



Erewash Borough Council: Examination in Public into
the Core Strategy Review

Hearing Statement of Varsity Town Planning on behalf
of Green 4 Developments

Matter 9: Transport and Infrastructure

15th December 2023

Issue

Whether the approach to transport and infrastructure is justified, effective and consistent with national policy.

1. What are the key infrastructure requirements of the Core Strategy Review?

AND

2. Paragraph 104 of the National Planning Policy Framework (NPPF) states that transport issues should be considered from the earliest stages of plan making. How has this been done?

Although the supporting evidence to the CS Review includes an Infrastructure Delivery Schedule, it is entirely unclear how this has been derived. There is a lack of additional technical assessment accompanying the schedule to substantiate the conclusions it presents, and it fails to offer any justification for the proposed schemes.

Hence, we would argue that it is impossible to determine what the genuine infrastructure needs are of the CS Review. There is a lack of evidence of any transport modelling or technically based forecasting at a strategic level to identify specific constrained locations within the Borough. Similarly, in respect of the strategic housing allocations, no site-specific capacity or demand assessments have been undertaken to demonstrate the level of mitigation that may be required.

Allowances are made for a series of key highway interventions – to replace the Lows Lane / Sowbrook Lane / Ilkeston Road junction (£3m), and to deliver the Kirk Hallam Relief Road (£10.3m). However, there is a lack of evidence to support these proposed works. This lack of substantiation raises two significant concerns – firstly, it is unclear whether the schemes envisaged for the works will be sufficient to resolve the perceived problems that they are targeted at; and secondly, the sums allowed are unjustified in evidence, making it impossible to determine their appropriateness for the works being considered.

3. Paragraph 20 of the NPPF identifies that strategic policies should make sufficient provision for amongst other things new infrastructure including community facilities (such as health, education and cultural infrastructure). Is the Core Strategy Review consistent with this?

Green 4 Developments recognise that certain strategic policies within the CS Review contain a requirement for financial contributions to be made towards new pupil places to boost capacity in local schools. It is assumed that this will be based on a capacity assessment at the time that a planning application comes forward.

However, the identified strategic policies fail to consider contributions towards the other forms of community infrastructure. Moreover, the Core Strategy Review moves to replace Core Strategy Policies 12 and C2 which provided for Local Services and Healthy Lifestyles and School Sites. Consequently, if found sound, Erewash will be in a position where there is no primary policy to govern community infrastructure other than education places. This would be discordant with the NPPF requirements.

This represents a missed opportunity. Planning for strategic sites should bring certainty that community infrastructure will be delivered but if there are no policy requirements to do so then this will be harder to achieve. The vision for the land around Hopwell Hall (SGA27) advanced an holistic new community for Erewash, promoting the inclusion of a comprehensive range of new social infrastructure.

From a closer inspection of the Strategic Growth Area Assessment, Green 4 Developments have concluded that Erewash Borough Council have only considered the impact of a new allocation on existing services. The assessment of access to health services (SGA reference 5.2) scores positively where a new development can rely on proximity to existing services in settlements such as Derby. The consideration of the impact on cultural assets and community facilities is only assessed based on whether it risks the sustainability of existing provision. In most cases, the increase in population is considered to make existing facilities more viable but the assessment doesn't appear to value the provision of new facilities.

4. What mechanisms will there be to ensure necessary infrastructure is provided? How will the mechanisms be reviewed and kept up to date?

Green 4 Developments will rely on Erewash Borough Council to respond to this question. It is not clear from a review of the evidence how this will be addressed. It may be the case that Erewash Borough Council are intending that necessary infrastructure is identified as part of a planning application.

Bearing in mind the conclusions of the Housing Delivery Action Plan of August 2019, which showed that the Core Strategy had failed to deliver on the planned housing provision, it seems a significant omission that the Review does not recognise that securing necessary infrastructure is a pre-cursor to delivery. We believe that part of the reason that the previous approach failed was that there was insufficient evidence at the outset of what needed to happen to ensure delivery. The lack of evidence to show what infrastructure is required and why, and to consider this against the viability of development and the likelihood that it will come forward is fundamental. Only once this has been properly evidenced can appropriate mechanisms for its delivery then be set out.

5. Should Policy 4 include requirements related to rail crossings?

Green 4 Development will rely on Erewash Borough Council to respond to this question.

6. Should policy 4 include reference to the Derby and Sandiacre Canal?

Yes. The Derby and Sandiacre Canal Trust has been doggedly working at recovering and restoring the canal, and it has the potential to provide a sustainable alternative to freight and goods movement (as it did in its heyday) as well as for leisure and tourism purposes.

The EU published information in February 2022 that showed that Inland Waterway Transport (IWT) is one of the most CO2-efficient transport modes per tonne of goods carried. Barges use only 17% of the energy needed by often-congested road transport and only 50% of that used by rail transport. They identified the untapped potential that IWT represents, especially in the context of sustainable development.

Logistics UK is campaigning for more freight transportation to be moved by inland waterways and emphasize the importance for the protection of existing assets and additional investment in canal infrastructure. They recognise that Britain's canals and rivers should be playing a bigger role in the freight network, but that changes in local and central Government policy and planning approaches are needed to make this happen. In the context of the ongoing work being undertaken on the Derby and Sandiacre Canal, Erewash should take a lead on advancing this initiative.

7. What evidence is there to support the requirement for the Kirk Hallam Relief Road? How will it be funded and when will it be delivered?

The draft CS review states that the Kirk Hallam Relief Road will be wholly funded by the housing allocation that it encircles and provides access to.

In fact, the Relief Road is no such thing, but instead is simply an old-fashioned "Distributor Road" provided to access an undesirable housing allocation in the Green Belt. The road has no strategic function, and it is not mentioned in the highway authorities Local Transport Plan 3 2011-2026. Its delivery will be dependent on the highway authority using its powers in respect of CPO and Side Road Orders, but there is no evidence that these would be available. There should, as a minimum, be a Statement of Common Ground with Derbyshire County Council that supports the delivery of the road as a "Relief Road", and which sets out its strategic objectives.

The local MP, Maggie Throup, described the relief road as a "road to nowhere", suggesting she is unconvinced that it has a strategic purpose.

The relevance of this is in relation to the impact that this has on the delivery of homes at the allocated site that is to pay for the road. The CS Review states (Strategic Policy 1.4): "Government policy requires 10% of new homes on large sites to provide affordable routes to home ownership. Erewash planning policy requires that up to an additional 20% should be provided for other forms of affordable housing." However, the "policy" for South-west of Kirk Hallam states that this site will only be required to provide 10% affordable housing.

It seems likely that the requirement for affordable housing at South-west of Kirk Hallam has been adjusted downwards to assist the viability and to allow this site to wholly fund the "relief road". But as there is no evidence presented to support this road being required for any wider strategic purpose whatsoever, the reality is that this means the site policy is set up to subsidise the delivery of the infrastructure required to allow it to come forward.

This is both a backwards interpretation of the way that viability should be assessed, and arguably more significantly, contradicts the concept of a Green Belt release.

If the fundamental principle of Green Belt release is to provide demonstrable additional benefits to compensate for the loss of the important amenity, then it cannot follow that a site that is effectively unviable in terms of supporting infrastructure can be justified as a Green Belt release.

8. In overall terms, is the approach to transport and infrastructure appropriate and justified? Is it effective and consistent with national policy?

For the reasons outlined above, Green 4 Developments must conclude that the approach to transport and infrastructure is not justified and falls short of the requirements of the NPPF.