

6th March 2014**Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATION ON A MIXED USE DEVELOPMENT
ON LAND OFF SHELFORD ROAD, RADCLIFFE ON TRENT****Purpose of the Report**

1. To inform Committee of the formal response which was agreed by the Chairman of Environment and Sustainability Committee and sent to Rushcliffe Borough Council (RBC) on the 10th February 2014 in response to the request for comments on the above outline planning application for mixed use development on land off Shelford Road, Radcliffe on Trent, Nottinghamshire.

Information and Advice

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

Description of the Proposal

5. The proposal would comprise the demolition of the former Shelford Road Farm building (retaining the existing farm house) with the remaining site being developed for up to 400 residential dwellings (30% affordable), a one form entry primary school, a health centre and associated infrastructure, including highway and pedestrian access, open space and structural landscaping.

6. Vehicular, pedestrian and cycle access to the proposed development would be via a new roundabout junction with Shelford Road to the north. The existing access drive to the site would be closed to vehicular movement, but retained for pedestrians and cycle movements.
7. The housing will be arranged in perimeter blocks enclosing the private gardens space within the block and allowing the houses to front onto the streets and public open spaces. New housing will back onto exposed rear property boundaries to the west.
8. Development along the eastern site boundary will be of a lower density and informally arranged to create a soft settlement where houses face out in to the countryside. A landscape buffer will be provided along the boundary, incorporating retained hedgerows and proposed tree planting. Green routes will extend westwards from the buffer and an area of open space, including equipped children's play and parkland, is located in the centre of the proposed development. Public open space is to be provided to the south of the built up development. The existing hedgerow corridor will be retained within the central north-south corridor, providing a pedestrian/cycle link to Shelford Road and access to the central and southern open spaces

National Planning Policy Context

9. 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.
10. 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.
11. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependent on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
12. 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.
13. Paragraphs 29-41 of the NPPF address the issue of sustainable transport. The NPPF requires all major planning applications to be supported by an appropriate

Transport Assessment (TA) and concludes that new development proposals should only be refused on transport grounds where the residual cumulative impacts would be severe.

14. 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”.

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

Rushcliffe Borough Council

16. Rushcliffe Borough Council has formally adopted a Non-Statutory Replacement Local Plan (NSLP) and has determined that it carries significant weight in determining planning applications. This is following the abandonment of the Local Plan process. There are no housing or employment allocations in the NSLP.

Rushcliffe Core Strategy

17. Radcliffe on Trent is identified in the emerging Core Strategy, at Policy 2 as a 'key settlement', suitable for accommodating future housing development, of up to 400 homes in or adjoining the settlement.
18. Policy 3 states that the principle of the Nottingham/Derby Green Belt will be retained, but acknowledges that alterations to the Green Belt will be required to facilitate future development needs as set out in Policy 2.

Strategic Planning Issues

Green Belt

19. The NPPF sets out a list of acceptable developments within the Green Belt, residential development is not considered to be acceptable development in the Green Belt and as such the onus lies with the applicant to demonstrate that there are very special circumstances to justify such inappropriate development in such a location.
20. The applicants have set out in their application documents, in particular section six of the supporting Planning Statement that they consider that Rushcliffe Borough Council cannot demonstrate a five year supply of deliverable housing sites.

21. The applicant also identifies an ongoing shortfall in affordable housing delivery to justify the need for additional housing in Radcliffe on Trent.
22. Overall it is considered that the proposed development would make a significant contribution to addressing the housing shortfall within Rushcliffe as a whole, particularly in the short term, as the land is available and can be developed within the first 5 years of the Plan, this is also supported by the NPPF (paragraphs 47-49) which seeks LPAs to demonstrate a 5 year supply of deliverable housing sites.
23. The County Council consider that the applicant has demonstrated 'very special circumstances', as Radcliffe on Trent is identified as a 'key settlement' in the RBC emerging Local Plan. In addition the proposed development would not result in unrestricted sprawl or encroachment and would not adversely affect the setting and special character of a historic town or negatively impact upon the landscape, the proposal therefore, accords with paragraph 80 of the NPPF in relation to development within the green Belt. However, the decision ultimately lies with the Borough Council.

Highways

24. The applicants' Transport Assessment (TA) has examined the likely impact of the proposed development allowing for other committed developments in the surrounding villages as requested by the County Council. The TA identifies a number of schemes of transport mitigation close to the development where the applicant considers that the development would otherwise lead to significant detrimental impacts. The likely impact of the proposed development lessens with distance from the site as traffic disperses to a multitude of likely destinations. In which case the likely impact on the strategic road network is expected to be relatively 'insignificant' in its own right, however in combination with other proposed developments in Rushcliffe Borough (and the Greater Nottingham Housing Market Area) these cumulative impacts are likely to be significant and warrant consideration of schemes of mitigation.
25. In order to consider the cumulative impacts of all projected development in Rushcliffe to 2026, Rushcliffe Borough Council have commissioned a transport study utilising the Greater Nottingham Multi- Modal Transport Model. This study includes proposed development in Radcliffe on Trent and when concluded will be used to inform the publication of the RBC Local Plan Core Strategy early in 2014.
26. The RBC transport study is currently in progress but is expected to demonstrate that the cumulative transport impact of development in Radcliffe on Trent and elsewhere in the district will require the implementation of a package of highway improvements along the A52 (T) and other pinch points on the local county road network.
27. RBC will need to establish a contribution strategy to deliver this supporting transport infrastructure and the Community Infrastructure Levy (CIL) is being considered as a possible funding mechanism. In strategic transport terms, if this application is approved in advance of the adoption of the Rushcliffe Local Plan and accompanying CIL policies then RBC should consider seeking a S106

contribution towards the package of transport infrastructure that will result from the RBC Core Strategy transport study.

28. Detailed highways comments are set out in Appendix 2.

Landscape and Visual Impact

29. The impact of the proposed development in landscape character and visual terms has been suitably assessed in the Landscape and Visual Appraisal (LVA) document, submitted by the applicant. The report concludes that the site and its environs have a susceptibility of low value resulting in an overall sensitivity of low to the changes proposed on the site in terms of landscape character. This finding is agreed with.

30. Mitigation measures recommended in the LVA are appropriate and have been translated to some degree in the proposals given in the Design and Access Statement. However, the Development Framework plan (DE_085-003 Rev C) should be reconsidered to allow these measures to be implemented more robustly and more in line with the acknowledged landscape actions. In particular this applies to the creation of copses along the eastern margin of the site and the generosity of the green corridors running westwards into the site.

31. The Landscape and Reclamation team do not object to the proposed development as given in this outline application providing the issues relating to site layout and structural landscape and design are re-considered as set out in detail at Appendix 3.

Ecology

32. The application is supported by up-to-date ecological information presented in an Extended Phase 1 Habitat Survey (dated October 2013) and a Bat Report (dated November 2013). However, it should be noted that no bat activity survey has been carried out.

33. The proposals do not directly affect any designated nature conservation sites. The nearest Site of Special Scientific Interest (SSSI), Colwick Cutting, is located approximately 4.9km to the west, whilst the nearest Local Wildlife Site, Site for Important Nature Conservation (SINC), Trent Bluff Scrub, Radcliffe 5/214, lies approximately 60m to the north-west.

34. Aside from bats, no evidence of, or potential for, protected species was identified at the site. However, surveys did identify the presence of roosting bats within three of the farm buildings on the site.

35. Surveys have confirmed the presence of two species of bats roosting within the farm buildings. However, whilst the ecology reports suggest that these are merely being 're-roofed', reference to the masterplan and the design and access statement suggest that these buildings are in fact being demolished. Given that this is a rather significant difference, it is necessary for this matter to be clarified.

36. In any event, bats are a European Protected Species, by virtue of the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), which implement Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'). Under regulation 53 of the Habitats Regulations, activities which would otherwise contravene the strict protection regime offered to European Protected Species under regulation 41 (which includes the destruction of roost sites) can only be permitted where it has been shown that certain tests have been met. Within the context of a planning application, these are that;

- the activity is for the purpose of preserving public health or safety or for other imperative reasons of overriding public interest ("IROPI");
- there is no satisfactory alternative
- the favourable conservation status of the species in question is to be maintained

37. It is recommended that the applicant is asked to submit a reasoned statement demonstrating how the three tests will be met, with the planning report documenting this and identifying clearly how the duty under regulation 9(5) has been addressed. Further information is set out in Appendix 4.

38. Concerns are raised in relation to vegetation clearance, retention of trees and hedgerows, lighting schemes, the design of site drainage, nesting designs, landscaping schemes and the management plan for the site, it is considered that these issues can be addressed using planning conditions, as detailed in Appendix 4.

Archaeology

39. The proposed development site has been the subject of a program archaeological evaluation. This commenced with an initial desk based assessment followed by a subsequent scheme of geophysical survey, and targeted trial trenching. The geophysical survey identified an extensive complex of archaeological features within the western half of the site along with evidence for contemporary agricultural field divisions. Historic ridge and furrow earthworks were also identified elsewhere within the site.

40. The program of trial trenching was requested to verify the results of the geophysical survey. The trial trenching revealed evidence for a Late Iron Age or Early Romano-British settlement within the west of the Site along with medieval or post-medieval ridge and furrow throughout the rest of the proposed development site. While the majority of the excavated archaeological features identified in the trenches corresponded with geophysical anomalies, occasional features did not suggesting that further unidentified archaeology deposits may be present within the site.

41. Due to the archaeological interest of this site, as well as the nature and extent of the proposed development it is recommended that if planning permission is to be granted this should be conditional upon two things. Firstly, upon the applicants submitting for approval and prior to development commencing details of an

archaeological scheme of treatment of the site and secondly, upon the subsequent implementation of that scheme to the satisfaction of RBC. A condition such as the following may be appropriate:

"No development shall take place within the application site until details of an archaeological scheme of treatment has been submitted to and approved in writing by the LPA."

"Thereafter, the scheme shall be implemented in full accordance with the approved details."

42. The County would prefer to see a 'strip, map and sample' exercise undertaken at this site whereby the topsoil is stripped under archaeological supervision and any archaeological features are identified, recorded and sampled accordingly. However, this method of archaeological mitigation will depend very much on the way in which the developer treats this site. Any archaeological scheme should be drawn up and implemented by a professional archaeologist or archaeological organisation.

43. Detailed archaeological comments are set out in Appendix 5.

Heritage

44. Having reviewed the information submitted with the planning application in relation to heritage issues it is concerning that the Archaeology Report by CGMS dated January 2013 and the Design and Access Statement of Nov 2013 makes virtually no reference to the existing farm buildings on the site.

45. These buildings appear to date (in part at least) to the 19th century and on proper examination there may be evidence of earlier buildings. Map evidence alone is not a secure mechanism for determining the date or interest of historic buildings. The farmstead has not been identified on the county Historic Environment Record (HER), it is considered imperative that the applicants demonstrate they have assessed the heritage significance of these buildings for themselves. In the absence of this assessment of the historic buildings on site, the application does not fulfil the requirements of paragraph 128 of the NPPF.

Developer Contributions

Libraries

46. The proposal would comprise 400 new dwellings. At an average of 2.4 persons per dwelling this would add 960 persons to the existing library's catchment area population. The nearest existing library to the proposed development is Radcliffe on Trent Library. The Museums, Libraries and Archives Council (MLA) publication "Public Libraries, Archives and New Development: a standard approach" recommends a standard stock figure of 1,532 items per 1,000 population.

47. The County Council would seek a developer contribution for the additional stock that would be required to meet the needs of the 960 population that would be occupying the new dwellings. This is costed at 960 (population) x 1,532 (items) x £10.53 (cost per item) = £15,486

Education

48. Discussions regarding education provision are on-going between Nottinghamshire County Council, Rushcliffe Borough Council and the Applicant.

Overall Conclusions

49. On Green Belt matters the proposal can be defined as “inappropriate development”, however, Rushcliffe Borough Council cannot demonstrate a five year land supply and as such this could demonstrate the ‘very special circumstances’ for allowing development in principle in line with the National Planning Policy Framework (NPPF).
50. RBC will need to establish a contribution strategy to deliver this supporting transport infrastructure and the Community Infrastructure Levy (CIL) is being considered as a possible funding mechanism. In strategic transport terms, if this application is approved in advance of the adoption of the Rushcliffe Local Plan and accompanying CIL policies then the LPA should consider seeking a S106 contribution towards the package of transport infrastructure that will result from the RBC Core Strategy transport study.
51. The Landscape and Reclamation team do not object to the proposed development as given in this outline application providing the issues relating to site layout and structural landscape and design are re-considered as set out in detail at Appendix 3.
52. Surveys have confirmed the presence of two species of bats roosting within the farm buildings. However, whilst the ecology reports suggest that these are merely being ‘re-roofed’, reference to the masterplan and the design and access statement suggest that these buildings are in fact being demolished. Given that this is a rather significant difference, it is necessary for this matter to be clarified. It is recommended that the applicant is asked to submit a reasoned statement demonstrating how the three tests will be met, with the planning report documenting this and identifying clearly how the duty under regulation 9(5) has been addressed. Further information is set out in Appendix 4.
53. Concerns are raised in relation to vegetation clearance, retention of trees and hedgerows, lighting schemes, the design of site drainage, nesting designs, landscaping schemes and the management plan for the site, it is considered that these issues can be addressed using planning conditions, as detailed in Appendix 4.
54. Due to the archaeological interest of this site, as well as the nature and extent of the proposed development it is recommended that if planning permission is to be granted this should be conditional upon two things. Firstly, upon the applicants

submitting for your approval and prior to development commencing details of an archaeological scheme of treatment of the site and secondly, upon the subsequent implementation of that scheme to RBC's satisfaction.

55. The County Council would seek a developer contribution for the additional stock that would be required to meet the needs of the 960 population that would be occupying the new dwellings. This is costed at 960 (population) x 1,532 (items) x £10.53 (cost per item) = £15,486

Other Options Considered

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

Reason for Recommendation

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

Statutory and Policy Implications

58. 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

59. There financial implications are set out in paragraph 47 of this report.

Implications for Sustainability and the Environment

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

RECOMMENDATION

- 1) That Committee note the officer response approved by the Chairman which was sent to Rushcliffe Borough Council on the 10th February 2014.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

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

Constitutional Comments (SLB 23/01/2014)

61. This report is for noting only.

Financial Comments (SEM 29/01/14)

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

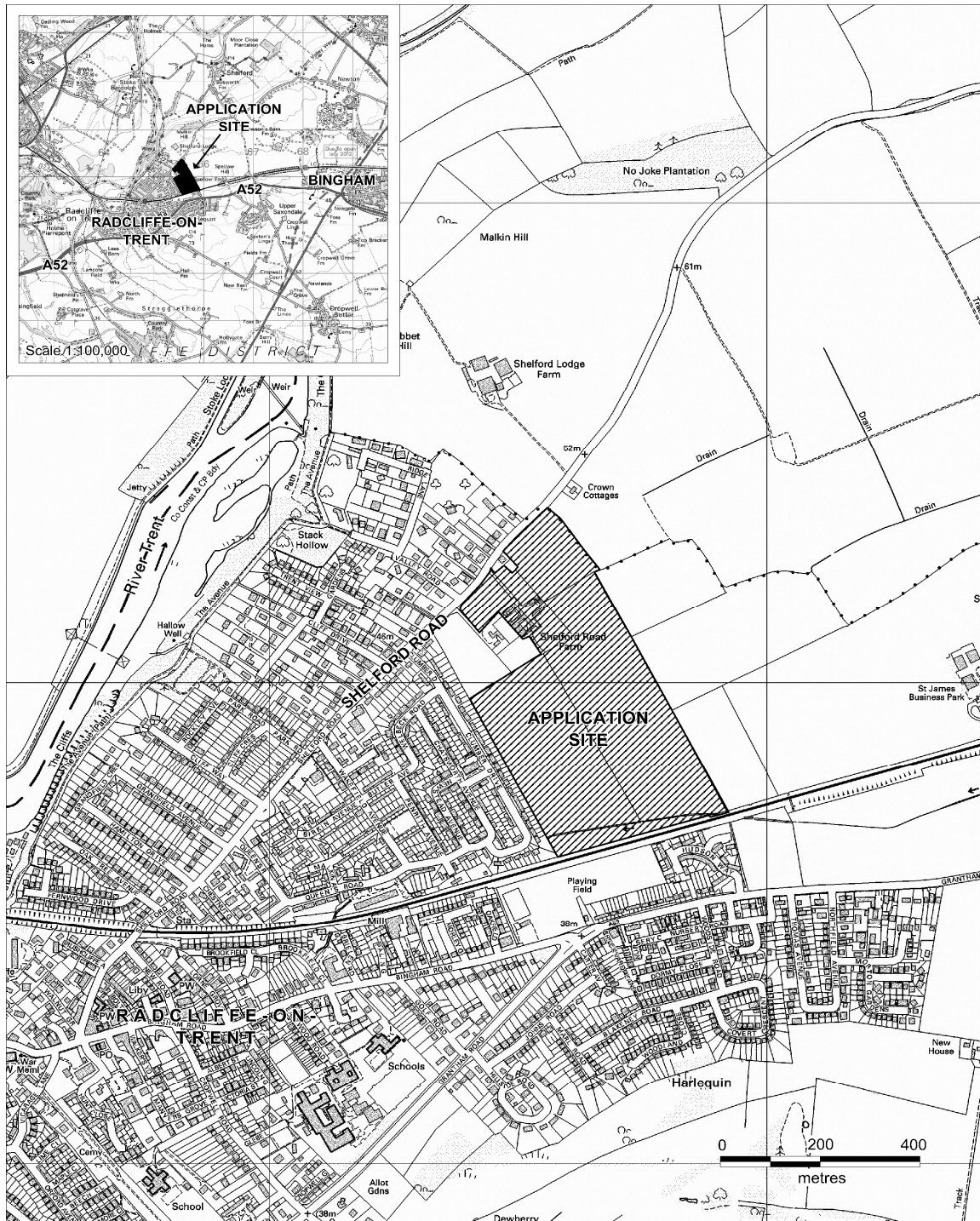
Background Papers and Published Documents

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

Electoral Division(s) and Member(s) Affected

Radcliffe on Trent – Councillor Mrs Cutts

Appendix 1 – Site Location Plan



 <p>Nottinghamshire County Council</p>	<p>Outline application for development of up to 400 dwellings, a primary school, health centre and associated infrastructure including highway and pedestrian access, open space and structural landscaping. Land Off Shelford Road (Shelford Road Farm) Shelford Road, Radcliffe On Trent, Nottinghamshire NG12 1BA. Planning Application No. 13/02329/FUL</p> <p><small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (1000019713) (2014)</small></p>	 <p>Scale 1:10,000 Produced by: JW Date: MARCH 2014</p>
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Appendix 2 – Detailed Strategic Highways Comments

The applicants' Transport Assessment (TA) has examined the likely impact of this development allowing for other committed developments in the surrounding villages as requested by the County Council. The TA identifies a number of schemes of transport mitigation close to the development where the applicant considers that the development would otherwise lead to significant detrimental impacts. The likely impact of the proposed development lessens with distance from the site as traffic disperses to a multitude of likely destinations. In which case the likely impact on the strategic road network is expected to be relatively 'insignificant' in its own right, however in combination with other proposed developments in Rushcliffe Borough (and the Greater Nottingham Housing Market Area) these cumulative impacts are likely to be significant and warrant consideration of schemes of mitigation.

In order to consider the cumulative impacts of all projected development in Rushcliffe to 2026, Rushcliffe Borough Council have commissioned a transport study utilising the Greater Nottingham Multi- Modal Transport Model. This study includes proposed development in Radcliffe on Trent and when concluded will be used to inform the publication of the RBC Local Plan Core Strategy early in 2014.

The RBC transport study is currently a work in progress but is expected to demonstrate that the cumulative transport impact of development in Radcliffe on Trent and elsewhere in the district will require the implementation of a package of highway improvements along the A52 (T) and other pinch points on the local county road network. The district Council will need to establish a contribution strategy to deliver this supporting transport infrastructure and the Community Infrastructure Levy (CIL) is being considered as a possible funding mechanism. In which case in strategic transport terms, it is important, to remind RBC that if this application is consented in advance of the adoption of the Rushcliffe Local Plan and accompanying CIL policies then the LPA should consider seeking a S106 contribution towards the package of transport infrastructure that will result from the RBC Core Strategy transport study.

Appendix 3 – Detailed Landscape and Visual Impact Comments

From: Ann Leigh-Browne, Landscape & Reclamation, Highways, Trent Bridge House
To: Nina Wilson
Date: 8th January 2014
Your ref: 13/02329/OUT
Our ref: G403
Tel: 0115 9772190
Email: ann.leigh-browne@nottsc.gov.uk

Proposed development: Mixed use development, Shelford Road, Radcliffe-on-Trent

Location: South of Shelford Road

Applicant: William Davis Ltd

Information Provided: Application documentation submitted to RBC November 2013,
including the following:

- Design and Access Statement
- Landscape and Visual Appraisal,
- Planning Statement and Section 106 Heads of Terms
- Drawings: Development Framework plan (DE_085-003 RevC).
- Site Location Plan (fig 1)
- Landscape Features (Fig2)
- Topography (Fig 3)
- Land use and Movement (Fig 4)
- Planning Policy (Fig 5)
- Landscape Character (Fig 6)
- Zone of Theoretical visibility (Fig 7)
- Viewpoint Locations (Fig 8)
- Viewpoints 1-11.

Thank you for consulting the Landscape and Reclamation team on the above development. The application has been reviewed and we have the following comments to make:

Landscape and Visual Appraisal.

A Landscape and Visual Appraisal (LVA), based upon the Guidelines for Landscape and Visual Impact Assessment 2013 (GVLIA3), has been undertaken, rather than a more rigorous Landscape and Visual Impact Assessment. This is considered appropriate due to the nature of the development and since an Environmental Impact Assessment is not required. The report was produced by Define on behalf of William Davis Ltd.

The appraisal addresses the selection of a study area, describes the baseline conditions of the site and its surroundings, establishes the baseline landscape character and the existing visual amenity relating to the application site and the Green Belt purposes, and appraises the relationship of the proposed development with the baseline conditions identifying any mitigation required.

The study area, based on a 3km distance from the centre of the site (corresponding to the limit of everyday visibility) and encompassing the zone of theoretical visibility (ZVT) is agreed with.

Landscape Character

In considering the landscape and visual baseline, reference is made to the National Character Area Designations (the application site falls within area 48 –Trent and Belvoir Vales), the East Midlands Regionals Character Assessment (designated Group 4a, Un-wooded Vales) and the Greater Nottingham Landscape Character Assessment (GNLCA, June 2009).

Under the GNLCA the site is categorised as South Nottingham Farmlands Regional Character Area. The Landscape and Visual Appraisal document identifies the key characteristics of this RCA and the guidelines and recommendations for the character area which are pertinent to the site. The GNLCA subdivides the RCA into Policy Areas (DPZs). DPZ SN05 – East Bridgford Escarpment Farmlands includes Radcliffe, the application site and land to the east and has been assigned a landscape condition of moderate and the strength of landscape character also as moderate. The resultant landscape strategy for DPZ SN05 is ‘enhance’.

Associated with each policy area are a series of landscape actions and those which are relevant to the site have been referred to appropriately in the applicant’s report. The application of these identified actions to the proposed development is considered below:

- *Enhance field boundaries through the augmentation of hedgerows to reinforce field pattern:* The scheme retains existing field boundaries within the site and reinforces them in part. However, the landscape character associated with these boundaries is significantly lost as the majority are to be consumed within the built up area and will no longer bound fields.
- *Enhance the distribution of hedgerow trees by encouraging planting of (mainly ash and some oak) trees within hedgerows. These should be carefully located to ensure the open character remains:* By incorporating existing hedgerows within the development and along its margins, the potential to retain the open character of the policy zone within the vicinity of said hedgerows is lost. However, there remains the opportunity to enhance the distribution of hedgerow trees for both new and retained hedges. It should be noted that in view of the spread of *Chalara fraxinea*, species other than ash should be proposed.
- *Conserve the smaller pockets of permanent pasture around village fringes:* Whilst the small field south of Shelford Road and north west of the site will be retained, it will be surrounded by housing. The new village fringe created by the development will comprise medium and large arable fields and this landscape action will not be fully adhered to.
- *Enhance woodland cover, ensuring it is small in size and reflects surrounding field patterns and the character of existing woodlands:* The outline proposals include for

some tree planting but this is in linear arrangements rather than blocks which would be more in keeping with the local tree cover and the landscape action.

- *Enhance village fringes through planting small copses to break up the uniform nature of the urban edge, particularly along the fringes of larger settlements such as Radcliffe on Trent:* The proposals include for tree planting to the eastern margin of the development but as mentioned above, this is of linear nature rather than small copses and does not serve to break the line of the village edge as required by the landscape action.

- *Conserve the variety of built form and orientation of buildings along roads within villages:* The proposals include for a variety of styles and configurations of the dwellings in line with this landscape action.

- *Any developments along village fringes should encourage the use of red brick and pantile roofs and make a positive contribution to local character and distinctiveness within each individual village:* This is addressed in the Design and Access Statement

- *Development along village fringes should aim to provide a dispersed character rather than a sharp continuous built line and incorporate smaller fields or open spaces, to provide a dispersed appearance to village fringes:* The Design and Access Statement indicates the proposed layout along the eastern side of the development. An irregular building line set back from the site boundary is illustrated, with green space and trees between the houses and the limit of the site. This accords, to some measure, with the landscape action. However, viewed from the east the view will be of a hedge and tree line, albeit irregular. The proposals should incorporate more variation into this through the use of larger tree groups / copses

- *Retain and enhance hedgerow boundaries and hedgerow tree boundaries along roads in the area:* The majority of hedges along Shelford Road have been retained. New hedges proposed as part of the layout at the new site entrance (Design and Access Statement Figure 9) contribute to achieving the landscape action.

- *Conserve the small rural character of roads through the area:* The proposed roundabout at Shelford Road is not in line with this landscape action. In addition, proposed off-site work to convert the roundabout at the junction of Shelford Road with Main Road to a signal controlled junction could reduce the village –like character of the centre of Radcliffe and increase street furniture.

The conclusions reached concerning the impact on landscape character are generally concurred with. Paragraph 4.2.2 states that “the site is not subject to any landscape policy designation.....”. This is misleading as there are several general landscape policies which apply to the site. However there are no specific landscape designations.

The character assessment describes the site as having a low level of susceptibility and a low landscape value, giving an overall low landscape sensitivity to the proposed changes. The process and these conclusions are agreed with.

Visual Amenities

Eleven representative viewpoints are selected and are examined in the LVA and it is considered that these give a fair illustration of the visual impact of the scheme. The methodology for assessing and illustrating the views is fair. Photomontages, though useful, are not deemed necessary to illustrate the visual impact of the development in this instance.

Of the 11No views, none are judged to have a high sensitivity, 4No classified as medium sensitivity, 1No of low/medium and 6No are designated of low sensitivity. These assessments, derived from the assessed susceptibility and value of the views, are agreed with, with the exception of view point 6: For motorists, cyclists and pedestrians, this view represents the opening up of views to the countryside as one leaves the more tightly built up and enclosed village centre. The new development will significantly impact upon this view and remove a large proportion of the open countryside visible. The classification of susceptibility to change (medium) and the value of the view (medium) is agreed with but the sensitivity (paragraph 5.3.46) is considered medium, rather than low / medium.

Proposed Mitigation.

The mitigation proposed within the Landscape and Visual Appraisal would assist in minimising the impact of the development on the existing environment.

There is the potential, as given, to ease the transition from housing to countryside and make it less abrupt than the current juxtaposition of Clumber Drive houses with the fields. This may be achieved through careful treatment of boundary planting and building orientation and style.

Appropriate choice of building layout, style and materials would reduce the impact on Landscape Character, and structural landscape can be used to mitigate the impact in both character and visual impact terms for existing properties in the vicinity. Restricting building height to typically 2 storey, with occasional 2.5 storey is important in limiting visual impact.

Design and Access Statement

The Design and Access Statement assesses the existing site and it's context, including the characteristics of the built environment of Radcliffe-on-Trent and then puts forward the key design principles of the proposed development with illustrative material to assist in explaining these principals. The document is relatively comprehensive though there are some issues of note:

Settlement Characteristics

A series of photographs indicates building typologies and arrangements, building material and ornamentation, and boundary treatments and landscaping found within the village and used as design references for the new development. The range of these characteristics provides a broad palette of styles and care needs to be taken to avoid creating hybridised designs with elements from different reference points where

the overall resultant style is awkward and unsuccessful. Some of the characteristics are not common features of Radcliffe- e.g. narrow mews/ same surface mews.

Design

The Design Concept (paragraph 5.2.1) includes the core principle *“Create a series of eastwest green links, that step up the hill, minimising the visual impact of the development when viewed from the south east”*. The Design Principles (para 5.5.1) includes *(5)East-west green links permeate the development, creating woodland blocks and green streets that step up the hill and help integrate the development with it’s surroundings*. These are in line with recommended mitigation established in the Landscape and Visual Appraisal.

However, these principles are poorly represented in the given layout. In terms of reducing visual impact, the east-west corridors, particularly in the northern half of the site, are important and must be substantial enough to allow sizable trees to establish and rise up between the buildings to filter views of the new housing. Figure 10 (Eastern Edge Illustrative Sketch) shows a green link of reasonable breadth that punctuates the housing and could provide both visual mitigation and soften the development edge where it abuts the broader countryside.

However, the green links west of the north-south pedestrian /cycle spine appear of insufficient width or presence to achieve the desired goals. The Central Play Area Illustrative Sketch incorporates a length of one of these Green Links which appear to have manifested into a “Pedestrian Friendly Street” with reduced emphasis on trees and vegetation.

In proceeding to the submission for full planning permission, the applicant should re-visit the layout to allow stronger green links within the design in order to achieve the design principles identified.

Clarification is sought regarding the length of gardens along the Clumber Road boundary. It is given in figure 12 (Western Illustrative Sketch) that there will be “Larger rear gardens (at least 15.5m in total) to include a 5m buffer, consisting of a shrub/hedge mix and occasional trees, and a minimum of 10.5m garden alongside existing property boundaries”. The Clumber Drive Boundary Illustrative Section (Figure 18) shows a 15m open garden and 5m buffer giving a total garden length of approximately 20m. Whilst it is appreciated that this is illustrative, there does not appear to be great variation shown in the offset of the new houses proposed along the Clumber Road boundary from the edge of the existing gardens and thus it is assumed that the dimensions shown on the cross section apply for the majority of the length where new properties abut the existing. The applicant should confirm whether the building offset from the site boundary is typically 15m or 20m.

Planning Statement

Within this document the applicant has comprehensively identified the policies and wording within the National Planning Policy Framework documents, the Rushcliffe Core Strategy and the Rushcliffe Non-Statutory Replacement Local Plan that relate to landscape and design aspects of the development.

In terms of impact on the Green Belt, the development does not compromise the separation of established settlements nor affect the requirement to preserve the setting of historic towns.

Other aspects of Green Belt designation are not considered landscape issues.

Management

The applicant is reminded of the need to provide details of continued maintenance, ownership and adoption of open areas of the site; landscape features, including planting; and boundary treatments as required under the Non-Statutory Replacement Local Plan (policy EN13).

Appropriate and sufficient management of these open spaces is fundamental to the success of the mitigation measures.

Conclusions

The impact of the proposed development in landscape character and visual terms has been suitably assessed in the Landscape and Visual Appraisal document. The report concludes that the site and its environs have a susceptibility of low and a value of low resulting in an overall sensitivity of low to the changes proposed on the site in terms of landscape character.

This finding is agreed with.

The LVA document assesses the sensitivity of the 11 viewpoints as low, low / medium or medium. This impact assessment is concurred with, other than the sensitivity of viewpoint 5 which is considered medium rather than low/medium.

Mitigation measures recommended in the LVA are appropriate and have been translated to some degree in the proposals given in the Design and Access Statement. However, the Development Framework plan (DE_085-003 Rev C) should be reconsidered to allow these measures to be implemented more robustly and more in line with the acknowledged landscape actions. In particular this applies to the creation of copses along the eastern margin of the site and the generosity of the green fingers running westwards into the site.

The Landscape and Reclamation team do not object to the proposed development as given in this outline application providing the issues relating to site layout and structural landscape and design are re-considered as discussed above.

Regards

For more information please contact: Ann Leigh-Browne

Appendix 4 – Detailed Ecology Comments

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

Surveys and site value

The application is supported by up-to-date ecological information presented in an Extended Phase 1 Habitat Survey (dated October 2013) and a Bat Report (dated November 2013). However, it should be noted that no bat activity survey has been carried out.

The proposals do not directly affect any designated nature conservation sites. The nearest SSSI, Colwick Cutting, is located approximately 4.9km to the west, whilst the nearest Local Wildlife Site (SINC), Trent Bluff Scrub, Radcliffe 5/214, lies approximately 60m to the north-west.

Surveys indicate that the site is of generally low nature conservation value, although some of the grassland present on site is described as 'relatively species rich' (although not of Local Wildlife Site quality). The hedgerows are described as species-poor, as are the two larger grassland fields which form the majority of the site (although it should be noted that these had been ploughed up prior to surveys taking place).

Aside from bats, no evidence of, or potential for, protected species was identified at the site. However, surveys did identify the presence of roosting bats within three of the farm buildings on the site (see below).

Bats

Surveys have confirmed the presence of two species of bats roosting within the farm buildings. However, whilst the ecology reports suggest that these are merely being 're-roofed', reference to the masterplan and the design and access statement suggest that these buildings are in fact being demolished. Given that this is a rather significant difference, it is necessary for this matter to be clarified.

In any event, bats are a European Protected Species, by virtue of the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), which implement Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'). Under regulation 53 of the Habitats Regulations, activities which would otherwise contravene the strict protection regime offered to European Protected Species under regulation 41 (which includes the destruction of roost sites) can only be permitted where it has been shown that certain tests have been met. Within the context of a planning application, these are that;

- the activity is for the purpose of preserving public health or safety or for other imperative reasons of overriding public interest ("IROPI");
- there is no satisfactory alternative

- the favourable conservation status of the species in question is be maintained

Furthermore, under regulation 9(5) of the Habitats Regulations, local planning authorities, in the exercise of their functions, have a statutory duty to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. What this means is that consideration must be given (during the determination process) to whether or not the three tests outlined above have been met. Therefore, it is recommended that the applicant is asked to submit a reasoned statement demonstrating how the three tests will be met, with the planning report documenting this and identifying clearly how the duty under regulation 9(5) has been addressed. Further guidance on this matter can be found in the Natural England publication entitled 'European protected Species and the Planning Process', which can be accessed at <http://publications.naturalengland.org.uk/publication/113030>.

Mitigation and enhancement

The following matters should be secured through appropriate planning **conditions**:

- Vegetation clearance must take place outside the bird nesting season, which runs from March to August inclusive, unless otherwise approved.
- Retained trees and hedgerows must be clearly identified and protected during development.
- A lighting scheme must be produced, to ensure the retention of an unlit corridor around the site boundary hedgerows to ensure that impacts on nocturnal wildlife (primarily bats) are minimised; this is essential given the absence of bat activity surveys as identified above.
- A detailed design for the site drainage and attenuation ponds (noting comments below) must be produced.
- Details must be provided relating to the incorporation of features for nesting house sparrows and starlings, and roosting bats, within the fabric of a proportion of the proposed buildings.
- A detailed landscaping scheme must be produced, with details of species mixes, establishment methods and maintenance regimes, and should incorporate the following matters:
 - Areas of open space around the boundaries of the site (i.e. the eastern boundary and the area containing the attenuation ponds to the south) should utilise native species planting, appropriate to the local area and of native genetic origin, with grassland in these areas sown with a simple wildflower seed mix.
 - Boundary and internal (retained) hedgerows should be strengthened by gapping up and/or laying where required; hawthorn should be used as the dominant hedgerow shrub.
 - The attenuation ponds should be designed in such a way that their wildlife value is maximised, with areas of permanent water and shallow banks to allow the establishment of fringing vegetation, noting that natural regeneration should be encouraged as far as possible. A series of smaller, separate wildlife ponds should also be created.
 - The small, narrow field adjacent to the railway should be enhanced to benefit the Grizzled Skipper, a Section 41 species of butterfly known to occur a few

kilometres to the east at Saxondale, and probably also occurring along the active railway. This should be creating several butterfly banks with a south facing aspect, then seeding with a wildflower mix and plug-planting areas with Creeping Cinquefoil (the larval foodplant). More information can be found in the Butterfly Conservation publication 'Creating a butterfly bank', which can be accessed at <http://butterfly-conservation.org/files/1.butterfly-bank-factsheet.pdf>. It would also be appropriate to construct a number of ponds in this area. Public access here should be limited.

- A management plan for the areas of open space of nature conservation value (i.e. primarily the southern part of the site containing the attenuation ponds and the narrow field next to the railway) should be produced, to guide ongoing management and ensure that the biodiversity value of this area is maximised.

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

Nick Crouch
Senior Practitioner Nature Conservation

Appendix 5 – Detailed Archaeology Comments

Thank you for your request for comments on the archaeological implications of this proposal. I have checked the application site against the County Historic Environment Record and have the following comments to make.

The proposed development site has been the subject of a program archaeological evaluation.

This was begun with an initial desk based assessment followed by a subsequent scheme of geophysical survey, and targeted trial trenching. The geophysical survey identified an extensive complex of archaeological features within the western half of the site along with evidence for contemporary agricultural field divisions.

Historic ridge and furrow earthworks were also identified elsewhere within the site.

The program of trial trenching was requested to verify the results of the geophysical survey. The trial trenching revealed evidence for a Late Iron Age or Early Romano-British settlement within the west of the Site along with medieval or post-medieval ridge and furrow throughout the rest of the proposed development site. While the majority of the excavated archaeological features identified in the trenches corresponded with geophysical anomalies, occasional features did not suggesting that further unidentified archaeology deposits may be present within the site.

Due to the archaeological interest of this site, as well as the nature and extent of the proposed development it is my recommendation that if planning permission is to be granted this should be conditional upon two things. Firstly, upon the applicants submitting for your approval and prior to development commencing details of an archaeological scheme of treatment of the site and secondly, upon the subsequent implementation of that scheme to your satisfaction. A condition such as the following may be appropriate:

"No development shall take place within the application site until details of an archaeological scheme of treatment has been submitted to and approved in writing by the LPA."

"Thereafter, the scheme shall be implemented in full accordance with the approved details."

I would prefer to see a 'strip, map and sample' exercise undertaken at this site whereby the topsoil is stripped under archaeological supervision and any archaeological features are identified, recorded and sampled accordingly. However, this method of archaeological mitigation will depend very much on the way in which the developer treats this site. Any archaeological 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.

Appendix 6 – Detailed Library Comments

POTENTIAL DEVELOPER CONTRIBUTION IN RESPECT OF PROPOSED SHELFORD ROAD DEVELOPMENT

1. Background

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

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

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

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

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

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

2. Potential Shelford Road development

There is currently a proposal for a significant new development on **Shelford Road**. Amongst other elements, this would comprise 400 new dwellings. At an average of 2.4 persons per dwelling this would add 960 to the existing library's catchment area population. The nearest existing library to the proposed development is Radcliffe on Trent Library.

The Museums, Libraries and Archives Council (MLA) publication “Public Libraries, Archives and New Development: a standard approach” recommends a standard stock figure of 1,532 items per 1,000 population.

We would seek a developer contribution for the additional stock that would be required to meet the needs of the 960 population that would be occupying the new dwellings. This is costed at 960 (population) x 1,532 (items) x £10.53 (cost per item) = £15,486

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