 CW	Mr	N	Hansen	Highways Agency
359	960	Mrs	R W	Davies	
360	977	Mr & Mrs		Grimmett	
361	963	Mr	J	Sherwood	
362	964	Ms	K	Milliken	
363	965	Ms	A	Corbett	
364	966	Ms	S	Matthews	
365	967	Mrs	S	Merriman	
366	968	Ms	J	Mitchell	
367	969 CW	Mr	D	Mitchell	
368	970		T B	Tippett	
369	971	Ms	C	Hicking	
372	974 CW	Mr	L W	Clulow	
373	978		C	Jamieson	
374	980	Ms	K	Douglas	
375	981	Ms	J	Reid	
376	982		C J	Oates	
377	983	Mrs	J	Crockett	
378	984	Mr	G D	Thomas	
379	985	Miss	C L	Thomas	
380	986	Mrs	J M	Thomas	
381	987	Mr	P	Francis	
382	988	Mrs	C	Francis	
383	989		S	Waldron	
384	990		C A	Spiby	
385	991	Mrs	E	Milliken	
392	1140	Mrs	P L	Morris	
393	1051	Mr & Mrs		Fowkes	
394	1052 CW	Mr & Mrs		Redfearn	
395	1054	Mr	D J	Parker	
396	1058	Miss	P	West	
397	1061	Mr & Mrs	D M	Jones	
398	1062	Mrs	J	Chaplin	
399	1067	Ms	G E	Roberts	
400	1068	Mrs	J	Crosby	
401	1071	Mr	G	Woolliscroft	
402	1073	Ms	C	Clayton	
403	1075	Mrs	K N	Dunnill	
404	1079	Mr	B	Long	
405	1080		P	Long	
406	1082	Mr & Mrs	R	Carter	
407	1083	Mrs	A	Gradwell	
409	1087		O C	Kinselle	
410	1102	Mr & Mrs		Young	
411	1094	Mr	D	Edwards	
412	1096		R	Baulk	
414	2216	Mr	F S	Vanke	
415	1101		C D	Wheatley	
416	1103	Ms	M	Sisson	
417	1109	Mrs	M J	Hanford	
418	2387	Mr	L A	Hanford	
419	1112	Mr	R G	Fisher	
420	1114	Mr	J G	Stanyon	
421	1133	Miss	V J	Wood	
422	1117	Miss	A M	Lord	

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423	1120	Mr	P	Lord	
424	1454	Mrs	J	Lord	
425	1124	Mr	D	Jones	
426	1127	Mrs	C A	Wood	
427	1131		D G	Wood	
428	1136		W A	Needham	
429	1138		L	Needham	
430	1143	Mr	M	Greasley	
435	1163	Mrs	B	Kennett	
436	1164	Mrs	B S	Grundy	
437	1165	Mr	S	Salt	
438	1168	Mr & Mrs	C	Hawley	
440	1174	Mr	D L	Cope	
442	1177	Mrs	M	Morrell	
443	1181	Mrs	H L	Smith	
446	1190	Mrs	M	Meachem	
449	1214	Mrs	S	Cheshire	Breaston Parish Council
456	1231		N C	Peck	
458	1233	Mr	K T	Godfrey	
459	1234	Mr	M A	Slack	
477	2845	Mrs	M	Tucker	
487	1265 W	Mr	M J	Breach	
491	1627 CW	Mr	R	Barker	
492	2741				CPRE Derbyshire Branch
500	1317	Ms	D	Cooper	
501	1318 CW	Ms	L M	Brown	
509	1340	Mr	G W	Corke	
510	1343	Ms	J	France	
511	1344	Mr	J W	Smith	
512	1349		PM	Musson	
513	2270	Mr	D	Wood	
515	1694	Mr	D M	Rolley	
516	1353	Mr & Mrs		Silk	
517	1354	Mr	G	Morrell	
518	1355	Miss	R L	Kennett	
519	1357 W	Mr	M	Poultney	
520	1359	Mrs	J P	Haddelsey	
521	1360		M N	Haddelsey	
523	1362	Mrs	J M	Morrell	
524	1363	Ms	K	Makepeace	
525	1365	Ms	S	Makepeace	
526	1366	Mr	I	Makepeace	
527	1368	Mr	M	Wright	
528	1371	Mr	T E	Sly	
529	1373	Ms	L	Wandsworth	
530	1376	Mrs	J	Pottage Smith	
531	1379		J O H	Carter	
532	3094	Mr	A	Chapman	
533	1384 W	Mr	W R	Freudenreich	
533	1385 W	Mr	W R	Freudenreich	
534	1386 W	Mrs	T D	Freudenreich	
535	1403	Ms	S	Pell	
537	1395			Thompson	
538	1399	Mrs	D M	Thompson	
539	1401	Mr & Mrs	W	Guy	
540	1405	Ms	L	Grammer	
541	1406	Ms	C	Vere	
542	1407	Mr	W	Vere	
543	1408	Ms	A	Vere	
544	1409	Ms	L	Juffs	
545	1410	Ms	L	Jeffs	
546	1411	Mrs	M E	Taylor	

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547	1415		H E	Messam
548	1417	Mrs	P	Malster
549	1428	Mr	R	Wildbore
550	1419	Ms	C	Haynes
551	1420	Mrs	L	Ward
552	1423	Miss	S	Lowe
553	1444	Mrs	M	Lowe
554	1427	Mrs	G	Hickling
555	1429	Mrs	S	Wilson
556	1430	Mr	I	McRobie
557	1431		P	McCaig
558	1432	Ms	L	Lester
559	1436	Mr	I B	Berry
560	1434	Mr	I P	Davies
561	1439	Mr	P J	Berry
562	1442	Mr	R A	Berry
563	1465	Ms	J	Berry
564	1445	Mrs	CE	Towle
565	1446	Ms	J	Freeman
566	1447	Mr	I	Aram
567	1448	Ms	E	Livinstone
568	1449	Dr	D	Turner
569	1450	Mrs	G	Turner
570	1451	Mrs		Cox
571	1452	Mr	M A	Cox
572	1453	Mrs	E M	Sumpter
573	1457	Mrs	J M	Morris
574	3107	Mrs	L	Bennett
575	1463	Mr & Mrs		Sarsfield
576	1466	Ms	S	Bunting
577	1467	Ms	S	Ward
578	1468	Ms	J	Sawyer
579	1471	Mrs	J	Edwards
580	1470	Miss	S	Edwards
581	1476	Mrs	J	Graham
582	1480	Mr & Mrs	T A	Woolley
583	3219		A	Eliot
584	1482		PJ	Matthews
585	1484 UW		B S	Boot
586	1486	Mr & Mrs		Lees
587	1489		K	Kirk
588	1695	Mr & Mrs	B	Sheldon
589	1492	Mr	A	Smith
590	1496	Mrs	G	Smith
591	1497	Mr	R	Clifford
592	1501	Mrs		Wright
593	1505	Ms	L	Green
594	1509	Mr	C	Green
595	1511		K J	Hall
596	1512		J	Hall
598	1515	Mrs	A	Marsh
599	2199	Mr	P J	Marston
600	3119	Ms	D M	Marston
601	1519	Ms	K	Marston
602	1522	Ms	J	Marston
603	1523	Mr	F	Willatt
604	1526	Mr & Mrs	V	Cox
605	2200	Mrs	M E	Juffs
606	1529	Mr	C P	Juffs
645	1971	Mr & Mrs	G	Needham
646	1968	Mr	A	McGregor
647	1966	Mrs	H M	Bennett

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Derbyshire Wildlife Trust

651	1655 W			
652	1979		D J	Casswell
653	1976	Ms	J	Neely
654	1975	Mrs	D C	Quarton
655	2055	Mrs	W	Tucker
656	2796	Mr	M	Horrobin
657	1978		B C	Casswell
658	2013	Mr	D D	Hoyle
659	2014	Mrs	P A	Hoyle
660	2015	Mr	A	Hoyle
661	2016		D	Simpson
662	2017		W	Pemberton
663	2059		B S	Tomlinson
664	1689	Mr	C	Davison
665	1688	Mrs	C P	Davison
666	1690		J H	Treece
667	2052	Mr	J	Buxton
668	1972	Mrs	S	Pemberton
669	1970	Mr	M	Squires
670	1969	Mrs	J	McGregor
671	1963	Ms	A	Davidson
672	1964	Mr	S	Lowe
673	2050	Mr	W	Yeomans
674	1962	Ms	J	Tysoe
675	2018	Mr & Mrs	L D	Ashford
676	1965	Mr	B M	Bennett
677	1686 UW	Mr	R	Chadbourne
678	1687	Ms	L	Steed
679	1691	Mrs	P M	Brewster
680	1692 W		D F	Stevens
681	1693	Ms	A	Ward
682	2020	Mrs	C	Kent
683	2023	Mr & Mrs	A	Burton
686	2022	Mr	K	Alliott
687	3103	Mrs	L J	Fantom
688	3105	Mr	D C	King
689	1949	Mr	D A	Boot
690	1983		I	Shiel
691	1984	Ms	J	Black
692	2021		R W	Ringrose
693	2019		C D	Smith
			G	
694	1982		B	Payne
695	1981		R E	Foster
696	2011		A	Daly
697	2012		P	Daly
698	1945		R K	Elston
699	1946	Mr	M	Shaw
700	1950		J R	Howe
702	1951	Mrs	D	Brown
703	2485	Ms	P	Newbold
704	1953	Mr	P	Wilcox
705	1954	Mr	S	Graham
706	2061	Ms	M	Rigden
707	1956	Mr & Mrs	M	Simpson
708	2744	Mr	R	Anderton
709	1957	Mr	S	Lloyd
710	1958		J V	Smith
711	1959	Ms	M	Ward
712	1952	Ms	H	Butterley
713	1731	Ms	M	Arden
714	1733	Ms	M	Follows

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715	1734	Mr & Mrs	K	Bull
716	3104		E	Fisher
717	2057	Ms	J N	Cross
718	1739	Mr	B	Peebles
719	1741	Ms	J	Jacques
720	1742	Mrs	I M	Prickett
721	2237	Ms	J	Underwood
723	2236	Mr	M	Burston
724	2227	Ms	A	Holroyd
726	1751	Ms	L	Morley
727	1754	Mrs	D	Gray
728	1960	Mrs	J A	Murby
729	1961	Mrs	D	Martin
730	1944	Mr	D	Martin
732	1980		M E	Boot
734	1955	Ms	P A	Slack
749	2174		N R	Trueman
750	2175	Mr & Mrs	H J	Rose
751	2176	Mr & Mrs	L E	Prior
752	2177	Mr	R J	Corke
753	2178	Mrs	B	Corke
754	2054	Mr	P	Appleyard
755	2180	Mr	G	Hartopp
756	2181	Mr	M	Adcock
757	2182	Mrs	P M	Adcock
758	2183	Miss	S	Wasden
759	2185		A E	Stevenson
760	2186		J	Sharlot
761	2187	Mr	D	Sharlot
762	2188		G H	Sharlot
763	2190	Mrs	F	Topps
764	2191	Mrs	P	Litchfield
765	2192	Mr	D	Clarke
766	2193	Ms	I	Snedker
767	2622	Mrs	D E	Ellis
768	2194	Mrs	A	O'Halloran
769	2196	Mr & Mrs	V	Woodward
770	2197		R	Wasley
771	2224	Ms	B	Roberts
772	2202		M J	Bates
774	2431		R&V	Harris
775	2201		T W	Mayfield
777	2205	Mr & Mrs	J	Rice
778	2221	Ms	H	King
779	2222	Mr	G	Acton
780	2223	Mr	D	Roberts
782	2225	Ms	A	Atkins
783	2279	Mrs	B	Stone
784	2610	Mr	A A	Rhodes
785	2278		F	Robinson
786	2277	Mr	A	Marriott
787	2253	Mrs	D	Herrick
788	2274	Ms	J	Corke
791	2267	Ms	P	Rollo
796	1860	Mr	S	Coates
797	1863	Mr	G A	Taylor
798	1947	Mrs	D M	Weaver
799	2266	Mr & Mrs	J	Light
801	2265	Mr	A	Rollo
802	2264	Mr	G	Makepeace
803	2263	Mr	L	Lane
804	2332		J S	Russ

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805	2262	Mrs	S G	Broer
806	2261	Mrs	E M	Frayne
807	2260	Mr	D	Wilson
808	2259	Miss	M J	Fleming
809	2258	Mr & Mrs		Fleming
810	2257	Mr & Mrs	A	Burrows
811	2256	Mr	E	Allen
812	2255	Mr	M	Wigginton
814	2463	Mrs	B	Ellis
815	2461	Mr	R	Ellis
816	2466	Mrs	C M	Hall
819	3123	Ms	R	Harrison
820	3122	Mr	D	Hayes
821	2252		J	Thorpe
822	2443	Mr	M	Fox
823	2251	Mr	G	MacGregor
824	2250		P J C	Morris
826	2245		C	Vickers
827	2244	Ms	J	Cavey
828	2249	Ms	H	Biggs
829	2243	Mrs	B M	Kaye
830	2242		PB M	Cropper
831	2241 CW		L	Humphries
832	2240	Mrs	J	Wellhard
833	2248	Mrs	G M	Shaw
834	2239		S	Tizzard
835	2246	Mrs	M	Yoemms
836	2238 CW	Ms	J	Jeffer
837	2218	Mr	F	Millward
838	2220		R V	Sawyer
839	2284	Ms	S	Browne
840	2285	Mr	A	King
841	3399	Mr	A	Glover
842	2283	Mr	J	Pycroft
843	1920	Mr	B E	Amos
844	1921	Mrs	M P	Amos
845	1928	Ms	R	Willgrass
847	1931	Ms	V	Burston
848	1934	Mrs	F	Smith
849	1939	Mr&Mrs	W	Allen
850	1940	Ms	B	Nielsen
851	1943	Mr	C J	Trueman
852	1948	Mr	A	Crosby
853	1967 CW		RW S	Percival
854	1973		R L	Raine
855	1974		J M	Frettingham
856	1977	Mrs	A	Fowles
857	1994	Ms	E	Trueman
858	1997		J H	Astle-Fletcher
859	2001	Mrs	M E	Ronan
860	2880	Mrs	M H	Negus
861	2003	Mr & Mrs	G P	Smith
862	2004	Mrs	M	Stevenson
863	2007	Mr	M J	Stevenson
864	2009	Mr	R	Marshall
865	2024	Mr	A G	Hands
866	2025	Mrs	J	Mellors
867	2063	Mr	B A	Rigden
868	2065	Mr	S	Matthews
869	2067	Ms	S	Knight
870	2069	Mr & Mrs		Hunter
871	2071	Mr	A G	Hall

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872	2073	Ms	S	Kirk
873	2075	Ms	K	Mooney
874	2077	Ms	L	Moon
875	2079	Ms	E	Sale
876	2081	Mr	A	Wood
877	2083	Ms	M	Scoggins
878	2085	Mrs	L	Green
879	2087	Ms	A	Hobbs
880	2089	Ms	J	Hallam
881	2091	Mr	P	Merriman
882	2093	Ms	L	Meakin
883	2095		S	Wainwright
884	2097	Ms	S	Goldie
885	2099	Mr	M	Armitage
886	2103	Mr	R	McTiernan
887	2106	Mrs	C	McTiernan
891	2129	Miss	S C	Wood
892	2127	Mr	R F	Hudson
893	2484	Ms	J	Wilson
894	2483		M A	Derrick
896	2404	Mrs	M	Skipp
897	2406		H	Farnsworth
898	2486		M	Newbold
899	2211	Mr	D	Newbold
900	2234	Mr	I F	White
901	2141	Mrs	S	Burford
902	2405	Mrs	A P	Nurse
903	2400	Mr	G	Nurse
904	2146	Mrs	M	Taylor
905	2149 CW	Ms	J	Jowett
906	2206	Mr	P A	Taylor
907	2152	Mrs	V	Doleman
909	2173	Mr	S	Bowley
910	2179	Mrs	R A	Wallace
911	2184	Miss	K L	Atkinson
912	2189	Mr	J	Cooper
913	2195	Ms	S	Gent
914	2198	Mrs	W M	James
915	2203		G	Hooley
916	2204	Ms	T	Moss-Pearce
917	2207	Mrs	J A	Hind
918	2208		P	Hall
919	2209	Mr	A J	Hind
920	2210	Mr	G	Langley
921	2212		M E	Pinder
922	2213	Ms	J A	Pemberton
923	2215	Mrs	D	Wingate
924	2219		S R	Pinder
925	2226		S&P	Bassett
926	2228	Mr	D	Clow
927	2230	Mrs	M	Clow
928	2232		D	Parker
929	2233	Mr	AW E	Wood
930	2235	Mr	W	Burford
931	2254	Ms	A	Mills
932	2268	Mrs	S	Mills
933	2269	Mr	D	Wood
934	2271		S E	Knightley
935	2273	Mrs	R	Filor
936	2275		C	Ramsey
937	2276	Mrs	C	Marriott
938	2280	Mr	R	Stone

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939	2281	Mr		Repton
940	2282 W	Ms	M	Glover
941	2286	Mrs	G U	Pearce
942	2287	Mrs	P	Bennett
943	2327	Mrs	D	Fowler
944	2333		C M	Slack
945	2335	Mr & Mrs		Kirk
946	2337	Mrs	T	Richardson
947	2338	Mr	G	Richardson
948	2339	Mr	S	Reavill
949	2342			Anderson
950	2345	Mrs	J	Butcher
951	2346		J D	Barber
959	2388		B J	Needham
960	2389	Mrs	J	Tyers
961	2390	Mr	G M	Tyers
962	2391	Mrs	F J	Smith
963	2392	Mrs	P E	Hicking
965	2395	Mr	J C	Whyman
966	2396	Mr	D	Lowe
967	2399	Mrs	I F	White
968	2401		A M	Winfield
969	2402	Mrs	L	Watkins
970	2403	Ms	J	Sanderson-Mann
971	2471	Mr	M D	Reavey
973	2624 CW		P T	Winter
974	2432	Mr	C D	Ainsworth
975	2434	Mr	C	Nuttall
976	2436	Mr	J Y	Knightley
977	2440	Mr	R	Mulnier
978	2445		V	Gingle
979	2447		A W	Bult
980	2449	Mrs	C	Needham
981	2451	Ms	M	Hardy
982	2453	Mrs	D	Fahy
983	2455	Ms	S	Hardy
984	2457	Mrs	E	Machin
985	2459	Mr	A	Butler
986	2468		J R	Twells
988	2902	Mr	G	Harper
989	2903	Mrs	R	Harper
990	2901	Mr & Mrs		Bartram
991	2797	Ms	M	Keymer
992	2795	Mr & Mrs		Marshall
993	4065	Mr & Mrs		Morrell
994	2790	Miss	A	Edwards
997	2792	Mr	V	Taylor
998	2793	Mrs	J A	Lord
999	2794	Mr	A C	Lord
1000	2772	Mr & Mrs		Sutton
1001	2774	Mr	C C	Shelton
1002	2773	Ms	W	Shelton
1003	2776	Mr	P	Johnson
1004	2777	Mr & Mrs		Kilbourne
1005	2778		D&E	Stopford
1006	2779	Mr	N P	Keen
1007	2780		F A	Partridge
1008	2781	Mr	K	Thornhill
1009	2782	Mrs	I	Robinson
1011	2863	Mr	R	Beeching
1012	2864	Mr	D	Barber
1013	2865	Mrs	E	Hind

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1014	2866	Mr & Mrs		Bradbery
1015	2867	Mr	S	Cottee
1016	2874		R A	Summers
1017	2875	Mr & Mrs	D	Pike
1018	2876	Mrs	S L	Rose
1019	2877	Mr	G L	Rose
1023	2882	Mr & Mrs		Grace
1025	2527	Mrs	A	Chambers
1026	2895	Ms	C	Binding
1027	2898	Mrs	J	Sheldon
1028	2899	Mr	R	Allen
1029	2900	Ms	L	Danby
1030	2853	Mrs	D M	Talbot
1031	2906		S	Grundy
1032	2854	Mrs	W V	Longden
1033	2857		PA	Simpson
1034	2858	Mr & Mrs		Mawer
1035	2859	Mr	J	Rushby
1036	2860	Mrs	L	Rushby
1037	2737	Dr	M J	McCullagh
1038	2667		H	McCullagh
1039	2738	Mr	J L	Basham
1040	2739	Mrs	L	Phillips
1041	2740	Mr & Mrs	H	Rigby
1043	2734	Dr	T M	Grieve
1044	2735	Mrs		Webster
1045	2736	Ms	M	Webster
1046	2843 CW	Mr & Mrs	M G	Goodey
1047	2836	Mr & Mrs		Shipman
1048	2838	Mr	D I	Orchard
1049	2839	Cllr	M A	Orchard
1050	2842	Mr & Mrs	R J	Barber
1051	2846	Mr	A	Beadling
1052	2848	Ms	A E	Patterson
1053	2849	Mrs	E C	Grundy
1054	2850		K A	Ward
1055	2910	Mr	M	White
1056	2851		W	Eyre
1057	2907		M G	Ward
1058	2919	Mr & Mrs		Large
1059	2912	Ms	Y	Mallinson
1060	2913	Mr & Mrs		Walker
1061	2914	Mrs	R	Watson
1062	2915	Mr & Mrs	P	Winfield
1063	2916	Mrs	C	Clarke
1064	2917	Mrs	K A	Hornby
1065	2918	Mr	E A	Hornby
1066	2909	Ms	A	Francis
1067	2577		S	Eyre
1068	2908	Mr	C A	Eyre
1069	3102	Mr & Mrs	D	Fulcher
1070	3106	Mr & Mrs	J	Danby
1072	2929	Mr	A	Moody
1073	2930	Miss	S	Burton
1074	3082	Mr	N	Toon
1075	3083	Mrs	S E	Toon
1076	3081	Miss	H J	Toon
1077	3084	Mr & Mrs	K	Church
1078	3085	Mrs	P	Darkins
1079	3086	Ms	E	Darkins
1080	3087	Mr	D	Newman
1081	3088			Fearn

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1082	3089	Ms	G	Bartram
1083	3090	Mr	R	Minton
1084	3093	Ms	G	Chapman
1085	3095	Ms	L	Chapman
1086	2791	Mr & Mrs	W&I	Smith
1088	2608	Ms	E	Prior
1089	3218	Mrs	K M	Jackson
1090	2616	Mr	N	Whittaker
1091	2619	Ms	J	Grant
1093	2625	Mrs	J	Fletcher
1094	2628	Mrs	D	Bowes
1095	2631	Mr	G	Presswood
1096	2635	Mrs	C D	Crossman
1097	2637	Mr	G	Hirons
1098	2640	Mr	A G	Wood
1100	2642	Miss	M P	Wood
1101	2645	Mr & Mrs		Green
1102	2649	Mr	P	Davis
1104	2652	Mr	T J	Pearson
1105	2657	Mrs	CA C	Pearson
1106	2659	Ms	O	Riddell
1107	2660 CW		C J	Edwards
1108	2662	Mr	K	Barrow
1111	2668		J T	Barlow
1112	2669	Mrs	A	Pywell
1113	2670	Mr	G	Pywell
1114	2671	Ms	G	Harding
1115	2673	Mr	G H	Harding
1116	2676	Mr & Mrs	H R	Woodhouse
1117	2677	Ms	C	Gardner
1118	2682	Mr	T	Gardner
1119	2683	Mrs	W	Grice
1120	2835	Mr	A	Chapman
1121	2754	Ms	E	Ruff
1122	2691	Miss	E M	Green
1123	3110	Mr	I R	Winup
1125	2701		S	Waplinton
1126	2703	Mr	D R	Price
1127	2706	Mrs	D A	Price
1128	2709	Ms	C	Smith
1129	2711	Mr	H G	Pemberton
1130	2714	Mrs	E	Pemberton
1131	2717	Mr & Mrs	J&B	Limb
1132	2720	Mr	A K	Marriott
1135	2731		C	Cherry
1136	2732	Mr	P S	Heath
1137	2733	Mrs	S J	Heath
1139	2756	Mrs	D	Gavagan
1140	2761	Dr	J A	Higgins
1141	2762	Mrs	A J	Beeching
1142	2775	Mrs	D	Wortley
1144	2768			Wood
1145	2769	Mr & Mrs		Elliott
1146	2770	Mr & Mrs	J	Tinkler
1147	2771		J N	Whittaker
1148	2783	Mr	M	Poulson
1149	2784	Mrs	M	Poulson
1150	2785	Ms	J	Pickering
1151	2786	Mr	P	Hind
1152	2787	Mrs	B R	Hind
1153	2788		A	Orgill
1154	2789	Mr & Mrs		Dawkin's

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

1155	2798	Mrs	C M	Pegg
1156	2800	Mr	KE	Watson
1157	2802	Mrs	J	Haslam
1158	2805	Mr	W R	Hinks
1159	2808	Mrs	S M	Davies
1161	2819	Ms	L	Whittaker
1162	2821	Mr	K	Whittaker
1163	2823	Mr	A	Sharma
1164	2825	Ms	S	Sharma
1165	2827	Mrs	R	Carpenter
1166	2829	Ms	A	Dorian
1167	2832	Ms	B E	Rippin
1168	2837	Mr & Mrs		Faulkner
1169	2840	Mr & Mrs	G	Elm
1170	2841	Mr	T	Kennish
1171	2844	Mr	J N	Groves
1172	2847	Ms	S	Nemeti
1173	2852		J	Fearn
1174	2855	Mr	G	Whitt
1175	2856	Mrs	J	Whitt
1176	2861		W	Orgill
1177	2862	Mr	C	Northover
1182	2878		J	Harrison
1183	2879		P	Majer
1184	2881	Mr	J E	Shaw
1185	2883	Mrs	I	Barrow
1186	2885	Ms	L	Ellis
1187	2887		S J	Chambers
1188	2889	Mrs	M V	Wiggins
1189	2891	Ms	M	Lewis
1190	2892		D	Adamek
1191	2893		J M	Adamek
1192	2894	Ms	P	Perkins
1193	2896	Mrs	S	Johnson
1194	2897 CW	Dr	H J	Percival
1195	2904		S W	Judson
1196	2911	Mr	J	Staley
1197	2920 CW	Mrs	V	Browne
1198	2923	Mr	N	Townsend
1199	2926	Mrs	T	Townsend
1200	2931	Mr & Mrs	J	Bowers
1201	2932	Dr	J H	Foster
1203	2937		E	Adams
1204	2941	Mr	P	Cook (Deceased)
1267	3080	Mr	G L	Frost
1268	3091	Mrs	J H	Bowley
1269	3092		S	Bowley
1270	3096	Mr	R	Layland
1271	3097		A	Bramer
1272	3098	Ms	R	Seal
1273	3100	Mr	S J	Bartlett
1274	3108	Mr	P	Astle
1275	3109		P	Newbold
1276	3111	Mrs	J	Keenan
1277	3124 CW	Mr	J	Bowden
1278	3115	Mr&Mrs	J	Skinner
1279	3125	Ms	J S	Greasley
1280	3126	Ms	J	Turville
1281	3128	Mr	G	Griffiths
1282	3130	Mr	H	Dawkins
1283	3131	Mr	A I	Topps
1284	3132		J	Simpson

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1285	3133		H	Clark
1286	3134 W	Mr	J K	Cooper
1287	3135	Mrs	M	Metcalfe
1288	3136	Mr	N	Metcalfe
1289	3137	Mrs	A	Tippett
1290	3138		A	Patchitt
1291	3139		K	Smedley
1292	3140	Mrs	M	Langley
1293	3144	Mrs	D A	Maltby
1294	3147	Mrs	Z	Clarke
1295	3215		A J	Sherlock
1297	3212	Mrs	G	Bishop
1299	3190	Mr	J	Widdowson
1300	3191	Mrs	K	Headley
1301	3192	Mr	B	Kemp
1304	3201		P	Barry
1305	3409	Mrs	P M	Peebles
1306	3213	Mr	R T	Shaw
1307	3216	Ms	K	Sherlock
1308	3217	Mr	J S	Biggs
1309	3220	Mrs	M	Houghton
1310	3222		GWM	Wood
1311	3223		C M	Wood
1324	3376	Mrs	H N	Roper
1326	3387			
1333	3395 CW	Mr	S	Stray

Breaston Village Preservation Group

4.7 PROPOSAL E1 - BRIDGEFIELD, BREASTON

Objections

1	5	Mr	B	Ainsworth
2	7	Mrs	C	Ainsworth
4	9	Mrs	M T	Liquorish
6	12	Mr	B	Roberts
7	16 W	Mr	J H	Cox
12	22	Mrs	D	Canning
13	25	Mr	J	Canning
15	31 W	Mr	P S	Fox
16	32	Mrs	A B	Mollart
17	37	Mr	I	Mollart
18	39		S R	Cockburn
19	42	Rev	S	Cockburn
20	45 W		D A	Cox
23	51 W	Mrs	C	Whitmore
24	53	Mrs		Sheldrick
25	56	Mr		Sheldrick
28	63	Mrs	P	Foweather
30	67 CW	Mr	P	Bonnington
31	70 CW	Mr	K	Whitmore
32	74 CW	Mrs	J	Whitmore
33	77		R F	Acton
34	79	Mrs	B	Kenderdine
35	84	Mrs	S J	Bartram
36	86	Mr	R H	Bartram
37	90 CW		A C	Perkins

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38	96		C	Stevenson
39	92	Mrs		Truman
40	93 W	Mrs	R	Jones
41	94	Mrs	A	Stanyon
42	95	Mr	J G	Stanyon
43	98	Mrs	J M	Machin
43	2314	Mrs	J M	Machin
44	99	Mr	P J	Machin
45	100 CW		I L	Wood
46	101 CW	Mrs	S	Syson
48	102 W	Mr & Mrs	M	Rose
49	103	Mr	J	Gradwell
54	112	Mrs		Marshall
55	550	Mrs	K	Hart
56	129	Mrs		Statham
60	134 W	Mrs	L	Lee
61	137 W	Mr	S	Lee
74	155	Mr	G	Preston
75	159 W	Mrs	M	Hunt
77	169	Mr	A	Francks
80	244 W	Mrs	E	Hedley
81	173 W	Mr & Mrs		Clegg
84	177	Mrs	J	Percival
85	178 CW		S	Paton
86	180		J	Abbott
87	184	Mr	N J	Fullarton-Fletcher
88	187	Mr & Mrs	W F	Taylor
89	189 W	Mr&Mrs	T	Morris
92	193		G R	Mounsey
99	207 W	Mr	P	Meynell
102	227	Mr & Mrs		Gent
106	225 W		R	Juffs
108	239 W	Mr & Mrs	A	Breame
110	247	Mrs	E	Windsor
111	250	Mrs	M	Wright
114	292 W		D G	Fisher
115	257	Mr	J W	Taft Dec'd
116	260 W	Mrs	D M	Taft
117	263 CW	Mr	E	Winterbottom
118	267 W	Mrs	R	Tomlinson
119	269	Mrs	J	Toni
120	273	Mr	R	Toni
121	275	Mr	B	Harrison
123	280 CW	Miss	J	Bentham
124	283 CW	Mr	S	Thurley
126	289 W		R F	Jepson
128	374	Ms	W	Torkoniak
129	375	Mrs	J	Bates
130	406	Mr	B	Bates
130	406	Mr	B	Bates
131	297 W	Mr	P C	Dishart
134	423 W	Ms	H	Rhodes
135	377 W	Mr & Mrs	B	Hadfield
136	718			Withheld
136	2614			Withheld
137	378	Mr	D	MacIntyre
138	382 CW	Ms	C	Foxlow
139	376	Ms	A	Micallef
141	308	Mrs	R	Fox
143	1776 W	Mr	S	Daly
146	385 W		J L	Heather
147	384	Ms	J	Smallwood

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149	386		E D	Leaviss
150	387 UW	Mrs	J	Priestley
151	322 W	Mr	H	Curtis
153	417 W	Mr	D A	Yorke
154	412 W	Mr	K S	Reason
155	413 W	Mrs	C E	Reason
159	351 W	Mrs	E P	Heather
160	352	Miss	J	Hunt
161	353 W	Mr	P	Donaldson
165	355	Mrs	J	Northover
166	460	Ms	J	Brittain
167	356		S J	Whittle
168	357	Mr	M	Taylor
169	358 W	Mrs	J M	Taylor
170	359	Mrs	M	Stacey
172	360		S B	Brooks
173	587 CW	Mr	B	Wain
174	346 W	Ms	B	Nicholson
175	347	Mr	M	Woodman
176	354	Ms	J	Richardson
181	369		A J	Gilbert
182	372		D J	Whyman
186	409		C D	Plumber
188	419	Mrs	M	Cutts
191	432 W		J & L	Cockayne
194	438 W		P	Plampin
195	442	Ms	MC	Przeslawski
196	443		A	Pallier
200	1155	Mr	R	Nash
204	1154 W	Mrs	G	Briggs
205	2722	Mrs		Brewin
209	473 W		R	Bennett
210	475	Mr	R	Bond
213	486	Dr	S L	Davies
215	491	Mr & Mrs	M	Edson
216	494	Mrs	P	Milner
217	496	Mr	G	Milner
219	504 W	Mrs	M	McCaig
220	507		B R	Machin
221	510		K G	Morley
222	1153 W	Mrs	P N	Morton
226	1160	Mr & Mrs		Flanagan
228	524	Mr	A	Lawley
229	528	Mrs	M N	Lofthouse
232	1162	Mrs	M	Grant
234	536 W	Mrs	R E	Knight
236	542 W	Mrs	A D	Kilvington
239	549	Mr & Mrs	M E	Hayes
240	553 CW		J E	Hitchin
241	554 CW		J R	Housley
243	558 W	Mrs		Harvey
244	560 CW	Mr	G	Harvey
245	564	Mr	J	Homer
246	1156 W	Mr	J	Hunt
247	570	Mr & Mrs	J	Rumph
249	576 W	Mrs	J A	Wright
250	579 W	Mr	J V	Wright
251	1157 W	Mr & Mrs	C J	Whalley
252	728	Mrs	M	Wildbore
253	585 CW	Ms	D A	West
254	589		J	Wooley
255	592	Mrs	M M	Walpole

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

256	595 CW	Ms	G	Walker
257	599	Mrs	L	Williams
258	602	Mr	M	Williams
260	606		B G	Swallow
267	624	Mr	D	Trowhill
268	626	Mrs	C A	Shaw
269	629	Mr	G M	Shaw
270	631	Mr	C	Shaw
271	634 W	Mr & Mrs	D R	Statham
273	639	Mrs	G	Stafford
274	641	Mrs	J	Salt
275	644	Mr & Mrs	R	Stevenson
276	649		B J	Sanders
277	650 W	Mr	T A	Simons
278	654 W	Mr	A E	Simons
280	1158	Ms	D	Sharlot
285	696	Mrs	M	Cleaver
286	3165	Mr	P	Bowdler
287	700 W		T B	Hawkins
288	3163	Mrs	O	Goss
289	3164	Miss	V	Goss
290	705	Mrs	M R	Ockelford
291	707	Mr	F D	Ockelford
292	709	Mr	G W	Keeling
293	711	Mrs	A	Keeling
294	1773 CW	Ms	A	Haylett
295	721		E D	Russell
296	722 CW		M	Haylett
298	2330	Mr	R	Graham
299	726	Mr	C	Warwick
316	2439 W	Mrs	A	Lane
317	805	Mrs		Barker
319	809	Mrs	S	Inight
320	811 W	Mrs	J	Inight
321	813 W	Mr	L	Inight
322	818	Mrs	H	Shepherd
324	2031	Mr	R K	Rose
332	854 CW		I F	Guilford
333	3159	Mr	I A	Neil
335	858	Mrs	J L	Burrows
336	861	Mrs	M	Cholerton
337	862	Mr	R R	Thomas
338	863	Mrs	M E	Blight
339	865		A	Smith
340	867 W	Mr	C	Lowe
341	872	Mr	P	Machin
342	875 W	Mr & Mrs		Clulow
344	879 W	Mr	M G	Ashton
346	881	Mr	P	Morris
347	885	Mrs	K M	Presswood
359	1425	Mrs	R W	Davies
360	962 CW	Mr & Mrs		Grimmett
364	2371	Ms	S	Matthews
371	973	Mr	E	Cockbill
372	975 W	Mr	L W	Clulow
373	979		C	Jamieson
392	1048	Mrs	P L	Morris
393	1050	Mr & Mrs		Fowkes
395	1055 CW	Mr	D J	Parker
396	1057	Miss	P	West
397	1060	Mr & Mrs	D M	Jones
398	1064 W	Mrs	J	Chaplin

British Horse Society

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399	1066	Ms	G E	Roberts	
400	1070 CW	Mrs	J	Crosby	
401	2815	Mr	G	Woolliscroft	
402	1077 W	Ms	C	Clayton	
403	1074	Mrs	K N	Dunnill	
406	1461	Mr & Mrs	R	Carter	
407	1084	Mrs	A	Gradwell	
409	1088		O C	Kinselle	
410	1091	Mr & Mrs		Young	
411	1093	Mr	D	Edwards	
412	1095 W		R	Baulk	
413	1098	Mrs	D	Coates	
414	2217	Mr	F S	Vanke	
416	1104	Ms	M	Sisson	
417	1108 W	Mrs	M J	Hanford	
418	1110 W	Mr	L A	Hanford	
419	1111	Mr	R G	Fisher	
420	1123 W	Mr	J G	Stanyon	
421	1134	Miss	V J	Wood	
423	1119	Mr	P	Lord	
424	1455	Mrs	J	Lord	
425	1125 W	Mr	D	Jones	
426	1128 CW	Mrs	C A	Wood	
427	1130 CW		D G	Wood	
428	1135		W A	Needham	
429	2817		L	Needham	
430	1141 W	Mr	M	Greasley	
434	1159	Mr	J	Agnew	
437	1167	Mr	S	Salt	
438	1183 W	Mr & Mrs	C	Hawley	
439	1170 W		S R	Holt	
440	1173 W	Mr	D L	Cope	
441	1176 W	Mr	G	Wyatt	
442	1178	Mrs	M	Morrell	
443	1182	Mrs	H L	Smith	
444	1186	Mr	D A	Shaw	
445	1188 CW	Mrs	G	Selby	
449	1212	Mrs	S	Cheshire	
462	1238	Mr	P	Johnson	
477	2557	Mrs	M	Tucker	Breaston Parish Council
478	1256	Mrs	M	Cross	
492	2743 W				CPRE Derbyshire Branch
500	1316 W	Ms	D	Cooper	
501	1319 CW	Ms	L M	Brown	
509	1341	Mr	G W	Corke	
511	1345 CW	Mr	J W	Smith	
512	1348 CW		P M	Musson	
515	1352	Mr	D M	Rolley	
519	1356 W	Mr	M	Poultney	
522	1361	Ms	L	Palmer	
524	3154	Ms	K	Makepeace	
525	3157	Ms	S	Makepeace	
526	3156	Mr	I	Makepeace	
527	1499 W	Mr	M	Wright	
528	1372	Mr	T E	Sly	
529	1375	Ms	L	Wandsworth	
530	1377	Mrs	J	Pottage Smith	
531	1380		J O H	Carter	
532	2551 W	Mr	A	Chapman	
533	1383 W	Mr	W R	Freudenreich	
534	1387 W	Mrs	T D	Freudenreich	
535	1389	Ms	S	Pell	

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

536	1392	Mr	M J	Stock
537	1396			Thompson
538	1398	Mrs	D M	Thompson
539	1400	Mr & Mrs	W	Guy
546	1412 W	Mrs	M E	Taylor
547	1414 W		H E	Messam
548	1416	Mrs	P	Malster
549	1462	Mr	R	Wildbore
551	2564	Mrs	L	Ward
552	1422 W	Miss	S	Lowe
553	1424 W	Mrs	M	Lowe
559	1435 CW	Mr	I B	Berry
561	1437 CW	Mr	P J	Berry
562	1440 CW	Mr	R A	Berry
563	1464 CW	Ms	J	Berry
573	1458	Mrs	J M	Morris
574	2585	Mrs	L	Bennett
577	2565	Ms	S	Ward
578	2312 W	Ms	J	Sawyer
579	1469	Mrs	J	Edwards
580	1477	Miss	S	Edwards
581	1474	Mrs	J	Graham
582	1479	Mr & Mrs	T A	Woolley
583	3228		A	Eliot
586	1487 W	Mr & Mrs		Lees
587	1488		K	Kirk
588	1491 W	Mr & Mrs	B	Sheldon
589	2382	Mr	A	Smith
590	1494	Mrs	G	Smith
591	1498 W	Mr	R	Clifford
592	1500 W	Mrs		Wright
593	1506	Ms	L	Green
594	1508	Mr	C	Green
598	1514	Mrs	A	Marsh
599	1517	Mr	P J	Marston
600	3120	Ms	D M	Marston
601	1521	Ms	K	Marston
603	1524 W	Mr	F	Willatt
605	1527 W	Mrs	M E	Juffs
606	2310 W	Mr	C P	Juffs
645	2034	Mr & Mrs	G	Needham
646	2032	Mr	A	McGregor
647	2027 CW	Mrs	H M	Bennett
651	1656 W			
653	2041	Ms	J	Neely
654	2026	Mrs	D C	Quarton
655	2056	Mrs	W	Tucker
656	2042	Mr	M	Horrobin
658	2043 W	Mr	D D	Hoyle
659	2044 CW	Mrs	P A	Hoyle
660	2045 CW	Mr	A	Hoyle
661	2046		D	Simpson
662	2037 W		W	Pemberton
663	2060		B S	Tomlinson
664	2040	Mr	C	Davison
665	2039	Mrs	C P	Davison
666	2038 W		J H	Treece
667	2051	Mr	J	Buxton
668	2035 W	Mrs	S	Pemberton
669	2033 W	Mr	M	Squires
671	2028 W	Ms	A	Davidson
672	2029 W	Mr	S	Lowe

Derbyshire Wildlife Trust

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

673	2049 CW	Mr	W	Yeomans
675	2047	Mr & Mrs	L D	Ashford
676	2030 CW	Mr	B M	Bennett
682	1768	Mrs	C	Kent
683	1761 UW	Mr & Mrs	A	Burton
686	1762	Mr	K	Alliott
687	2580	Mrs	L J	Fantom
688	2582	Mr	D C	King
689	1764 W	Mr	D A	Boot
690	1765 CW		I	Shiel
691	1766	Ms	J	Black
692	1767		R W	Ringrose
693	1769		CD G	Smith
694	1770		B	Payne
695	1771 CW		R E	Foster
696	1772 W		A	Daly
697	1775 W		P	Daly
698	1777 CW		R K	Elston
702	1779	Mrs	D	Brown
703	2137 W	Ms	P	Newbold
704	1781	Mr	P	Wilcox
705	1782	Mr	S	Graham
706	2062	Ms	M	Rigden
707	1784	Mr & Mrs	M	Simpson
708	2745	Mr	R	Anderton
710	1785		J V	Smith
711	1786	Ms	M	Ward
712	1780	Ms	H	Butterley
713	1732	Ms	M	Arden
715	1735	Mr & Mrs	K	Bull
716	2581		E	Fisher
717	2058	Ms	J N	Cross
719	1748 CW	Ms	J	Jacques
721	1745 W	Ms	J	Underwood
722	1746	Mr	T M	Prickett
723	1747	Mr	M	Burston
724	1749	Ms	A	Holroyd
725	1750		V R J	Wilson
726	1752	Ms	L	Morley
727	1755	Mrs	D	Gray
728	1787	Mrs	J A	Murby
729	1788	Mrs	D	Martin
730	1789	Mr	D	Martin
731	1790	Mr	T J	Allcock
732	1763 W		M E	Boot
733	1778	Mrs	K E	Crosby
734	1783 W	Ms	P A	Slack
749	2304		N R	Trueman
750	2303	Mr & Mrs	H J	Rose
751	2302	Mr & Mrs	L E	Prior
752	2301 CW	Mr	R J	Corke
753	2300 CW	Mrs	B	Corke
754	2053	Mr	P	Appleyard
755	2298 W	Mr	G	Hartopp
756	2297 CW	Mr	M	Adcock
757	2296 CW	Mrs	P M	Adcock
759	2621		A E	Stevenson
760	2295 W		J	Sharlot
761	2294 W	Mr	D	Sharlot
762	2293 W		G H	Sharlot
763	2292 W	Mrs	F	Topps
764	2291	Mrs	P	Litchfield

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

765	2290	Mr	D	Clarke
766	2289	Ms	I	Snedker
767	2309	Mrs	D E	Ellis
768	2288	Mrs	A	O'Halloran
769	2381	Mr & Mrs	V	Woodward
770	2308		R	Wasley
771	2307	Ms	B	Roberts
773	2305	Mrs	J A	Hurry
774	2430		R&V	Harris
775	2306 W		T W	Mayfield
777	2612	Mr & Mrs	J	Rice
778	2325 W	Ms	H	King
780	2321	Mr	D	Roberts
781	2036 W	Mr	J	Winder
782	2320 W	Ms	A	Atkins
783	2348 W	Mrs	B	Stone
784	2349	Mr	A A	Rhodes
785	2350		F	Robinson
787	2368	Mrs	D	Herrick
788	2354	Ms	J	Corke
789	3229	Mr	B	Bowes
791	2355	Ms	P	Rollo
796	1861	Mr	S	Coates
797	1864 CW	Mr	G A	Taylor
798	1865 W	Mrs	D M	Weaver
799	2324	Mr & Mrs	J	Light
801	2366	Mr	A	Rollo
802	3155	Mr	G	Makepeace
804	2331 W		J S	Russ
805	2356	Mrs	S G	Broer
807	2361	Mr	D	Wilson
808	2362 W	Miss	M J	Fleming
809	2363 W	Mr & Mrs		Fleming
810	2364	Mr & Mrs	A	Burrows
811	2365	Mr	E	Allen
812	2367 W	Mr	M	Wigginton
814	2464	Mrs	B	Ellis
815	2462	Mr	R	Ellis
816	2467 W	Mrs	C M	Hall
819	3168	Ms	R	Harrison
821	2369		J	Thorpe
822	2442 W	Mr	M	Fox
823	2370	Mr	G	MacGregor
824	2444		P J C	Morris
826	2372		C	Vickers
827	2376	Ms	J	Cavey
828	2377 W	Ms	H	Biggs
829	2373	Mrs	B M	Kaye
830	2374		PB M	Cropper
832	2375	Mrs	J	Wellard
833	2378	Mrs	G M	Shaw
834	2247		S	Tizzard
835	2379	Miss	M	Yeomans
836	2380 W	Ms	J	Jeffs
837	2323	Mr	F	Millward
838	2322 W		R V	Sawyer
839	2357	Ms	S	Browne
840	2358 W	Mr	A	King
841	2359	Mr	A	Glover
842	2360	Mr	J	Pycroft
843	1923 CW	Mr	B E	Amos
844	1925 CW	Mrs	M P	Amos

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845	1926	Ms	R	Willgrass
846	1935		D	Parker
847	1930	Ms	V	Burston
848	1933	Mrs	F	Smith
849	1938	Mr & Mrs	W	Allen
850	1942 W	Ms	B	Nielsen
854	2539		R L	Raine
856	2048	Mrs	A	Fowkes
857	1995	Ms	E	Trueman
858	1996		J H	Astle-Fletcher
859	2000 CW	Mrs	M E	Ronan
860	2520	Mrs	M H	Negus
862	2005	Mrs	M	Stevenson
863	2008	Mr	M J	Stevenson
867	2064	Mr	B A	Rigden
868	2066	Mr	S	Matthews
869	2068	Ms	S	Knight
870	2070	Mr & Mrs		Hunter
871	2072	Mr	A G	Hall
872	2074	Ms	S	Kirk
873	2076	Ms	K	Mooney
874	2078	Ms	L	Moon
875	2080	Ms	E	Sole
876	2082	Mr	A	Wood
877	2084	Ms	M	Scoggins
878	2086	Mrs	L	Green
879	2088	Ms	A	Hobbs
880	2090	Ms	J	Hallam
881	2092	Mr	P	Merriman
882	2094	Ms	L	Meakin
883	2096		S	Wainwright
884	2098	Ms	S	Goldie
885	2100	Mr	M	Armitage
886	2104	Mr	R	McTernan
887	2107	Mrs	C	McTernan
891	2130	Miss	S C	Wood
892	2126 CW	Mr	R F	Hudson
893	2131	Ms	J	Wilson
894	2132		M A	Derrick
895	2133	Mr	M C	Skipp
896	2134	Mrs	M	Skipp
897	2135		H	Farnsworth
898	2136 W		M	Newbold
899	2138 W	Mr	D	Newbold
900	2586	Mr	I F	White
901	2545	Mrs	S	Burford
902	2143	Mrs	A P	Nurse
903	2144	Mr	G	Nurse
904	2145 W	Mrs	M	Taylor
905	2148 W	Ms	J	Jowett
906	2319 W	Mr	P A	Taylor
907	2153 W	Mrs	V	Doleman
909	2299	Mr	S	Bowley
910	2326 W	Mrs	R A	Wallace
917	2316 W	Mrs	J A	Hind
918	2318		P	Hall
919	2317 W	Mr	A J	Hind
920	3151 CW	Mr	G	Langley
921	2315		M E	Pinder
922	2313	Ms	J A	Pemberton
923	2311 CW	Mrs	D	Wingate
924	3148		S R	Pinder

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927	2231	Mrs	M	Clow
929	2407 W	Mr	AW	Wood
930	2544	Mr	W	Burford
940	2353 W	Ms	M	Glover
943	2328	Mrs	D	Fowler
945	2336 CW	Mr & Mrs		Kirk
948	2340	Mr	S	Reavill
950	2344	Mrs	J	Butcher
952	2347		H G	Nuttall
953	2351 W	Mr	H	Blackburn
954	2352	Mr & Mrs		Bootham
955	2383		E W	Pritchard
956	2384	Mrs	D	Horsley
957	2385	Mrs	D	Ward
958	2386	Mr	B	Lofthouse
959	2816		B J	Needham
960	2727	Mrs	J	Tyers
961	2726	Mr	G M	Tyers
963	2604	Mrs	P E	Hicking
965	2935	Mr	J C	Whyman
966	2397	Mr	D	Lowe
967	2688	Mrs	I F	White
968	2588		A M	Winfield
970	2587 CW	Ms	J	Sanderson-Mann
971	2408	Mr	M D	Reavey
974	2433	Mr	C D	Ainsworth
975	2435	Mr	C	Nuttall
976	2437	Mr	J Y	Knightley
977	2441	Mr	R	Mulnier
978	2446		V	Gingle
979	2448		A W	Bult
980	2450	Mrs	C	Needham
981	2452	Ms	M	Hardy
982	2454	Mrs	D	Fahy
983	2456	Ms	S	Hardy
984	2458	Mrs	E	Machin
985	2460	Mr	A	Butler
986	2469		J R	Twells
987	2470	Mrs	M V	Reavey
988	2488	Mr	G	Harper
989	2489	Mrs	R	Harper
990	2490	Mr & Mrs		Bartram
991	2491 W	Ms	M	Keymer
992	2492 W	Mr & Mrs		Marshall
993	2493 CW	Mr & Mrs		Morrell
994	2494 W	Miss	A	Edwards
995	2495		R N	Pickering
996	2496		J	Bates
997	2497 W	Mr	V	Taylor
998	2498 W	Mrs	J A	Lord
999	2499	Mr	A C	Lord
1000	2500 W	Mr & Mrs		Sutton
1001	2501 W	Mr	C C	Shelton
1002	2502 W	Ms	W	Shelton
1003	2503 W	Mr	P	Johnson
1004	2504	Mr & Mrs		Kilbourne
1005	2505		D&E	Stopford
1006	2506	Mr	N P	Keen
1007	2507		F A	Partridge
1008	2508	Mr	K	Thornhill
1009	2509 W	Mrs	I	Robinson
1010	2510	Mr	K	Northover

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1011	2511 W	Mr	R	Beeching
1012	2512 W	Mr	D	Barber
1013	2513	Mrs	E	Hind
1014	2514	Mr & Mrs		Bradbery
1015	2515	Mr	S	Cottee
1017	2517	Mr & Mrs	D	Pike
1018	2518	Mrs	S L	Rose
1019	2519	Mr	G L	Rose
1020	2521	Ms	M	Clarke
1021	2522	Mrs	J	Shaw
1022	2523 W	Mr	N	Thompson
1023	2524	Mr & Mrs		Grace
1024	2525	Mrs	M	Bowler
1025	2526 CW	Mrs	A	Chambers
1026	2528	Ms	C	Binding
1027	2529	Mrs	J	Sheldon
1028	2530	Mr	R	Allen
1029	2531	Ms	L	Danby
1030	2532 W	Mrs	D M	Talbot
1031	2533		S	Grundy
1032	2534	Mrs	W V	Longden
1033	2535		PA	Simpson
1034	2536	Mr&Ms		Mawer
1035	2537 W	Mr	J	Rushby
1036	2538 W	Mrs	L	Rushby
1037	2540	Dr	M J	McCullagh
1038	2541		H	McCullagh
1039	2542 W	Mr	J L	Basham
1040	2543 W	Mrs	L	Phillips
1041	2546	Mr & Mrs	H	Rigby
1042	2547	Mr	R	Cherry
1043	2548	Dr	T M	Grieve
1044	2549	Mrs		Webster
1045	2550	Ms	M	Webster
1046	2552 W	Mr & Mrs	M G	Goodey
1047	2553	Mr & Mrs		Shipman
1048	2554 CW	Mr	D I	Orchard
1049	2555 CW	Cllr	M A	Orchard
1050	2556	Mr & Mrs	R J	Barber
1051	2558	Mr	A	Beadling
1052	2559 W	Ms	A E	Patterson
1053	2560	Mrs	E C	Grundy
1054	2561		K A	Ward
1055	2562	Mr	M	White
1056	2563		W	Eyre
1057	2566		M G	Ward
1058	2567	Mr & Mrs		Large
1059	2568	Ms	Y	Mallinson
1060	2569	Mr & Mrs		Walker
1061	2570	Mrs	R	Watson
1062	2571	Mr & Mrs	P	Winfield
1063	2572	Mrs	C	Clarke
1064	2573 W	Mrs	K A	Hornby
1065	2574 W	Mr	E A	Hornby
1066	2575	Ms	A	Francis
1067	2576		S	Eyre
1068	2578	Mr	C A	Eyre
1069	2579	Mr & Mrs	D	Fulcher
1070	2583	Mr & Mrs	J	Danby
1071	2584	Mr	C	Winfield
1072	2589	Mr	A	Moody
1073	2590 W	Miss	S	Burton

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1074	2591 W	Mr	N	Toon
1075	2592 W	Mrs	S E	Toon
1076	2593 W	Miss	H J	Toon
1077	2594	Mr & Mrs	K	Church
1078	2595	Mrs	P	Darkins
1079	2596	Ms	E	Darkins
1080	2597	Mr	D	Newman
1081	2598 W			Fearn
1082	2599	Ms	G	Bartram
1083	2600	Mr	R	Minton
1084	2601 W	Ms	G	Chapman
1085	2602 W	Ms	L	Chapman
1086	2603	Mr & Mrs	W&I	Smith
1087	2605	Mr	P	Hicking
1088	2607	Ms	E	Prior
1089	3227 CW	Mrs	K M	Jackson
1090	2617	Mr	N	Whittaker
1091	2620	Ms	J	Grant
1094	2629	Mrs	D	Bowes
1095	2632	Mr	G	Presswood
1096	2636	Mrs	C D	Crossman
1098	2639	Mr	A G	Wood
1100	2643 CW	Miss	M P	Wood
1101	2646	Mr & Mrs		Green
1102	2650	Mr	P	Davis
1104	2654 W	Mr	T J	Pearson
1105	2655 W	Mrs	C A C	Pearson
1108	2663 W	Mr	K	Barrow
1109	2664		J	Bennett
1110	2666 CW	Mr	P	Atkins
1114	2672	Ms	G	Harding
1115	2674	Mr	G H	Harding
1117	2680	Ms	C	Gardner
1118	2678	Mr	T	Gardner
1119	2684	Mrs	W	Grice
1120	2686 W	Mr	A	Chapman
1121	2753 W	Ms	E	Ruff
1122	2692	Miss	E M	Green
1123	2818	Mr	I R	Winup
1125	2700		S	Waplington
1126	2704	Mr	D R	Price
1127	2707	Mrs	D A	Price
1128	2710	Ms	C	Smith
1129	2712	Mr	H G	Pemberton
1130	2715	Mrs	E	Pemberton
1131	2718	Mr & Mrs	J&B	Limb
1133	2724	Miss		Brewin
1139	2757	Mrs	D	Gavagan
1140	2760	Dr	J A	Higgins
1141	2764	Mrs	A J	Beeching
1155	2799	Mrs	C M	Pegg
1156	2801 W	Mr	KE	Watson
1157	2803	Mrs	J	Haslam
1158	2806	Mr	W R	Hinks
1159	2809	Mrs	S M	Davies
1161	2820	Ms	L	Whittaker
1162	2822	Mr	K	Whittaker
1163	2824	Mr	A	Sharma
1164	2826	Ms	S	Sharma
1165	2828	Mrs	R	Carpenter
1166	2830 W	Ms	A	Dorian
1167	2833	Ms	B E	Rippin

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1186	2886	Ms	L	Ellis
1187	2888		S J	Chambers
1188	2890 CW	Mrs	M V	Wiggins
1195	2905		S W	Judson
1197	2921 CW	Mrs	V	Browne
1198	2924	Mr	N	Townsend
1199	2927	Mrs	T	Townsend
1202	2934	Ms	J	Marston
1203	2938		E	Adams
1204	2940	Mr	P	Cook (Deceased)
1272	3099	Ms	R	Seal
1273	3101	Mr	S J	Bartlett
1276	3112	Mrs	J	Keenan
1277	3142 CW	Mr	J	Bowden
1278	3116	Mr & Mrs	J	Skinner
1280	3127 W	Ms	J	Turville
1281	3129 W	Mr	G	Griffiths
1283	3161 W	Mr	A I	Topps
1284	3150		J	Simpson
1285	3149		H	Clark
1286	3158 W	Mr	J K	Cooper
1287	3153	Mrs	M	Metcalfe
1288	3166	Mr	N	Metcalfe
1290	3160		A	Patchitt
1291	3141		K	Smedley
1292	3152 CW	Mrs	M	Langley
1293	3143	Mrs	D A	Maltby
1294	3146	Mrs	Z	Clarke
1295	3162		A J	Sherlock
1296	3167		B J	Cutts
1297	3169 W	Mrs	G	Bishop
1301	3193	Mr	B	Kemp
1302	3195	Mrs	N	Barry
1303	3198		D P	Barry
1304	3200		P	Barry
1305	3410 CW	Mr	P M	Peebles
1306	3224	Mr	R T	Shaw
1307	3225	Ms	K	Sherlock
1308	3226 CW	Mr	J S	Biggs
1310	3231 W		GWM	Wood
1311	3230 W		C M	Wood
1324	3375	Mrs	H N	Roper
1333	3396 W	Mr	S	Stray
1333	3396	Mr	S	Stray
1326	3385			Breaston Village Preservation Group
1333	3396	Mr	S	Stray

8.5 PROPOSAL R6 - PUBLIC OPEN SPACE, SPORTS FACILITIES AND ALLOTMENTS

Objections

29	1590		S	Stowell	Sport England - East Midlands Region
65	142	Mr	K	Pilkington	
66	144	Mrs	J	Pilkington	

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

76	3798				Derbyshire County Council
104	222	Mrs	J	Fowkes	
105	223	Mr	A R C	Fowkes	
208	470 W	Mr	R	Baker	
237	544		M	Hewitt	
261	608	Mrs	D	Urien	
264	620	Mrs	K M	Talbot	
265	619	Mr	G A	Talbot	
281	672	Mr	M	Gorman	Government Office for the East Midlands
300	730	Mrs	M G	Wright	
301	733	Mr	U S	Wright	
302	737	Mr	D	Storer	
304	776	Mrs	K	Smart	
306	779	Mr	J	Smart	
308	784	Mr	J	Woodland	
309	787	Mr	M	Phelps	
311	1562	Ms	S J	Pierrepont	
313	798	Mr	R M	Hepwood	Miller Homes (East Midlands)
350	904				Northern Sport in Receivership
460	1235	Mrs	R	Caunce	
476	1300	Miss	M	Hancock	
479	1280	Ms	P	Angliss	
482	1274		A M	Hunt	
483	1272	Mrs	P	Cowlinshaw	
484	1268	Mr	R	Bowen	
485	1269	Mrs	E	Bowen	
489	1276	Mr	R	Smith	
496	1308	Ms	S	Morley	
497	1311	Dr	A M	Cowe	
498	1313	Ms	D	Hidson	
499	2630		K B	Hidson	
502	2487	Mrs	D	Smith	
503	1326	Mr	J	Wheeldon	
507	1337		A C	Hewitt	
607	1530		C	Emmerson	
608	1532		A	Wheeldon	
609	1575	Mrs	J	Emmerson	
610	1559	Ms	V	Connell	
611	1560	Ms	S	Anderson	
612	1576	Mr	S P	Smith	
614	1568 CW	Mr	K	Brewer	
615	1569	Miss	V	Betts	
617	1570	Mrs	C	Smith	
618	1571	Mr	S	Clarke	
619	1583	Mr	N	Godsmark	
620	1572	Mrs	F	Godsmark	
621	1582	Mr	D	Conlon	
622	1565	Mr	B	Stovin	
623	1563 W	Mrs	M	Smith	
624	1564	Mr	G	Goddard	
625	1567	Mrs	K	Smith	
626	1574	Mr	T	West	
627	1578	Miss	M E	Wheatley	
629	1579 CW	Ms	L	Brewer	
630	1580		O M	Bramley	
632	1794		L	Elliott	
633	1561		P	Bescroft	
634	1566	Mr	M G	Lowry	

EREWASH BOROUGH LOCAL PLAN - Inspector's Report

635	1573		B	Emmerson
636	1577 CW	Mrs	M	Whitworth
637	1581		G	Bramley
638	1584	Mr	D	Major
642	1802	Mrs	E	Conlon
735	1791	Mr	D R	Mudd
736	1792	Mrs	P	Mudd
737	1793	Ms	N	Wootton
738	1795	Mrs	C A	Hufton
739	1796	Mr	M S	Hufton
740	1797		K P	Beecroft
741	1798	Mrs	R	Wheeldon
742	1799	Mrs	J	Nash
743	1800	Mrs	J M	Shaw
744	1801	Mr	R L	Nash
745	1803	Mr	G	Lloyd
746	1804	Mr& Mrs	D	Pike
747	1805	Mr& Mrs	D	Lee
748	1806	Ms	R	Thorley
1160	2812	Mr	G	Gibson

8.9 PROPOSAL R12 - FLOODLIT ALL-WEATHER PITCH

Objections

8	18	Mrs	M	Owens	
9	19	Miss	E	Owens	
10	20	Mr	M	Owens	
11	21	Mr	D	Owens	
29	1591		S	Stowell	Sport England - East Midlands Region
65	143	Mr	K	Pilkington	
66	145	Mrs	J	Pilkington	
69	149	Mr	& D	Rice	
		Mrs			
104	232	Mrs	J	Fowkes	
105	231	Mr	A R C	Fowkes	
208	469 W	Mr	R	Baker	
237	543		M	Hewitt	
264	615	Mrs	K M	Talbot	
265	616	Mr	G A	Talbot	
281	668 W	Mr	M	Gorman	Government Office for the East Midlands
300	731	Mrs	M G	Wright	
301	734	Mr	U S	Wright	
302	735	Mr	D	Storer	
304	777	Mrs	K	Smart	
305	778	Mr	R	Smart	
306	780	Mr	J	Smart	
307	782	Mrs	P	Phelps	
308	783	Mr	J	Woodland	
309	786	Mr	M	Phelps	
311	790	Ms	S J	Pierrepoint	
463	1240		R F	Ames	
476	1253	Miss	M	Hancock	
479	1279	Ms	P	Angliss	
481	1273	Mrs	S	Angliss	

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482	1275		A M	Hunt
483	1270	Mr	P	Cowlinshaw
484	1271	Mr	R	Bowan
485	1267	Mrs	E	Bowan
488	1301	Ms	S	Sauvignet
489	1277	Mr	R	Smith
490	1278	Mrs	M	Hector
491	1294 W	Mr	R	Barker
494	1303	Mrs	E	Mudd
495	1306	Mrs	B	Topliss
496	1307	Mrs	S	Morley
497	1312	Dr	A M	Cowe
498	1323	Ms	E	Hidson
499	1315		K B	Hidson
503	1327	Mr	J	Wheeldon
507	1338		A C	Hewitt
508	1339	Ms	E	Wild
607	1605		C	Emmerson
608	1620		A	Wheeldon
609	1622	Mrs	J	Emmerson
611	1585	Ms	S	Anderson
612	1603	Mr	S P	Smith
613	1619	Mr	M G	Lowry
615	1614	Miss	V	Betts
617	1610	Mrs	C	Smith
619	1612	Mr	N	Godsmark
620	1613	Mrs	F	Godsmark
621	1616	Mr	D	Conlon
622	1618	Mr	B	Stovin
623	1607 W	Mrs	M	Smith
624	1621	Mr	G	Goddard
625	1602	Mrs	K	Smith
626	1606	Mr	T	West
627	1600	Miss	M E	Wheatley
628	1598	Mr	K O	Samples
629	1596 CW	Ms	L	Brewer
630	1597		O M	Bramley
631	1609	Mr	J	Smith
632	2158		L	Elliott
635	1604		B	Emmerson
636	1601 CW	Mrs	M	Whitworth
637	1623		G	Bramley
638	1608	Mr	D	Major
639	1586	Mr	I	Phelps
640	1595	Mrs	P E	Samples
641	1599		D A	Pearson
642	1611	Mrs	E	Conlon
643	1615	Mrs	J	Major
644	1617	Ms	T	Phelps
735	2154	Mr	D R	Mudd
736	2155	Mrs	P	Mudd
737	2157	Ms	N	Wootton
738	2159	Mrs	C A	Hufton
739	2160	Mr	M S	Hufton
740	2161		K P	Beecroft
741	2164	Mrs	R	Wheeldon
742	2166	Mrs	J	Nash

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743	2167	Mrs	J M	Shaw
744	2172	Mr	R L	Nash
745	2168	Mr	G	Lloyd
746	2169	Mr	&D	Pike
		Mrs		
747	2170	Mr	&D	Lee
		Mrs		
748	2171	Ms	R	Thorley
888	2162		P	Beecroft
889	2163	Mr	O	Wheeldon
890	2165	Mr	D J	Wheeldon
908	2156 W	Mrs	D	Depadova
1160	2813	Mr	G	Gibson
1305	3211	Mrs	P M	Peebles

APPENDIX 2

APPEARANCES AT THE EREWASH LOCAL PLAN INQUIRY

I.S. = Inquiry Session

H. = Hearing Session

TUESDAY 27 JANUARY 2004

<u>SEVERN TRENT PROPERTY LTD</u>	<i>I.S.</i>	<u>EREWASH BOROUGH</u>
<i>Represented by:-</i>		<i>Represented by:-</i>
Advocate: Mr P. Goatley of Counsel Instructed by Mr Richard Wade-Smith (Wilbraham & Co. Minerva House East Parade LeedsLS1 5PS)		Advocate: Mr J. Howlett of Counsel Instructed by Ms E. Minnighan Erewash Borough Council
Witness: Mr J. Gartland (Nathaniel Lichfield and Partners)		Witness: Mr S Kemp (of Lichfield Planning)

WEDNESDAY 28TH JANUARY 2004

<u>BREASTON VILLAGE PRESERVATION GROUP</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Represented by:-</i>		<i>Represented by:-</i>
Mr A. Thomas (Andrew Thomas Planning) Mrs P. Peebles(Chair BVPG) Mrs P. Adcock (Secretary BVPG)		Ms Y. Wright (Erewash Borough Council Planning Department) Mr. P. Scrafton (Lichfield Planning) Mr S. Kemp (Lichfield Planning)
<u>BREASTON PARISH COUNCIL</u>		
<i>Represented by:-</i>		
Councillor Pemberton (BPC Planning Committee Member) Councillor Sharlot (BPC Planning Committee Chair)		
<u>COUNCIL FOR THE PROTECTION OF RURAL ENGLAND</u>		
<i>Represented by:-</i>		
Mr K. Wallace (Member Derbyshire CPRE)		

THURSDAY 29TH JANUARY 2004

<u>ACKROYD & ABBOTT HOMES</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Represented by:-</i>		<i>Represented by:-</i>
Mr J. Lomas (Development Land and Planning)		Ms Y. Wright (Erewash Borough Council Planning Department) Mr. P. Scrafton (Lichfield Planning)
<u>MORLEY PARISH COUNCIL</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Represented by:-</i>		<i>Represented by:-</i>
Cllr. J. Queenborough, Vice Chairman		Ms Y. Wright (Erewash Borough Council Planning Department) Mr. P. Scrafton (Lichfield Planning)
<u>MR J. SMART</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
REPRESENTING HIMSELF		<i>Represented by:-</i>
		Ms Y. Wright (Erewash Borough Council Planning Department) Mr. P. Scrafton (Lichfield Planning)
<u>MR B. EMMERSON</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Representing Himself</i>		<i>Represented by:-</i>
		Ms Y. Wright (Erewash Borough Council Planning Department) Mr. P. Scrafton (Lichfield Planning)

FRIDAY 30TH JANUARY 2004

<u>MR R. W. GILL</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Representing Himself</i>		<i>Represented by:-</i>
Mr R. W. Gill Mr N. Gill		Ms Y. Wright (Erewash Borough Council Planning Department) Ms V. Glew (Erewash Borough Council Planning Department)
<u>MRS L. FLINT</u>	<i>H.</i>	<u>EREWASH BOROUGH</u>
<i>Representing Herself</i>		<i>Represented by:-</i>
		Ms Y. Wright (Erewash Borough Council Planning Department) Ms V. Glew (Erewash Borough Council Planning Department)

TUESDAY 3rd FEBRUARY 2004

MR K. SCATTERGOOD <i>Representing Himself</i>	<i>H.</i>	EREWASH BOROUGH <i>Represented by:-</i>
		Ms Y. Wright (Erewash Borough Council Planning Department) Mr S. Kemp (Lichfield Planning)
MR. B. MITCHELL <i>Representing Himself</i>	<i>H.</i>	EREWASH BOROUGH <i>Represented by:-</i>
		Ms Y. Wright (Erewash Borough Council Planning Department) Mr S. Kemp (Lichfield Planning)
METROPOLITAN AND DISTRICT DEVELOPMENTS Ltd. <i>Represented by:-</i>	<i>H.</i>	EREWASH BOROUGH <i>Represented by:-</i>
Mr C. Waumsley (Freethcartwright LLP Planning and Environmental Group)		Ms Y. Wright (Erewash Borough Council Planning Department) Mr S. Kemp (Lichfield Planning)

WEDNESDAY 4TH FEBRUARY 2004

MR C. R. SHOOTER <i>Represented by:-</i>	<i>I.S.</i>	EREWASH BOROUGH <i>Represented by:-</i>
Mr P.H. Milner (Milner Associates)		Advocate: Mr J. Howlett of Counsel Instructed by Ms E. Minnighan Erewash Borough Council Witness: Ms Y. Wright (Erewash Borough Council Planning Department)
MR D. OLDERSHAW <i>Represented by:-</i>	<i>H.</i>	EREWASH BOROUGH <i>Represented by:-</i>
Mr R. Hancock Mr R. Oldershaw Mr D. Oldershaw		Ms Y. Wright (Erewash Borough Council Planning Department) Mr P. Scrafton of Lichfield Planning

THURSDAY 5TH FEBRUARY 2004

MR J. SIMPKIN <i>Represented by:-</i>	<i>I.S.</i>	EREWASH BOROUGH <i>Represented by:-</i>
Mr C. Young of Counsel (No 5 Chambers, Steelhouse Lane,		Advocate: Mr J. Howlett of Counsel Instructed by Ms E. Minnighan of Counsel

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Birmingham) instructed by Mr A. Plumb, Director of DPDS Central Region Witness: Mr A. Plumb (DPDS)		Erewash Borough Council Witness: Ms Y. Wright (Erewash Borough Council Planning Department)
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APPENDIX 3

DOCUMENTS LISTS

Core Documents

Core Document Number	Name of Document	Date of Document
CD1	Erewash Borough Council Introduction Topic Paper	November 2003
CD2	Erewash Borough Council Population and Housing Topic Paper	November 2003
CD3	Erewash Borough Council Employment Topic Paper	November 2003
CD4	Erewash Borough Council Transportation Topic Paper	November 2003
CD5	Erewash Borough Council Retailing Topic Paper	November 2003
CD6	Erewash Borough Council Environment Topic Paper	November 2003
CD7	Erewash Borough Council Recreation and Leisure Topic Paper	November 2003
CD8	Erewash Borough Council Education and Community Facilities Topic Paper	November 2003
CD9	Erewash Borough Council Development Control Policies	November 2003
CD10	Erewash Borough Council Green Belt Topic Paper	November 2003
CD11	Erewash Borough Council Proposed Pre-inquiry modifications	September 2003
CD12	Erewash Borough Council Urban Capacity Study (Revised)	April 2003
CD13	Erewash Borough Council Second Deposit Written Statement	October 2002
CD14	Erewash Borough Council Revisions Report	October 2002
CD15	Erewash Borough Council Sustainability Appraisal	October 2002
CD16	Erewash Borough Council Urban Capacity Study	October 2002
CD17	Erewash Borough Council Local Plan: First Deposit Written Statement	March 2001
CD18	Erewash Borough Council Environmental Appraisal	March 2001
CD19	Erewash Borough Council Local Plan Adopted 1994	September 1994
CD20	Erewash Borough Council Local Plan - Report on Inquiry into Objections – WA Wood, Inspector	1993
CD21	Erewash Borough Council. Erewash Community Plan 2003-2006	2003
CD22	Erewash Borough Council. The Council's Strategic Housing Plans 2001-2004	
CD23	Derby and Derbyshire Joint Structure Plan. Adopted January 2001 - Explanatory Memorandum	January 2001
CD24	Derby and Derbyshire Waste Local Plan. First Deposit.	May 2002
CD25	Derby Joint Local Transport Plan - Annual Progress Report	July 2002
CD26	Derbyshire Landscape Character Assessment – Consultation Draft	2002
CD27	Derbyshire Local Transport Plan: Ilkeston-Awsorth Link Road	2001

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CD28	Derbyshire Local Transport Plan 2001-2006	2000
CD29	Derby and Derbyshire Joint Structure Plan to 2011. Examination in public – report of the panel.	September 1999
CD30	Derby Joint Local Transport Plan – 2001-2006	July 2000
CD31	Derbyshire Structure Plan. Approved Explanatory Memorandum.	May 1990
CD32	Derbyshire Structure Plan. Submitted Written Statement.	February 1989
CD33	Derbyshire County Council - South and South East Derbyshire Green Belts Local Plan	1983
CD34	Leicestershire, Leicester and Rutland Structure Plan.	May 2000
CD36	Leicestershire, Leicester and Rutland Waste Local Plan – Deposit Draft 1995-2006.	November 2001
CD37	South Derbyshire Local Plan. Revised Deposit Draft.	January 2003
CD38	North West Leicestershire District Council. Housing: Phasing, Design and Density Issues Paper.	January 2001
CD39	North West Leicestershire Local Plan. Public Safety Zones and Safeguarded Area at east midlands Airport – Issues Paper	March 2003
CD40	Amber Valley Borough Council. Revised Deposit Plan.	2002
CD41	Industrial Land Availability Summary for Derby and Derbyshire 2001	February 2003
CD42	Industrial Land Availability in Erewash 2000	2001
CD43	Industrial Land Availability in Erewash 1999	May 2001
CD44	Industrial Land Availability in Erewash 1998	1999
CD45	Residential Land Availability in Erewash 2000	November 2002
CD46	RPG8: Regional Planning Guidance for the East Midlands.	January 2002
CD47	Draft Regional Planning Guidance for the East Midlands to 2021 (Draft RPG8) – East Midlands Local Government Association	April 2003
CD48	Interim Regional Transport Strategy for the East Midlands.	November 1999
CD50	PPG1: General Policy and Principles.	February 1997
CD51	PPG2: Green Belts.	January 1995
CD52	PPG3: Housing.	March 2000
CD53	PPG4: Industrial, Commercial Development and Small Firms.	
CD54	PPG6: Town Centres and retail Developments.	June 1996
CD55	PPG7: The Countryside-Environmental Quality and Economic and Social Development.	February 1997
CD56	PPG8: Telecommunications.	August 2001
CD57	PPG9: Nature Conservation.	October 1994
CD58	PPG10: Planning and Waste Management.	October 1999
CD59	PPG11: Regional Planning.	October 2000
CD60	PPG12: Development Plans.	December 1999
CD61	PPG13: Transport.	March 2001
CD62	PPG14: Development on Unstable Land. Annex 1: Development on Unstable Land – Subsidence and Planning. Annex 2: Development on Unstable Land – Landslides and Planning	1990
CD63	PPG15: Planning and the Historic Environment.	September 1994

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CD64	Changes and Clarifications to PPG15.	January 2001
CD65	PPG16: Archaeology and Planning.	November 1990
CD66	PPG17: Planning for Open Space, Sport and Recreation.	2001
CD67	Assessing Needs and Opportunities: PPG17 Companion Guide	
CD68	PPG21: Tourism.	November 1992
CD69	PPG22: Renewable Energy.	February 1993
CD70	Planning Policy Guidance 22: Annex on photovoltaics	
CD71	PPG23: Planning and Pollution Control.	February 1997
CD72	PPG24: Planning and Noise.	September 1994
CD73	PPG25: Development and Flood Risk.	July 2001
CD74	PPG3 – Housing – Draft revision	2003
CD75	Circular 6/98: Planning and Affordable Housing	1998
CD76	Circular 1/97: Planning Obligations	1997
CD77	Local Plans and Unitary Development Plans: A guide to procedures.	March 2000
CD78	Better Local Plans. A guide to writing effective policies.	October 1997
CD79	2002 Erewash Housing Needs Study - DCA Housing Development Regeneration Consultants	2003
CD80	Erewash Borough Council Sports Facility Strategy – second draft - Knight, Kavanagh and Page (KKP)	2003
CD81	Framework for Sustainable Drainage Systems (SUDS) in England and Wales - National SUDS Working Group	2003
CD82A & 82B	Quality of Employment Land Study (QUELS) - East Midlands Regional Local Government Association	June/July 2002
CD83	Strategic Sustainability Assessment of the Nottingham-Derby Green Belt – Baker Associates	1999
CD84	The State of the Countryside 2000	April 2000
CD85	Tapping the Potential – Assessing Urban Capacity: Towards Better Practice	2000
CD86	Erewash Borough Council - Meadow Lane Industrial Site Development Brief	1994
CD87	Wildlife Sites Register - Derbyshire County Council, Derbyshire Wildlife Trust	
CD88	Erewash Borough Council - Oakwell Brickworks Development Brief	1990
CD89	A38/A61 Abbey Hill Junction – Highways Agency	2003
CD90	Derby City Local Plan Sustainability Review	October 2002
CD91	Derby City Local Plan Revised Deposit	2002
CD92	Draycott Draft Parish Plan	April 2003
CD93	Car Parking Guidelines – Erewash Borough Council	1994
CD94	Derbyshire Local Transport Plan – Annual Progress Report	July 2002
CD96	NLUD Hardcore Sites	2002
CD97	East Midlands Regional Summary – Hardcore Sites	November 2002
CD98	HERS Bid Document	2003
CD99	Achieving Rural Revival – Local Government Association	2003
CD100	Parish Plans & the Planning System – Countryside Agency	March 2003
CD101	HMS Pollution Inspectorate – Planning Liaison with	August 1995

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	Local Authorities	
CD102	Planning for Quality of Life in Rural England – Countryside Agency	1999
CD103	Derby & Derbyshire 2 nd Deposit Waste Local Plan	
CD104	North/South Movements on the M1 corridor in the East Midlands (MIMMS) Final Report	April 2002
CD105	Derby City Urban Capacity Study	October 2002
CD106	Disability Discrimination Act 1995 – A Guide for Everybody	November 1996
CD107	Disability Discrimination Act 1995 – What Service Providers need to know	October 1996
CD108	Rural Transport Partnerships in Derbyshire	
CD109	Strategic Sustainability Assessment of the Nottingham-Derby Green Belt – EMRCGA	August 1999
CD110	Development – A Good Practice Guide	1992
CD111	East Midlands Wildlife – The Future – You can help	
CD112	Broxtowe Local Plan Review – Revised Deposit Draft	January 2001
CD113	Strategic Rail Plan	2003
CD114	Design of Rural Workplace Buildings	August 2000
CD115	Long Eaton Town Centre Regeneration Study	
CD116	Joint Investment Strategy for Erewash Valley	
CD119	Derby's 20/20 Vision – Our Community Strategy	November 2002
CD120	Preparing an Economic strategy for the East Midlands – East Midlands Development Agency	
CD121	Derby City Council National Air Quality Strategy	August 2002 March 2003
CD122	Derby City Summary of Representations for 1 st Deposit Plan	
CD123	DTLR Progress on Adoption of area wide Local Plans & Unitary Development Plans	May 2002
CD124	Erewash Urban Capacity study	2003
CD125	Erewash Pre-Enquiry Changes Document	2003
CD126	DTLR – Delivering Affordable Housing	February 2002
CD127	DPDS React Report for Ilkeston Town Centre	April 1999
CD128	Schedule of Changes to Final Regional Planning Guidance for the East Midlands	
CD129	Planning Inspectorate – Development Plan Enquiries	March 2002
CD130	Regional Environmental Strategy	August 2002
CD131	Derby & Derbyshire Minerals Local Plan – Coal Policies	November 2002
CD132	Liaison with LPAs, Environment Agency	March 1997
CD133	Draft PPS7 Sustainable Development in Rural Areas	
CD134	Derelict Land Survey 1993	1993
CD135	MPG3 – Coal Mining & colliery spoil disposal	
CD136	The Town and Country Planning (Control of Advertisements) Regulations	April 1992
CD137	Erewash Borough Housing Needs Survey	August 2002
CD138	Consultation on Draft Planning Policy Statement 6: Planning for Town Centres	
CD139	Contributing to Sustainable Communities – A New Approach to Planning Obligations	November 2003
CD140	Planning & Compulsory Purchase Bill	
CD141	Inspectors Report of a Public Inquiry Into Objections to the South and South east Derbyshire Local Plan	
CD142	Committee Reports	
CD143	Review and Assessment of Air Quality in Erewash	December 2000

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CD144	Destination 2001 – Regional Economic Strategy for the East Midlands 2003-2010	
CD145	Erewash Borough Council Additional Proposed Changes to the Pre-Inquiry Modifications document	February 2004
CD146	Network Rail's Vision for the Environment	March 2003
CD147	Enabling development and the conservation of heritage assets.	June 2001

Objectors' documents and documents submitted at inquiry

<i>Document Ref</i>	<i>Respondent Ref.</i>	<i>Description</i>
3	Erewash Borough Council	1:2500 map showing West End Drive housing Site and existing 9-hole golf course
72A	Mrs Lesley Flint	Proof, appearing 30 Jan 11.00
94A	DPP	Written Evidence, Tesco Stores
178A	Mr Mrs Wallace	Written Evidence
159A & 1305A	Breaston Village Preservation Group	Proof, 28 Jan, obj 1305 & 159. Objections 3400, 3409, 3953, 330 & 562
159B & 1305B	Breaston Village Preservation Group	5 Sheets of Colour Photographs
218A	Metropolitan & District Dvments	Informal Hearing Statement
218A(H)	Metropolitan & District Dvments	Council's report on 'proposed change of use from residential to mixed residential and offices at 56 Bostocks Lane for Warren Draper'
218B(H)	Metropolitan & District Dvments	Document handed in during inquiry session (extract from CD29 (page 9))
218C(H)	Metropolitan & District Dvments	Document handed in during inquiry session (relevant extracts from CD20)
218D(H)	Metropolitan & District Dvments	Document handed in during inquiry session (Appeal decision T/APP/N1025/A/91/190661/P3)
218E(H)	Metropolitan & District Dvments	Appeal decision T/APP/N1025/A/99/1025302/P4
218E(I)	Metropolitan & District Dvments	Highways letter dated 4/4/01 from the Area Development Manager
218E(J)	Metropolitan &	<i>Appeal decision APP/5171/A/78/8600</i>

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	District Dvments	<i>and Inspectors report submitted by the Erewash Borough Council</i>
282A & B	Brian Barber Assoc. on behalf of Corus UK Ltd	Written Evidence and Appendices
312A	RPS	Written Evidence, Summary Objections, Second Site Property Holdings Ltd
312B	RPS	Written Evidence, Objections, Second Site
312AA	Jacobs Cons.	Written Evidence, 4083/84/85, Second Site
325A	Morley Parish Council	Proof of Cllr Queenborough
325B	Morley Parish Council	Letter submitted 19/2/04 by Councillor J Queenborough
326A & B	Antony Aspbury Assoc. on behalf of Cairnpalm Ltd	Written Evidence and Appendices
348A	Severn Trent	Proof of Mr J Gartland
348B	Severn Trent	Appendices
348C	Severn Trent	List of greenbelt additions
348D	Severn Trent	Letter dated 22/03/04, Nathaniel Lichfield & Partners
354A	Env. Agency	Written Evidence, Policy DC10b (354/927)
354B	Env. Agency	Written Evidence, Policy EV8 (354/925)
354C	Env. Agency	Written Evidence, Policy DC9(354/929/949)
387A	Ackroyd & Abbott Homes	Proof, Appearing 10.00 29 Jan Objections 994, 995 & 996
387B	Ackroyd & Abbott Homes	Extracts from April 2003 Budget Report
387C	Ackroyd & Abbott Homes	Definition of urban areas, from the 'Supporting Census Data Text'.
448A	Broxtowe Borough Council	Written Evidence 448/1204, Policy E1
448B	Broxtowe Borough Council	Written Evidence 448/1205, Policy T5
448C	Broxtowe Borough Council	Written Evidence 448/1206, Policy T2
448D	Broxtowe Borough Council	Written Evidence 448/1207, Policy GB8
449A	Breaston P. C.	The Breaston Parish Plan
492A	CPRE (Derbyshire Branch)	Proof, Appearing 28 Jan. 492/1657, Western Mere School
492B		Appendices

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493A	Basil Mitchell	Proof, 493/1302
504A	The Ilkeston and District Local History Society	Appeal decision with related EBC statement and appendices T/APP/N1025/A/97/279530/P9
651A	Derbyshire Wildlife Trust	Written Evidence
1236A	Mr J. R. Parkes	Letter of clarification, 3/12/03
1326A	Andrew Thomas	Proof, BVPG 28 Jan, Policy E1, H1
1327A	McCarthy & Stone	Written Evidence, Objection 3388
1330A	Holmes Anthill	Written Evidence, Westerman Homes
1334A	Mr D Oldershaw	Affidavit handed in during Inquiry Hearing
1334B		Extract from City of Derby Local Plan Inspectors Report dated 12/3/97
1334C		Letter plus attachments from Mr Oldershaw dated 11/2/04
1334D		Map of objection site and Derby County Training Ground
1365A	Wood Frampton	Written Evidence, Roger Bullivant Ltd
1371A	FPD Savills	Written Evidence, Tronos Plc.
1393A	Peter Milner	Proof, Mr C.R. Shooter
1407A & B		Proof and Appendices 5 Feb, Mr Simpkin
1407C	Mr J. Simpkin	County Council report to Cabinet Member meeting - Environment and Transport (undated)
1407D	Mr J. Simpkin	County Council report to Cabinet Member meeting 27/9/01- Environment and Transport, concerning Amber Valley Local Plan review
1407E	Mr J. Simpkin	Ministerial Statement of 17/7/03, on Housing Supply
1407F	Mr J. Simpkin	Extracts from Nuneaton and Bedworth Local Plan Inquiry Inspector's Report, c. January 2004

Statements submitted by Erewash Borough Council

Proof Number	Objector	Objection Number
EBC1/A	Severn Trent Property Limited	348/3918 & 4071
EBC1/B	Severn Trent Property Limited	348/3918 & 4071
EBC1/C	Severn Trent Property Limited	348/3918 & 4071
EBC1/D	Severn Trent Property Limited	348/3918 & 4071
EBC2	Breaston Village Preservation Group	Numerous
EBC2/A	Breaston Village Preservation Group	Numerous
EBC3	Breaston Parish Council	449/1210, 1211, 1212, 1213 & 3711
EBC3/A	Breaston Parish Council	449/1210, 1211, 1212, 1213 & 3711
EBC3/B	Breaston Parish Council	449/1210, 1211, 1212, 1213 & 3711
EBC4	Derbyshire Branch of the CPRE	492/1657
EBC5	Mr P Davis	1102/2648, 2649 & 2650
EBC6	Mr I P Davis	560/1434
EBC7/A	Development Land & Planning Consultants	387/994, 995 & 996
EBC7/B	Development Land & Planning Consultants	387/994, 995 & 996
EBC8	Morley Parish Council	325/823, 827, 3766 & 3765
EBC9	P Smart & J Smart	303 & 306
EBC10	C Emmerson & B Emmerson	607 and 635
EBC11	Mr R W Gill	504/1328
EBC12/A	Mrs L Flint	72/152
EBC12/B	Mrs L Flint	72/152
EBC13/A	K & A Jones	238/546
EBC13/B	K & A Jones	238/546
EBC14	Mr K Scattergood	3/3, 3605 & 3606
EBC15	Mr B Mitchell	493/1302
EBC16	Metropolitan & District Developments Ltd	218/499, 500, 501 & 640
EBC16/A	Metropolitan & District Developments Ltd	218/499, 500, 501 & 640
EBC16/B	Metropolitan & District Developments Ltd	218/499, 500, 501 & 640
EBC17		
EBC18	Mr J Simpkin	1407/ 3746, 4079, 4080, 4082 & 3747
EBC18/A	Mr J Simpkin	1407/3746, 4079, 4080, 4081, 4082 & 3747

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EBC18/B	Mr J Simpkin	1407/3746, 4079, 4080, 4081, 4082 & 3747
EBC19	Roger Bullivant Ltd	1365/ 3566, 3567 & 3856
EBC20	Mrs P Peebles	1305/3403 & 3402
EBC21	The House Builders Federation	390/4102
EBC22	Mrs E Campbell	1391/3678
EBC23	The House Builders Federation	390/1014
EBC24	Transport 2000	447/1202
EBC25	Outdoor Advertising Association	1422/3884
EBC26	The House Builders Federation	390/4104
EBC27	Mr D Corns	450/1220
EBC28	Derby Friends of the Earth	1468/4043
EBC29	Peacock and Smith	454/3948
EBC30	National Farmers Union	106/217
EBC31	The Environment Agency	354/929 & 949
EBC32	Hallam Land Management Ltd	349/1985
EBC33	Mono Consultants	1331/3393
EBC34	Derby Friends of the Earth	1468/4047
EBC35	Sport England	29/1593
EBC36	Peacock and Smith	454/1228
EBC37	Mr Barker	491/3852
	Derby Friends of the Earth	1468/4048
EBC38	National Farmers Union	103/3586
	Mr R Barker	491/3843
EBC39	Government Office for the East Midlands	281/3934
EBC40	Government Office for the East Midlands	281/675
EBC41	West Hallam Parish Council	1409/3759
EBC42	Government Office for the East Midlands	281326/39961/741
	Breaston Preservation Group	
EBC43	English Nature	355/945
EBC44	Breaston Preservation Group	1326/3991
EBC45	Country Land and Business Association	1358/3507
EBC46	WM Morrison Supermarkets Plc	454/1226 & 3945
	British Telecommunications	286/993
	RPS	1410/3746
EBC47	Orange Personal Communications Services Ltd	389/3568
EBC48	Mrs E Campbell	1391/3659
EBC49	National Farmers Union	103/3585
EBC50	Government Office for the East Midlands	281/3944
EBC51	Mr K Scattergood	3/3607
EBC52	Various objectors to H1 & GB1	
EBC53	National Farmers Union	103/213 & 3592
EBC54	English Heritage	185/3635
EBC55	Country Land and Business Association	1358/3532 & 3807
EBC56	Mrs P Peebles	1305/3406, 3407 & 3408
EBC57	Sylvia Morley	496/3620
EBC58	Derby Friends of the Earth	1468/4050
EBC59	Mr C Ball	227/520, 2751 & 2752
	RJB Mining	
EBC60	Locko Estate	73/154
EBC61	Mr & Mrs Parkes	1236/3500
EBC62	The House Builders Federation	390/1012
EBC63	Country Land and Business Association	1358/3534
EBC64	Corus Uk	282/688

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EBC65	Corus UK	282/687, 3749, 3751, 3752, 3754 & 3755
EBC66	FPD Savills	1371/3608 & 3610
EBC67	English Heritage	185/399
EBC68	English Heritage	185/389 & 390
EBC70	S K Wallace & Mrs R A Wallace	178/362
EBC71	Mr N Pugsley	1327/3388
EBC76	National Farmers Union	103/3590
EBC77	National Farmers Union	103/3589
EBC78	Country Land and Business Association	1358/3509
EBC85	Nottinghamshire County Council	211/483 & 3883
	Government Office for the East Midlands	218/685, 738 & 3940
	WM Morrison Supermarkets Plc	454/1227 & 3946
	Westbury Homes (Holdings) Ltd	1325/3384
EBC87	Country Land and Business Association	1358/3530
EBC88	Mr Hind	314/800
EBC89	Various objectors to Proposal R12	
EBC90	Nottinghamshire County Council	211/479 & 3881
EBC91	Various objectors to Proposal R6	
EBC92	Various objectors to Proposal E1 – Longmoor Lane employment site	
EBC93	Various objectors to Proposal H1 – Western Mere housing site	
EBC94	Mr G W Keeling	292/714
	Mrs V M M Wallis	1092/2623
	K Smedley	1291/3189
EBC95	Transport 2000	447/1193
EBC96	Broxtowe Borough Council	448/1206
EBC97	Broxtowe Borough Council	448/1205
EBC99	J D Cox	1382/3980 & 3644
EBC100/A	Newton Park Retirement Benefit Scheme	352/922, 1332/3394, 1332/3950
EBC101	Mr Hancock	1334/3411
EBC102	Various Objectors to Proposal R13	
EBC103	Broxtowe Borough Council	448/1207
EBC104		
EBC105	Various objectors to West End Drive proposed housing site	
EBC106	Various Objectors	
EBC107	The House Builders Federation	390/1004 & 4057
EBC108	Government Office for the East Midlands	281/3941 & 3923
EBC109	Government Office for the East Midlands	281/680
	Country Land and Business Association	491/1285
	Mr R Barker	1358/3513
EBC110	Westbury Homes (Holdings) Limited	1325/3381
EBC111	Mr R Barker	491/3848 & 3849
EBC112	Sport England	29/1588
	National Farmers Union	103/218 & 3588
	Country Land and Business Association	1358/3525
EBC113	Westbury Homes (Holdings) Ltd	1325/3377
EBC114	Northern Sport in Receivership	350/911
EBC115	Anthony Aspbury	326/3658
EBC116	RMC Group Services	1408/3748
	Hallam Land Management Ltd	349/901
EBC117	Freeth Cartwright	330/884 & 847
EBC118	Derbyshire County Council - Education	1369/3594
	G H Sharlot	762/1856
	Hallam Land Management	349/1991

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EBC119	Mr R Barker West Hallam Parish Council	491/1287 & 3845 1409/3757
EBC120	Country Land and Business Association McCarthy Stone (Dev) Ltd English Heritage	1358/3514 & 3515 1327/3389 185/396 & 3631
EBC121	Country Land and Business Association Mr S Middleton	1358/3501 1377/3628
EBC122	Mr S Middleton	1377/3629
EBC123		
EBC124	The Government Office for the East Midlands	281/773
EBC125	UK Coal Mining	227/2746
EBC126	The Environment Agency	354/927
EBC127	The Environment Agency	354/925
EBC128	Derbyshire Wildlife Trust	651/1639
EBC129	Mr D Corns	450/1218
EBC130	P Dunbavin	457/1232
EBC131	The House Builders Federation	390/1010
EBC132	Mr R Barker Country Land and Business Association	491/1288 & 3844 1358/3522
EBC133	Various Objectors to the Environment Chapter	
EBC134	Country Land and Business Association	1358/3511
EBC135	Government Office for the East Midlands	281/3931
EBC136	The House Builders Federation	390/4098
EBC137	The House Builders Federation Country Land and Business Association	390/4058 1358/3503
	Alf Plumb	1407/3745
EBC138	Mr M Birch The House Builders Federation Derbyshire County Council	1473 390 76
	Mr Parker	1474
EBC139	RPS	312/4083, 4091, 4084, 4092, 4085 & 4093
EBC140	The House Builders Federation	390/4099
EBC141	Derbyshire County Council	76/4090
EBC142	The House Builders Federation	390/4101
EBC143	The House Builders Federation	390/4109, 4110 & 4111
EBC144	W Westerman Ltd	1330/A 1330/3392 & 3875
EBC145	The House Builders Federation	390/4107
EBC146	The House Builders Federation	390/4108
EBC147	The House Builders Federation	390/4106
EBC148	Morley Parish Council	325/824
EBC149	Government Office for the East Midlands Derby Friends of the Earth	281/664 1468/4049
EBC150		
EBC151	Sue Bolter – Erewash Borough Council	1406/3730
EBC152	Northern Sport in Receivership	350/907
EBC153	Northern Sport in Receivership	350/908
EBC154	Northern Sport in Receivership	350/909
EBC155	The Highways Agency	357/951
EBC156	Broxtowe Borough Council	448/1204
EBC158	Mrs P Peebles Breaston Preservation Group	1305/3954 1326/3994
EBC159	Country Land and Business Association	1358/3508

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EBC160	Secondsite Property Holdings	312/ 4083 - 4085
EBC161	Tronos	1371/3610
EBC162	National Farmers Union	103/220
EBC163		