

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Please provide your client's name	D10
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Your Details

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Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

If you would like to be contacted by the Planning Policy Team regarding future consultations.

Please tick here

Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: peter.leaver@eu.jll.com

For more information including an online response form please visit:

www.broxtowe.gov.uk/part2localplan

Data Protection - The comment(s) you submit on the Local Development Framework (LDF) will be used in the plan process and may be in use for the lifetime of the LDF in accordance with the Data Protection Act 1998. The information will be analysed and the Council will consider issues raised. Please note that comments cannot be treated as confidential and will be made available for public inspection. All representations can be viewed at the Council Offices.

Please return completed forms to:

Planning Policy, Legal and Planning Services, Foster Avenue, Beeston, Nottingham NG9 1AB

For more information: Tel: 0115 917 3452, 3448, 3468 or 3015 E-mail: policy@broxtowe.gov.uk

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations	30-31	Paras 3.4-3.6
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		

Question 1: What does your comment relate to? Please specify exactly

Please use a separate sheet of paper if required. Please use one form per representation.

	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		
	Policy 32: Developer Contributions		
Policies Map	Map 7: Chetwynd Barracks Policy: 3.1		
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: (please refer to the guidance note at for an explanation of these terms)		Yes	No
2.1	Legally compliant	√	
2.2	Compliant with the duty to co-operate	√	
2.3	Sound		√

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
It is not effective	
It is not positively prepared	√
It is not consistent with national policy	√

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

DIO **supports** the allocation of 500 houses, and associated commercial and community uses, **within the plan period** at Chetwynd Barracks.

The site possesses a number of attributes that make it particularly suitable for sustainable housing led mixed use development. These include:-

- previously developed land;
- located within the main built up area of Nottingham;
- surrounded by existing housing; and
- situated in an area highly accessible to all forms of transport, including rail, tram and bus.

The site is currently operational but its closure in 2021 has been announced. The site is available for development from this date.

DIO has commissioned a full consultant team to undertake the necessary technical work to demonstrate the suitability, capacity and deliverability of the site for development. This technical work has covered the following disciplines:-

- transport and movement;
- flood risk and surface water drainage;
- ecology;
- air quality;
- ground conditions;
- utilities and services;
- heritage; and
- retail need and impact.

In addition, consideration has been given to market factors. This has covered primarily the pace and mix of housing and the quantity and quality of employment floorspace.

This technical work has enabled the production of a Vision for Development that provides a robust development concept for the site. This development concept, and the technical work that underpins it, has been shared with officers of the Council, and has provided confidence about the capacity and deliverability of the site for development within the plan period and beyond.

The technical work and Vision for Development are summarised by a Non-Technical Sustainability Appraisal and Development Delivery Statement produced by JLL. This statement, along with separate annexes covering all the technical and architectural issues referred to above, have been submitted simultaneously to this representation and forms the principal evidence base to this proposed allocation.

The Vision for Development illustrates well the potential for development of the site. The site is significant in size (75 hectares net of retained Army accommodation in the northern part of the site) and represents an unrivalled opportunity for a unique and characterful settlement which will help to reconnect Chilwell and Toton.

The Vision for Development has fully accounted for the site's heritage with the proposed retention of a number of buildings on site, for conversion to either residential or community use. In addition, the Vision looks to retain large areas of woodland, recreation and green space, with this accounting for over 40% of the gross site area.

The Vision for Development provides a development concept of a new residential community in the region of 1,500 houses, a local centre, employment floorspace, a primary school, and other community uses (e.g. a medical centre). DIO considers the first phase, in the region of 500 houses at a site density of 35 houses per developable hectare, including the first phase of the local centre, is deliverable within the plan period.

However, Policy 3.1 limits its guidance to the development requirements for the site **within the plan period** to 2028. This does not recognise the full potential of the site's development, despite the acknowledgement on page 14 of the Publication Plan that it can deliver *"500 homes within the plan period and **substantially more than this beyond the plan period**"* (our emphasis). In addition, it is inconsistent with the approach taken with Policy: 3.2 Toton (pages 76-84), which is located close to Chetwynd Barracks and shares many of the same development issues. Policy 3.2 addresses in detail the key development requirements both within the plan period and beyond the plan period.

NPPF provides some relevant guidance. This includes:-

- Local Plans should provide a practical framework within which planning application decisions can be made with a high degree of predictability and efficiency (first bullet point to paragraph 17).
- Encouragement of the effective use of land by reusing previously developed land (brownfield land) (eighth bullet point to paragraph 17).
- Identification of development sites, where possible, to cover up to 15 years housing growth (third bullet point to paragraph 47).
- Supply of new homes can sometimes be best achieved through planning for larger scale developments, following the principles of Garden Cities (paragraph 52).
- In the context of the Green Belt, identification of safeguarded land in order to meet longer term development needs stretching well beyond the plan period (third bullet point to paragraph 85);
- Local Plans to be drawn up over an appropriate timescale, preferable 15 years, and to take account of longer term requirements (second bullet point to paragraph 157);

- to set out clearly strategic policies for an area to ensure neighbourhood plans can reflect these policies and plan positively to support them (paragraph 184).

DIO considers that the Publication Plan, as currently drafted, should consider the key development requirements of the site **beyond the plan period** on the same footing as the Toton Sidings site. This will assist comprehensive development on the site, longer term planning of the Chilwell and Toton area, and support the spatial strategy for the rest of the borough. Such an approach will be consistent with the guidance contained in the NPPF and would represent positive preparation of the Plan.

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

Proposed Modifications to Policy: 3.1 – Chetwynd Barracks, specifically paragraphs 3.4 and 3.5

- 3.4 Former Ministry of Defence (MOD) Site which as per the 2016 Ministerial Announcement is no longer needed for national defence purposes. The site is previously developed (albeit that particular sections of the site are open) and contains a number of buildings and structures related to its use as an MOD site including; barracks, staff housing, firing range and car parking.
- 3.5 The site is significant in terms of size (circa 75 hectares net of the retained Service Family accommodation in the northern part of the site) and represents an unrivalled opportunity for a large housing led development in a truly sustainable location on previously developed land. It is surrounded by existing housing and is very well located in respect of access to existing and proposed infrastructure. Attenborough Rail Station is located a short distance to the south east of the site and Toton Lane and Inham Road tram stops are walking distance to the north. The local area is served by a number of well used and regular bus services which currently have to skirt around the perimeter of the site, but could be comprehensively reconfigured as part of the overall redevelopment proposals.
- 3.6 The site will cease operations and become available for development in 2021. Because of its size and obvious sustainability credentials, it has a capacity for development that goes well beyond the end of the plan period – 2028. The extent of development beyond 2028 will be the subject for review of the Local Plan following the adoption of this Part 2 Local Plan and discussions with key stakeholders, including full engagement with the recently formed Toton and Chilwell Neighbourhood Forum, which intends to produce a neighbourhood plan covering Chetwynd Barracks, the HS2 station at Toton and associated development, and the surrounding area. However, to assist comprehensive development of the site and longer term planning of the area and the wider Borough, consideration has also been given below to the key development requirements beyond the plan period.
- 3.7 The following key development requirements must be met.

Key Development Requirements:

- 500 dwellings, at an approximate site density of 35 dwellings per developable hectare, on part of the site.
- First phase of the local centre with retail provision to meet local needs.
- Integration with adjoining housing, including existing retained MOD residential accommodation to the north.
- Reuse of existing access points and traffic mitigation measures to the local highway network, subject to detailed transportation appraisal.
- Re-routing of existing local bus services through the site, if commercially feasible.
- Attractive and convenient walking and cycling connections to the proposed HS2 station to the west and giving access to the tram route to the north.
- Retention and enhancement of green infrastructure corridors and provide public open space that meets the Fields in Trust Guidance.
- Retention of existing woodland areas.
- On-site sustainable drainage network based on natural attenuation.

Key Development Requirements beyond the Plan Period:

- Up to an additional 1,000 dwellings, at an approximate site density of 40 dwellings per developable hectare, on the remainder of the site.
- Completion of local centre with retail provision serving local needs and at a scale that does not compete with the retail offer of nearby centres.
- Small scale employment of around 5,000 sq m.
- New community uses, such as a primary school and health centre.
- Integration with adjoining housing, including retained MOD residential accommodation to the north.
- Upgrade and reconfiguration of existing accesses, with Chetwynd Road to be prioritised for buses, cyclists and pedestrians.
- Mitigation measures to the local highway network, to be determined as part of an overall transport strategy.
- New or extended bus routes through the site, through the reconfiguration of existing routes, to be determined as part of an overall transport strategy.
- Attractive and convenient walking and cycling connections to the surrounding area to the north, east and south.
- Retention and provision of public access around Hobgoblin Wood, the playing field in the south east corner of the site, and the parkland to the north of the listed National Shell Filling Factory Memorial.
- Public access to the National Shell Filling Factory Memorial and creation of a public space to the south of the memorial.
- Retention and enhancement of green infrastructure corridors, provision of public open space that meets the Fields in Trust Guidance, and creation of links with public open space in the first phase of development.
- On-site sustainable drainage network based on natural attenuation.
- Retention and reuse of existing heritage assets for residential or community uses, where feasible and merited in the context of the wider planning benefits of the overall development proposals.

Justification

3.8 Since the announcement of the Barracks' closure in 2016, the DIO has undertaken the following actions to assess the capacity for development:-

- Assembled a team of consultants, including infrastructure engineers, environmental consultants, heritage experts and master planners.
- Produced an evidence base on the site's constraints and opportunities, assessing transport and movement, heritage assets, flood risk and surface water drainage, ecology, air quality, ground conditions, and utilities.
- Reviewed market considerations, including the likely type and pace of housing in this area.
- Held a number of internal workshops to support the production of an initial development concept.
- Taken into account observations received from an OPUN workshop.
- Held a series of meetings with planning officers of the Council and other key statutory consultees (Nottinghamshire County Council and Highways England) and attended the Site Allocations Infrastructure Workshop in March 2017.
- Produced a Vision for Development – a development concept for the site.
- Initially engagement with the Steering Group to the recently formed Neighbourhood Plan Forum, including arranging a site visit and explanation of the constraints and opportunities for development and potential capacity for the site.

3.9 This process has been comprehensive and has provided confidence on the sustainability and deliverability of the first phase of development and the opportunity that exists for the remainder of the site.

Vision

3.10 The vision for the site is for Chetwynd Barracks to be a vibrant new neighbourhood that provides a sustainable mix of housing, retail, employment and leisure opportunities for the local community. By maintaining and enhancing the site's military heritage, a unique and characterful settlement will help to reconnect Chilwell and Toton. While heritage is at the core of the design, green corridors and public open spaces throughout the development will also help to deliver amenity and biodiversity benefits for people and wildlife alike.

3.11 The site provides a number of opportunities that will inform and help to deliver this vision. This includes:-

- Reuse of existing access points and creation of routes across the site to stitch the site back into its surrounding settlement and provide a level of permeability consistent with the Toton/Chilwell urban form.
- Accessibility to all sustainable modes of transport, including the HS2 station at Toton and the tram, to encourage and reduce congestion on the local highway network.

- Opportunity to reconfigure existing bus routes to remove existing inefficiencies and enhance overall accessibility and permeability in the area as a whole.
- Retention of heritage buildings and features, capitalising upon the rich military heritage and history of the site.
- Retention and enhancement of existing woodland, playing fields and parkland (i.e. the memorial garden) and the provision of generous levels of public open space.
- Creation of new green corridors across the site creating ecological connections for local wildlife.
- Laying out of green infrastructure links to the wider area.
- A sustainable drainage network.
- A new local centre providing retail and employment.
- Community uses, such as a primary school and medical centre.
- Phasing of development in a realistic and deliverable manner.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

√

No, I do not wish to participate at the public examination

If you wish to participate at the public examination, please outline why you consider this to be necessary

DIO is promoting a strategic site at Chetwynd Barracks. In consequence, DIO considers it has a large stake in the Local Plan making process and would welcome participation at the relevant hearing sessions.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

Guidance Note:

Please complete a **separate form** for **each representation** you wish to make.

'Legally Compliant':

If your response relates to **the way in which the plan has been prepared**, then this is likely to relate

to whether it or not it is '**Legally Compliant**'. To be 'Legally Compliant', the Local Plan has to be prepared in accordance within the 'Duty to Cooperate' and legal and procedural requirements. These are set out by legislation in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). If you think that we have not met the legal requirement in the preparation of the Local Plan, please use the response form to tell us what we have not done or what we have done incorrectly.

'Compliant with the Duty to Co-operate':

If your response relates to **the way in which we have worked with other authorities** then this is likely to relate to the '**Duty to Co-operate**'.

The 'Duty to Co-operate' places a legal duty on Local Planning Authorities, County Councils and certain public bodies to engage constructively, actively, and on an on-going basis, to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters. The 'Duty to Co-operate' is not a duty to agree. However, Local Planning Authorities should make every effort to secure the necessary co-operation on strategic cross-boundary matters before they submit their Local Plan for examination.

'Sound'

If your response is about the **content** of the Local Plan and the strategy it adopts, then it is likely to relate to whether or not the Local Plan is '**Sound**'.

To meet the 'Test of Soundness', the independent Planning Inspector is required to consider whether or not our Local Plan is '**justified**', '**effective**', has been '**positively prepared**', and is '**consistent with national policy**'. You may wish to consider the following before making a representation on the 'Soundness' of our Local Plan:

- '**Justified**': This means that the Local Plan is based upon a robust and credible evidence base. If you think that the evidence doesn't support the choice made in our Local Plan, or there are realistic alternatives, then your comments may relate to whether or not it is 'justified'.
- '**Effective**': This means that the Local Plan will deliver what it sets out to. If you think that what we are proposing in the Local Plan is not deliverable, then your comments may relate to whether or not our Local Plan is 'effective'.
- '**Positively Prepared**': This means the Local Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- '**Consistent with National Policy**': Do you consider that our Local Plan accords with the National Planning Policy Framework (NPPF) and other policies, or includes clear and convincing reasons for doing something different?

For further guidance or assistance, please contact the **Planning Policy Team** on **0115 917 3452** or by emailing **policy@broxtowe.gov.uk**.