

By email only to: [planningpolicy@erewasih.gov.uk](mailto:planningpolicy@erewasih.gov.uk)

11<sup>th</sup> May 2025

Dear Sir / Madam

### **Core Strategy Review (CSR) Amendment Consultation**

Marrons is instructed to prepare this response to the CSR Amendment Consultation on behalf of William Davis Homes Limited (“William Davis”).

The CSR Amendment Consultation follows hearings held in respect of the soundness and legal compliance of the CSR and the Inspector’s post-hearing findings dated 4<sup>th</sup> September 2024. The Inspector’s post-hearing findings raised fundamental concerns in respect of the soundness and, due to deficiencies within the Sustainability Appraisal (“SA”) process, legal compliance of the CSR.

The CSR Amendment Consultation and its associated evidence base is aimed at addressing the Inspector’s concerns. Substantively, the CSR identifies further housing allocations to meet housing needs over an amended Plan period (2025 to 2043).

Below, we comment on the respective strategic policies within the CSR Amendment and the evidence base.

### **The Spatial Strategy – Strategic Policy 0**

It is welcome that the CSR now sets out a clear strategic policy in relation to the settlement hierarchy. In essence, Strategic Policy 0 identifies the conurbations (i.e. the Nottingham Conurbation including the Long Eaton Urban Area) and the Derby Conurbation, which abuts the Erewash boundary, as the most sustainable locations within the Borough.

We consider that there should be express recognition within Strategic Policy 0 that the Long Eaton Urban Area includes Sandiacre.

### **Strategic Policy 1 – Housing**

Strategic Policy 1 (SP1) sets out that the Borough has an Objectively Assessed Need of 6,948 net new homes over the Plan period 2025 to 2043. Objectively Assessed Need (OAN) or local housing need (LHN) is different from a housing requirement. Strategic Policy 1 should be reworded to clearly reflect that 6,948 is the CSR’s minimum housing requirement figure.

Strategic Policy 1 identifies the distribution of 7,000 new homes. The CSR’s supply of homes by site and site typology is set out in the Housing Trajectory. The total number of dwellings expected within trajectory is 6,948. This equates exactly to the CSR’s minimum requirement and so, there is no room at all for slippage. We note the comments in the Inspector’s post-hearing letter at paragraph 4.6 that:



“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.”

The CSR amendments do not appear to reflect this feedback from the Inspector.

We remain concerned that the apportionment of housing to the Nottingham Conurbation does not reflect its position in the settlement hierarchy and that housing growth is, as a consequence, filtered down to less sustainable locations. Furthermore, if the Council has, as it claims, adopted a sequential approach to the selection of sites with preference given to the Nottingham Conurbation, then that makes the lack of growth directed toward the Nottingham conurbation all the harder to understand. The Council points to strategic constraints in this area as a reason for why it has not hosted more growth, but the Council’s updated evidence entirely overlooks SGA28 (Land at Rushy Lane).

Materially more homes (almost double) have been directed towards the Ilkeston Urban Area than to the Nottingham Conurbation. The same number of homes (c. 1,200) have been apportioned to the rural area. These locations are both lower down the settlement hierarchy than the Nottingham Conurbation. This does not, in our view, represent a sustainable pattern of growth.

We note that the Sustainability Appraisal Update (March 2025) does not test either the housing requirement or the apportionment of growth across the settlement hierarchy against the SA objectives, nor does it consider reasonable alternatives to the scale and amount of housing growth. As the scale and distribution of housing growth is now materially different to the submitted CSR, we would expect a more comprehensive revision of the SA work to underpin the CSR Amendment’s spatial strategy and site selection process.

We remain of the view that the CSR’s housing requirement and its spatial apportionment of growth is not justified as it has not been subject to a sufficiently robust and comprehensive SA process. Whilst we recognise the CSR has gone through previous rounds of SA, the fundamental changes to the CSR from the version previously submitted means its policies, particularly those in relation to the scale and distribution of residential growth, must be subject to SA.

### **Approach to Site Selection**

Table 10 of the Core Strategy Review Amendment Sustainability Appraisal (March 2025) scores the additional sites promoted to the Council through the most recent call for site process against the SA objectives. There is no objective analysis or explanation behind the scores awarded and accordingly, they have clearly not been subject to a sufficiently robust or objective SA process.

On Green Belt matters, the Inspector’s post hearing letter stated at paragraph 5.3 as follows:

“There is no assessment of the level of contribution individual sites make to the Green Belt and there is a lack of evidence to demonstrate the strength of the function of different parts of the Green Belt within Erewash. There is little evidence to demonstrate what impact the release of individual sites would have on the Green Belt.”

The Inspector also stated:

“The Strategic Site Assessments identify factual information relating to the Green Belt, for example distance of a site from a settlement, but there is no analysis or judgement about what that information means.”

The Council has published a Green Belt Review dated January 2025. We have several concerns in respect of this document, principally that it does not address the Inspector’s comments above. It does not include any robust analysis of the individual sites proposed for allocation against the Green Belt purposes and focuses on very broad land parcels. It also does not contain any analysis or judgement about how it has informed site selection nor is there any such explanation in the site-selection paper. Simply put, the work does not, in our view, address the Inspector’s fundamental soundness concerns and this undermines the robustness of the site selection process. As set out in more detail below, a number of sites proposed for release from the Green Belt would appear to cause significant coalescence issues, eroding already narrow gaps between settlements.

In respect of site selection generally, we note the following comment from the Council’s site selection paper:

*“The Nottingham conurbation is constrained by the M1 to the west and rivers to the south and east, along with their associated flood plains. As such, despite its high level of sustainability and prominence in the settlement hierarchy, these physical constraints have limited the options to extend it.”*

The paper then goes on to discuss the options for growth around Long Eaton/Sandiacre. Apart from Land to the West of Sandiacre, a relatively small site sandwiched tightly between the built-up area and the M1, the paper discusses two options which were rejected – one of which was rejected due to flood risk issues and the other due to impact on a level-crossing. There is no mention, however, of SGA28 (Land at Rushy Lane), which experienced none of the above-mentioned constraints which have, according to the Council, restricted growth options around the most sustainable part of the Borough. The result of overlooking SGA28 is the Council is not following its own site selection process of prioritising growth at the most sustainable locations and the result is a spatial strategy that cascades too much growth down to those settlements of lesser sustainability.

### **Comments on Specific Sites:**

#### *Strategic Policy 1.8 - North of Breadsall Hilltop*

The CSR proposes to allocate the site for around 160 homes in addition to further, safeguarded land. The site is intended as an extension to the Derby conurbation towards Breadsall to the north. The gap between the Breadsall and Derby is c.300m at its closest point. Development of North of Breadsall Hilltop would quite clearly represent a very significant erosion of the spatial and visual separation between Breadsall and the Derby urban area. This is not acknowledged or considered in any substantive detail



within the Green Belt Review. There is also no consideration of wider landscape or visual impacts. This is a notable omission given the site's topography.

Overall, the allocation of this site is underpinned by insufficiently robust evidence

#### *Strategic Policy 1.3 – East of Breaston*

The CSR proposes to allocate this site for around 50 homes. It is, however, unclear how the site would be accessed. We assume that access is intended via Heath Gardens to the south, which is tightly constrained by existing residential curtilages and ownerships. It does not appear that an access of adequate dimensions is possible in light of these constraints. There are also no footways along most of the length of Heath Gardens nor space to provide them, meaning that future residents of the site will be car dependent.

Overall, there is insufficient evidence to demonstrate that this site is deliverable and it is unlikely that it can be made so without the addition of third party land. There is also inadequate means of access to accommodate sustainable transport movements.

#### *Strategic Policy 1.11 – North of Borrowash*

The CSR proposed to allocate the site for around 80 homes with further safeguarded land. Access is to be achieved via Cole Lane to the east. The A52 skirts the site's northern boundary. The site's frontage onto Cole Lane is limited. Most of its width is also constrained by a pedestrian footbridge. Thus, there is no confidence that a safe and suitable access can be delivered with the adequate visibility spays. This is even more troubling due to the proximity of Cole Lane to the A52 dual carriageway. It is also clear that the presence of the A52 will also be associated with noise impacts, and this could have an adverse impact on the site's capacity. It does not appear that this constraint has been considered in any measure.

Given the lack of a demonstrable safe and suitable access, we consider that this site is undeliverable.

#### *Strategic Policy 1.12 – West of Borrowash*

The CSR proposes to allocate this site for around 280 homes and identifies further safeguarded land. Akin to the proposed allocation at North of Breadsall Hilltop, the site would infill a large part of the relatively narrow gap between Borrowash and Derby City, thereby creating potential coalescence issues. The Green Belt Review of January 2025 does not adequately consider the matter, as it only looks at broad land parcels and does not present a substantive analysis of the actual sites themselves proposed for allocation.

#### *Strategic Policy 1.7 – West of Sandiacre*

The SCR proposes to allocate this site for around 180 homes. Akin to North of Borrowash, the capacity of the site will be affected by the M1, which skirts it to the west. Air quality is also a concern given the tendency for queuing traffic on this part of the M1. The policy states that access can be achieved via Larch



Drive, but once again there is a lack of certainty given the tightly constrained nature of that road whether access can be delivered to suitable standards. The Council has previously cited that concern in its site assessment evidence, stating:

“Suggested access is proposed to involve a continuation of Larch Drive. However, this road itself is a short, residential highway which links to Cloudside Road. It would struggle to act as a main access for 183 homes given its limited specification and would pose a danger to roadusers and pedestrians with the significant increase of journeys along Larch Drive.”

It is not clear why the Council is now of the view that a feasible form of access from Larch Drive can be delivered.

## **Conclusion**

We have fundamental concerns with regards to the soundness and legal compliance of the CSR. The amendments proposed in respect of the allocation of additional sites are not underpinned by the appropriate updates to the SA or the Green Belt Review and are accordingly unjustified. There are also a number of factors that would impact upon the deliverability of the sites proposed for allocation, most notably around access, and this does not appear to have been considered by the Council in any measure.

Given the fundamental changes to the CSR and its strategic policies, we consider that the Plan now before the Inspector is very different to the one that was initially submitted for examination and we request that further hearing sessions are held in respect of the spatial strategy, SA, Green Belt, site selection process and additional sites proposed for allocation.

Yours Sincerely

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