

# Erewash Core Strategy Review

## Examination Hearing Statement Matter 2

Representations prepared by Fisher German LLP on  
behalf of Bloor Homes



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Spondon Woodside

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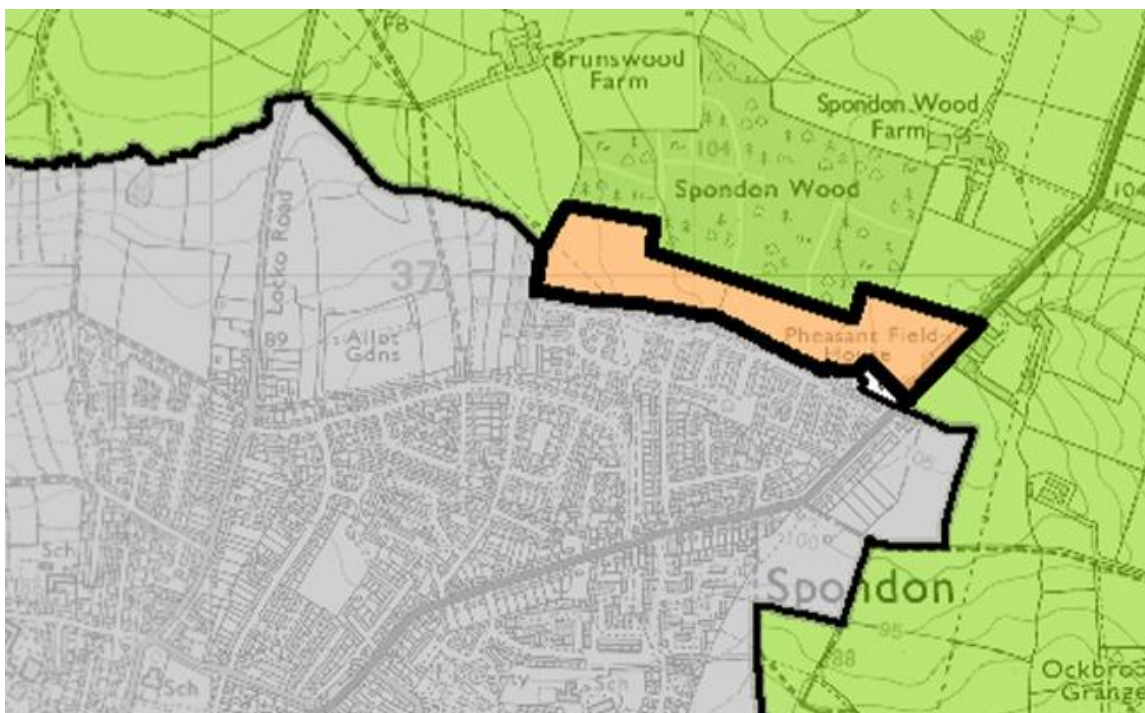
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# 01 Introduction

- 1.1 These representations are prepared by Fisher German on behalf of Bloor Homes East Midlands in respect of their land interests at Woodside, Spondon. The site is identified for release from the Green Belt and allocation within the submitted Erewash Core Strategy Review; Strategic Policy 1.4 – North of Spondon. The site is a proposed allocation of “around 200 dwellings”, with site specific criteria and identified on the supporting policies map, extract below.



**Erewash Core Strategy Review Policies Map Extract**

- 1.2 In September 2023 a full planning application on the proposed allocation site for 263 dwellings, associated landscaping, open space, infrastructure and enabling earthworks (application reference - 0923/0024) was validated by Erewash Borough Council. This application is currently awaiting determination, but clearly given the full nature of the application, and the site being under the control of a major housebuilder, it offers the opportunity to expedite delivery of homes on the site and assist the Borough Council in being able to demonstrate a five-year housing land supply.
- 1.3 The site is sustainably located adjacent to the Derby City Urban Fringe. It is well connected to existing services and facilities and can take advantage of existing public transport connections.

## 02 Matter 2: The Duty to Co-operate

**Issue: Whether the Council has complied with the duty to co-operate in the preparation of the Core Strategy Review**

### **Housing Provision**

#### **1. What are the inter-relationships with other authorities in terms of migration, commuting and housing markets?**

- 2.1 Erewash is in many respects unique, containing urban areas associated with the Nottingham Conurbation and land immediately adjacent to Derby City's urban edge. Due to the Nottingham urban focus of the existing built form, the Borough forms part of the Nottingham City Housing Market Area (HMA). This is logical and forms a robust starting point for consideration of the Plan. However, Erewash also is strongly related with Derby City and thus it is important that the Plan also reflects this relationship.
- 2.2 In terms of commuting pattern, the 2011 census provides detailed data. Unfortunately detailed analysis from the 2021 census is not yet available on NOMIS. However it is reasonable to assume that whilst there may be some variation and change, overall patterns unlikely to have changed significantly in the years since; with any significant change likely to reflect an increase in home working.
- 2.3 The commuting data confirms Erewash is a net exporter in terms of commuting, with around one third more people leaving the Borough to work than entering (16,627 inflow; 28,536 outflow, 2011 Census). Across the Borough, of those leaving Erewash for work 22% commute to Derby, comparable to the 23% who commute to Nottingham City. Unsurprisingly, the locations of commuters into the Borough varies, with Broxtowe residents forming the largest inflow group into Erewash, followed by Derby City.
- 2.4 It is clear therefore that whilst Erewash sits within the Nottinghamshire HMA, strong links exist to both the Nottingham and Derby conurbations. This position has rightly been reflected through the allocation of sites within the emerging Plan Review.

**2. How have these been taken into account in preparing the Core Strategy Review and specifically in terms of Objectively Assessed Need for housing (OAN) and housing provision?**

- 2.5 It is not clear to what extent this has been taken into account in preparing the Core Strategy Review, but nor is it clear to what extent it actually needs to be taken into account. The NPPF and associated guidance is clear that the housing requirement should be based upon a 'Local Housing Need' assessment, conducted using the 'Standard Method' as contained in guidance. Deviation from this should only be explored exceptionally, where local circumstances justify an alternative approach, such as detailed demographic information. We consider the Council's approach, using the Standard Method, is acceptable and have not seen compelling evidence which would logically lead to an alternative approach.
- 2.6 The only issue therefore is whether there is any requirement to meet neighbouring unmet needs or uplift from base Local Housing Need for any other reason. In general terms, unmet needs are distributed on the basis of HMA boundaries. As such, it is necessary to consider whether it is reasonable or appropriate for Erewash to meet any unmet needs of the wider HMA. .
- 2.7 We are aware that there is a small element of unmet need from Nottingham City, but the quantum is relatively small and does not manifest until the later years of the Plan period. We understand this matter is being considered through the Greater Nottingham Strategic Plan, however given the unmet need does not manifest until later in the Plan period, there is the opportunity for this matter to be considered and addressed through a review mechanism of the Plan or as part of the regular 5-year Plan review process. We are not aware of any other HMA issues in relation to unmet needs, and the HMA as a whole, excluding Erewash, is well covered by Plans with significant capacity for growth, largely absorbing Nottingham City's unmet needs in any event. We are not aware of any localised reason for uplift in Erewash from base Local Housing Need. In this context, there does not appear to be any unmet need reason for uplift and base LHN is considered to be appropriate, even when considering the wider area holistically.
- 2.8 We are aware of unmet need arising from Derby City, but at present Derby City are seeking to resolve this matter through its own HMA, which does not include Erewash. Clearly, as discussed previously, Erewash is directly related to Derby City and it could be argued that land within Erewash's administrative boundaries is ideally placed to accommodate some of Derby City's unmet need, immediately on its boundary. This is not however a matter which has been progressed, and as with Nottingham City's unmet need, could be addressed through future Plan

reviews should Derby City need Erewash to support housing delivery.

**3. Who has the Council engaged with in terms of overall housing provision and what form has this taken?**

- 2.9 Whilst we are not party to individual discussions between authorities, various stages of statutory consultation on the emerging Core Strategy Review have provided an opportunity for formal comment from both other authorities, interested parties, stakeholders, developers and residents. Erewash Officers will be able to give a more detailed explanation of wider engagement which we may not have been party to.

**4. Paragraph 141 of the National Planning Policy Framework identifies that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries the strategic making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This includes the strategy being informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need. How has this been demonstrated?**

- 2.10 Given the unmet need scenarios for both Nottingham City, and its wider HMA, as well as Derby City, and the constraints both authorities are also working within, e.g. their own Green Belt restrictions it is clear that Erewash's neighbours do not have latent capacity to take on unmet need.
- 2.11 Derby City and its HMA authorities including Amber Valley and South Derbyshire are already dealing with significant development needs due to Derby City's inability to meet its own housing needs. Those authorities are already having to consider release of their own Green Belt land and it would not be reasonable that an additional burden is placed on those authorities to release more Green Belt, simply to negate any Green Belt release in Erewash.
- 2.12 Similarly for the neighbouring authorities of Broxtowe and Nottingham City which are also constrained by Green Belt and land availability issues.
- 2.13 North West Leicestershire is accommodating a significant unmet need from Leicester City, and the functional and physical connections with Erewash are not sufficiently strong to justify this being a reasonable approach in this context.

- 2.14 It is clear therefore that there are no reasonable alternatives for Erewash to address its housing need beyond them being met within Erewash itself. Having regard to this, the significant shortfall in housing land supply in Erewash and the need to boost immediately the supply of much needed market and affordable homes, exceptional circumstances exist to release Green Belt land for homes.

**5. Should the Core Strategy Review seek to address any housing needs from the wider Housing Market Area? If not, what are the reasons for this and is it justified.**

- 2.15 At this time, no, as addressed in commentary in relation to Question 2. It may however be appropriate for future reviews of the Plan to consider unmet need from the wider HMA, or even Derby City given its immediate relationship with the City.

**7. In the Statement of Common Ground with Derby City Council reference is made to education, affordable housing and highways matters. In response to the Inspector's initial questions Erewash Borough Council identified that further engagement with the City Council would seek to agree to resolve the outstanding matters. What is the most up to date position of the parties on this matter?**

- 2.16 The submission of the planning application for Policy 1.4 will enable more detailed discussions on these. The Full planning application is supported by significant evidence on matters relating to highways. Matters relating to education provision can be addressed through the provision of necessary developer contributions to either Derby City or Derbyshire County Council. Bloor Homes will continue to work with relevant parties to this end and update the Inspectorate as discussions progress.

**8. The Statement of Common Ground with Amber Valley Borough Council and Derbyshire County Council identify a number areas of disagreement. Have any of the matters identified been resolved? Is it considered that the remaining matters of disagreement relate to matters of soundness rather than the Duty to Co-operate?**

- 2.17 The Councils are best placed to advise on the current position. However, the matters which are not agreed relate to matters of soundness rather than the Duty to Cooperate. In any event, the Duty to Cooperate is a duty to engage, not agree, and the provision of an agreed Statement of Common Ground demonstrates engagement, as per the PPG. Simply because authorities disagree on matters does not mean there has been a failure to comply with the Duty to Cooperate.

9. The Planning Practice Guidance (PPG) states that Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working and not deferred them to subsequent plan updates or are not relying on the Inspector to direct them. If agreements cannot be reached, the PPG advises that plans may still be submitted for examination but states that comprehensive and robust evidence of the efforts made to cooperate, and any outcomes achieved, will be required. Has the Council's approach been consistent with advice contained in the PPG?

- 2.18 Yes. As detailed previously matters such as Nottingham City's unmet need does not manifest until later in the Plan period and thus it is not commensurate to hold back active and positive Plan making, in an Authority which is so constrained and has a significant housing shortfall, to await the quantification of unmet needs of adjacent authorities/HMAs. As detailed previously a review mechanism in the Plan or review as required after 5 years will provide a further opportunity to review this matter in detail, in the meantime enabling much needed housing delivery in Erewash.

## Overall

**14. Overall, has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Core Strategy Review?**

- 2.19 The Council has fulfilled its requirements in respect of the PPG and Duty to Cooperate by engaging constructively and actively, and on an ongoing basis in maximising the effectiveness of the preparation of the Core Strategy Review. The fact there remains areas of disagreement is not itself sufficient reason to find either a failure in the Duty or justification for the Plan being found to be unsound. Only through detailed examination of those matters, which relate to soundness per se, can such a judgement be made.