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Erewash Borough Council
Planning Policy
Long Eaton Town Hall
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Our Ref: ALP/SDL/Dray/AmendCons/1

Dear Sirs

Erewash Core Strategy Review – Amendment Public Consultation – March 2025

1.0 Introduction

1.1 Advance Land & Planning Limited (ALP) have previously submitted representations on the Core Strategy Review on behalf of Seabridge Developments Limited (SDL) and we also appeared at an Examination Hearing session.

1.2 In summary, SDL:

- maintained that the Plan period needed to be extended to look ahead at least 15 years from adoption;
- suggested that the overall housing provision needed to be increased;
- supported the need to release land from the Green Belt to meet development needs over the Plan period and potentially, beyond;
- expressed concerns about the proposed Spatial Strategy;

- highlighted the need for a more balanced approach towards the distribution of future development, both geographically and in terms of directing a proportion of new homes to the main villages, including Draycott;
- maintained that there is a need to identify appropriate small/medium sized sites;
- criticised the Sustainability Assessment and highlighted the opportunity to accommodate residential development in the vicinity of Bankfields Farm, Derby Road, Draycott.

1.3 We were pleased to note that the Inspector appeared to generally agree with many of our concerns. We are also encouraged by the Council's response and proposed amendments to the Core Strategy, as contained in this Core Strategy Review Amendment – Public Consultation. Indeed, we congratulate officers on their hard work and dedication to the very challenging task they were set by the Inspector to update the evidence base and to produce the amendments in such a relatively short timescale.

1.4 SDL supports much of what has been done to address the concerns that both we and the Inspector have highlighted, although it is perhaps inevitable in the circumstances, that some new issues have arisen, about which we have some additional concerns, albeit ones which we believe can be easily resolved through further proposed modifications.

2.0 The Spatial Strategy

Strategic Policy 0 – The Settlement Hierarchy

2.1 SDL notes and **supports** the proposal to identify Draycott as a Key Settlement. We are, however, less convinced about the rationale for identifying some of the 'Other Settlements', such as Hopwell, which does not appear to be a settlement at all.

Strategic Policy 1 – Housing

2.2 SDL welcomes and **supports** the proposal to provide a minimum of 7,000 new homes over the period 2025 – 2043, including around 1,000 homes within the Key Settlements including land to be deallocated from the Green Belt.

Strategic Policy 1.1 – Allocated Housing Sites

- 2.3 SDL **supports** Strategic Policy 1.1

Strategic Policy 1.14 – South-West of Draycott

- 2.4 SDL fully **supports** the proposed allocation for residential development of around 190 homes on 8.3 hectares of land to the north and west of Bankfields Farm, Derby Road, Draycott along with the requirements identified at 1-4 of the policy and also as set out in the Infrastructure Delivery Schedule. It is noted from Table 10 of the updated Sustainability Assessment (SA3) that the site (CSR0040) ranks equal third best of the sites assessed following the 'latest 'call for sites'.
- 2.5 SDL has long-promoted the land to the east of the access track that serves Bankfields Farm and the adjacent storage and light industrial activities. More recently, however, in response to the Council's 'Call for Sites' exercise undertaken last Autumn, SDL extended its promotion agreement to include a parcel of land to the west of the access track that it considers also warrants allocation in the context of the Core Strategy Review. For the avoidance of any doubt, whilst this additional parcel is in a different ownership to the original promotion land to the east, it is now covered by the same promotion agreement, the objective of which is to secure the allocation/planning permission and subsequent sale and development of the land for housing at the earliest available opportunity.
- 2.6 With delivery in mind, SDL has commissioned various assessments to support its promotion of the enlarged proposed allocation and to provide a basis for an early planning application, including:
- Topographical survey to confirm the precise ground levels and features.
 - Landscape and Visual Appraisal (LVA) (**Appendix A**)
 - Flood Risk and Drainage Technical Note to more precisely confirm the extent of Flood Zone 1 (FZ1), in the light of the latest data and Flood Map for Planning, that has recently been published by the Environment Agency and which confirms that the entire proposed allocation is now categorised as FZ1.

- Preliminary Drainage Strategy which outlines a potential approach towards a Sustainable Urban Drainage System (SUDS) and the discharge of foul water into the mains in Derby Road.
- Preliminary Ecological Assessment (PEA) incorporating a Baseline Biodiversity Net Gain Assessment (BNG) and associated Phase 2 surveys.
- An Access Feasibility Technical Note to consider the most appropriate arrangements for providing means of access to the proposed development off Derby Road, together with the required pedestrian connectivity and crossing facility to access the adjacent bus stops and Draycott centre.
- An Historic Environment Desk-Based Assessment (HEBDA)
- Preliminary Concept Plan (**Appendix B**)

All of the above, confirm that there are no overriding constraints to prevent the early delivery of the site for housing with open space and landscaping, broadly in accordance with the updated Preliminary Concept Plan now submitted as **Appendix B**.

2.7 Moreover, the LVA undertaken by FPCR on behalf of SDL (**Appendix A**) concludes:

“The Strategic Growth Area Assessment (2021) states the Green Belt gap would be maintained due to existing development extending past the location of the proposed site, it is unlikely there would be any impact of historical character and proposed development would not extend any further into the countryside than the current extents of the village. This assessment refers to the eastern area of the Site however the western area of the site would not extend past the end the current extents of the settlement along Derby Road.

Overall, it is considered that with the appropriate mitigation [including the creation of open space and/or landscape buffers along the southern and western boundaries], residential development of a similar nature in the context of Draycott could be accommodated within the Site and local landscape without resulting in any unacceptable landscape or visual effects.”

2.8 SDL agrees with and supports the Council’s assessment that the suggested housing allocation will not compromise the main purposes of the Green Belt in this location and it maintains that with appropriate landscape treatment along the western boundary of the site, any new development will not result in unacceptable landscape or visual effects.

3.0 Safeguarded Land

- 3.1 SDL welcomes and **supports** the Council's decision to release additional land from the Green Belt that is to be safeguarded to 'help assist with meeting longer term housing needs'. This is particularly important for the reasons given below.
- 3.2 SDL also welcomes and **supports** the Council's assessment that Bankfields Farm along with land immediately to the south and east, does not strongly contribute towards the main purposes of the Green Belt and can be deleted from the Green Belt.
- 3.3 It is acknowledged that this Core Strategy Review is being considered in the context of the previous NPPF (2023), but we suggest that any provision of Safeguarded Land to meet future need should properly account for and be considered in the context of the latest version of the NPPF (2024) and the latest Planning Practice Guidance (PPG). The Borough's future Local Housing Needs figure calculated under the revised standard method is significantly higher (approximately 39%) than the need that this Core Strategy review is intended to meet. Consequently, it will be necessary for the Council to undertake an early review of this emerging Core Strategy and to identify a significant amount of additional land for new homes to meet the increased needs of Erewash. Furthermore, the Council will also be required to demonstrate a 6-year housing land supply with effect from July 2026 under paragraph 78 of the latest version of the Framework.
- 3.4 The vast increase in Local Housing Need must also be considered in the context of the impending proposals for local government devolution which will likely result in Erewash Borough being absorbed into a much larger Unitary Authority combining several existing administrative areas. This devolution process is highly likely to result in a delay in preparing any meaningful review or replacement of the existing Development Plan. Against this national planning policy and local government devolution context, it seems right for the Council to identify safeguarded land and to do this initially, in this Core Strategy review, through the extension of its proposed allocations.
- 3.5 The question, therefore, is whether the Council has identified sufficient safeguarded land at this time, to act as a 'release valve' and provide the necessary flexibility to accommodate housing requirements in the light of any such delay in future plan-making, particularly when considering the vast increase in Local Housing Need and the requirements of paragraph 145 of the 2023 Framework which requires changes to Green Belt boundaries to have regard to their permanence in the long term?

- 3.6 It is at this point that SDL must raise **concerns and objections** regarding the amount and location of safeguarded land identified by Strategic Policy 1.14.
- 3.7 Land at Bankfields Farm has a lawful use for storage and light industrial and in addition to the farmhouse, the property currently comprises a mix of existing buildings and associated yards and the open storage of caravans and it therefore clearly represents previously developed/brownfield land, measuring approximately 1.0 hectare (excluding the existing house).
- 3.8 In response to the most recent 'Call for Sites', in addition to suggesting the enlarged site for housing, SDL also suggested that Bankfields Farm and the adjacent commercial area will function and also be seen as part of the expanded settlement and so will serve no purpose being retained in the Green Belt and so it should also be included within the development boundary for Draycott.
- 3.9 The NPPF (2024) strongly prioritises the re-use and/or redevelopment of brownfield land for meeting housing needs and whilst the site currently remains operational and to date, has not been promoted for redevelopment, there is a very real possibility that this situation could change in the relatively near future as business leases come to an end.
- 3.10 Officers have informally confirmed that any future proposals for residential redevelopment are likely to be welcomed and supported, but safeguarded land is described in the NPPF (2024) as *'land between the urban area and the Green Belt'* (paragraph 149c), whereas Bankfields Farm will actually form part of the urban area. Moreover, paragraph 149d) requires plans to *"make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development"*
- 3.11 SDL is concerned that a policy of 'safeguarding' the area of brownfield land at Bankfields Farm could unreasonably frustrate or prevent the residential redevelopment of this brownfield site, in the event that it becomes available ahead of a subsequent local plan review.

- 3.12 **We therefore suggest that the existing house and commercial premises be included undesignated, within a modified development boundary.**
- 3.13 We acknowledge that the remaining proposed safeguarded area would be significantly reduced in size, but we suggest that this issue could be easily resolved by the extension of the safeguarded land designation to include land up to Hall Farm, to the east, as indicated on the plan included as **Appendix C** to this representation. For the avoidance of any doubt, this land is also the subject of a promotion agreement in favour of SDL.
- 3.14 The suggested extended safeguarded land shown shaded light brown on the plan included as **Appendix C** (to the south and east of the proposed housing allocation and commercial area) would measure approximately 7.3 hectares, comprising approximately 5.85 hectares of developable land (FZ1) (0.85 hectare to the north of the footpath that the Council's is proposing for safeguarding and an additional 5 hectares to the east of the woodland in FZ1) and approximately 0.45 hectares of open space (FZ2), plus the woodland and residual area to the south of the commercial land measuring approximately 1.0 hectare and which could also function as open space.
- 3.15 The Council may point to its assessment of the land (Area B) in its Green Belt Review, which although dated January 2025, was undertaken in November 2024, before the new NPPF was published on 12 December 2024 and prior to the even more recent guidance provided by Government in the PPG, on how to assess and identify 'Grey Belt' land that does not perform strongly against Green Belt purposes as set out at paragraph 143 a), b) and d) of the NPPF. Moreover, the Green Belt Review was prepared prior to the updates to the Flood Map for Planning, only published by the Environment Agency in March 2025.
- 3.16 It is worth noting that the current adopted Core Strategy identifies a parcel of land off Cleveland Avenue as safeguarded for a potential new primary school under Policy C1, as shown edged pink on the plan included as **Appendix C**. The Infrastructure Delivery Plan demonstrates there is sufficient capacity in the existing Primary School at Draycott to accommodate new pupils from the proposed development and so this safeguarding designation along with Policy C1 of the local plan will fall away upon the adoption of this Plan. Nevertheless, the existing designation demonstrates that the Council has previously acknowledged that built development in this area has been established as potentially acceptable.

- 3.17 In the light of the inevitable future need to provide for more housing, it is therefore worth considering the value of the land to the south of Cleveland Avenue as safeguarded land to the south and east of the proposed new housing allocation off Derby Road.
- 3.18 Needless to say, SDL does not agree with the Council's assessment of that land contained in the Green Belt Review (Area B – page 93). Furthermore, SDL is firmly of the opinion that the value of Area B should be assessed in the context of the new NPPF (2024) and the latest PPG, especially having regard to the concept of 'Grey Belt'. We accept that this guidance would not have been available to the Council at the time it undertook its Review, but given that safeguarded land is required to meet the potential future development needs of a subsequent (as opposed to this) Plan, SDL considers it is appropriate for changes to the Green Belt for safeguarding purposes to be guided by the latest Government advice.
- 3.19 We agree with the Council's assessment (Green Belt Review – page 93) that Area B would *"help to round-off the village's inset, which in this part of Draycott is defined by the pattern of development at the ends of Cleveland Avenue and Derwent Street..."*, but we do not agree with the remainder of the assessment. Whilst the 2024 version of the Framework is not relevant to this Inquiry *per se*, it is plainly an important consideration in terms of safeguarding land previously in the Green Belt for future development. The 2024 version of the Framework and the Government's recent guidance on the role of the Green Belt in the planning system are clear that:
- When it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt.... (para 148);
 - Purpose (c) - safeguarding countryside from encroachment - is not relevant to the determination of Grey Belt land (see Framework's definition of "Grey Belt");
 - Villages should not be considered large built-up areas for the purpose of assessing Purpose (a) - checking unrestricted sprawl of large built up areas. Consequently, Area B performs Weak or No function in checking the unrestricted sprawl of a large built up area in accordance with the recent Government guidance.
- 3.20 In light of the above, SDL disagrees with the Council's assessment of Area B's contribution to the purposes of the Green Belt. SDL strongly contends that Area B falls within the definition of Grey Belt and represents a logical and appropriate area to be safeguarded in this Core Strategy Review to meet inevitable future housing need.

3.21 The plan referred to above and included as **Appendix C** shows:

- the proposed housing allocation to the south of Derby Road (edged and shaded red);
- the existing commercial area adjacent to Bankfields Farm (edged and shaded blue) undesignated within a suggested revised development boundary/Green Belt Inset boundary (edged green);
- the remaining safeguarded land proposed by Strategic Policy 1.14 (up to the public footpath shown by a broken brown line), together with the additional safeguarded land (including the existing 'safeguarded' education site (Local Plan Policy C1) off Cleveland Avenue, that will be superseded shown edged pink), as suggested by SDL, shown edged brown and shaded light brown,
- the extent of FZ1 is shown indicatively by a broken blue line. The land to the north of this line is potentially suitable for residential development, with the balance of the hedgerow enclosed land to the south (FZs2&3) capable of use as open space.

3.22 If it is accepted that additional safeguarded land is required, either in general terms, or more specifically at Draycott, then we invite the Council to re-assess the value of the land off Cleveland Avenue, to the south of Draycott, which SDL contends constitutes 'Grey Belt' and which is suitable (as indicated) to be deleted from the Green Belt and safeguarded to meet potential future development needs.

4.0 Conclusion

4.1 In conclusion, SDL welcomes and strongly supports the Council's proposals to extend the plan period; increase the provision of new homes, modify the spatial strategy to identify Draycott as a Key Settlement capable of accommodating some growth and more particularly the proposed allocation of land at south-west Draycott for around 190 new homes, which SDL can confirm will be delivered at the earliest opportunity, with completion of the development anticipated within the first five years following adoption.

4.2 SDL also supports the Council's proposal to identify 'Safeguarded Land' to meet future housing needs, but it is suggested that the existing commercial premises at Bankfields Farm should be included undesignated, within a modified development boundary, because it clearly will form part of the built-up area and whilst it is currently operational, it may become available for residential redevelopment, before any subsequent review

of this plan and it would be perverse to prevent any redevelopment of this brownfield site in the interim.

- 4.3 SDL also suggests that the area of Safeguarded Land should be extended to include the area between the proposed allocation and Hall Farm to the east, as broadly indicated on the plan included as **Appendix C**. Such a designation would follow clearly defined and defensible hedgerow boundaries to the south and would provide scope for around 5.85 hectares of future housing land with a landscape buffer and at least 1.45 hectares of open space.
- 4.4 It is maintained that the suggested enlarged area of Safeguarded Land represents 'Grey Belt' as defined by the latest NPPF and PPG and its future development, through a subsequent review of the plan, would not, therefore offend Government guidance and would represent a logical and sustainable extension of the urban area to round – off the southern part of the village.
- 4.5 SDL looks forward to discussing its concerns and objections at any forthcoming additional Examination Hearings

Yours Faithfully

Andy Williams

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Director