

**6<sup>th</sup> March 2014****Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND  
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING  
APPLICATION FOR A MIXED USE DEVELOPMENT ON LAND TO THE WEST  
OF TOTON LANE, STAPLEFORD****Purpose of the Report**

1. To inform Committee of the formal response which was agreed by the Chairman of Environment and Sustainability Committee and sent to Broxtowe Borough Council on the 10<sup>th</sup> February 2014 in response to the request for comments on the above outline planning application for mixed use development on land to the west of Toton Lane, Stapleford.

**Information and Advice**

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the above mixed use outline planning application and this report compiles responses from Departments involved in providing comments and observations on such matters. In line with the agreed protocol, comments have been sent to Broxtowe Borough Council to meet their consultation deadline. These comments were agreed with the Chairman.
3. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.
4. The site is located within the Nottinghamshire Green Belt.
5. A site plan is provided at Appendix 1.

***Description of the Proposal***

6. The outline planning application seeks planning permission for a mixed use development incorporating the following:
  - a maximum of 775 dwellings,
  - 380 sq m convenience store,

- 2 No 95 sq m retail outlets,
- 2,800 sq m B1 units (B1(a) and B1 b)),
- education floor space (Maximum 2,300 sq m),
- Day Nursery (Maximum 450 sq m),
- pub/restaurant together with an 80 bed hotel (Total Maximum 3,450 sq m),
- open space,
- change of use of agricultural land to domestic curtilages,
- plot for medical surgery (0.03 hectares),
- plot for community use (0.05 hectares),
- removal of electricity pylons and overhead cables, erection of terminal pylon,
- demolition of Bessell Lane Farm and outbuildings and 361 Toton Lane,
- associated infrastructure.

### National Planning Policy Context

7. One of the core principles of the National Planning Policy Framework (NPPF) is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met. The NPPF looks to boost significantly the supply of housing. The principles and policies contained in the NPPF also recognise the value of and the need to protect and enhance the natural, built and historic environment, biodiversity and also include the need to adapt to climate change.
8. A key aspect of the NPPF is a presumption in favour of sustainable development which means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.
9. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependent on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
10. The NPPF sets out planning policy in relation to retail development in paragraphs 23-27, essentially promoting a town centre first approach that is positive and promotes competitive town centres. If proposals for retail development lie outside a defined centre the NPPF, applicants are required to submit an impact assessment and a sequential assessment of sites.
11. Paragraphs 29-41 of the NPPF address the issue of sustainable transport. The NPPF requires all major planning applications to be supported by an appropriate Transport Assessment (TA) and concludes that new development proposals should only be refused on transport grounds where the residual cumulative impacts would be severe.

12. Paragraphs 47 and 49 of the NPPF state that local planning authorities should identify sufficient deliverable housing sites to provide five years' worth of housing against their housing requirement with an additional buffer of either 5% (to ensure choice and competition) or 20% (where there has been a record of persistent under delivery) and that,

*"...relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".*

13. The Green Belt remains protected under the NPPF, with 'very special circumstances' being required to be present in order to allow 'inappropriate development' on Green Belt land (paragraph 87). Green Belt boundaries are only to be revised in 'exceptional circumstances' (paragraph 83).

### Local Planning Context

14. The Broxtowe Local Plan 2004, contains a number of saved policies relevant to this planning application, it does not however, identify the proposed development site for development.
15. The Aligned Core Strategy Publication Version (June 2013) identified approximately 6,200 dwellings to be built within Broxtowe up to 2028 and contains Policy 2 'Spatial Strategy', it does not, however, allocate the site for development. The Core Strategy Proposed Modifications 2014, following on from the ACS Examination in November 2013, and the announcement by Government that the proposed HS2 Railway line proposes a station at Toton sidings, proposed amendments to Policy 2 'Spatial Strategy' to include identifying land for development within the vicinity of the proposed HS2 station.
16. Broxtowe Borough Council intend to make amendments to the Green Belt as part of an Allocations Development Plan Document (DPD).

### Strategic Planning Issues

#### Green Belt

17. The site lies within the Green Belt and as such the NPPF states that the proposal would constitute inappropriate development. As such the onus is placed upon the applicant to demonstrate 'very special circumstances' to justify approval.
18. The applicants set out, in their Planning Statement, that they consider 'very special circumstances' exist to justify development within the Green Belt stating that the site is considered to be of no strategic importance in terms of the five purposes of the Green Belt (NPPF Paragraph 80) and that Broxtowe Borough Council having identified the site as a 'Strategic Location for Growth', support this. The proposal accords with national and local planning policy in Green Belt terms. The County Council support this and consider the proposal to be acceptable development within the Green Belt.

### Strategic Highways

19. Assessment work undertaken to date on the Toton Site (to support a planning application) gives the County Council as local highway authority sufficient detail to inform a decision on the acceptability in transport terms of allocating this site in the ACS (for up to 1000 dwellings).
20. There will however be a need to consider in further detail, at the next stage in the local planning process, the cumulative impacts of local clusters of development including the Toton and Stapleford developments.
21. The Transport Background Paper Addendum May 2013 sets out the current formal position with respect to transport modelling for the ACS. This Paper is still current with respect to the consideration of the Toton site, which has been 'assessed' outside the ACS transport modelling process. Nevertheless the Transport Assessment work undertaken to date on the Toton Site (to support a planning application) gives the County Council as local highway authority sufficient detail to inform a decision on the acceptability in transport terms of allocating this site in the ACS (for up to 1000 dwellings). There will however be a need to consider in further detail, at the next stage in the LP process, the cumulative impacts of local clusters of development including the Toton and Stapleford developments.
22. A package of strategic transport improvements will be needed (and these will be identified to support the Core Strategies) and further local junction improvements are likely to be required and these will be identified as part of Transport Assessments to support individual planning applications.
23. Detailed Strategic Highways comments are set out in Appendix 2.

### Highways Development Management

24. Having considered the amended plans and traffic modelling submitted there will be no adverse impact of the development on adjacent roads in terms of capacity issues.
25. The submitted Travel Plan is acceptable in principle, however a number of conditions are suggested in relation to the appointment of an on-site travel plan coordinator and their responsibilities. (See Appendix 3 for further details).
26. The transport modelling for the current planning application provides a useful benchmark for a scale of development which is likely to be in excess of that achievable on the site. Whilst this approach is considered satisfactory for the aligned council's progression to Examination in Public the local highway authorities and the Highways Agency (HA) have agreed that further collaborative transport modelling work will be required as further details on HS2 become available and the HA finalise route strategy proposals for the A52 (T).
27. Traffic Regulation Orders will be required to revoke the existing 40mph speed limit and reducing it down to 30mph. All costs including the preparation of the order

and its implementation on site and associated signing/lining shall be met by the applicant.

28. Detailed Development Management Highways comments are set out in Appendix 3.

### Landscape and Visual Impact

29. It would be useful if the applicant's Landscape and Visual Impact Assessment (LVIA) provided a brief description of the nature of the construction works would including the elements that are likely to have a landscape and/or visual impact on the site and the surrounding area. Construction works could include temporary access roads, plant, vehicles, site cabins, cranes, stock piled materials/soils, and temporary lighting.

30. The direct impacts of the works are not described within the LVIA. The extent of tree loss, hedgerow removal and agricultural land loss should be quantified within this assessment. This may be already defined in the ecological assessment but should be referenced within the LVIA.

31. The County Council generally agrees with the findings of the Landscape Character Assessment, however, the application area lies within Character Area 1 (as set out in the LVIA) which has been assessed as being of moderate to low sensitivity due to the lack of landscape features of value and it being strongly influenced by surrounding urban developments. Whilst there are no landscape designations across the site and individual features such as hedgerow trees are not numerous, the site may hold a value to the surrounding local community particularly with the public access across the site and, in terms of visual sensitivity, the open views that this site provides across the Erewash Valley

32. The level of magnitude of change has not consistently been described within the document for each of the character areas and it is not set out in the Landscape Effects Summary Table 11.3.

33. In the assessment of the Impact of Development for each of the character areas (pages 299-305) there is some bold text which highlights the various levels of impact for some of the character areas "*upon completion.*" This needs to be clarified as to whether this is for completion of the whole site or a particular phase. The phasing plan drawing shows the gradual development of the site over a 7 year period. Some of the green infrastructure works, such as that carried out to the north east corner of the site (phase 7) will not be completed until the end of scheme. Therefore the planting will not be starting to approach maturity another 12 to 15 years after this date.

34. The adverse landscape and visual impacts identified by the assessment should, if possible, be mitigated against with advance planting works in order that a degree of mature, established planting can be achieved earlier in the site development. This should also include those areas to the south of the site along the edge of Toton.

35. The County Council is in general agreement with the predicted levels of impact, in terms of visual impact.
36. In design terms a wider central green corridor needs to be provided which is closer to the main residential areas and which can be multi-functional, e.g. location for drainage, good pedestrian and bike circulation and links to the wider surroundings. Whilst this is currently shown to a limited extent on the Indicative Layout drawing, the available green space diminishes considerably to the eastern end of the site, particularly once the NET extension is built.
37. The existing public right of way (NCC Ref 17) could also be improved with more street tree planting/avenues through the more urban areas. This could then open out to a swathe of wider parkland which links up with the Local Nature Reserve (LNR) and the Erewash Valley walks to the south west and west of the site.
38. The inclusion of the community orchards and allotments are welcomed but these are not to be included until the last phase of the scheme, where they are located on the periphery of the residential area. It is considered these should be centrally located within the site.
39. Green infrastructure is essential to the success of the scheme and to mitigate the identified landscape and visual impacts. Additional information is required in the Design and Access Statement about how the proposed green infrastructure will be maintained and how the cost of this will be met.
40. The Landscape and Visual Assessment has been carried out to the appropriate procedures, and the Landscape and Reclamation Team is in general agreement with its conclusions.
41. Whilst the County Council supports the principle of the development however it is recommended that the points listed above are addressed and that the further information is provided by the applicant.
42. Detailed Landscape and Visual Impact comments are set out in Appendix 4.

### Ecology

43. The proposals will not affect any statutorily designated nature conservation sites; the nearest such site Attenborough gravel Pits SSSI, lies approximately 2.2km to the south-east. The proposals will not directly affect any locally designated sites, although the Toton Sidings Local Wildlife Site (LWS) 5/2210, abuts the site on its western boundary.
44. A range of surveys have been carried out in support of the application; it should be noted that a number of these date from 2009 or 2010, with apparently only the Phase 1 Habitat Survey and internal/external inspections of buildings for roosting bats having been updated having been updated in 2012. Given that the NPPF states, in paragraph 165, that planning decisions should be based on up-to-date information about the natural environment, justification should be provided as to why survey data which is, in some cases, almost 4½ years old, is considered

acceptable (particularly for European protected species). In addition. The level of survey effort for the bat transect surveys does not appear to match that which is recommended in the relevant guidelines (Bat Surveys: Good Practice Guidelines. BCT, 2012). Justification for this should be provided.

45. Confirmation is required that no evidence of water voles was found at the site.
46. It is stated that there will be a partial loss of two hedgerows on site (identified as H3 and H5 in the ecology chapter). However, reference to the site Masterplan suggests that additional lengths of hedgerow will be lost. It is not clear which trees are being retained, which needs to be clarified given the high potential of one of these for roosting bats and the presence of one 'near veteran' tree. It is therefore suggested that a plan be provided, clearly showing areas of vegetation (i.e. hedgerows, trees and tree groups) which will be retained, and those which will be lost. If the scale of hedgerow and tree loss is greater than described in the Environmental Statement, then the site layout should be redesigned.
47. With the implementation of appropriate mitigation, the ecology chapter predicts that there will be a moderately beneficial ecological impact at the site in the long term. To ensure that this is the case, it will be necessary for the following matters (generally outlined in section 6.107 to 6.135 of the ecology chapter) to be secured through any planning permission that is granted, with the use of planning conditions:
- a. The production of a landscape masterplan, to include species mixes and proportions, establishment methods and maintenance regimes, building on the details provided in chapter 6. This should ensure that native species, appropriate to the local area and of at least native genetic origin (and ideally of local provenance), are used in all areas of informal greenspace around the site, to ensure that the biodiversity value of the site is maximised. Areas of grassland within informal greenspace areas should be established as species-rich grassland, and the site drainage system should be designed such that it provides wetland habitat. Confirmation should be provided at this stage that these measures will be provided.
  - b. The production of a site management plan, to guide the ongoing management of created and retained/enhanced habitats to ensure that the biodiversity value of the site is maximised.
  - c. The production of a detailed water management scheme, which ensures that the biodiversity value of ditches, swales and SuDS/water attenuation features is maximised.
  - d. The provision of bat and bird boxes to be incorporated within the fabric of the new buildings; bird boxes should target species such as house sparrow, starling and swift.
  - e. The production of a method statement for the translocation of the smooth newt population which currently uses the pond on site for breeding.
  - f. The production of a management plan for the eradication of Japanese knotweed and giant hogweed on the site, to ensure that they are not spread within the site or beyond.

- g. The production of a lighting scheme, which ensures that lighting in areas of informal greenspace and around the site boundary is reduced as far as is practicable, so that impact on nocturnal wildlife (i.e. bats) is minimised.
- h. The provision of details relating to the protection of retained hedgerows/trees during construction.

48. In addition, a standard condition should be used to control vegetation clearance during the bird nesting season.

49. Detailed Ecology comments are set out in Appendix 5.

### Reclamation

50. An initial phase one assessment of the site has been carried out, with potential pollution linkages identified. These have been confirmed to a degree by the initial site investigation and require further investigation to place them in a development context. The next phase of the ground investigation should provide a more robust assessment of site and delineate the impact of contamination on the western boundary of the site and include for asbestos and hydrocarbons. The opportunity to investigate the other potential sources of contamination in addition to investigating the ground gas regime should also be taken.

51. Detailed Reclamation comments are set out in Appendix 6.

### Rights of Way

52. The proposed development will affect Beeston Footpath No 17 which runs through the site, NCC would request that the developers upgrade this path to Bridleway status as it links with Bridleway 27 over Toton Lane. It is considered that a Pegasus crossing over the lane would be beneficial.

53. An application for a Village Green, adjacent to the proposal site has been submitted to NCC. Consideration is currently being given as to whether any trigger events have occurred.

### Developer Contributions

54. Should the application proceed Nottinghamshire County Council will seek developer contributions relating to the County Council's responsibilities in line with the Council's adopted Planning Contributions Strategy and the Developer Contributions Team will work with the applicant and Broxtowe Borough Council to ensure all requirements are met.

### Libraries

55. In respect of Stapleford, the library should be a minimum of 620m<sup>2</sup>. The current building is, therefore, significantly larger than is required (by some 146m<sup>2</sup>) to meet the recommended standard and the anticipated additional 2,292 people would only require a further 68.76m<sup>2</sup>.



56. On the basis of the above, NCC would not seek any developer contribution in respect of the library building.

57. In terms of stock there should be a target stock figure of 1,532 items per 1,000 population. In respect of Stapleford, with a current catchment population of 20,671, the minimum total stock figure should be 31,667. The actual stock figure is 22,182. Given that the current stock figure is below the recommended level, a further 650 dwellings/1560 people will put even further pressure on this resource.

58. The responsibility for getting the stock level correct for the current catchment population rests with the Library Service. NCC would seek a developer contribution for the additional stock that would be required to meet the needs of the 1560 population that would be occupying the new dwellings. This is costed at 1560 (population) x 1,532 (items) x £10.53 (cost per item) = £25165.

59. Detailed Library comments are set out in Appendix 7.

### Education

60. NCC would require a site for a primary school of up to 210 places of 1.1 ha. It should be noted that a primary school needs playing fields which are included within the 1.1 ha. site. This is non-negotiable.

61. The proposed new primary school should be stand-alone and currently cannot be incorporated within the George Spencer Academy, unless the academy formally increases its age range from 11 to 18 to 3 to 18 years.

62. In line with the reduction in the number of dwellings, NCC will require a secondary school contribution requirement of £1,795,040 (104 places x £17,260).

63. Detailed Education comments are set out in Appendix 8.

### Economic Development

64. NCC supports the inclusion of business units and other business space to support job creation. NCC would wish to see that if planning permission is granted for the proposed development that appropriate conditions incorporating local employment and training opportunity targets such as apprenticeships in contracts with both main contractors and sub-contractors are included and that they include a clause to require main contractors to pay their sub-contractors under the same terms and conditions as local government i.e. 30 days.

65. Detailed Economic Development comments are set out in Appendix 9.

### Overall Conclusions

66. In Green Belt terms NCC considers the proposal to be acceptable. The applicants have demonstrated 'very special circumstances' in their Planning Statement (September 2013) which sets out clearly that the site is considered to be of no strategic importance in terms of the five purposes of the Green Belt

(NPPF Paragraph 80) and that Broxtowe Borough Council having identified the site as a 'Strategic Location for Growth'. The proposal accords with national and local planning policy in Green Belt terms and the County Council considers that the applicant has demonstrated 'special circumstances', as set out in paragraph 18 and 19 above.

67. A package of strategic transport improvements will be needed (and these will be identified to support the Core Strategies) and further local junction improvements are likely to be required and these will be identified as part of Transport Assessments to support individual planning applications. Having considered the amended plans and traffic modelling submitted there will be no adverse impact of development on adjacent roads in terms of capacity issues.
68. The submitted Travel Plan is acceptable in principle, however a number of conditions are suggested in relation to the appointment of an on-site travel plan coordinator and their responsibilities. (See Appendix 3 for further details). Traffic Regulation Orders will be required to revoke the existing 40mph speed limit and reducing it down to 30mph. All costs including the preparation of the order and its implementation on site and associated signing/lining shall be met by the applicant.
69. The Landscape and Visual Assessment has been carried out to the appropriate procedures, and the Landscape and Reclamation Team is in general agreement with its conclusions. Whilst the County supports the principle of the development however we would recommend that the points listed above are addressed and that the further information is provided by the applicant, in relation to tree and agricultural land loss, phasing and the location of the proposed community orchard.
70. In Ecological terms the site will not affect any statutorily designated nature conservation sites. The County Council require confirmation that no evidence of water voles has been found on the site. Clarification is sought as to which trees are being retained and it is therefore suggested that a plan be provided, clearly showing areas of vegetation (i.e. hedgerows, trees and tree groups) which will be retained, and those which will be lost. If the scale of hedgerow and tree loss is greater than described in the Environmental Statement, then the site layout should be redesigned. With the implementation of appropriate mitigation, it is considered that the proposed development would be acceptable in ecological terms provided suitable conditions are attached to the grant of any planning permission at the site, as set out in Appendix 5.
71. The proposed development will affect Beeston Footpath No 17 which runs through the site, NCC would request that the developers upgrade this path to Bridleway status as it links with Bridleway 27 over Toton Lane. It is considered that a Pegasus crossing over the lane would be beneficial.
72. In terms of Library contributions NCC would not seek any developer contribution in respect of the library building however would seek a developer contribution for additional stock that would be required to meet the needs of the 1560 population that would be occupying the new dwellings. This is costed at 1560 (population) x 1,532 (items) x £10.53 (cost per item) = £25165.

73. In terms of Education NCC requires the developer to provide 1.1ha of land for a primary school and a contribution of £1,795,040 (104 places x £17,260) towards secondary education provision.

74. NCC supports the proposal from an economic development perspective.

### **Other Options Considered**

75. This report considers all of the relevant issues in relation to the above planning applications which have led to the recommendations, as set out below. Alternative options considered could have been to express no or full support for the application.

### **Reason for Recommendation**

76. It is recommended that the formal response approved by the Chairman is noted in accordance with the protocol for dealing with strategic planning comments on planning applications approved by the Committee in November 2013.

### **Statutory and Policy Implications**

77. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

78. The financial implications are set in paragraph 58 and 62 of this report.

### **Implications for Sustainability and the Environment**

79. The failure to consider the representations of the County Council on strategic planning and transport matters could lead to unsustainable development taking place, possibly without the adequate context of an adopted Local Plan. The education and transport interests of the County Council as service provider could also be compromised by the lack of a suitable Local Plan or Local Development Framework.

## **RECOMMENDATION**

1) That Committee note that a formal response approved by the Chairman, in line with the information and advice set out in this report, was sent to Broxtowe Borough Council on the 10<sup>th</sup> February 2014.

**Jayne Francis-Ward**

**Corporate Director, Policy, Planning and Corporate Services**

**For any enquiries about this report please contact: Nina Wilson, Principal Planning Officer, Planning Policy Team, 0115 97 73793**

**Constitutional Comments (SLB 23/01/2014)**

80. This report is for noting only.

**Financial Comments (SEM 29/01/14)**

81. The financial implications are set out in the report.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

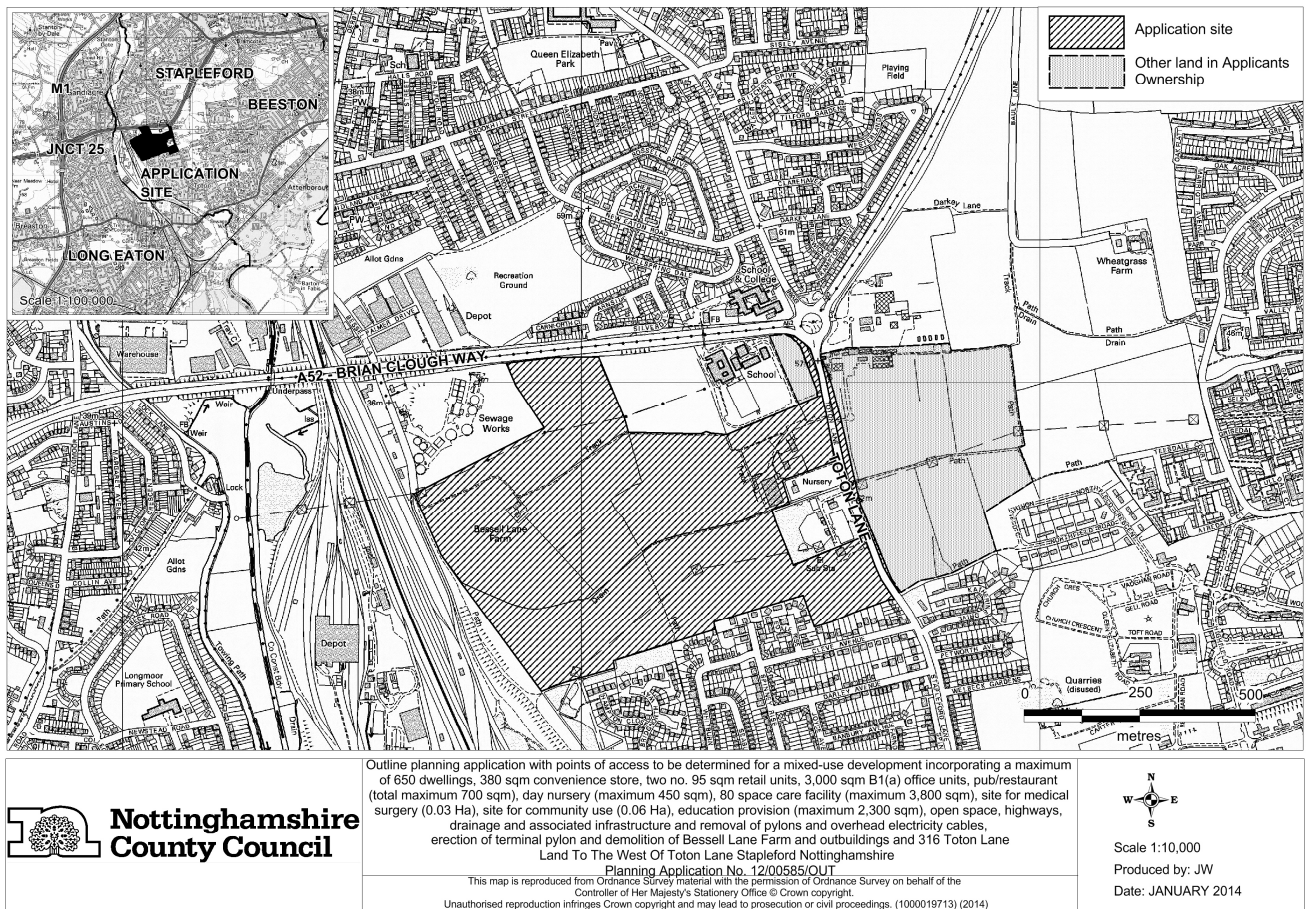
**Electoral Division(s) and Member(s) Affected**

Beeston North – Councillor Steve Carr

Beeston South and Attenborough – Councillor Kate Foale

Chilwell and Toton – Councillor Dr John Doddy and Councillor Richard Jackson

## Appendix 1 – Site Location Plan



## **Appendix 2 – Detailed Strategic Highway Comments**

**RE: Toton Lane - 12/00585/OUT**

David Pick

Hi Nina

The Transport Background Paper Addendum May 2013 sets out the current formal position with respect to transport modelling for the ACS. This Paper is still current with respect to the consideration of the Toton site, which has been ‘assessed’ outside the ACS transport modelling process. Nevertheless the Transport

Assessment work undertaken to date on the Toton Site (to support a planning application) gives the County Council as local highway authority sufficient detail to inform a decision on the acceptability in transport terms of allocating this site in the ACS (for up to 1000 dwellings).

There will however be a need to consider in further detail, at the next stage in the LP process, the cumulative impacts of local clusters of development including the Toton and Stapleford developments.

I should add that a further transport background paper is to be prepared to support the revised Rushcliffe Local Plan and this will include an update to the revised traffic modelling which has taken place (since May 2013) to assess the impact of additional housing proposals at Clifton , Edwalton and Gamston. This further TBP will provide an update on the trunk road route strategy finalisation (A52 / A453) currently being worked up by the Highways Agency’s transport consultants. I do not expect that this additional transport modelling will undermine the previous ACS modelling work or lead to a different conclusion i.e. I still expect that the study will come to the conclusion that there should be no compelling reason to prevent the Nottingham HMA growth from being delivered in strategic transport terms. A package of strategic transport improvements will be needed (and these will be identified to support the Core Strategies) and further local junction improvements are likely to be required and these will be identified as part of Transport Assessments to support individual planning applications.

## **Appendix – 3 Development Management Highways Comments**

Form TP.52

Nottinghamshire  
County Council  
Environment and Resources



### **TOWN AND COUNTRY PLANNING ACT**

#### **HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT**

<b>DISTRICT:</b>	Broxtowe	Date received	10/10/2012
<b>OFFICER:</b>	RYAN DAWSON	by D.C.	10/10/2012
<b>PROPOSAL:</b>	OUTLINE APPLICATION FOR 775 DWELLINGS, RETAIL, PUBLIC HOUSE, HOTEL, DAY NURSERY, EDUCATION, AND COMMUNITY	D.C. No.	5/12/00585/OUT
<b>LOCATION</b>	LAND TO THE WEST OF TOTON LANE, STAPLEFORD, NOTTINGHAM		
<b>APPLICANT</b>			

I refer to Stuart Dunhill's (BWB Consulting acting behalf of the Client) response to comments and points raised in the highway observation report (Form TP.52) which was sent to you on 20<sup>th</sup> December 2012.

Having consulted my colleagues in Traffic Engineering, Accident Investigation Unit and Travel Planning in order to assess the impact of the proposed development on adjacent roads and the rest of the county's highway networks the proposals I have the following comments to make.

#### **Traffic Engineering Comments**

Having considered the amended plans and traffic modelling submitted there will be no adverse impact of development on adjacent roads in terms of capacity issues and that the VISSIM modelling is not required for the development as requested.

Appropriate conditions will be suggested to cover the installation of a traffic camera at Toton Lane/Swiney Way/Banks Road junction and upgrading of control system at the junction of Nottingham Road/Derby Road/High Road to a MOVA system.

#### **Travel Plan**

I can confirm that the recently submitted Travel Plan is acceptable in principle. However, I would like to bring it your attention that the travel plan received to date still had tracked changes within it. I will be grateful if you ask the applicant to submit a final Travel Plan with the tracked changes accepted.

The final version of Travel Plan can be sent directly to our Travel Planning Officer by email at [jenny.hawkes@nottsgov.uk](mailto:jenny.hawkes@nottsgov.uk)

Once the final version of the Travel Plan has been accepted the following conditions will be suggested for framework travel plans:

- i. No development shall be occupied or be brought into use until the owners and the occupiers of the site have appointed and thereafter continue to employ or engage a site-wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan Framework and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority
- ii. Prior to the occupation of any business (excluding businesses employing less than [20] employees who shall submit a Travel Plan Statement) the owner and the occupier of each business unit shall appoint and thereafter continue to employ or engage a travel plan coordinator and within [3] months of occupation the owner and occupier shall commission a detailed travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Travel Plan Framework and in conjunction with the site-wide travel plan coordinator to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future site-wide travel plan initiatives including implementation dates to the satisfaction of the Local Planning Authority.
- iii. The site-wide travel plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year of full occupation and produce monitoring reports at intervals as required by the Travel Plan Framework monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority and which shall inform individual Travel Plans.

### **Road Safety Audit Report – Stage 1 Preliminary Design**

Accident Investigation Unit is content with BWB response to Road Safety Audit Report 1397 Stage 1. However, it was pointed out the proposed layout (as shown on drawing no NTT/301/100 Revision 5) does not incorporate crossing facilities for horses on Toton Lane, particularly at the point presently where a bridleway on 1 side of the road and footpath no.17 on the other. Comments made in relation to this were made by the Rights of Way officer Jenny Romero and I would be grateful if you could review these.

### **Aligned Core Strategy**



From a strategic perspective the following comments have been offered which are self-explanatory.

- 1) **Strategic location for growth - public consultation by BBC** . In response to the Government's recent HS2 announcement BBC have taken the step of revisiting Toton as a possible strategic location for growth. This arose in view of the opportunities for enhanced accessibility and sustainability associated with the HS2 and in particular potential enhanced links to supporting local and national infrastructure. The public consultation ran until 3<sup>rd</sup> April 2013. If this site is chosen as a strategic location then BBC expect this site to be delivered later in the plan period (after at least 5 years) and where further masterplanning will be required to confirm in detail the indicative layouts, mix of uses and access arrangements. The HS2 proposals, access arrangements, car parking and associated facilities including the possible NET extension are likely to reduce the scale of land available for development at Toton.
- 2) **Toton Planning Application.** This seeks permission for 775 homes although up to 1000 units are being considered. The transport modelling completed to support the planning application includes for committed developments rather than the more comprehensive approach taken by the Aligned Core Strategy work which includes all growth proposed by the Core Strategies. I should stress that the applicants are not compelled to use the ACS approach and have complied with the Government's Guidance on Transport Assessments. The transport modelling work to date provides a useful indication of the likely impact of around 1000 houses in this location and the type and scale of transport mitigation required to support it. Whilst details of the transport modelling are still to be refined it is considered that there are not likely to be any insurmountable transport issues.

In summary therefore the transport modelling for the current planning application provides a useful benchmark for a scale of development which is likely to be in excess of that achievable on the site. Whilst this approach is considered satisfactory for the aligned council's progression to Examination in Public the local highway authorities and the Highways Agency have agreed that further collaborative transport modelling work will be required as further details on HS2 become available and the HA finalise route strategy proposals for the A52 (T).

#### **Extension of 30mph speed limit – Toton Lane site frontage**

No confirmation has been provided in relation this matter if the applicant is willing to extend the said speed limit along the entire development frontage on Toton Lane.

Traffic Regulation Orders will be required to revoke the existing 40mph speed limit and reducing it down to 30mph. All costs including the preparation of the order and its implementation on site and associated signing/lining shall be met by the applicant.

#### **Accessibility by Bus**

It has been noted that the applicant is currently discussing the issues in relation to diversion of bus service (Service no. 110) into the site with my colleague Clive Greyson (Public Transport section).

Before finalising my comments I will be grateful if you could request further clarification/information to reflect the above.

If you have any queries regarding the above please do not hesitate to contact me on 0115 9772117 or email: [paul.ghattaora@nottsc.gov.uk](mailto:paul.ghattaora@nottsc.gov.uk)

Paul Ghattaora  
Principal Development Control Officer

#### **Appendix 4 – Detailed Landscape Comments**

**Prop** proposals. Thank you for asking the Landscape and Reclamation Team to comment on the above

The following documents and drawings have been assessed in order to provide these comments:-

##### Documents

- Chapter 1 Introduction
- Chapter 2 - Description of the Development
- Chapter 11 - Landscape Character and Visual Resources
- Appendices 11.1 Landscape Visual Impact Methodology
- Appendix 11.2 Schedule of Visual Effects
- Non-Technical Summary of the Environmental Statement September 2013
- Design and Access Statement

##### Drawings

- Figure 11.1 Site Context/Location Plan
- Figure 11.2 Topography Plan
- Figure 11.3 National Landscape Character Areas Plan
- Figure 11.4 East Midlands Regional Character Areas Plan
- Figure 11.5 Nottinghamshire Regional Landscape Areas Plan
- Figure 11.6 Local Landscape Character Areas Plan
- Figure 11.7 Visual Analysis Plan
- Figure 11.8 Photo Viewpoints 1-22
- Figure 11.9 Illustrative Cross Sections
- Figure 11.10 Green Infrastructure Strategy
- Figure 11.11 Nottinghamshire County Council Public Rights of Way

##### 1. Landscape and Visual Impact Assessment Methodology

The Landscape and Visual Impact Assessment (LVIA) has followed the general methodology as set out within the “*Guidelines for Landscape and Visual Assessment*” – Second Edition 2002 (Landscape Institute and the Institute of Environmental

Management and Assessment) and “*Landscape Character Assessment. Guidance for England and Scotland LCA*” (Countryside Agency and Scottish National Heritage). This LVIA was started prior to the publication of the 3<sup>rd</sup> edition of the Guidelines for Landscape and Visual Assessment which was issued in May 2013.

## 2. Proposed Development

The proposed mixed use development is described in detail in Chapter 2 of the ES and this is summarised in Table 2.1, *Proposed Development Mix*, on page 1. This shows that almost half the site (20.61 hectares) will be residential development. The application is for outline planning permission, except for the point of access to the site, and will also include:

- retail and office units,
- pub/restaurant, day nursery,
- medical surgery,
- 80 bed residential care facility,
- education provision, open space,
- highways drainage and associated infrastructure
- removal of electricity pylons/cables
- erection of terminal pylon
- demolition of Bessell Lane Farm and outbuildings and 316 Toton Lane.

There are 650 residential dwellings proposed for the site of which the majority will be 2 storeys high, with possibly 2.5 storeys high on the lower areas of the site in the higher density area. The proposed 1 to 5 bedroom houses will range from between 5.7m to 11m high and the apartment blocks, with multiple occupancy, 6.7m to 12m high. The height of the terminal pylon to be erected has not been specified.

Within the LVIA a brief description of the nature of the construction works would be useful to include the elements that are likely to have a landscape and/or visual impact on the site and the surrounding area. Construction works could include temporary access roads, plant, vehicles, site cabins, cranes, stock piled materials/soils, and temporary lighting.

## 3. Landscape Impacts

The direct impacts of the works are not described within the LVIA. The extent of tree loss, hedgerow removal and agricultural land loss should be quantified within this assessment. This may be already defined in the ecological assessment but should be referenced within the LVIA.

## 4. Landscape Character

The baseline landscape assessment has taken into account the relevant Landscape

Character documents at various levels. These include the following:

- a) *Natural England National Character Assessment Character Assessment* which describe the area as lying within the **Sherwood Character Area** (No. 49)
- b) The *East Midlands Regional Landscape Character Assessment* (April 2010) which describes the area as within the Landscape Character Type 10b **Sandstone Forest and Heaths**.
- c) At county level *Nottinghamshire's Landscape Guidelines* NCC (1998) describes the area as the **Coalfield Farmlands**.
- d) The *Greater Nottingham Landscape Character Assessment* (June 2009) identifies the site as within the **Beeston and Stapleford Urban Fringe** and the characteristic features of this landscape are outlined on pages 286 - 287 of the LVIA.
- e) The applicant has then further examined the local landscape character and defined different areas which are shown on Figure 11.6 *Local Landscape Character Areas Plan*.

These local landscape character areas have each been separately assessed and an overall level of sensitivity has been given for each area, as described in paragraphs 11.51 to 11.61. The methodology for determining the level of sensitivity is within Appendix 1.

We generally agree with these findings but have the following comments:

- The application area lies within Character Area 1 which has been assessed as being of **moderate to low sensitivity** due to the lack of landscape features of value and it being strongly influenced by surrounding urban developments. Whilst there are no landscape designations across the site and individual features such as hedgerow trees are not numerous, the site may hold a value to the surrounding local community particularly with the public access across the site and, in terms of visual sensitivity, the open views that this site provides across the Erewash Valley.
- The level of magnitude of change has not consistently been described within the document for each of the character areas and it is not set out in the Landscape Effects Summary Table 11.3
- In the assessment of the Impact of Development for each of the character areas (pages 299-305) there is some bold text which highlights the various levels of impact for some of the character areas "*upon completion*." This needs to be clarified as to whether this is for completion of the whole site or a particularly phase. The phasing plan drawing shows the gradual development of the site over a 7 year period. Some of the green infrastructure works, such as that carried out to the north east corner of the site (phase 7) will not be completed until the end of scheme. Therefore the planting will not be starting to approach maturity another 12 to 15 years after this date.
- The adverse landscape and visual impacts identified by the assessment should, if possible, be mitigated against with advance planting works in order that a degree of mature, established planting can be achieved earlier in the site development. This

should also include those areas to the south of the site along the edge of Toton.

### Visual Impact

A summary of the Visual Effects for each visual receptor group is given within Appendix 2 of the LVIA which are referenced against 22 viewpoints as shown on Figure 11.7. Whilst Paragraph 11.6 of the LVIA explains that the viewpoints illustrate the potential effects these Figures are, in effect, baseline photographs which show the existing situation with some description of the different elements in the view.

We are in general agreement with the predicted levels of impact but have the following comments on this section:

- Figure 11.7 visual analysis plan also shows the Approximate Zone of Visual Influence (ZVI) which on the ground extends further to the north east of the site than is shown on the drawing.
- Paragraph 11.75 Character area 8: Erewash Valley refers to a photomontage view Figure 11.12 which we assume to be the Photo Viewpoint 21 Drawing no. 3626-L-12 within the application. This shows the extension of housing on the higher ground along the skyline and office units lower down on the site, when viewed from Sandiacre Lock. Whilst the baseline situation is represented by 22 photographs, only this viewpoint shows the proposals within the existing landscape. For a development of this size several photo montages from key viewpoints should be produced, particularly those where there has been an identified *moderate adverse* effect at Year 1.
- Paragraph 11.79 states that the completed scheme for planting for visual effects has been assumed to be 15 years when the vegetation is around 6 - 7m high. It is not clear if this is the same assumption as set out in Table within Appendix 2. As for the assessment of landscape impacts, it would be useful if the assessment could define what is meant in terms of “*Year 1, upon completion, completed scheme*” particularly in relation to phased works, as well as assessing impacts during construction.
- There has been no assessment of the impact of lighting within the LVIA either for the baseline assessment or the proposed development although the type of proposed lighting is discussed in section 11.110. A consideration of the impact of additional lighting should be included within this assessment including the potential flood lighting of sports pitches.
- Table 11.2 (Page 313) outlines the species mix for the proposed structural planting. As the site lies close to the Erewash Valley it may be appropriate to use some of the plant species for the *Coalfield Farmlands* to the western edge, adjacent to Toton Sidings. However for the majority of the site native planting should reflect the species list for the Sherwood Regional Character Area as described within the Greater Nottingham LCA.

### Layout and Design

The Design and Access Statement promotes the scheme with its garden suburb vision ... *“The defining qualities of the garden suburb at Lime Rise will be a rich green landscape setting, distinctive tree lined avenues and houses set in gardens .... The expansive and striking public open spaces through the heart of the new community and encircling it at its*

*edges are integral to the character of the development.* (Design and Access Statement, Page 3, 01 Vision)

However this is not wholly reflected in the overall layout and design of the scheme with much of the green space being located around the periphery of the site surrounding the bulk of the residential development which is located within the centre. Design issues which should be reconsidered include:

- A wider central green corridor needs to be provided which is closer to the main residential areas and which can be multi-functional, e.g. location for drainage, good pedestrian and bike circulation and links to the wider surroundings. Whilst this is currently shown to a limited extent on the Indicative Layout drawing, the available green space diminishes considerably to the eastern end of the site, particularly once the NET extension is built.
- The existing public right of way (NCC Ref 17) could also be improved with more street tree planting/avenues through the more urban areas. This could then open out to a swathe of wider parkland which links up with the LNR and the Erewash Valley walks to the south west and west of the site.
- The location of the community orchards and allotments welcomed but these are not to be included until the last phase of the scheme, where they are located on the periphery of the residential area. Could these community features be located more centrally and in an earlier phase? How viable are they in the position shown on the layout drawings if the HS2 station and link road are to be built at a later stage, particularly when considering the potentially conflicting demands for other types of development?
- The green infrastructure is essential to the success of the scheme and to mitigate the identified landscape and visual impacts. Additional information is required in the Design and Access Statement about how the proposed green infrastructure will be maintained and how the cost of this will be met.

## **Conclusion**

The Landscape and Visual Assessment has been carried out to the appropriate procedures, and the Landscape and Reclamation Team is in general agreement with its conclusions.

Whilst we support the principle of the development however we would recommend that the points listed above are addressed and that the further information is provided by the applicant.

## **Appendix 5 – Detailed Ecology Comments**

**Re: Outline planning application with points of access to be determined for a mixed-use development incorporating a maximum of 650 dwellings (etc.) - land to the west of Toton Lane, Stapleford (12/00585)**

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. I have the following comments regarding nature conservation issues:

- The proposals will not affect any statutorily designated nature conservation sites; the nearest such site Attenborough gravel Pits SSSI, lies approximately 2.2km to the south-east. The proposals will not directly affect any locally designated sites, although the Toton Sidings Local Wildlife Site (LWS) 5/2210, abuts the site on its western boundary.
- The Ecology Chapter of the ES (chapter 6) indicates that the site is predominantly arable farmland, bisected by hedgerows, with small areas of other habitats also present, including a pond, ditches, poor semi-improved grassland, scrub and trees.
- A range of surveys have been carried out in support of the application; it should be noted that a number of these date from 2009 or 2010, with apparently only the Phase 1 Habitat Survey and internal/external inspections of buildings for roosting bats having been updated having been updated in 2012. Given that the NPPF states, in paragraph 165, that planning decisions should be based on up-to-date information about the natural environment, justification should be provided as to why survey data which is, in some cases, almost 4½ years old, is considered acceptable (particularly for European protected species). In addition:
  - The level of survey effort for the bat transect surveys does not appear to match that which is recommended in the relevant guidelines (Bat Surveys: Good Practice Guidelines. BCT, 2012). Again, justification for this should be provided.
  - Confirmation is required that no evidence of water voles was found at the site.
- The surveys (noting the comment made above), did not find any evidence of great crested newts, reptiles or badgers on the site. Low numbers of wintering birds were found, along with a fairly typical breeding bird assemblage (including several red listed farmland bird species such as skylark and yellowhammer which will be displaced by the development), whilst generally low levels of bat activity were recorded. No evidence of bats was found during the internal/external building surveys, although one tree with high potential for roosting bats was identified. Two invasive plant species, Japanese knotweed and giant hogweed, were found to be present on the site.
- It is stated that there will be a partial loss of two hedgerows on site (identified as H3 and H5 in the ecology chapter). However, reference to the site Masterplan suggests that additional lengths of hedgerow will be lost. It is also not clear which

trees are being retained, which needs to be clarified given the high potential of one of these for roosting bats (see above) and the presence of one 'near veteran' tree. It is therefore suggested that a plan be provided, clearly showing areas of vegetation (i.e. hedgerows, trees and tree groups) which will be retained, and those which will be lost. If the scale of hedgerow and tree loss is greater than described in the ES, then the site layout should be redesigned.

- With the implementation of appropriate mitigation, the ecology chapter predicts that there will be a moderately beneficial ecological impact at the site in the long term. To ensure that this is the case, it will be necessary for the following matters (generally outlined in section 6.107 to 6.135 of the ecology chapter) to be secured through any planning permission that is granted, with the use of planning **conditions**:
  - The production of a landscape masterplan, to include species mixes and proportions, establishment methods and maintenance regimes, building on the details provided in chapter 6. This should ensure that native species, appropriate to the local area and of at least native genetic origin (and ideally of local provenance), are used in all areas of informal greenspace around the site, to ensure that the biodiversity value of the site is maximised. Areas of grassland within informal greenspace areas should be established as species-rich grassland, and the site drainage system should be designed such that it provides wetland habitat. Confirmation should be provided at this stage that these measures will be provided.
  - The production of a site management plan, to guide the ongoing management of created and retained/enhanced habitats to ensure that the biodiversity value of the site is maximised.
  - The production of a detailed water management scheme, which ensures that the biodiversity value of ditches, swales and SuDS/water attenuation features is maximised.
  - The provision of bat and bird boxes to be incorporated within the fabric of the new buildings; bird boxes should target species such as house sparrow, starling and swift.
  - The production of a method statement for the translocation of the smooth newt population which currently uses the pond on site for breeding.
  - The production of a management plan for the eradication of Japanese knotweed and giant hogweed on the site, to ensure that they are not spread within the site or beyond.
  - The production of a lighting scheme, which ensures that lighting in areas of informal greenspace and around the site boundary is reduced as far as is practicable, so that impact on nocturnal wildlife (i.e. bats) is minimised.
  - The provision of details relating to the protection of retained hedgerows/trees during construction.

In addition, a standard **condition** should be used to control vegetation clearance during the bird nesting season.

I trust you will find the above comments of use, but if you require any further information, please do not hesitate to contact me.



Nick Crouch  
Senior Practitioner Nature Conservation

## **Appendix 6 – Detailed Reclamation Comments**

### **1. Existing Site**

The site comprises approximately 41 hectares (ha) of predominantly greenfield land. The eastern areas of the site comprise remnants of a derelict garden nursery and a single detached house as well as an area of scrubland and short grassland along Toton Lane. The rest of the site is predominantly used for agriculture and includes a farm in the western area of the site.

The site is bordered by properties which include a school and playing fields, a sewage treatment works, a salvage yard, a vast area of railway sidings, an electricity substation and residential housing.

### **2. Proposals:**

Development proposals for a mixed use development incorporating a maximum of 650 dwellings, retail development, educational, social and infrastructural provision.

### **3 Suggested Planning Condition Requirements:**

No development approved by this planning permission shall be commenced until:

a) the site investigation contained in the Phase 1- Desk Study to be updated and submitted and approved by the CPA

b) a risk assessment has been completed; and

c) dependent upon the risk assessment, a method statement detailing the remediation requirements, including measures to minimise the impact on ground, built environment, surface waters and on the proposed land use. Prior to commencement of main site works, the approved remediation works shall be completed in accordance with the approved Method Statement to the satisfaction of the CPA.

Validation of the remedial scheme, including evidence of post remediation sampling and monitoring results, to demonstrate that the required remediation had been fully met shall be submitted to and approved in writing by the CPA prior to the development approved by this permission first being brought into use or such other timescale as may first be agreed in writing with the CPA.

If during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a method statement and obtained written approval from the CPA. This method statement must detail how the unsuspected contamination shall be dealt with.

### **4. Land Contamination Impacts:**

The Phase one site assessment was carried out in 2009 and has been updated to include extension of area and development proposals. The site investigation, a preliminary investigation of limited scope produced a data set of 12no. analytical results(dated 2009). The phase one report has identified the Toton Railway Sidings, the Sewage Treatment Works and a scrapyard as potential sources of contamination. The nursery and farm are the only on-site potential source of contamination. The initial site investigation has identified a number of heavy metals and hydrocarbon contaminants; these are stated as being “hot spot” sources of contamination thought to have derived from migration of contaminants in groundwater and migration of contaminated dusts. There is no consideration of uncontrolled deposit of wastes/ storage from the sidings, salvage yards or sewage treatment works as the past practice of the spreading of sewage farm filter cake on the adjacent farm land is not unknown.

The phase one assessment indicates that a number of soil samples, 4 out of twelve samples analysed exceeded the residential GSAC ( generic site assessment criteria), that these could be explained by groundwater or dust seems implausible given the depths ranging from 0.1, 0.4 and 0.9m below ground level. These occurrences are at closet approach of the trial pits to the railway sidings and as there are recommendations for further investigations then this area should be investigated in more detail. It is also noted that within the desk study potential contaminants associated with railways and sewage works and electrical substations, i.e. asbestos hydrocarbons and PCBs have not been included in the soils analysis. These omissions should be considered in the proposed next phase of investigation.

It is noted that the soils analysis is dated 2009, the proposed next phase of the investigation should update the soils data and give a more comprehensive assessment of ground conditions. 12 samples for a 41 hectare site cannot be regarded as representative even if the site is predominantly “greenfield” in nature; the site also comprises a nursery, farm and lies adjacent a railway sidings and soil samples obtained near the sidings have indicated contamination impacts.

## **5. Conclusions and Recommendations:**

An initial phase one assessment of the site has been carried out, with potential pollution linkages identified. These have been confirmed to a degree by the initial site investigation and require further investigation to place them in a development context. The next phase of the ground investigation should provide a more robust assessment of site and delineate the impact of contamination on the western boundary of the site and include for asbestos and hydrocarbons. The opportunity to investigate the other potential sources of contamination in addition to investigating the ground gas regime should also be taken.

We request that the further investigation report is forwarded for our consideration and comment.

If you require clarification on any of the above points, please do not hesitate to contact me.

Derek Hair  
Principal Project Engineer  
Landscape and Reclamation Team

## **Appendix 7 – Libraries Detailed Comments**

### **STAPLEFORD LIBRARY AND POTENTIAL DEVELOPER CONTRIBUTION IN RESPECT OF PROPOSED TOTON LANE DEVELOPMENT**

#### **1. Background**

The County Council has a statutory responsibility, under the terms of the 1964 Public Libraries and Museums Act, to provide “a comprehensive and efficient library service for all persons desiring to make use thereof”.

In Nottinghamshire, public library services are delivered through a network of 60 library buildings and 7 mobiles. These libraries are at the heart of our communities. They provide access to books, CDs and DVDs; a wide range of information services; the internet; and opportunities for learning and leisure.

The County Council has a clear vision that its libraries should be:

- modern and attractive;
- located in highly accessible locations
- located in close proximity to, or jointly with, other community facilities, retail centres and services such as health or education;
- integrated with the design of an overall development;
- of suitable size and standard for intended users.

Our libraries need to be flexible on a day-to-day basis to meet diverse needs and adaptable over time to new ways of learning. Access needs to be inclusive and holistic.

***In (and only in) situations where a new development will create an additional need for library provision, the County Council will expect the developer to make a financial contribution towards the cost of that additional provision. Such financial contributions will relate in scale and kind only to the proposed development. The developer will not be liable for any charges relating to any inadequacies in library provision that already existed prior to the development taking place.***

#### **2. Potential Toton Lane development**

There is currently a proposal for a significant new development on Toton Lane. Amongst other elements, this would comprise 650 new dwellings. At an average of 2.4 persons per dwelling this would add 1560 to the existing library's catchment area population.

The nearest existing library to the proposed development is Stapleford. The library here occupies a floor area of 766 sq m and serves a catchment area population of some 20,670 people.

The Museums, Libraries and Archives Council (MLA) publication “Public Libraries, Archives and New Development: a standard approach” recommends a standard of 30sq m of space for every 1,000 population.

In respect of Stapleford, the library should thus be a minimum of 620 sq m. The current building is, therefore, significantly larger than is required (by some 146 sq m) to meet the recommended standard and the anticipated additional 2,292 people would only require a further 68.76 sq m.

**On the basis of the above, we would not seek any developer contribution in respect of the library building.**

The MLA document referred to above also states that there should be a target stock figure of 1,532 items per 1,000 population. In respect of Stapleford, with a current catchment population of 20,671, the minimum total stock figure should be 31,667. The actual stock figure is 22,182. Given that the current stock figure is below the recommended level, a further 650 dwellings / 1560 people will put even further pressure on this resource.

The responsibility for getting the stock level correct for the current catchment population rests with the Library Service. **We would, however, seek a developer contribution for the additional stock that would be required to meet the needs of the 1560 population that would be occupying the new dwellings. This is costed at 1560 (population) x 1,532 (items) x £10.53 (cost per item) = £25165**

Linda Turner  
December 2013

## **Appendix 8 – Detailed Education Comments**

### **Primary Contribution**

Although the number of dwellings on this application have reduced from 775 to 650 dwellings, our requirement for a new primary school, remains unchanged.

We are very concerned that the area designated for a primary school appears to have been reduced from 0.39ha to 0.37 ha, which is considerably short of the 1.1ha site requested on numerous occasions.

This area is also described as a new school building to serve the George Spencer Academy, which it is 'anticipated' will incorporate:

- a) School reception and entrance
- b) Primary School
- c) Creative/Performing Arts space

This is not acceptable as a stand-alone new primary school, particularly as according to the DfE, the governance and status of a new school will be decided by an open and transparent process, co-ordinated by the Local Authority, with the ultimate decision resting in the hands of the Secretary of State.

The use of what appears to be a multi-use school building 'to serve the George Spencer Academy' (on a very undersized site) is unclear. Documentation available to us refers to a 'combination of one, two and three storeys' which would presumably house the main school reception and entrance for George Spencer secondary school; a creative/performing arts space; plus space for a one-form entry primary school for the children generated by this development.

Discussion on this proposal appears to take place between the developers and George Spencer Academy, without the full participation of NCC, which has a statutory duty to plan and provide school places in Nottinghamshire. The outcome, so far, is a proposal which is unacceptable to the County Council.

So, in summary we would stress that:

— The required site area for a primary school of up to 210 places is 1.1 ha. It should be noted that statutorily a primary school needs playing field which is included within the 1.1 ha. site. This is non-negotiable.

— The proposed new primary school will be stand-alone and currently cannot be incorporated within the George Spencer Academy, unless the academy formally increases its age range from 11 to 1, to 3 to 18 years.

### **Secondary Contribution**

In line with the reduction in the number of dwellings, the secondary contribution requirement will be £1,795,040 (104 places x £17,260).

## **Appendix 9 – Detailed Economic Development Comments**

Dear Nina

Our only comments from Economic Development are;

It appears that the application has already taken account of the HS2 route and access to transport networks through a proposed link with the tram.

We would support the inclusion of business units and other business space to support job creation

We would like to ensure that planning permission is granted on condition of

1. incorporating local employment and training opportunity targets such as apprenticeships in contracts with both main contractors and sub-contractors
2. include a clause to require main contractors to pay their sub-contractors under the same terms and conditions as local government i.e. 30 days

Regards  
Hilary Porter  
Economic Development Officer  
Corporate Strategy, PPCS