



Our Ref: P1763/SS  
Date: 21.12.2023

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Dear Ms Schofield,

**RE: Matter Hearing Statement**

Harris Lamb Planning Consultancy has been instructed to prepare this Matter 6 Hearing Statement on behalf of Wulff Asset Management Limited.

Wulff Asset Management are the promoter of a non-Green Belt site – Ref. Site 371 in the 2022 SHLAA (EBH4a) – for residential development on the edge of the Ilkeston Urban Area. Site 371 relates to the eastern 10 hectares of the 27 hectares proposed to be allocated as Green Belt in Strategic Policy 1.5.

In a rather unusual set of circumstances, this Statement does not seek to comment on the merits or otherwise of this strategic allocation to which Policy 1.5 relates.

Instead, this Statement focuses on the rather odd reference to the allocation of 27ha of new Green Belt between Kirk Hallam and the former Stanton Ironworks; land which is currently not Green Belt and that has no relationship with the strategic allocation for which Policy 1.5 relates. Consequently, our comments do not fit neatly into the Inspector's questions on this proposed allocation and instead we set out our objects to the proposed allocation of this land as Green Belt and the reasons this is not justified or in accordance with the National Planning Policy Framework (**NPPF**).

Nothing in the policy or evidence base explains how the proposed new Green Belt relates in any way to this strategic allocation, and we can confirm that there have been no discussions with us by the promoter of the strategic allocation or the Council about the allocation of Site 371 as Green Belt or its role as part of the strategic allocation. We can also confirm that

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Wulff Asset Management's site has no relationship to the proposed strategic allocation and consider reference to it should be removed from Strategic Policy 1.5.

What Policy 1.5 tells us is that the proposed allocation of this land as Green Belt is to "ensure the continued separation of Kirk Hallam from Stanton". However, this is fundamentally flawed for. These reasons are set out below:

- Paragraph 144 of the NPPF states that Green Belts should only be established in exceptional circumstances. No such circumstances have been presented in the revised Core Strategy or the supporting evidence base to explain why this land should be allocated as Green Belt;
- The second purpose of including land in the Green Belt as set out in Paragraph 143 of NPPF is to stop towns merging. Kirk Hallam and Stanton which are neighbourhoods in the same settlement, and so the designation of this land does nothing to contribute to the purposes of including land in the Green Belt;
- The Green Belt was originally established to stop Nottingham and Derby from merging. This land is surrounded by development and does nothing to contribute towards this objective.
- No consideration to Green Belt boundaries enduring beyond the plan period or safeguarding land in accordance with Paragraph 148 of the NPPF.
- The Council has previously tried to add this land to the Green Belt in the 2005 Local Plan. However, this was rejected by the Inspector. It is advised at paragraph 14 on page 183 of the Inspector's Report that:

*"There is no explanation of why the area of 'protected open land' (in the adopted Local Plan) between Kirk Hallam and Ilkeston has been added to the Green Belt: it should rather be safeguarded to meet development needs between 2011 and 2021 in accordance with Government guidance in PPG2(2.12) and to ensure the avoidance of incremental changes to the Green Belt boundary".*

Rather than follow the Inspector's conclusions and positively engage with Wulff Asset Management, the Council are trying to revert to adding the site to the Green Belt with no justification and whilst proposing to release large swathes of Green Belt land to meet the housing need identified.

In summary, we do not consider the inclusion of this land in the Green Belt is justified or that it accords with the NPPF. We respectfully request that the proposed reference to its allocation as Green Belt is removed from Strategic Policy 1.5. Instead, the land should be allocated for residential development to ensure that all non-Green Belt land is fully exhausted.

We hope that you take our comments into consideration, and we look forward to appearing in the hearing sessions at the beginning of next year.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Silcocks', with a stylized flourish extending to the right.

**Sam Silcocks BSc (Hons) MA MRTPI**

**Director**

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