

DD 24

A453 Widening

M1 Junction 24 to A52 Nottingham

PROOF OF EVIDENCE

Policy and Plans

By

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Inquiry Commencing 10/11/09

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1 INTRODUCTION

Personal Details

1.1 My name is Ian David Briggs. My academic and professional qualifications are:-

- i. MRICS– Member of the Royal Institution of Chartered Surveyors
- ii. BSc (Hons) Minerals Estate Management

1.2 I was elected a member of the Royal Institution of Chartered Surveyors in 1991 and I am a Director of WYG Environment Planning and Transport Limited, part of the WYG Group. My role sits within the Midlands Planning and Design Team based at the Anstey office in Leicester.

1.3 Throughout my professional career I have been involved in land development and planning policy issues across a range of projects in both urban and rural environments with a particular emphasis on developments falling under the requirements of the Environmental Impact Assessment regulations 1999.

1.4 WYG Planning and Design was appointed to assist in the preparation of the Environmental Impact Assessment [DD05] for the A453 Widening proposals in 2006. My responsibilities within the project in this regard extended to an assessment of the proposed A453 Widening scheme in relation to the policies and plans in force along the route as well as identifying potential issues in relevant emerging policy documents.

Outline of the Proof

1.5 My proof of evidence deals with the impact of the scheme on policies and plans as follows:

- i. A453 Widening Scheme;
- ii. Identification of the relevant policy framework and administrative areas;

Significant Policy Issues that arise in relation to the proposed improvement of the A453 including:

- iii. Policy Need for the A453 Improvements
- iv. Greenbelt Issues
- v. Clifton Conservation Area

A453 Widening Scheme

- 1.6 The background and detailed design for the A453 Improvements are set out in the proofs of evidence provided by Jonathon Pizzey (Government Policy and Scheme Overview [DD17]) and Bill Howarth (Highway Design [DD21]).

Policy Framework and Administrative Areas

- 1.7 The A453 between the M1 junction 24 and A52 at Nottingham sits within the East Midlands Regional Assembly administrative area and passes through 2 county council and 3 local council areas these being:

- 1.8 County Councils:

- i. Leicestershire County (M1 – River Soar)
- ii. Nottinghamshire County (River Soar – Nottingham)

- 1.9 Local Councils:

- i. Northwest Leicestershire District (M1 – River Soar)
- ii. Rushcliffe Borough (River Soar – Clifton)
- iii. Nottingham City (Clifton northwards)

- 1.10 Travelling north from the M1 Junction 24 the road sits within Leicestershire and Northwest Leicestershire which along the A453 both extend up to the River Soar.

- 1.11 Northwards from the river Soar the road sits within Nottinghamshire passing first through Rushcliffe Borough and then Nottingham City.
- 1.12 The boundary between Nottingham City and Rushcliffe Borough is located between Mill Hill and Clifton. The nature of the route between M1 junction 24 and Mill Hill is predominantly rural in character and comprises farms, occasional residential properties, woodlands, the new Parkway railway station, Ratcliffe Cut canal and EoN power station.
- 1.13 The land between the river Soar and the southern edge of Clifton forms part of the Nottingham - Derby Greenbelt.
- 1.14 The section of A453 road through Nottingham City at Clifton is predominantly urban comprising a number of housing estates, Nottingham Trent University, two public houses, a Petrol Station, a care homes (currently being built), the Larkhill Retirement Village and the proposed NET extension as well as a range of other land uses typical of the urban environment.
- 1.15 At Clifton Green there is a registered Village Green which the existing A453 road touches however the proposed A453 road alignment will stand remote from; and the larger Clifton Conservation Area which incorporates the Village Green and existing and proposed alignments for the A453 road.

Relevant Policy Framework

- 1.16 A wide range of policy documents that impact upon the A453 Widening scheme are either adopted or in preparation due to the number of administrative areas encountered along the route. The plans and policies referred to are set out in Summary Table 2.13.1 in Part 13 of the Environmental Statement (ES) Volume 1 DD05.
- 1.17 Three issues are considered prominent in the consideration of the A453 Widening proposals and their interaction with plans and policy. These are the need for the road; the impact on Green Belt; and the impact on the Clifton Conservation Area.

2 Policy Need for the A453 Road Improvements

- 2.1 The need for the A453 road improvements has been considered at public inquiry in 1992 and most recently in 1996. However following a review of Government spending plans in 1997, the proposals addressed in the 1996 inquiry did not progress as far as implementation on the ground despite being supported in the report by the Inspector at that inquiry.
- 2.2 Jonathon Pizzey's proof of evidence ref DD17 considers the background to the current proposals in more detail.
- 2.3 The Government spending plan review resulted in the Multimodal Study (MMS) DD13 which proposed a range of solutions as a transport strategy and transport plan for the A453 corridor to the year 2021. This transport plan proposed a series of integrated transport solutions (see paragraph 12.5.3 of the MMS) (DD13) intended to address the current substantial levels of peak period traffic congestion and unreliability in journey times as well as the high levels of personal injury accidents along the rural section of the route.
- 2.4 The solutions proposed in the MMS are set out in Colin Shields Proof DD19 but include amongst others:-
- i. NET extension
 - ii. Proposed Parkway Railway Station
 - iii. Dual carriageway A453 between M1 and Clifton
 - iv. A453 widening to 4 lanes through Clifton with junction improvements, traffic control and pedestrian facilities.

- 2.5 Whilst the A453 forms part of the MMS package of solutions, this proof considers only those elements that relate to the A453 Widening. The NET and Parkways Station proposals have already been approved through other statutory procedures.

National Planning Policy

PPS 1 Delivering Sustainable Development (Jan 05)(DD156)

- 2.6 Planning Policy Statement 1 (PPS1) (DD156) sets out the broad principles for sustainable development and advises that planning should achieve this by facilitating sustainable and inclusive patterns of development by making suitable land available for economic social and environmental objectives; to improve peoples quality of life; protect and enhance historic and environment sites and the character of the countryside and communities; and ensuring high quality development through good design and efficient use of resources. (see paragraph 5 of PPS 1) (DD156)
- 2.7 PPS 1 does not identify the improvement of roads as being unsustainable but does encourage a reduction in the need to travel and a modal shift towards use of public transport. PPS 1 paragraph 27 vii (DD156) highlights a general need to ‘Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development.’
- 2.8 In this regard the A453 Widening proposals form only one part of the wider MMS (DD13) package of transport solutions. Whilst in isolation the A453 Widening could be considered to be at odds with paragraph 27 vii, the A453 scheme forms part of the wider MMS transport solution that will result in a sustainable scheme that increases public transport options. Paragraph 3.4.34 of the East Midlands Regional Plan (DD43) advises that behavioural changes and public transport provision will not overcome the need to provide additional highway capacity during the life of the Regional Transport Strategy i.e. upto 2026.
- 2.9 Table 1.2.1 in the Environmental Statement (ES) (DD05) - identifies that the widening proposals are necessary as part of the MMS package of transport solutions rather than allowing the existing congestion to become progressively worse. The scheme is therefore in my opinion part of a sustainable solution.

REGIONAL PLANNING POLICY

East Midlands Regional Plan (RSS8) – (March 2009) (DD43)

- 2.10 The East Midlands Regional Plan (EMRP) (issued March 2009) contains the Regional Transport Strategy (RTS) at section 3.4. This promotes a modal shift away from car use. Paragraph 3.4.10 of the EMRP advises that
- 2.11 *‘The inclusion of policies aimed at encouraging modal shift is not contradictory to the inclusion of proposals for new transport infrastructure in the RTS. The region is faced with a number of significant transport problems which are already very pressing and which are unlikely to be relieved by the impact of behavioural change policies in the short term. These problems have been the subject of considerable strategic analysis over recent years through such initiatives as the Multi Modal Studies (MMS) and the Regional Funding Allocations.’*
- 2.12 Policy 43 in the RTS identifies 7 Regional Transport Objectives which include supporting sustainable development in the Regions Principal Urban Areas (objective 1) and improving safety and reducing congestion within the Region’s Principal Urban Area. Policy 44 of the RTS provides Sub Area objectives for, amongst others, the ‘Three Cities Sub- area.’ The Three Cities Sub Area includes Derby Leicester and Nottingham, the A453 being located between all three. Policies 43 and 44 are reproduced in Appendix C of this proof.
- 2.13 Paragraph 3.4.35 of the RTS (DD43) identifies recommendations on Regional Funding Allocations for the Trunk road investment priorities. Policy 53 in the RTS (DD43) advises that the Highways Agency should work closely with Regional bodies, Transport Authorities and Local Planning Authorities to progress the implementation of trunk road investment priorities subject to full detailed appraisal. (Paragraph 3.4.35 and Policy 53 are reproduced in DD43.)
- 2.14 Appendix 6 of the EMRP (DD43) - at Table 1 entitled ‘Regional Transport Investment Priorities’ - shows the ‘A435 (M1- Nottingham) Improvement’ as being implemented in 2011-16 by the Highways Agency under the Regional Funding Allocation. Appendix 6 Table 1 confirms that the

A453 (M1- Nottingham) Improvement' satisfies Policies 53 and 56 of the RSS (East Midlands Regional Plan) and objectives 1 and 5 of Policy 43 in the RTS.

- 2.15 Policy 56 of the RTS (DD43) sets out regional priorities for air transport and sets out how, in the Three Cities Area, Local development Frameworks (LDFs') and Local Transport Plans' (LTPs') should approach the future development of East Midlands Airport (EMA). Bullet point 4 of policy 56 requires that LDFs' and LTPs' should ensure that transport proposals are compatible with the need to create effective public transport links to EMA. The current congestion issues along the A453 make the existing road unreliable in this respect, particularly with regard to journey times. The A453 Widening is intended to help resolve this problem.

Local Transport Plans

- 2.16 At a County Level there are two Local Transport Plans, one covering the section of A453 in Leicestershire, and one covering the Nottinghamshire section.:-
- i. The Leicestershire Local Transport Plan 2006 -2011 (March 2006)
 - ii. The Transport Plan for Greater Nottingham 2006/7 to 2010/11 (adopted March 2006)

The Leicestershire Local Transport Plan 2006 -2011(DD45)

- 2.17 The Leicestershire Transport Plan (DD45) contains little detail for the A453 improvements but advises that that the A453 widening is a top-level priority at a Regional level. The Council addresses the conformity of its plan with the Regional Transport Strategy in Appendix C4 and welcomes the A453 M1 – Nottingham improvements and the effect they will have on concentrating longer-distance traffic growth on the most safe and suitable roads and to prevent drivers from diverting onto local roads to avoid motorway and trunk road congestion routinely, or in response to incidents.' (see DD45)
- 2.18 Paragraph 2.99 of the Leicestershire Local Transport Plan also notes the importance of Parkway station and its reliance on the A453.(DD45)

The Local Transport Plan for Greater Nottingham 2006/7 to 2010/11 (DD46)

- 2.19 The Local Transport Plan for Greater Nottingham sets out the future transport strategy and investment plans for the 2006 to 2011 period, across Nottingham and Rushcliffe (amongst others)..It sets out a series of key policy issues in the Executive summary on page vi (DD46) relating to congestion and a series of solutions proposed to overcome this, including ‘Working with regional partners to deliver key strategic projects, particularly A453 and rail links.’
- 2.20 This is expanded upon in Table 2.1 of the Transport Plan (DD46) which promotes the ‘Big Picture Proposals’ which includes:-
- i. NET Phase 2 with Park and Ride sites serving M1 junctions 24 & 25
 - ii. A453 improvement (M1 junction 24 to Nottingham Ring Road)
 - iii. Improved junctions 24, 25 and 26 of the M1
 - iv. Further development of express bus service to Nottingham East Midlands Airport
 - v. Development of East Midlands Parkway
- 2.21 Table 3.1: of the Local Transport Plan for Greater Nottingham, (DD46) entitled “Initiatives Included in the Regional Preferred Package of Schemes” sets out five priority schemes in the region and this includes the A453 (M1 to Nottingham) improvement.
- 2.22 The Local Transport Plan for Greater Nottingham (DD46) advises (in section 3.10.2 page 69 – see Appendix of this Proof DD25) that the A453 highway improvements form part of a wider solution alongside supporting measures including public transport improvements, restraint measures, behaviour change and small scale local measures. These are to be progressed in tandem with the highway capacity improvements in order to fully capture the benefits of trunk road investment and avoid the proposed additional road capacity simply being filled up again by induced traffic in a short period.
- 2.23 The A453 Widening is therefore strategically desirable and is an important part of the Local Transport Plan for Greater Nottingham (DD46). The A453 proposals form part of a wider package of

solutions that together help improve the transport issues along the A453 in a sustainable way and promote a modal shift away from a reliance on car transport but address the forecast growth in traffic. Not improving the A453 leaves open the potential for the MMS transport solution for the A453 to fail as it will only be implemented in part. This in turn could complicate or compromise the implementation of other development policies reliant upon the A453.

Local Development Plan Policy

- 2.24 At Local Level the A453 improvements are supported in the policy documents for each of the three Local Authority areas along the route.

North West Leicestershire District. (DD47)

- 2.25 Adopted Planning Policy in North West Leicestershire District is currently provided by the Northwest Leicestershire Plan (Adopted in August 2002.). The plan contains little detail on the proposed improvement of the A453 other than at Policy T2 b i) which identifies the A453 north of the M1 Junction 24 and confirms that development will not be permitted which would prejudice the implementation of the A453 M1 to Ratcliffe-on-Soar widening.

Rushcliffe Borough Council

- 2.26 The adopted planning policy in Rushcliffe Borough is provided by the Rushcliffe Local Plan of 1996 that only covered a period to 2001. The replacement of that plan was not fully completed as the statutory adoption of the Replacement Plan was suspended. The council did however choose to adopt many elements of the Replacement Plan on a non statutory basis. This is now known as the Rushcliffe Borough Non Statutory Replacement Local Plan of Dec 2006 (DD49).

Rushcliffe Local Plan 1996 (DD48)

- 2.27 The adopted Rushcliffe Local Plan of 1996 remains the last formally adopted Local Plan document in Rushcliffe however only 6 policies from that plan have been saved under the Paragraph 1(3) Direction in schedule 8 of the Planning and compulsory Purchase Act 2004. The ‘Movement’ chapter of that plan was not retained and the Non Statutory Local Plan provides the guidance that is currently being implemented by Rushcliffe Borough Council. The Rushcliffe Interim Planning Statement of December 2007 (DD50) reaffirms at paragraph 5.7 that the Non Statutory Local Plan serves a full and important role as a basis for determining all planning applications. To this extent the non statutory local plan is a material consideration where no adopted policies exist elsewhere.

Rushcliffe Borough Non Statutory Replacement Local Plan (Dec 2006) (DD50)

- 2.28 The Rushcliffe Borough Non Statutory Local Plan was adopted in December 2006 and now provides the most up to date local planning guidance for development in the area even though its adoption is on a non statutory basis. The plan advises that it covers the period 2001 to 2021.
- 2.29 No specific or graphic alignment is provided for the improvement of the A453 in this plan and its associated Proposals Map. The route is dealt with in word form only. Part 6 ‘Movement’ comments at paragraph 6.44 that improvements to the trunk roads in the Borough are especially vital in the context of the transport problems currently affecting the Borough. Improvements to the A453 have been considered as part of a multi modal study, improvement work is essential now that the Nottingham – Birmingham M42/A42 link and the A50 Derby Southern Link has been completed and the Borough Council will encourage its early completion so as to accommodate the expected traffic increases.’ Paragraph 6.44 concludes that The Borough Council will indicate its support for the protection of the lines and other features of the A453 once precise details are available.

Nottingham Local Plan (adopted Nov 2005) (DD51)

- 2.30 Management of the highways network is covered under Policy T10 which identifies the improvement of the A453 as a proposed highway scheme and seeks to prevent the granting of

planning permission for development that would prejudice a number of proposed highway schemes outside the city centre. Policy T10.2 identifies the 'A453 Improvement / Clifton Bypass' as one of these schemes. The plan also acknowledges in paragraph 10.33 that the Secretary of State has given his support to the MMS proposals for the widening of the urban section of the A453 to a 4 lane carriageway through Clifton. – as opposed to the Clifton by pass option mentioned in T10.2. (See Appendix to this proof DD25 for extract from Nottingham local plan)

- 2.31 The Nottingham Local Plan (DD51) at policy T10.2 safeguards two routes the online route through Clifton and a bypass route in the Green Belt between Clifton and Ruddington. Appendix 2 of the Nottingham Local Plan (DD51) notes that at the A453 previous public inquiry the Councils preferred route was the route south and east of Clifton. However, the same appendix also refers at Appendix 2 T10.2 to protecting both routes 'pending the outcome of the Multi Modal Study.
- 2.32 The MMS proposal had been published and promotes the on line widening of the A453 through Clifton (para 12.5.3 bullet point 3) (dd13), in line with the main text of the Nottingham Local Plan under policy T10.2 (as opposed to Appendix T10.2.).

Need for the A453 improvements - Summary

- 2.33 It is my professional opinion that at national, regional and local level there is strong policy support that the improvement of the A453 road is an important feature for the development strategy for the region and districts within it. The most recently adopted policy is contained in the East Midlands Regional Plan adopted in March 2009 (DD43) which highlights the scheme in policy 53 as part of its Regional Trunk Road Priority and at Table 1 of Appendix 6.
- 2.34 Local policy documents refer to the A453 Widening positively and all Local Plans seek to safeguard land for the road improvement and protect it from other forms of development.
- 2.35 The off line section of the A453 between Thrumpton and Mill Hill is not specifically defined in any Regional or Local policy document however in Rushcliffe, where the offline section occurs, the Local Plan promotes the A453 widening proposal and also protects land along the A453 alignment from other development. The plan does not define on a plan what is meant by the A453 alignment. In its Non Statutory Replacement Local Plan (DD49) at paragraph 6.44, Rushcliffe council makes the statement that The Borough Council will indicate its support for the protection of the lines and other features of the A453 once precise details are available.

- 2.36 It is therefore my professional opinion that the principle of the proposed A453 Widening scheme is supported by planning policy at all levels and will be beneficial to the wider development aims of those plans.

3 GREEN BELT

- 3.1 Between the River Soar and Clifton the A453 passes through the Nottingham Derby Green Belt. See plan at Rushcliffe Borough Non Statutory Replacement Local Plan.(DD49)
- 3.2 The section of the A453 that passes through the Green Belt sits predominantly within the administrative districts of Rushcliffe Borough as well as a short section on the southern fringe of Clifton in Nottingham City.
- 3.3 There is no Green Belt designation along the A453 in the Leicestershire and North West Leicestershire. Similarly the urban area of Clifton is not part of the Green Belt although Clifton is surrounded by it.
- 3.4 The Nottingham-Derby Green Belt covers 60,800 hectares, which surrounds the urban area of Nottingham.
- 3.5 If there is to be any improvement to the link between the M1 Junction 24 and Nottingham then such improvement must take place within the area currently designated as Green Belt as Nottingham and Clifton are encircled by the Green Belt.

National Guidance

- 3.6 At a national level policy on Green Belts is set out in PPG 2 –Green Belts (1995) (DD157) and in the Town and Country Planning (Green Belt) Direction 2005. (DD42). PPG 2 makes it clear that the most important attribute of Green Belts is their openness (see para 1.4 PPG 2) (DD157). Paragraph 1.5 then sets out five purposes of including land in Green Belt and paragraph 1.6 sets out 6 objectives for use of land in the Green Belt. Paragraphs 3.1 and 3.2 confirm that inappropriate development is harmful to Green Belt and should not be approved except in very special circumstances.
- 3.7 Paragraph 1.5 of PPG2 (DD157) lists the five purposes of including land in Green Belts. These are identified as follows:-

- i to check the unrestricted sprawl of large built-up areas;
- ii to prevent neighbouring towns from merging into one another;
- iii to assist in safeguarding the countryside from encroachment;
- iv to preserve the setting and special character of historic towns; and
- v to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.8 Section 7 of report A021959-REP-E-ES-195 (DD15) addresses policy issues in more detail.

3.9 Paragraph 3.12 of PPG 2 (DD157) advises that the carrying out of engineering operations is inappropriate development unless openness is maintained and there is no conflict with the purposes of including land in the Green Belt. Paragraph 3.13 adds that large scale development in the Green Belt including road improvements should so far as possible contribute to the achievement of objectives for the use of land in Green Belts set out in paragraph 1.6 of PPG 2 (DD157)

Openness

3.10 Paragraph 11 of the Town and Country Planning (Green Belt) Direction 2005. (DD42) provides additional guidance as what openness of the green belt might include. It suggests that regard should be had to:-

- i. Sensitivity of the land to harm from the new development
- ii. Potentially heightened impacts where the Green Belt is narrow or partly confined by existing or planned development
- iii. If it is prominent in the landscape at the development site
- iv. Impact will be greater if the development site is overlooked by or is close to residential development
- v. If the land is a particularly valued resource
- vi. It is important to the preservation or setting and character of a historic town.

3.11 There is a widely defined aim for Green Belts set out in PPG2 paragraph 1.4 to maintain openness. Openness is described in PPG 2 (DD157) as being the most important attribute of Green Belts. Paragraphs 8.20 – 8.29 of report ref A021959-REP-ES-195 DD'A453 Widening M1 Junction 24 to Nottingham - Impact on the Nottingham Derby Green Belt' address the issue of openness in more detail.

3.12 The conclusion drawn in that report is that openness will not be adversely affected by the proposals even though the scheme will be visible along some lengths of the improved road. The Landscape Section of the ES dd concludes at paragraph 5.9.1 that the effect of the scheme on the landscape at year 0 and 2027 will be slight adverse as existing topography, landscaping and design proposals will in many cases assist in mitigating the impacts of the A453 Widening scheme. Furthermore the Green Belt, particularly at its southern limits at the river Soar is already heavily affected by the Ratcliffe on Soar Power station and, to a much lesser extent, the Parkway railway station.

3.13 Similarly to the due south of Clifton permission has now been given for the creation of a new Park and Ride Terminus proposal as part of the NET scheme that also sits in the Green Belt. The off line route is considered to have benefits over on line widening due to the elevated and prominent nature of the existing A453 road south of Mill Hill compared to the better screened off line route which runs at a lower elevation to the existing road..

3.14 **The five purposes of including land in Green Belts**

3.15 The five purposes of including land in Green Belts These are considered in Paragraphs 8.1 – 8.19 of report ref A021959-REP-ES-195 DD‘A453 Widening M1 Junction 24 to Nottingham - Impact on the Nottingham Derby Green Belt’

To check the unrestricted sprawl of large built-up areas

3.16 The existing Green Belt boundary prevents unrestricted urban sprawl. The proposed A453 widening runs approximately perpendicular to the urban area and consequently does not encourage unrestricted sprawl.

3.17 It is therefore my opinion that the A453 Widening will not result in a removal of the checks on unrestricted sprawl.

To prevent neighbouring towns from merging into one another;

- 3.18 Along the A453 Widening scheme to the south and west of Clifton there are few built up areas which could be reasonably expected to merge bearing in mind existing planning policy. Barton in Fabis, Gotham and Thrumpton are the only settlements along the route in close proximity. Kegworth and Sutton Bonnington lie just beyond the Green Belt in North West Leicestershire. These are sufficiently separate to avoid the towns merging as a result of the A453 Widening scheme.
- 3.19 Any built development in the areas around the eastern side of Clifton would be inappropriate as the Green Belt narrows at Brook Hill where Ruddington and Clifton villages lie less than 1 km apart and are already connected by a narrow ribbon of properties. Developing the Clifton Eastern Bypass option noted in the Nottingham Local Plan would in my opinion lead to the perception of Clifton merging with Ruddington. The A453 Widening proposals avoid this particular issue making it, in my opinion, the better of the two safeguarded options in the Nottingham Local Plan regarding the impact on the Green Belt.
- 3.20 Paragraph 2.36 of the Rushcliffe Borough Non Statutory Replacement Local Plan (DD49) confirms that the Green Belt prevents the coalescence of Clifton with Ruddington and the surrounding villages, the expansion of the villages within it and protects the countryside around Nottingham where there is the greatest pressure from development. Nothing in the proposed A453 Widening proposals will hinder this purpose of including land in the Green Belt.
- 3.21 In my opinion the A453 Widening proposals will not lead to urban areas merging.

To assist in safeguarding the countryside from encroachment;

- 3.22 Widening of the A453 will take additional land from the countryside. The appearance of this area will change but improvement of the A453 will not in itself alter the designation of the wider area as countryside. The area will remain predominantly open in character and will still be protected from further inappropriate development by local plan policies.

- 3.23 The improvement of the A453 in the Green Belt will not lessen the ability of the Green Belt to assist in safeguarding the countryside from encroachment. Furthermore the improvement of the road is indicated in local plan policy (at paragraph 6.44 in the Rushcliffe Borough Non Statutory Local Plan (DD49) and Policy T10 of the Nottingham Local Plan (DD51)) as being an important part of the economic development of the urban area. As such the encouragement of development in the urban area should reduce the pressure on the countryside from encroachment by other forms of development. Any further development is a matter for local authorities and their development policies.
- 3.24 East Midlands Regional Plan (DD43) sub Regional Strategy for the Three Cities Area indicates a need for significant housing need in the Rushcliffe area without defining a location. The EMRP (DD43) at policy SRS 2 implies that appropriate sites might lie in the Green Belt south of Clifton potentially around the A453. It is my opinion that it is this policy and not the improvement of the A453 that promotes an encroachment threat to the Green Belt as if the A453 is not improved the policy threat would remain in force.
- 3.25 It is my opinion that the A453 Widening proposals do not conflict with safeguarding the countryside from encroachment.

To preserve the setting and special character of historic towns

- 3.26 The Green Belt along the A453 Widening route contains no historic towns.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 3.27 The East Midlands Regional Plan (DD43) and the Nottingham and Rushcliffe Non Statutory Replacement Local Plans' (DD48 and DD51) all promote the improvement of the A453, with the Rushcliffe Local Plans (both Statutory and Non statutory) indicating that the works are essential and vital. See paragraphs 6.44 in the Rushcliffe Non Statutory Replacement Local Plan (DD49); and the Nottingham Local Plan – policy T10.2 (DD51)

- 3.28 The improvement of the road will help to address the traffic issues between the urban areas and the wider motorway and trunk road network around the M1 Junction 24 area as well as East Midlands Airport.
- 3.29 Paragraph 2.29 of the Rushcliffe Borough Non Statutorily Replacement Local Plan (DD49), in line with PPG2 (DD157), addresses Green Belt issues at paragraphs 2.35 to 2.42 and policy EN 14. Paragraph 2.36 confirms that the Green Belt protects the countryside in and around Nottingham where there is the greatest pressure for development.
- 3.30 There is acceptance in East Midlands Regional Plan paragraph 4.2.50 (DD43); Nottingham City Local Plan – paragraph 10.33 (DD51) ; Rushcliffe Non Statutory Replacement Local Plan paragraph 6.4, and 6.44 (DD49) that the A453 Widening will assist in making the urban area more readily accessible, primarily by removing existing congestion.
- 3.31 In my opinion the A453 Widening will assist in the encouraging the recycling of derelict and other urban land and assist in urban regeneration.

Nottingham Derby Green Belt Review (DD44)

East Midlands Regional Plan (EMRP) Housing Provision and Green Belt (DD43)

- 3.32 The Nottingham Derby Green Belt is considered in the East Midlands Regional Plan Sub regional Strategy for the Three Cities Area (DD43) in relation to future housing provision and where to locate it around the Nottingham Housing Market Area (HMA). The conclusion is drawn in policy SRS 2 that a comprehensive review of the most sustainable locations for growth within the Nottingham Core HMA and Hucknall will be required urgently to consider how to accommodate future growth requirements over at least the next 25 years as this may include considering locations within the Green Belt. This could lead to a review of the Green Belt boundaries.
- 3.33 Paragraph 4.2.16 of the East Midlands Regional Plan summarises the findings of the Nottingham Derby Green Belt Review (DD44) and advises that the areas of Green Belt to the South and East of Nottingham are of lesser importance compared to other parts of the Green Belt (EMRP policies SRS 1 and 2 are reproduced in the appendix to this proof (DD25)). Paragraph 4.2.31 goes further and refers only to areas south (i.e. no mention of the area east) of Nottingham being more suitable for

development than other broad locations around the conurbation. The A453 Widening passes through this section of the Green Belt. I therefore conclude that the Green Belt through which the A453 passes is of lesser importance compared to other parts of the Nottingham Derby Green Belt.

- 3.34 Green Belt is dealt with in the local plans at Policy EN14 in The Rushcliffe Borough Non Statutory Replacement Local Plan (Dec 2006)(DD 49) and Policies ENV15 of the adopted Rushcliffe Local Plan of 1996 (DD48) and paragraph 9.23 and Policy NE8 in the Nottingham Local Plan (DD 51) . Both promote a general presumption against inappropriate development with specific exceptions which generally follow guidance in PPG2 paragraph 1.6 (DD157)

Very Special Circumstances

- 3.35 Regardless of any impacts the A453 Widening scheme might have it is my opinion that there is a very strong policy need for the A453 that provides very special circumstances for promoting the scheme through the Green Belt.
- 3.36 The policies discussed in section 3 of this proof set out the policy need for the road improvements to the A453, notably in the East Midlands Regional Plan (at policy 53 and Appendix 6) (DD43) which identifies the improvement of the A453 as a Regional Transport Investment Priority and is the most recently adopted policy document.
- 3.37 Furthermore housing policy SRS2 of the East Midlands Regional Plan (DD43) highlights a potential need to redraw the Green Belt boundary to provide sustainable locations for growth within the Nottinghamshire HMA. Paragraphs 4.2.16 and 4.2.13 of the East Midlands Regional Plan (DD43) note the findings of the strategic review of the Nottingham Derby Green Belt which advises that the areas to the south and east of Nottingham are of lesser importance. Planning permission has recently been granted on appeal for the Sharphill residential scheme for 1200 houses in the Green Belt in Rushcliffe. Similarly improvements to the A46 trunk road (another Regional Transport Investment Priority set out alongside the A453 scheme in Appendix 6 Table 1 of the EMRP (DD43)) on the eastern side of Rushcliffe has been allowed in the Nottingham Derby Green Belt following a public inquiry, it having been confirmed that very special circumstances existed for that scheme to proceed.

3.38 Two other large scale developments arising out of the MMS have also been permitted in recent years within the Green Belt south of Clifton indicating that the MMS proposals do constitute very special circumstances to justify development in the Green Belt. These schemes are:-

- i. Parkway Railway Station (Constructed in 2008)
- ii. NET 2 extension at Clifton (permitted but yet to be constructed)

3.39 At Ratcliffe on Soar both the A453 Widening and Ratcliffe on Soar Power station sit in the Green Belt. The power station is the dominant feature in the landscape and is visible from much of the wider area. The impact on openness of the Green Belt resulting from the A453 Widening adjacent to such a dominant feature is therefore considered to be low.

Green Belt Conclusion

3.40 The assessment into the A453 Widening M1 Junction 24 to Nottingham – Impact on the Nottingham Derby Green Belt report (ref A021959-REP-E-ES-195 (DD15)) sets out how the scheme impacts on openness and how it affects the 5 purposes of including land in the Green Belt. It is concluded that openness will not be harmed (para 9.3) and that the 5 purposes are not harmed.

3.41 It is my professional opinion that as there is wealth of adopted policy that promotes the improvement of the A453 and the protection of the Green Belt. It would be unusual for the authorities and inspectors involved in the preparation and testing of all of those policies to have identified such a clear need for the road and overlooked a potential conflict between the improvement of the A453 and the Green Belt which could prevent such a scheme from proceeding. The implication is, in my opinion, that the likely impact to the Green Belt resulting from the A453 road improvements was considered necessary and acceptable when the region and the districts adopted their various policy documents.

3.42 Whilst the new road will be visible in places through the Green Belt the nature of that impact is unlikely to detrimentally affect the five purposes of the Green Belt nor its openness.

- 3.43 There is adopted policy to review the boundary of the Nottingham Derby Green Belt and strong policy statements that indicate that the Green Belt to the south and east of Nottingham is of lesser importance. The A453 sits within this part of the Green Belt
- 3.44 It is my opinion that the A453 Widening proposals will not conflict with the openness and aims of including land as Green Belt and that there are also very special circumstances based on policy need for the improvement to the A453 that justify the construction of the A453 Widening proposals through Green Belt.

4 THE CLIFTON CONSERVATION AREA

- 4.1 Two Conservation areas are encountered along the A453 between M1 junction 24 and Nottingham.
- 4.2 The more southerly is at Thrumpton which is avoided by the A453 Widening scheme.
- 4.3 In Clifton there is the Clifton Conservation Area. Policy BE 12 in the Nottingham Local Plan (DD51) that sets out adopted policy for the Clifton Conservation Area and addresses new development, including demolition of buildings and structures and the impact on the character of conservation area. Such development is required to preserve or enhance the character or appearance of the Conservation Area.
- 4.4 Clifton Village was declared a Conservation Area in 1969 and its boundaries were extended in 1977 to include the Old Forge on Glapton Lane and the area around Groveside Crescent. The Conservation Area already includes the existing A453 road and the alignment protected in the Nottingham Local Plan for the A453 widening at Grasby Walk and Green Lane Junction.

Clifton Village Conservation Area Policy 1997 (DD52)

- 4.5 Nottingham City Council prepared the Clifton Village Conservation Area Policy (DD52), adopted in June 1997. This advises that the Conservation Area includes 21 listed buildings and 17 buildings of local interest. The objectives of the Conservation Area designation is to preserve the village's character within the context of its urban setting by protecting the remaining open space that surrounds the Conservation Area; to protect the trees, woodland and traditional forms of enclosure; and to protect the buildings in the Conservation Area. As the conservation area already incorporates the A453, the expected traffic growth will impact upon it, even if widening does not take place.

Clifton Village Green

- 4.6 Clifton Green its self is also subject to a designation as a Village Green. This covers a much smaller part of the Conservation Area and sits entirely to the north and west of the proposed A453 Widening scheme. The A453 Widening scheme avoids the Village Green and the proposed road alignment will actually move away from the Village Green even though the existing A453 road already abuts it.

- 4.7 The Nottingham Local Plan at Appendix 2 Policy T10.2 (DD51) provides for the improvement to the A453 through Clifton in line with the proposals from the MMS to widen the road from 2 lane single carriageway to 4 lane single carriage way. The inevitable consequence of this is that the engineering feasibility requires that further land is taken from some part of the Conservation Area. As the western side of the Conservation Area also includes a registered Village Green, the design has concentrated on avoiding that designation.

Proposed Impacts

- 4.8 Any improvements along the existing A453 route has to pass through the Clifton Conservation Area and will take land from it.
- 4.9 The A453 Road scheme will permanently take land to the east of the existing A453 at Grasby Walk and Glapton Lane although no buildings be touched by the proposed works. Only land and trees will be lost.
- 4.10 The A453 Widening will also use the Gypsy Lane Field, at the southern limit of the Conservation Area, as a construction compound during the widening program in the urban area. This will be a temporary use and the site will be reinstated following completion of construction works.

Grasby Walk

- 4.11 The proposed A453 Widening will remove the tree planted area between Grasby Walk and the existing A453 carriageway. Trees in Conservation Areas are given greater protection than other trees, but such protection does not extend as far as that offered by a Tree Preservation Order. As the trees at Grasby Walk have never been notified under a TPO it is assumed that such a designation is not appropriate for them and as they have no special value other than being trees within the Conservation Area.
- 4.12 The Clifton Village Conservation Area Policy (DD52) notes at Page 5 that ‘The vestiges of the green on the east side of the A453 lack enclosure and are poorly connected with the west side.’
- 4.13 Pages 15 – 16 of the Clifton Village Conservation Area Policy (DD52) consider the duelling of the A453 and the carriageway being in a ‘6 m deep cutting.’ This design feature does not form part of the current A453 Widening design proposals. Nottingham City Council objected to the 1996 A453

road improvement proposal due to the detriment to local residents and that the development neither preserved nor enhanced the Clifton Village Conservation area.

- 4.14 The current A453 Widening proposals retain an 'at level' design with the result that the scale of the design is somewhat less than proposed in 1996 discussed above. The greatest permanent impact of the proposed A453 Widening will be on the frontage to Grasby Walk. However, in order to achieve the wider policy aims from improvement of the existing A453 some land take here is inevitable if a traffic 'bottleneck' in the final road design is to be avoided.
- 4.15 Page 17 of the same document (DD52) provides detailed proposals for 'The Green'. This refers directly to the A453 and proposes, amongst other things that *'The A453 is to be screened from the main green with a tall hedge with further planting on the traffic island in the A453 to reduce the effective scale of the road.* The movement of the road line away from the Village Green will help reduce the impact of the road on the Green & the NMU proposals could assist in further easing the existing effects on the Green.
- 4.16 The lack of connectivity of the Conservation Area east of the A453 with that on the west and the screening proposals proposed in page 17 of the Clifton Village Conservation Area Policy (DD52) imply that the vestiges of the green on the east side of the A453 are perhaps of lesser value than the area to the west, the latter being the focus of the Village Green and all of the listed and all but 1 of the important buildings within the Conservation Area. The A453 Widening scheme has therefore sought to take land from the Conservation Area from what is perceived in policy terms to be the lower value alienated part of the Conservation Area east of the A453 and leave the western side relatively untouched or even enhanced.

Gypsy Lane Field

- 4.17 The use of Gypsy Lane field will introduce a temporary industrial use to the Conservation area for a temporary period of approximately 2 years. The area will be used as the urban construction compound for management of the project. The area will be used for administrative offices and materials storage. The use would not ordinarily be compatible with a Conservation Area but limited opportunities for suitable sites for the compound in the urban area exist. On balance the decision was taken to use the field for a temporary period as its central location within the urban section of the scheme makes sense. Once the site has been restored the nature of the conservation area will be returned.

PPG 15 Planning and Historic Environment(DD166)

- 4.18 PPG 15 Planning and Historic Environment contains the following advice at para 5.5 'wherever possible, new roads ...should be kept away from Listed Buildings, Conservation Areas and other historic sites. However in each case a suitable balance has to be struck between conservation, other environmental concerns, economics safety and engineering feasibility.

Clifton Conservation Area Summary

- 4.19 Land will be taken from the Clifton Conservation Area to make way for the A453 Widening . The two areas affected will be at Grasby Walk where the loss will be permanent and at Gypsy Lane Field where the loss will be temporary for the duration of the urban section construction works.
- 4.20 No buildings (listed or otherwise) will be lost as a result of the proposals and the trees to be removed are not protected by any Tree Preservation Order. The heart of the Conservation Area is in my opinion around the Green along Village Road and Nethergate with the other areas performing a peripheral function deemed appropriate to maintain the separation of the village from the surrounding urban environment.
- 4.21 The A453 Widening scheme will result in the road edge closest to Clifton village moving away from the Village Green. There are therefore some elements of the A453 Widening scheme that will enhance the Conservation Area. PPG 15 (DD166) paragraph 5.5 would allow the loss of land in the Conservation Area to road improvement schemes such as the A453 Widening Scheme where avoidance is not possible. Notwithstanding this the A453 Widening seeks to impact on the parts of the Conservation Area that are perceived to be of lowest value.
- 4.22 The A453 lies towards the eastern edge of the Conservation Area and it is my opinion that whilst the Conservation Area will be affected, the parts that are affected are not the most important parts of the Conservation area such as the Village Green and the associated listed and interesting buildings leading up to Clifton Hall. In contrast Grasby Walk is dominated by 1960's housing, with the Conservation Area boundary extending up to the footpath fronting this 1960's housing. I therefore consider that whilst the taking of the trees at Grasby Walk might not be ideal, the effect on the Conservation Area should not prevent the road improvements from being implemented in order to resolve the policy aims of improving the A453.

5 CONCLUSIONS

- 5.1 The Highways Act 1980 (DD108) places a duty on the secretary of State to keep the Trunk Road network under review but in identifying improvement works a balance needs to be found between conservation, other environmental concerns, economics, safety and engineering feasibility.
- 5.2 Three main planning policy issues relating to the proposed A453 road improvements are identified, these are:-
- i Policy need for the A453 road improvements
 - ii Impact on the Green Belt
 - iii Impact upon the Clifton Conservation Area.

Need for the A453 Improvements

- 5.3 The MMS (DD13), Local Transport Plans (DD45 and 46) and East Midlands Regional Plan (DD43) and District Level Local Plans (DD47, DD49 and DD51) all identify the widening of the A453 between the M1 Junction 24 & A52 Nottingham as being important and desirable. In this regard there is a demonstrable policy need which the A453 Widening proposal scheme satisfies.

Green Belt

- 5.4 Between Ratcliffe on Soar and Clifton the urban area of Nottingham is separated from the M1 and wider motorway and trunk road network by the Nottingham Derby Green Belt. It is not possible to identify a route between the M1 Junction 24 and Nottingham that does not in some way necessitate a route through the Green Belt. Routes to the M1 North and to Derby from Nottingham are already constructed to dual carriageway standard. The A453 route, which now presents Nottingham with direct links to the M1, A42, A50 and A6 roads, as well as EMA, remains a 2 lane single carriageway road that already suffers from congestion and a poor safety record.
- 5.5 The East Midlands Regional Plan (DD43) notes that the Green Belt south and east of Nottingham has been identified as being of lesser importance than other parts of the Green Belt and that the

Green Belt might need to be reviewed as part of the provision of suitable locations for growth within the Nottingham Housing Market Area. The A453 Widening occurs within the Green Belt south of Clifton and the impact on the purposes of including land in the Green Belt can be considered in light of this lesser importance noted in The East Midlands Regional Plan (DD43.)

- 5.6 It is my opinion that that the proposed A453 scheme does not compromise the 5 purposes of Green Belt and that openness will be maintained along the route, the magnitude of impact on landscape effects within the Green Belt section of the A453 proposals being described in the ES (DD05) section 5.8 as slight adverse in the worst case.
- 5.7 The greatest change to the Green Belt will be the off line section between Thrumpton and Mill Hill which follows a less prominent route within the A453 corridor. It is my opinion that the environmental benefits of the off line route, particularly through the provision of Non Motorised User routes and the additional landscaping and habitat areas that will be created as part of the scheme will assist the Green Belt and surrounding villages.

Clifton Conservation Area

- 5.8 The Clifton Conservation Area was designated in 1969 and subsequently amended on two occasions. The area now designated as Conservation Area already includes a section of the existing A453 at Grasby walk and Green Lane as well as being affected by the widening corridor safeguarded on the Nottingham Local Plan Proposals Map dd.
- 5.9 The proposals to widen the road through Clifton will take land from the Conservation Area. The most notable impact will be the revisions to the road layout at Glapton Lane and Green Lane and the loss of trees to the east of the existing road line at Grasby Walk.
- 5.10 Clifton Village Green and properties to the west of the road provide the most important area of conservation value and for this reason the A453 Widening scheme is widened in the opposite direction i.e to the east. The Widening scheme will result in an increase the surface area of the grassed area abutting the Village Green and thereby enhance the Green and Conservation Area on the west side of the road.
- 5.11 Gypsy Lane field is currently used as grazing land and for the annual fair one week per year. This area will be used to house the urban section construction compound for a temporary period estimated

at 2 years before being returned to its current use. Provision has been made to ensure that the site will still be made available each year for the fair.

- 5.12 No buildings or TPO's will be affected by the road proposals and mitigation landscaping works will be undertaken to reduce any impacts.
- 5.13 PPG 15 (DD166) recognises that road schemes should avoid conservation areas where ever possible but by implication implies that there will be instances where a Conservation area cannot be avoided. This situation arises with the A453 Widening scheme.
- 5.14 In conclusion it is my opinion that the published A453 Widening scheme provides a proposal that takes into account the various proposal constraints along the route and results in limited and controlled impacts whilst assisting to satisfy other planning policies that benefit from the improvement of the existing A453 road between Nottingham and the M1 junction 24.

