



Nottinghamshire
County Council

meeting Cabinet

date

27th July 2011

agenda item number

7

REPORT OF CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY

STRATEGIC PLANNING OBSERVATIONS ON OUTLINE PLANNING APPLICATION FOR 18 HOLE GOLF COURSE, CLUBHOUSE, 60 BED HOTEL AND CRÈCHE AND TIED GOLFERS ACCOMMODATION TO COMPRISE OF 15 FAIRWAY LODGES/VILLAS AND 18 EXECUTIVE SUITES (12 APARTMENTS AND 6 TOWN HOUSES), LAND AT LEEMING PARK HALL, LEEMING LANE, NORTH, MANSFIELD WOODHOUSE.

Purpose of the Report

1. To seek Cabinet approval of comments set out in this report to be sent to Mansfield District Council in response to the request for strategic planning observations on the above planning application.

Introduction

2. On the 12th of February 2010 an outline planning application was submitted to Mansfield District Council (MDC) for an 18 hole golf course, clubhouse, 60 bedroom hotel and executive villas. The proposal also intends to import fill material to achieve contours and features. (See Appendix A – Site Plan).
3. A draft report was prepared with the view to discussing the matter at Cabinet on the 9th June 2010. This report was not considered at Cabinet in June 2010 as it was discovered that the proposal involved the bringing of imported fill on to the site far in excess of 1 million tonnes. This scale of operation exceeds Government thresholds of what constitutes waste recovery. The County Council questioned Mansfield District Council (MDC) as to whether Mansfield District Council were the appropriate planning authority to determine the application or whether it should be determined by the County Council as the Waste Planning Authority. MDC sought Counsel's opinion on the issue of determination. This opinion indicated that the quantities of waste material were such that the application should be considered by the County Council. MDC discussed this with the applicants. As a

result on the 10th May 2011 additional information was submitted by the applicant, reducing the amount of imported waste to be brought on to the site from over 1 million cubic metres to 66,900 cubic metres, thus the application was no longer classified as a waste recovery operation and could be determined by MDC.

4. Strategic planning observations have been requested from Nottinghamshire County Council on the planning application and this report brings together responses from departments involved in providing comments on such matters. On the basis of Cabinet's decision, comments will be sent to MDC in response.
5. This report is based on the information submitted by the applicant in the context of national, regional and local policy.

Description of the Development

6. The application was submitted by Vital Property and seeks outline planning permission for a leisure/hotel complex. The proposal includes:
 - 18 hole golf course
 - 60 bedroomed hotel
 - Clubhouse
 - 18 executive villas, including 12 apartments and 6 town houses
7. The site is located within open countryside. The majority of the site is designated as a landscape area (Local Plan Policy NE8 (c) Nettleworth Manor); the remainder of the site is designated as recreational areas (Local Plan Policy LT4 Private and Miners Welfare Organisation Recreational Facilities and Local Plan Policy LT11 Proposed Country Park).

Planning Policy Context

National Planning Policy

8. The proposal must be considered in the context of national planning policy statements and guidance notes (PPSs and PPGs), which set out the Government's national objectives and policies on aspects of planning in England. The documents that are of particular relevance in assessing this application are listed, with a short description of their contents, in Appendix B.

Regional Planning Policy

9. On the 6th July 2010 the revocation of Regional Strategies with immediate effect was announced by the Secretary of State for Communities and Local Government. However, following a legal

challenge Regional Strategies (RS) have been reinstated and the RS therefore remains part of the statutory development plan for the purposes of determining planning applications. Nevertheless, the intention of the Government to abolish RSs, through the enactment of the Localism Bill, may be taken into account as a material consideration in the determination of planning applications.

Planning Issues

Hotel and Clubhouse

10. At the national level, hotel development is classed as a main town centre use (PPS4, paragraph 4); as such development of this type should be located firstly within town centres, then edge-of-centre, followed by out-of-centre locations. In addition the impact of hotel development should be assessed against its potential impacts on existing centres. The Practice Guidance on Need, Impact and the Sequential Approach (December 2009) which accompanies PPS4, sets out at Appendix C paragraphs c.48-55 how new hotel proposals should be assessed against any established need. On this basis, it is recommended that a suitable assessment of the hotel/leisure element of the proposal be submitted in support of the application. The content of the assessment should be agreed in advance with the Local Planning Authority and should be fit for purpose, avoid duplication, be proportionate to the proposed development and focus on the key issues.
11. PPS4 Policy EC7.1 relates to tourism in rural areas and states that, *“...local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features...(a) support the provision... in appropriate locations where identified needs are not met by existing facilities...(b)..facilities requiring new buildings in the countryside should, where possible, be provided in, or close to, service centres or villages but may be justified in other locations where the required facilities are required in conjunction with a particular countryside attraction...”*. Support is provided for the proposed hotel and clubhouse element of the proposal, provided it can be fully justified in terms of a suitable assessment, in a rural location, as this type of development would provide economic regeneration in Mansfield District and also assist in developing local tourism.
12. At the regional level, RS Policy 42 relates to tourism and seeks to ensure that tourism should be encouraged which maximises economic benefit whilst minimising adverse impact on the environment and local amenity. It is considered that the proposed development would encourage tourism in the area, by providing an additional leisure destination, provide employment, thus stimulating economic

regeneration in the area. However, this needs to be assessed appropriately, in order to meet national planning guidance.

13. It is therefore, considered that the issue of the need for the hotel and associated holiday accommodation requires justification in light of the advice set out in PPS4 (December 2009). Consequently, the County Council is unable to provide full policy support for this element of the proposal until further supporting information is provided by the applicant.

Biodiversity

14. PPS9 seeks to ensure that planning decisions aim to maintain and enhance, restore or add to biodiversity interests and that a sequential approach to protection should be applied which first aims to prevent harm to such biodiversity interest before considering mitigation measures. RS Policy 29 refers to the regions biodiversity interests and seeks to ensure, amongst other criteria, to create, protect and enhance features of the landscape of biodiversity interest.
15. The development is unlikely to affect any statutory nature conservation sites (SSSIs/NNRs/SACs). The nearest such site, Hills & Holes & Sookholme Brook, Warsop SSSI, is located approximately 1.4km north-west (at its nearest point), although it is directly linked to this site as a result of the lying on a watercourse upstream of the SSSI. However, this watercourse does not form part of the reason for which the SSSI is of special interest (although another watercourse, the Sookholme Brook, does). Nevertheless, potential impacts on the watercourse need to be considered.
16. The development has the potential to affect three locally designated, non-statutory Sites of Importance for Nature Conservation (SINCs, also known as Local Wildlife Sites). These are The Shrubbery, Park Hall, Nettleworth SINC 2/97 and The Bottoms, Nettleworth SINC 5/79 (both of which lie within the development site) and Park Hall Lake, Nettleworth SINC 2/96 (which is immediately adjacent). Potential impacts on these sites need to be considered.
17. It should be noted that the site also lies within the 5km buffer zone around the 'might be' Sherwood SPA (although it does not form part of either the 'Indicative Core Area' or the Important Bird Area). Although direct impacts on the species for which the 'might be' SPA has been identified appear unlikely (woodlark and nightjar), there remains the possibility that indirect impacts might occur, during both construction and operation of the site. It is suggested that further advice on this issue is sought from Natural England.
18. An Ecological Assessment of the site has been carried out (dated February 2009). This consisted of an Extended Phase 1 Habitat Survey, which recommended a range of additional survey work in order

for the potential impacts of the scheme to be properly assessed. This recommended additional survey work covered;

- Woodland areas (at access points and location of Park Hall executive suites)
- Badger (a protected species)
- Bats (European protected species)
- Breeding birds
- Great crested newts (a European protected species)
- Grass snake (a protected species)
- Otter (a European protected species)
- Water vole (a protected species and known to be present on site)
- White-clawed Crayfish (a protected species)

19. Some of this additional survey work has now been completed (for badger, bat activity, reptiles, otter and water vole), however, it is very concerning that other aspects of the additional survey have not been completed. These are for woodland areas (at access points and at the location of the Park Hall executive suites), breeding birds, great crested newt, roosting bats (in relation to those trees requiring removal) and white-clawed crayfish.

20. Without this additional survey work, it is not possible to properly assess the potential impacts of the development, or determine what mitigation may be required. It should be noted that a number of the required surveys can only be carried out at specific times of the year, and that for some species this window has now passed (e.g. great crested newt). It should also be noted that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Paragraph 99 of Government Circular: Biodiversity and Geological Conservation – ‘statutory obligations and their impact within the planning system’, states that:

“It is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances...”

21. Furthermore, the LPA is under a special obligation in relation to bats and great crested newts, as these are species protected by the Conservation of Habitats and Species Regulations 2010.

22. Furthermore, it should also be noted that whilst the Environmental Statement (February 2009 Revision B) includes details of the February 2009 Ecological Assessment, it does not include the details and results

of the additional surveys, and therefore the findings of these surveys have not been factored into the impact assessment in the Ecology chapter. This section needs updating, drawing together the findings of all separate ecological surveys (completed, and those still required), assessing the impacts of the development on the species, habitats and sites involved, and identifying suitable mitigation.

23. In summary, the survey work and impact assessment submitted in support of this application is incomplete, and without which it is not possible to properly adjudge the ecological impacts of the scheme.

Landscape

24. The landscape question the level of importation of materials required to create the acoustic bunds to the north west of A60, screening up to a height of 6 metres, this appears excessive, especially when many of the functions of the bund can be achieved by tree planting. We have requested additional sections to illustrate the requirement for the bunds from key viewpoints. We do not agree that these bunds are in keeping with the smoothly rolling landform of the Magnesian Limestone Landscape Character Area and believe they will form an intrusive visual feature in themselves.

Golf Course

25. In relation to the golf course element of the proposal, PPS7 states at paragraph 1 (v-vi) that, priority should be given to the re-use of previously developed land and that all development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. The application site is located within open Countryside.
26. Paragraph 15 states that support should be provided for, *“...new leisure and recreational opportunities that require a countryside location...”*.
27. PPG17 classifies golf courses as outdoor sports facilities. RS Policy 41 relates to the region’s priorities for culture, sport and recreation and seeks to provide facilities, and ensure that access to it available to all, whilst promoting economic growth within the region.
28. It is considered that the proposed golf course element of the proposal is acceptable within national and regional planning policy as it would provide additional sporting facilities within the region and would contribute to the economy of Mansfield District, and potentially provide an additional tourism draw within the locality as part of the wider hotel element of the proposed development. It is considered that, provided the applicants can sufficiently address the issue of need for the hotel and club house, as set out in paragraphs 9-12 above, and that the

accompanying built development within the site is designed to be in-keeping with its surroundings, the impact of the built development on the surrounding countryside would not be adverse.

Executive Villas

29. The proposal seeks to develop tied golfers accommodation, comprising of 15 lodges/villas and 18 executive suites. Notwithstanding the need for the hotel and associated holiday accommodation requiring justification in light of the advice set out in PPS4, (as set out in paragraph 13) it is considered that any new development of this nature should if granted planning permission, be subject to strict planning conditions limiting their use as holiday homes and to restrict any future change of use into dwelling houses and to remove any permitted development rights attached to the units in order to ensure they are solely used for the original intended purpose.
30. With regard to the proposal as a whole, should Mansfield District Council consider that it is justified, the County Council would wish to secure the economic and regeneration benefits of the proposal and prevent the partial development of elements of the proposal that, on their own, would be unacceptable in this location, thus it is imperative that, if approved, the development is brought forward as a whole, and would recommend the use of section 106 measures to ensure that the golf course and the hotel element of the proposal are both built, and these provided before or along with the proposed executive villas/lodges.

Rights of Way

31. It is noted that in the updated Design and Access Statement focus is drawn to a non-recorded footpath between The Fairways and Park Hall, mention is also made with regard to the management of public access and public footpaths as a whole, including the recorded footpath that runs through the site from Park Hall Road to Nettleworth Manor and eventually the A60.
32. It appears that the applicant intends to erect signs along the footpaths to warn member of the public of the potential danger and the rules for crossing a golf course. This would be highly inappropriate on a recorded public footpath. Members of the public have a right to freely pass and re-pass on a public right of way, without restriction or interference. The responsibility for ensuring that activity on site does not adversely affect the ability of members of the public to freely use public rights of way safely lies with the Golf Club and its members. If golf potentially endangers members of the public, rather than relying on members of the public to assess danger, and to be forced to take action that will adversely affect their legal right to freely use the right of way without interference.
33. It is suggested that any potential danger caused to users of a Footpath by golfers ought to be eliminated through the design of the golf course.

If it is impossible to ensure public safety consideration ought to be given to relocating holes away from footpaths, or to consider the diversion of the footpath as part of the planning process on the grounds that it is needed to allow the development to take place.

34. In summary in relation to the issue of footpaths and public rights of way and their safe use, there is no objection to the above planning application on condition that free passage along the footpaths are maintained at all times and that no new structures are installed along the footpaths (unless replacing existing structures), that any potential danger to members of the public using the footpaths are eradicated through the careful design of the Golf Course, that no inappropriate signage that may discourage use of footpaths is displayed, and that, if necessary, users of the Golf course are warned that there are areas of rights of way where extra care may be needed.

Transport

35. It is understood that the traffic generated by the development will initially use the A60 but will quickly be dispersed onto other routes, therefore considering the relative amount of traffic it is not considered appropriate to offer an objection on the grounds of traffic generation.
36. The proposed site access uses an existing access point that has been closed up. Use of this access was discontinued because the visibility from the exit was sub-standard. The plan for the proposed new site access shows adequate visibility splays and mentions trees to be removed. Provided that the visibility splays can be provided then the design of the site access junction would be acceptable in principle.
37. The County Council support the transport element of the proposal, and suggest a number of planning Conditions be attached to any successful planning permission (as set out in Appendix D) including the implementation of a Travel Plan.

Minerals and Waste Planning Authority

38. There are three main points which need to be addressed in relation to the importation of waste onto the proposed development site. Firstly the applicants have submitted additional information in support of their planning application which reduces the amount of imported waste from over 1 million cubic metres to 66,900 cubic metres (this is approximately 100,000 tonnes depending upon the material to be imported). Secondly the imported waste is intended to be located within one location as an 'acoustic bund' primarily adjoining the A60 and finally the size and need for the proposed acoustic bund.
39. The County Council expressed concerns to MDC with regard to waste operations in light of an advice letter received from the Department for Communities and Local Government (CLG); dated 20th January 2009, regarding the matter of golf course development as a 'back door' means of inert waste disposal. CLG advice is that if inert waste of over

100,000 tonnes is brought to site it is likely to reflect a waste disposal proposal that should be dealt with as a County Matter. In light of the original application, which indicated around 2 million tonnes of material to be imported, this issue formed the main basis of the County's Councils concerns to Mansfield District Council (MDC) in May 2010. In addition to the amount of material proposed to be deposited, there was no justified reason for importing the waste and the proposal was therefore considered to be contrary to Nottinghamshire County Council Waste Local Plan (WLP) and Nottinghamshire County Council waste strategy.

40. However, it is not just the threshold amount of waste to be considered - CLG letter also notes that another issue is whether or not the landscaping proposals involving waste importation are needed for the development, and whether the waste represents a recovery operation (i.e. associated with a genuine use in construction) or is for disposal i.e. landfill (or in this case land raising). i.e. another issue to examine is whether the predominant purpose of the development involves waste disposal or engineering. This issue was also raised with MDC in May 2010, but NCC's primary concern originally was the amount of imported fill.
41. In relation to the need for the acoustic bund the revised Design and Access Statement page 24 submitted by the applicant, notes that a noise assessment was not carried out as, *"there is no need as the residential proposal will not impact adversely on existing or future noise levels"*. However, no noise impact assessment has been carried out to demonstrate the need for an acoustic bund of this height and footprint in this location either to protect people using the site from road noise or members of the public outside the site. It is considered that the bund is not located to protect the proposed residential units from noise from the road or from golfing activities, or from noise associated with the proposed new hotel.
42. If a bund is needed to offer some acoustic screening to golfers from the road, it is firstly questioned as to why golfers need to be protected from road noise and secondly why the scale of the proposed bund needs to be so great. It is considered that the precise purpose of the acoustic bund needs clarifying.
43. The proposed bund does not appear to be provided to protect proposed residential views internally e.g. from the proposed hotel car park, nor will it protect public views of the potential detrimental impact of new built development in the open countryside. The amended details (Amended Environmental Statement Section 4 Design and Philosophy p39) states that "The project will result in some deposition of material to alter the topography such that it creates a landscape more suited to golf ". Already extensive cut and fill operations are proposed within the bulk of the golf course site for design modelling, so why is additional imported material still needed in this specific location, particularly when

it is noted that the bund itself will have a 'highly perceptible' impact in the landscape.

44. No land contamination survey has been carried out as the land is agricultural land/parkland, so the applicant considered no survey is necessary. However, the issue of potential contamination impacts of imported waste to a Greenfield site has not been examined.
45. The applicant has not provided any justification as to why the bund is required for the course other than the statement in an accompanying letter from Gaunt Design which states that *"in order to achieve part of the design successfully it will be necessary to import inert subsoil fill material – which is to be carefully monitored This provides the opportunity to create an important bund feature alongside the A60 trunk road. This mounding will provide important separation from the A60 ensuring that there is no requirement for safety netting alongside holes 15 and 16. Both these holes have been designed to be a sufficient and safe distance away from the A60 to cause any hazard"*
46. The above statement implies the bund is an important design feature for safety of users of the A60, not for acoustic or visual reasons, despite its description as an 'acoustic bund'. In summary therefore, it is argued that there is no acoustic, visual or safety need for the proposed bund.
47. In terms of waste policy the amount of waste proposed to be imported has been significantly reduced. However, the element of inert waste to be brought to site has not been sufficiently justified at this stage as anything other than waste disposal. The site is currently in open countryside and is productive agricultural land. WLP Policy W10.1 relates to the reclamation of mineral or other voids. Policy W10.2 relates to proposals for reclamation of derelict/degraded land. Neither could be applied to the circumstances of this proposal. Therefore WLP Policy 10.3 still applies, and the relevant portion of this now relates to 'incidental areas of greenfield land required to achieve an optimum reclamation scheme'.

Conclusions

48. There are a number of issues that will need to be resolved before the planning application can be determined. For example the County Council requests that a suitable assessment of the hotel/leisure element of the proposal be provided by the applicants.
49. Provided that it can be fully justified in terms of a suitable assessment, the County Council would support the proposed hotel and clubhouse element of the proposal as this type of development would provide economic regeneration in Mansfield and also assist in developing local tourism.
50. The County Council consider that the proposed development would encourage tourism in the area, by providing an additional leisure

destination, provide employment, thus stimulating economic regeneration in the area. However, this needs to be assessed appropriately, in order to meet national planning guidance.

51. The development is unlikely to affect any statutory nature conservations sites. However, it is recommended that a range of additional survey work be conducted in support of the initial Ecological Assessment and that until these surveys are adequately completed, planning permission should not be granted.
52. It should be noted that the site also lies within the 5km buffer zone around the 'might be' Sherwood SPA there remains the possibility that indirect impacts might occur, during both construction and operation of the site. It is suggested that further advice on this issue is sought from Natural England.
53. The County Council consider that the proposed golf course element of the proposal is acceptable within national and regional planning policy as it would provide additional sporting facilities within the region and would contribute to the economy of Mansfield.
54. The executive villas should be subject to planning Conditions limiting their use and removing any permitted development rights attached to the units in order to ensure they are used for their intended purpose and do not become used for permanent housing.
55. The County Council support the proposed transport arrangements for the proposed development.
56. It is suggested that any potential danger caused to users of a Footpath by golfers ought to be eliminated through the design of the golf course. If it is impossible to ensure public safety ought to be given to relocating holes away from footpaths, or to consider the diversion of the footpath as part of the planning process on the grounds that it is needed to allow the development to take place.
57. The County Council require the applicant to demonstrate that the proposed bund provides an essential acoustic or screening or highway safety, otherwise it is that the proposal to import material remains a waste operation and requires planning permission in its own right.
58. It is considered that the proposed development would divert waste from approved sites and would have implications for these sites with the benefit of existing planning permissions.
59. It is considered that the presently unjustified land-raising by means of waste disposal on a greenfield site does not suggest waste recovery so much as disposal, driving the proposed bund to the bottom of the waste hierarchy (Article 4 Waste Framework Directive), undermining the County's waste strategy.

60. As the Waste Planning Authority, the County Council continues to have concerns regarding this proposal on the basis of the details submitted. NCC requests that the District Council ask the applicant to adequately demonstrate that waste importation is essential for the design of the course. If a case can be made then, NCC as WPA, would be able to consider the principal development as a District matter and waste importation as an ancillary activity required for a genuine use in the construction of the proposed golf course. NCC would subsequently request that the District Council re-consult NCC, and apply any conditions NCC may suggest to control the waste importation element of the development in order to mitigate operational impacts.
61. The principle of the proposal can be supported due to its economic development and regeneration benefits, provided that a number of outstanding issues can be satisfactorily addressed by the applicant. However, it is considered that additional information is required to support the need for the tourism element of the development.
62. The County Council would request that if they are indeed to grant planning permission Mansfield District Council enter into appropriate section 106 agreements with the applicant to ensure that the hotel and golf course are both developed, possibly with financial penalties. There should also be conditions or an agreement bringing forward the economic element of the proposal before or alongside the lodges and apartments.

Recommendations

63. It is therefore recommended that Nottinghamshire County Council:
1. Express support, in principle for the economic development and regeneration benefits of the proposal;
 2. Raise strategic planning objections to the proposal on the grounds that insufficient information has been submitted to support the need for the tourism element (Hotel and Clubhouse) of the development and therefore request that Mansfield District Council do not determine the application until this information has been received and assessed, including taking into account Nottinghamshire County Council's further comments;
 3. Raise concerns regarding the need to import waste to the site as part of an essential design element for the golf course;
 4. Raise concerns relating to the need for the proposed acoustic bund in terms of its size and single location on the site;
 5. Raise strategic planning objections relating to the conclusions of additional biodiversity survey work being satisfactorily addressed; and

6. Request that, if Mansfield District Council is minded to approve the application, the detailed concerns set out in this report are addressed prior to planning permission being granted and that planning permission is only granted subject to conditions and a Section 106 agreement requiring planning contributions as referred to in this report, including the conditions set out in Appendix D.

COUNCILLOR R BUTLER

PORTFOLIO HOLDER FOR ENVIRONMENT AND SUSTAINABILITY

Legal Services Comments

Cabinet has power to approve the Recommendation.06.06.11.SHB

Comments of the Service Director - Finance

The contents of this report are duly noted; there are no financial implications.
{DJK 07.06.11}

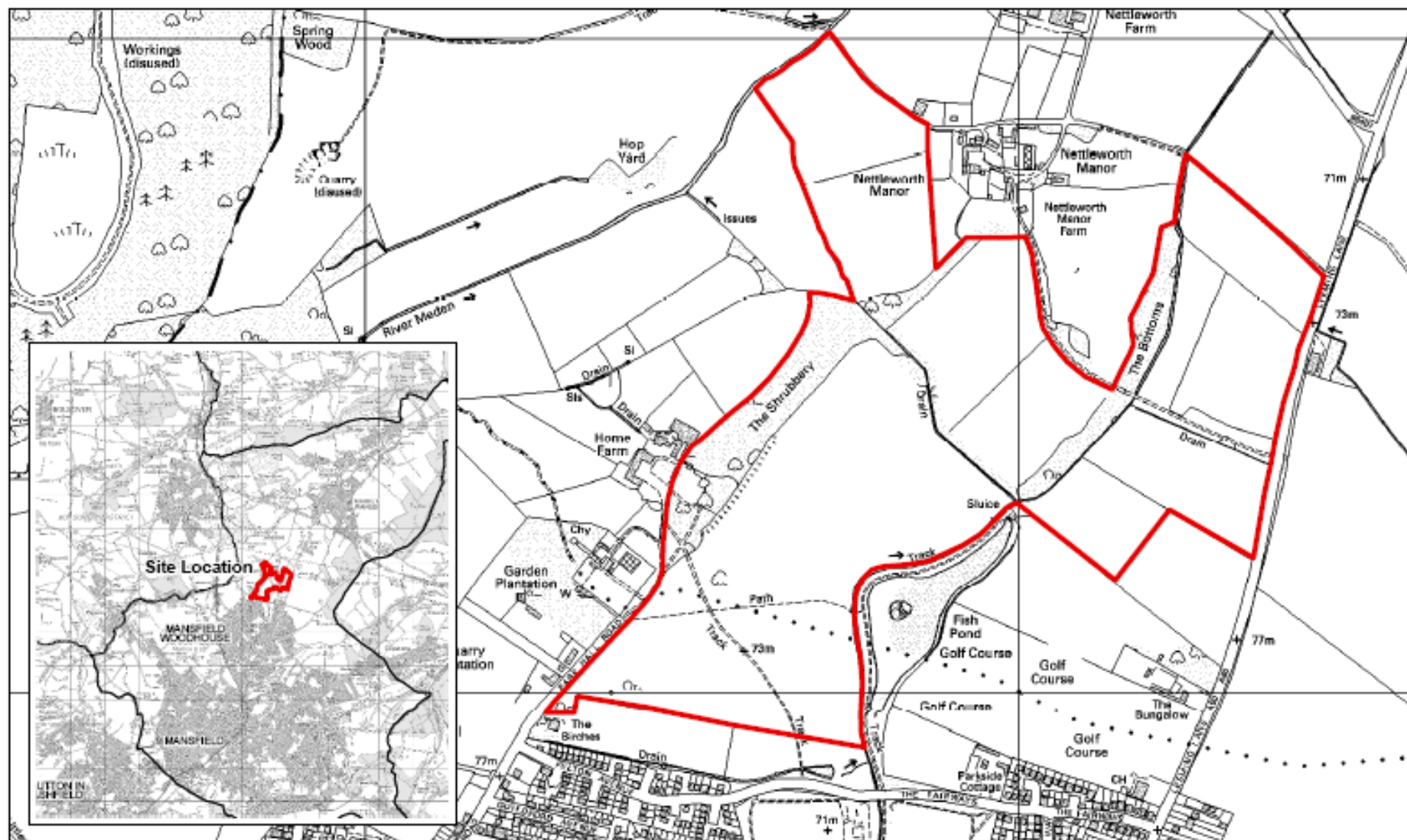
Background Papers Available for Inspection

Planning application documents, including Environmental Statement and Planning Statement.

County Electoral Divisions Affected

Councillor Bosnjak – North Mansfield
Councillor Tsimbiridis – North Mansfield

APPENDIX A - SITE PLAN



County Hall,
West Bridgford,
Nottingham NG2 7QP
Tel.0115 9623823

Nottinghamshire
County Council

LOCATION PLAN: LAND AROUND PARK HALL,
LEEMING LANE, MANSFIELD.
APPLICATION REFERENCE 2010/0091/NT

© Crown copyright and database rights 2011
Nottinghamshire County Council OS Licence No. 100019713



Scale: 1:7,500
Produced by: MM
Date: Feb 2011

APPENDIX B: RELEVANT NATIONAL PLANNING POLICY DOCUMENTS

Planning Policy Statement 4 'Planning for Sustainable Economic Growth' (2009) (PPS4)

PPS4 sets out the Government's objectives in relation to sustainable economic growth and seeks to build prosperous communities, reduce the gap economic between regions, deliver sustainable patterns of development, reduce the need to travel, raise quality of life and environment in rural areas and promote the vitality and viability of town and other centres.

Planning Policy Statement 7 'Sustainable Development in Rural Areas' (2004) (PPS7)

PPS7 relates to development in rural areas and seeks to promote sustainable, diverse and adaptable agricultural sectors, re-use previously developed land and ensure all new development is well designed and inclusive, in keeping and scale with its location and sensitive to the character of the countryside and local distinctiveness. Economic rural development is set out in PPS4.

Planning Policy Statement 9 'Biodiversity and Geological Conservation' (2005) (PPS9)

PPS9 seeks to ensure that planning decisions aim to maintain and enhance, restore or add to biodiversity interest and that a sequential approach to protection should be applied which first aims to prevent harm to such biodiversity interests.

Planning Policy Guidance 17 'Planning for Open space, Sport and Recreation' (2002) (PPG17)

PPG17 advises that open space, sport and recreation underpin people's lives and its key objective in this respect is to provide local networks of well maintained open spaces and facilities which are attractive, clean and safe. Their role, the guidance adds, is crucial in maintaining health, fitness and wellbeing of the population. The guidance advises local planning authorities undertake audits of existing open space, sports and recreational facilities, access to such facilities and opportunities for new open space and facilities. Cemeteries are classified as open space within PPG17.

**APPENDIX C - RELEVANT POLICIES IN THE EAST MIDLANDS
REGIONAL PLAN (RS)**

RS Policy 26 'Protecting and Enhancing the Region's Natural and Cultural Heritage'

RS Policy 29 'Priorities for Enhancing the Region's Biodiversity'

RS Policy 31 'Priorities for the Management and Enhancement of the Region's Landscape'

RS Policy 41 'Regional Priorities for Culture, Sport and Recreation'

RS Policy 42 'Regional Priorities for Tourism'

APPENDIX D – SUGGESTED CONDITIONS FROM COUNTY COUNCIL HIGHWAYS

Transport

The Transport Assessment submitted with the application identifies the parking provision as 180 spaces to serve the Golf Course, the Hotel and the Crèche. It then goes on to identify a need for 168 car spaces for these uses excluding staff and states that the extra 12 spaces should be able to accommodate the staff parking. However further in the TA it identifies staff numbers as approximately 75 staff with 5 using the bus. Add to this the requirement for 9 cycle spaces and allow for 5 staff walking to the site and say 10 arriving as passengers in cars, this leaves 45 staff arriving in cars.

However it is further noted that in the letter of supporting Information the size of the Golf Course has been reduced from 27 holes to 18 holes and this will have an effect on the number of parking spaces required. Therefore it is not considered that an objection should be made on the grounds of parking provision.

The traffic generated by the development will initially use the A60 but will quickly be dispersed onto other routes therefore considering the relative amount of traffic it is not considered appropriate to offer an objection on the grounds of traffic generation.

The proposed site access uses an existing access point that has been closed up; the reason that the use of this access was discontinued was that the visibility from the exit was sub-standard. The plan for the proposed new site access shows adequate visibility splays and mentions trees to be removed, provided that the visibility splays can be provided then the design of the site access junction would be acceptable in principle.

I would request that the following conditions are applied to any consent that might be granted:

1. No part of the development hereby permitted shall be brought into use until the access to the site has been completed and surfaced in a bound material behind the highway boundary in accordance with approved plan reference JD/108/100/A/P

Reason: In the interests of Highway safety.

2. No development shall commence on any part of the application site unless or until a ghost island right turn lane including pedestrian refuges has been provided at the site access junction as shown for indicative purposes only on the submitted plan JD/108/100/A/P to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

3. No part of the development hereby permitted shall be brought into use until

the visibility splays shown on drawing no. JD/108/100/A/P are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general Highway safety.

4. Details of measures to prevent the deposit of debris upon the adjacent public highway shall be submitted and approved in writing by the LPA prior to any works commencing on site. The approved measures shall be implemented prior to **any** other works commencing on site.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

5. No part of the development hereby permitted shall be brought into use until details of measures to prevent golf balls entering the public highway are submitted to and approved in writing by the local planning authority and such measures are thereafter provided in accordance with the approved details and retained throughout the life of the development.

Reason: In the interests of Highway safety.

6. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

Reason: To promote sustainable travel.

Justin Ward
Principal Development Control Officer

