

## **Environment and Sustainability Committee**

### Thursday, 18 April 2013 at 14:00

County Hall, County Hall, West Bridgford, Nottingham NG2 7QP

### **AGENDA**

1	Minutes of last meeting held on 14 March 2013	3 - 4
2	Apologies for Absence	
3	Declarations of Interests by Members and Officers:- (see note below) (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	
4	Strategic Planning Observations on a proposed single wind turbine at Stoke Bardolph	5 - 32
5	Strategic Planning Observations on a proposed mixed use development at the former Stanton Ironworks	33 - 48
6	Strategic Planning Observations	49 - 54
7	Local Improvement Scheme Programme 2012-13 and 2013-14	55 - 58
8	Love Food Hate Waste Campaign 2013	59 - 64
9	Work Programme	65 - 70

#### **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

#### Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.
  - Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.
- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.



### minutes

Meeting ENVIRONMENT AND SUSTAINABILITY COMMITTEE

Date Thursday 14 March 2013 (commencing at 10.30am)

#### membership

Persons absent are marked with 'A'

#### **COUNCILLORS**

Richard Butler (Chair)

Steve Carr A Bruce Laughton
Ged Clarke Geoff Merry
Barrie Cooper John Peck JP
Jim Creamer Mel Shepherd MBE
Kevin Greaves A Keith Walker

#### **OFFICERS IN ATTENDANCE**

Keith Ford – Senior Democratic Services Officer Tim Gregory – Corporate Director, Environment & Resources Jas Hundal – Service Director, Transport, Property & Environment Suzanne Osborne-James – Principal Planning Officer Anna Vincent – Independent Group Researcher

#### **MEMBERSHIP**

The following changes of membership were reported to the meeting:-

- Councillor Mel Shepherd MBE had replaced Councillor John Hempsall;
- Councillor Ged Clarke had replaced Councillor Vincent Dobson.

#### **MINUTES**

The minutes of the last meeting of the Committee held on 14 February 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

#### **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

None.

# FURTHER REVISIONS TO THE MINERALS AND WASTE DEVELOPMENT SCHEME

#### **RESOLVED 2013/017**

That the revised Minerals and Waste Development Scheme be approved.

## <u>LOCAL IMPROVEMENT SCHEME INFORMATION REPORT - MEMORIAL AT</u> COUNTY HALL.

The Chairman reported that Policy Committee had approved design option one (compass design) at the meeting on 13 March 2013.

#### **RESOLVED 2013/018**

That the update position be noted.

#### **STRATEGIC PLANNING OBSERVATIONS**

#### **RESOLVED 2013/019**

That the report be noted.

#### **WORK PROGRAMME**

The Chairman highlighted that an LIS update report would also be submitted to the 18 April meeting of the Committee.

#### **RESOLVED 2013/020**

That the Committee's work programme be noted.

The meeting closed at 10.50 am.

#### **CHAIRMAN**

M\_14 Mar13



# Report to Environment and Sustainability

18<sup>th</sup> April 2013

Agenda Item: 4

# REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES

# STRATEGIC PLANNING OBSERVATIONS ON A PLANNING APPLICATION FOR A SINGLE WIND TURBINE, STOKE BARDOLPH

### **Purpose of the Report**

 To seek Committee approval for comments set out in this report to be sent to Gedling Borough Council (GBC) in response to the request for strategic planning observations on the above planning application for a single wind turbine.

#### **Information and Advice**

- 2. A full planning application was submitted to Gedling Borough Council on the 12<sup>th</sup> December 2012 for the erection of a single wind turbine, Stoke Bardolph. A site plan is provided at Appendix 1.
- 3. Nottinghamshire County Council (NCC) has been consulted for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Gedling Borough Council in their role as determining planning authority for this application.
- 4. 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

#### **Background**

5. The County Council previously commented on a planning application for two, 132m wind turbines at the above site at Cabinet on the 14<sup>th</sup> July 2010, stating support in principle for renewable energy projects, however, raising concerns over the impact of the proposal on the landscape and openness of the Green Belt. This planning application was subsequently refused by Gedling Borough Council in April 2012.

#### Description of the Proposal

- 6. The principle components of the proposal are as follows:
  - A single wind turbine operating for 25 years with an installed rated capacity up to 2.5MW comprising a hub height of up to 60m and a rotor diameter of up to 80m giving a maximum tip height of up to 100m;
  - Approximately 300m of existing road within the sewage works will need to be upgraded from the site entrance to the existing northern boundary, approximately 1,100m of upgraded existing farm track, and 180m of new track;
  - A 33kV substation building;
  - A temporary construction compound, lay down storage area and crane hardstanding area on-site during a four month construction phase; and
  - Underground cabling to connect the turbine to the national grid.
- 7. The temporary components would be required during the construction and decommissioning phase only. During the operational phase the construction compound would be removed. The lay down storage area and crane hardstanding would remain in situ but the appearance of the site would be reinstated by covering with soil, re-profiled and re-seeded.
- 8. The proposed turbine will generate electricity by harnessing the power of the wind. Calculations based on a generating capacity of up to 2.5MW predicts that the turbine will provide enough electricity for approximately 1,526 average UK households and provide carbon dioxide reductions of 2,166 tonnes annually.
- 9. Based on an operational lifespan of 24 years (1 year discounted for construction and decommissioning) it can be estimated that the wind turbine could offset approximately 51,984 tonnes of CO<sub>2</sub> over the proposed lifetime of the development.

#### **Planning Policy Context**

#### National Planning Policy Framework (NPPF)

- 10. 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 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.
- 11.A key aspect of the NPPF is that it includes 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.

- 12. 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 dependant on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
- 13. Planning plays a key role in helping shape places to secure radical reductions in green house gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy associated with infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Local Planning Authorities are actively encouraged to support proposals for renewable energy.

#### East Midlands Regional Plan (RS)

14.On the 6<sup>th</sup> July 2010 the Secretary of State announced the revocation of Regional Strategies. On the 20<sup>th</sup> March 2013 the Secretary of State laid in Parliament a statutory instrument to revoke the Regional Strategy for the East Midlands. This came into force on 12<sup>th</sup> April 2013 as such the East Midlands Regional Plan no longer forms part of the Development Plan.

#### Strategic Planning Issues

#### Green Belt

- 15. The NPPF indicates that very special circumstances need to be demonstrated to justify such a proposal in the Green Belt.
- 16. The proposal is inappropriate and thus by definition harmful to the Green Belt. The proposal impacts upon one purpose for establishing Green Belts; that of "assisting in safeguarding the countryside from encroachment". It also impacts upon the openness and visual amenity of the Green Belt, which the NPPF seeks to protect.

#### Landscape and Visual Impact

- 17. The County Council consider the proposed turbine would have a 'significant visual impact' within a localised area on a specified number of residential receptors, traveller receptors over a limited distance on an 'A' road, and recreational receptors on a long distance footpath and the immediate Public Rights of Way network. The effects on visual amenity are major to major/moderate for these receptors, and Nottinghamshire County Council would add "are major to major/moderate adverse", which is the highest end of the scale of impact. Nottinghamshire County Council accept that these visual impacts are contained by the ridgelines that bound the Trent but nevertheless localised impact extends from this point up and down the valley for a distance of up to 3.5 kilometres.
- 18. The physical impact of the proposal is minimal and has been quantified by the applicant and is further reduced by the mitigation proposals described.

- 19. The impact on the character is as described in the Landscape and Visual Impact Assessment (LVIA) document as adding 'a new characteristic' to the surrounding Policy Zone of the Trent Washlands Landscape Character Area (County Level) which Nottinghamshire County Council would agree with. At a wider scale of 1.5 2 kilometres, new landscape regional landscape sub-types will be developed 'Floodplain Valleys with Wind Turbine' and 'Wooded Village Farmlands with Wind Turbine' This would have a significant effect on localised parts of the landscape character of these sub types, which we would also agree with.
- 20. There would be limited but significant effects on a small part of the Lambley and Burton Joyce MLA at its southern extension, to the area above and surrounding Gedling House.
- 21. There would be limited but significant effects on a small part of the Bulcote Conservation area both from important views out of the village and from residences on the fringe of the CA.
- 22. It is accepted by NCC that there are likely to be limited points on the ridgelines where the proposals can be viewed but these include those shown from Viewpoint for viewpoint 5.
- 23. The cumulative impacts have been described from both fixed points and where sequential visual impacts are possible. Cumulative impacts are possible from limited areas which include from the village of Stoke Bardolph for some residents (Viewpoint 7), and from the Trent Valley Way west of Newton (Viewpoint 7) and from a bridleway at Lambley airfield (Viewpoint 8), . Sequential cumulative impacts are possible from limited properties in Burton Joyce, Stoke Bardolph and Shelford, as well as the local road network including the A612, the Newark Nottingham railway line and the public rights of way network including the Trent Valley Way. This cumulative assessment assumes that all currently planned turbines will go ahead which is not necessarily the case.
- 24. Nottinghamshire County Council agrees that the visual impact of the proposals is 'significant' over a localised area, in our opinion from 7 of the 12 viewpoints within 3.5 kilometres of the site, as also stated in the LVIA report. Although the scale of turbine has been reduced and the number has reduced to a single structure we do not think that this is sufficient to reduce the visual impacts to an acceptable level and consider that this constitutes 'harm' to the visual amenity. On the grounds of impact on visual amenity Nottinghamshire County Council do not support this application. However this conclusion must be balanced against all other issues to be considered by Gedling Borough Council as part of the application including long term benefits in terms of production of renewable energy and reduction in greenhouse gas emissions.
- 25. Detailed landscape comments are set out at Appendix 2.

#### Ecology

26. The area covered by the Phase 1 Habitat Survey does not contain the location of the proposed wind turbine which has a knock on effect in terms of other surveys

- which have been based on the Phase 1 survey area and as such it is suggested that Gedling Borough Council seek further information from the applicant which updates the relevant surveys in light of the proposed location of the wind turbine.
- 27. The level of survey effort expended in relation to bats does not appear to match the Minimum Survey Standards as detailed in the Bat Conservation Trust's "Good Practice Guidelines surveying for onshore wind farms" in relation to a "moderate" risk (identified in the original 2009 surveys). The assessment of the impacts of the proposal on bats is unclear as the applicant states that an 80m stand-off distance has been implemented, however, this 80m stand-off does not appear to relate to the current proposed location of the wind turbine. As such confirmation should be sought that the proposal is at least 70.4m from the nearest boundary feature that could be used by foraging bats. In addition, any condition relating to micro-siting should ensure that a stand-off of at least 70.4m is maintained. It is suggested that Gedling Borough Council seek justification from the applicant with regard to the level of bat survey effort.
- 28. As with bats, above, the level of bird survey effort expended does not appear to match the current guidelines as set out in Natural England's guidelines; "Assessing the effects of onshore wind farms on birds". Vantage point surveys were completed between April and September 2012 (spring, summer and early autumn) and amounted to 45 hours which falls short of Natural England's recommendation of 36 hours per season. The Trent hosts wintering waterfowl species and it is concerning that this period was not covered in the 2012 vantage point surveys. It is suggested that Gedling Borough Council seek justification on this matter.
- 29. The applicant proposes a range of mitigation measures in relation to habitats, birds, bats and other species present on the site or in the immediate area and also proposes that an Environmental Management Plan will be produced prior to the commencement of the development which will include mitigation measures and post-development monitoring. Nottinghamshire County Council requests that the production and implementation of such an Environmental Management Plan should be made a condition of an permission granted. In relation to the proposed areas of habitat creation, the Plan should include details of species/seed mixes, establishment methods and maintenance regimes.
- 30. Detailed ecology comments are set out at Appendix 3.

#### Archaeology

- 31. Due to the location, close to the course of the River Trent, it is suspected that there could be significant buried archaeological remains at variable depths. This archaeology can be both difficult to locate and highly significant as organic remains can survive in the waterlogged conditions associated with riverine environments.
- 32. The archaeological report undertaken by Oxford Archaeological Associates identifies that archaeological deposits are unlikely to survive to a depth of over 3 metres.

- 33. The views of Oxford Archaeological Associates and Woodhall Planning and Conservation are concurred with in that the overall archaeological potential is low but is not completely negligible. As such, if Gedling Borough Council are minded to approve this planning application, Nottinghamshire County Council requests that the production of a scheme of archaeological mitigation and implementation is submitted to the Local Planning Authority and approved in writing prior to development taking place.
- 34. Detailed Archaeology comments are set out in Appendix 4

#### **Other Options Considered**

35. 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/s for Recommendation/s

- 36. It is recognised that significant weight is given to renewable energy at a National and strategic planning level. However, there are concerns over the potential impact of the proposal on the ecology, landscape and archaeology of the County. These concerns can not be addressed until significant further work has been undertaken satisfactorily and relevant information has been provided by the applicants.
- 37. On the grounds of impacts on visual amenity Nottinghamshire County Council do not support this application.

### **Statutory and Policy Implications**

38. 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**

39. There are no direct financial implications.

#### Implications for Sustainability and the Environment

40. There are no direct implications for Sustainability and the Environment.

#### RECOMMENDATION

That Gedling Borough Council be advised that whilst the principle of such development in terms of strategic and National renewable energy policy is supported, Nottinghamshire County Council objects to the proposal on the grounds that insufficient information has been submitted with the planning application to allow valid and robust conclusions to be drawn on the applications potential impact upon the landscape and ecology of the County and that the proposal will significantly impact of the Visual Amenity of the County.

Jayne Francis-Ward Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Nina Wilson, Principal Planner (Planning Policy) – 0115 977 3793

**Constitutional Comments (SHB. 19.01.13)** 

41. Committee have power to decide the Recommendation

Financial Comments (DJK 19.03.2013)

42. The contents of this report are duly noted; there are no financial implications.

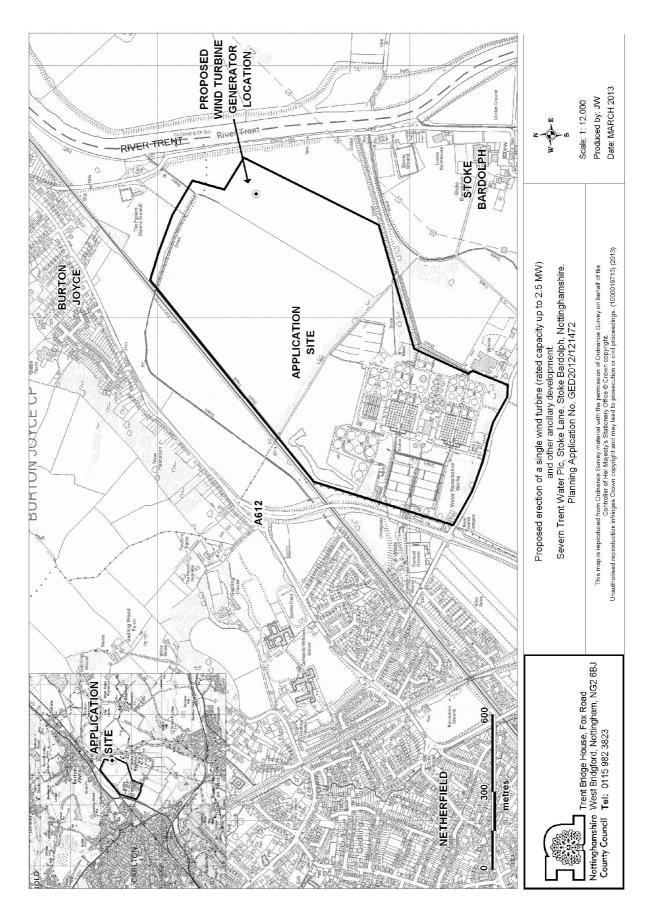
#### **Background Papers and Published Documents**

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**

Radcliffe on Trent – Councillor Kay Cutts Carlton West – Councillor Jim Creamer

### Appendix 1 - Site Location Plan



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#### **Appendix 2 – Detailed Landscape Comments**

Landscape Team comments on Planning application reference 2012/1472

Volume 1 – Environmental Report (ER) Main text – November 2012 – Section 9 – Landscape and Visual Assessment – Stephenson Halliday

Volume 2 – Environmental Report - Figures – November 2012 Volume 3 – Environmental Report - Visualisations – November 2012

Volume 4 – Environmental Report - Appendices – November 2012 Appendix F – Landscape and Visual Impact - November 2012

Volume 1 - Section 9.2, 9.3,9.4 Introduction, Consultation, Scope of appraisal - No comments

Paragraphs 9.5.1 9.5.2, 9.5.3, 9.5.4, 9.5.5, 9.5.6

These paragraphs include all guidance and methodology – these are accepted as current best practice, and include definitions for magnitude of effect and sensitivity.

Paragraph 9.6.1 Baseline description – This is accepted as accurate and the relevant planning policy framework has been referred to including saved Policy ENV 37 relating to Mature Landscape Areas (MLAs).

Section 9.7 Landscape Context – no comments.

Paragraph 9.7.1.1 The description of National Landscape Character refers to NCA 48 Trent and Belvoir Vales.

Paragraph 9.7.1.2 The description of Regional and County Landscape Character refers to the East Midlands Regional Landscape Character Assessment (EMRLCA) and the Greater Nottingham LCA.

Paragraph 9.7.2 Landscape designations – no comments.

Section 9.8 The proposed development and mitigation

It is accepted that the proposed mitigation will compensate for the amount of hedgerow and broadleaved woodland that will be removed as a result of the development. The proposals to strengthen the hedge-line to the south east of Nottingham Road (A612) are welcomed but more detail needs to be provided concerning this.

Section 9.9 Visual analysis – Methodology – No comments.

Section 9.10 Viewpoint analysis – the viewpoints were agreed in advance with GBC and NCC, at NCCs request an additional viewpoint was added to the original 11 viewpoints (viewpoint 5 -View south from Bridleway above Burton Joyce) to take into account views from PROWs on the ridgeline overlooking the development.

#### 9.11 Assessment of effects at construction stage

#### 9.11.1 Potential construction effects on landscape fabric and character

This is summarised in the applicants LVIA report (P116), the physical construction stage impacts of the proposals are considered to be of moderate effect and are not significant, which is accepted.

The construction phase will involve the removal of 25m of hedgerow, and 270m2 of plantation woodland and 3 trees (Figure 4.2) The scheme will replace this with 150m hedgerow and 4100 m2 broadleaved woodland. It is agreed that this is a moderate adverse impact and that it can be reduced.

It is not stated but it is accepted that any impacts on landscape character are not significant and temporary.

#### 9.11.2 Potential construction effects on visual amenity

This is summarised in the applicants LVIA report (P116), the physical construction stage impacts of the proposals are considered to be of moderate effect and are not significant.

The impacts will be due to vehicular movements and cranes, for a 4 month period, it is agreed that this is a moderate effect, and that it is temporary.

#### 9.12.2 Potential operational effects on landscape fabric

There will be no physical impacts on the landscape fabric at the operational stage except for those involved in the reinstatement following construction works, it is agreed that these are minor and not significant.

#### 9.12.3 Potential operational effects on landscape character

It is agreed with the report (P118) that for close viewpoints 1-4 the presence of the turbines will affect this landscape character area, described as Floodplain valleys RLCT and Stoke Bardolph village farmlands (TW05), substantially. The report states:-

' the turbine would be viewed as a new vertical element within the view, and from parts of this landscape the vertical emphasis of the turbine would contrast with the more horizontal aspects of the landscape.'

The summary of the above is that the proposed development would cause a Major/Moderate effect over much of the TW05 area, which is agreed. It is accepted that the County level assessment area TW05 has a 'Create' landscape action, as it has a poor landscape condition and very low landscape sensitivity.

The proposed development would cause a Major/moderate effect over a localised part of the Floodplain Valleys RLCT and would not characterise this area as a whole, which is agreed.

At distances beyond 1.5 - 2km the turbine would be viewed in the context of the wider landscape and the scale would correspond with the larger scale elements of the landscape, which is accepted.

There would be no direct effects on other adjacent landscape character types, which is accepted.

#### 9.12.4 Indirect effects on other landscape character areas

- 9.12.4.1 EMRLCA Wooded Village Farmlands (5b) ' the proposal will give rise to a local characterising influence on landscape character, where it will become one of the key elements of landscape and a new landscape sub type may be established' it is agreed that a landscape sub type will develop as more proposals are granted approval in the area (see cumulative assessment) within 1.5 2 km of the turbine and the effect would be major/moderate and significant. At distances of greater than 2km the effect would not be significant, which is accepted.
- 9.12.4.2 EMRLCA Unwooded Vales (4a) because of distance from the site (1.5km east), the proposal would not cause an alteration of the key characteristics of the landscape type, the effect would not be significant, which is accepted.
- 9.12.4.3 EMRLCA Sandstone forests and heaths (10b) because of distance from the site (6km north), the proposal would not cause an alteration of the key characteristics of the landscape type, the effect would not be significant, which is accepted.
- 9.12.4.4 EMRLCA Clay Wolds (8a) because of distance from the site (7.5km south), the proposal would not cause an alteration of the key characteristics of the landscape type, the effect would not be significant, which is accepted.

#### 9.12.5 Potential effects on landscape designations

# 9.12.5.1 Mature Landscape Areas MLAs (saved policy ENV37 of Gedling Replacement Local Plan)

The closest MLA is Lambley/Burton Joyce MLA, this is a large MLA in comparison with many others in Nottinghamshire, it extends up and over the ridgeline and is 1 km from the proposed site at its closest point near to Gedling House (Grade II listed building, in private ownership). There would not be a direct impact on the MLA, the effect would be a change to the composition of views from and to this southern part of the MLA where the house sites at the base of the wooded ridgeline. This impact is assessed as major/moderate and moderate and significant.

There are no significant effects to other MLAs which are all too distant from the site.

#### 9.12.5.2 Ridgelines (Saved Policy ENV32)

The Policy seeks to protect the open character and visual quality of the ridgelines.

The report states that there are no direct impacts on the ridgelines and no effect on the open character of the ridgelines themselves. There is potential for views of the turbine in front of the ridgelines near to Burton Joyce when viewed from east and south east from within the Trent Valley (viewpoints 1,3,6,7 and 11). We would add that there is no situation where the view of turbine breaks the ridgeline, the structure is always seen with the ridgeline as a backdrop.

It is accepted that the turbine will not affect the perception of openness but it will have an impact on the visual quality of the ridge from these viewpoints.

#### 9.12.5.3 Ravenshead SLA

There are no impacts on this designation which is located 13 km to the north west.

#### 9.12.5.4 Registered Parks and Gardens

No significant effects from any designated sites such as registered Parks and Gardens are predicted. There may be a glimpsed view of turbine tips in winter from the rear of the church in the grounds of the grade 2 listed gardens of Holme Pierrepont Hall.

#### 9.12.5.5 Bulcote Conservation area

These views are considered in greater detail in the archaeology and cultural heritage chapter of the ES.

The report considers what views of the turbine there will be from 'significant views' described in the Bulcote Conservation area appraisal (2001). It reports that from 4 of these viewpoints within the Conservation Area that there will be partial views screened by tree cover or farm buildings, including from Corporation Cottages which will have a more open view set within open countryside. It concludes that some residents will have significant effects on their residential amenity. These views are at over 2 kilometres therefore NCC would agree that they are not 'overbearing or unacceptable.'

#### 9.12.5.6 Green Belt

It is agreed that significant effects upon the openness of the Green Belt would not occur as a result of the proposed development.

#### 9.12.6 Effects on visual amenity

# Visual Impact of the Proposals - With reference to Appendix F4 Viewpoint analysis

The visual impact of the proposals on 12 previously agreed viewpoints is summarised in Table 9.7 of the report. The purpose of the LVIA assessment is to identify significant impacts as a result of the scheme. Of these 12 viewpoints, the effects on visual amenity are Major or Major – Moderate for 7 of them. Table 9.5 sets out that Major or Major to

Moderate impacts are 'significant' in terms of the Environmental Impact Assessment regulations, therefore the visual impact is 'significant' in 7 out of 12 viewpoints.

Viewpoint 5 Bridleway above Burton Joyce is an additional viewpoint which has been added at the request of NCC since the previous application in 2010.

The significance of impact is not recorded as 'adverse' in the LVIA documents produced by the applicant, for example a 'major adverse visual impact' is described as 'major visual impact'. NCC do not consider there to be any ambiguity about this degree of impact, as this represents a change to the baseline situation where there is currently an open view and should the development go ahead there will be a 100 metre structure, this can only be described as an adverse impact.

We do not agree with the statement 'the conclusion that some effects are significant must not be taken to imply that they are necessarily adverse or should warrant refusal in any decision making process' (P40 Cumulative LVIA) and this contradicts with paragraph 9.5.5.6 which says 'taking a precautionary approach in making an assessment of the 'worst case scenario' the assessment considers that all effects on views which would result from the construction and operation of the proposed development to be adverse....'

Nottinghamshire County Council has considered below each of the viewpoints in turn where the visual effect is categorised as 'significant,' and considers the scale over which it is felt, that is whether the impact is 'locally significant, or significant with respect to a small number of receptors, but not significant when judged in a wider context.'

#### Viewpoint 1. View north west from the Trent Valley Way long distance footpath

#### Effects on visual amenity

The report says that there will be views of the site at 751 metres distance from this long distance route and provides a photomontage to illustrate this. The predicted visual effect is 'major' and is considered significant to recreational receptors on a long distance path. Recreational receptors are of high sensitivity (Reference Table 9.3) as this activity is focussed on the landscape. It should be added that these impacts will also affect some residents of Stoke Bardolph and visitors to the Ferry Boat Inn.

The photomontage visualisations 1A and 1B appear to be incorrect in that the turbine appears to be placed too far to the right of the visualisation, this is made clear if this is compared with Photomontage visualisation Ai and Aii - Cultural Heritage Viewpoint A - where the turbine appears to be in the correct position.

The report states that the 'Turbine would constitute a new, prominent feature within the view.' which NCC agree with.

#### Effects on landscape character

The predicted effect is 'major' and significant. A new characteristic would be introduced to the' Floodplain Valleys' regional landscape character type (RLCT).

#### Viewpoint 2. View south east from A612 on the edge of Burton Joyce

#### Effects on visual amenity

The report quantifies the number of residential properties that are affected in a visual impact schedule contained in Appendix F5. Approximately 15 properties on Nottingham Road (A612) will have unrestricted views (some from upper floors) and approximately 50 will have partial views screened to differing degrees by vegetation. A photomontage is provided to illustrate the typical view, this is at 775 metres distant. The predicted impact to these properties with an unrestricted view is 'major' and 'significant'. The effect could be summarised as locally significant to approximately 65 residences. Residential receptors are accepted as being the most sensitive type of receptor (Reference Table 9.3) There are also impacts on travellers on A612 and users of the Nottingham – Newark railway line, road and rail users are less sensitive and effect on their visual amenity is 'major/moderate' and 'significant.'

The report states 'the turbine would form a new and prominent vertical feature in the middle ground of this view....' 'Movement of the blades would attract attention along this busy road and rail route.' which NCC agree with.

#### Effects on Landscape character

The predicted effect is 'major/moderate' and significant. A new characteristic would be introduced to the' Floodplain Valleys' RLCT.

#### Viewpoint 3. View north form Stanhope Crescent, Stoke Bardolph

#### Effects on visual amenity

The report quantifies the number of residential properties that are affected in a visual impact schedule contained in the Appendix. F5. Approximately 14 properties will have partial views of the development. A photomontage is provided to illustrate this view at a distance of 1.04 kilometres. The effect could be summarised as locally significant to approximately 14 residential receptors. Residential receptors are accepted as being the most sensitive (Reference Table 9.3) There will also be an impact on road users of adjacent roads.

The predicted impact is 'major' and 'significant', road users are less sensitive and effect on their visual amenity is 'major/moderate' and 'significant.'

The report states ' the turbine would form a new and prominent and the movement of the blades would attract attention contrasting with the more static qualities of the local area .' which NCC agree with.

#### Effects on landscape character

The predicted effect is 'major/moderate' and significant. A new characteristic would be introduced to the' Floodplain Valleys' RLCT.

#### Viewpoint 4. View east from A612 on the bridge crossing the railway

#### Effects on visual amenity

The report says that there will be views of the site from an 'A' road crossing the railway bridge and provides a photomontage to illustrate this view at a distance of 1.19 kilometres. Again this view could be summarised as being locally significant to traveller receptors on a major route. Traveller receptors are less sensitive than residential or recreational receptors (medium sensitivity Table 9.3).

The predicted effect is 'major/moderate to moderate' and significant.

The report states that the turbine '... would form a prominent vertical moving feature contrasting with the flat topography of the Trent Floodplain' .... 'The blade rotation would attract attention and introduce movement along this busy road and rail route.' which NCC agree with.

#### Effects on landscape character

The predicted effect is major/moderate and significant effect. A new characteristic would be introduced to the Floodplain Valleys' RLCT.

#### Viewpoint 5. View south from bridleway above Burton Joyce

#### Effects on visual amenity

The report says that there will be views of the site from this bridleway and provides a photomontage to illustrate the view at 2.21 kilometres. This could be summarised as locally significant to recreational receptors on a bridleway. Recreational receptors are of high sensitivity (Reference Table 9.3) as this activity is focussed on the landscape.

It should be noted that the date of the photomontage is November 2012 however the trees appear to be in full leaf, NCC would therefore add that the impact of the turbine will be more prominent in the winter months than as shown on the visualisation.

The predicted impact is 'major /moderate' and 'significant'. It is accepted that open views such as the one in the visualisation are intermittent along this route.

The report states 'The turbine would form a clearly noticeable, moving feature rising up from the valley below ... 'which NCC agree with.

#### Effects on landscape character

The predicted effect is 'moderate' and not significant. 'The visual composition to the south would change as a result of the introduction of the wind turbine...'

Viewpoint 6. View north from the Trent Valley Way long distance footpath, on edge of Radcliffe on Trent

#### Effects on visual amenity

The report says that there will be views of the site from this part of the long distance route and provides a photomontage to illustrate the view at 2.68 kilometres distant. This could be summarised as locally significant to recreational receptors on a long distance path. Recreational receptors are sensitive (Reference Table 9.3) as this activity is focussed on the landscape.

The predicted impact is 'major /moderate' and 'significant'. It is accepted that open views from this elevated section of route would be limited especially in summer.

The report states the turbine '...would form a prominent feature within the flat valley landscape and although blade movement would attract attention, it would be perceived in the context of movement in the greater landscape.' which NCC agree with.

#### Effects on landscape character

The predicted effect is 'moderate' and not significant. The visual composition to the north would change as a result of the introduction of this wind turbine when viewed from the Unwooded Vales RLCT.

### Viewpoint 7. View east from the Trent Valley Way long distance footpath, west of Newton

#### Effects on visual amenity

The report says that there will be views of the site from this part to the long distance route and provides a photomontage to illustrate the view at a distance of 3.52 kilometres. This could be summarised as locally significant to recreational receptors on a long distance path. Recreational receptors are sensitive (Reference Table 9.3) as this activity is focussed on the landscape. There will also be views from local roads which are less sensitive.

The predicted impact is 'major /moderate' and 'significant' for recreational users of the footpath and 'moderate' and 'not significant' for road users.

The report states 'The turbine would constitute a new large feature within the valley landscape, with blade movement clearly visible.' which NCC agree with, and would add that the turbine would be perceived in the context of movement in the greater landscape as viewpoint 6.

Nottinghamshire County Council would agree and add that as the site is now over kilometres from the proposed development the effects of distance will reduce the prominence of the structure and it will also form a smaller proportion of the total field of view.

#### Effects on landscape character

The predicted effect is 'moderate' and not significant. The visual composition to the west would change as a result of the introduction of this wind turbine when viewed from the Unwooded Vales RLCT.

#### Viewpoint 8. View south from Bridleway at Lambley Airfield

#### Effects on Visual amenity

The report says that there will be views of the site from this bridleway and provides a photomontage to illustrate this view from a distance of 4.06 Kilometres. This could be summarised as locally significant to recreational receptors on a bridleway. Recreational receptors are sensitive (Reference Table 9.3) as this activity is focussed on the landscape.

The predicted impact on recreational users on the bridleway is 'moderate' and not significant'. The predicted impact on users of the airfield is 'moderate/minor' and 'not significant.'

The report states 'The turbine would form a minor element in the view, with the buildings of the airstrip and other agricultural building forming more prominent features.'

Nottinghamshire County Council would agree and add that as the site is now over 4 kilometres from the proposed development the effects of distance will reduce the prominence of the structure and it will also form a smaller proportion of the total field of view.

#### Effects on landscape character

The predicted effect is 'minor' and not significant. The wind turbine would form a minor new visual element in the view when viewed from the Wooded Village Farmlands RLCT.

#### Viewpoint 9. View east from new residential development off Plains Road, Arnold

#### Effects on Visual amenity

A number of residential properties are being constructed at this site. A photomontage is provided to illustrate this view at a distance of 4.79 kilometres. Residential receptors are accepted as being the most sensitive (Reference Table 9.3).

The predicted impact on the residential development is moderate/and not significant.

The report states 'The turbine would form a minor element in the extensive view, and although blade movement would be visible, it would not attract undue attention among the other varied features at this distance.'

Nottinghamshire County Council would agree and add that as the site is now over 4 kilometres from the proposed development the effects of distance will reduce the prominence of the structure and it will also form a smaller proportion of the total field of view.

#### Effects on landscape character

The predicted effect is 'minor' and not significant. The wind turbine would form a minor new visual element in the view when viewed from the edge of the Wooded Farmlands RLCT.

#### Viewpoint 10. Trent Valley Way, south of Hoveringham

#### Effects on Visual amenity

The report says that there will be views of the site from this long distance footpath and provides a wire frame visualisation to illustrate this view at a distance of 6.72 kilometres. This could be summarised as locally significant to recreational receptors on a long distance footpath. Recreational receptors are sensitive (Reference Table 9.3) as this activity is focussed on the landscape.

The report states there is no visual impact on recreational users of the footpath, due to effect of screening tree cover from this view.

#### Effects on landscape character

There will be no effect on the landscape character as there is no view from this viewpoint.

#### Viewpoint 11. View south from main Road at Barnstone

#### Effects on Visual amenity

The report says that there will be views of the site from this road and from properties on the north west fringe of Barnstone and provides a wire frame visualisation to illustrate this view at a distance of 11.58 kilometres. This could be summarised as locally significant to vehicular receptors on local roads, vehicular receptors are less sensitive (Reference Table 9.3) than residential receptors.

The predicted impact on residents is moderate/minor and not significant, the predicted impact on vehicular users is minor and not significant.

The report states 'The rotating blades of the turbine would constitute a very minor feature, further filtered by hedges and tree cover."

Nottinghamshire County Council would agree and add that as the site is now over 11 kilometres from the proposed development the effects of distance will reduce the prominence of the structure and it will also form a smaller proportion of the total field of view.

#### Effects on landscape character

The predicted effect is 'minor' and not significant. The wind turbine would form a minor new visual element in the view when viewed from the Unwooded Vales RLCT.

#### Viewpoint 12. View west from bridleway at Beacon Hill, north of Bottesford

#### Effect on Visual amenity

The report says that there will be views of the site from this bridleway and provides a wire frame visualisation to illustrate this view at 17.02 kilometres. This could be summarised as locally significant to recreational receptors on a bridleway. Recreational receptors are sensitive (Reference Table 9.3 ) as this activity is focussed on the landscape.

The predicted impact on recreational users is moderate/minor and not significant.

The report states 'When visible the turbine would constitute a very minor, distant feature of the extensive view.'

Nottinghamshire County Council would agree and add that as the site is now over 17 kilometres from the proposed development the effects of distance will reduce the prominence of the structure and it will also form a smaller proportion of the total field of view.

#### Effect on landscape character

The predicted effect is 'minor' and not significant when viewed from the Unwooded Vales RLCT.

The landscape team consider the above visual assessment accurate and thorough with clear visualisations ( with the exception of Viewpoint 1 where we believe there is an error), nevertheless it demonstrates that there will be significant impacts on recreational users of the Trent Valley Way near to Stoke Bardolph village and on the edge of Radcliiffe on Trent and west of Newton, also on some residents on Nottingham Road, some residents of Stoke Bardolph village, rail and road travellers on the A612 particularly crossing over the railway bridge, and users of a bridleway to the north on the ridgeline.

#### Paragraphs 9.12.6.1 – 9.12.6.4

Based on the viewpoint analysis (Appendix F4) and the preparation of the Visual Impact Schedule of dwellings within 2 km (Appendix F5), paragraphs 9.12.6.1. Residents-Settlements, 9.12.6.2, Motorists and other road users 9.12.6.3 Railway Lines and 9.12.6.4 Recreation; summarises the extent of views of the proposed development.

The most important visual impacts are drawn out in these descriptions and this is used to determine the viewpoints from which more detailed analysis has been carried out. It is accepted for residential properties that none of these views is 'overwhelming and unavoidable.'

#### Residential properties within 2km

Ferry Boat Inn public house, Stoke Bardolph 43-48 Stoke Lane plus detached dwelling Lowes Farmhouse Stoke Bardolph village Outlying dwellings along Stoke Lane between Stoke Bardolph and junction with A612 Edge of Burton Joyce mainly at the point where Nottingham Road leaves the village envelope beyond Millfield Close From the edges of Shelford

#### Roads

A612 from junction of Millfield Close and Nottingham Road and Colwick Loop Road

#### Railway Lines

Nottingham – Newark – between A612 bridge until Burton Joyce station

#### Local Sporting venues

Poplars Sport Ground
Gedling Football Club
Carlton Tow Football Club

#### Recreational routes

Sections of the Trent Valley Way
Local PROW network between Radcliffe on Trent and Bulcote

#### 9.13 Cumulative Landscape and Visual Assessment - Appendix F6

The report and its appendices consider cumulative assessment in terms of two situations:-

- Where more than one turbine development will be seen at different points in the landscape from a fixed viewpoint. In order to analyse this 6 viewpoints have been considered which represent views from the Public Rights of Way network and local roads and railway lines.
- 2. Whether there is an increase in the incidence of sequential views as a result of the development on the Public Rights of Way network, and local road and rail routes. The report considers firstly operating and consented turbine sites, and then all proposed sites some which may not achieve planning consent.

#### 1. Views of more than one turbine

## Viewpoint 7. View east from the Trent Valley Way long distance footpath, west of Newton

The conclusion of this assessment is that there may be some moderate cumulative effects for some Stoke Bardolph residents as a result of the combined view of the Stoke Bardolph turbine and 3 separate single turbine developments between 6 and 11 km distance, 2 on the ridgeline at 6 - 7 km distance. There may also be some moderate cumulative effects for some recreational receptors as a result of the combined view of

the Stoke Bardolph turbine and the East Bridgford turbine and turbines on the skyline at Nottingham Trent University.

#### Viewpoint 8. View south from Bridleway at Lambley Airfield

The conclusion of this assessment is that there may be some moderate cumulative effects from Lambley airfield as a result of the combined view of the Stoke Bardolph turbine and other separate single turbine developments between 6 and 13 kms away. There may also be some moderate cumulative effects for some recreational receptors as a result of the combined view of the Stoke Bardolph turbine and the East Bridgford turbine.

#### Viewpoint 10. Trent Valley Way, south of Hoveringham

The conclusion of this assessment is that there will be no cumulative effects as the Stoke Bardolph turbine is not visible at this point so there can be no combined effects.

#### Viewpoint 11. View south from main Road at Barnstone

The conclusion of this assessment is that there will be no cumulative effects as a result of the combined view of the Stoke Bardolph turbine and other separate single turbine developments and there will be no cumulative effects as a result of the combined view of the Stoke Bardolph turbine and the East Bridgford turbine.

#### Viewpoint 12. View west from bridleway at Beacon Hill, north of Bottesford

The conclusion of this assessment is that there will be no cumulative effects as a result of the combined view of the Stoke Bardolph turbine and other separate single turbine developments and there will be no cumulative effect as a result of the combined view of the Stoke Bardolph turbine and the Hawton and East Bridgford turbine.

#### **Viewpoint 13. View from East Bridgford Road, Newton**

The conclusion of this assessment is that there will be no cumulative effects as a result of the combined view of the Stoke Bardolph turbine and other separate turbine developments and there will be no cumulative effect as a result of the combined view of the Stoke Bardolph turbine and the Grove Farm and East Bridgford turbine.

#### 2. Possible sequential views of turbines

#### Landscape character

The report concludes that there will be some coalescence of landscape character sub types within the Trent Valley if all the turbine developments achieve planning approval and the Stoke Bardolph proposal will not make this situation worse. NCC would disagree with this as the Stoke Bardolph turbine will surely contribute to this coalescence.

#### MLA

The report concludes that there will be some significant cumulative effects on limited parts of the MLA between Burton Joyce and Arnold.

#### Residents

Burton Joyce – A limited number of properties on high ground will have views of the Stoke Bardolph and East Bridgford turbine from different parts of the same house and there would be a significant cumulative effect on their amenity.

Stoke Bardolph - A limited number of properties will have views of the Stoke Bardolph and East Bridgford turbine from different parts of the same house. A limited number of properties will have views of the Stoke Bardolph and Grove Farm turbine from different parts of the same house, and for both of these situations there would be a significant cumulative effect on their amenity.

Shelford – A limited number of properties will have views of the Stoke Bardolph and East Bridgford turbine from the same viewpoint in house or garden. A limited number of properties will have views of the Stoke Bardolph and Grove Farm turbines from same viewpoint in house or garden, and for both of these situations there would be a significant cumulative effect on their amenity.

Carlton – There will be potential views of Stoke Bardolph and East Bridgford turbine (7km north east) from same viewpoint in house or garden.

#### Roads

A46 – The report concludes that there would be some sequential effects above the baseline situation, the Stoke Bardolph turbine would reinforce these sequential effects but not add to the extent of them.

A52 – The report concludes that there would be some sequential effects above the baseline situation, the Stoke Bardolph turbine would reinforce these sequential effects but not add to the extent of them.

A612 – The report concludes that there will be an increase in sequential cumulative effects on users as a result of Stoke Bardolph turbine.

Minor roads – The report concludes that there would be significant sequential cumulative effects on users of the minor roads within 2 - 4 km of the Stoke Bardolph turbine.

Rail – The report concludes that there will be an increase in significant cumulative effects as a result of Stoke Bardolph turbine.

Recreational facilities – Holme Pierrepont Country Park -The report concludes that there will be an increase in significant cumulative effects as a result of Stoke Bardolph turbine on a very small are of the park.

Trent Valley Way – The report concludes that there will be an increase in significant sequential cumulative effects as a result of Stoke Bardolph turbine on parts of this route

Public Rights of Way network –The report concludes that there will be an increase in potential significant cumulative effects as a result of Stoke Bardolph turbine on this network.

The report concludes that significant cumulative landscape and visual impact would be localised in extent and limited given the size of the single turbine proposal, this is accepted but this impact could be up to 11 kilometres from the site (this is based on the furthest turbine with which there is likely to be inter-visibility – Proposed Nottingham Trent University being 11 kilometres from the site.)

Comment on Paragraph 9.1 Summary and Paragraph 9.14 Conclusions

The Nottinghamshire County Council comments on these sections of the document are summarised in the conclusions section below.

#### **Planning Statement**

No comments, all key issues contained in this document have been discussed with reference to the Landscape and Visual impact assessment above. The comments discussed (section 4.2.1.1 relating to Policy ENV5) were contained in the previous committee report and were written by Gedling Borough Council The comments provided by Nottinghamshire County Council on Landscape and Visual Impact must be balanced against long term benefits in terms of production of renewable energy and reduction in greenhouse gas emissions.

#### **Design and Access Statement**

Section 5 of the document - Detailed Turbine Design – discusses how the approval of the Woodborough Park turbine 6-7 km to the north west of the Stoke Bardolph site at a height of 67 metres should be taken into consideration in informing this application. It is in the same national character area and is also in the Green belt. This application was determined at a district council level therefore it is not known what factors were taken into account in this decision and therefore it is not discussed here.

#### Conclusion

To summarise the conclusions of the report the turbine has a 'significant visual impact' within a localised area on a specified number of residential receptors, traveller receptors over a limited distance on an 'A' road, and recreational receptors on a long distance footpath and the immediate Public Rights of Way network. The effects on visual amenity are major to major/moderate for these receptors, and Nottinghamshire County Council would add "are major to major/moderate adverse", which is the highest end of the scale of impact. Nottinghamshire County Council accept that these visual impacts are contained by the ridgelines that bound the Trent but nevertheless localised impact extends from this point up and down the valley for a distance of up to 3.5 kilometres.

The physical impact of the proposals is minimal and has been quantified by the applicant and is further reduced by the mitigation proposals described.

The impact on the character is as described in the LVIA document as adding 'a new characteristic' to the surrounding Policy Zone of the Trent Washlands Landscape Character Area (County Level) which Nottinghamshire County Council would agree with. At a wider scale of 1.5 – 2 kilometres, new landscape regional landscape subtypes will be developed – 'Floodplain Valleys with Wind Turbine' and 'Wooded Village Farmlands with Wind Turbine' This would have a significant effect on localised parts of the landscape character of these sub types, which we would also agree with.

There would be limited but significant effects on a small part of the Lambley and Burton Joyce MLA at its southern extension, to the area above and surrounding Gedling House.

There would be limited but significant effects on a small part of the Bulcote Conservation area both from important views out of the village and from residences on the fringe of the CA.

It is accepted by NCC that there are likely to be limited points on the ridgelines where the proposals can be viewed but these include those shown from Viewpoint for viewpoint 5.

The cumulative impacts have been described from both fixed points and where sequential visual impacts are possible. Cumulative impacts are possible from limited areas which include from the village of Stoke Bardolph for some residents (Viewpoint 7), and from the Trent Valley Way west of Newton (Viewpoint 7) and from a bridleway at Lambley airfield (Viewpoint 8). Sequential cumulative impacts are possible from limited properties in Burton Joyce, Stoke Bardolph and Shelford, as well as the local road network including the A612, the Newark – Nottingham railway line and the public rights of way network including the Trent Valley Way. This cumulative assessment assumes that all currently planned turbines will go ahead which is not necessarily the case.

Nottinghamshire County Council agrees that the visual impact of the proposals is 'significant' over a localised area, in our opinion from 7 of the 12 viewpoints within 3.5 kilometres of the site, as also stated in the LVIA report. Although the scale of turbine has been reduced and the number has reduced to a single structure we do not think that this is sufficient to reduce the visual impacts to an acceptable level and consider that this constitutes 'harm' to the visual amenity. On the grounds of impact on visual amenity Nottinghamshire County Council do not support this application. However this conclusion must be balanced against all other issues to be considered by Gedling Borough Council as part of the application including long term benefits in terms of production of renewable energy and reduction in greenhouse gas emissions.

#### **Appendix 3 – Detailed Ecology Comments**

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. The planning application is supported by an Environmental Report (dated November 2012), which includes chapters on Ecology and Ornithology. Having reviewed these chapters, the following key issues are identified in relation to nature conservation:

#### 1. Phase 1 Survey

An updated Phase 1 Habitat Survey of the site has been completed, which was undertaken in April 2012. However, it would appear that the area covered by this survey does not contain the location of the proposed turbine (which is to be located in the field to the west of the surveyed area), presumably because an alternative location was being pursued at the time that the survey was commissioned. This has a knock-on effect in some of the other surveys, where the survey area has been based on the Phase 1 survey area. On this basis, it is suggested that Gedling Borough Council seek further information form the applicant which updates the relevant surveys in light of the currently proposed location of the turbine.

#### 2. Bats

A range of survey data was collected in relation to bats in 2009 to support the previous application for two wind turbines at this site. These surveys have been updated with transect surveys and remote monitoring carried out in 2012. It should be noted that the level of survey effort expended does not appear to match the Minimum Survey Standards as detailed in Table 2 of the 2<sup>nd</sup> edition of the Bat Conservation Trust's "Good Practice Guidelines – surveying for onshore wind farms". It is stated that at the time of the 2009 surveys, the site was considered to be of 'moderate' (i.e. medium) risk in relation to bats, yet the level of survey carried out in 2012 is equivalent to that required for a low risk site. It is assumed that following the results of the surveys from 2009 the risk category of the site was downgraded from medium to low, but this is not made clear. It is therefore suggested that Gedling Borough Council seek justification from the applicant on this matter.

In terms of assessing the impacts of the proposal on bats, one point requires clarifying: it is stated that there will be a low risk of harming or disturbing any bats foraging within or commuting through the site, and that based on the turbine specification and Natural England's current guidelines, a minimum stand-off distance of 70.4m is required to minimise the risk of bats being adversely affected by the operation of the turbine. It is then stated that as a stand-off of 80m has been implemented, the risk of bats being adversely affected either directly (collision) or indirectly (barotrauma or disturbance of habitats) is considered to be low. However, this 80m stand-off does not relate to the current location of the turbine (as identified in point 1 above). It is therefore essential that confirmation is sought that the current turbine location is at least 70.4m from the nearest boundary feature that could be used by foraging bats. In addition, any condition relating to micro-siting should ensure that this stand-off is maintained.

#### 3. Birds

As with bats, a range of survey data was collected in relation to birds in 2009 to support the previous application for two wind turbines at this site. These surveys have been updated with a Breeding Bird Survey and vantage point surveys carried out in 2012. It should be noted that the level of survey effort expended does not appear to match the current guidelines as set out in Natural England's Technical Information Note TIN069 – "Assessing the effects of onshore wind farms on birds", which states that bird data should be collected for at least one year and that vantage point surveys should amount to 36 hours of survey per season. In this case, vantage point surveys were completed between April and September 2012 (i.e. across spring, summer and early autumn), and amounted to 45 hours in total. As with bats, it may be that the level of survey effort has been adjusted in light of the results of the 2009 surveys, but this is not made clear. However, given that sites along the Trent host wintering waterfowl species, it is concerning that this period was not covered in the 2012 vantage point surveys - especially as 'high' collision rates were recorded for golden plover (and wintering lapwing) based upon collision risk analysis of the 2009 data. It is therefore suggested that Gedling Borough Council seek justification from the applicant on this matter.

#### 4. Mitigation

A range of mitigation measures are proposed in relation to habitats, bats, birds and other species present on the site or in the immediate area (otters, reptiles and badgers). These measures are outlined in section 5.10 of the Ecology chapter, section 6.7 of the Ornithology chapter, and section 5.6.10 of the confidential badger report.

The applicant proposes that an Environmental Management Plan will be produced prior to the commencement of the development, and that this will include ecological mitigation measures (as above) and post-construction monitoring. The production and implementation of such an Environmental Management Plan should be made a condition of any permission granted. In relation to the proposed areas of habitat creation, this should include details of species/seed mixes, establishment methods and maintenance regimes.

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 4 – Detailed Archaeological Comments**

The Stoke Bardolph Turbine proposal is relatively straightforward from an archaeological viewpoint. I have referred back to the archaeological report which was submitted by Oxford Archaeological Associates for the previous application for two turbines, as well as reading the material submitted by Woodhall Planning and Conservation. I have also visited the site with two colleagues from English Heritage, where we considered both the setting issues and the information submitted in respect of buried archaeological remains. I will restrict my comments to the buried archaeological potential.

In this location, close to the current course of the River Trent, I would automatically suspect that there could be significant buried archaeological remains at variable depths, and relating to earlier courses of the Trent and attendant human activity. Such archaeology can be both difficult to locate, and highly significant as organic remains, both of artefacts and environmental remains such as plant, pollen and faunal assemblages can survive in the waterlogged conditions associated with riverine environments.

However, we are fortunate to have the observations of the OAA watching brief report on the previous geotechnical works, which identified that such deposits are unlikely to survive to a depth of over 3m. The OAA report also points out the damage to higher archaeological remains which might have been expected to survive here from activities associated with the STW, such as slurry spreading. From my own experience of this area, in particu0lar associated with the construction of the A612 Colwick Bypass, the survival of archaeological remains was patchy and unpredictable; some were protected by levels of alluviation and colluviation, in other places features were demonstrably truncated into non-existence.

I therefore concur with the view of OAA and Woodhall, that overall the archaeological potential is low, but that it is not completely negligible. I therefore recommend that if planning permission is granted, this should be conditional upon a programme of archaeological monitoring of all groundworks, with appropriate provisions to secure appropriate levels of investigation, recording and sampling and analysis of relevant features, finds and environmental deposits. A condition such as the following may be appropriate;

- "No development shall take place within the application site until details of a scheme for archaeological mitigation has been submitted to and approved in writing by the LPA."
- "Thereafter the scheme shall be implemented in full accordance with the approved details.""

This scheme should be drawn up and implemented by a professional archaeologist or archaeological organisation. I will be happy to advise on the nature and extent of such a scheme, or to provide further advice or comment as required.



# Report to Environment and Sustainability

18<sup>th</sup> April 2013

Agenda Item: 5

# REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES

STRATEGIC PLANNING OBSERVATIONS ON A MIXED USE DEVELOPMENT AT THE FORMER STANTON IRONWORKS, STANTON BY DALE

### **Purpose of the Report**

1. To seek Committee approval for comments set out in this report to be sent to Erewash Borough Council (EBC) in response to the request for strategic planning observations on the above planning application for a mixed use development at the former Stanton Ironworks Site, Stanton By Dale.

#### Information and Advice

- 2. Erewash Borough Council received an outline planning application from Saint Gobain PAM UK Ltd on the 7<sup>th</sup> February 2013 for the redevelopment of the former Stanton Ironworks site. The proposed scheme is for a major mixed-use development to include 1,950 residential units, a neighbourhood centre and employment uses. A site plan is provided at Appendix 1.
- 3. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Erewash Borough Council in their role as determining planning authority for this application.
- 4. 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.

#### Description of the Proposal

- 5. The proposed development would consist of a mixed use neighbourhood centre and comprise the following built elements:
  - 1,950 residential dwellings;
  - 150 bed accommodation for the elderly;

- Up to 20,000m² B1 Employment Uses;
- Up to 50,000m2 B2 & B8 Employment Uses;
- Up to 2,787m² (gross) A1 food retail;
- Up to 1,275m² (gross) A1 non-food retail;
- Up to 1,672m² (gross) A3/4/5 Uses;
- One 420 pupil Primary School;
- GP/Health Centre;
- Up to 30ha of formal and informal Open Space and allotments;
- Community Plaza; and
- Associated infrastructure, landscaping and car parking.
- 6. It should be noted that alongside this planning application the applicants submitted a separate planning application to Derbyshire County Council, for the retention and restoration of the former Grove Farm Tip (Ref: CW8/112/94).

#### Planning Policy Context

#### National Planning Policy Framework (NPPF)

- 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 that it includes 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 dependant on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
- 10. The Government is committed to securing economic growth, with the planning system encouraging sustainable growth, as set out in paragraphs 18 and 19 of the NPPF.
- 11. With regards to the provision of new retail uses, the NPPF identifies a hierarchy for the location of main town centre uses which refers to; town centres first, then edge of centre locations and only to be located in out of centres locations if there are no suitable sites available. There is also a preference for accessible sites that are well connected with regards to those applications for edge and out of centre locations.

- 12. Where main town centre uses are proposed outside of an existing centre and not in accordance with an up to date Local Plan, a sequential test would be applied to the development, as set out in paragraph 24 of the NPPF. This sequential assessment would need to demonstrate that there are no suitable sites within a main town centre or in an edge of centre location, to justify an out of centre site. The NPPF does recognise that larger residential development sites may need to make provision for their own local shops and employment areas.
- 13. 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".

#### East Midlands Regional Plan (RS)

14. On the 6<sup>th</sup> July 2010 the Secretary of State announced the revocation of Regional Strategies. On the 20<sup>th</sup> March 2013 the Secretary of State laid in Parliament a statutory instrument to revoke the Regional Strategy for the East Midlands. This came into force on 12<sup>th</sup> April 2013 as such the East Midlands Regional Plan no longer forms part of the Development Plan.

#### Erewash Local Plan

- 15. The Erewash Borough Local Plan was adopted in July 2005. Key policies of the Local Plan were saved and now form the Saved Policies Document (July 2008) which provides policy guidance from July 2008.
- 16. The Application Site is currently allocated for 'industrial and business development' in the adopted Erewash Local Plan. Policy E2 deals with proposals bringing forward alternative development on sites of existing employment uses. It identifies 4 policy tests where proposals for alternative development would need to demonstrate the following:
  - 1. The proposal will not prejudice the development potential of land identified for industrial and business purposes;
  - 2. The proposal will not result in redevelopment for retail purposes, unless all relevant criteria in proposals S1, S2 and S3 are met;
  - 3. It can be demonstrated that an alternative use would result in the substantial relief of any serious environmental problems associated with the existing use of

the site;

4. In respect of vacant sites, it can be demonstrated that the premises are no longer

capable of providing an acceptable standard of accommodation for industrial or

business purposes.'

- 17. The regeneration of Stanton Ironworks is supported under Policy E4 of the Saved Policies of the Erewash Local Plan, which seeks to retain employment generating uses (Class B1, B2 and B8) and also improve infrastructure, landscaping, accessibility and high quality design and energy efficiency.
- 18. The provision of mixed use development is also supported through Policy E6, subject to the Erewash Borough Council being satisfied that the uses proposed are compatible with regard to noise, hours of work, accessibility parking, emission of fumes, smell or dust, vibration and other environment considerations. The policy highlights that high quality design would be sought, with full regard being given to landscape, materials, scale and particularly the interface between the uses.
- 19. The application site comprises a former Ironworks, with part of the site being vacant and derelict Brownfield land. Thus, there is support through Policy H1 for new housing development within the urban framework of Ilkeston, Long Eaton and Sandiacre subject to it comprising:

"infilling, conversion, small – scale development, the use of neglected, derelict or under used land or redevelopment of land or premises subject to meeting the requirements of the other policies, particularly policies H12, E2, DC1 and DC9".

- 20. Policy S6 provides the policy test for the provision of local shops located outside of a defined shopping centre, and within the confines of settlements. The provision of individual shops or small groups of shops (Use Class A1) to meet the needs of the local community, will be permitted subject to the following criteria are met.
  - 1. "The development is accessible by public transport or has good links to an existing

residential area;

2. The traffic generated by the development can be accommodated on the local

road network;

- The scale and design of the development will fit in with its surroundings and will
  - not harm residential amenity:
- 4. Adequate parking and servicing is available".

#### Erewash Core Strategy

21. Erewash Borough Council recently submitted their Core Strategy to the Planning Inspectorate. The redevelopment of Stanton continues to be a regeneration opportunity within Erewash's emerging Core Strategy, with particular reference to the Ilkeston urban area (Draft Policy 7). The provision of a mixed use neighbourhood development is supported through Draft Policy 20, which refers specifically to the Stanton Regeneration Site identifying the provision of approximately 2,000 new homes, a high quality business park (approx. 10ha), employment land (approx. 10ha), a centre of neighbourhood importance, and a strategic area of green infrastructure.

## Strategic Planning Issues

#### Transport

- 22. Due to the scale of the development and the complexity of the Transport Assessment and associated traffic modelling NCC are only able to provide initial comments on the planning application at this stage.
- 23. The site and its access arrangements are contained wholly within the Derbyshire District of Erewash Borough Council. Consequently, it is only necessary for Nottinghamshire County Council to consider the traffic impact of the development on the Nottinghamshire road network. It will be for Derbyshire County Council to consider the suitability of the internal highway layout and connections to the existing road network as well as the wider traffic impact within Derbyshire. The Highways Agency (HA) will be responsible of considering the impact of the proposed development on the Strategic Highway Network particularly the A52 trunk road and the M1 motorway.
- 24. The Transport Assessment has identified three junctions within the Nottinghamshire County road network for capacity improvement. These are the A609/A6007 (Festival Inn) Trowell, proposed for conversion to traffic signals, the A6007 Ilkeston Road/Pasture Road a mini roundabout proposed additional designation left turn lane, and the A6002 Coventry Lane/A6007 Ilkeston Road/Hickings Lane proposed for the conversion to traffic signals.

#### Retail

- 25. The applicants have submitted a planning statement that states at paragraph 5.42,
  - "...the assessment has identified that the retail element is vitally important to meet the location needs of a new planned community. Furthermore, the scale of retail proposed is found to be appropriate as it will not result in having an adverse impact on the vitality and viability of any existing centre".
- 26. It is considered that the proposed development would not impact upon the vitality and viability of existing town centres, however, it would be advisable to obtain an independent assessment of the applicant's retail study.

#### Ecology

27. This development is located entirely within Derbyshire, and as such no direct impact on ecological receptors in Nottinghamshire will occur; it assumed that potential impacts on ecological receptors at the site will be examined by Derbyshire-based organisations that have ecological expertise, such as Derbyshire Wildlife Trust. Nevertheless, the nearest Local Wildlife Site in Notts, Moorbridge Lane Wetland North (SINC 5/861) lies around 220m east of the nearest part of the proposed development, and there is the potential for indirect impacts (such as through noise or disturbance) on this site and other ecological receptors in Nottinghamshire. As a result, the LPA should satisfy themselves that any such potential cross-boundary indirect impacts have been identified and assessed as part the ES, although given the physical separation of the development site (including by the M1), such indirect impacts appear unlikely.

## Landscape and Visual Impact

- 28. In general the methodology of the Assessment submitted follows best practice, however, the assessment of landscape character impact does not refer to the East Midlands Regional Landscape Character Assessment (EMRLCA) published by Natural England.
- 29. Comments are limited to the visual impact of the proposed development on key receptors identified in Nottinghamshire and to the degree of visual impact on identified viewpoints in Nottinghamshire.
- 30. The Landscape and Visual Impact Assessment submitted with the Planning Application does not provide a complete list of viewpoints in text and does not cross-refer to viewpoints in the description. Nottinghamshire County Council would expect to see a summary table of the visual impacts at the 20 viewpoints at year 1 (after the opening of the development) and at year 15. This is currently not included and should be added. The report also considers impacts after 25 years rather than 15 years as is the normal practice.
- 31. The submitted Landscape and Visual Impact Assessment concludes that there are no significant impacts (greater than moderate adverse visual impacts) as a result of the proposed development on Nottinghamshire's footpaths and residential properties. Nottinghamshire County Council accepts these conclusions, however, there appears to be no viewpoints in Nottinghamshire within the M1 motorway corridor and as such Nottinghamshire County Council request that a viewpoint in this corridor is included to provide a consideration of traveller receptors.
- 32. Detailed comments on Landscape are contained at Appendix 2.

#### Archaeology

33. The Archaeology report submitted with the Planning Application appears to assume that some types of later development will have removed traces of earlier developments. In reality it is only the relatively recent past that ground levels for new development are likely to have been thoroughly reduced so as to remove earlier remains.

- 34. Nottinghamshire County Council would strongly recommend that allowance be made to test, before or during development, the large areas of the site which have been excluded from consideration in the report with provisions to ensure appropriate recording can take place where required.
- 35. Detailed comments on Archaeology are contained at Appendix 3

#### **Overall Conclusions**

- 36. There are concerns relating to the impact of the proposed development on Nottinghamshire's highway network.
- 37. It is considered that the proposed development would not impact upon the vitality and viability of existing town centres, however, it would be advisable to obtain an independent assessment of the applicant's retail study.
- 38. No direct impact on ecological receptors in Nottinghamshire will occur, as a result of the proposed development.
- 39. There are no significant visual impacts on viewpoints in Nottinghamshire, however, an additional viewpoint from Nottinghamshire's M1 corridor should be included to consider traveller receptors.
- 40. There are concerns that the archaeological report fails to address large parts of the site and allowances to test these areas prior or during development should be included.

# **Other Options Considered**

41. 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/s for Recommendation/s

- 42. It is recommended that the development is supported in principle as it is recognised that significant weight is given to economic, regeneration and housing development at a National and strategic planning level.
- 43. There are concerns over the potential impact of the proposal on the highway network of Nottinghamshire and the visual impact from traveller receptors on the M1 motorway corridor. These concerns can not be addressed until further work has been undertaken satisfactorily and relevant information has been provided by the applicants to address these concerns.
- 44. There are concerns over the applicants submitted archaeology report which excludes large parts of the site. A condition is requested, if planning permission is granted to ensure that provisions are in place to appropriately record any findings either prior to, or during the development.

# **Statutory and Policy Implications**

45. 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**

46. There are no direct financial implications.

# Implications for Sustainability and the Environment

47. There are no direct implications for Sustainability and the Environment

# **RECOMMENDATION/S**

- 1) That Erewash Borough Council be advised that the principle of such development on the former Stanton Ironworks in terms of strategic and National economic and regeneration policies is supported by Nottinghamshire County Council, subject to the concerns regarding the potential impact of the proposal on the highway network in Nottinghamshire and concerns relating to the visual impact from traveller receptors on the M1 motorway corridor. These concerns can not be addressed until further work has been undertaken satisfactorily and relevant information has been provided by the applicants, this will need to be addressed to enable Nottinghamshire County Council to make an informed decision on the proposed development in relation to its potential highway network impacts and the potential visual impacts.
- 2) That if Erewash Borough Council are minded to grant planning permission a condition is requested to ensure that the developer to undertake archaeological testing of the large areas of the site (not identified in the submitted archaeological report) prior to or during development.

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, ext 73793

**Constitutional Comments (SHB. 19.01.13)** 

48. Committee have power to decide the Recommendation

Financial Comments (DJK 21.03.2013)

49. The contents of this report are duly noted; there are no financial implications.

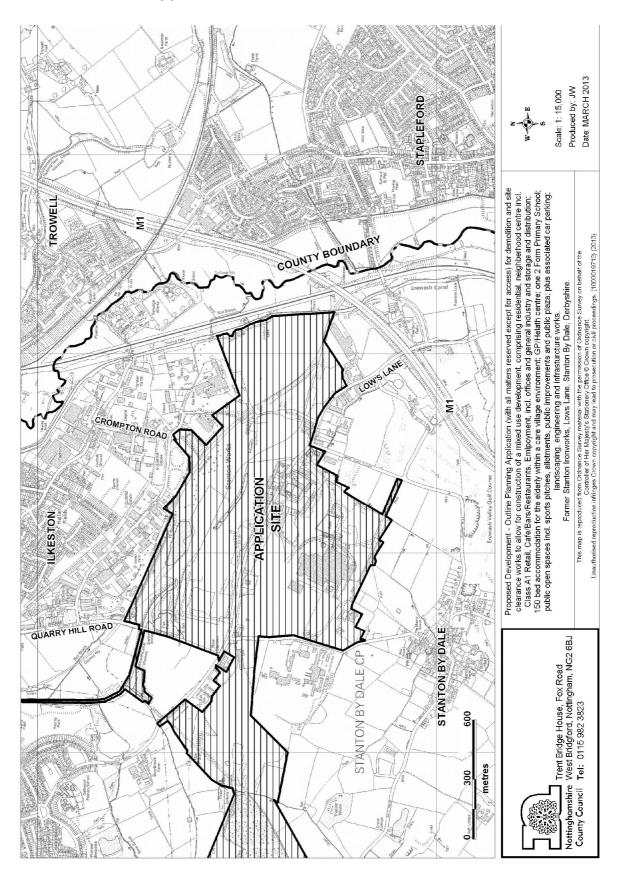
## **Background Papers and Published Documents**

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**

Sutton in Ashfield – Councillor Fiona Asbury
Kirkby in Ashfield North - Councillor John Knight
Kirkby in Ashfield South – Councillor Rachel Madden
Selston – Councillor Gail Turner
Beauvale – Councillor David Taylor
Eastwood – Councillor Keith Longdon
Kimberley and Trowell – Councillor Ken Rigby
Beeston North – Councillor Steve Carr
Soar Valley – Councillor Lynn Sykes
Bramcote and Stapleford - Councillor Stan Heptinsall
Chilwell and Toton – Councillor John Doddy
Beeston and Attenborough – Councillor Eric Kerry

# Appendix 1 - Site Location Plan



### **Appendix 2 – Detailed Landscape Comments**

Thank you for asking the landscape team to comment on the above application. These are the comments of the landscape team only and separate comments will be provided on noise issues. The Landscape Team have considered the following documents in order to make these comments:-

**Environmental Statement** -Part 2 Section 5 Landscape and Visual Impact Assessment - Alliance Planning November 2012 and associated Figures, Photographs and Appendices as shown below.

Appendix 5.1 Landscape and Visual Figures

Appendix 5.2 Site Appraisal

Appendix 5.3 Visual Appraisal Methodology

Appendix 5.4 Countryside Character Details

Appendix 5.5 Visual Effects table

Appendix 5.6 Pre development tree condition survey at New Stanton

**Environmental Statement** – Non Technical Summary- Alliance Planning November 2012

**Methodology for Landscape and Visual Impact Assessment** - reference 026104 November 2012

**Planning Statement –** Alliance Planning – November 2012

**Design and Access Statement-** Barton Wilmore – November 2012

Documents referred to for information purposes only

**Development Specification –** Alliance Planning- November 2012

**Site Management Plan -** Alliance Planning- November 2012 **Comments** 

Environmental Statement - Part 2 Section 5 Landscape and Visual Impact Assessment - Alliance Planning November 2012 and associated Figures, Photographs and Appendices

In general the methodology of the Landscape and Visual Impact Assessment follows best practice and refers to the existing guidance contained in 'Guidelines for Landscape and Visual Impact Assessment', 2<sup>nd</sup> edition 2002, published by the Landscape Institute of Environmental Management and Assessment. The assessment of landscape character impact refers to the correct documents at National and County Level, it does not however refer to the East Midlands Regional Landscape Character Assessment (EMRLCA) published by Natural England which would be expected, however this is not essential.

The proposed site is located in Derbyshire, in the Erewash District, the Landscape Team have therefore limited the comments to the visual impact of the development on key receptors identified in Nottinghamshire, and to the degree of visual impact on identified viewpoints in Nottinghamshire. A full review of the landscape and visual impact assessment will have been provided by Derbyshire County Council.

There are 5 viewpoints in Nottinghamshire

Viewpoint 11 – PROW Trowell Footpath, looking southwest

Viewpoint 14 – Trowell Park Drive, within Trowell Estate looking west

Viewpoint 17 – View taken from open space adjacent to Field Farm looking west

Viewpoint 18 – View taken from the top of Stapleford Hill, looking west

Viewpoint 20 – View taken from (Stapleford) High Street looking northwest

The LVIA report is slightly confusing in that it does not cross refer to these viewpoints in the text but rather groups the viewpoints and the conclusions of Appendix 5:. Visual Effects Table, together. It gives a summary of the visual impact of the proposed development in paragraphs 5.173 - 5.191. The summary of the visual impacts would be clearer if a tabulated summary was also included in either the LVIA document or as an appendix. This should be set out in the same format as Table 5.2 Significance of Effects on site features, and should be called Significance of Effects on viewpoints 1 – 20 (or similar). The table should include visual impacts at each of the viewpoints at Year 1 after the opening of the development, and at a point where the green infrastructure of the site is beginning to mature. The report considers impacts at year 25 rather than year 15 as is the normal procedure, but this is accepted.

However, despite the above comment, it appears that there are no significant visual impacts (ie: greater than moderate adverse visual impacts) as result of the proposed development on footpaths, and residential properties in Nottinghamshire, which the landscape team would agree with. However It is noted that there are no viewpoints in Nottinghamshire with in the M1 motorway corridor – we would expect a consideration of traveller receptors to be included in the visual assessment. Although these are not as sensitive as residential receptors, the motorway is the closest point to the proposed site from which significant views may be obtained in Nottinghamshire. A viewpoint in this corridor should be included by the applicant.

The report identifies 3 open views from residential properties and listed buildings in Nottinghamshire. R24 Swancar Farm (residential), R25 Properties at Mayfield Drive and Longden Close Stapleford (residential) and LB14 Trowell Hall (Listed Building)

**Environmental Statement** – Non Technical Summary- Alliance Planning November 2012

As detailed above, the Landscape team agree with the conclusions of the LVIA presented in the Non-Technical Summary but a table showing the impacts on the individual viewpoints included within the LVIA would aid overall clarity.

# Methodology for Landscape and Visual Impact Assessment - reference 026104 November 2012 - Paragraphs 2.2 - 2.20

No comments, this is accepted as a standard methodology for carrying out a landscape and visual impact assessment as detailed above.

**Planning Statement –** Alliance Planning – November 2012

Landscape and ecological character paragraphs 2.17 – 2,20 No comments Landscape strategy paragraphs 6.9 -6.13 No comments

## **Design and Access Statement-** Barton Wilmore

No comments, this is largely concerned with the design of the green infrastructure proposals for the site which will have been commented on in more detail by Derbyshire County Council.

#### Conclusions

To summarise the proposed development will not have a significant visual impact on viewpoints in Nottinghamshire and there will be an open view of the proposed site beyond the motorway corridor from one Listed building and 2 groups of residential properties in Nottinghamshire. For clarity the LVIA document should include additional tabulated information to summarise the visual impacts on each of the 20 identified viewpoints. A viewpoint from the M1 motorway corridor in Nottingham should also be added to the LVIA document.

Please contact me should you have any additional queries about the above comments.

Helen Jones Landscape Architect

### Appendix 3 - Detailed Archaeology Comments

From: Ursilla Spence Sent: 22 March 2013 11:59

To: Nina Wilson

Subject: RE: Proposed development at Stanton Ironworks - ERE/0213/0001

Dear Nina,

I have read the archaeological report submitted in respect of the application with great interest. These sites which have a very long history of industrial development are amongst the most difficult to assess in terms of the archaeological mitigation and investigation they require. The report submitted seems very through, and from that point of view it looks a good piece of work. However, I did note that there seemed to be a willingness to assume that some types of later development will have removed traces of earlier. In reality, it is only in the relatively recent past that ground levels for new development are likely to have been thoroughly reduced so as to remove earlier remains. Before WWII, spoil heaps, new buildings, and all sorts of significant development will have taken place without topsoil stripping, for example. I have experience of spoil heaps completely encompassing well preserved standing buildings - one example not too far from this site. I was not completely convinced that some large areas of the site, which were excluded from consideration, really would have negligible archaeological interest, and I would strongly recommend that allowance be made to test these areas before or during development with provisions to ensure appropriate recording can take place where warranted. This is not directly affecting Nottinghamshire's archaeological resource, other than through the potential of providing a precedent in the treatment of industrial archaeology on complex and major redevelopment sites.

Ursilla Spence Senior Practitioner, Archaeology



# Report to Environment and Sustainability Committee

18 April 2013

Agenda Item: 6

# REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES

#### STRATEGIC PLANNING OBSERVATIONS

# **Purpose of the Report**

 To provide a summary of the current status of planning consultations received, and being dealt with, by the County Council from Nottinghamshire District and Borough Councils and central government.

#### Information and Advice

- 2. Policy, Planning and Corporate Services has received 12 planning consultations during the period 4<sup>th</sup> 27<sup>th</sup> February 2013.
- 3. Appendix A contains a list of all the planning consultations received during the above period.

#### **Other Options Considered**

4. There are no alternative options to consider as the report is for information only.

#### **Reason for Recommendation**

5. This report is for information only.

# **Statutory and Policy Implications**

6. 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.

#### RECOMMENDATION

1) This report is for information only.

# Jayne Francis-Ward Corporate Director, Planning, Policy and Corporate Services

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

# **Background Papers**

Individual Consultations and their responses.

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.

#### **Constitutional Comments**

7. As this report is for noting only constitutional comments are not required.

#### **Financial Comments**

8. There are no direct financial implications arising from the contents of this report.

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

All.

# Appendix A – Nottinghamshire County Council: Planning Consultations Received – February 2013

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
Received	Ashfield District Council					
20.02.13	Ashfield District Council V/2013/0071	Land at Phase 2 Papplewick Lane, Hucknall	Residential development of 104 dwellings including 23 affordable dwellings	NW	0	Letter sent 26.02.13
20.02.13	Ashfield District Council V/2013/0075	Teversal Manor, Buttery Lane, Teversal, Sutton in Ashfield	Redevelopment of Listed	NW	0	Letter sent 4.03.13
27.02.13	Ashfield District Council V/2013/0094	Land at Unwin Road, Sutton in Ashfield	Outline Application for a Maximum of 18 Dwellings	NW	0	Letter sent 4.03.13
			ng Borough Council			
11.02.13	Gedling Borough Council 2012/1472		Erection of a single wind turbine (rated capacity up to 2.5MW) and other ancillary development	NW	С	Going to E & S Committee in April 2013
18.02.13	Gedling Borough Council 2013/0107EIA	Proposal Development Site, Teal Close, Stoke Bardolph	EIA Scoping	NW	0	Letter sent 4.03.13
		Erewa	sh Borough Council			
11.02.13	Erewash Borough Council ERE/0213/0001	Ironworks Site, Lows Lane, Stanton by Dale, Derbyshire	(with all matters reserved except for access) for demolition and site clearance works to allow for the construction of a mixed use neighbourhood development	NW	С	Going to E & S Committee in April 2013
05.00.40	D 1 1111		iffe Borough Council	N 13 A 7		
25.02.13	Rushcliffe Borough Council 12/01821/OUT		Residential development and new primary school annexe	NW	0	On-going

		Leake	building together with associated access, public open space, surface water balancing and landscaping			
Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
RECEIVED		Oth	ner Consultations	Dealing	Турс	
4.02.13	Central Lincolnshire		Central Lincolnshire Local Plan: Core Strategy – Consultation on Area Policies for Lincoln, Gainsborough and Sleaford January 2013)	NW	0	On-going
4.02.13	SMart Wind Ltd		Hornsea (Round 3, Zone 4) Offshore Wind Farm: Project One – Phase 4 Consultation	NW	0	Letter sent 5.02.13
5.02.13	The Planning Inspectorate		Infrastructure Planning (EIA) Regulations 2009 SI 2263 (as amended) (the EIA Regulations) Proposed A160/A180 Port of Immingham Improvement (the project) Proposal by Highways Agency (the applicant)	NW	0	Letter sent 8.02.13
13.02.13	South Holland District Council		Strategic Housing Market Assessment for the Peterborough sub-region	NW	0	For information only.
19.02.13	The Planning Inspectorate		Infrastructure Planning (EIA)  - Proposed Yorkshire & Humber Carbon Capture and Storage (CCS) Cross Country Pipeline	NW	0	Letter sent 26.02.13

# Response type

- C Committee
- O Officer



# Report to Environment and Sustainability Committee

18<sup>th</sup> April 2013

Agenda Item: 7

# REPORT OF SERVICE DIRECTOR HIGHWAYS

# LOCAL IMPROVEMENT SCHEME (LIS) PROGRAMME 2012/13 AND 2013/14

# **Purpose of the Report**

1. To provide an update to Committee on the 7<sup>th</sup> March Local Improvement Scheme (LIS) Event and seek Committee approval for the addition of a number of LIS schemes to the year 10 programme which have not received previous approval (as detailed in paragraph 7 of this report).

#### **Information and Advice**

2. The LIS initiative was developed by Nottinghamshire County Council in 2004 to promote a wide range of environmental improvements across the County for the benefit of local communities. The initiative has been an unrivalled success with a significant number of high profile developments being delivered across the County. The programme has been widely recognised and has earned the County Council credit as well as many accolades and awards locally, regionally and nationally.

## LIS Event 7<sup>th</sup> March 2013

- 3. This year's LIS event has built on the success of previous years and showcased schemes being delivered under the headings; Environmental Improvements, Heritage and Conservation and Local Identity which includes play areas, skateparks, noticeboards and signage.
- 4. Over 250 delegates registered to attend the event which proved very popular with Parish and Town Councils, Residents Associations, Special Interest Groups, Voluntary Organisations and County Council Members in attendance. The event provided the opportunity not only to encourage applications, and to award nine outstanding achievement awards to those who had gone above and beyond in the delivery of schemes, but also to promote the work of the authority as a whole and more specifically the LIS initiative. A number of Highly Commended certificates were also presented to volunteers this year for the first time.
- 5. In addition to the presentations and case studies that were highlighted an exhibition designed to inspire and inform delegates of the work of the LIS initiative

was staged. This area was extremely well received and plans to recreate and reuse the content again for the Newark and Nottinghamshire Show and possibly other venues is currently being explored.

- 6. Photographs and film edits of the schemes delivered over the past year and some of the award winners can be found on the County Council website at <a href="https://www.nottinghamshire.gov.uk/home/environment/lis">www.nottinghamshire.gov.uk/home/environment/lis</a>.
- 7. Following the approval of the LIS Capital Programme at Committee on the 14<sup>th</sup> February 2013, further development of the programme has been undertaken resulting in additional schemes being developed for inclusion in forthcoming year's programme. Approval is sought for the inclusion of the refurbishment of the toilets and kitchen area for the Nuthall Scout Group, upgrading of play areas for Cropwell Butler and Shelford and Newton, replacement of notice boards for Greasley Parish Council, Ladybrook Neighbourhood Watch and Worksop East Tenants and Residents Association, provision of parking for the Beeston Canal project and additional equipment for the Eastwood skatepark. Each of the schemes is subject to the necessary consultation, statutory undertakings and other issues arising from detailed scheme investigation.

# **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and users. Where such implications are material they have been brought out in the text of the report.

### **RECOMMENDATIONS**

9. It is RECOMMENDED that Committee notes the content of the report and approves the addition of the schemes highlighted in paragraph 7.

#### **COUNCILLOR RICHARD BUTLER**

Committee Chairman for Environment & Sustainability

### Legal Services' Comments (SB26/03/13)

Environment and Sustainability Committee is the appropriate body to consider the content of this report; it is responsible for the Local Improvement Scheme.

## Financial Comments (TMR 04/04/2013)

The schemes will be funded from the LIS Capital programme.

# **Background Papers Available for Inspection**

None

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

All



# Report to Environment and Sustainability Committee

18 April 2013

Agenda Item:8

# REPORT OF THE SERVICE DIRECTOR FOR TRANSPORT, PROPERTY AND ENVIRONMENT

#### **LOVE FOOD HATE WASTE CAMPAIGN 2013**

# **Purpose of the Report**

 This report is to feedback on the Love Food Hate Waste campaign carried out in autumn 2012 and to outline the activities that will make up the Love Food Hate Waste 2013 campaign being run by Nottinghamshire County Council in partnership with Veolia Environmental Services, the council's waste contractor.

#### Information and Advice

- 2. Love Food Hate Waste is a national campaign run by WRAP (Waste & Resources Action Programme) to tackle the problem of food waste. WRAP is a non-profit organisation that was set up in 2000 to support recycling in the UK and developed the Love Food Hate Waste initiative in 2007.
- 3. WRAP research in 2007 showed that approximately a third of the food purchased by consumers in the UK was thrown away. Some of this was due to poor practices around food storage, portion sizing, meal planning etc. WRAP have also shown that this food waste can cost the average household £480 a year rising to £680 a year for households with children.
- 4. The Love Food Hate Waste campaign has wide support from local authorities, environmental campaign groups and the food industry. WRAP have undertaken research to discover the scale of the food waste problem and have examined consumer attitudes and behaviours towards food. They have also produced a wide range of campaign materials that are available for use by local authorities at no charge.
- 5. In January 2013, the Institution of Mechanical Engineers published a report about global food waste. The report outlined that "Today, we produce about four billion metric tonnes of food per annum. Yet due to poor practices in harvesting, storage and transportation, as well as market and consumer wastage, it is estimated that 30–50% (or 1.2–2 billion tonnes) of all food produced on the planet is lost before reaching a human stomach". Although the report explained that a large proportion of this was due to inefficient agricultural and production practices, it nevertheless focussed attention of the

continuing problems of food waste and "the large amounts of land, energy, fertilisers and water (that) have also been lost in the production of foodstuffs which simply end up as waste".

# **Summary of Progress**

- 6. The County Council has supported the Love Food Hate Waste campaign since 2009, with events run by the county council's waste management team in 2009 and 2011.
- 7. These campaigns have focussed on providing free advice and practical demonstrations to residents of Nottinghamshire to enable them to reduce their food waste, whilst saving money and helping the environment.
- 8. The campaigns were also supported digitally through social media i.e. the County Council's twitter feed and Facebook page and the County Council website that included a range of recipes and tips and a designated Love Food Hate Waste blog.
- 9. In 2012, Nottinghamshire County Council's waste management and communication teams, in partnership with Veolia, delivered 5 cookery demonstrations with Events of Excellence (an events company that specialises in promoting the Love Food Hate Waste message). The demonstrations were held at the following venues across the county:
  - Gedling Show 2<sup>nd</sup> Sept
  - Mansfield Farmer's Market 18<sup>th</sup> Sept
  - West Bridgford Farmer's Market 22nd Sept
  - Asda in Sutton-in-Ashfield 26<sup>th</sup> Sept
  - Newark Farmer's Market 3<sup>rd</sup> Oct
  - Rufford Country Park Christmas Market 10<sup>th</sup> Nov
- 10. Ten different recipes cards were printed to give out to residents at these events. The cards showed ways of using up leftover ingredients and included helpful tips on storage, portion sizing etc. The cards also contained the www.lovefoodhatewaste.com web address, which signposted residents to a much larger bank of recipes and food waste tips.
- 11. For the 2013 campaign, Veolia Environmental Services have organised a series of events that continue to promote the Love Food Hate Waste message. These will take place at the following venues:

11 -12	Leaflet stand	Nottinghamshire County Show, Newark
May		
2 June	'Feed the 1000'	Bestwood Country Park
8 June	Roadshow	Hemlock Happening, Broxtowe

15 June	Roadshow	Newark Festival
6 July	Roadshow	Ashfield Festival
7 Aug	Roadshow	Lark in the Park, West Bridgford
25 - 26	Roadshow	Moorgreen Show, Broxtowe
Aug		
1 Sept	Roadshow	Gedling Show
7 Sept	Roadshow	Langwith Community Show, Bassetlaw
21 Oct	Leaflet stand	Bramley Apple Festival, Southwell

- 12. In addition, Veolia has already incorporated Love Food Hate Waste demonstrations into the following events:
  - ReCreations Day on 9<sup>th</sup> March 2013 at the Materials Recovery Facility, where visitors had the\_opportunity to buy recycled, upcycled and sustainable gifts from a number of Nottinghamshire's unique producers;
  - "Love Your Leftovers" cookery book launch on 21<sup>st</sup> March at Hope House, Beeston. The sustainable cookery book is made up of recipes provided by Nottinghamshire residents who attended the 2012 roadshows as well as food professionals.

# **Analysis**

- 13. In Nottinghamshire, there are currently no separate food waste collections and the Love Food Hate Waste campaign is an effective way of reducing food waste.
- 14. The waste hierarchy orders behaviours concerned with managing waste. In relation to food, disposal in the residual waste stream is the least favoured option as decomposing food creates harmful methane emissions in landfill. A small proportion of food waste can be recycled through the use of home composters where possible. However, it is more beneficial to prevent the creation of food waste in the first place as the production, transportation and storage of food uses large amounts of water, fuel and energy which will also be wasted if the food is wasted.



- 15. To help assess the effectiveness of the 2012 events, residents were asked to complete a short survey. An online version was also hosted on the Nottinghamshire County Council website during the period that the roadshows were taking place. Over a thousand visitors attended the six events and 176 surveys were completed.
- 16. The results of the surveys showed that:
  - 82% of survey respondents said that attending the event had made them think about how to plan food shopping/meals to avoid food wastage
  - 86% of respondents said that they would think about how they measure out portions to avoid food wastage
  - 91% respondents said that they would think about how to use leftovers to avoid having to throw them away
- 17. 'Saving money' and 'reducing the impact on the environment' were cited as the top two reasons that motivated respondents to minimise the amount of food their household throws away.
- 18. In 2011/2012 588 kilograms of residual waste per household was sent for disposal in Nottinghamshire. Food waste has been calculated to make up approximately 17% of the residual waste stream so this would be around 100 kilograms per annum per household.
- 19. There are approximately 350,000 households in Nottinghamshire and so this would equate to 35,000 tonnes of food waste per annum. This would cost the county council £3.5m to dispose of, based on landfill costs of approximately £100 per tonne.

20. The 2013 LFHW campaign will cost approx. £10,000. If each household were to reduce their food waste by just 300g per year, equivalent to one small loaf of bread, this would cover the costs of running the campaign.

#### **Reasons for Recommendations**

- 21. The Love Food Hate Waste campaign has been a very successful tool for raising awareness about food wastage. It helps residents to reduce their food waste costs as well as diverting waste away from landfill, which has a significant financial and environmental cost.
- 22. Surveys have shown that the events are a successful vehicle for delivering the Love Food Hate Waste message.
- 23. The waste hierarchy shows that preventing food waste is the preferred environmental option and is more beneficial than recycling as it does not necessitate collection and transportation of food waste or energy to reprocess it
- 24. Encouraging the prevention of waste in one area can inspire residents to transfer these practices to other waste streams.

# **Statutory and Policy Implications**

25. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and has been compiled after 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**

26. The cost of the roadshows, recipe cards and sustainable cookery book will be met by Veolia as part of their communications budget within the council's PFI contract. The total cost is expected to be less than £10,000.

# **Implications for Service Users**

- 27. Residents will have the opportunity to attend a range of free cookery demonstrations delivered by Events of Excellence and celebrity chef Richard Fox. The events are spread fairly evenly geographically and are typically held on weekend day times.
- 28. Residents will be able to pick up free recipe cards at these events to support their efforts to avoid food waste at home. The recipe cards will also signpost residents to the <a href="https://www.lovefoodhatewaste.com">www.lovefoodhatewaste.com</a> website where they can choose from a large bank of recipes and tips.

- 29. If residents begin to make changes to their food practices at home and avoid food wastage they can expect to make significant financial savings.
- 30. The sustainable cookery book 'Love your Leftovers' has given Nottinghamshire residents the opportunity to engage in a local response to food waste. The book is intended as a downloadable document so that residents can choose to print off their favourite recipes. However, a small number will also be printed as a hard copy.

## Recommendation

This report is for noting only.

# Mick Allen Group Manager, Waste and Energy Management

For any enquiries about this report please contact: Mick Allen, Group Manager, Waste and Energy Management

## **Constitutional Comments**

Environment and Sustainability Committee has authority to consider the matters set out in this report by virtue of its terms of reference (NAB 21.03.13)

## **Financial Comments**

The financial implications are set out in paragraph 26 of the report.

# **Background Papers**

None.

#### **Electoral Divisions**

ΑII

# Report to Environment and Sustainability Committee

18 April 2013

Agenda Item: 9

# REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND CORPORATE SERVICES

#### **WORK PROGRAMME**

# **Purpose of the Report**

1. To consider the Committee's work programme for 2012/13.

#### **Information and Advice**

- 2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
- 3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
- 4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

## **Other Options Considered**

5. None.

#### Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

# **Statutory and Policy Implications**

7. This report has been compiled after consideration of implications in respect of finance, equal opportunities, 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.

#### **RECOMMENDATION/S**

1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

Jayne Francis-Ward Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Keith Ford, Senior Democratic Services Officer on 0115 9772590

## **Constitutional Comments (HD)**

8. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

# **Financial Comments (PS)**

9. There are no financial implications arising directly from this report.

#### **Background Papers**

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.

 New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

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

ΑII

# **ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME**

Report Title	Brief summary of agenda item	For Decision or Information ?	Lead Officer	Report Autho	
June 2013 (date to be confirm	ned)	<u>imormation :</u>			
Broxtowe borough Council Aligned Core Strategy – further consultation	To agree the County Council's response on the additional consultation on Broxtowe Borough Council's Aligned Core Strategy in relation to Toton and the HS2 high speed train line.	Decision	Sally Gill	Lisa Bell	
Strategic Planning Observations – proposed residential and employment development on land off Chapel Lane, Bingham	To agree County Council comments on proposed development of up to 100 dwellings, retail, health centre, school and community centre.	Decision	Sally Gill	Lisa Bell	
Strategic Planning Observations – proposed mixed use development on land at Rolls Royce, Hucknall	To agree County Council comments on a proposed mixed use development of approximately 900 houses, employment, retail, health centre, school and community centre.	Decision	Sally Gill	Lisa Bell	
Waste and Minerals Project Groups	Agreement of terms of reference for the Waste Project Group and the Minerals Project Group and discussion regarding membership.	Decision	Sally Gill	Lisa Bell	
Local Aggregates Assessment.	To seek approval for the adoption of the Local Aggregates Assessment.	Decision	Sally Gill	Lisa Bell	
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson	
July 2013 (date to be confirmed)					
Developer Contributions Strategy refresh	To seek approval to consult on revisions to the Developer contributions Strategy.	Decision	Sally Gill	Lisa Bell	
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson	

Report Title	Brief summary of agenda item	For Decision or Information ?	Lead Officer	Report Author
June / July 2013 (date to be o	confirmed)			
Waste Core Strategy update	To provide Members with an update of the Waste Core Strategy, including feedback from examination process and next steps.	Information	Sally Gill	Lisa Bell
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson
September / October 2013 (da	ate to be confirmed)			
Minerals Local Plan Preferred Approach	To seek approval to undertake public consultation on the Council's Minerals Local Plan Preferred Approach.	Decision	Sally Gill	Lisa Bell
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson
Items to be scheduled for fut	ure meetings (dates to be confirmed)			
Further discussion of relevant issues following initial consideration of renewable energy at the Committee meeting of 29 November 2012.	Information			
Strategic and operational study into effectiveness of HWRC.	Information			
Consideration of options to progress recycling and waste minimisation across the County.	Information			

# **Dates and Deadlines for Environment & Sustainability Committee**

Report deadline	Date of pre-agenda	Agenda publication	Date of Committee
20 February 2013	25 February 2013 –	6 March 2013	14 March 2013
– 10am	2pm		
25 March 2013 -	28 March 2013 –	10 April 2013	18 April 2013
10am	2pm		

<sup>\*</sup>Early due to Bank Holidays