

Erewash Core Strategy Review

Amendment Public Consultation

Stanton Estates (May 2025)

Professional memberships and accreditations



Fisher German LLP is a limited liability partnership.
Registered in England and Wales. Registered Number: OC317554. Registered Office: The Head Office,
Ivanhoe Office Park, Ivanhoe Park Way, Ashby-de-la-Zouch, Leicestershire, England, LE65 2AB. A list of
members' is available for inspection at Head Office.

1. Introduction

- 1.1. These representations are prepared by Fisher German on behalf of Stanton Estates in respect of their land interests east of Breaston. These representations should be read alongside the following appendix:
 - Appendix 1 –
- 1.2. The site is identified for release from the Green Belt and allocation within the submitted Erewash Core Strategy Review Amendment; Strategic Policy 1.13 – West of Breaston. The site is a proposed allocation of *"around 50 dwellings"*, with site specific criteria and identified on the supporting policies map. This draft allocation is fully supported and by client.
- 1.3. Stanton Estates are committed to the delivery of the site and have acquired two properties to safeguard access possibilities from the site from adjacent Holly Avenue, albeit it is understood that this is not the preferred method of access, it ensures that there are multiple options of to access the site, safeguarding delivery.
- 1.4. Whilst this Plan is not subject to the 2024 NPPF, it is understood that Golden Rules principles would be applicable to any submitted planning application.

2. Representations

- 1.6. Through this consultation, the Council propose an additional 7 residential allocations, amounting to just under a 1,000 dwellings of additional supply. This has been provided as a direct response of the comments of the Core Strategy Review Inspector who concluded that the submitted strategy was likely to yield to a shortfall of 820 dwellings, with at least 218 being needed to count towards the 5 year housing land supply. The Inspector continued *"given the marginal supply in relation to requirements it would be sensible to identify sufficient capacity to provide a reasonable amount of flexibility in addition to this"*. This draft allocation will assist the Council in delivering this shortfall.
- 1.7. Should however it be established that there is a further shortfall of housing land supply, either in totality or over a 5-year period. It remains the gift of the Council/Inspector, to recommend an expansion of the East of Breaston allocation into adjacent land which is under the control of our client (assessed under the original SGA assessments under SGA 31 (South of Longmoor Lane, Breaston)), and could be expanded logically to enable higher housing growth if required. This site could be allocated and/or designated as safeguarded land, to top up any required additional housing required, to increase the robustness through a buffer or to deliver safeguarded land to ensure compliance with NPPF Paragraph 140, which requires Strategic policies to establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.

Land east Breaston

- 1.8. The land East of Breaston (CSR-0003) was submitted to the Council as a separate parcel to reflect its ability to come forward independently of the wider SGA 31 submission and allow the Council flexibility in terms of the land it proposes to allocate.
- 1.9. In relation to sustainability, the Council's updated SA assessment demonstrates that the site is sustainable and suitable for development, scoring in the 7th level of assessments (out of 18). The site is located adjacent to the sustainable settlement of Breaston, but also within walking distance to the services and facilities of Long Eaton. This proximity to Long Eaton means it is one of the most sustainable sites assessed, and whilst sits in the rural area of Erewash, benefits from urban level of service provision and accessibility.
- 1.10. Turning to the Green Belt assessment (2025), the site is assessed as part of wider Breaston Area D (which includes the cemetery to the north). The assessment acknowledges that Heath Gardens currently forms the existing alignment of the village and forms its eastern boundary. The assessment however acknowledges that there exists an opportunity continue the existing line of built form of Heath Gardens to the north, being defined on its eastern side by a mature tree-lined boundary. This leads the Council to conclude that Area D does not impact the ability of Green Belt to maintain separation between towns, with land not reducing the gap which currently exists between Breaston and the Long Eaton urban area. The M1 is noted to have an urbanising influence in this location and there is a limited sense of wider countryside. The assessment concludes that Area D makes a limited contribution to checking the unrestricted sprawl of the Breaston built-up area. This conclusion is supported. Given the conclusion in relation to the separation of towns, it is clear the site cannot perform this function strongly either, particularly given the lack of towns between Long Eaton and Derby, particularly where Breaston is situated, which is already one of the largest gaps between the two conurbations. We agree with the Council's assessment insofar as it relates to the land East of Breaston proposed allocation.
- 1.11. The site is sustainable, not constrained and does not strongly contribute to the Green Belt. This examination has already found that very special circumstances exist to release the site from the Green Belt. Very Special Circumstances will exist in relation to this site, in that it offers a unique opportunity to allocate land of low Green Belt value, which can benefit from the inherent sustainability of Long Eaton and the settlement of Breaston.

- 1.12. Having demonstrated that the allocation in general is suitable, we would provide the following comments in respect of the site-specific criteria proposed by the Council relevant to the Land East of Breaston allocation. For ease of reference we will consider each requirement in turn in the order they appear in the Council's document.

Allocation of 50 dwellings

- 1.13. The allocation of around 50 dwellings is supported and considered broadly deliverable. The use of the term around is supported, and reflects that actual site yield will be wholly dependent on the site specific evidence and site planning associated with a planning application. It may be actual yield is higher or lower, and this flexibility enables pragmatic decision making at application stage.

Upgrading of the vehicular junction between Heath Gardens and the A6005 Derby

- 1.14. Since the draft allocation was published, Stanton Estates have commissioned evidence to assess the deliverability of the site access, noting the Council's published preference for access to the site to be achieved via Heath Gardens. The Heath Gardens development was developed by Stanton Estates and they have retained rights of access through the site. It is however acknowledged that this access is not to current industry standards and there may be some resistance to significant intensification of use. However, Stanton Estates own two adjoined properties on neighbouring Holly Avenue (75 and 77), which could be used to facilitate access into the parcel if required. As already referenced our client also owns the wider land to the east, meaning an access could be provided through there also. Ultimately our client has control over 3 separate potential routes into the site, and it is considered any one or combination demonstrate that the site can be accessed, even if it is not through the currently proposed route through Heath Gardens. Given this land is under our client's direct ownership and control, this does not mean there are ransoms or other land relates issue to provide access, and the examination can have sufficient certainty that there is a deliverable access into the site to facilitate the development.

Installation of a pedestrian crossing point crossing the A6005 adjacent to the above junction

- 1.15. Notwithstanding our comments above, even if pedestrian access was to be taken through Holly Avenue or via the wider land, suitable connection points would be made for pedestrians including potentially a pedestrian connection through Heath Avenue. As such, should there be a need for pedestrian crossing points over the A6005 to enable pedestrians to access the wider network, this can be delivered through usual development contributions or applications utilising our client's and highway land.

The creation of an appropriately landscaped buffer between the new homes and the burial ground immediately north

- 1.16. This requirement is understood and would be delivered, to ensure no undue harm to the tranquillity and privacy of the burial ground. There is already existing mature vegetation and this could be reinforced through an appropriate landscaping strategy.

40% of the new homes to be provided as on-site affordable housing.

- 1.17. Requirement understood, but ultimately understood that despite being allocated in this Plan subject to a examination under a previous NPPF, any application on this site would need to demonstrate compliance with the principles established in the NPPF 2024 relating to enhanced affordable housing provision, capped at 50% and dependent on viability.
- 1.18. Overall the requirements of this development are supported, however we consider that the policy should be less specific in terms of site access, to ensure that the optimal access to the site as informed by evidence can be utilised. However, as stated earlier, multiple options to access the site exist, under the direct control of Stanton Estates, therefore the site should be considered accessible and deliverable under this examination.

SGA 31 (South of Longmoor Lane, Breaston)

- 1.19. As set out earlier in these representations, our client has control of the wider land east of the East of Breaston Allocation, between Longmoor Lane to the north and Derby Road (A6005) to the south. Should it be established at any point that there is a shortfall of housing supply, additional land can be brought forward on SGA31. SGA1 can be brought forward in phases, and part of the site could be retained as safeguarded land to give the Council greater long term supply without the need for additional Green Belt release in accordance with NPPF Paragraph 140.
- 1.20. The existing gap between Breaston and Long Eaton is experienced predominantly via two key routes, the A6005 (Derby Road) and Longmoor Lane. In both cases there is a need to cross the M1, a bridge for the former and an underpass for the latter. The M1 is 4 lanes per carriageway in this location, creating a significant boundary for which there will be a palpable sense of separation for those crossing over/under. In respect of Derby Road, existing boundary planting on the approach to the M1 bridge will begin a sense of leaving Long Eaton. By the time the site becomes visible on the bridge, there could be no doubt that those crossing will have left Long Eaton. The built form and urban paraphernalia of Breaston is apparent. There is capacity to introduce some development east of Breaston, with reinforcement planting and a suitable layout, which may bring development closer, but would not lead a reasonable person to conclude that the settlements were now amalgamated. Retained open space (which would be delivered adjacent to the M1 regardless) and the M1 itself will continue to function as they do currently in creating a sense of separation and transition between the two settlements. There is however capacity within the site to introduce development, without undue harm. The 2025 Green Belt assessment concedes that the M1 forms to urbanise but also functions as an effective boundary of Long Eaton.
- 1.21. The same is apparent from Longmoor Lane, although as an underpass views towards both the site and Breaston are not experienced until beyond the underpass. From here there are views across the appraisal site, but clearly in the context of having left Long Eaton. Again, we consider that with a targeted approach in respect of landscaping and site layout, impacts can be reduced to an acceptable level.
- 1.22. The site can therefore be developed in a manner which still provides physical separation from Long Eaton and Breaston. The land is physically disconnected from the wider Green Belt by the roads and existing boundary planting, which also provide visual separation. Therefore, whilst concede there will be some Green Belt harm in respect of settlement coalescence, this will not be significant when considering the site's context and the perception of settlement coalescence experienced by those traveling past the site, particularly when regard is had for existing vegetation and the function of the M1 in separating Long Eaton from Breaston.
- 1.23. In terms of other aims of the Green Belt, the development of the site would have a limited impact on the unrestricted sprawl of large built up areas as Breaston is not a large built area (whilst we acknowledge this Plan is not subject to updated guidance, the confirmation that villages are not large built up areas amounts to a clarification not change in policy and thus is considered material) and it would remain essentially surrounded by open countryside to the north, west and south (the land to the east would not be read as open countryside due to the M1 beyond), where residents would have easy access to open space. The site is highly contained by existing roads, including the M1, as such the impact of encroachment would be limited. The development would make a highly limited contribution to the setting and character of historic towns and as already established through work of the Council and EiP, there are no viable brownfield alternatives, thus its development would not impact the delivery of brownfield land. As such, the impacts against these four purposes is considered limited.
- 1.24. The site is within Flood Zone 1 and is not impacted or constrained by statutory environmental or historic designations. Access to the site is achievable and increased pedestrian permeability can be provided through new linkages from Derby Road to Longmoor Lane. Notwithstanding the ambition to provide a green buffer to the M1 to maintain clear separation, this will also serve to mitigate impacts from the M1 on

proposed residential properties. Whilst the SGA assessment of the site notes the site is high performing agricultural land, it is not in agricultural use (equestrian) thus the loss of this land will have limited impact on food production. The site is located a close walk to well served bus stops served by the Indigo service every 20 minutes between Derby and Nottingham (serving Long Eaton town centre). Existing services in Breaston and Long Eaton are accessible by foot or cycling. Given the presence of 2 roads with footways adjacent to the site, the M1 will not block or impede access to Long Eaton. The reality is via foot, cycle or bus, the services of the Nottingham Conurbation are readily accessible to Breaston and future residents of our client's land. A landscape appraisal has been submitted which demonstrates the site can be delivered without unacceptable landscape harm.

- 1.25. Our client's land interests can deliver circa 300 dwellings, whilst providing land suitable to buffer to the M1, preserve open views across the eastern part of the site, deliver public open space, BNG and sustainable drainage systems. A range of house types can be provided and a policy compliant level of affordable housing delivered, close to areas of local housing need emanating from Long Eaton, as well as Breaston. Importantly, the site can commence delivery quickly once approved and can likely deliver hundreds of houses to both the 5-year supply and overall Plan delivery. Opportunities for multi-outlet delivery will be explored to expedite delivery if required. As already set out, there is the option to part allocate the site, with the rest designate as Safeguarded land. As per other proposed new allocations, the Council can provide high level land use plans to limits the areas of the site available for development. The allocation of this site will therefore make a significant contribution to ameliorating the housing supply issues raised by the Inspector.