

# **Erewash Core Strategy Review Examination in Public**

Matter 6, Question 8, Strategic Policy 1.5 South  
West of Kirk Hallam

Statement on behalf of Inovo Consulting Ltd

## **INTRODUCTORY STATEMENT**

- i. Hearing Statements are submitted by Christopher Waumsley DipTP MRTPI of Inovo Consulting on behalf of the promoter of land **South West of Kirk Hallam (Lambert Limited)** for which a draft allocation is made under **Strategic Policy 1.5** of the Erewash Core Strategy Review Submission Version.
- ii. Lambert Ltd control and are promoters of land South West of Kirk Hallam which is proposed as a strategic residential led mixed use allocation in the draft plan. The intention is to provide a sustainable urban extension to the South West of Kirk Hallam incorporating a new local centre, strategic green and blue infrastructure including extension to the Pioneer Meadows Local Nature Reserve, and a new relief/link road between Sowbrook Lane South of Kirk Hallam to the A6096 Ladywood Road West of Kirk Hallam.
- iii. Inovo and Lambert Ltd have been positively engaged with the Policy Team, and more latterly, Development Management Team at Erewash since 2020 and throughout the evolution of the Core Strategy Review (CSR).
- iv. For context a summary of activity and engagement undertaken to date in respect of the proposed allocation site is set out below:
  - a) An initial development concept for a sustainable urban extension at Kirk Hallam was prepared in July 2020, worked up in conjunction with the planning authority and proposing a broad vision and overall objectives for development. This concept plan informed the preparation of technical survey and assessment work and was subject to public and stakeholder engagement alongside the November March 201 CSR consultation.
  - b) Responses to that consultation exercise and engagement with key officers, stakeholders and consultees in the period since has resulted in the evolution of the plan
  - c) Alongside this work the promoter's consultant team have carried out a wide range of assessments and studies to allow the identification of the technical considerations pertinent to the site's development. This technical information will inform the preparation of a hybrid outline/detailed planning application for the site's development with the relief/link road and first phase of development in detail and subsequent phases in outline.
- v. Inovo are appearing at the Examination in support of EBC's commitment to an urban extension South West of Kirk Hallam to meet the needs of the plan area within the plan period to 2037.
- vi. In response to the Inspectors Matters, Issues and Questions issued on 5<sup>th</sup> October 2023, Inovo wish to make a number of points to supplement the representations made by Inovo at the Regulation 18 and 19 stage consultations.

## **MATTER 6 – HOUSING ALLOCATIONS**

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

### ***8. Strategic Policy 1.5 South West of Kirk Hallam.***

#### ***A: What is the background to the site allocation and how was it identified ?***

- 1.1 The Draft Options For Growth of January 2020 proposed an allocation at land South-West of Kirk Hallam for 600 homes and a relief Road. The land allocated full housing comprised the northern half of the allocation now proposed in the submission version of the CSR. It was anticipated that the allocation of 600 dwellings “could help to deliver” the new road. It was identified that previous investigations into traffic impacts of development at the former Stanton Ironworks identified the advantages of a new link road from Sowbrook Lane to Ladywood Rd. Search a link road would act as a Kirk Hallam bypass for traffic from new development at Stanton heading towards Derby.
- 1.2 At the time of the Draft Options For Growth consultation the land proposed in this allocation was not under the control of a developer/promoter and no meaningful appraisal of the deliverability of the proposed Relief Road had been carried out. Lambert Ltd entered into agreement with the landowner to promote the site for development and carried out initial appraisal/viability assessment of the deliverability of the proposed allocation. This confirmed that the allocation of 600 dwellings would be insufficient to fund delivery of the whole of the Relief Road. Lambert Ltd secured agreements with adjoining landowners and proposed to the Council a larger allocation that would enable development to fund the whole of the Relief Road. This coincided with recognition by the council that the proposed allocations in the Draught Options For Growth at Lock Lane Sawley and North of Cotmanhay were either not deliverable (Sawley) or of a reduced scale (Cotmanhay).
- 1.3 The Revised Options For Growth consultation of March 2021 proposed a larger allocation on the land southwest of Kirk Hallam incorporating additional land to the south and east within the proposed Kirk Hallam Relief Road. The revised area proposed for allocation comprised some 50ha of land which at a gross site area density of 26dph would deliver approximately 1,300 dwellings.
- 1.4 Lambert Ltd commissioned further technical and viability studies to establish the main infrastructure requirements and costs and, in consultation with the Council and statutory undertakers, other fundamental requirements for development of the site. This work informed a preliminary masterplan based on an anticipated dwelling yield of 1,300 dwellings (see figure 1 below). This masterplan incorporated key physical infrastructure including the Relief Road, flooding mitigation and drainage, open space and an expansion to the Pioneer Meadows Nature Reserve and Biodiversity Corridor.
- 1.5 Through consultation with the Council and key stakeholders it was identified that the development site should also include a new primary school and a new local centre. Viability testing confirmed the development could fund delivery of the Relief Road, a new 1.5 form entry primary school, funding for additional school places in Kirk Hallam and 10% affordable housing. This was reflected

in a revised Masterplan (figure 2) agreed with the Council and which formed the basis of the proposed allocation in the submission version of the CSR.

1.6

***B. What would be the effect of developing the site on the purposes of the Green Belt ?***

- 1.7 There will obviously be a reduction in the overall area of designated Green Belt. However we consider the impact of this reduction in terms of the purposes of Green Belt in this location will be relatively insignificant.

***C: Are there exceptional circumstances to alter the Green Belt in this particular case ?  
If so what are they ?***

- 1.8 It is anticipated that this question will be addressed by the Planning Authority. However it is self evident that the CS was over reliant on development within existing urban areas. This is confirmed by the latest Housing Delivery Test figures for Erewash which has only achieved 69% delivery of its housing requirement. Consequently a review of Green Belt boundaries is the only realistic option to meet the development needs of the area. The CSR Draft Options For Growth Jan 2020 identifies, correctly, a sequential assessment of growth options A) – H) and their ability to deliver the housing requirement.
- 1.9 Paragraph 147 of the NPPF advises that “When drawing up or reviewing Greenbelt boundaries, the need to promote sustainable patterns of development should be taken into account” The CSR has, in our view, correctly identified the land South West of Kirk Halam as providing a sustainable location for development.

***D: Should the policy set out what compensation measures will be expected where there is Green Belt release for development and how will it be calculated ?***

- 1.10 Paragraph 147 of the NPPF requires that where it has been concluded that it is necessary to release land from the Green Belt consideration is given to “ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt. Firstly it should be recognised that the CSR provides that “An additional 27ha of open land between Kirk Hallam and the former Stanton Ironworks is allocated as Green Belt” as part of Strategic Policy 1.5. It also requires Enhancement of Dale Abbey Footpath 2 and Dale Abbey Footpath 49 that link Kirk Hallam and the new development to the wider countryside and the provision of a green corridor through the site linking Pioneer Meadows Nature Reserve to the wider countryside.
- 1.11 In our view these measures required by Policy 1.5 will secure compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land as required by paragraph 147 of the NPPF.

***E: What is the basis for the scale of development proposed and is this justified ?***

- 1.12 It is anticipated that this question will be addressed by the Planning Authority. However we understand that the basis for the scale of development is a function of the need to provide land to meet the housing requirement and the sites capacity taking account of technical and environmental constraints, infrastructure requirements and the function of the Relief Road in providing a long term defensible boundary to the Green Belt.

***F: What is the background to the specific policy requirements ? Are they justified and consistent with national policy ? Do they provide clear and effective guidance on constraints and suitable mitigation ?***

- 1.13 It is anticipated that this question will be addressed by the Planning Authority. However the promoters of the site have engaged in extensive consultation with the planning authority to develop the scheme for the site and agree the specific policy requirement are appropriate.

***G: What are the highway implications of the allocation and how will any impacts be mitigated ?***

- 1.14 It is anticipated that this question will be addressed by the Planning Authority and the Highway Authority. However the promoters highway consultants have engaged with the Planning and Highway authorities to develop the Relief Road design and to agree parameters for development/site specific detailed traffic modelling.

***H: Does the policy identify appropriate and necessary infrastructure requirements ? How will these be provided and funded ? Is this sufficiently clear ?***

- 1.15 CSR Policy 1.5 identifies key site specific infrastructure requirements. In addition It is anticipated that this question will be addressed by the Planning Authority. In addition Policy 19 of the adopted CS lists (paragraph 3.20.2) on and off site infrastructure that may be required for any development site. This has enabled the promoters to identify the necessary infrastructure requirements to support the development of the site as envisaged in the allocation.

***I: Are there potential adverse effects not covered above ? If so what are they and how would they be addressed and mitigated ? (The council's response should address key issues raised in the representations)***

- 1.16 It is anticipated that this question will be addressed by the Planning Authority.

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

- 1.17 Throughout the evolution of the CSR Lambert Ltd and its consultant team have been working with the Council, statutory undertakers and other stakeholders to develop the scheme of development for the allocation. Extensive and thorough assessment of technical development matters, infrastructure requirements and design, social infrastructure needs, site constraints and environmental matters has been carried out (see figure [ ] ). This has fed into reappraisal of the sites development capacity ( see figure [ ] )and further viability testing. As a consequence of this work and in particular detailed understanding of ground conditions and consequential engineering requirements the number of dwellings that can be delivered within the area of the proposed allocation has reduced to around 1,000. Further detailed viability testing has confirmed that the development including delivery of the Relief Road is deliverable and viable on a policy compliant basis.
- 1.18 Lambert Ltd have legally binding option agreements with all landowners having an interest in the site and land beyond the allocation boundary that is necessary to deliver the Relief Road its junctions and associated infrastructure. Lambert Ltd have also reached agreement with their housebuilder/developer partner Barrat David Wilson (BDW) to develop the site once planning permission is granted. Lambert and BDW have been working cooperatively to prepare a planning application once the CSR is adopted.

***K: How will the site be brought forward for development ? What mechanisms will there be to ensure a comprehensive and coordinated approach to development, ensuring that infrastructure requirements are provided ?***

- 1.19 It is anticipated that a hybrid Outline/Detailed planning application (Relief Road and first phase of residential development) will be submitted as soon as the CSR is adopted. Work in preparation of that application is at an advanced stage. The site is in the control of a single developer working with a single housebuilder with agreement to deliver development and associated infrastructure in a comprehensive and coordinated manner. It is anticipated planning conditions and S106 agreements will secure a phased programme of delivery.

***L: What is the expected time scale and rate of development and is this realistic ?***

- 1.20 It is anticipated that development will proceed as 4 phases and could commence first quarter 2025 with phase 1 approved in detail along with the Relief Road under a hybrid planning application to be submitted mid 2024 and potentially approved in Jan/Feb 2025. We would anticipate around 40 dwelling completions by March 2026. Thereafter it is anticipated there would be 3 "points of sale" on the site from 3 housebuilder brands each delivering around 40 units per year, 120 per year in total from the site.

**M: Overall, is the allocation justified, effective and consistent with national planning policy ?**

1.21 It is anticipated that this question will be addressed by the Planning Authority. However we consider the allocation to be justified, effective and consistent with national planning policy.

Figure 1



Figure 2



Figure 3



