



**Intelligent Plans**  
and examinations

**APPENDIX 2**

# **Report on Chetwynd: The Toton and Chilwell Neighbourhood Plan 2020-2040**

**An Examination undertaken for Broxtowe Borough Council with the support of Chetwynd: The Toton and Chilwell Neighbourhood Forum on the submission version of the Plan.**

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Date of Report: 17 January 2024

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## Main Findings - Executive Summary

From my examination of Chetwynd: The Toton and Chilwell Neighbourhood Plan (the Plan/CTTCNP) and its supporting documentation, including the representations made and the discussion at the Public Hearing, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Chetwynd: The Toton and Chilwell Neighbourhood Forum (the CTTCNF/the Forum);
- The Plan has been prepared for an area properly designated – Toton and Chilwell, as illustrated in Figure 1 of the CTTCNP;
- The Plan specifies the period to which it is to take effect – 2020 - 2040; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## 1. Introduction and Background

### Chetwynd: The Toton and Chilwell Neighbourhood Plan (CTTCNP) 2020-40

- 1.1 The CTTCNP relates to the Broxtowe Borough wards of (i) Toton and Chilwell Meadows, and (ii) Chilwell West, in the south-west of Nottinghamshire. At the heart of the CTTCNP Area (the NP Area) is Chetwynd Barracks, a Ministry of Defence (MOD) site with residential as well as functional military buildings, and restricted access. The site is due to be vacated by the MOD by 2026. Immediately west, south and north-east of the Barracks are the established suburban areas of Toton and Chilwell. According to the Census, the Plan Area included a population of about 15,500 in 2021. The A52 dual carriageway linking Derby and Nottingham via junction 25 of the M1, forms part of the northern boundary to the Plan Area. It provides access to the Area from Bardill's Island via Stapleford Lane (A6003) and connects to the A6005, which links Nottingham, Beeston and Long Eaton. The A6005 forms part of the southern boundary to the CTTCNP. Toton Lane Tram Park and Ride is located within the NP Area close to Bardill's Island, providing access to Nottingham city centre via the Nottingham Express Transit (NET).

- 1.2 The River Erewash forms part of the south-western boundary to the Plan Area. Immediately west of the River Erewash and outside the NP Area are Toton Railway Sidings which, until 2021, were safeguarded for the development of the High Speed 2 (HS2) East Midlands Hub Station. The southern part of the NP Area beside the Erewash River, and the northern part beyond the tram line and Chilwell residential area, are designated as Green Belt land. When the Broxtowe Part 2 Local Plan was adopted in 2019, land north of Toton was removed from the Green Belt and allocated as part of the Toton Strategic Location for Growth (SLG). The area currently retains its rural character and is described as the Toton and Chilwell Green Fringe in the CTTCNP. The Erewash corridor contains a network of public rights of way for pedestrians and cyclists connecting with residential areas in Toton, and with Long Eaton to the west.
- 1.3 Preparation of a CTTCNP began in Summer 2016 and was prompted by the announcement of the impending sale of Chetwynd Barracks. A leaflet drop publicising the formation of a Neighbourhood Forum took place in August 2016, and a start-up meeting in September 2016 attracted approximately 120 residents. An interim Steering Group of 17 people was formed. By November 2016, 478 people had registered their interest, and 110 attended a meeting, to define the proposed NP Area boundaries. The election of a Steering Group was agreed at the meeting, among other things. Both the Forum and the NP Area were formally designated by Broxtowe Borough Council on 9 March 2017.<sup>1</sup> However, in respect of the NP Area, Broxtowe Borough Council's decision notice revised the NP Area boundary to exclude the safeguarded HS2 land on the western boundary of the Toton and Chilwell Meadows ward. This was agreed by the Forum, and Forum members approved the change to the Area boundaries following a Special General Meeting in June 2017.
- 1.4 The Forum initially produced hard copy newsletters for circulation to local residents but found it difficult to do this regularly for more than 6,000 dwellings. An e-newsletter was then initiated in July 2017, to provide frequent updates and encourage comments, and social media was used to widen publicity. Posters and leaflets delivered to all residents encouraged participation in events, and representations were sought from community groups and organisations, as well as landowners, notably the Defence Infrastructure Organisation (DIO), responsible for the sale of Chetwynd Barracks. A cohort of graduate architecture students at Nottingham University was engaged in research and consultation with the community in 2017, to develop a vision for the NP Area. Early work on the Neighbourhood Plan was also informed by the evidence base for the emerging Part 2 Local Plan, as published in September 2017 and adopted in October 2019.

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<sup>1</sup> The Forum has since been re-designated upon the expiry of the initial 5 year period.

## The Independent Examiner

- 1.5 When the Plan reached the examination stage, I was appointed as the examiner of the CTTCNP by Broxtowe Borough Council, with the agreement of Chetwynd: The Toton and Chilwell Neighbourhood Forum.
- 1.6 I am a chartered town planner and former government Planning Inspector, with experience examining many neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

## The Scope of the Examination

- 1.7 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.8 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
  - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;
    - it does not include provisions and policies for 'excluded development'; and
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
  - Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.

- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').

1.9 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### The Basic Conditions

1.10 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>2</sup>; and
- Meet prescribed conditions and comply with prescribed matters.

1.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>3</sup>

## 2. Approach to the Examination

### Planning Policy Context

2.1 The Development Plan for this part of Broxtowe Borough, not including documents relating to excluded minerals and waste development, is the Part 1 Local Plan: Core Strategy up to 2028 (P1LP) and the Part 2 Local Plan (P2LP) covering the period 2018-28, adopted respectively in September 2014 and October 2019.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). I have examined the Plan in the context of the NPPF published on 5 September 2023 and all references in

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<sup>2</sup> The existing body of environmental regulation is retained in UK law.

<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

my report are to that version. In addition, the Planning Practice Guidance (PPG) offers advice on how the NPPF should be implemented. It should be noted that a revised version of the NPPF was published on 19 December 2023 (and updated 20 December 2023). However my fact check (draft) report was dated 18 December 2023 and, therefore, provided prior to the revised version of the NPPF being published. Accordingly, given my examination was at the (very advanced) fact check stage, my assessment does not consider the December 2023 NPPF which reflects the standard practice in these circumstances.

## Submitted Documents

2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise, principally:

- the draft CTTCNP 2020-2040, version first published June 2020 & revised in November 2021;
- Figure 1.1 of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
- the Consultation Statement, June 2020 & revised in November 2021;
- the Plan Modifications, April 2020, providing a schedule of the revisions post Regulation 14 prior to the June 2020 Regulation 15 submission;
- the Supplementary Plan Modifications, October 2021, showing those changes preceding the November 2021 resubmission of the Plan under Regulation 15;
- the Basic Conditions Statement, June 2020 & revised in November 2021;
- the Strategic Environmental Assessment (SEA)/Habitats Regulations Assessment (HRA) Screening Report prepared by Broxtowe Borough Council (February 2021);
- The SEA /HRA Screening Report Final Conclusions prepared by Broxtowe Borough Council, initially dated April 2021, and updated April 2022 following the SEA for the CTTCNP prepared by AECOM (September 2021); and
- all the representations that have been made in accordance with the Regulation 16 consultation.

## Examination Documents

2.4 During the examination further submissions included, principally:

- the pre Hearing statements/evidence submitted in connection with the Public Hearing held on 10 November 2022;
- an additional note provided (post Hearing) by the Forum in relation to the proposed Local Green Spaces (November 2022);
- the draft "schedule of amendments" to the Neighbourhood Plan, produced on 14 March 2023 by Broxtowe Borough Council following discussion with the Forum;

- the additional focused public consultation documents comprising the Explanatory Document (July 2023), the CTTCNP Proposed Amendments (June 2023) showing the Plan with track changes, and the Revised Policies Map;
- the additional representations received on the focused consultation documents; and
- the Forum’s response to the additional representations of 29 September 2023.

2.5 Key procedural documents issued by the examiner in the course of the examination comprise:

- the Initial Procedural Matters and Hearing letter of 6 September 2022 (and Broxtowe Borough Council’s response of 13 September 2022);
- the Procedural letter of 17 October 2022 in relation to the conduct of the Hearing, including Documents 1-4 (Agenda, Explanatory Note, List of Parties Invited and Guidance to Participants);
- the Post Hearing letter of 15 November 2022 and Further Post Hearing letter and Annex of 19 December 2022;
- the Procedural letters of 27 March and 13 July 2023 concerning the additional consultation; and
- the Examination update letter of 5 October 2023.

All the document listed in paragraphs 2.3 – 2.5 above can be viewed on Broxtowe Borough Council’s website<sup>4</sup>: <https://www.broxtowe.gov.uk/for-you/planning/planning-policy/neighbourhood-planning/chetwynd-the-toton-and-chilwell-neighbourhood-plan/>

## Site Visit

2.6 I made a site visit to the Neighbourhood Plan Area on 9 November 2022, to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents. The site visit was predominantly undertaken on an unaccompanied basis, except at Chetwynd Barracks where MOD security required me to be accompanied. I confirm that there was no discussion with any persons of the issues raised in the CTTCNP at any stage of the site visit.

## Written Representations with Public Hearing

2.7 This examination has been dealt with by written representations and by a Public Hearing, undertaken on 10 November 2022. The reasons for convening a Public Hearing were set out in my letters of 6 September and 17 October 2022 to Broxtowe Borough Council, starting with recent major ongoing changes at national and international level which, I considered, might necessitate modifications to the Neighbourhood Plan. These related to the Government’s Integrated Rail Plan (IRP) published in November

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<sup>4</sup> Also see the Neighbourhood Plan page on the Forum’s website: [Chetwynd Neighbourhood Plan Submission | CTTC Forum \(cttcnf.org.uk\)](https://www.cttcnf.org.uk/Chetwynd-Neighbourhood-Plan-Submission)

2021, which stated that the HS2 train would not be routed through Toton, and the unfolding war in Ukraine, which led Broxtowe Borough Council to question whether the disposal of Chetwynd Barracks might be deferred.

### Proposed Modifications (PMs)

- 2.8 Where necessary, I have recommended Proposed Modifications to the submitted Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in report Appendix 1: Proposed Modifications. The 'amendment reference(s)' referred to in my PMs in Appendix 1 are those set out in report Appendix 2: Explanatory Document (July 2023), specifically in 'Section 4.0 Schedule of Amendments' (pages 5-34). These amendment references are also referred to throughout the assessment in my report (commonly as draft or proposed amendments) and comprise:
- X1 to X14;
  - A1 to A7;
  - B1 to B62;
  - C1;
  - D1 to D53;
  - D-A1 to D-A58;
  - D-B1 to D-B20; and
  - E1 to E4.
- 2.9 In a number of instances the amendment references in Appendix 2 need to be read in conjunction with the revised text as shown in the corresponding amendment references in report Appendix 3: CTTCNP Proposed Amendments (June 2023). Appendix 3 helpfully seeks to illustrate, where it has been feasible to do so, most of the amendments set out in Appendix 2 in the form of draft revisions to the CTTCNP. The CTTCNP will need to be updated again to reflect all the PMs in Appendix 1 should my recommendations be accepted.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

- 3.1 The CTTCNP has been prepared and submitted for examination by Chetwynd: The Toton and Chilwell Neighbourhood Forum, which is the qualifying body. Both the CTTCNF and NP Area were designated by Broxtowe Borough Council on 9 March 2017. The Forum submitted an application to the Borough Council to re-designate the CTTCNF in October 2021, as the original designation was due to expire in March 2022.<sup>5</sup> The Forum was redesignated, following a resolution by Broxtowe Borough Council on 2 March 2022.

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<sup>5</sup> As a consequence of Section 61F(8)(a) of the 1990 Act.

- 3.2 It is the only neighbourhood plan for Chetwynd: The Toton and Chilwell Neighbourhood Plan Area and does not relate to land outside the designated Area.

#### Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2020 to 2040.

#### Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statement describes the consultation activities undertaken in four stages, beginning in 2016-17, when the Forum was started, the Area boundary defined, a constitution and a Steering Group set up. The next stage in 2017 was to raise awareness and establish credentials, beginning with landowner meetings; the start of a Weekly Digest via an e-newsletter to engage with Forum members and residents; measures to raise awareness of Broxtowe Borough Council's emerging P2LP within the Steering Group and among residents; and engagement with Nottingham University's Architecture Department.
- 3.5 In 2018, community consultations – collating feedback, gathering evidence and drafting policies – took place. An Annual General Meeting (AGM) in January attracted over 300 attendees, and 123 people registered with the Forum. Draft masterplan visions/ideas were displayed at the meeting to encourage engagement. Workshops, an online survey and three fetes (in July and August) followed, to raise awareness and obtain feedback. Meetings with the local Member of Parliament and Broxtowe Borough Council's Chief Executive Officer; consultation at Chetwynd Barracks hosted by the DIO; and consultation regarding the proposed East Midlands Hub Station all took place towards the end of the year. The next stage, in 2019, began with an AGM attended by 250 people. Consultation on a draft Neighbourhood Plan, in accordance with Regulation 14, occurred in July-September covering a 10 week period, eliciting 119 responses from local residents and statutory consultees. Steering Group workshops were held to develop revisions to the initial draft Plan based on the Regulation 14 responses.
- 3.6 A draft version of the CTTCNP was submitted to Broxtowe Borough Council in June 2020. However, Broxtowe Borough Council, identified a need for further work to be undertaken in relation to SEA so the plan at this stage did not progress to Regulation 16 consultation. However, an updated version of the CTTCNP was resubmitted under Regulation 15 in November 2021, to reflect principally the SEA Environmental Report (September 2021). The June 2020 updated November 2021 version of the Plan was subject to Regulation 16 consultation from 8 June to 5 August 2022 (the minimum 6 week consultation period was extended by two weeks). A total of 114 responses were received, including some 25 responses from statutory consultees, local community groups, businesses, landowners and their agents.

3.7 Following my initial assessment of the submitted documents including the representations, I determined that the examination should include a Public Hearing. The parties invited to attend the Hearing were given the opportunity to submit written representations on the matters specified for discussion. After the Hearing, and following a period of largely unavoidable delay, working together the Forum and Broxtowe Borough Council produced, for my consideration, a schedule of draft proposed amendments to the submitted Neighbourhood Plan to address the issues raised in the Regulation 16 representations, and written and verbal representations made to the Hearing. Those draft proposed amendments were subject to a 4 week public consultation (reflecting the focused nature of the exercise) which ended on 25 August 2023. 8 responses were received. I have taken account of all the information submitted and representations made as part of the Regulation 16 consultation, the Hearing session and the additional focused consultation. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the CTTCNP, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

#### Development and Use of Land

3.8 Subject to my comments on Policies INF06, INF08 and LHC04 (see paragraphs 4.41 and 4.54), the Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act

#### Excluded Development

3.9 The Plan does not include provisions and policies for 'excluded development'.<sup>6</sup>

#### Human Rights

3.10 Broxtowe Borough Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998) and, from my independent assessment, I see no reason to disagree.

### 4. Compliance with the Basic Conditions

#### EU Obligations

4.1 The originally submitted Neighbourhood Plan (June 2020 version) was screened for SEA by Broxtowe Borough Council, which found that it was necessary to undertake SEA, for reasons set out in the Screening Report February 2021. Consultation with the statutory consultees elicited responses from Historic England and Natural England, with the latter

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<sup>6</sup> See section 61K of the 1990 Act.

agreeing SEA should be undertaken. The SEA by AECOM, dated September 2021, concluded that the SEA had not identified any potential for significant negative effects that would require closer review or monitoring. However, the Environmental Report recommended modifications to three Plan policies, plus suggested beneficial changes to one further policy (Section D), and also to one guideline (Section C). These revisions were incorporated in the November 2021 updates to the June 2020 version of the CTTCNP, prior to resubmission to Broxtowe Borough Council.

- 4.2 The CTTCNP was further screened for HRA by Broxtowe Borough Council, contained in the February 2021 Screening Report, which concluded that HRA was not required. The NP Area is not in close proximity to a European designated nature site. Natural England agreed with this conclusion, as confirmed in its letter of 8 April 2021. The consolidated findings in relation to SEA and HRA are captured in the SEA/HRA Screening Report Final Conclusions prepared by Broxtowe Borough Council (April 2021), which was updated in April 2022. From my independent assessment of this matter, I have no reason to disagree with the conclusions.

### Main Issues

- 4.3 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly (i) the regard it pays to national policy and guidance, (ii) the contribution it makes to the achievement of sustainable development and (iii) whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance in the sequence in which they appear in the Plan.

### Examination Stages

- 4.4 As outlined briefly above, a number of stages have occurred following the submission of the CTTCNP for examination. The main examination documents referred to in this section of the report are listed in paragraphs 2.3 – 2.5, and can all be viewed via the link provided in paragraph 2.5 (and footnote 4) of this report.
- 4.5 My initial assessment of the Plan, accompanying submission documents and representations led to my view that a Public Hearing was likely to be necessary to address matters raised in certain representations. These included the Government's publication of its Integrated Rail Plan in November 2021, which stated that the HS2 rail system would not be routed through Toton (where a new station hub had been envisaged), and the ongoing review of the draft Toton and Chetwynd Barracks Strategic Masterplan Supplementary Planning Document (SPD).

4.6 Following my further detailed consideration, my letter of 17 October 2022 determined a Public Hearing was necessary. For the purposes of the efficient conduct of the Hearing, I produced 4 documents:

- Document 1: Agenda for the Hearing Session;
- Document 2: Explanatory Note for the Hearing Session, setting the context for the discussions;
- Document 3: List of Parties to be invited to Participate; and
- Document 4: Guidance to Parties Participating in the Hearing Session.

4.7 Written statements in advance of the Public Hearing were submitted by 7 parties which took place on 10 November 2022. Provision was made both for those in attendance to participate and for members of the public to observe at the New Council Chamber, Broxtowe Borough Council, Council Offices, Foster Avenue, Beeston NG9 1AB. I am most grateful to officers at Broxtowe Borough Council for making effective arrangements for the smooth running of the event on the day. I would also like to thank all those who attended and participated (including representatives from the CTTCNP) in such a constructive and respectful manner to enable informed and measured discussion of the main issues.

4.8 Following the Public Hearing, I set out in my Post Hearing Note of 15 November 2022 a number of issues with the submitted Plan where I considered that, should the CTTCNP proceed, modifications would be required in order that the Basic Conditions would be met. In summary, the main issues were:

- The Government's IRP, published in November 2021, cancelled the proposed High Speed 2 railway through Toton. This introduced a degree of uncertainty as to the amount and type of new development which should be planned for in the NP Area.
- Chetwynd Barracks was scheduled for disposal by the Ministry of Defence (MOD) in 2024, but subsequently changed to 2026. Broxtowe Borough Council initially queried whether the ongoing war in Ukraine might encourage the MOD to retain the Barracks and restrict future planned development.
- The P2LP includes Policies 3.1 and 3.2, which state that "A Strategic Masterplan must be prepared" for the Toton Strategic Location for Growth, and for Chetwynd Barracks. A SPD, the Toton and Chetwynd Barracks Strategic Masterplan, was produced by Broxtowe Borough Council, and was awaiting adoption in November 2022. This raised the question as to whether the CTTCNP would be in general conformity with the Local Plan, following adoption of the SPD.
- A number of participants at the Public Hearing argued that the CTTCNP should allow for more flexibility in new development and reduce some of the restrictions and detailed requirements of its

policies, so that essential and sustainable development could take place, and not be unviable. Policy requirements were mixed with supporting text in parts of the Plan. The role of key stakeholders, notably National Highways, with responsibility for road access to the A52, and Nottinghamshire County Council with its role in providing additional school places across the Borough, needed to be better reflected in the planning policies.

4.9 I concluded my Post Hearing Note by advising my intention was to give further guidance to the CTTCNF on the potential necessary modifications to specific policies and sections of the Plan. Accordingly I wrote a further letter on 19 December 2022, accompanied by a more detailed Annex setting out my views on the proposed scope of the potential modifications necessary to the CTTCNP. I confirmed I could not recommend the progress of the submitted CTTCNP towards a referendum at that stage; a number of substantive modifications would be needed to enable the Plan to progress. Regarding the main issues, I set out the following:

- In spite of the IRP decision against the HS2 station at Toton, Policy 3.2 of the P2LP allocates Toton as a Strategic Location for Growth. Most parties at the Hearing envisaged that new development would take place there in future, and that a new local/regional rail station could be provided at Toton. Mixed use development supported by infrastructure improvements could take longer than originally envisaged but should be progressed over the Plan period to 2040.
- Although the date of disposal for Chetwynd Barracks has been postponed to 2026, I am satisfied that the ambition for additional housing, better connection with the surrounding area, and supportive development over the CTTCNP period, in line with Policy 3.1 of the P2LP, should be promoted.
- Policy differences between the CTTCNP and the (then draft) Toton and Chetwynd Barracks Strategic Masterplan SPD should be minimised so that effective planning decision-making can be undertaken by the Borough Council. Given the importance attached to the Strategic Masterplan in Policies 3.1 and 3.2 of the P2LP, alignment between the CTTCNP and Strategic Masterplan is needed to secure general conformity with the P2LP.
- I highlighted the need for further consideration of the concerns of many parties about policies and text in the Plan being over-restrictive, possibly unviable, and out of line with the aims of key stakeholders, including National Highways and Nottinghamshire County Council.

4.10 I suggested, and it was agreed, that the CTTCNF, in conjunction with Broxtowe Borough Council, seek to formulate and agree the draft terms of the specific proposed amendments, drawing in others with a relevant interest (as appropriate), in order that I might consider these as recommended modifications to the CTTCNP. I requested this be

undertaken by 3 February 2023, however due to various (and mainly unavoidable) circumstances, it was not feasible to meet that target date.

- 4.11 In the meantime, the Toton and Chetwynd Barracks Strategic Masterplan SPD was adopted on 7 February 2023. Unlike a Neighbourhood Plan, it does not form part of the development plan for the area but provides further guidance for development of the specific sites which are the subject of Policies 3.1 and 3.2 in Broxtowe Borough Council's P2LP. Whilst the SPD carries less weight than an adopted Neighbourhood Plan will do, as explained in the NPPF's Glossary, the SPD nonetheless represents a material consideration for decision-makers, so I took the view that differences between the CTTCNP and it should be minimised.
- 4.12 In March 2022 Broxtowe Borough Council provided a draft 'schedule of amendments', setting out the proposed revisions to the Plan, as discussed with the CTTCNF. However, in view of the pre-election period for the Borough Council and Parish Council elections, public consultation on the draft amendments proposed was not appropriate to commence at that time.
- 4.13 This provided a further window for the refinement and more detailed updating of the draft proposed amendments, and in June 2023 I was provided with the following:
- i. CTTC Neighbourhood Plan Schedule of Amendments: this illustrated in tabular form the detail of each proposed amendment.
  - ii. CTTC Neighbourhood Plan Proposed Amendments: this showed the CTTCNP in a track changed, updated form, incorporating the majority of the amendments in i. above.
  - iii. CTTCNP Amended Plans and Policies Map.

These documents formed the focused public consultation package. Reflecting this focused nature of the draft proposed amendments, a 4 week public consultation was conducted by Broxtowe Borough Council ending on 25 August 2023, which elicited 8 responses. The CTTCNF and Broxtowe Borough Council subsequently provided me with their written comments on the responses on 29 September 2023.

- 4.14 Whilst this examination has undoubtedly become a more protracted process than initially envisaged, the Hearing session and subsequent detailed work and further public engagement has allowed me to progress the examination to a conclusion, comprehensively informing my assessment and proposed modifications, where appropriate.

## Introductory Sections

- 4.15 The first paragraph of the Preface to the CTTCNP includes a reference to the "East Midlands Hub Station" which the Forum proposes to delete through amendment X1, as set out in Appendix 2 to my report. Section 1 Introduction explains how the Neighbourhood Plan fits into the planning system. I expressed concern that the submitted CTTCNP did not refer to

the P2LP and its relevant policies until Page 42 (Paragraphs 9.9 & 9.10), but am satisfied that the updating of paragraphs 1.5 – 1.7 with draft amendments X6, X7, X8 and X9, would accurately describe the status of the CTTCNP, the P2LP policies and the (now adopted) Strategic Masterplan SPD, in accordance with national planning policy. Paragraph 1.9 helpfully describes how the Plan is divided into 3 sections, and 1.11, with draft amendment X14, would inform that background evidence is contained in separate documents. Moving evidence from the CTTCNP to separate documents should strengthen the necessary distinction between policy and supporting information, in my opinion. X10 concerns retail/local centres which I address in paragraph 4.22 below. I support all the other draft amendments to the introductory sections, and therefore recommend in **PM1** that X1-X14 as listed in Appendix 2 are needed to meet the Basic Conditions and provide clarity for readers.

## Section A - Toton and Chilwell Past and Present

4.16 Section A dealing with Toton and Chilwell Past and Present begins by providing information about the location, geography and history of the NP Area. It then describes Toton and Chilwell: Today, followed by Key Characteristics of the Environment - Infrastructure/Getting Around; Housing, Sustainability and Urban Design; Leisure, Heritage and Community; Employment and Business. The text is supplemented with maps and photographs which should be helpful for readers and users of the Plan to appreciate the key characteristics of the CTTCNP Area. Appendix 2 includes draft amendments A1-A7 to update information about population (based on results from the 2021 Census), to update information about HS2 and Chetwynd Barracks' disposal, to show the correct Green Belt boundaries within the NP Area, to update photographs and amend cross-references to appendices. I recommend in **PM2** that all these amendments should be made so that the CTTCNP describes the NP Area accurately and provides a sound base for sustainable development. In addition, I propose that a new map/figure should be added to Chapter 2 to inform readers who are not wholly familiar with the area, to show existing features as referenced in the Plan. These should include the A52, A6005, Stapleford Lane, Toton Lane Tram station, River Erewash and Chetwynd Barracks, and give a general picture of the extent of the built-up area. **PM3** should be made to contribute towards the achievement of sustainable development.

## Section B - Toton and Chilwell: A Vision for the Future

4.17 Chapter 6 The Changing Face of Our Area, focussed on Toton Strategic Location for Growth and Chetwynd Barracks, requires modification to accurately reflect the current expectations for these two places. The draft amendments B1-B14 seek to update the references to the Toton Strategic Location for Growth and Chetwynd Barracks. B2 would add "up to" ahead of "circa 4,500 new homes over the next 20 years". This was questioned by Homes England/Defence Infrastructure Organisation (HE/DIO), as it could imply a constraint on the number of new homes. However,

Broxtowe Borough Council advised that there is currently no fixed figure, though one will need to be included in the emerging Greater Nottingham Strategic Plan. Policies 3.1 and 3.2 of the P2LP imply that Chetwynd and the Toton SLG have a combined “capacity” for 4,500 homes. Therefore, as the word “circa” is to be retained, and as the number is not included in any of the Plan’s policies, I do not propose to further revise the draft amendment. The East Midlands Development Company(EMDC) welcomed draft amendment B10 but contended that additional information should be given about the historic planning context. The SPD, paragraph 2.11, refers to the existing planning permission for up to 500 new homes on land west of Toton Lane and “the assumption that alternative plans will now come forward”. I recognise that the context is evolving, but in the absence of more specific information, I do not consider any further addition to B10 is necessary on this subject. In conclusion, I recommend that B1-B14 should be made to modify the CTTCNP, so that it reflects the current planning context and satisfies the Basic Conditions (**PM4**).

- 4.18 Chapter 7 Consultation Issues and Opportunities provides a brief description of the consultation exercises undertaken for plan preparation, and from paragraph 7.13 onwards, outlines the key issues and opportunities raised during consultation and forming the Plan’s core objectives. I consider that the chapter is helpful for plan readers and users and note that amendments B15-B25 have been put forward to the chapter. I recommend all these as modifications, including those which would add data from the 2021 Census and social media contacts, to provide an up-to-date Plan which meets the Basic Conditions (**PM5**). Chapters 8-11 of the CTTCNP, covering Core Objectives, the Vision, Guidelines and Aspirations followed by a Summary, are proposed for amendment, notably by way of B26, B27 & B28. New Chapter 8. Evidence and Analysis would replace the Core Objectives. I consider this to be a better starting point, as the earlier section “Achieving the Vision” was set around four zones one of which was the HS2 Hub Station, now defunct, but also because paragraph 9.6 onwards identified a number of detailed and prescriptive items, without providing background evidence as to how they had been derived and how they would be taken forward. No mention was made of development options and, in my view, some of the descriptive text items could have been misread as strict policy.
- 4.19 Bloor Homes observed that the draft amendments would delete the reference to “Possibly using new land to the north of the tram line as a location for social/affordable housing”. It sought its retention in the final version of the Vision Statement in Section 9. As the area of land is currently Green Belt, however, I accept that the CTTCNP should not allocate it for development. I therefore support B26 and B27 to delete the section headed Achieving the Vision, as well as B28 to remove follow-up text in paragraphs 9.7 and 9.8. I recommend that the Plan should be modified through B26-B28 to enable more flexibility and contribute to sustainable development (**PM6**).

- 4.20 Chapter 8, as proposed for amendment in Appendix 2, would begin with a list of the documents and studies which have informed development options for the CTTCNP, beginning with Broxtowe's P2LP. HE/DIO objected to the inclusion of the Strategic Masterplan SPD in the list of "work carried out to inform development options thus far" as proposed in new 8.1, as preparation of the SPD had progressed after preparation of the CTTCNP. I recognise the time difference but consider that there should be some consistency between the SDP and the CTTCNP, for reasons given in paragraph 4.11 above, and I appreciate that the Forum, as well as other stakeholders, have been following progress on the production of the SDP since 2020. I therefore recommend that B29 should be made, but the revised paragraph 8.1 should be modified as in **PM7**.
- 4.21 Additional amendments to this section are proposed in B30-B36, and I note that paragraph 9.14 of the submitted CTTCNP referred to the Kefa Masterplan, as a successor to the earlier Opun report. I see no grounds to delete this factual information from the proposed new paragraph 8.1 but agree with EMDC that the text alongside Figure 9.6 should clarify the status of the Kefa work as 'design evidence' rather than a policy requirement. New paragraph 8.6 (previously 9.14) should be modified accordingly. With **PM7**, proposed amendments B29-B36, new paragraphs 8.1 – 8.8 (previously 9.9 onwards) should be consistent with national planning policy and supportive of sustainable development. I note the support from HE/DIO to draft amendment B37 and agree that new paragraph 8.9 (formerly 9.17) should not insist upon a new north-south route linking the A52 and Swiney Way. Delivery of such a link is not in the Forum's control and there is no funded scheme in place. B37 allows some flexibility, corrects the reference to Swiney Way, and I recommend accordingly (**PM7**).
- 4.22 The proposed paragraph 8.10 (9.18 in the submission Plan) includes draft amendment B38, to change the reference from neighbourhood shopping centre to local centre. HE/DIO objected to this proposed change, referring to the Part 1 Local Plan definitions of District, Local and Neighbourhood centres. HE/DIO proposed that the CTTCNP could make clear that its expectation for the SLG and Chetwynd is not following the definition of Local Centres given in the Local Plan. Clause 6b) of Policy 3.1 of the P2LP expects development to provide a small retail/service centre to meet local need in Chetwynd along the main through route. The P1LP defines Local Centres as those including a range of small shops of a local nature, serving a small catchment. Draft amendment B38 would, in my opinion, make the text of the CTTCNP in general conformity with the Local Plan (Parts 1 and 2), as would X10 to paragraph 1.8 (X10 is recommended in **PM1**). I consider it unnecessary to add a definition of Local Centre to the CTTCNP, and recommend in **PM8** that B38 should be made to modify the CTTCNP (see also my comments on B47 in paragraph 4.24 below). If very substantial retail development proposals were put forward for Chetwynd, these would need to satisfy the sequential test as set out in the NPPF, section 7.

- 4.23 The draft amendment B41 would explain that the Forum was, in the past, keen to see Modern Methods of Construction (MCC) and remains supportive of re-purposing and enhancement of a number of the existing buildings. Although the draft amended text provides no guidance as to the suitability or otherwise of MMC on the Barracks site, the reference may nonetheless assist future developers. I support B41, as well as B42 to delete the prescriptive comment on Building 157. B40, B41 & B42 should be made to contribute to the achievement of sustainable development (**PM9**).
- 4.24 The Vision Statement for the NP Area as proposed to be redrafted seeks to delete references to East Midlands Hub Station. I consider that the proposed revised Chapter 9 gives a clear vision statement and sets out the key principles for future planning which have arisen from the assessment of evidence and consultation with local people. Draft amendment B47 would clarify the ambition to create a new centre “ideally” next to the WWI Memorial Garden in the Barracks and allow more flexibility, which I support. I recommend in **PM10** that the revised Chapter 9 with proposed amendments B43-B47 should be made, to meet the Basic Conditions.
- 4.25 Figures 9.1 – 9.4 illustrate the Vision Statement’s aims for green corridors and green spaces, walking and cycling routes, new road and public transport routes, and a focal point for The Barracks. Stone Planning Services Limited expressed concern that there was no evidential support for the proposed tram route illustrated in Figure 9.3, and inconsistency with Figures 23 and 25 of the SPD. I consider that the figures in the submitted Plan are too specific, and recommend the proposed amendments B48-B50, to add “indicative” to the titles, and to replace the rigid “new green corridors” with less definitive, blurred lines. The Forum proposed amendments to Figures 9.2 and 9.3 to show proposed measures from the Strategic Masterplan SPD, but EMDC raised concerns that Figures 9.2 and 9.3, as proposed for amendment, remained in conflict with Figure 23 of the Strategic Masterplan SPD. It was argued, by EMDC and Nottinghamshire County Council, that introducing two potential alignments for a tram extension at Toton would create uncertainty for communities and developers, especially as one of the routes would pass through land associated with water treatment works and George Spencer Academy. The Forum and Broxtowe Borough Council advised that the illustrations would not form part of the Policies Map and emphasised that they are described as “indicative”. Therefore, whilst the Forum and Council’s proposed approach would meet the Basic Conditions, they have indicated a willingness to modify the Policies Map to delete both potential tram routes. The Forum and Broxtowe Borough Council also considered it unnecessary to add plans or diagrams from the SPD to the CTTCNP.
- 4.26 I recommend that Figures 9.1 – 9.4 should be retained with the draft amendments proposed in B48-B51. In addition, I propose additional text, ahead of Figure 9.1, to confirm that the illustrations are indicative only at this stage. I also propose that Figure 9.3 be modified to clarify that there

are two alternative potential new tram routes, labelled as (a) and (b) on the map. The Policies Map should not include the indicative new green corridors or transport routes as shown in Figures 9.1 – 9.3. **PM11** should be made so that the Plan remains consistent with national planning policy and contributes to sustainable development.

- 4.27 Chapter 8 of the submitted CTTCNP, proposed to be amended to be written as Chapter 10, addresses The Core Objectives, explaining that these flow from the themes identified at the consultation stage and grouped under six subject headings. I consider that the proposed position and structure of the chapter is helpful for readers of the Plan. The Forum has proposed draft amendments to the wording of this chapter, as included in B52-B60 and I recommend in **PM12** these should be made for consistency with wording elsewhere in the Plan and to meet the Basic Conditions. A new chapter 11 Achieving the Vision and Objectives is also shown in the draft amendments to the Plan, to replace part of the earlier Chapter 9. I consider that the chapter as proposed to be amended follows logically from the Core Objectives repeating the six subject headings, described as Core Objective themes. I support the addition of “Employment and Business” to the themes, as the future of the SLG and Chetwynd Barracks will depend upon sound planning for economic growth. Proposed new Table 11.1 Core Objectives and Supporting Policies should inform readers of the link between the Plan’s policies and each of the six Core Objectives (I comment on the merits of each of the Plan’s policies in the following chapters, as set out below). Overall, I recommend that B61 and B62 are made (**PM13**) so that the Plan aligns with good planning practice and meets the Basic Conditions for neighbourhood planning.

### Section C - Guidelines and Aspirations

- 4.28 Section C of the submitted CTTCNP headed Guidelines and Aspirations includes Chapters 10 and 11. As discussed at the Hearing, Chapter 10 includes a number of “Aspirations” which read as specific policy proposals. There are numerous references to “masterplans”, which could cause confusion especially as the recently adopted SPD is the Toton and Chetwynd Barracks Strategic Masterplan. The Forum’s draft amendment C1 would delete this section which I support and recommend in **PM14**.

### Section D - Neighbourhood Plan Policies

- 4.29 A revised introduction to Chapter 12 is proposed to provide a brief introduction to the Plan’s policies, including draft amendments D1-D5. D3 would explain that Forum aspirations have been included below the justification text for policies, for developers to consider where feasible. I am satisfied that this approach would help to eliminate confusion as to the boundaries between policies and aspirations. The expression of aspirations should assist prospective developers to understand the opinions and wishes of the local community and aim to reflect them in their development proposals. As noted by the Forum in response to comments made by HE/DIO about the inclusion of aspirations, the

adopted Awsworth Neighbourhood Plan includes aspirations, and I am aware that other NPs outside Nottinghamshire have done the same. In my view, D1-D5 should all be made to contribute to sustainable development and have regard to national planning policy. I recommend accordingly in **PM15**.

- 4.30 Chapter 13 Environment, in the submitted CTTCNP, includes 8 policies to protect and improve the area's green spaces, wildlife and green infrastructure. Policy ENV01 – Local Green Space states that seven named sites "will be designated" as Local Green Spaces (LGSs), at an unspecified future date. Figure 13.1 shows Local Green Space "candidates". The NPPF in paragraph 102 sets out criteria for the designation of LGSs and is clear that they should only be designated when a local or neighbourhood plan is prepared or updated (paragraph 101). They should also be capable of enduring beyond the end of the Plan period. In response to criticism that the submitted CTTCNP was not consistent with the approach in national policy, the Forum have proposed the revision of Policy ENV01, its supporting text and Figure 13.1, as shown in draft amendments DA-1, D-A2, D7 and D8. The Forum provided an assessment of the proposed LGS sites in its paper, The Designation of Local Green Space, dated November 2022. I am satisfied that the sites were all carefully scrutinised and assessed against the criteria in paragraph 102<sup>7</sup> of the NPPF. D-A1 would modify Policy ENV01 to state that six sites are designated as LGSs, and D8 would show their precise boundaries on revised Figure 13.1.
- 4.31 D-A2 would also modify Policy ENV01 to state that the loss of Chetwynd Barracks Playing Fields would only be considered if an area of equal value both in quality and quantity were offered as a replacement. The Forum and Broxtowe Borough Council stated that the field is very special to the local community, as I can appreciate from my site visit. HE/DIO objected to D-A2, pointing out that Broxtowe's 2016 Playing Pitch Strategy is now out-of-date, and arguing that all three circumstances in paragraph 99 (a) to (c) of the NPPF had not been addressed. However, I am satisfied that D-A2 would result in a policy that would give more flexibility than if it were designated as LGS and be consistent with the NPPF. From my site visit, and from reading the evidence relating to the sites referenced in Policy ENV01, I recommend that Policy ENV01, the justification text and Figure 13.1 are modified in accordance with D-A1, D-A2, D7, D8. However, to address a point raised by HE/DIO, I recommend D10 should be made subject to updating the "Blue cells" in Table 13.1 to reflect the preceding recommended modifications to ENV01 (and the plan shown in D8). These modifications would be achieved through **PM16**.
- 4.32 Policy ENV02 of the submitted CTTCNP seeks contributions from development which would increase the use of existing green space.

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<sup>7</sup> See also paragraph 101 and PPG Reference IDs: 37-005-20140306 to 37-022-20140306.

Broxtowe Borough Council commented that it was ambiguous as to the development it applied to and failed the NPPF paragraph 16(d). The Council also criticised Policy ENV03, regarding the establishment of new blue/green infrastructure in the SLG and two new linear corridors of significant width/area, for its ambiguity and for being too prescriptive. It also argued that Policy ENV08 would not be applicable to all development proposals. EMDC objected to Policies ENV03 and ENV04 alongside Figures 9.1 and 13.2, as they expected developers to provide very wide green corridors which would unduly reduce the amount of developable land. EMDC pointed out that the Strategic Masterplan SPD had established a green infrastructure network for the area with which the CTTCNP policies would conflict.

- 4.33 The Forum's draft amendments put forward a revised set of three policies for the Environment section. Following ENV01 related to the LGSs, revised Policies ENV02 and ENV03 are designed to address the Natural Environment and Green and Blue Infrastructure Requirements. I recognise that the proposed amendments are designed to address the concerns raised over the earlier Policies ENV02-ENV08, including the argument that ENV02 should be applied to "major" rather than all development. I support the measures to make the policy less restrictive. However, HE/DIO objected to the draft revised Policy ENV02 as proposed, on the grounds that it would be unrealistic to expect development of the scale expected at Chetwynd Barracks and the SLG to have no adverse impact on habitats and biodiversity. I appreciate this and consider the draft amendment D-A3 is refined to "no significant adverse impact" rather than "have no adverse impact".
- 4.34 Development proposals could potentially have an impact on habitats and biodiversity either on-site or on neighbouring land, but I see no need for the policy to be more specific about this. Clause 3 of the draft revised Policy ENV02 refers to mature, veteran and ancient trees. I am aware that mature and veteran trees are referred to in the British Standard BS5837:2012, which provides guidelines as to how new development should be designed and built alongside trees and woodland. The Forum has proposed an added reference to "mature" trees in the Glossary, in draft amendments in D-A5, which I support. I note that veteran trees are already described in the Glossary. As long as **PM17** is made, Policy ENV02 and its supporting text, with amendments D-A3, D-A4 & D-A5 and D9, should contribute to the achievement of sustainable development.
- 4.35 HE/DIO objected to the draft revised Policy ENV03, which requires major development "to meet green and blue infrastructure standards" as the Plan does not define those standards. I agree with the wording as proposed by HE/DIO to modify clause 1 of the policy and recommend its inclusion in **PM17** so that the Plan will contribute to the achievement of sustainable development. Regarding HE/DIO objections to the Forum's proposed aspirations for the Erewash Valley Trail and De-culvert Moor Brook, shown in D14 & D15, I am satisfied that these aspirations are distinct from policy requirements. In my view, their inclusion in the Plan

should encourage future discussion between stakeholders, including neighbouring landowners, which could lead to beneficial sustainable development. Draft amendment D12 to the justification following Policy ENV03 would give greater flexibility to developers whilst seeking to maintain green and blue infrastructure. Draft amendments D14 and D15, along with D13 to show the New Green Corridors as indicative, in a blurred fashion and not overly wide, would support a less restrictive approach. I recommend these should all be made to modify the Plan and meet the Basic Conditions (**PM17**).

- 4.36 Chapter 14 Infrastructure/Getting Around begins with a table showing the three relevant core objectives and the policies which stem from them. The submitted CTTCNP included nine policies, which have been reduced to four, in the draft amendments. In the submitted Plan, Policy INF01 required production of an infrastructure masterplan. Broxtowe Borough Council pointed out that it was unclear who would have responsibility for producing such a masterplan. Was it referring to the Toton and Chetwynd Barracks Strategic Masterplan SPD or the Council's Infrastructure Delivery Plan, and if not, could it potentially conflict with them? Policy INF02 required a new north-south primary access road for development within Chetwynd Barracks and the SLG, but as Broxtowe Borough Council observed, it was unclear who would provide it and how it might be funded.
- 4.37 The INF policies in the submitted Plan included a number of references to the East Midlands Hub Station, and the Council queried whether account had been taken of the IRP decision to abandon HS2. Subsequent policies sought the provision of new cycle routes, reduced levels of traffic congestion, parking provision, re-routing of bus services, and more use of measures such as car sharing and car clubs. The Council commented that issues such as highway safety and congestion, and parking schemes, were matters for National Highways and Nottinghamshire County Council rather than the Neighbourhood Plan. I agree with these comments and welcome the draft revised Chapter 14 with its reduced number of policies, as proposed in D16 and recommended in **PM18**.
- 4.38 HE/DIO strongly objected to the revised Policy INF01, put forward in D-A10 and D-A11, principally as proposals would be expected to be in accordance with the SPD. HE/DIO argued that this gives full weight to the SPD which is inappropriate as (in brief) it is supplementary to the P2LP not the CTTCNP; is not based on robust evidence for the infrastructure it proposes; some of the infrastructure is not funded or programmed; the SPD has not been subject to scrutiny or examination; and the SPD is simply a material consideration. Nevertheless, I am satisfied that the SPD complements and details policies in the adopted P2LP's Policies 3.1 and 3.2, and I am content for it to be referred to in Policy INF01. The community has raised concerns in the consultation process for the CTTCNP about the potential impact from increased traffic from major development in the area, as mentioned in the justification section and proposed to be amended as in D17. It is appropriate for the policy to

support new access roads in new development which also benefit the local community, and do not encourage significant new through traffic or exacerbate existing problems, in my opinion. I recommend in **PM19** that D-A10, D-A11 and D17 are made and Policy INF01 retained accordingly.

- 4.39 Proposed Policy INF02 – Active Travel would replace the former policies INF03 and INF04, by way of draft amendments D-A12, D-A13, D-A14 and D18. I consider it unnecessary to provide more detailed information about separate cycle lanes, and I support the proposed amendments in **PM20**. I recommend these should be made to ensure the policies are not too restrictive, and to secure sustainable development. In addition, Figure 14.2 should be modified to confirm that the proposed new walking and cycling routes are indicative, as in D19 (**PM20**).
- 4.40 Proposed new Policy INF03 – Public Transport and revised justification text are designed to support public transport and active travel. When Chetwynd Barracks is opened up and new housing development undertaken, I appreciate that there is likely to be a need for additional and diverted services. Policy INF07 in the submitted CTTCNP was too prescriptive and did not fully recognise the role of Broxtowe Borough Council, Nottinghamshire County Council and bus operators adequately, in my view. New Policy INF03 is founded on proposed amendments D-A15, D-A16, D-A17. An amended Figure 14.1 as in D21 would be added to show potential tramway extensions as dotted lines or arrows, and D20 would provide new justification text with references to an extension to the NET service as well as buses. I recommend in **PM21** that all these modifications should be made so that the Plan contributes to sustainable development and meets the Basic Conditions.
- 4.41 Policies INF06 and INF08 in the submitted CTTCNP set out policies for parking provision and control, which arguably go beyond planning matters. The Forum proposed a new Policy INF04 – Parking & Reducing Travel Demand in D22, focussed on major development, which helpfully refers to parking arrangements for cars and cycles. D22 would also support appropriate technological solutions to reduce private car use, in place of the previous INF09. I am satisfied that the reference to “demand management measures” is acceptable and should be established in precise detail through discussion with the Council when major development is put forward. I recommend in **PM22** that Policy INF04, with D-A18, D-A19, and D22, should be made to support sustainable development.
- 4.42 Housing and Sustainability is addressed in Chapter 15 beginning with a summary of the seven relevant policies. Draft amendments to these policies have been put forward to reduce the number of policies to four, and I support the proposed amendment D23, to ensure that the summary reflects the policies as re-written (**PM23**). Policy HAS01 in the submitted Plan sets out detailed requirements for the provision of affordable housing in developments of 10 or more homes and includes a description of the present proportions of owner occupied, affordable rent and market rented homes. Policy HAS02 seeks to control the size of new dwellings, to meet

the future needs of residents. Draft amendments D-A20 and D-A21 would combine and simplify these policies, making clear that major development should provide at least 30% affordable homes and offer appropriately sized housing especially for first time buyers and “last time” buyers. Draft amendment D24 would give justification text with reference to the P2LP policies, and recent data on house sizes and tenure mix from the 2021 Census. I recommend in **PM23** all three amendments should be made to modify the policies and justification, to achieve clarity for readers and general conformity with Broxtowe’s strategic policy for housing.

- 4.43 Policy HAS03 in the submitted CTTCNP aims to secure high energy efficiency in new development. I support the draft amendment D-A22, so that compliance with green design standards will be “supported” rather than required. HE/DIO objected to the draft amended policy, arguing that it would replicate building regulations and the NPPF paragraph 154 b). The draft amendments would delete Policy HAS05 which seeks low carbon energy capture, storage and distribution facilities with “large new developments”, and Policy HAS06 requiring water efficient development in compliance with Building Regulations. In my view, these policies could be too restrictive, stray from planning into matters of building regulations, and I support their deletion. However, I consider that it would be helpful to alert developers broadly to the desirability of building energy efficient and sustainable homes, and recommend in **PM24** that D-A22, to create new Policy HAS02, as well as draft amendment D25 to modify the justification text, should be made to secure sustainable development. In addition, I recommend Forum Aspiration: 3 Energy Positive Community, which is proposed under D26 (**PM24**).
- 4.44 HE/DIO objected to Policy HAS04 in the submitted CTTCNP, as they considered it an unreasonable requirement for developers. The draft amendments would replace the policy with a new HAS03, by way of D-A23, which, in my opinion, is less detailed and should not be unduly onerous for major development. The modified justification proposed in D27 would quote paragraph 114 of the current NPPF, which states that planning policies should support the expansion of electronic communications. I recommend D-A23 and D27 in **PM25** so that the new Policy HAS03 meets the Basic Conditions.
- 4.45 Policy HAS07 in the submitted CTTCNP stated that developers should demonstrate how they intended to minimise construction times by the use of MMC. Given the fact that site development times may be affected by a range of factors, I consider that the policy requires modification. A new Policy HAS04, secured by D-A24 and D28, would result in a more flexible policy, make clear that it applied to major development, and seek the use of MMC “where appropriate”. I recommend these modifications as in **PM26** to secure sustainable development.
- 4.46 The NPPF, section 12, Achieving well-designed places, states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should

achieve. Plans should, at the most appropriate level, set out a clear design vision and expectations. As the NP Area includes part of the SLG and Chetwynd Barracks, where major development is expected in coming years, I consider that it is important for the Plan to include Chapter 16. Urban Design, to have regard to national policy. The four key objectives at the beginning of this chapter – to build on current suburban character, to introduce smart design principles in new garden village areas, to have a mix of commercial and residential development in the SLG and reflect existing architecture and design in infill developments – provide a good starting-point for good urban design. Draft amendment D30 to Page 74 of the submitted CTTCNP would update the table showing core objectives and supporting policies URB01-06, by deleting the reference to the Toton Innovation Campus, and inserting the titles of the policies. I recommend in **PM27** that Page 74 is modified as proposed in D30.

- 4.47 The draft amendment D-A25 would address the concerns of Broxtowe Borough Council that some of the justification text to Policy URB01 reads as policy. Also, it should be recognised that balconies could cause overlooking of neighbours. Even if the topography of Chetwynd Barracks is sloping, so that overlooking will be difficult to avoid on some sites, I consider that close attention to the layout and height of buildings and surrounding space should be encouraged, so that privacy for all future occupiers is attained. Policy URB01, with draft amendments D-A25 and D-A26 in place, would provide a clear policy for 1. Private amenity space, and 2. Privacy, and amendment D31 includes justification text only. I recommend in **PM28** that D-A25, D-A26 and D31 are made to modify Policy URB01 and contribute to good design, consistent with national planning policy.
- 4.48 Policy URB02 is proposed for draft amendment by way of D-A27 and D-A28. The revised policy, Minimising Crime, would give better information for developers as to how development should be designed, and would add text which was earlier included, incorrectly in my view, as “justification”. I recommend in **PM29** that Policy URB02 should be modified, as in D-A27, D-A28 and D32, to meet the Basic Conditions. Policy URB03 has also been proposed for amendment, and I support the revised policy, with its clear reference to “major development” and incorporation of policy requirements for parking. Although the revised policy does not set out what level of cycle parking provision would be sought, the justification, as proposed for draft amendment by D33, refers to Nottinghamshire Highways’ 6Cs Design Guide, Manual for Streets and the NPPF as sources of relevant guidance. I recommend Policy URB03 should be modified as set out in D-A29, D-A30 and D33, to contribute to the achievement of sustainable development (**PM29**).
- 4.49 The proposed draft amendments to Policy URB04, namely D-A31 to D-A35, should all be made, in my opinion, to give a more purposeful policy which sets out the key elements for well-designed neighbourhoods. Paragraphs 128-129 of the NPPF describe the role of design guides and codes and indicate that they can be prepared by a range of organisations.

Even if there is currently no district-wide Design Code, and design codes for more local areas are not complete, I am satisfied that the mention of local design codes in clause 1 should be retained, especially as it follows the reference to Building for a Healthy Life in clause 1 of Policy URB04. Clause 5 of the draft revised policy includes a useful list of criteria originally written in section C (Guidelines and Aspirations) of the submitted CTTCNP, and I support its transference to this policy. With D34 in place, I consider that the justification would provide a useful comment on development within the Barracks, which would fit with the site's history, landscape and topography. Therefore, I recommend in **PM30** that Policy URB04 should be modified as in D-A31 to D-A35 and D34, so that there is consistency with national policy and for the achievement of sustainable development.

- 4.50 Policy URB05, Strategic Location for Growth, west of Toton Lane is proposed for draft amendment by way of D-A36 to D-A39. The Forum explained that this is designed to give a 4 part policy which is consistent with the Toton and Chetwynd Barracks Strategic Masterplan SPD. I consider that the draft revised policy gives clearer direction as to what should be achieved at the SLG within the Neighbourhood Plan Area than the earlier policy in the submitted CTTCNP. However, the first two draft clauses include reference to a "masterplan" which, as discussed at the Hearing, could be misleading for readers and users of the Plan. Clause 1 of the revised policy, in my view, replicates P2LP Policy 3.2 A. vii). Clause 2 seeks "preparation of a masterplan" which seems to overlook the fact that Broxtowe Borough Council has already prepared the Strategic Masterplan SPD. For clarity and to secure general conformity with strategic policy in the Local Plan, I recommend that **PM31** is made. This will modify Policy URB05 (and the supporting justification through D35). It includes additional words in clause 3 of the policy to read "where practical and feasible", so that the policy will not prevent sustainable development.
- 4.51 Policy URB06 addresses infill development. Proposed draft amendments D-A40 and D36 seek to modify the wording of the policy and text, notably removing the requirement that "developers should demonstrate ...". I recommend the proposed amendments (**PM32**), which should contribute to the achievement of sustainable development.
- 4.52 Chapter 17 Leisure, Heritage and Community begins with Policy LHC01 – Local Centres. Proposed draft amendments to the CTTCNP are designed to combine Policy EMP05 with LHC01, which I support to avoid repetition. I also support the references to "local centre", which makes the policy in general conformity with the P2LP and shall not propose a different definition for reasons given in paragraph 4.22 above. HE/DIO, with interest in the future of Chetwynd Barracks, argued that the local centre should include a range of "main town centre uses", including those in Class E and Class C3. I consider that a reference to "main town centre uses" would conflict with the aim of creating a local centre for the local community. Class E relates to commercial, business and service uses,

which could be permitted by “employment”, mentioned in Policy LHC01, clause 2. Class C3 covers dwelling houses, and “residential dwellings” are mentioned in clause 2. Therefore, I consider it unnecessary to recommend modifying Policy LHC01 as suggested by HE/DIO regarding acceptable uses in the local centres. I also support the reference in 2.E to refer to the Grade II listed Memorial, to give a useful reminder of its presence to future developers. I conclude that Policy LHC01, with amendments D-A41, D-A42 and D-A43, should enable appropriate new centres to be established in Chetwynd Barracks and the SLG, to serve the new communities (see also paragraph 4.59 below). Draft amendments D38 and D39 would separate the justification text from the Forum Aspiration for a new multi-purpose community centre on the Barracks, to include a medical centre, library etc. I therefore recommend in **PM33** all the above proposed amendments to meet the Basic Conditions.

- 4.53 Policy LHC02 – Heritage Assets is proposed for draft amendment by D-A44, D-A45 and D-A46. HE/DIO pointed out that Chetwynd Barracks includes only one listed structure (the Memorial), is not a conservation area and currently has no locally listed buildings. I agree that the policy to “preserve or enhance” could be overly restrictive, although I recognise that the Barracks which have had restricted access for many years, have a special environment based on their military history, which merits some protection. I recommend **PM34** to remove the term “preserve or enhance” but retain the aim to conserve heritage value, for consistency with national planning policy. Also, in **PM34**, I recommend that the list of non-designated heritage assets be removed from clause 2 of the policy and included in the justification text. The justification should further be modified as put forward in D41, to provide more evidential information about local heritage assets, and I support a new aspiration box, as proposed in D42 (**PM34**).
- 4.54 I recommend the proposed draft amendments to Policy LHC03 and its justification, to indicate that the creation of a heritage trail would be linked to new development of the area (D-A47), and to remove the reference to Appendix 2 (D43). Draft amendment D-A48 to Policy LHC04 would remove commentary on the future of George Spencer Academy and its possible relocation. I recommend this amendment, and the acknowledgement (in draft amendment D44) that additional school provision is a matter for the local education authority, and not the CTTCNP. The modified justification would helpfully add a reference to the P2LP’s Policy 3.2, with information on school numbers and the challenges faced by proximity to the A52 and potential new railway station. I recommend D-A48 and D44 should be made to have regard to national policy and secure general conformity with the P2LP. Policy LHC05 should alert those promoting major development in the area of the likely future needs for additional primary school provision and medical facilities. I further recommend draft amendment D-A49, to indicate that more than one new primary school is likely to be needed, and to be in general conformity with Policies 3.1 and 3.2 of the P2LP. Justification, as

proposed to be amended by D45, would explain the needs more fully, and should be made. These recommendations are all included in **PM35**.

- 4.55 Policy LHC06 supports development of a new leisure centre in the SLG. Sport England queried the policy's evidence base and referred to work on the replacement of Bramcote leisure centre. D-A50 proposes amendment to the policy to state that a new leisure centre "will be supported", rather than "should be built", and I agree that this will give a more flexible policy. It will also be in general conformity with Policy 3.2D of the P2LP, which would be referenced in the draft amendment, D45 (see **PM35** above), to the policy justification. I recommend that D-A50 should be made to modify the CTTCNP (**PM36**). Policy LHC07 – Sports Field and Pavilion, and its justification which refers to the Council's Playing Pitch Strategy is opposed by HE/DIO who commented that there is no up-to-date assessment of the need for playing pitches in Broxtowe Borough. Nevertheless, the justification to the policy, with draft amendment D47, would refer to Policy 25 of the P2LP which identifies a deficiency in accessible and secured floodlit football pitches. I consider that Policy LHC07 is in general conformity with the P2LP and should be retained. I recommend in **PM36** that D47 should be made to modify the justification and to inform that there are currently two FA registered full size artificial grass pitches in the Borough, to provide the most up-to-date data.
- 4.56 Policy LHC08 – Provision of Allotments is the response to community consultation which demonstrated a need for more allotments. Draft amendments D-A51 and D-A52 should be made, in my view, to confirm that provision of allotments and communal gardens will be supported. The justification should also be amended as in D48 to provide current supportive background evidence. I therefore recommend in **PM37** that D-A51, D-A52 and D48 should be made to contribute to sustainable development.
- 4.57 Employment and Business are covered in Chapter 18 of the CTTCNP, to reflect the overall objective that new mixed business zones should be designed to encourage people to work and live 'on site'. Bloor Homes pointed out that the Strategic Masterplan SPD describes Toton East and Toton South as being primarily residential. I consider that this could be mentioned in the justification to Policy EMP01, to avoid conflict between the CTTCNP and the SPD, even though mixed use developments can lead to sustainable lifestyles and should be encouraged. **PM38** should be made to add a cross reference to the SPD and contribute to sustainable development. I also recommend in **PM38** proposed amendments D-A53, D-A54, D50 and D51. With PM7, I am satisfied that Policy EMP01 – Strategic Location for Growth will be in general conformity with Policy 3.2, clause A iii) of the P2LP.
- 4.58 Policies EMP02 and EMP03 in the submitted CTTCNP would be merged into a new EMP02 – Chetwynd Barracks Business Zone with draft amendments D-A55, D-A56 and D-A57 in place. The amendments would also add where "feasible and viable" to the first 2 clauses, in response to

comments made by HE/DIO. I consider that these amendments, and the justification, as proposed to be modified by D52, should encourage the growth of employment on the site, whilst providing protection for the historic Building 157. HE/DIO proposed a further modification, to refer to commercial “uses” rather than “property” and seek to reuse existing buildings “first”, with which I agree. I recommend **PM39** should be made accordingly, so that Policy EMP02 contributes to the achievement of sustainable development.

- 4.59 Policy EMP04 in the submitted CTTCNP is included in Appendix 2 as EMP03, with draft amendment D-A58, to state that the development of a Centre of Excellence for smart building technologies would be supported and delete the comment about such a development providing a focus to attract leading-edge organisations. Added comment on MMC technology would be included in the justification by draft amendment D53. I recommend that Policy EMP04 should be modified to convert it to EMP03, with D-A58 and D53, so that the Basic Conditions are met (**PM40**). Policy EMP05 in the submitted CTTCNP concerns a retail centre in Chetwynd Barracks and is repetitive of Policy LHC01 (I support its deletion in **PM33** above).
- 4.60 Chapter 19 of the Plan addresses Plan Delivery, and I consider this to be an important chapter, if the CTTCNP is to lead to development in the area which is beneficial and meets all the Basic Conditions for neighbourhood planning. The draft amendments in D-B1 to D-B20 begin with the addition of the title: Implementation, Monitoring and Review, which I consider to be three significant tasks to ensure that the CTTCNP remains relevant and effective over the Plan period. Although D-B8 is vague as to the extent of influence from EMDC, I consider that it is helpful for the presence of EMDC to be acknowledged and recommend no further revision to this draft amendment. I am satisfied that the modified Chapter 19 should provide helpful information for developers, stakeholders and the local community as to the planned way forward. I recommend in **PM41** that D-B1 to D-B20 should be made.

## Appendices

- 4.61 The CTTCNP with draft amendments E1-E4 would contain only one Appendix, a Glossary (E1). I consider that a revised Glossary, based on the modified CTTCNP, should be included in the Plan so that readers are well-informed. The earlier Appendices 2, 3, 4 should be deleted in my view, as they constitute evidence documents, and lists of heritage assets and green assets have been included already in new Policy LHC02 and Table 13.1. I recommend proposed amendments E1 – E4 should be made for consistency with other modifications and to provide clarity to readers (**PM42**).

## Other Amendments

- 4.62 There remain a small number of other draft proposed amendments set out in Appendix 2 on which I have not commented. These complement the other proposed modifications I have recommended and are included in **PM43**.

## Minor Amendments

- 4.63 As an advisory comment, when the Plan is being updated to take account of the recommended modifications in this report, minor amendments can be made consequential to the recommended modifications such as to the table of contents, paragraph and figure numbers etc. Similarly I note the intention to add some updated photographs to reflect minor changes. Any other minor non-material changes or updates may be made in agreement between the Forum and Broxtowe Borough Council.<sup>8</sup>

## 5. Conclusions

### Summary

- 5.1 The CTTCNP has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following Regulation 16 consultation on the Neighbourhood Plan, evidence from the Public Hearing, the additional focussed consultation and comments made on it, as well as all the evidence documents submitted in support of the Plan.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. In many instances, I have recommended that text is moved between different sections of the Plan, policies are deleted or merged with other policies, along with similar actions in relation to the associated supporting text. The sum of my recommended modifications will result in a comprehensively revised Plan. However, I consider that the additional engagement (including the Hearing session) and focused consultation in summer 2023, coupled with minimising the extent of entirely new material in the revisions, will result in a Plan once modified in accordance with **PMs 1-43** that I can recommend should proceed to referendum.

### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The CTTCNP Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary,

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<sup>8</sup> PPG Reference ID: 41-106-20190509.

requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

## Overview

- 5.4 The NP Area is an extremely interesting location on the western edge of Nottingham, with established suburbs, the military barracks, significant road, tram and rail infrastructure, the River Erewash and extensive open countryside, some of which is Green Belt. With major development proposed in the SLG and at Chetwynd Barracks, the planning sector and local communities in the NP Area are presented with a wide range of substantive challenges. I appreciate the substantial effort which the Neighbourhood Forum has put into producing a comprehensive Neighbourhood Plan, that takes account of the local residents' and businesses' wishes for the future, but also those of key stakeholders and the development sector. I understand that the aims of these groups often vary and that the Forum, with assistance from Broxtowe Borough Council, has put in considerable time and effort to reconcile and accommodate everyone's ambitions. The CTTCNP examination process has been protracted, partly because of events both national and international outside the Forum's control, and I commend the Forum for its patience and hard work in producing (with the significant assistance of Broxtowe Borough Council) the draft proposed amendments to the submitted CTTCNP and pursuing the development of an appropriate Neighbourhood Plan which meets the requirements of the Basic Conditions. I congratulate the Forum on the production of a Plan which I consider, subject to modification, is fit to proceed to referendum.

*Jill Kingaby*

Examiner

## Appendix 1: Proposed Modifications (PMs)

Note: In a number of instances the 'amendment reference/s' in the third column below and in **Appendix 2** need to be read in conjunction with the revised text as shown in the corresponding amendment references in **Appendix 3** to this report.

<b>Proposed Modification number (PM)</b>	<b>Report paragraph reference</b>	<b>Modification</b>
PM1	4.15	Amendment references X1-X14 should be made as set out in Appendix 2.
PM2	4.16	Amendment references A1-A7 should be made as set out in Appendix 2.
PM3	4.16	Add a new map or Figure to illustrate key features of the Toton and Chilwell West area, as referenced under Location and Geography in Chapter 2.
PM4	4.17	Amendment references B1 to B14 should be made as set out in Appendix 2.
PM5	4.18	Amendment references B15 to B25 should be made as set out in Appendix 2.
PM6	4.19	Amendment references B26 to B28 should be made as set out in Appendix 2.
PM7	4.20 - 4.21	<p>Amendment references B29-B37 should be made as set out in Appendix 2, subject to the following:</p> <p>Paragraph 9.9</p> <p>Re-number as 8.1 and modify the wording:</p> <p><del>The work carried out to inform development options thus far</del></p> <p><b><i>The plans and evidential documents which have informed the development options</i></b> includes the following (studies marked .....</p> <p>Paragraph 9.14</p> <p>Add a sentence at the end:</p>

		<b>Figure 9.6 is taken from the Kefa report, and represents illustrative design evidence only, rather than a specific requirement for future development of Chetwynd Barracks.</b>
PM8	4.22	Amendment reference B38 should be made as set out in Appendix 2.
PM9	4.23	Amendment references B40, B41 and B42 should be made as set out in Appendix 2.
PM10	4.24	Amendment references B43 to B47 should be made as set out in Appendix 2 and shown in Appendix 3
PM11	4.26	<p>Amendment references B48 to B51 should be made as set out in Appendix 2, subject to the following:</p> <p>Figure 9.1: Green Corridors (indicative)</p> <p>Add new text ahead of the Figure, as follows:</p> <p>Figures 9.1 – 9.3 seek to illustrate how aspects of the Vision might be realised through the creation of new green corridors, a new walking route and a possible new extension to the tramway. The alignment of these routes is only indicative at this stage, and proposals for new transport infrastructure will need the support of Nottingham City Council and other stakeholders.</p> <p>Figure 9.3 New Road Infrastructure (indicative): Modify the Figure, to make clear that there are two alternatives for the “potential tram routes”. They should be labelled as (a) and (b).</p> <p>Modify the Policies Map to delete the indicative proposals shown in Figures 9.1 – 9.3 of the CTTCNP.</p>
PM12	4.27	Amendment references B52 to B60 should be made as set out in Appendix 2.

PM13	4.27	Amendment references B61 and B62 should be made as set out in Appendix 2.
PM14	4.28	Amendment reference C1 should be made as set out in Appendix 2.
PM15	4.29	Amendment references D1 to D5 should be made as set out in Appendix 2.
PM16	4.31	<p>Policy ENV01</p> <p>Amendment references D-A1, D-A2, D7 and D8 should be made as set out in Appendix 2.</p> <p>Amendment reference D10 in Appendix 2 should be made, subject to updating the 'Blue cells' to reflect ENV01 (as proposed to be modified above) and the plan showing Local Green Space designations (D8).</p>
PM17	4.34 - 4.35	<p>Policies ENV02 &amp; ENV03</p> <p>Policy ENV02: Amendment references D-A3, D-A4, D-A5 and D9 should be made as set out in Appendix 2, subject to re-writing clause 1 of reference D-A3 to read:</p> <p>1. Development should have no <b>significant</b> adverse impact on .....</p> <p>Policy ENV03: Modify the policy and its justification as set out in amendment references D-A6,7,8,9 and D12 in Appendix 2, subject to re-writing clause 1 to read:</p> <p>1. Major development should <del>meet</del> <b>provide</b> green and blue infrastructure <del>standards</del> which could include .....</p> <p>Amendment references D13 to D15 should be made as set out in Appendix 2.</p>
PM18	4.37	Amendment reference D16 should be made as set out in Appendix 2.
PM19	4.38	Policy INF01

		Amendment references D-A10, D-A11 and D17 should be made as set out in Appendix 2.
PM20	4.39	New Policy INF02 Amendment references D-A12, D-A13, D-A14, D18 and D19 should be made as set out in Appendix 2.
PM21	4.40	New Policy INF03 Amendment references D-A15, D-A16, D-A17, D20 and D21 should be made as set out in Appendix 2.
PM22	4.41	New Policy INF04 Amendment references D-A18, D-A19, and D22 should be made as set out in Appendix 2.
PM23	4.42	New Policy HAS01 Amendment references D23, D-A20, D-A21 and D24 should be made as set out in Appendix 2.
PM24	4.43	New Policy HAS02 Amendment references D-A22, D25 and D26 should be made as set out in Appendix 2.
PM25	4.44	New Policy HAS03 Amendment references D-A23 and D27 should be made as set out in Appendix 2.
PM26	4.45	New Policy HAS04 Amendment references D-A24 and D28 should be made as set out in Appendix 2.
PM27	4.46	Amendment reference D30 should be made as set out in Appendix 2.
PM28	4.47	Policy URB01 Amendment references D-A25, D-A26 and D31 should be made as set out in Appendix 2.
PM29	4.48	Policies URB02 & URB03

		Amendment references D-A27, D-A28, D-A29, DA-30, D32 and D33 should be made as set out in Appendix 2.
PM30	4.49	Policy URB04 Amendment references D-A31 to D-A35 and D34 should be made as set out in Appendix 2.
PM31	4.50	Policy URB05 Amendment references D-A36, D-A37, D-A38 and D-A39 should be made as set out in Appendix 2, subject to the following:  1. Routes to, .....safeguarded through a masterplan  2. Subject to the preparation of a masterplan <b>Having regard for the Toton and Chetwynd Barracks Strategic Masterplan SPD</b> , major employment development .....  3. Development within the Strategic Location for Growth should include, <b>where practical and feasible</b> :.....  B. Parking ...(where practical and feasible)....  Modify the Justification for Policy URB05 in accordance with amendment reference D35 in Appendix 2, subject to revising the first paragraph as follows:  Part 2 Local Plan policy 3.2 requires a masterplan for the Strategic Location for Growth (SLG) to be prepared ( <del>by stakeholders</del> ) and approved by Broxtowe Borough Council. <b>The Toton and Chetwynd Barracks Strategic Masterplan SPD was adopted by Broxtowe Borough Council in February 2023.</b> The Integrated Rail Plan [EB: ibid] proposes a railway station at Toton. Therefore, it is important to

		safeguard its location, and the routes to it., <del>within the masterplan.</del>
PM32	4.51	Policy URB06 Amendment references D-A40 and D36 should be made as set out in Appendix 2.
PM33	4.52	Policy LHC01 Amendment references D-A41, D-A42, D-A43, D38 and D39 should be made as set out in Appendix 2.
PM34	4.53	Policy LCH02 Amendment references D-A44, D-A45 and D-A46 should be made as set out in Appendix 2, subject to the following:  1. Development of the Barracks should <del>preserve or enhance</del> <b>conserve</b> its heritage value.  2. Development which .... <del>including those listed below</del> will not ....  Assets listed as A – O should be deleted from the policy.  Justification should be modified as in amendment reference D41 in Appendix 2.  In addition, modify the first sentence to read:  Within Chetwynd ... with the designated heritage assets <del>and</del> ...  Modify the second paragraph as follows:  All the heritage assets listed <del>above</del> <b>below</b> are considered by ..... which are included in the list <del>above</del> <b>below</b> ..... and their history.  Non-designated heritage assets, shown as A-O in Policy LHC02, should be listed at the end of the Justification.  Amendment reference D42 should be made as set out in Appendix 2.

PM35	4.54	<p>Policies LHC03, LHC04 &amp; LHC05</p> <p>Amendment references D-A47, D-A48, D-A49, D43, D44 and D45 should be made as set out in Appendix 2.</p>
PM36	4.55	<p>Policies LHC06 &amp; LHC07</p> <p>Amendment reference D-A50 and D47 should be made as set out in Appendix 2.</p>
PM37	4.56	<p>Policy LHC08</p> <p>Amendment references A51, D-A52 and D48 should be made as set out in Appendix 2.</p>
PM38	4.58	<p>Policy EMP01</p> <p>Amendment references D-A53, D-A54, D50 and D51 as set out in Appendix 2 should be made. In addition, add a new sentence to the beginning of Justification as follows:</p> <p><b><i>The Toton and Chetwynd Barracks Strategic Masterplan SPD, paragraphs 4.10 and 4.11 will be primarily residential areas. Nevertheless, ¶ today, most local people .....</i></b></p>
PM39	4.58	<p>New Policy EMP02</p> <p>Modify in accordance with references D-A55, D-A56, D-A57 and D52 as set out in Appendix 2.</p> <p>In addition, modify clause 1. as follows:</p> <p>Development of commercial property <b>uses</b> on Chetwynd Barracks should <b>first</b> seek to ....</p>
PM40	4.59	<p>New Policy EMP03</p> <p>Amendment references D-A58 and D53 should be made as set out in Appendix 2.</p>
PM41	4.60	<p>Amendment references D-B1 to D-B20 should be made as set out in Appendix 2.</p>

PM42	4.61	Amendment references E1 to E4 should be made as set out in Appendix 2.
PM43	4.62	Amendment references B39, D6, D11, D29, D37, D40, D46 and D49 should be made as set out in Appendix 2.

## Appendix 2: Explanatory Document July 2023

See specifically, Section 4.0 Schedule of Amendments (pages 5-34) comprising amendment references:

- X1 to X14;
- A1 to A7;
- B1 to B62;
- C1;
- D1 to D53;
- D-A1 to D-A58;
- D-B1 to D-B20; and
- E1 to E4.

View here: [Explanatory Document \(broxtowe.gov.uk\)](https://broxtowe.gov.uk/explanatory-document)

## Appendix 3: CTTCNP Proposed Amendments June 2023

View here: [CTTC NP Proposed Amendments June 2023 \(broxtowe.gov.uk\)](https://broxtowe.gov.uk/cttc-np-proposed-amendments-june-2023)