

STATEMENT OF COMMON GROUND

APPEAL REFERENCE: APP/N1025/W/23/3319160

DATE OF INQUIRY: 9-11 August and 15-18 August

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:

Land at Sowbrook Lane, Stanton by Dale

Local Planning Authority Reference No: ERE/0722/0038

Erection of up to 196 dwellings with all matters reserved other than the means of access

APPELLANT: Wulff Asset Management Limited

LOCAL PLANNING AUTHORITY: Erewash Borough Council

This statement addresses the following areas of common ground:

1. Description of the site
2. Planning history
3. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
4. Relevance of any supplementary planning guidance published by LPA (and /or of supplementary planning guidance published under previous provisions and still in place.)
5. List of possible conditions and the reasons for them (including any that are not agreed, with reasons why)
6. Draft terms of any S 106 obligations
7. Matters of Agreement
8. Benefits arising from proposed development
9. Matters of Disagreement

1.1 Description of the site

- 1.1 The application site is an agricultural field north and north-west of the junction between Sowbrook Lane and Ilkeston Road. These two highways provide strong physical southern and eastern boundaries, whilst a section of the disused Nutbrook Canal and two ponds help delineate the northern and western boundaries of the site respectively. The site is relatively flat and at a similar ground level to the adjacent highways. Boundaries consist of a mixture of hedgerows and trees. A section of the site adjacent to its northern boundary sits within Flood Zone 2. A Grade II Listed row of cottages at Twelve Houses and a substation sit on the opposite side of Sowbrook Lane. Beyond those are active employment sites. The site is not within the Green Belt. New Stanton Park, a development site with outline and full planning permissions as detailed in the planning history section below, is located to the east of the Appeal Site on the opposite side of Ilkeston Road.
- 1.2 To the west of the Appeal Site is a brook and the Sowbrook Pond Local Wildlife Site.
- 1.3 There is an existing bus route that runs along Ilkeston Road.
- 1.4 There are footpaths alongside some of the roads surrounding the Appeal Site. This includes a pedestrian footpath along the southern side of Sowbrook Lane.

1.5 Walking / cycling distances to services and facilities from the Appeal Site are set out below:

Destination	Distance (m)	Journey Time (minutes)	
		Walk	Cycle
Via Sowbrook Lane			
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3
Kirk Hallam Social Bar	700m	8	3
Dallimore Primary School	740m	9	3
Kirk Hallam Community Centre	1,100m	13	5
Butterfly Castle Day Nursery	1,100m	13	5
Kirk Hallam Local Centre:			
- Doctors	1,200m	14	5
- Pharmacy			
- Dentist			
- Convenience Store			
- Post Office			
- Hairdressers			
- Takeaway			
Co-op Convenience Store / PFS	1,400m	17	6
Takeaway – Captain Kirk Fish & Chips	1,400m	17	6
All Saints Church	1,400m	17	6
Ladywood Primary School	1,400m	17	6
Kirk Hallam Community Academy (Secondary)	2,300m	27	10
St John Houghton Catholic School (Secondary)	2,400m	29	10
Via Ilkeston Road			
Leisure – Nut Brook Trail (adjacent)	100	<1	<1
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3
Quarry Hill Industrial Park	700m	-	3
Ilkeston Library	2500	-	10
Supermarket	3600	-	15

Note: Assumes average walking speed of 1.4m/s and average cycling speed of 4m/s

2 Relevant planning history

Application site –

2.1 The site has no planning history.

Adjacent site (New Stanton Park to the east):

2.2 The following applications relate to the land to the east of the Appeal Site, which is part of the Stanton Regeneration Site in the Erewash Core Strategy:

ERE/1221/0002 – Approved 25/8/2022

Hybrid planning application for the comprehensive redevelopment of the site comprising:

outline application for demolition of existing buildings and structures to provide; a maximum of 261,471 sqm of employment (a mix of class e.g.(iii) (industrial processes, b2 (general industrial) and b8 (storage & distribution) with associated car, cycle and hgv parking; service yards; gatehouse(s) and security facilities; electrical substations; provision of cycle and walking infrastructure and foul and surface water infrastructure; removal of trees; retention of open space for biodiversity enhancements and landscaping; utilities; provision of land for safeguarding for future highway improvements; relocation and consolidation of existing railway line; provision of intermodal rail hub, and other associated works and improvements.

full application for provision of new access points from and alterations to lows lane and an internal estate road; diversion of a section of national cycle route 67; associated surface water infrastructure; infilling of part of the disused canal; remediation and decontamination works and groundworks.

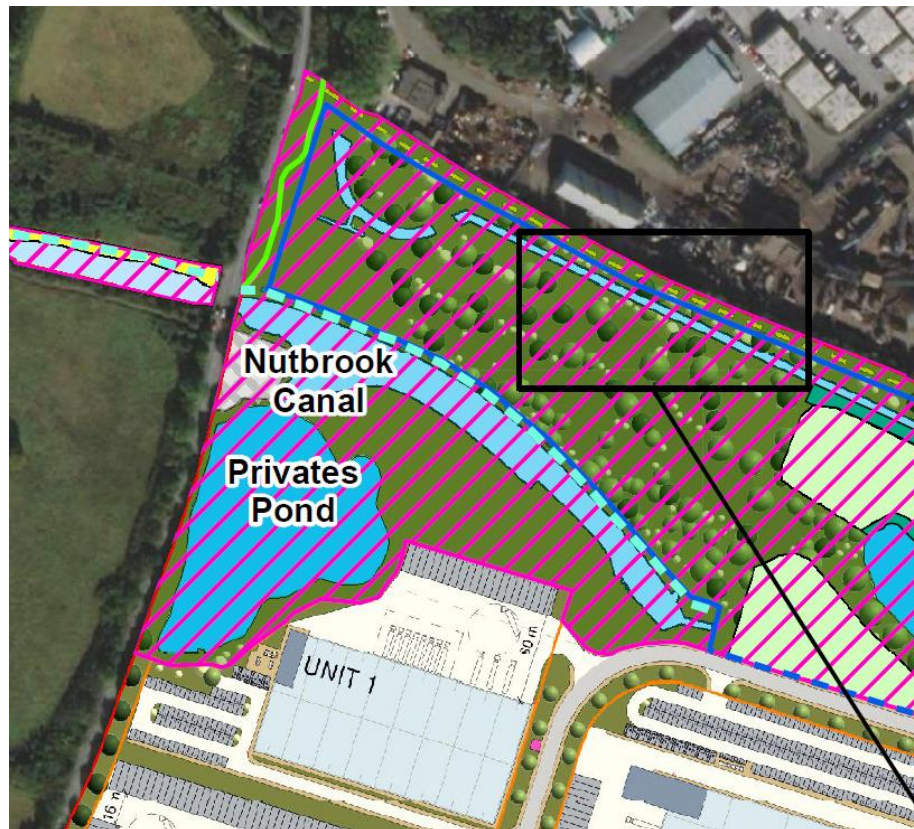
at Part of Former Stanton Ironworks, NORTH OF Lows Lane, Stanton by Dale

2.2 Condition 27 from the outline permission for NSP sets out that the height of the buildings should not exceed those on the 'Maximum Development Height' zones depicted on the Parameter Plan Rev P. For the buildings closest to the Site, this includes a 21 metre Haunch height and 24 metre ridge height. For buildings in the centre of the site this increases to 28 and 31 metres respectively.

2.3 Condition 18 requires the following:

- 18 Notwithstanding that landscaping is a Reserved Matter, the Biodiversity Enhancement Areas depicted in figure 1 of the “New Stanton Park – Biodiversity Enhancement Areas – Outline Habitat Management Plan (April 2022)” shall be retained in accordance with that plan, and within 12 months of the completion of ground remediation works on the site, shall be enhanced in accordance with, and thereafter managed in accordance with, that Management Plan.

2.4 This is an extract from the relevant plan:



2.5 The Biodiversity Plan includes the following:

4.7 To maintain connectivity for people using the existing cycle route, Stanton by Dale Footpaths 20 and 24 and the road network, a formal footpath will be established in the west of the BEA, running north-south between the Nutbrook canal and the cycle route. The cycle route itself will be maintained in good condition and facilities such as benches provided. In the east of the BEA, an existing footpath will be formalised, connecting the cycle route and the development with Merlin Way and Crompton Road to the north.

2.6 This is indicated in green in the above screen shot.

- 2.7 The Biodiversity Plan also includes a separate pedestrian / cycle link which goes from New Stanton Park to Merlin Way to the north. This link is to the east of the screen shot above and can be seen in the full masterplan included in the Council's Statement of Case.

ERE/0423/0018 – Approved 8/6/2023

- 2.3 The reserved matters application for the first distribution has now been submitted:

Reserved matters approval pursuant to outline planning permission ERE/1221/0002 for Plot 1, Unit 1 for access, appearance, landscaping, layout and scale in relation to the erection of a distribution warehouse with ancillary offices, associated vehicle parking, access road and infrastructure, landscaping and areas for attenuation.

The Location Plans, site plans and decision notices for the hybrid and reserved matters applications have been provided to the Inspector by the council separately.

3. Development plan (including relevant policies) & any draft development plan (including stage reached).

- 3.1 The Local Development Plan for Ilkeston consists of:

- the Erewash Core Strategy 2014 (**ECS**); and
- Erewash Local Plan Saved Policies Document 2005(Saved2014) (**ESP**).

- 3.2 Relevant Policies of the ECS include:

- Policy A - Presumption in favour of sustainable development
- Policy 1 - Climate Change
- Policy 2 – The Spatial strategy
- Policy 8 – Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 11 - The historic environment
- Policy 14 - Managing Travel Demand
- Policy 16 - Green Infrastructure, Parks and Open Space
- Policy 17 - Biodiversity

- 3.3 The relevant policies in the ESP are as follows:

- H9 – Section 106 Planning Obligations
- Policy H12 - Quality and Design
- Policy T6 - Cycling
- Policy EV11 - Protected Species and Threatened Species
- Policy EV16 - Landscape Character

Emerging Core Strategy

- 3.4 The plan has been submitted for examination. The examination sessions have not taken place to date. There are outstanding objections to the proposed Green Belt and Strategic Green Infrastructure Corridor designations on the Appeal Site, and to the Council's approach to the proposed Green Belt release, amongst other things.

- 3.5 Relevant policies of the Emerging Core Strategy are:

Strategic Policy 1 – Housing
Strategic Policy 1.1 – Strategic Housing Sites
Strategic Policy 4 – Transport
Strategic Policy 5 – Green Infrastructure

Relevant policies which are proposed to be replaced are:

Erewash Core Strategy Policy 2: The Spatial Strategy
Erewash Core Strategy Policy 16: Green Infrastructure, Parks and Open Space

4. Relevance of any supplementary planning guidance published by LPA (and /or of supplementary planning guidance published under previous provisions and still in place.)

- 4.1 Developer Contributions SPD

5. List of possible conditions and the reasons for them (including any that are not agreed, with reasons why)

- 5.1 A working draft of the conditions is set out below:

1. Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. Application(s) for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
- Site location plan
 - Dwg. No. 450-TA10 rev.B - Proposed Access off Sowbrook Lane
 - Dwg. No. 450-TA13 rev.A - Proposed Access off Ilkeston Road

Reason

For the avoidance of doubt as to what is approved.

4. a) Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by, the local planning authority. The scheme to be submitted shall demonstrate:

- The use of sustainable drainage techniques;
- The limitation of surface water run-off to equivalent greenfield rates;
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
- A scheme for the responsibility of the future management/maintenance of the drainage features.

b) No building shall be occupied or use commence until the drainage scheme has been completed in accordance with the approved details and the drainage scheme shall be managed and maintained thereafter in accordance with the agreed management/maintenance plan.

Reason

This pre-commencement condition is required to ensure that the principles of sustainable drainage are incorporated from the outset to prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage system.

5. Prior to the commencement of development, a construction environmental management plan shall be submitted to, and approved in writing by, the local planning authority, that details how dust, noise and vibration resulting from the construction of

the development hereby approved will be controlled and mitigated. This shall include, but not be restricted to, suitable working hours, details of the proposed communication strategy, any monitoring required and a waste storage and removal strategy. The agreed plan will be implemented and maintained throughout the course of the construction of the development.

Reason

This pre-commencement condition is required to ensure that the amenity of neighbours is protected from unnecessary noise and dust nuisance from the outset of the development.

6. No development shall commence until
- a) A scheme to identify and control any potential contaminated land risk on the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a preliminary risk assessment (Phase I Investigation) which identifies: -
 - (i) All previous uses of the site.
 - (ii) Potential contaminants associated with such uses.
 - (iii) A conceptual model of the site indicating sources, pathways and receptors.
 - (iv) Potentially unacceptable risks associated with the contaminants on the site.
 - b) If indicated as necessary by the results of the Phase I investigation, the scope of an intrusive Phase II investigation must be submitted to, and approved in writing by, the local planning authority before its commencement.
 - c) If as indicated as necessary by the results of the Phase I and/or Phase II investigations - a written method statement detailing the remediation measures necessary to deal with any contaminated land risks found on the site shall be submitted to, and approved in writing by, the local planning authority. The method statement shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures during the remedial works. The development shall then be undertaken in accordance with the approved method statement.

Reason

This pre-commencement condition is required to ensure that risks from land contamination have been minimised and dealt with at the appropriate time without unacceptable risks to workers, neighbours and other offsite receptors, together with those to controlled waters, property and ecological systems.

7. Prior to the occupation of any dwelling hereby permitted a verification report shall be submitted to the local planning

authority demonstrating that any works required by condition 6 above have been carried out. The development should not be brought into use until the verification report has been submitted to the local planning authority.

Reason

To ensure that risks from land contamination have been addressed.

8. No development shall commence until:
 - a. A scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and
 - b. The findings of those investigations, together with a Strategy identifying any remedial works and/or mitigation measures required to address land instability arising from coal mining legacy, as may be necessary, has been submitted to and approved in writing by the local planning authority.

The development shall then be undertaken in full accordance with the approved strategy and remedial works, where required.

Reason

To ensure the safety and stability of the development in accordance with the requirements of the NPPF.

9. Prior to the occupation of any dwelling hereby permitted a verification statement signed by a suitably competent person confirming that the approved remedial works identified have been undertaken in full shall be submitted to the local planning authority.

Reason

To ensure the safety and stability of the development in accordance with the requirements of the NPPF.

10. Prior to the occupation of the first dwelling a Travel Plan shall be submitted and approved by the Local Planning Authority.

Reason

To secure sustainable travel modes

11. Prior to commencement of the development, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period.

Reason

In the interests of safe operation of the adopted highway.

12. No development shall commence until the new vehicular and pedestrian accesses to Sowbrook Lane and Ilkeston Road have been constructed in accordance with the approved plans. The junctions shall be constructed to base level, drained, lit, provided with white lining, signage and visibility sightlines as shown on the approved plans. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.

Reason

To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

13. A Biodiversity Net Gain strategy shall be submitted to and approved in as part of the Reserved Matters application, along with a timetable for its implementation. This shall be based on DEFRA Metric 3.1 calculations of the habitats presented at the time the application was submitted. The Biodiversity Net Gain Strategy shall thereafter be implemented in accordance with the approved details and timetable.

Reason

In the interests of biodiversity.

14. Details of the provision of the shared cycle and pedestrian path through the site to form part of the proposed Local Cycle Network shall be submitted to and approved with the Reserved Matters application.

Reason

In the interest of promoting sustainable transport modes

Conditions in dispute

- x. An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points and shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Derbyshire Highway Design Guide. Dwellings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason

To promote sustainable travel and healthy communities.

- x. The plans and particulars submitted in accordance with the reserved matters application shall include details of existing and finished ground levels and the proposed ground floor levels of the buildings.

Reason

To enable the local planning authority to fully assess the development having regard to the ground levels on the site and the surrounding land.

- x. The details submitted as part of the reserved matters application(s) shall include details of the noise mitigation measures in accordance with the Noise Assessment April 2022 and Noise Technical Note 16 February 2023.

Reason

In the interests of the amenity of future occupiers.

Or

- x. The details submitted as part of the reserved matters application(s) shall include a noise assessment which has taken into account the surroundings and includes measures proposed to address the findings. The identified measures shall be demonstrated in the submitted layout and window construction details, and any other related submissions as identified as necessary in the noise assessment.

Reason

In the interests of the amenity of future occupiers.

- x. The details submitted as part of the reserved matters application(s) shall include details of the housing mix.

Reason

To secure the mix required to meet the needs of the Borough.

6. Draft terms of any S 106 obligations

- 6.1 Education – Special Educational Needs and Disability (SEND) - £727.63 per dwelling.
- 6.2 Library Provision - £70.30 per dwelling
- 6.3 Provision of Nesting Bird mitigation site as set out in the Skylark Mitigation Strategy. This would be managed through the management company who will also manage the communal areas on the Appeal Site.

- 6.4 Creation of a management company for the ongoing maintenance and management of on-site communal areas and off-site Skylark mitigation scheme.
- 6.5 Provision of 30% affordable housing – to be provided as 25% First Homes, 25% Shared Ownership, 50% Social Rent – transferred to a Registered Provider before occupation of 75% of the market dwellings.
- 6.6 Funding towards a surfaced route to an appropriate standard between the Nutbrook Canal and the Nutbrook Trail, financial contribution to be agreed following further discussion with the local highway Authority.
- 6.7 A financial contribution to cover the costs of extending the hours of operation of the existing council funded bus service to cover the peak period for five years from the commencement of occupation of the development, level of contribution to be agreed following consultation with Derbyshire County Council as Passenger Transport Authority.
- 6.8 Provision of bus stops and bus shelters along the Ilkeston Road site frontage, specification and location to be agreed with Derbyshire County Council as Passenger Transport Authority.
- 6.9 Highways Improvements to the junction at Lows Lane and Littlewell Lane and junction of Sowbrook Lane, Lows Lane and Ilkeston Road as generally indicated on drawings as shown on drawing references 450-TA12 and 450-TA81 respectively.
- 6.10 Provision of a footway / cycleway along Ilkeston Road from where the Sowbrook Lane / Ilkeston Road active travel route exits the site northwards to the canal towpath gate.
- 6.11 Provision of a crossing point on Ilkeston Road between the eastern and western sections of the canal towpath.
- 6.12 Highway improvements on Sowbrook Lane as detailed on drawing number 450-TA14 rev.A

7 Matters of Agreement

Reasons for Refusal

- 7.1 The Council have reviewed the Appellant's submissions made through the appeal process and consider these address Reasons for Refusal 2, 3, 4 and 6.

Principle

- 7.2 The appeal site is not subject to any designation in the Local Plan.
- 7.3 The Council does not have a five-year housing land supply. It is currently

2.65 years.

- 7.4 The Council's adopted development plan is out of date.
- 7.5 Policy 2 of the ECS identifies that 4,500 dwellings of the 6,250 dwelling requirement will be located in and adjoining the Ilkeston Urban Area. This equates to 72% of the housing requirement.
- Highways*
- 7.6 There is no objection to revised access plans being considered as part of this appeal – ref. 450-TA10 rev.B and 450-TA13 rev.A .
- 7.7 The addendum to the Transport Assessment demonstrates that the Appeal Scheme will have no significant or severe impacts on the safe and efficient operation of the surrounding highway network.

Noise

- 7.8 Following consideration of submissions made through the appeal process, it is agreed that an appropriate living environment could be secured for the future occupiers of the site in relation to the existing noise sources surrounding it.

Heritage

- 7.9 There is no objection in relation to archaeology.
- 7.10 The Heritage Statement, submitted with the application, outlines that the proposed development would have a 'Minor Adverse effect' on the setting of the Grade II Listed Cottages to the south of the Appeal Site. This is agreed. This amounts to less than substantial harm and as such paragraph 202 of the NPPF is relevant.
- 7.11 The Appeal Site is not situated within a landscape that is subject to either a statutory or local non-statutory landscape designation. It is not considered to be a valued landscape under the provisions of paragraph 174(a) of the NPPF.
- 7.12 Policy 10 sets out that regard should be had to the Derbyshire Landscape Appraisal when considering the landscape impact of a proposed development on landscape character.

Visual Impact

- 7.13 The visual impacts from the development are localised and limited to the views identified in the Landscape Statement of Case.

Ecology

- 7.14 Based on the indicative masterplan the Appeal Scheme could deliver 10.55% gain in habitat and 56.15% gain in hedgerows. This exceeds the policy requirement set out in the NPPF.
- 7.15 The Skylark mitigation scheme can be provided off site on the site identified by the Appellant. The delivery and management of this can be secured by the Section 106 Agreement.
- 7.16 The Reptile Mitigation Strategy is agreed.

Prematurity

- 7.17 Paragraph 49 of the NPPF sets out the relevant policy test for considering whether a scheme is premature in the context of an emerging plan.
- 7.18 The emerging Core Strategy continues to focus housing growth on sites in and adjoining the Ilkeston urban area.
- 7.19 The Appeal Scheme could represent up to 3.4% of the overall housing requirement presented in the emerging Core Strategy and 5% of housing directed to sites in and adjoining the Ilkeston Urban Area.
- 7.20 The emerging plan has been submitted for examination. The examination has not yet reached hearing stage.

Green Belt

- 7.21 The Appeal Site is not located in the Green Belt.
- 7.22 In support of the emerging local plan the Council published its Strategic Growth Area Assessment in March 2021. This considered 31 growth options to accommodate the development needs identified at that stage. All but one of the sites assessed are in the Green Belt and the assessment includes commentary on the contribution these sites make to the five purposes of included land in the Green Belt. The assessment does not consider the Appeal Site or the land to the north west (both of which are outside of the Green Belt) as a potential growth area.

Green Infrastructure

- 7.23 The Appeal Site is not within a green infrastructure corridor as defined in the adopted development plan.
- 7.24 Emerging Strategic Policy 5 does not preclude development within the proposed green infrastructure corridors. Instead, it sets out a number of factors that need to be considered when proposals come forward.

Other Matters

- 7.25 There are no objections in relation to surface and foul water drainage, archaeology or trees subject to the conditions proposed above.

8. Benefits arising from proposed development

- 8.1 The table below sets out the benefits identified by the appellant for paragraph 202 of the Framework and the wider planning balance, along with both parties' positions in relation to these benefits. This is not a closed list and other benefits could be identified in the proofs of evidence:

Benefit	Appellant's Position	Council's Position
Delivery of housing	Substantial Benefit	Moderate benefit
Delivery of Affordable House	Substantial Benefit	Moderate benefit
Improving the bus service	Significant Benefit	Limited benefit
Improvements to the footpath provision on Sowbrook Lane	Moderate Benefit	Limited benefit
Formalising the existing pedestrian link through the Appeal Site and delivering part of the proposed Local Cycle Network	Significant Benefit	Moderate benefit
Biodiversity Net Gain	Limited Benefit	Limited benefit
Provision of public open space	Moderate benefit	Moderate benefit

9. Matters of disagreement

- 9.1 The matters of disagreement between the parties relate to the following:

- Reason for refusal 1 – whether the site is an unsustainable location to deliver housing.
- Reason for refusal 5 – Landscape and visual impact of the proposed development

Whether the Derbyshire Landscape Character Assessment recognises that the area is heavily influenced by urban development, including both industrial and residential areas.

Whether the Appeal Site is located on the urban fringe and a landscape that is dominated by development. Whether this will be reinforced with the development of the employment site to the east.

Whether the proposed development will introduce uncharacteristic elements into the local landscape and whether the approach taken reflects the character of the urban edge alongside the canal in this location.

- Reason for refusal 7 – the parties agree that the proposal would result in less than substantial harm to the significance of the Grade II Listed New Stanton Cottages, but they disagree as to where the level of harm is within the less than substantial scale.
- Reason for refusal 8 - Whether the proposal is so substantial that granting planning permission would undermine the plan making process of the emerging Erewash Core Strategy review in accordance with Paragraph 49 of the NPPF.
- Reason for refusal 9 - Weight to be given to the proposed Green Belt designation in the emerging Core Strategy in accordance with Paragraph 48 of the NPPF.
- Reason for refusal 10 - Weight to be given to the emerging strategic green infrastructure corridor designation in the emerging Core Strategy in accordance with Paragraph 48 of the NPPF; and whether the proposal is contrary to Strategic Policy 5 in the emerging Core Strategy in any event.
- Whether the adverse impacts of the Appeal Scheme would significantly and demonstrably outweigh the benefits
- Whilst cycle distances/times to locations north are noted above, it is not agreed that Ilkeston Road is a suitable carriageway for people to cycle along.
- Whether the tilted balance is engaged
- Whether the strategic housing sites identified in the following policies of the emerging Core Strategy are relevant to this appeal:
 - Strategic Policy 1.2 – South Stanton
 - Strategic Policy 1.3 – Acorn Way
 - Strategic Policy 1.4 – North of Spondon
 - Strategic Policy 1.5 – South West of Kirk Hallam
 - Strategic Policy 1.6 – North of Cotmanhay
- Whether the appeal site is adjoining or adjacent to the Ilkeston Urban Area
- Whether the Stanton Regeneration Site is in or adjoining the Ilkeston Urban Area
- Whether the appeal site and the site to the north west are the only sites that could potentially assist with the delivery of housing to rectify the 5-year shortfall outside of the urban areas and free from Green Belt and/or environmental or leisure designations.

Signatures

Sam Silcocks, Director, Harris Lamb

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(for and on behalf of the appellant)

James Grundy, Senior Planning Officer

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(for and on behalf of Erewash Borough
Council)

Date 14/6/2023