



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

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

Matter 6: Strategic Policy

21st December 2023

Issue

Whether the proposed housing site allocations are justified, effective and consistent with national policy.

1. Strategic Policy 1.1 sets a threshold of 200 or more homes. How was this figure determined?

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

2. In Strategic Policy 1.1 is the requirement to provide at least one off-street parking space per new dwelling served by an electric vehicle charging point justified?

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

However, we would comment that this seems an overly prescriptive approach, which may result in inefficient use of land. The policy means that land needs to be tied up in off-street parking provision in perpetuity, and potentially even in circumstances where no other parking space would have been required. It would be better for this to be a sub-servient policy – meaning that where off-street parking is to be provided as a result of other policy provision (parking standards), then at least one of those spaces should be served by an EV charging point.

3. Should Strategic Policy 1.1 include any of the following requirements? What are the reasons for this? a. Sustainable surface water management and the drainage hierarchy, b. Overhead lines?, c. Public transport requirements?, d. Historic environment, heritage assets or their settings?

AND

4. Does the policy effectively protect ecological assets?

Green 4 Developments have general concerns about the inadequacy of the Strategic Policies and have expressed this in their response to Matter 9, question 3 which challenges the Council on the provision made for community infrastructure.

Green 4 Developments would expect to see Strategic Policies setting out site specific requirements for allocations that would be tested through subsequent planning applications. These will not be ‘blanket’ requirements but instead be reflective of local circumstances and should be derived from the findings in the Strategic Growth Area Assessments.

Taking each of the following proposed site allocations individually in turn:

Please note that Green 4 Development’s representations only relate to the deliverability of the South Stanton site.

5. Strategic Policy 1.2 South Stanton

G. What evidence is there to demonstrate that the allocation is viable and deliverable within the plan period? What is the situation with regards land ownership and developer interest?

Green 4 Developments are concerned that the potential to deliver the South Stanton housing allocation has been significantly over-stated by the Council, in the face of little or no evidence of any developer support or indication from one of the landowners that it is available. Green 4 Developments made their own enquiries in respect of deliverability and their findings are set out below:

One of Green 4 Developments associated businesses is a client of St.Gobain, who owned the whole of the South Stanton land until recently. Therefore, we were able to enquire of them whether they had any intention to dispose of or develop the land. They informed us (Mr Foulger, Group Property Manager) in an email of 26th October 2023 as follows:

“As the only land we now hold at Stanton (other than the former tip) is fully occupied by our business operations and will be for the foreseeable future, I would confirm that we will not be making any representations at the upcoming review of the Erewash core strategy.”

The site itself has been partially sold, with St.Gobain having retained 47ha of the overall 70ha, and sold the remainder to Verdant Regeneration (who own the commercial land allocation to the north). Therefore, it should be noted that St.Gobain have retained 67% of the allocation site for operational purposes, which they say will be fully occupied for their business operations for the foreseeable future. Observation from Lows Lane shows that the site is used by the company as a stockyard for heavy and large ironworks and pipework. The site is clearly operational and busy.

The adjoining land, which St.Gobain sold to Verdant Regeneration, may be capable of progressing – although we would note that Verdant’s website states: *“Verdant Regeneration Ltd is the trading entity for the development of New Stanton Park. The Verdant Regeneration company directors have already developed over 40 acres of land adjacent to the site. They have also developed and constructed industrial sites for over 30 years. Over this time, they have carried out property development from industrial sheds to commercial offices and overseas projects. These included several sites which were developed from brownfield sites.”*

It seems unlikely that Verdant would intend to progress residential development on the site, as they make particular reference to their expertise developing industrial sites, industrial sheds and commercial offices. However, even if they did intend to bring forward residential development on the remaining land, we would argue that this would be challenging in the context of the adjacent industrial land use that St.Gobain would continue to be pursuing.

This would not provide a particularly attractive environment for residential development and would require a considerable loss of developable land to create a suitable buffer.

We are extremely surprised that the Council was not able to determine the ownership status of the land, and to discover, as we did via a phone call, that the owner has no intention of disposing of the land. This was not a difficult or time-consuming exercise.

On this basis, what is clear is that the South Stanton site is unlikely to come forward in the plan period, irrespective of where it is positioned in the Council's housing trajectory. The owner has no current intention of vacating the site, and, on this basis, we would contend that it is unsuitable to include it as a strategic allocation in the Core Strategy. This would mean that the delivery of a significant volume of housing is founded on an improbable premise of availability.

In addition, the previous use of the land as an ironworks makes it challenging to develop without some form of subsidy to undertake the necessary remediation of the land. The previous ironworks must be considered a highly contaminating land use. Former iron and steel works sites are likely to have become chemically contaminated with a wide range of substances from the manufacture of iron and steel, and the many associated processes. Associated processes include coke-production, metal refining and finishing, and so contamination by metals, inorganic and organic compounds, acids/alkalis and asbestos is common on such sites, as are spillages of aromatic and non-aromatic hydrocarbons.

Without a clear and evidenced strategy that shows that the site is economically capable of remediation, we would contend that it is unsound to rely on it for the delivery of strategic housing.