Nottinghamshire County Council

# Environment and Sustainability Committee

## Thursday, 06 March 2014 at 10:30

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

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# AGENDA


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| 1 | Minutes of the last meeting held on 30 January 2014 | 3 - 6 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Strategic Planning Observations | |
| a | Outline planning application for a mixed use development to the west of Toton Lane, Stapleford | 7 - 38 |
| b | outline planning applications for residential development on land north of Papplewick Lane Report | 39 - 74 |
| c | Mixed use development on land off Shelford Road, Radcliffe on Trent | 75 - 98 |
| d | Residential Development, Land East of Meeting House Close, Costock Road, East Leake | 99 - 114 |
| e | Residential Development Park Hall Farm, Park Hall Road, Mansfield Woodhouse | 115 - 130 |
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**Notes**

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.

(2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

(3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.

(4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

Nottinghamshire County Council

# minutes

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| Meeting | ENVIRONMENT AND SUSTAINABILITY COMMITTEE |
| Date | Thursday 30 January 2014 (commencing at 10.30am) |

**Membership**
Persons absent are marked with an 'A'

**COUNCILLORS**

Jim Creamer (Chairman)
John Wilkinson (Vice-Chairman)

Richard Butler
Steve Calvert
Stan Heptinstall MBE
Roger Jackson
Bruce Laughton
Pamela Skelding
Parry Tsimbiridis

Ex-officio (non-voting)
A Alan Rhodes

## OFFICERS IN ATTENDANCE

| | | |
|---|---|---|
| Mick Allen | - | Group Manager - Environment and Resources |
| Sally Gill | - | Group Manager - Planning |
| Tim Gregory | - | Corporate Director - Environment and Resources |
| Jas Hundal | - | Service Director -Transport, Property and Environment |
| Helen Lester | - | Team Manager - Waste Strategy and Development |
| Ruth Rimmington | - | Democratic Services Officer |

## MINUTES OF THE LAST MEETING

The minutes of the meeting held on 12 December 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

## APOLOGIES FOR ABSENCE

There were no apologies for absence.

## DECLARATIONS OF INTEREST

Councillor Bruce Laughton declared a non-pecuniary interest in agenda item 5 – Information – Petition received opposing a planning application as Ash Farm Farnsfield, as a local member for the area.

Councillor Stan Heptinstall declared a non-pecuniary interest in agenda item 7 – Broxtowe Borough Council Site specific allocations document, as local member.

**PRESENTATION ON SECTION 106 AND CIL**

Sally Gill Group Manager PPCS gave a presentation to the committee on Section 106 obligations & the Community Infrastructure Levy (CIL). In summary, Section 106 planning obligations were the most common type of developer contributions which, historically most planning authorities negotiated for on large housing or mixed use schemes and did not usually apply to single housing plots and commercial development.

The Community Infrastructure Levy (CIL) was a levy that lower tier Local Planning authorities could choose to develop and adopt, where additional floor space created would be subject to a levy towards infrastructure projects.

Legislation had changed recently regarding Section 106 which meant there were now legal tests introduced by the CIL Regulations. Where planning appeal decisions considered S106 agreements to be reasonable, evidence was needed to ensure that these relevant tests were met.

After April 2014, no more than five developer contributions could be pooled per infrastructure item, (which would take account of any agreements commenced from 6 April 2010). CILs were not mandatory for local authorities. Their aim was to allow them to raise monies from developers to fund a wide range of infrastructure including flood defence, open space, roads education and health care facilities.
For Local Authorities who did not have a CIL in place, the rule could be extremely challenging for large strategic infrastructure requirements such as schools. Recent Government consultation had seen the deadline extend to April 2015.

The committee noted the presentation.

**INFORMATION PETITION RECEIVED OPPOSING A PLANNING APPLICATION AT ASH FARM FARNSFIELD**

Sally Gill introduced the report.

**RESOLVED 2014/01**

That the report be noted.

**PLANNING OBLIGATIONS STRATEGY CONSULTATION – COMMENTS RECEIVED AND PROPOSED RESPONSES**

Sally Gill, Group Manager, Planning introduced the report.

**RESOLVED 2014/02**

1. That the responses to the consultation and proposed revisions to the planning obligations strategy set out in appendix 1 to the report be approved.

2. That the revised Planning Obligations Strategy be referred to the Policy Committee for consideration and adoption.

**BROXTOWE BOROUGH COUNCIL SITE SPECIFIC ALLOCATIONS DOCUMENT**

**RESOLVED 2014/03**

That the officer response to the Broxtowe Borough Council Site Specific Allocations Documents sent to the Council on 10 January 2014 be noted.

**LEICESTERSHIRE COUNTY COUNCIL MINERALS AND WASTE LOCAL PLAN ISSUES DOCUMENT 2013**

The committee requested a copy of the officer response that had been sent to Leicestershire County Council.

**RESOLVED 2014/04**

That the officer response to the Leicestershire County Councils Minerals and Waste Local Plan Issues Document 2013 sent to the Council on 24 January 2014 be noted.

**CONSULTATION ON AN ENVIRONMENTAL PERMIT APPLICATION DANESHILL ENERGY FOREST, DANESHILL ROAD, LOUND, NOTTINGHAMSHIRE**

The committee requested a copy of the officer response that had been sent to the Environment Agency.

**RESOLVED 2014/05**

That the officer response to the request for comments on the Environmental Permit Allocation at Daneshill Energy Forest sent to the Environment Agency on 6 January 2014 be noted.

**STRATEGIC PLANNING OBSERVATIONS**

**RESOLVED 2014/06**

That the report be noted.

**WORK PROGRAMME**

Further to discussions it was proposed to change the consultation process for officer responses for signing off Strategic Planning Obligations to include Opposition Group Lead Members and relevant members whose electoral divisions are affected.

The committee also felt that it would be useful to invite Highways planners to a future meeting.

**RESOLVED 2014/07**

That the work programme be noted.

**WASTE MANAGEMENT CONTRACTS**

**RESOLVED 2014/08**

1. That the 'in principle' agreement to clarify existing arrangements regarding the use of Eastcroft EfW plant and authorises the Council to enter into a deed variation with Nottingham City Council and FCC to reflect the agreement.

2. that delegated authority be given to the Corporate Director, Environment and resources to negotiate the final details of a legal agreement to reflect the agreement in principle detailed in the report in consultation with the Group Manager Legal and Democratic Services.

3. That the outcome of Defra's re-assessment of waste infrastructure grant for the Waste PFI Contract be acknowledged.

4. That the current position reached on VESN's proposals in the DRPP be noted.

**EXCLUSION OF THE PUBLIC**

**RESOLVED: 2014/09**

That the public be excluded from the remainder of the meeting on the grounds that discussions are likely to involve the disclosure of exempt information described in paragraphs 3 and 5 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**EXEMPT APPENDIX TO ITEM 12 – WASTE MANAGEMENT CONTRACTS**

**RESOLVED: 2014/10**

That the information set out in the exempt appendix to the report be noted.

The meeting concluded at 12.30pm.

**CHAIRMAN**

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item:**

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

# STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING APPLICATION FOR A MIXED USE DEVELOPMENT ON LAND TO THE WEST OF TOTON LANE, STAPLEFORD

## Purpose of the Report

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

## Information and Advice

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the above mixed use outline planning application and this report compiles responses from Departments involved in providing comments and observations on such matters. In line with the agreed protocol, comments have been sent to Broxtowe Borough Council to meet their consultation deadline. These comments were agreed with the Chairman.

3. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.

4. The site is located within the Nottinghamshire Green Belt.

5. A site plan is provided at Appendix 1.

*Description of the Proposal*

6. The outline planning application seeks planning permission for a mixed use development incorporating the following:

    - a maximum of 775 dwellings,
    - 380 sq m convenience store,

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

*National Planning Policy Context*

7. One of the core principles of the National Planning Policy Framework (NPPF) is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met. The NPPF looks to boost significantly the supply of housing. The principles and policies contained in the NPPF also recognise the value of and the need to protect and enhance the natural, built and historic environment, biodiversity and also include the need to adapt to climate change.

8. A key aspect of the NPPF is a presumption in favour of sustainable development which means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.

9. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependent on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.

10. The NPPF sets out planning policy in relation to retail development in paragraphs 23-27, essentially promoting a town centre first approach that is positive and promotes competitive town centres. If proposals for retail development lie outside a defined centre the NPPF, applicants are required to submit an impact assessment and a sequential assessment of sites.

11. Paragraphs 29-41 of the NPPF address the issue of sustainable transport. The NPPF requires all major planning applications to be supported by an appropriate Transport Assessment (TA) and concludes that new development proposals should only be refused on transport grounds where the residual cumulative impacts would be severe.

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

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

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

*Local Planning Context*

14. The Broxtowe Local Plan 2004, contains a number of saved polices relevant to this planning application, it does not however, identify the proposed development site for development.

15. The Aligned Core Strategy Publication Version (June 2013) identified approximately 6,200 dwelling to be built within Broxtowe up to 2028 and contains Policy 2 'Spatial Strategy', it does not, however, allocate the site for development. The Core Strategy Proposed Modifications 2014, following on from the ACS Examination in November 2013, and the announcement by Government that the proposed HS2 Railway line proposes a station at Toton sidings, proposed amendments to Policy 2 'Spatial Strategy' to include identifying land for development within the vicinity of the proposed HS2 station.

16. Broxtowe Borough Council intend to make amendments to the Green Belt as part of an Allocations Development Plan Document (DPD).

**Strategic Planning Issues**

*Green Belt*

17. The site lies within the Green Belt and as such the NPPF states that the proposal would constitute inappropriate development. As such the onus is placed upon the applicant to demonstrate 'very special circumstances' to justify approval.

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

*Strategic Highways*

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

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

21. The Transport Background Paper Addendum May 2013 sets out the current formal position with respect to transport modelling for the ACS. This Paper is still current with respect to the consideration of the Toton site, which has been 'assessed' outside the ACS transport modelling process. Nevertheless the Transport Assessment work undertaken to date on the Toton Site (to support a planning application) gives the County Council as local highway authority sufficient detail to inform a decision on the acceptability in transport terms of allocating this site in the ACS (for up to 1000 dwellings). There will however be a need to consider in further detail, at the next stage in the LP process, the cumulative impacts of local clusters of development including the Toton and Stapleford developments.

22. A package of strategic transport improvements will be needed (and these will be identified to support the Core Strategies) and further local junction improvements are likely to be required and these will be identified as part of Transport Assessments to support individual planning applications.

23. Detailed Strategic Highways comments are set out in Appendix 2.

*Highways Development Management*

24. Having considered the amended plans and traffic modelling submitted there will be no adverse impact of the development on adjacent roads in terms of capacity issues.

25. The submitted Travel Plan is acceptable in principle, however a number of conditions are suggested in relation to the appointment of an on-site travel plan coordinator and their responsibilities. (See Appendix 3 for further details).

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

27. Traffic Regulation Orders will be required to revoke the existing 40mph speed limit and reducing it down to 30mph. All costs including the preparation of the order

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

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

*Landscape and Visual Impact*

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

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

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

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

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

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

35. The County Council is in general agreement with the predicted levels of impact, in terms of visual impact.

36. In designs terms a wider central green corridor needs to be provided which is closer to the main residential areas and which can be multi-functional, e.g. location for drainage, good pedestrian and bike circulation and links to the wider surroundings. Whilst this is currently shown to a limited extent on the Indicative Layout drawing, the available green space diminishes considerably to the eastern end of the site, particularly once the NET extension is built.

37. The existing public right of way (NCC Ref 17) could also be improved with more street tree planting/avenues through the more urban areas. This could then open out to a swathe of wider parkland which links up with the Local Nature Reserve (LNR) and the Erewash Valley walks to the south west and west of the site.

38. The inclusion of the community orchards and allotments are welcomed but these are not to be included until the last phase of the scheme, where they are located on the periphery of the residential area. It is considered these should be centrally located within the site.

39. Green infrastructure is essential to the success of the scheme and to mitigate the identified landscape and visual impacts. Additional information is required in the Design and Access Statement about how the proposed green infrastructure will be maintained and how the cost of this will be met.

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

41. Whilst the County Council supports the principle of the development however it is recommended that the points listed above are addressed and that the further information is provided by the applicant.

42. Detailed Landscape and Visual Impact comments are set out in Appendix 4.

*Ecology*

43. The proposals will not affect any statutorily designated nature conservation sites; the nearest such site Attenborough gravel Pits SSSI, lies approximately 2.2km to the south-east. The proposals will not directly affect any locally designated sites, although the Toton Sidings Local Wildlife Site (LWS) 5/2210, abuts the site on its western boundary.

44. A range of surveys have been carried out in support of the application; it should be noted that a number of these date from 2009 or 2010, with apparently only the Phase 1 Habitat Survey and internal/external inspections of buildings for roosting bats having been updated having been updated in 2012. Given that the NPPF states, in paragraph 165, that planning decisions should be based on up-to-date information about the natural environment, justification should be provided as to why survey data which is, in some cases, almost 4½ years old, is considered

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

45. Confirmation is required that no evidence of water voles was found at the site.

46. It is stated that there will be a partial loss of two hedgerows on site (identified as H3 and H5 in the ecology chapter). However, reference to the site Masterplan suggests that additional lengths of hedgerow will be lost. It is not clear which trees are being retained, which needs to be clarified given the high potential of one of these for roosting bats and the presence of one 'near veteran' tree. It is therefore suggested that a plan be provided, clearly showing areas of vegetation (i.e. hedgerows, trees and tree groups) which will be retained, and those which will be lost. If the scale of hedgerow and tree loss is greater than described in the Environmental Statement, then the site layout should be redesigned.

47. With the implementation of appropriate mitigation, the ecology chapter predicts that there will be a moderately beneficial ecological impact at the site in the long term. To ensure that this is the case, it will be necessary for the following matters (generally outlined in section 6.107 to 6.135 of the ecology chapter) to be secured through any planning permission that is granted, with the use of planning conditions:

    a. The production of a landscape masterplan, to include species mixes and proportions, establishment methods and maintenance regimes, building on the details provided in chapter 6. This should ensure that native species, appropriate to the local area and of at least native genetic origin (and ideally of local provenance), are used in all areas of informal greenspace around the site, to ensure that the biodiversity value of the site is maximised. Areas of grassland within informal greenspace areas should be established as species-rich grassland, and the site drainage system should be designed such that it provides wetland habitat. Confirmation should be provided at this stage that these measures will be provided.
    b. The production of a site management plan, to guide the ongoing management of created and retained/enhanced habitats to ensure that the biodiversity value of the site is maximised.
    c. The production of a detailed water management scheme, which ensures that the biodiversity value of ditches, swales and SuDS/water attenuation features is maximised.
    d. The provision of bat and bird boxes to be incorporated within the fabric of the new buildings; bird boxes should target species such as house sparrow, starling and swift.
    e. The production of a method statement for the translocation of the smooth newt population which currently uses the pond on site for breeding.
    f. The production of a management plan for the eradication of Japanese knotweed and giant hogweed on the site, to ensure that they are not spread within the site or beyond.

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

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

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

*Reclamation*

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

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

*Rights of Way*

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

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

*Developer Contributions*

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

*Libraries*

55. In respect of Stapleford, the library should be a minimum of 620m². The current building is, therefore, significantly larger than is required (by some 146m²) to meet the recommended standard and the anticipated additional 2,292 people would only require a further 68.76m².

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

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

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

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

*Education*

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

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

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

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

*Economic Development*

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

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

*Overall Conclusions*

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

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

67. A package of strategic transport improvements will be needed (and these will be identified to support the Core Strategies) and further local junction improvements are likely to be required and these will be identified as part of Transport Assessments to support individual planning applications. Having considered the amended plans and traffic modelling submitted there will be no adverse impact of development on adjacent roads in terms of capacity issues.

68. The submitted Travel Plan is acceptable in principle, however a number of conditions are suggested in relation to the appointment of an on-site travel plan coordinator and their responsibilities. (See Appendix 3 for further details). Traffic Regulation Orders will be required to revoke the existing 40mph speed limit and reducing it down to 30mph. All costs including the preparation of the order and its implementation on site and associated signing/lining shall be met by the applicant.

69. The Landscape and Visual Assessment has been carried out to the appropriate procedures, and the Landscape and Reclamation Team is in general agreement with its conclusions. Whilst the County supports the principle of the development however we would recommend that the points listed above are addressed and that the further information is provided by the applicant, in relation to tree and agricultural land loss, phasing and the location of the proposed community orchard.

70. In Ecological terms the site will not affect any statutorily designated nature conservation sites. The County Council require confirmation that no evidence of water voles has been found on the site. Clarification is sought as to which trees are being retained and it is therefore suggested that a plan be provided, clearly showing areas of vegetation (i.e. hedgerows, trees and tree groups) which will be retained, and those which will be lost. If the scale of hedgerow and tree loss is greater than described in the Environmental Statement, then the site layout should be redesigned. With the implementation of appropriate mitigation, it is considered that the proposed development would be acceptable in ecological terms provided suitable conditions are attached to the grant of any planning permission at the site, as set out in Appendix 5.

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

72. In terms of Library contributions NCC would not seek any developer contribution in respect of the library building however would seek a developer contribution for additional stock that would be required to meet the needs of the 1560 population that would be occupying the new dwellings. This is costed at 1560 (population) x 1,532 (items) x £10.53 (cost per item) = £25165.

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

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

**Other Options Considered**

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

**Reason for Recommendation**

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

## Statutory and Policy Implications

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

**Financial Implications**

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

**Implications for Sustainability and the Environment**

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

## RECOMMENDATION

1) That Committee note that a formal response approved by the Chairman, in line with the information and advice set out in this report, was sent to Broxtowe Borough Council on the 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)**

80. This report is for noting only.

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

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

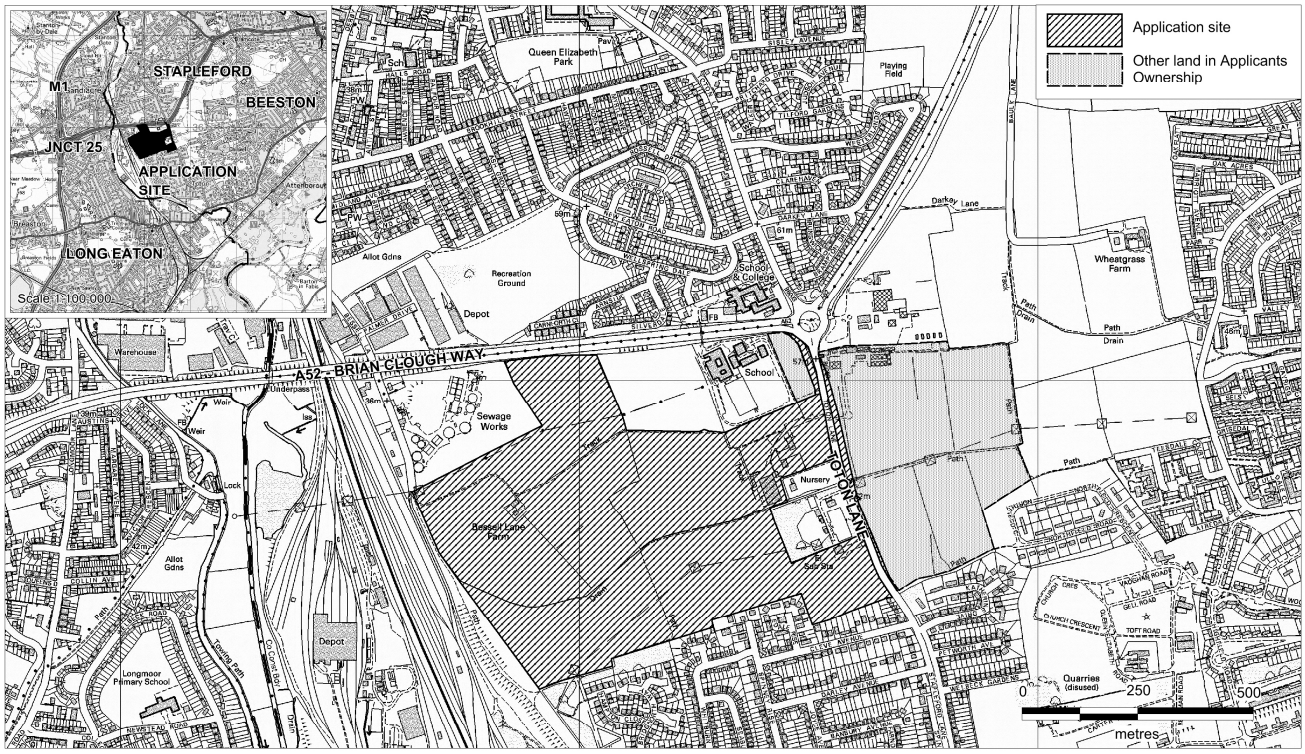
**Background Papers and Published Documents**

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

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

Beeston North – Councillor Steve Carr
Beeston South and Attenborough – Councillor Kate Foale
Chilwell and Toton – Councillor Dr John Doddy and Councillor Richard Jackson

# Appendix 1 – Site Location Plan




Nottinghamshire County Council

Outline planning application with points of access to be determined for a mixed-use development incorporating a maximum of 650 dwellings, 380 sqm convenience store, two no. 95 sqm retail units, 3,000 sqm B1(a) office units, pub/restaurant (total maximum 700 sqm), day nursery (maximum 450 sqm), 80 space care facility (maximum 3,800 sqm), site for medical surgery (0.03 Ha), site for community use (0.06 Ha), education provision (maximum 2,300 sqm), open space, highways, drainage and associated infrastructure and removal of pylons and overhead electricity cables, erection of terminal pylon and demolition of Bessell Lane Farm and outbuildings and 316 Toton Lane
Land To The West Of Toton Lane Stapleford Nottinghamshire
Planning Application No. 12/00585/OUT

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N W E S

Scale 1:10,000
Produced by: JW
Date: JANUARY 2014

## Appendix 2 – Detailed Strategic Highway Comments

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

David Pick

Hi Nina

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

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

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

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

## Appendix – 3 Development Management Highways Comments

Form TP.52

Nottinghamshire
County Council
Environment and Resources

**TOWN AND COUNTRY PLANNING ACT**
HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT

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

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

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

**Traffic Engineering Comments**

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

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

**Travel Plan**

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

The final version of Travel Plan can be sent directly to our Travel Planning Officer by email at jenny.hawkes@nottscc.gov.uk

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

i. No development shall be occupied or be brought into use until the owners and the occupiers of the site have appointed and thereafter continue to employ or engage a site-wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan Framework and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority

ii. Prior to the occupation of any business (excluding businesses employing less than [20] employees who shall submit a Travel Plan Statement) the owner and the occupier of each business unit shall appoint and thereafter continue to employ or engage a travel plan coordinator and within [3] months of occupation the owner and occupier shall commission a detailed travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Travel Plan Framework and in conjunction with the site-wide travel plan coordinator to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future site-wide travel plan initiatives including implementation dates to the satisfaction of the Local Planning Authority.

iii. The site-wide travel plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year of full occupation and produce monitoring reports at intervals as required by the Travel Plan Framework monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority and which shall inform individual Travel Plans.

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

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

**Aligned Core Strategy**

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

1) **Strategic location for growth - public consultation by BBC** . In response to the Government's recent HS2 announcement BBC have taken the step of revisiting Toton as a possible strategic location for growth. This arose in view of the opportunities for enhanced accessibility and sustainability associated with the HS2 and in particular potential enhanced links to supporting local and national infrastructure. The public consultation ran until 3rd April 2013. If this site is chosen as a strategic location then BBC expect this site to be delivered later in the plan period (after at least 5 years) and where further masterplanning will be required to confirm in detail the indicative layouts, mix of uses and access arrangements. The HS2 proposals, access arrangements, car parking and associated facilities including the possible NET extension are likely to reduce the scale of land available for development at Toton.

2) **Toton Planning Application.** This seeks permission for 775 homes although up to 1000 units are being considered. The transport modelling completed to support the planning application includes for committed developments rather than the more comprehensive approach taken by the Aligned Core Strategy work which includes all growth proposed by the Core Strategies. I should stress that the applicants are not compelled to use the ACS approach and have complied with the Government's Guidance on Transport Assessments. The transport modelling work to date provides a useful indication of the likely impact of around 1000 houses in this location and the type and scale of transport mitigation required to support it. Whilst details of the transport modelling are still to be refined it is considered that there are not likely to be any insurmountable transport issues.

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

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

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

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

**Accessibility by Bus**

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

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

If you have any queries regarding the above please do not hesitate to contact me on 0115 9772117 or email: paul.ghattaora@nottscc.gov.uk

Paul Ghattaora
Principal Development Control Officer

**Appendix 4 – Detailed Landscape Comments**

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

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

Documents

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

Drawings

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

1. Landscape and Visual Impact Assessment Methodology

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

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

2. Proposed Development

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

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

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

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

3. Landscape Impacts

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

4. Landscape Character

The baseline landscape assessment has taken into account the relevant Landscape

Character documents at various levels. These include the following:

a) *Natural England National Character Assessment Character Assessment* which describe the area as lying within the **Sherwood Character Area** (No. 49)

b) The *East Midlands Regional Landscape Character Assessment* (April 2010) which describes the area as within the Landscape Character Type 10b **Sandstone Forest and Heaths**.

c) At county level *Nottinghamshire's Landscape Guidelines* NCC (1998) describes the area as the **Coalfield Farmlands**.

d) The *Greater Nottingham Landscape Character Assessment* (June 2009) identifies the site as within the **Beeston and Stapleford Urban Fringe** and the characteristic features of this landscape are outlined on pages 286 - 287 of the LVIA.

*e)* The applicant has then further examined the local landscape character and defined different areas which are shown on Figure 11.6 *Local Landscape Character Areas Plan.*

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

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

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

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

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

- The adverse landscape and visual impacts identified by the assessment should, if possible, be mitigated against with advance planting works in order that a degree of mature, established planting can be achieved earlier in the site development. This

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

Visual Impact

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

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

- Figure 11.7 visual analysis plan also shows the Approximate Zone of Visual Influence (ZVI) which on the ground extends further to the north east of the site than is shown on the drawing.

- Paragraph 11.75 Character area 8: Erewash Valley refers to a photomontage view Figure 11.12 which we assume to be the Photo Viewpoint 21 Drawing no. 3626-L-12 within the application. This shows the extension of housing on the higher ground along the skyline and office units lower down on the site, when viewed from Sandiacre Lock. Whilst the baseline situation is represented by 22 photographs, only this viewpoint shows the proposals within the existing landscape. For a development of this size several photo montages from key viewpoints should be produced, particularly those where there has been an identified *moderate adverse* effect at Year 1.

- Paragraph 11.79 states that the completed scheme for planting for visual effects has been assumed to be 15 years when the vegetation is around 6 - 7m high. It is not clear if this is the same assumption as set out in Table within Appendix 2. As for the assessment of landscape impacts, it would be useful if the assessment could define what is meant in terms of *"Year 1, upon completion, completed scheme"* particularly in relation to phased works, as well as assessing impacts during construction.

- There has been no assessment of the impact of lighting within the LVIA either for the baseline assessment or the proposed development although the type of proposed lighting is discussed in section 11.110. A consideration of the impact of additional lighting should be included within this assessment including the potential flood lighting of sports pitches.

- Table 11.2 (Page 313) outlines the species mix for the proposed structural planting. As the site lies close to the Erewash Valley it may be appropriate to use some of the plant species for the *Coalfield Farmlands* to the western edge, adjacent to Toton Sidings. However for the majority of the site native planting should reflect the species list for the Sherwood Regional Character Area as described within the Greater Nottingham LCA.

Layout and Design

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

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

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

- A wider central green corridor needs to be provided which is closer to the main residential areas and which can be multi-functional, e.g. location for drainage, good pedestrian and bike circulation and links to the wider surroundings. Whilst this is currently shown to a limited extent on the Indicative Layout drawing, the available green space diminishes considerably to the eastern end of the site, particularly once the NET extension is built.

- The existing public right of way (NCC Ref 17) could also be improved with more street tree planting/avenues through the more urban areas. This could then open out to a swathe of wider parkland which links up with the LNR and the Erewash Valley walks to the south west and west of the site.

- The location of the community orchards and allotments welcomed but these are not to be included until the last phase of the scheme, where they are located on the periphery of the residential area. Could these community features be located more centrally and in an earlier phase? How viable are they in the position shown on the layout drawings if the HS2 station and link road are to be built at a later stage, particularly when considering the potentially conflicting demands for other types of development?

- The green infrastructure is essential to the success of the scheme and to mitigate the identified landscape and visual impacts. Additional information is required in the Design and Access Statement about how the proposed green infrastructure will be maintained and how the cost of this will be met.

**Conclusion**

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

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

## Appendix 5 – Detailed Ecology Comments

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

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

- The proposals will not affect any statutorily designated nature conservation sites; the nearest such site Attenborough gravel Pits SSSI, lies approximately 2.2km to the south-east. The proposals will not directly affect any locally designated sites, although the Toton Sidings Local Wildlife Site (LWS) 5/2210, abuts the site on its western boundary.

- The Ecology Chapter of the ES (chapter 6) indicates that the site is predominantly arable farmland, bisected by hedgerows, with small areas of other habitats also present, including a pond, ditches, poor semi-improved grassland, scrub and trees.

- A range of surveys have been carried out in support of the application; it should be noted that a number of these date from 2009 or 2010, with apparently only the Phase 1 Habitat Survey and internal/external inspections of buildings for roosting bats having been updated having been updated in 2012. Given that the NPPF states, in paragraph 165, that planning decisions should be based on up-to-date information about the natural environment, justification should be provided as to why survey data which is, in some cases, almost 4½ years old, is considered acceptable (particularly for European protected species). In addition:

  - The level of survey effort for the bat transect surveys does not appear to match that which is recommended in the relevant guidelines (Bat Surveys: Good Practice Guidelines. BCT, 2012). Again, justification for this should be provided.
  - Confirmation is required that no evidence of water voles was found at the site.

- The surveys (noting the comment made above), did not find any evidence of great crested newts, reptiles or badgers on the site. Low numbers of wintering birds were found, along with a fairly typical breeding bird assemblage (including several red listed farmland bird species such as skylark and yellowhammer which will be displaced by the development), whilst generally low levels of bat activity were recorded. No evidence of bats was found during the internal/external building surveys, although one tree with high potential for roosting bats was identified. Two invasive plant species, Japanese knotweed and giant hogweed, were found to be present on the site.

- It is stated that there will be a partial loss of two hedgerows on site (identified as H3 and H5 in the ecology chapter). However, reference to the site Masterplan suggests that additional lengths of hedgerow will be lost. It is also not clear which

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

- With the implementation of appropriate mitigation, the ecology chapter predicts that there will be a moderately beneficial ecological impact at the site in the long term. To ensure that this is the case, it will be necessary for the following matters (generally outlined in section 6.107 to 6.135 of the ecology chapter) to be secured through any planning permission that is granted, with the use of planning **conditions**:

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

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

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

Nick Crouch
Senior Practitioner Nature Conservation

## Appendix 6 – Detailed Reclamation Comments

### 1. Existing Site

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

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

### 2. Proposals:

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

### 3 Suggested Planning Condition Requirements:

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

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

b) a risk assessment has been completed; and

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

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

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

### 4. Land Contamination Impacts:

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

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

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

**5. Conclusions and Recommendations:**

An initial phase one assessment of the site has been carried out, with potential pollution linkages identified. These have been confirmed to a degree by the initial site investigation and require further investigation to place them in a development context. The next phase of the ground investigation should provide a more robust assessment of site and delineate the impact of contamination on the western boundary of the site and include for asbestos and hydrocarbons. The opportunity to investigate the other potential sources of contamination in addition to investigating the ground gas regime should also be taken.
We request that the further investigation report is forwarded for our consideration and comment.
If you require clarification on any of the above points, please do not hesitate to contact me.

Derek Hair
Principal Project Engineer
Landscape and Reclamation Team

## Appendix 7 – Libraries Detailed Comments

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

### 1. Background

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

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

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

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

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

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

### 2. Potential Toton Lane development

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

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

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

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

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

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

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

Linda Turner
December 2013

## Appendix 8 – Detailed Education Comments

### Primary Contribution

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

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

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

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

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

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

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

So, in summary we would stress that:

_ The required site area for a primary school of up to 210 places is 1.1 ha. It should be noted that statutorily a primary school needs playing field which is included within the 1.1 ha. site. This is non-negotiable.
_ The proposed new primary school will be stand-alone and currently cannot be incorporated within the George Spencer Academy, unless the academy formally increases its age range from 11 to 1, to 3 to 18 years.

### Secondary Contribution

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

## Appendix 9 – Detailed Economic Development Comments

Dear Nina

Our only comments from Economic Development are;

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

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

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

1. incorporating local employment and training opportunity targets such as apprenticeships in contracts with both main contractors and sub-contractors

2. include a clause to require main contractors to pay their sub-contractors under the same terms and conditions as local government i.e. 30 days

Regards
Hilary Porter
Economic Development Officer
Corporate Strategy, PPCS

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item:**

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

# STRATEGIC PLANNING OBSERVATIONS ON TWO OUTLINE PLANNING APPLICATIONS FOR RESIDENTIAL DEVELOPMENT, LAND NORTH OF PAPPLEWICK LANE, HUCKNALL

## 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 Gedling Borough Council (GBC) and Ashfield District Council (ADC) on the 10th February 2014 in response to the request for comments on the above outline planning application for mixed use development on land north of Papplewick Lane, Hucknall.

## 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. 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. Part of the application site, within the Gedling Borough Boundary, lies within the Nottinghamshire Green Belt. It is intended that an Ecology Park will be delivered on this site.

*Description of the Proposals*

5. This report relates to two separate planning applications, which together, if approved will provide a mixed use development on land north of Papplewick Lane.

6. Ashfield District Council have received an outline planning application, (Reference V/2013/0625), for the 'Demolition of three dwellings and formation of a vehicular

access to serve neighbouring authority proposal for residential development of up to 300 dwellings'.

7. Gedling Borough Council have received an outline planning application (Reference 2013/1406) for the 'Demolition of two properties on Papplewick Lane to provide access for residential development, education provision, public open space, attenuation ponds with access defined and all other matters reserved'.

*National Planning Policy Context*

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

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

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

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

*Local Planning Context*

15. The proposal Gedling site is identified in the Gedling Borough Council Replacement Local Plan (2005) as 'Safeguarded Land', under Policy ENV31, which seeks to protect sites from inappropriate development until additional development is required during the Plan period.

16. The Aligned Core Strategy (ACS) (2013) contains Policy 2 'Spatial Strategy', identifies Hucknall as a regional centre capable of supporting significant growth and regeneration.

17. The site is also identified as a Sustainable Urban Extension (SUE) capable of accommodating 600 new dwellings, however Gedling propose to reduce this figure to 300 in their Proposed Changes to the Core Strategy 2013.

18. The issues of prematurity of the development coming forward and issues relating to adequate housing provision is a matter for Gedling Borough Council to justify and determine.

**Strategic Planning Issues**

*Green Belt*

19. The residential element of the proposal is located within the Safeguarded Land within the adopted GBC Local Plan (2005), which is distinct from the Green Belt. No built development is proposed within the Green Belt. However, the proposed Ecology Park lies within the Green Belt.

20. The Ecology Park will form a fundamental element of the proposed development as it will deliver the Sustainable Drainage System, attenuation pond and overall Green Space Strategy for the site.

21. The NPPF states, at paragraph 81 that development which provides opportunities to provide access for outdoor sport and recreation, enhances and retains landscape and does not adversely affect visual amenity and biodiversity are acceptable within Green Belt locations.

22. The County Council do not raise any objections to the proposed development on Green Belt ground as the majority of development lies outside the Green Belt and the proposed Ecology Park accords with national planning policy. It is a matter for the determining authority to assess whether the applicant has demonstrated 'very special circumstances'.

*Highways*

*Strategic Highways*

23. A Transport Assessment (TA) has been completed by the applicant which utilises the Greater Nottingham Multi-Modal Transport Model to determine the likely transport impacts of this proposal. The County Council is currently considering the TA and its findings. Further clarification and traffic analysis is being sought from the applicant. There is no objection in principle subject to provision of a package of supporting transport infrastructure including a package of walking/cycling/ and public transport measures and any necessary highway mitigation. Consideration will need to be given to the transport impacts of this development both singularly and in combination with other proposed developments in and around Hucknall.

24. Detailed comments on Strategic Highways are set out in Appendix 2.

*Development Management Highways*

25. The Highway Authority has no objections in principle to the potential residential development being considered at the above location but there are a number of highway issues that require addressing before the Highway Authority could support the current proposals.

26. It is considered, as set out in detailed in Appendix 3, that issues relating to site access, pedestrian and cycle access, public transport improvements, road safety issues in adjoining villages, off site highways mitigation improvements and issues regarding the submitted Travel plan and measures for sustainable transport are addressed before the Highway Authority could support the current proposals.

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

*Landscape and Visual Impact*

28. Overall the impact of the development on the existing physical landscape would be considered to be slight beneficial. However, a number of recommendations are suggested.

29. Trees and hedgerows to be retained should be protected during construction to BS 5837:2005 – (Trees in Relation to Construction). Proposed levels will need to tie into these features.

30. The species list for the Magnesian Limestone character area should be referred to when detailed planting proposals are considered, together with the Local Biodiversity Action Plan.

31. Measures to mitigate the visual impact of the development on adjacent residents on Papplewick Lane should be considered in more detail – including distance from existing properties, proposed boundary fencing and how it is proposed to carry out planting in private gardens.

32. The visual impact on receptors in V5, to the west of the site, should be reassessed in more detail – particularly residents on Christine Close.

33. Should a full planning application be submitted, the applicant should consult the Landscape and Reclaimation Team at Nottinghamshire County Council to agree viewpoints for photographs and photomontages.

34. The applicant should confirm how many properties are to be demolished to create the new access off Papplewick Lane.

35. The demolition of these properties and the creation of a new access off Papplewick Lane should be included in the landscape and visual impact assessment – including proposed mitigation measures/boundary treatments. A photomontage showing the new access/junction should also be provided.

36. Detailed comments on Landscape and Visual Impacts are set out in Appendix 4

*Ecology*

37. In relation to the application in ADC no assessment of the buildings with respect to roosting bats appears to have been carried out. It is therefore necessary for such an assessment to be undertaken, prior to the determination of this application, noting that such surveys must not be conditioned, except in exceptional circumstances.

38. With respect to the proposed development in GBC the proposal does not directly affect any designated nature conservation sites. The nearest SSSI, Linby Quarries, is located approximately 840m to the north, whilst the nearest Local Wildlife Site (SINC), River Leen 5/2208, forms the eastern boundary of the site.

39. Surveys indicate that the site is of generally low nature conservation value, although the River Leen, species-rich hedgerows and a small pipistrelle roost in a tree were identified as being of higher value. Overall, the development is unlikely to give rise to any significant nature conservation impacts, subject to various mitigation measures being secured as part of the planning process.

40. The proposals include the creation of an 'Ecology Park' to include attenuation ponds serving the development. This area, if properly delivered, has the potential to be a valuable area of new habitat. The 'Ecology Park' should be designed in such a way that as well as functioning as a SuDS system, significant biodiversity enhancements are also delivered.

41. Whilst the application is supported a number of mitigation measures are recommended (as set out in Appendix 5) in relation to vegetation clearance, the control of sediments and pollutants into the River Lean, the production of a lighting scheme, a proposed 30m buffer zone between the development site and the River Lean, a badger survey should be carried out, a detailed landscaping scheme for the proposed Ecology Park would beneficial and the incorporation of features for nesting birds.

42. In relation to enhancement it is considered that opportunities exist to deliver a net gain for biodiversity through this development. To this end, the following matters should be taken on board and incorporated within the detailed landscaping scheme referred to above:

- Areas of open space along the River Leen and elsewhere around the boundaries of the site should utilise native species planting, appropriate to the local area and of native genetic origin.

- Grassland in these areas should be sown with a simple wildflower seed mix.

- Boundary hedgerows should be strengthened by gapping up and/or laying where required. Hawthorn should be used as the dominant hedgerow shrub.

43. Detailed comments on Ecology are set out in Appendix 5.

*Archaeology*

44. This site is located between the historic core of the villages of Linby and Papplewick close to the River Leen. While a geophysical survey of the site identified no obvious archaeological anomalies a possible former water channel can be seen towards the centre of the application site. This `fragmented sinuous anomaly' appears to lead towards the River Leen and may have been a feeding Leat, that fed into the Robinson`s Mill system. Water powered mills have existed along the River Leen in the parishes of Papplewick and Linby since at least 1232 and probably earlier.

45. 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 Gedling BC 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.

46. 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. It is recommended that any archaeological scheme should be drawn up and implemented by a professional archaeologist or archaeological organisation.

47. Detailed comments on Archaeology are set out in Appendix 6.

*Reclamation*

48. Reclamation comments relate to the Gedling Borough planning application. The Phase One Desk Study, submitted by the applicant, identifies the potential contamination sources, pathways and receptors. The conceptual site model is formulated such that an appropriate site investigation can be formulated; we await

the completion of such and will pass comment upon receipt. At this time we have no objection to the proposal on Reclamation grounds, however, it is suggested the applicants submit a Method Statement covering issues of minimising the impacts of development on ground and surface water, remediation and how unsuspected contamination would be dealt with (As set out in Appendix 7).

49. Detailed comments on Reclamation are set out in Appendix 7.

*Developer Contributions*

50. Should the applications proceed, Nottinghamshire County Council will seek developer contributions relating to the County Council's responsibilities in line with the Council's adopted Planning Contributions Strategy and the Developer Contributions Team will work with the applicant and Gedling Borough Council and Ashfield District Council to ensure all requirements are met.

*Libraries*

51. The proposal would comprise 300 new dwellings. At an average of 2.4 persons per dwelling this would add 720 to the existing library's catchment area population. The nearest existing library to the proposed development is Hucknall.

52. 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.

53. The County Council would seek a developer contribution for the additional stock that would be required to meet the needs of the 720 population that would be occupying the new dwellings. This is costed at 720 (population) x 1,532 (items) x £10.53 (cost per item) = £11,615

54. Detailed comments on Libraries are set out in Appendix 8.

*Education*

55. In terms of education the County Council will require a 1.1ha site and a contribution for 105 primary school places. In addition a contribution towards secondary provision will be required for 48 school places, a total of £82,480.

*Overall Conclusions*

56. The County Council do not raise any objections to the proposed development on Green Belt grounds as the majority of development lies outside the Green Belt and the proposed Ecology Park accords with national planning policy.

57. The County Council is currently considering the TA and its findings. Further clarification and traffic analysis is being sought from the applicant. There is no objection in principle subject to provision of a package of supporting transport infrastructure including a package of walking/cycling/ and public transport measures and any necessary highway mitigation. Consideration will need to be

given to the transport impacts of this development both singularly and in combination with other proposed developments in and around Hucknall.

58. Overall the impact of the development on the existing physical landscape would be considered to be slight beneficial. However, a number of recommendations are suggested which include measure to ensure trees and hedgerows are protected during construction and that further work on the impact of the proposed development on the landscape is carried out.

59. Overall, the development is unlikely to give rise to any significant nature conservation impacts, subject to various mitigation measures being secured as part of the planning process.

60. The County would wish 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. It is recommended that any archaeological scheme should be drawn up and implemented by a professional archaeologist or archaeological organisation.

61. The County Council has no objection to the proposal on Reclamation grounds, however, it is suggested the applicants submit a Method Statement covering issues of minimising the impacts of development on ground and surface water, remediation and how unsuspected contamination would be dealt with.

62. The County Council would seek a developer contribution for the additional library stock that would be required to meet the needs of the 720 population that would be occupying the new dwellings. This is costed at 720 (population) x 1,532 (items) x £10.53 (cost per item) = £11,615.

63. In terms of education the County Council will require a 1.1ha site and a contribution for 105 primary school places. In addition a contribution towards secondary provision will be required for 48 school places, a total of £82,480.

**Other Options Considered**

64. 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**

65. 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

66. 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**

67. There financial implications are set out in paragraph 63 and 64 of this report.

**Implications for Sustainability and the Environment**

68. 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 Gedling Borough Council and Ashfield District 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)**

69. This report if for noting only.

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

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

**Background Papers and Published Documents**

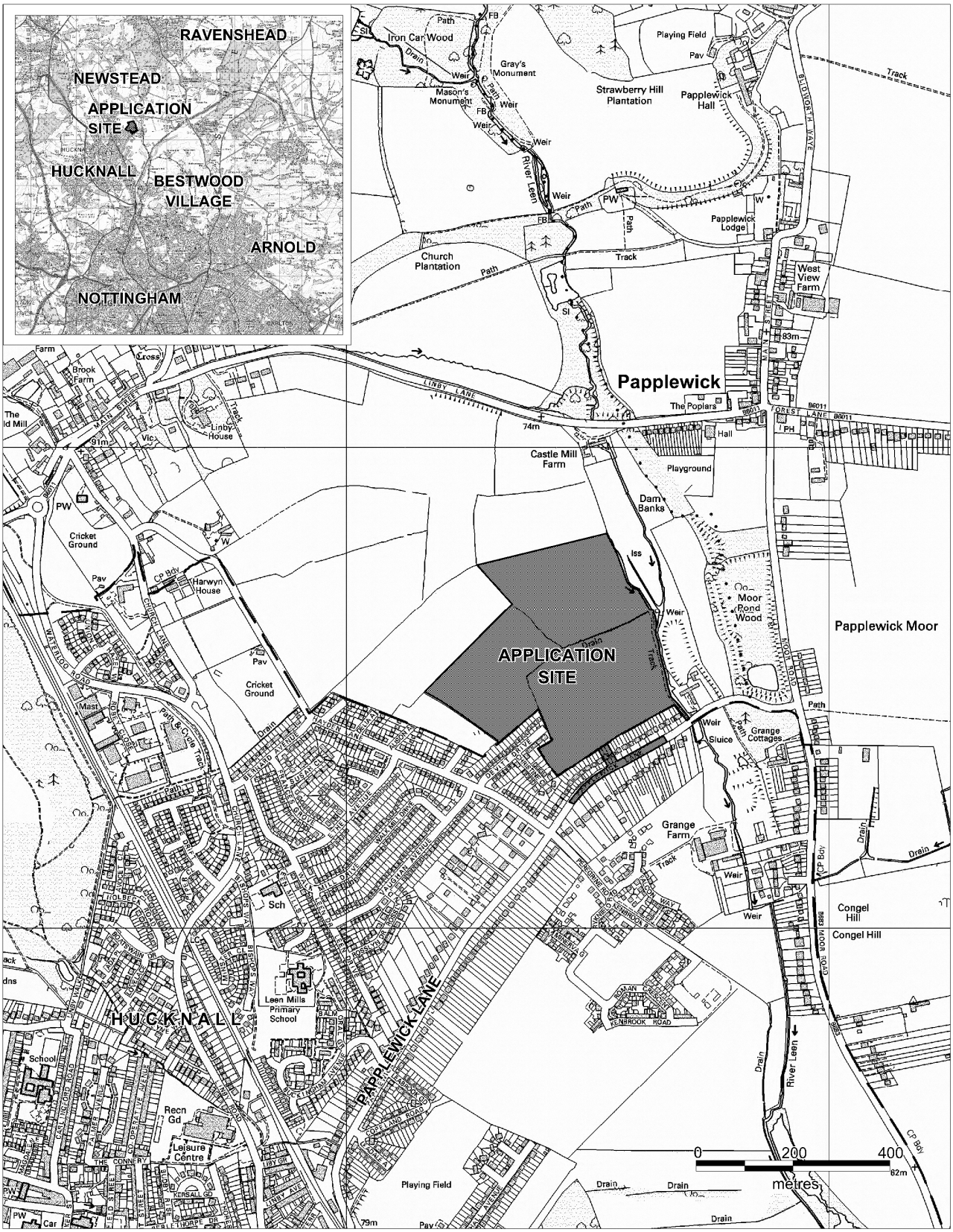
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

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

Kirkby-in-Ashfield North – Councillor John Knight
Kirkby-in-Ashfield South – Councillor Rachel Madden
Newstead – Councillor Chris Barnfather
Hucknall – Councillor Alice Grice

Hucknall – Councillor John Wilkinson
Hucknall – Councillor John Wilmott

## Appendix 1 – Site Location Plan




Nottinghamshire County Council

Demolition of two properties on Papplewick Lane to provide access for a residential development, education provision, public open space and attenuation ponds with access defined and all other matters reserved.
Land North Of Papplewick Lane Linby Nottinghamshire.
Planning Application No.

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N W E S

Scale 1:10,000
Produced by: JW
Date: MARCH 2014

## Appendix 2 – Detailed Strategic Highways comments

### RE: Planning Application Consultation - Papplewick Lane, Hucknall Ref: V/2013/0625 (Ashfield DC)

Hi Nina

Thank you for consulting me on this application.

A Transport Assessment (TA) has been completed by the applicant which utilises the Greater Nottingham Multi-Modal Transport Model to determine the likely transport impacts of this proposal. The County Council is currently considering the TA and its findings. Further clarification and traffic analysis is being sought from the applicant. There is no objection in principle subject to provision of a package of supporting transport infrastructure including a package of walking/cycling/ and public transport measures and any necessary highway mitigation. Consideration will need to be given to the transport impacts of this development both singularly and in combination with other proposed developments in and around Hucknall.

I trust that these observations clarify the current position in respect of highway matters.

Kind regards
David Pick
Environment and Resources

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

Nottinghamshire
County Council
Environment and Resources

**TOWN AND COUNTRY PLANNING ACT**
HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT

**DISTRICT:** Ashfield
**OFFICER:** Emilie Carr
**PROPOSAL:** Demolition of three dwellings & formation of vehicula access to serve neighbouring authority proposal
**LOCATION:** Land North of Papplewick Lane, Hucknall, NG15 7TN
**APPLICANT:** The Co-operative Estates

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It is understood that the proposed development is for the erection of up to 285 dwellings. The access to the site will be from Papplewick Lane by demolition of two number existing dwelling on Papplewick Lane as shown for indicative purpose only plan reference 0218-F03 Revision E submitted with this application. The proposals also include provision of an emergency vehicles route from Papplewick Lane by improving an existing track between residential property and river Leen.

The Highway Authority have noted that this is an outline planning application to consider the site access arrangements only and that all other issues such as scale, appearance, landscaping and the road layout will be considered at the potential reserved matter application.

It should be noted that a Transport Assessment (TA) and Travel Plan (TP) have been submitted in support of this application by Croft Transport Solutions acting on behalf of the applicant. The contents of TA and TP have been noted.

The Highway Authority has no objections in principle to the potential residential development being considered at the above location but there are a lot of highway issues that require addressing before the Highway Authority could support the current proposals.

Having consulted my colleagues in Road Safety Group, Traffic Signal Engineering and other colleagues associated with this project, we have the following comments to make.

SITE ACCESS (DRAWING NO. 0218-F03 REVISION E)

The proposed site access (including the emergency access) has now undergone a Stage 1 Road Safety Audit to ensure that road safety is not being compromised. A scanned copy of the Road Safety Audit report reference SA1773 is attached which is self-explanatory.

Having considered the findings of the Road Safety Audit report the proposed access arrangement is not acceptable and it could be detrimental to road safety for reasons as highlighted in the attached Road Safety Audit Report.

In addition to the above we also have concerns about the number of dwellings being served by the proposed access. We will not normally permit more than 150 dwellings from a single point of access, even with an emergency access. A development of over 150 dwellings will have to be served by two access /egress points.

We will not normally accept emergency accesses because of:

- enforcement problems arising from their misuse;
- difficulties encountered by the emergency services;
- maintenance issues and vandalism of access-control equipment; and
- general crime and anti-social behaviour problems.

However, where there are valid reasons why this cannot be achieved and where the development proposal is otherwise acceptable to us, we may be prepared to consider an emergency access as long as:

- highway safety is not compromised and the access is not likely be a source of crime or anti-social behaviour problems;
- there are appropriate means of controlling its use;
- the applicant have fully consulted the emergency services and the proposals are acceptable to them (consultations with the police should include both traffic management and the Police Architectural Liaison Officer);
- the access is designed to accommodate safely all vehicles likely to use it; and
- long-term maintenance responsibilities are clearly defined and secured.

Where suitable access arrangements cannot be achieved, we may refuse to adopt the development roads.

TRANSPORT ASSESSMENT (TA)

The TA submitted with the application provide details on the creation of site access from Papplewick Lane and the requirement for a Travel Plan, no other on or off-site pedestrian, cycle, bus or highway mitigation is necessary. We would suggest the applicant to consider the following.

Pedestrian and Cycle Access/Improvements

The pedestrian and cycle demands will particularly increase travel demands along Papplewick Lane to and from Hucknall town centre. The Highway Authority would recommend the applicant to provide shared pedestrian/cycles facility preferably on footways of both sides of Papplewick Lane up to Hucknall town centre together with crossing facilities where appropriate.

There is an existing bus stop on Papplewick Lane in the close proximity of the proposed site access. A suitable crossing facility for both pedestrian and cyclist will be required.

There appears to be no pedestrian/cycle link to adjacent roads such as Devitt Drive, Marian Avenue and Alison Avenue. The only pedestrian/cycle link to Papplewick Lane is by the proposed site access and an emergency link. Suitable pedestrian links should be considered to improve accessibility to the site and vice versa.

Public Transport

No improvements are proposed to the existing bus services that run along Papplewick Lane. Improvements to existing bus stops along the existing bus route on Papplewick Lane and adjoining roads will be required such as installation of bus shelters, raised kerbs, solar lighting and real time information boards etc. where appropriate.

Generally walking distances to bus stops in urban areas should be a maximum of 400m and desirably no more than 250m. The applicant should design pedestrian routes to bus stops to be as direct, convenient and safe as possible to encourage use of public transport.

The applicant should design the routes in line with principles as set out in paragraph 3.111 of the 6Cs Design Guide (for further information please follow link below:

http://www.leics.gov.uk/index/6csdg/highway_req_development_part3.htm#para_3.108

They should:

- enjoy good natural observation from neighbouring buildings;
- be well lit; and
- be carefully designed so any planting minimises opportunities for crime.

Where there is a footway on the opposite side of the road, a pedestrian crossing point should be located as close as is possible to the stop, bearing in mind safety considerations.

Having considered the proposed indicative master-plan layout of the site submitted with this application numerous new properties will be well away from the existing bus stops along Papplewick Lane i.e. exceeding 400 metres walking distance.

In view of the above, the Highway Authority would recommend the penetration of existing bus services into the site. As a single point of access is being proposed a suitable turning facility for buses to turn around will be required or consider the design of internal roads as a loop to accommodate such facility.

Any cost associated with bus services to penetrate the site shall be met by the applicant. For information, the Highway Authority would seek a contribution of £90,000 per year for 5 years which should be secured via a way of Section 106 Agreement between the applicant and Nottinghamshire County Council.

Road Safety (adjoining villages)

The TA does not consider road safety matters within the likely area of influence of the proposed development. At the Aligned Core Strategy Public Inquiry concerns were expressed by the residents of Linby and Papplewick, particularly concerning the difficulties and dangers of negotiating the 'Griffins Head' crossroads. Nottinghamshire County Council have 'promised' that as part of any significant development proposals in and around Hucknall that serious consideration is given to the needs of traffic management in the villages of Linby and Papplewick and that there provision should be a prerequisite for development to proceed. The traffic projections in the TA demonstrate an increase of traffic through these villages and it can be concluded that it is important that the road safety dimension and possible schemes of improvement are addressed by the applicant.

Off-site Highway Mitigation Works.

The applicant argues that the net traffic impacts (new generation plus reassigned background traffic) do not amount to any significant impacts. In view of the traffic projections contained in the TA and given the road safety comments/ concerns above we would at least expect further consideration to the traffic impacts at the junctions of Papplewick Lane / Moor Road and the B6011/ B683 junctions. The former is predicted to show a net worsening in capacity in the PM peak (see appendix B of the TA), whilst the latter is shown to witness an increase in side road turning movements at the cross roads which could present further delays and difficulties.

There is no consideration of the cumulative impact of this proposal with other proposed development by Gedling Borough Council at Top Wighay Farm, Bestwood village and a possible further 300 dwellings on land adjoining the North of Papplewick Lane site. In which case it would seem to be premature and unwise to grant consent for this application in isolation without knowing what the combined transport infrastructure package required to support the totality of development in and around Hucknall.

In order to assess the impact of the proposed development on adjacent junctions fully, detailed traffic models for Papplewick Lane/Moor Road junction and B6011/B683 are required. In addition, the applicant also need to provide detailed models of junctions that are affected by an increase of 30 vehicles/hour (two way) which could include Papplewick Lane / Wigwam Lane, Station Road / Linby Road, Station Road / Ashgate Road, Ashgate Road / Portland Road, Nottingham Road / Hucknall Bypass.

An electronic version of traffic models such as PICADY and ARCADY etc should also be submitted for verification in addition to input/output files of the modelled junctions.

Travel Plan

The submitted TP is not acceptable in its current form. It is not clear how the travel plans will be developed among occupying organisations, the funding and employment of the overall travel plan co-ordinator is not clarified. The timescales for development are not detailed. The size of the school and staff numbers is not detailed. The proposed measures are poor / uncommitted ('will look into', isn't

sufficient). It doesn't have targets (which in the first instance should be based on the TA data to form baseline values and then surveys undertaken with occupation), it doesn't have a monitoring structure and evaluation system.

Travel Plan monitoring fee will apply to ensure the effectiveness of the plan. Please see section 9 of NCCs 'Guidance for the preparation of Travel Plans in support of Planning Applications' available on County's website, for more information or follow the link below:
http://www.nottinghamshire.gov.uk/travelling/travel/plansstrategiesandtenders/travelplans/

Sustainable Transport Measures

The Highway Authority would expect a development of this nature to provide sustainable transport measures in its design proposals to promote multi modal trips from the site. As an initial list of works these could include the followings:

- A pedestrian refuge on Papplewick Lane, south of the development entrance to facilitate pedestrian crossing movements.
- Speed reduction and management measures on Papplewick Lane.
- Interactive speed signs where appropriate.
- Bus stop infrastructure improvements (new bus shelters, flags / poles / raised kerbs / timetable information / bus stop clearways), real time information for the Hucknall Town centre / Papplewick Lane corridor.
- Contribution towards signing and improvements on the local rights of way network (specifically the footpath off Moor Lane)
- Dropped kerbs crossing where appropriate
- Improved cycle routes leading to the site, such as an off carriageway cycle path or cycle route signing scheme.

Indicative Materplan

As the proposal is to provide a site access to the potential residential development at this stage of the application the Highway Authority has no comments to make as all of the highway issues in respect of the internal site layout will be addressed at the reserve matter planning application. However, we would highlight that the proposed layout should be guided by the principles of the 6 Councils Design Guide (6CsDG) which can be viewed at the link below:
http://www.leics.gov.uk/index/6csdg/highway_req_development_part3.htm

In view of the above, it is concluded that the proposed development as submitted has failed to provide satisfactory access and it is likely that the proposed development will be detrimental to road safety. The Highway Authority would recommend that the application should be refused on access and road safety grounds.

Notwithstanding the above, if the applicant is willing to amend the proposals to reflect the above the Highway Authority may be in position to review its recommendations.

Paul Ghattaora
Principal Development Control Officer

## Appendix 4 – Detailed Landscape and Visual Impact Comments

From: Nancy Ashbridge, Landscape & Reclamation, Highways, Trent Bridge House

To: Nina Wilson - Policy, Planning and Corporate Services Department, County Hall

Date: 16th January 2014

Our ref: 403G/Ashfield & Gedling
Tel: 0115 977 2170
Email: nancy.ashbridge@nottscc.gov.uk

**Proposal: Ref. V/2013/0625** - outline planning application to Ashfield District Council for demolition of two properties on Papplewick Lane to provide access for residential development;
**Ref 2013/1406** – outline planning application to Gedling Borough Council for provision of up to 300 new homes, a school annexe with associated playing fields and public open space

**Location:** Land north of Papplewick Lane, Hucknall

**Applicant:** The Co-operative Estates

Thank you for consulting the Landscape and Reclamation Team regarding the landscape and visual impact of the above development.

Existing Site

The site lies on the north eastern urban edge of Hucknall in Nottinghamshire. The site comprises 3 medium sized irregular arable fields which are enclosed by trimmed mixed species hedgerows. The hedgerows are gappy in places and have occasional mature trees. The land is relatively flat and slopes gently to the east.

Housing lies to the south and west of the site. The River Leen lies to the east and the eastern site boundary is formed by a ditch and tall mature hedgerow. Agricultural land lies to the north and there are distant views of housing and the church tower in Linby to the north west. The site is fairly enclosed and views are framed by wooded skylines to the north and north west.

Impact of the Proposals on the Existing Landscape

It is proposed to erect up to 300 residential properties to the west and south of the site, with a school annexe and playing fields, parking and public open space. It is proposed to create an “ecological park” to the north east of the site (on land designated as Green Belt) to include SUDs ponds, habitat creation and recreational access.

The development will result in the loss of arable land but where possible existing hedgerows and trees will be retained and additional planting will be carried out within the site. Where hedgerows and trees are to be retained they should be protected during the works to BS 5837 (2005) - Trees in Relation to Construction.

The creation of the ecological park will also help to mitigate the loss of arable land. The ecological survey concludes that the existing site is considered to be of low nature conservation value and there is potential to provide ecological benefits and contribute towards the Local Biodiversity Action Plan.

Overall the impact of the development on the existing physical landscape would be **slight beneficial.**

Impact of the Proposals on Landscape Character and Designations

We agree with the conclusion in the LVIA that the development will not have a significant impact on the character of any designated Conservation Areas or Papplewick Hall Historic Garden due to intervening built form, vegetation and topography.

The site lies within the Local Landscape Character Policy Zone ML017 (Magnesian Limestone Ridge Regional Character Area as designated in the Greater Nottingham Landscape Character Assessment, June 2009). Policy Zone ML017, Linby Wooded Farmland is assessed as having a moderate character strength – the LVIA concludes that the proposed development will not result in the loss or damage of any valued features, elements or characteristics of this character area.

The LVIA also concludes that there will not be a significant impact on the adjacent Local Landscape Character Policy Zone ML018: River Leen Corridor, due to the
contained nature of the development site.

The River Leen and Moor Pond Wood to the east are designated SINCs. The proposed 30m buffer zone to the eastern boundary should be planted with species suitable to extend the River Leen habitat – as recommended in the species list for this character area. Recommendations of the LBAP should also be considered.

Visual Impact of the Proposed Development

Visual impact on receptors is summarised in Table A2 (Appendix A) of the LVIA.

We agree with the conclusions of the visual impact assessment apart from the following:-

**VR1** – Residential properties along Papplewick Lane immediately to the south of the site: We agree that there will be a **Major Adverse** visual impact

Residents on Papplewick Lane (two storey properties) who currently have views of open countryside would have direct views of the proposed housing from first floor windows and in many cases from ground floor windows/conservatories and from gardens. Existing boundaries are a mixture of hedges and fencing – many are low timber fences, in varying states of repair, which allow clear views over the fields to the north.

Mitigation measures include "strengthening and enhancing existing planting along the southern boundary ….. to minimise views towards the proposed development". However, the masterplan shows housing with back gardens shorter than the existing gardens to the rear of properties on Papplewick Lane.

The applicant should confirm the boundary treatment – type and height of proposed fencing and how it is proposed to carry out this planting within private gardens.

**VR5** - Residential properties to the south (this should be west) of the site – including properties on Marion Avenue, Alison Avenue, Delia Avenue, Dorothy Avenue and Christine Close.

We do not agree that the residual visual impact on all of these properties is **Minor Adverse**. Four properties on Christine Close to the south west are two storey properties which back onto the site and residents will have direct views of the development from first floor windows and in some cases from ground floor windows and gardens. The magnitude, mitigation measures and residual significance of effects should be reassessed for these properties.

Views from properties to the end of Alison Avenue and Marion Avenue are blocked by existing vegetation to the west of the proposed housing. However, residents in properties to the ends of Dorothy Avenue and Delia Avenue will have oblique views of the site.

We recommend that the impact on visual receptors in VR 5 (properties to the west of the site) is reassessed in more detail and more consideration is given to mitigation.

<u>Access off Papplewick Lane</u>

The application (ref. V/2013/0625) on the Ashfield District Council web site states on the application form that 3 properties are to be demolished on Papplewick Lane to provide the access. In the application to Gedling Borough Council (ref. 2013/1406) the covering letter from NJL Consulting also states that 3 houses are to be demolished – however other information indicates that 2 properties are to be demolished. The drawings show 3 properties within the site boundary Nos 181, 183 and 185. Numbers 181 and 183 are two storey semi-detached properties and number 185 is also a semi-detached property, joined to

number 187. The houses are approximately 1.5m higher than the carriageway on Papplewick Lane.

The masterplan (drawing PL07) and drawing 0218-F03 Rev E within the Transport Assessment show No 185 Papplewick Lane being retained.

There is no assessment of the landscape and visual impact of the demolition of these houses and creation of a new junction/boundary treatments etc. There will be a significant adverse impact, particularly for adjacent properties and properties opposite the site on Papplewick Lane.

The applicant should include the proposed access in the landscape and visual impact assessment, including proposed mitigation/boundary treatments and provide a photomontage of the junction.

Summary and Recommendations

1. Trees and hedgerows to be retained should be protected during construction to BS 5837 :2005 – (Trees in Relation to Construction). Proposed levels will need to tie into these features.

2. The species list for the Magnesian Limestone character area should be referred to when detailed planting proposals are considered, together with the Local Biodiversity Action Plan.

3. Measures to mitigate the visual impact of the development on adjacent residents on Papplewick Lane should be considered in more detail – including distance from existing properties, proposed boundary fencing and how it is proposed to carry out planting in private gardens.

4. The visual impact on receptors in V5, to the west of the site, should be reassessed in more detail – particularly residents on Christine Close.

5. Should a full planning application be submitted, the applicant should consult a Landscape Architect at Nottinghamshire County Council to agree viewpoints for photographs and photomontages.

6. The applicant should confirm how many properties are to be demolished to create the new access off Papplewick Lane.

7. The demolition of these properties and the creation of a new access off Papplewick Lane should be included in the landscape and visual impact assessment – including proposed mitigation measures/boundary treatments. A photomontage showing the new access/junction should also be provided.

I hope the above comments are useful. If you require any further information please let me know.

Nancy Ashbridge
Landscape Architect
Landscape and Reclamation Team

## Appendix 5 – Detailed Ecology Comments

## Re: Access road to Land North Of Papplewick Lane Linby Nottinghamshire - V/2013/0625

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:

It is noted that this application is linked to another under consideration by Gedling Borough Council. However, we note that this application, for an access road into the development, entails the demolition of two domestic properties. However, no assessment of these buildings with respect to roosting bats appears to have been carried out. It is therefore necessary for such an assessment to be undertaken, prior to the determination of this application, noting that such surveys must not be conditioned, except in exceptional circumstances.

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

## Re: Land North Of Papplewick Lane Linby Nottinghamshire - 2013/1406

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:

**General**

The application is supported by up-to-date ecological information presented in an Ecological Appraisal (dated 22 October 2012) and an Ecology Addendum report (undated), which includes the results of Phase 1 Habitat Surveys carried out in May 2012 and 2013, and surveys for reptiles, breeding birds, and bats, which appear to have been carried out following appropriate methodologies. However, it should be noted that no survey was carried out of a pond lying just to the east of the 'Ecology Park' area (see below).

The proposals do not directly affect any designated nature conservation sites. The nearest SSSI, Linby Quarries, is located approximately 840m to the north, whilst the nearest Local Wildlife Site (SINC), River Leen 5/2208, forms the eastern boundary of the site.

Surveys indicate that the site is of generally low nature conservation value, although the River Leen, species-rich hedgerows and a small pipistrelle roost in a tree were

identified as being of higher value. Overall, the development is unlikely to give rise to any significant nature conservation impacts, subject to various mitigation measures being secured as part of the planning process.

The proposals include the creation of an 'Ecology Park' to include attenuation ponds serving the development. This area, if properly delivered, has the potential to be a valuable area of new habitat.

**Mitigation**

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

- Measures must be put in place for the control of sediment and pollutants into the River Leen during both construction and operation.

- 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 along the River Leen, around the site boundary hedgerows, and in the vicinity of the tree on the western boundary containing the confirmed pipistrelle roost (identified as TN3 in the Ecology Appraisal), to ensure that impacts on nocturnal wildlife (primarily bats) are minimised.

- A 30m undeveloped buffer must be retained between the development and the River Leen, except in the location of the emergency access road, to ensure that the wildlife corridor function of the river is retained, and avoid impacts on notable species occurring within the river.

- An updated survey of the area with respect to badgers must be carried out prior to the commencement of development.

- A detailed landscaping scheme must be produced, covering both the built development area and the 'Ecology Park' (see also below).

- A habitat management plan must be produced for the 'Ecology Park' area, to guide ongoing management and to ensure that the biodiversity value of this area is maximised.

- The grassland buffer on the eastern side of the northern field (to be developed as the 'Ecology Park') must be retained and protected to ensure that there is no impact on great crested newts (whose presence within a pond a short distance to the east has not been discounted due to lack of surveys – it is accepted that the remaining land in this area, which is arable in nature and subject to regular disturbance, is not suitable for great crested newts).

- The incorporation of features for nesting house sparrows and starlings, and roosting bats, should be incorporated within the fabric of a proportion of the proposed buildings.

**Enhancement**

Opportunities exist to deliver a net gain for biodiversity through this development. To this end, the following matters should be taken on board and incorporated within the detailed landscaping scheme referred to above:

- Areas of open space along the River Leen and elsewhere around the boundaries of the site should utilise native species planting, appropriate to the local area and of native genetic origin.

- Grassland in these areas should be sown with a simple wildflower seed mix.

- Boundary hedgerows should be strengthened by gapping up and/or laying where required. Hawthorn should be used as the dominant hedgerow shrub.

- The 'Ecology Park' should be designed in such a way that as well as functioning as a SuDS system, significant biodiversity enhancements are also delivered. These should include (but not necessary be restricted to) the following:

    - The establishment of both permanent and temporary areas of open water
    - The creation of smaller ponds separated from the main SuDS features
    - The creation of shallow marginal areas for the establishment of fringing vegetation, noting that natural regeneration should be encouraged as far as possible
    - The establishment of areas of marshy grassland adjacent to the SuDS features
    - The establishment of at least moderately diverse grassland elsewhere within the area, some of which should be allowed to develop into rough grassland and other areas maintained with an annual hay cut
    - The establishment of a hawthorn-dominated hedgerow along the northern boundary, to be planted with hedgerow trees at irregular spacings
    - Limited areas of tree and scrub planting, with areas of willow scrub allowed to regenerate naturally
    - The incorporation of refugia within the SuDS ponds that will permanently hold water to help facilitate colonisation by white-clawed crayfish
    - The installation of a pole-mounted barn owl box
    - The use of fencing, ditches and other features to manage public access, to ensure that large areas are left undisturbed

**Section 106**

It is suggested that the management of the 'Ecology Park' area, for a period of no less than 15 years, should be included within the Section 106, to be guided by the production of a management plan as referred to above.

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 6 - Detailed Archaeology Comments

**From:** Chris Robinson
**Sent:** 19 December 2013 11:41
**To:** Nina Wilson
**Subject:** Land North of, Papplewick Lane, Hucknall Ref: V/2013/0625 (Ashfield DC)
**Importance:** High

**Archaeological 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.

This site is located between the historic core of the villages of Linby and Papplewick close to the River Leen. While a geophysical survey of the site identified no obvious archaeological anomalies a possible former water channel can be seen towards the centre of the application site. This `fragmented sinuous anomaly' appears to lead towards the River Leen and may have been a feeding Leat, that fed into the Robinson`s Mill system. Water powered mills have existed along the River Leen in the parishes of Papplewick and Linby since at least 1232 and probably earlier. George Robinson moved into the area from Scotland and began bleaching and cleaning cotton in 1742. Robinson founded an empire and by the 1790's the Robinson family had a total of 6 mills along the Leen. Besides constructing mill buildings the Robinsons spent a large sum of money in improving the water supply along the Leen. These mills were the first cotton mills to have steam power in the country. Although un-scheduled the Robinson`s mill system is considered as being nationally important industrial archaeology.

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.
Dr Chris Robinson
Archaeological Officer

## Appendix 7 – Detailed Reclamation Comments

| | | | |
|---|---|---|---|
| Your ref | V/2013/0625 2013/1406 | | |
| Our ref | G156/160/402/403 | From | Principal Project Engineer<br>Landscape and Reclamation Team<br>Communities |
| Please ask for | Derek Hair | | |
| Direct Line/Ext | 9772175 (fax 9772194) | | |
| Date | 15th January 2014 | | |
| To | Nina Wilson | Dept | Development Planning |

PROPOSED DEVELOPMENT: 300 Dwellings at Papplewick Lane 2013/1406

**LOCATION: Papplewick Lane**

**APPLICANT: The Co-operative Estates**

**DATA RECEIVED: Web page download at 14/1/2014 from Application Ashfield 2013/1406**

1. Existing Site:

The site is currently an area of arable land with no obvious above ground structures. Current surrounding land uses are predominantly low density residential to the south and west and agricultural to the north and east of the site. The eastern site boundary is formed by the River Leen. The site has been agricultural land, unchanged in layout, since 1879, based on a review of the available historical maps.

2. Proposals:

An outline planning application for the construction of up to 300 new homes and a school annex with associated playing fields, together with the provision of Public Open Space on land North of Papplewick Lane, Hucknall.

3. Land Contamination Impacts:

The phase one desk study identifies minimal potential for contamination, the site being primarily associated with agricultural use since retention of archives. The conceptual site model is developed and indicates potential risk, albeit low to moderate from residual agricultural contaminants pesticides/ herbicides. We would also add asbestos containing materials associated with farm buildings, however there were no discernible buildings across the development site. The area is within close proximity River Leen to the north and east and as such alluvium is a distinct possibility. The report goes on to identify a risk from alluvial deposits which may provide a local and diffuse source of ground gases (Methane and Carbon Dioxide).

The report states that the site is also underlain by coal measures and states that coal workings are known to produce radon. This is also the case with the Magnesian Limestone which also underlies the site. The NRPB report indicates that the area is classified as a Radon affected area with 3-5% of dwellings impacted by radon. A coal report is also referred to and commentary made that given the period of time since coal extraction took place subsidence is not considered likely in the area.

An investigation of the ground conditions is proposed as part of a geotechnical assessment of the ground conditions; the report suggests that the ground conditions with respect potential contaminants are also addressed. The issue of ground gases including radon is also to be investigated.

4. Conclusions and Recommendations:

The Phase One Desk Study identifies the potential contamination sources, pathways and receptors. The conceptual site model is formulated such that an appropriate site investigation can be formulated; we await the completion of such and will pass comment upon receipt. At this time we have no objection to the proposal and suggest the following conditions:-

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

a) A desk top study has been completed and submitted to and approved in writing by the CPA.

b) The site investigation as identified in the Phase 1- Desk Study to be submitted once completed and approved by the CPA and a risk assessment has been completed; and if required

c) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters and on the proposed land use, using the information obtained from the Site Investigation, has been submitted to the CPA and approved in writing by the CPA prior to that remediation being carried out on the site.

d) Prior to commencement of main site works, the approved remediation works shall be completed in accordance with the approved Method Statement to the satisfaction of the CPA.

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

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

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

Derek Hair
Principal Project Engineer
Landscape and Reclamation Team

## Appendix 8 – Detailed Library Comments

## POTENTIAL DEVELOPER CONTRIBUTION IN RESPECT OF PROPOSED PAPPLEWICK LANE DEVELOPMENT

### 1. Background

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

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

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

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

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

***In (and only in) situations were 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 Papplewick Lane development

There is currently a proposal for a significant new development on **Papplewick Lane.** Amongst other elements, this would comprise 300 new dwellings. At an average of 2.4 persons per dwelling this would add 720 to the existing library's catchment area population. The nearest existing library to the proposed development is Hucknall.
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 720 population that would be occupying the new dwellings. This is costed at 720 (population) x 1,532 (items) x £10.53 (cost per item) = £11,615**

January 2014

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**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 be maintained

37. It is recommended that the applicant is asked to submit a reasoned statement demonstrating how the three tests will been 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 been 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 if for noting only.

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

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

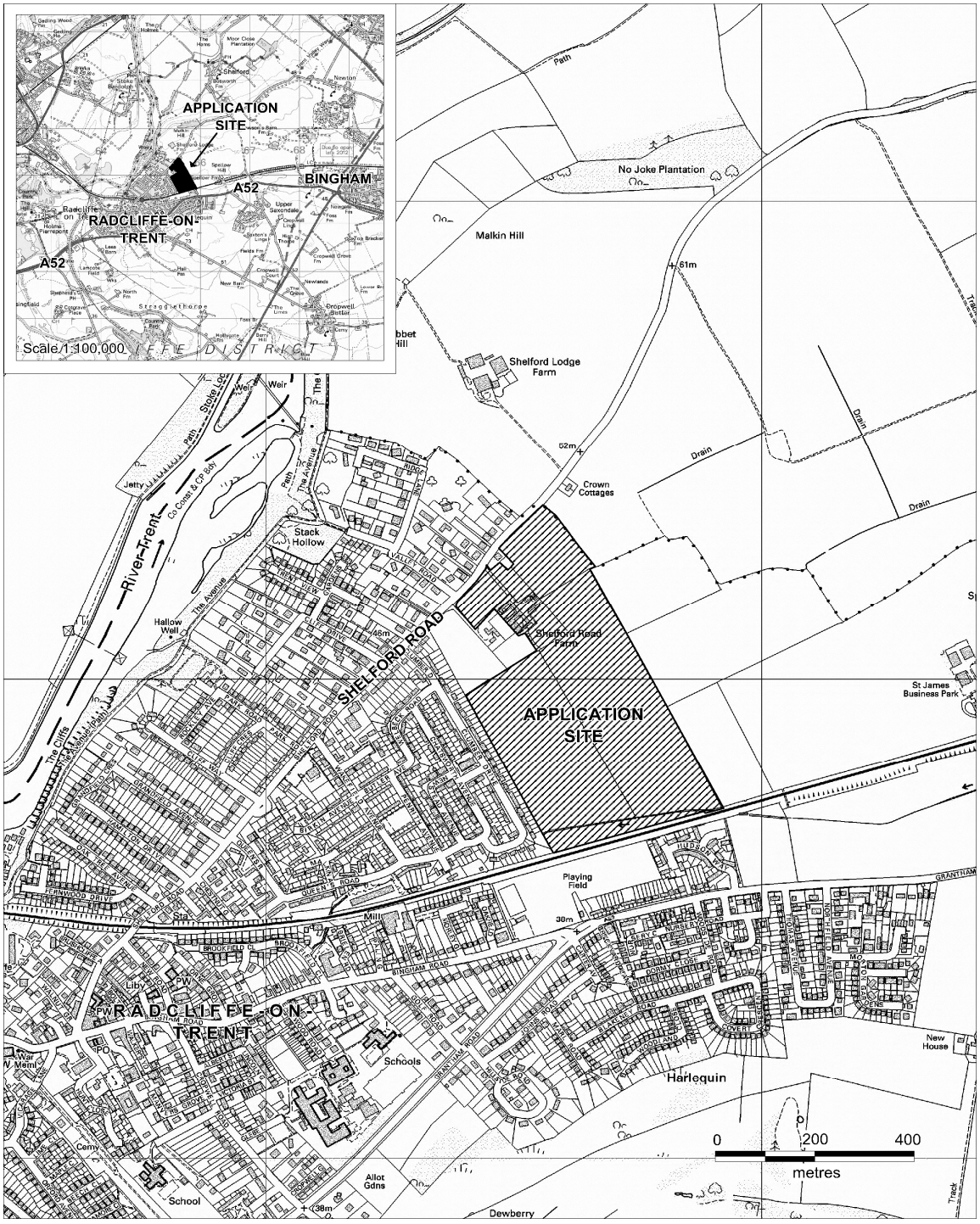
**Background Papers and Published Documents**

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




Nottinghamshire County Council

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

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N W E S

Scale 1:10,000
Produced by: JW
Date: MARCH 2014

## 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@nottscc.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 Amenity*

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 been 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 know 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.

Dr Chris Robinson

## 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 were 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**

January 2014

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item:**

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

# STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT, LAND EAST OF MEETING HOUSE CLOSE, COSTOCK ROAD, EAST LEAKE

## 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 on the 19th December 2013 in response to the request for comments on the above outline planning application for residential development on land east of Meeting House Close, Costock Road, East Leake.

## Information and Advice

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the above outline planning application for residential development and this report compiles responses from Departments involved in providing comments and observations on such matters. A site plan is provided at Appendix 1.

3. The planning application is accompanied by a Planning Statement, a 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 and local policy.

4. The application site is beyond the Nottingham-Derby Green Belt and lies within open countryside adjoining the eastern edge of the built-up area of East Leake.

### *Description of the Proposal*

5. The proposal is for residential development of up to 150 dwellings with associated infrastructure and an overspill car park for East Leake rugby and cricket club. The site area is approximately 6.1 hectares and lies off Costock Road on the eastern edge of the village of East Leake.

6. The site is currently grazed pasture land, bounded by fences and mature hedgerows. A residential area is located immediately to the west of the site, whilst

immediately to the east are the local rugby and cricket club's facilities and playing fields. The southern site boundary is abutted by arable farmland and the northern boundary adjoins Costock Road, from which the proposed development would be accessed.

***Planning Policy Context***

*National Planning Policy Framework (NPPF)*

7. One of the core principles of the National Planning Policy Framework (NPPF) is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met. The NPPF looks to boost significantly the supply of housing. The principles and policies contained in the NPPF also recognise the value of, and the need to protect and enhance the natural, built and historic environment and biodiversity, together with the need to adapt to climate change.

8. A key aspect of the NPPF is that it includes a presumption in favour of sustainable development which means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.

9. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependent on their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.

10. The Government is committed to securing economic growth, including housing, with the planning system encouraging sustainable growth, as set out in paragraphs 18 and 19 of the NPPF.

11. 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".*

12. 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.

*Nottinghamshire Minerals Local Plan*

13. The Tutbury Gypsum formation is found in the south of the County to the east of the Soar Valley and south of Gotham and Bunny, particularly around East Leake and Costock. Policy M10.1 of the adopted Nottinghamshire Minerals Local Plan (2005) states that planning permission will not be granted for underground mining of gypsum from beneath settlements. The policy also requires that, where permission is granted for underground gypsum mining, adequate support pillars are left to protect isolated buildings and other surface features which could be adversely affected by subsidence.

14. The emerging Minerals Local Plan (Preferred Approach, 2013) identifies, in Policy MP7, the Marblaegis Mine at East Leake as a permitted site where the extraction of remaining reserves will contribute towards the provision of an adequate supply of gypsum. Permitted reserves at the Marblaegis Mine are sufficient until at least 2026 and represent the full extent of the mine within Nottinghamshire. When these reserves are utilised mining will move eastwards into Leicestershire.

15. The application site overlies potential gypsum reserves but these are not identified in the British Gypsum licence area as economic to work and there are sufficient economically viable reserves identified elsewhere. Planning permission was granted in 2012 for gypsum mining to the east of the application site, however the distance between the permitted mining area and the proposed development is sufficient to ensure that it does not raise any issues relating to the sterilisation of the reserves.

16. Based on the information available there are no minerals planning policy objections to the proposed development.

*Rushcliffe Local Plan*

17. 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.

18. The NSLP contains a policy which allows for residential development in certain locations, but not those that extend outside the built-up area. The Plan also contains a policy to protect the open countryside.

*Rushcliffe Core Strategy*

19. The Rushcliffe Local Plan Part 1 - Core Strategy was submitted to the Secretary of State in October 2012, but the Examination was suspended whilst additional work was undertaken to address the shortfall in proposed housing development which was identified by the Planning Inspector. On 12th December 2013 Rushcliffe Borough Council approved a number of modifications to the Core Strategy in order to make provision for 13,150 new homes by 2028 and a formal consultation will take place on these changes.

20. Policy 2 of the Core Strategy sets out the spatial strategy for Rushcliffe and includes the provision of a minimum of 400 new homes in or adjoining East Leake. This remains unchanged.

***Strategic Planning Issues***

*Planning Policy*

21. The proposal is consistent with the NPPF in terms of boosting the supply of housing and ensuring that the housing needs of the area are met.

22. The Rushcliffe Core Strategy is at an advanced stage of preparation and identifies East Leake as a location, both in and adjoining the settlement, for the provision of a minimum of 400 dwellings.

23. As such, there are no strategic planning policy objections in principle to the proposed development.

*Transport*

24. Rushcliffe Borough Council is currently finalising transport modelling to provide the necessary supporting evidence to underpin an Examination-in-Public of the Core Strategy. This work will identify an infrastructure package required to support all development in the Borough within the Local Plan period.

25. Detailed transport comments are contained in Appendix 2.

*Landscape and Visual Impact*

26. The proposal will have both a positive and a negative effect on the character of the landscape. It conserves and reinforces some of the major character features identified in the Landscape Character Assessment Policy Zone – hedgerows and vernacular style of buildings, but it is also reducing one locally characteristic feature, by changing the area from pasture to housing. However, overall the general effect on the landscape will not be significant.

27. The proposed development will not have a significant visual impact on long distance views. There will, however, be a significant visual impact on viewpoints within close proximity, though more during the construction phase than when the development is completed. On completion the significant visual impact of the development will mainly be on the residents along Costock road and for users of a right of way in close proximity to the south of the development.

28. Considering the overall impact of the development, including both positives and negatives, no objections to the proposal in landscape and visual impact terms are raised at this stage.

29. Detailed landscape and visual impact comments are contained in Appendix 3.

*Nature Conservation*

30. The proposal will not affect any designated nature conservation sites and no protected species have been identified on the site, apart from a barn owl on one occasion.

31. A series of planning conditions, as detailed in Appendix 4, are recommended to ensure that mitigation is secured and the biodiversity value of the proposed development is maximised.

32. Detailed nature conservation comments are contained in Appendix 4.

*Land Contamination*

33. The Mining Report accompanying the application addresses the main concerns relating to the contamination potential at the site. The application is supported by a robust set of technical reports showing no significant indications of ground contamination or geological constraint, therefore no objections are raised to the proposal in this respect, but it is requested that the investigation of the farm buildings area and the completed ground gas risk assessment are forwarded for consideration when available.

34. The following planning condition is recommended to ensure that any unsuspected contamination is dealt with appropriately:
    'If ,during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a method statement and obtained written approval from the LPA. This method statement must detail how the unsuspected contamination shall be dealt with.'

35. Detailed land contamination comments are contained in Appendix 5.

*Developer Contributions*

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

37. Appropriate contributions towards transport infrastructure will be sought.

38. In terms of education provision, a proposed development of 150 dwellings would yield an additional 32 primary places and the feasibility of physically accommodating these places in East Leake is currently the subject of ongoing discussions.

*Overall Conclusions*

39. There are no strategic planning policy objections to the proposal in principle.

40. There are no objections at this stage to the impact on landscape character or the visual impact of the proposed development.

41. Provided that any planning permission granted is subject to the recommended planning conditions set out in Appendix 4 there are no objections in respect of nature conservation.

42. The main concerns relating to contamination potential at the site have been addressed and it is requested that the findings of subsequent investigation of the farm buildings area and the completed ground gas risk assessment are forwarded for consideration. Provided that any planning permission granted is subject to the recommended planning condition in respect of land contamination, set out in paragraph 34, there are no objections on this matter.

43. Developer contributions will be required towards transport infrastructure and education provision.

**Other Options Considered**

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

**Reason/s for Recommendation/s**

45. 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

46. 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**

47. There are no direct financial implications.

**Implications for Sustainability and the Environment**

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

## RECOMMENDATION/S

1) That Committee note that a formal response approved by the Chairman of Environment and Sustainability Committee, in line with the information and advice set out in this report, was sent to Rushcliffe Borough Council on the 19th December 2013.

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

**For any enquiries about this report please contact: Kathryn Haley, Principal Planning Officer, Planning Policy Team 0115 9774255**

**Constitutional Comments (NAB 20.12.13)**

49. Environment and Sustainability Committee has authority to consider the recommendations set out in this report by virtue of its terms of reference.

**Financial Comments (SEM 20.12.13)**

50. There are no specific financial implications arising directly from this report.

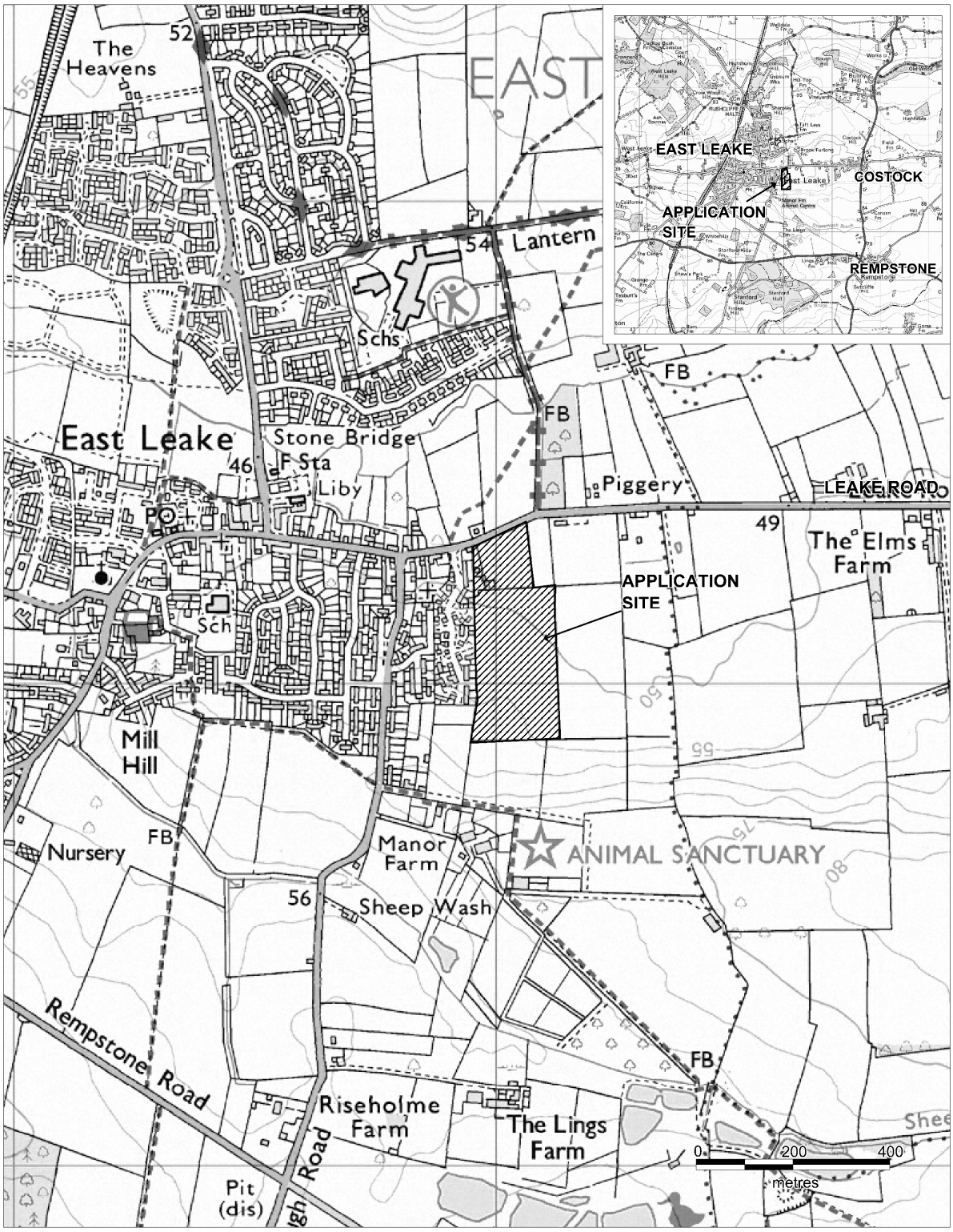
**Background Papers and Published Documents**

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**

Soar Valley – Councillor Andrew Brown

## Appendix 1: Site Location Plan




Nottinghamshire County Council

Residential development of up to 150 dwellings with associated infrastructure; overspill car park for cricket and rugby club.
Land To East Of Meeting House Close, Costock Road, East Leake, Nottinghamshire.
Planning Application No. 13/02228/OUT

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N W E S

Scale 1:10,000
Produced by: JW
Date: DEC 2013

## Appendix 2: Transport Comments

As I am sure you are aware Rushcliffe Borough Council is currently reviewing its Local Plan Core Strategy. The emerging RBC Core Strategy identifies that;

All development will be expected to:
a. Meet the reasonable cost of new infrastructure required as a consequence of the proposal;
b. Where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of developments to be managed,
including identified transport infrastructure requirements; and
c. Provide for the future maintenance of facilities provided as a result of the development.

Rushcliffe Borough Council intends to introduce a Community Infrastructure Levy (CIL) to secure infrastructure that has been identified as necessary to support new development and to achieve Core Strategy objectives. Prior to the implementation of a CIL, and following implementation where it remains appropriate, planning conditions and obligations will be sought by RBC to secure all new infrastructure necessary to support new development either individually or collectively. The Borough Council is currently finalising supporting transport modelling to provide the necessary supporting evidence to underpin an Examination in Public of the Core Strategy. This work will identify an infrastructure package required to support all development in the Borough within the Local Plan period. All development should therefore be expected to contribute to the new infrastructure required , in which case if the Borough Council is minded to grant planning permission in advance of any CIL policy then planning obligations should be sought from the applicant requiring a financial contribution towards necessary transport infrastructure.

In summary I think it necessary to remind RBC that appropriate contributions towards transport infrastructure should be sought from the applicant by way of planning obligations i.e. in advance of any formal policy on CIL or otherwise the opportunity will be lost and a shortfall in funding for the delivery of necessary infrastructure may result.

David Pick
Environment and Resources
0115 977 4273

## Appendix 3: Landscape and Visual Impact Comments

Existing Site

The application site lies on the eastern side of East Leake, south of Costock Road, in between East Leake and the East Leake Cricket and Rugby Club fields. The surroundings to the north and south of the site are composed of arable land. The application site lies within the Policy Zone NW02 East Leake Rolling Farmland of the Greater Nottingham Landscape Character Assessment.

The comments are based on the document '*Landscape & Visual Impact Assessment Proposed Development at Costock Road, East Leake'* November 2013 by Influence-cla Ltd. The document outlines the visual baseline and the locations of the viewpoints, whose position was informed by a zone of theoretical visibility and consultation with Rushcliffe Borough Council. The document states that the methodology used is in accordance with the principles set out by Landscape Character Assessment Guidance for England and Scotland (CA and SNH, 2002) and Guidelines for Landscape and Visual Impact Assessment 3rd Edition (LI and IEMA, 2013). Comments are also based on the document '*Design and Access statement' October 2013* by Barratt Homes and the layout drawings: '*Tree retention plan figure 3'* drawing no 6513-A-03 by fpcr and *'Landscape strategy'* drawing no INCLA_N0220 PL07 by Influence.

Impact on Landscape Character

The landscape action for this policy zone is '*Conserve and Enhance'*; Landscape condition is '*Moderate*' and landscape strength is '*Strong*'. The area has a gently rolling landform and a strong rural character with open views, often over quite long distances, across mostly arable farmland. The southern edge of East Leake is prominent within views. The field pattern includes small, medium and large scale fields and the field boundaries are mainly generally intact hedgerows consisting of mostly hawthorn. Horse grazing and pasture have a localised influence in character especially around East Leake.

Key actions are:

- Conserve the rural character with built form infrequent in views
- Conserve hedgerows and where present ensure that infill planting is undertaken where gaps occur
- Conserve areas of permanent pasture where present in the DPZ and ensure hedgerows and hedgerow trees at the boundaries are maintained.
- Minimise the influence of larger settlements through small scale woodland planting along fringes.
- Conserve the rural scale and vernacular style of buildings in smaller villages through restricting new development. Where development occurs it should make a positive contribution to the local vernacular, scale and massing of the village.
- Conserve the use of red brick and pantile roofs within farmsteads, barns and properties in villages.

The masterplan shows that the hedgerow around the development will be retained, and also reinforced to the south and east of the development. This is consistent with the actions for the policy zone, which emphasise the importance of hedgerows for the landscape character. But to keep the landscape character and to follow the policy zones key actions - to minimise the influence of larger settlements with small scale woodland planting - it is of high importance that the retained and reinforced hedgerows shown on the masterplan are given sufficient space to grow and form a buffer.

The design and access statement shows red brick as a representation of materials to be

used, which also is in line with the actions for the policy zone and will be coherent with the landscape character.

The development will have an impact on the landscape character by changing the land use from pasture horse grazing, which is a characteristic feature for the landscape, to a housing estate. This will have a negative impact on the landscape character. But if the development is carefully designed and makes a positive contribution to the local vernacular and scale, it will create a coherent view with East Leake.

Overall the development will have a low impact on landscape character with a minor significance since it will have the same style and scale as the existing character in East Leake, and will conserve and reinforce the hedgerows surrounding the development in line with existing landscape character.

Visual Impact

The applicant has done a complete visual impact assessment in line with the LI guidelines. Ten viewpoints have been identified and the applicant has provided a systematic assessment of each viewpoint, and presented both receptors affected and the magnitude of change for each viewpoint. The viewpoint locations are shown in a Viewpoint Location plan in the Landscape and Visual Impact Assessment accompanying the application.

The Landscape and Visual Impact Assessment document also contains photographs of the individual viewpoints and, in Appendix D, further details about each viewpoint.

Overall the applicant has identified that the visual impact of the development will have a moderate significance. The magnitude of the impact varies from nil impact to medium impact and the receptors sensitivity is mainly medium to high with the exceptions of road users, where impact is low. With the statement '*Major effects are usually deemed significant. Similarly, effects of medium magnitude on a highly sensitive receptor or effect of high magnitude on receptors of medium sensitivity may also be judged significant*' the visual impact has been judged as significant for two (2) receptors during construction; Residents of Meeting House Close and Residents along Costock Road, and for one (1) receptor during operation; Residents along Costock Road.

However in viewpoint three (3) which is taken from a PRoW close to Manor Farm, the application site is very visible due to the rolling landscape. The existing view is a long open view over mainly pasture and arable land. The proposed development will create a major change and be a prominent part in the view and therefore the magnitude of impact should be high rather than medium. This will mean that the visual impact will be significant for one (1) additional receptor both during construction and operation; users of the local footpaths to the south of the application site. But only at the PRoW along Manor Farm, not at the PRoW along Rempstone Road.

The assessment shows that the visual impact will be more prominent for receptors and views in close proximity to the development, whilst the impact will be lower from views further away where the development merges with the existing East Leake. The retained and reinforced hedgerows surrounding the application site will provide some screening and it is therefore important that the hedgerows are allowed sufficient space to be able to provide a buffer zone.

Conclusion

The proposal will both have a positive and negative effect on the character of the landscape; it conserves and reinforces some of the major character features identified in the policy zone - hedgerows and vernacular style of buildings. But it is also reducing one locally characteristic feature, by changing the area from pasture to housing. So overall

there will be both positives and negatives but the general effect on the landscape will not be significant.

The development will not have a significant visual impact on long distance views; there will however be a significant visual impact on close proximity receptors, though more during the construction phase than when the development is completed. On completion the significant visual impact of the development will mainly be for the residents along Costock Road and for users of a close proximity Rights of Way south of the development.

Considering the overall impact of the development, including the positives and negatives, there is at this stage no objection to the proposal.

For more information please contact: Sara Pallin (0115 9772005)

## Appendix 4: Nature Conservation 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:

- The application is supported by up-to-date ecological assessments, including a general Ecological Appraisal, a Bat Survey Report and a Reptile Survey Report.
- The proposals will not affect any designated nature conservation sites; the nearest Local Wildlife Site is located c.380m to the south, whilst the nearest SSSI is c.1.9km to the north-west.
- The predominant habitat on site is species-poor semi-improved grassland (which is considered to be of low ecological value), bounded by native-species hedgerows. Development would result in the loss of the majority of the grassland (with part used to accommodate a balancing pond) and the removal of one hedgerow (along with the creation of an access point in the hedgerow on Costock Road, which is the most diverse of the hedgerows present).

- With regards to species:
    - No bat roosts have been identified on site, and an overall low level of bat activity was recorded during surveys
    - No reptiles were encountered during surveys
    - No specific great crested newt surveys were carried out, but the nearest pond is over 250m from the site across generally unfavourable terrestrial habitat, and no further surveys are recommended
    - A barn owl was recorded hunting over the northern part of the site on one occasion

- By way of mitigation, the following measures should be secured through appropriate **conditions**:
    - The protection of retained trees and hedgerows
    - The gapping-up of retained hedgerows
    - No vegetation clearance to take place during the bird nesting season unless otherwise approved following an inspection by an ecologist
    - The incorporation of integrated bat and bird (sparrow and starling) boxes into buildings within the development (e.g. garages)

- In addition, **conditions** should be used to require the submission of:
    - A detailed landscaping scheme for the northern area containing the balancing pond; this should ensure the use of native species appropriate to the local area (and of native genetic provenance) and the establishment of areas of trees and scrub and a wildflower meadow around the facility, in accordance with the recommendations made in paragraph 4.10-4.12 of the Ecological Appraisal (FPCR, October 2013). In addition, it is suggested that a replacement hedgerow should be planted along the northern boundary of the housing area to replace that which will be lost to the development.
    - Details relating to the design of the balancing pond, such that its biodiversity value is maximised.
    - A lighting scheme, to ensure that retained boundaries (i.e. hedgerows) are left unlit) so as to minimise impacts on foraging and commuting bats, to be in accordance with the recommendations made in paragraph 4.9 of the Bat Report (FPCR, September 2013).

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
0115 969 6520

## Appendix 5: Land Contamination Comments

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

**Land Contamination Impacts**: The geo environmental report presents a conceptual site model which identifies the main risks as those associated the ancillary farm buildings; building
materials and the storage and use of agri-chemicals and the infilling of ground and subsequent
generation of ground gases. The agri-chemical use is particularly pertinent given the named water course of "Sheepwash Brook". Indeed para 2.2.5 identifies these buildings and states that
access to the buildings was not possible and later recommends subsequent investigation once
access is possible.

Para 3.7.1 indicates the potential for asbestos containing materials within the fabric of the buildings, the presence of such in the made ground around the buildings should not be discounted.

Para 4.4.1 indicates the identified contamination sources and includes for the made / infilled ground surrounding the site i.e. ponds and burial ground.

A site investigation is carried out to validate the conceptual site model, the extent of the investigation and the range of testing appears adequate for the site circumstance with the exception of the access to the farm buildings.

Paras 5.3-5.4
The results do not indicate any significant degree of impact from farm and farm related activities. The analytical suite deployed addresses the key areas of potential contamination including the issue of organo-phosphate pesticides.

The investigation did not identify significant quantities of soluble gypsum, however of the four borehole formed to depth; three going to 30m bgl and the fourth to 40m bgl, none were observed to find significant soluble gypsum. Para 3.8.1 indicates that according to BGS record
gypsum is to be expected at 30m plus, the investigation would appear to be short with respect
to the verification of the gypsum deposit.

The Wardell Armstrong Mining report indicates the Tutbury Gypsum beds are at 40 – 85 m depth and that mining has occurred through the use of room and pillar technique, closest approach to the proposed development site is estimated at 165m, with limited/ minimal risk of subsidence.

At the time of the report writing the ground gas monitoring had not been completed, results and
interpretive report dealing with this issue was awaited.

**Conclusions and Recommendations:**
The report addresses the main concerns relating to the contamination potential at the site, we
request that when available the investigation of the farm buildings area (para 10.1.a) and the completed ground gas risk assessment (para 10.1 f) are forwarded for consideration.

These issues apart, there is no reason to object to the application, indeed the application is supported by a robust set of technical reports showing no significant indications of ground contamination or geological constraint.

If you require clarification on any of the above points, please do not hesitate to contact me.
Derek Hair
Principal Project Engineer
Landscape and Reclamation Team (0115 9772175)

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item: 4e**

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

**STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT – PARK HALL FARM, PARK HALL ROAD, MANSFIELD WOODHOUSE**

## 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 Mansfield District Council on the 30th January 2014 in response to the request for comments on the above outline planning application for residential development at Park Hall Farm, Park Hall Road, Mansfield Woodhouse.

## Information and Advice

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the above outline planning application for residential development and this report compiles responses from Departments involved in providing comments and observations on such matters. A site plan is provided at Appendix 1.

3. The planning application is outline only with all matters reserved but it is accompanied by a Planning Statement, a 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 and local policy.

4. The application site lies within open countryside adjoining the northern edge of Mansfield Woodhouse.

### *Description of the Proposal*

5. The proposal is for residential development of up to 150 dwellings, including affordable homes, together with site access, open space, landscaping and associated infrastructure. The site area is approximately 5.4 hectares with 2 distinct areas separated by a farmhouse and farm buildings which remain in separate ownership. The site is accessed from Park Hall Road which runs south into the centre of Mansfield Woodhouse. Access to the existing buildings would be incorporated into any modified vehicular access from Park Hall Road.

6. The site is currently agricultural land, with the western site boundary defined by a stone wall and trees beyond which is further agricultural land. Residential areas are located to the south and east of the site, whilst the curtilage of a residential property adjoins the northern boundary.

***Planning Policy Context***

*National Planning Policy Framework (NPPF)*

7. One of the core principles of the National Planning Policy Framework (NPPF) is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met. The NPPF looks to boost significantly the supply of housing. The principles and policies contained in the NPPF also recognise the value of, and the need to protect and enhance, the natural, built and historic environment and biodiversity, together with the need to adapt to climate change.

8. A key aspect of the NPPF is that it includes a presumption in favour of sustainable development which means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.

9. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependent on their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.

10. The Government is committed to securing economic growth, including housing, with the planning system encouraging sustainable growth, as set out in paragraphs 18 and 19 of the NPPF.

11. 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".*

12. 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.

*Local Planning Context*

13. The Mansfield District Local Plan (adopted in 1998) remains in place with many of the policies having been 'saved' pending replacement by a new development plan for the

District. The application site lies outside the defined urban boundary shown on the Proposals Map and saved Policy H3 states:

'*Planning permission will not be granted for the development of permanent housing outside the urban boundary, as defined on the Proposals Map, except where it is essential for agricultural or forestry workers to live at their place of work for the proper functioning of an established farm or forestry business.*'

14. Mansfield District Council is in the early stages of the process of preparing a new plan for the District, having published a Core Strategy Issues and Options Report in 2010 and a consultation document 'Setting a Long-term Dwelling Requirement' in 2012. The next stage will be the Preferred Options document.

15. Mansfield District Council's Housing Monitoring Report 2013 sets out a 'Locally Agreed Figure' for its 5 year dwelling requirement of 7820 dwellings (391 dwellings per annum) which produces a housing land supply of 7.37 years.

16. The application site has been assessed in Mansfield District Council's Strategic Housing Land Availability Assessment (September 2013) (SHLAA) which concluded that the site is not required because due to '*its location outside the Urban Boundary, and the greenfield nature of the site, it is not considered to be as suitable/sustainable as alternative sites to meet the locally agreed housing requirements.*'

***Strategic Planning Issues***

*Planning Policy*

17. The proposal is consistent with the NPPF in terms of boosting the supply of housing and ensuring that the housing needs of the area are met. The NPPF carries significant weight as a material consideration, particularly as the Mansfield District Local Plan was adopted in 1998 and intended to guide development in the area up to 2006. Nevertheless, the saved policies of the adopted Local Plan still form part of the District's development plan and as the site lies outside the defined urban boundary of Mansfield Woodhouse, the proposal is contrary to saved policy H3. In the District Council's recent SHLAA it was concluded that the application site is not needed to meet the locally agreed housing requirement given that more suitable /sustainable sites are available.

18. The applicant contends that Mansfield District Council's locally agreed 5 year dwelling requirement/supply figures are flawed as they do not account for previous under delivery of dwellings against the provisions of the former regional development plan (the East Midlands Regional Plan, revoked April 2013), however it is a matter for Mansfield District Council to justify its figures.

*Transport*

*Strategic Transport*

19. Mansfield District Council has commissioned a district-wide transport study to assess the Council's preferred growth scenario and potential cumulative impact on the District's transportation networks and services. This study will identify any potential

transport infrastructure improvements required to facilitate the cumulative impact of the preferred growth scenario, along with a preliminary assessment of any associated infrastructure costs and comments on their deliverability, priority and likely funding sources. In this way it would be possible to identify a funding mechanism for all developments to share the cost of the necessary supporting transport infrastructure. This study has not, however, been concluded.

20. Whilst the proposal for 150 dwellings at Park Hall Farm may not give rise to any significant direct impacts on the strategic highway network, the cumulative impact of this application together with other future development in the District is not considered in the supporting Transport Assessment (TA). The traffic modelling in the TA does not (nor should it necessarily do so) consider the cumulative impact of other proposed Local Plan developments. This TA considers Park Hall Farm in isolation in accordance with the DfT Guidelines on TAs. In this sense the application could be considered premature i.e. until such time as the District Council's LP traffic modelling has been completed and the package of supporting transport infrastructure has been established. If the District Council is minded to approve this application before the district-wide transport study and Local Plan Preferred Options is published then the opportunity to secure a proportion of the cost of providing all necessary supporting transport infrastructure from the applicant could be lost. The District Council might wish to consider whether it would be capable of securing a contribution towards future transport infrastructure from the applicant.

*Public Transport*

21. Currently there are no regular public transport services within 400 metres of the site and negotiations would be required with the major operator in the area to enhance local routes and services. In order to ensure access to public transport for the proposed development developer contributions would be required to develop services nearby.

*Landscape and Visual Impact*

22. Part of the application site is designated as the Mature Landscape Area (MLA) Nettleworth Manor. It is accepted that although policy NE8 restricting development in an MLA is a saved policy of the adopted Mansfield District Local Plan, this policy will be superseded by the landscape character approach when a new plan for the District is adopted. The MLA designation was taken into account in the preparation of the Mansfield Landscape Character Assessment.

23. It is not possible to comment fully on the landscape and visual impact implications of the proposal until further information and clarification has been provided by the applicant on the following matters:

- Greater reference should be made to Policy sheet ML25 Sookholme Limestone Farmlands, the policy sheets should be included in the appendices and used in the Landscape and Visual Impact Assessment (LVIA) to develop the landscape strategy for the site;

- The physical landscape impacts of the proposal need to be detailed more fully, the vegetation to be removed should be quantified;

- The visual impacts need to be separated for operational day 1 of the site and then for the longer term, i.e. the residual impacts. This section of the LVIA document needs clarification;

- The landscape proposals for the site should not be left as a reserved matter as they are a fundamental part of the development;

- An initial discussion about maintenance and provision of a commuted sum needs to take place between the applicant and Mansfield District Council;

- A management plan for the landscape proposals is required;

- A clearer tree constraints plan needs to be provided and should be used to inform the landscape proposals.

24. Detailed landscape and visual impact comments are contained in Appendix 2.

*Nature Conservation*

25. The proposal will not directly affect any designated nature conservation sites, however there is potential for indirect impacts on a Local Wildlife Site, Park Hall Lake, which is connected to the application site by a watercourse.

26. The application site lies within the 5km buffer zone around the 'prospective' Sherwood SPA, with the nearest part of the 'Indicative Core Area' approximately 2km to the east. No consideration has been given to this in the planning application and Mansfield District Council may wish to ask for further information on this matter in order to satisfy themselves that they have taken a 'risk-based approach' as advocated by Natural England.

27. Planning conditions are recommended, as detailed in Appendix 3, to ensure that mitigation and enhancement are secured and the biodiversity value of the proposed development is maximised.

28. Detailed nature conservation comments are contained in Appendix 3.

*Developer Contributions*

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

30. Appropriate contributions towards public transport will be sought and consideration should be given to whether a contribution towards future transport infrastructure could be secured.

31. In terms of education provision, a proposed development of 150 dwellings would yield an additional 32 primary places and 24 secondary places, however based on current pupil projections, the additional primary and secondary places can be accommodated in existing schools. A contribution towards education provision will not, therefore, be sought at this stage.

*Overall Conclusions*

32. There are no strategic planning policy objections to the proposal in principle in the light of national planning policy on the supply of housing, but it is recognised that the proposal is contrary to local planning policy and that the District Council's recent SHLAA concluded that the application site is not needed to meet the locally agreed housing requirement given that there are more suitable/sustainable alternative sites.

33. Insufficient information has been provided with the application to enable adequate assessment of its acceptability in landscape and visual impact terms.

34. Provided that any planning permission granted is subject to the recommended planning conditions set out in Appendix 3 there are no objections in respect of nature conservation.

35. Developer contributions relating to the County Council's responsibilities in line with the Council's adopted Planning Contributions Strategy will be required towards public transport provision and consideration should be given to whether a contribution towards future transport infrastructure could be secured.

**Other Options Considered**

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

**Reason/s for Recommendation/s**

37. It is recommended that the formal response approved by the Chairman of Environment and Sustainability Committee 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

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

**Financial Implications**

39. There are no direct financial implications.

**Implications for Sustainability and the Environment**

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

## RECOMMENDATION/S

1) That Committee note that a formal response approved by the Chairman, in line with the information and advice set out in this report, was sent to Mansfield District Council on the 30th January 2014.

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

**For any enquiries about this report please contact: Kathryn Haley, Principal Planning Officer, Planning Policy Team 0115 9774255**

**Constitutional Comments (SHB 21/01/14)**

41. This report is for noting only so no constitutional comments are required.

**Financial Comments (SEM 21/01/14)**

42. There are no specific financial implications arising directly from this 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**

North Mansfield – Councillors Joyce Bosnjak and Parry Tsimbiridis

## Appendix 1: Site Location Plan

Nottinghamshire County Council

Outline planning application with all matters reserved for up to 150 no. dwellings including affordable homes, together with site access, open space, landscaping and associated site infrastructure.
Park Hall Farm, Park Hall Road, Mansfield Woodhouse, Nottinghamshire.
Planning Application No. 2013/0593/NT

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N W E S

Scale 1:10,000
Produced by: JW
Date: MARCH 2014

**Appendix 2: Landscape and Visual Impact Comments**

The following documents were referred to in order to make comments:-

- Landscape, and Visual Impact Assessment – Influence CLA - November 2013 including associated appendices and drawings
- Site Appraisal and Indicative Development Principles - Influence CLA - November 2013
- Landscape Strategy Plan - INCLA N0094 PL08 – Influence CLA November 2013
- Design and Access Statement – AAA Ltd – December 2013
- Planning Statement - AAA Ltd – December 2013
- Arboricultural Report – Adam Winson – March 2013
- Red Line/ Site Location Plan - December 2013

The following were referred to for information purposes only:-

- Ecological Appraisal - BSG Ecology – Extended Phase 1 Habitat Survey – Feb 13 and update November 2013
- Statement of Community Consultation - AAA Ltd - December 2013

**Landscape, and Visual Impact Assessment – Influence CLA - November 2013 including associated appendices and Drawings**

**Section 2 Planning context**

**Paragraph 2.22 Policy NE8 Mansfield District Local Plan 1998**

Part of the proposed site is designated as the Mature Landscape Area 84 Nettleworth Manor. It is accepted that although policy NE08 restricting development in an MLA is saved on the 1998 plan, this policy will be superseded when the Local Development Framework is adopted. The MLA designation was taken into account in the preparation of the Mansfield Landscape Character Assessment.

**Section 3 Methodology**

The above LVIA follows the standard procedure set out in the Guidelines for Landscape and Visual Impact Assessment published by the Landscape Institute and the Institute of Environmental Management and Assessment, Third Edition published in 2013. The methodology of the assessment is clearly defined in the appendix and includes definitions for the landscape and visual impacts described in the text.

**Section 4 Landscape Baseline Conditions**

The document makes reference to the relevant National and County level landscape character assessments for the area, including the Mansfield District Council Landscape Character Assessment.

The site is located in the Magnesian Limestone 25 - Sookholme Limestone Farmlands Policy Zone and is adjacent to ML 24 - Market Warsop River Meadowlands and Pasture, ML 26 - Warsop Vale Wooded Farmland, and ML 27 - Pleasley Hill Upland Plateau Farmland.

Although the above character areas are referred to the appendices, the characteristic features have been selected from a more complete list of features. The landscape analysis of condition and strength, and landscape actions contained in the policy sheets are also not referred to in the appendices. It would be better to include the complete Policy sheets for the above in the appendices and then to more fully refer to them in the LVIA text, particularly the landscape actions. For ML 25, in which the site is located, these actions would form a useful set of objectives to guide the landscape proposals for the site.

The sensitivity of the Policy Zone determined by the applicant as medium which is agreed

**Section 5 - Visual Assessment Baseline –** The sensitivity of the individual receptors determined is agreed.

**Section 6 - Potential Landscape and Visual Impacts –**

**Paragraph 6.4** – the lighting of the development site during the winter months, for up to 3 years, should be added to the list of construction activities that could potentially cause landscape and visual impacts.

**Section 7 - Proposed Development and Mitigation**

The landscape vision for the site is illustrated on the landscape strategy plan INCLA N0094 PL08

**Planting strategy**

**Hedgerows –** it is not clear from the information presented, where the hedgerows to be retained are to be located. These should be shown clearly on the detailed landscape plans for the site and cross referenced to in the Arboricultural Method Statement

**'***All other hedgerows that form the development boundaries should be retained where possible and enhanced' .*

This statement is a too vague, as above they should be identified and protected to BS 5837:2012. As a minimum, the hedgerow identified within the ecological survey as species rich, to the north east boundary of the site, should be retained.

**Screening trees and scrubland –**

**'***The existing trees provide a screen to the north and north eastern boundaries of the application site, which should be retained and enhance where possible'*

Again this statement is a too vague, as above the trees should be identified and protected to BS 5837:2012. In particular this applies to the mature trees to the north western boundary of the site.

Paragraph 7.10 .*'The tree planting should include a suitable palette of native species that are found elsewhere on the application site, such as Oak'*

The Nottinghamshire Landscape Character Assessment, of which the Mansfield LCA is a part, contains a species list for the Magnesian Limestone LCA (copy attached). This should be used in the preparation of the detailed planting design. This requirement should be included as a Condition.

**Future Landscape Character**

Paragraphs 7.17-7.20 – as mentioned above, the applicant should refer to the LCA policy sheets to develop these paragraphs further.

**Section 8. Landscape impact assessment**

**Effects on Landscape character**

This section may be summarised as follows:-

NCA30 Southern Magnesian Limestone – impact on character - negligible adverse on completion and therefore not significant. We are in agreement with this conclusion.

ML 25 - Sookholme Limestone Farmlands – impact on character – minor beneficial on completion and therefore not significant. We are in agreement with this conclusion, the development of the site has the potential to accentuate the Magnesian Limestone character providing the policy actions are referred to.

**Physical landscape impacts – effects on landscape element and features**

The LVIA concludes in summary that landscape impacts during the construction stage of the project are limited to **medium adverse** within the site area only, which we agree with.

It is not clear from paragraphs 8.9 and 8.10 what the longer term effects are. We have taken paragraph 8.9 to mean that physical impacts on the landscape are **moderate adverse** on the first day of the site completion, ie: when mitigation planting is in place but has not had time to mature. We have taken paragraph 8.10 to mean that in the longer term the planting will mature and the impact will reduce to a residual impact of **minor beneficial** which is not significant. We would agree with this conclusion but these paragraphs need to be clarified.

Subject to the above confirmation whilst we agree with the conclusions, the physical landscape impacts could be more carefully detailed. A tree survey has been commissioned and therefore it would be straightforward to itemise the number of mature trees and amount of hedgerow likely to be removed as part of the scheme. This is important so that it can be clearly demonstrated that mitigation planting will replace what has been removed as result of the development. The applicant should add more information about physical impacts in this section.

**Section 9 – Assessment of Visual Effects**

12 viewpoints have been selected but these do not appear to have been agreed in advance with Mansfield District Council, which would be best practice.

Table 1 summarises the visual impacts during the construction stage of the project

Visual impacts are significant (moderate or above) for 7 of these viewpoints (some impacts are grouped together), that is for:-

Residents along Park Hall road
Users of the PROW along Park Hall road
Residents off Sandringham Drive
Users of Littlewood Lane bridleway

Table 2 summarises the residual visual impacts during the operational stage – residual impacts are described as during operation (of the site) and when mitigation in place. They remain significant for 6 viewpoints, that is for:-

Residents along Park Hall road
Users of the PROW along Park Hall road
Residents off Sandringham Drive

The impact on users of Littlewood Lane Bridleway will reduce due to the maturing of vegetation along the north western boundary of the site.

It would be useful to have a more clear explanation of how the effects would decrease with time as the mitigation planting begins to mature. It is presumed that the above impacts apply to operational day 1 and that they will reduce with time but this needs to be stated more clearly and an additional table of residual visual effects provided.

It is accepted that although most of the impacts are on residents, which are the most sensitive type of receptor, a relatively small number of residents are affected, (ie:only those on the outer fringes of the existing estate and situated directly adjacent to the development).

In general the Landscape and Reclamation Team agrees that the visual assessment has been carried out clearly and systematically and NCC agrees with the conclusions of the visual assessment.

**Site Appraisal and Indicative Development Principles - Influence CLA -November 2013**

No comments

**Landscape Strategy Plan 0094 PL08 – Influence CLA – November 2013**

No comments

**Design and Access Statement – AAA Ltd – December 2013**

The proposed site has been identified by Mansfield District Council in their SHLAA (Site no 22). The Park Hall Farm buildings in the centre of the existing site have been approved for residential conversion in advance of this proposal.

The DAS shows that the Scheme has evolved as a result of consultation with MDC and that the area around the existing farm buildings has been opened up to deliver a better setting for farm buildings and this is to be welcomed. However this means that the housing plot opposite a number of individual residential properties on Park Hall Drive will now be developed rather than remaining open, which increases the visual impact to these receptors.

**Page 11 Landscaping** - 'It is *considered that landscape matters can be addressed through a condition requiring a full landscaping scheme to accompany a reserved matter application'*

NCC are not in agreement with this – the landscape proposals are a fundamental part of the design of the development and a detailed planting plan should be provided with the full application and should not remain as a reserved matter.

**Planning Statement – AAA Ltd – Ltd – December 2013**

**Section 3.2 Section 106**

**Paragraph 3.2.4 Commuted sums for POS maintenance-** this is the only mention of any type of maintenance of the external landscape of the scheme and this only refers to a sum being paid by the developer to the district to maintain the Public Open Space within the area. There is no mention of how the landscape treatment and existing features such as hedgerows, mature trees and the pond will be maintained and if a commuted sum will be set aside to finance the maintenance of the landscaped areas. The long term landscape and visual impacts are entirely dependent on the implementation and continued maintenance of the green infrastructure that is proposed. There is very limited information about the responsibility for and funding of this treatment and existing features to be retained

There is also no mention either here or in the LVIA, except in passing in paragraph 8.4, of any Landscape Management Plan for all of the Landscape Framework proposals, this would ensure that these successfully establish and thrive in the longer term, this should be included as a Condition of the application.

**Arboricultural Study – Adam Winson – March 2013**

The distribution of trees on the site is summarised in this document as follows – '*Field boundary trees as to north east boundary mainly Ash, planted groups of mature Poplar trees adjacent to farm buildings, with a central area no tree cover, the majority of the boundary trees can be retained provided they are protected to BS5837 2012.'*

Paragraph 3.5.2 - an Arboricultural Method Statement should be requested by MDC as suggested here as a planning condition

The Appendix 5 tree constraints plan is very difficult to read, due to its poor reproduction – the colours distinguishing the 4 tree categories are not clear, This would be a useful document for

refining the landscape proposals for the site and incorporating existing features into the detailed plans, the applicant should provide a clearer representation of the plan.

**Summary**

**In summary the following amendments and clarifications are required by the applicant, to the documents as detailed:-**

- **Greater reference should be made to Policy sheet ML 25 Sookholme Limestone Farmlands, the policy sheets should be included in the appendices and used in the LVIA to develop the landscape strategy for the site in section 7.**

- **The physical landscape impacts of the proposal need to be detailed more fully , the vegetation to be removed should be quantified.**

- **The visual impacts need to be separated for operational day 1 of the site and then for the longer term, ie: the residual impacts. This section of the document is a little confused at the moment and needs clarification.**

- **The Landscape proposals for the site should not be left as a reserved matter**

- **An initial discussion about maintenance and provision of a commuted sum needs to take place between the applicant and Mansfield District Council**

- **A management plan for the landscape proposals is also required**

- **A clearer tree constraints plan needs to be provided by the applicant, and should be used to inform the landscape proposals.**

**In summary the Landscape Team are not able to comment fully on the proposal until the above information is provided by the applicant, once this is provided we will consider the application again.**

Please contact Helen Jones should you wish to discuss any of the above in more detail.

Helen Jones
Landscape Architect
Landscape and Reclamation Team

## Appendix 3: Nature Conservation 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:

### Designated sites

The proposals will not directly affect any designated nature conservation sites. The nearest SSSI, Hills and Holes and Sookholme Brook, is located approximately 1.4km to the north, whilst the nearest Local Wildlife Site (SINC), Hind Car Wood 2/88, is approximately 260m to the north-west. Another Local Wildlife Site - Park Hall Lake, Nettleworth 2/96 – is connected to the site by virtue of a watercourse, and potential indirect impacts on this site are considered further below.

In addition, the site lies within the 5km buffer zone around the 'prospective' Sherwood SPA, with the nearest part of the 'Indicative Core Area' approximately 2km to the east. No consideration has been given to this in the planning application, and Mansfield District Council may wish to ask for further information on this matter in order to satisfy themselves that they have taken a 'risk-based approach' as advocated by natural England, paying regard to their most recent advice note on the subject, dated 22 July 2011.

### Surveys

A range of ecological surveys have been carried out at the site in support of the application, including an Extended Phase 1 Habitat Survey, and surveys for bats, breeding birds and great crested newts. The surveys are up-to-date and their methodologies followed relevant best practice guidelines.

The surveys confirmed that the site comprises primarily of three arable fields, with small areas of species-poor semi-improved grassland, bounded by hedgerows and trees, with a pond also present. No great crested newts were found in the pond, and a fairly typical range of birds were found to be using the site. Most notably, the surveys suspected the presence of maternity roosts for both common pipistrelle and brown long-eared bats in the derelict Park Hall Farm site adjacent to the development site (and to which specific access for surveys was not permitted), and foraging and commuting activity was recorded particularly along the north-west and northern site boundaries and along the access road to Park Hall Farm. Several trees on the site boundary were also identified as having the potential to hold roosting bats.

The proposals involve the retention of existing boundary features, and the existing pond. The incorporation of the pond into the landscaping scheme is particularly welcomed, and provides an opportunity to enhance this feature. It appears to be the case that the pond is not being used as a water attenuation feature, and therefore there will be no down-stream issues in terms of water quality, but confirmation of this should be sought.

### Landscaping

A **condition** should be used to require the submission of a detailed landscaping scheme. This should cover the following:

- Details of species mixes, establishment methods and maintenance regimes
- The use native species appropriate to the local area and of native genetic origin on peripheral parts of the site and in areas of public open space (especially where these are informal), and for gapping up existing hedgerows
- The use of ornamental species with high value for wildlife in more formal planting areas
- Amendments to the current landscaping scheme to provide additional hedge planting along the interface between the development site and Park Hall Farm
- The open space around the pond should be designed as a wildlife area, with species-rich grassland and native trees and shrubs
- Details of enhancement works to be carried out on the retained pond (to ensure that it holds water more permanently and to a greater depth than it currently does), including marginal planting
- Compliance with the requirements of the bat mitigation strategy (see below)

**Mitigation and enhancement**

The following mitigation and enhancement measures should be sought, and secured through a **condition** where appropriate:

- The production of a bat mitigation strategy, to cover the matters outlined in section 4.10 of the Further Ecological Survey Report dated November 2013 (i.e. sensitive lighting, retention of an unlit buffer around the site boundary, the inclusion of green corridors across the development site, and the re-survey of any trees requiring works/removal on the north-western site boundary).
- The removal of vegetation outside the bird nesting season (which runs from March to August inclusive), unless otherwise approved.
- The incorporation of bird and bat boxes into the fabric of a proportion of the buildings proposed at the site, to include boxes suitable for house sparrow, starling and swift.
- The incorporation of features to allow the use of gardens by hedgehogs, as outlined in section 4.21 of the Further Ecological Survey Report dated November 2013
- A pre-commencement survey for badgers.
- The production of a plan showing all retained trees and hedgerows, along with measures to protect their root systems.

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
0115 9696520

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item:**

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

# STRATEGIC PLANNING OBSERVATIONS

**Purpose of the Report**

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

**Information and Advice**

2. Policy, Planning and Corporate Services has received 15 planning consultations during the period 14th December 2014 to the 17th January 2014.

3. Appendix A contains a list of all the planning consultations received during the above period.

**Other Options Considered**

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

**Reason for Recommendation**

5. This report is for information only.

**Statutory and Policy Implications**

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

**RECOMMENDATION**

1) This report is for information only.

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

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

**Background Papers**

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

**Constitutional Comments**

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

**Financial Comments**

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

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

All.

**Appendix A – Nottinghamshire County Council: Planning Consultations Received – December 2013 to January 2014**

| Date Received | ID | Address | Details | Officer Dealing | Response Type | Reason | Notes |
|---|---|---|---|---|---|---|---|
| **Ashfield District Council** | | | | | | | |
| 02.01.14 | Ashfield District Council V/2013/0662 | Lowmoor Nursing Home, Lowmoor Road, Kirkby in Ashfield | 30 Bedroom Care Home and Associated Works | NW | O | Does not meet agreed protocol | On-going |
| 02.01.14 | Ashfield District Council V/2013/0656 | Land East of Sutton Road and South of Kings Mill Road East, Sutton in Ashfield | Development of up to 225 Dwellings, Community Sports Facilities, Associated Infrastructure Works and Open Space Provision | NW | C | Meets agreed protocol | May E & S Commit tee |
| 02.01.14 | Ashfield District Council V/2013/0647 | Land at 57 Stoneyford Road, Sutton in Ashfield | Erection of a maximum of 50 Dwellings with New Road Access | KH | O | Does not meet agreed protocol | On-going |
| 02.01.14 | Ashfield District Council V/2013/0645 | Darlison Court, Ogle Street, Hucknall | Demolition of 32 residential units. Erection of 39 two and three storey residential dwellings and associated works | KH | O | Does not meet agreed protocol | On-going |
| 02.01.14 | Ashfield District Council V/2013/0641 | 364-376 Watnall Road, Hucknall | 10 No. Two Storey Dwellings | KH | O | Does not meet agreed protocol | On-going |
| **Bassetlaw District Council** | | | | | | | |
| 10.01.14 | Bassetlaw District Council 13/01489/FUL | Land at Tiln North, Smeath Lane, Hayton | Proposed utilisation of restored mineral workings as recreational fishing | EMc | O | Does not meet agreed protocol | On-going |

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|---|---|---|---|---|---|---|---|
| | | | lakes | | | | |
| **Date Received** | **ID** | **Address** | **Details** | **Officer Dealing** | **Response Type** | **Reason** | **Notes** |
| **Gedling Borough Council** | | | | | | | |
| 02.01.14 | Gedling Borough Council 2013/1406 | Land North of Papplewick Lane | Demolition of two properties on Papplewick Lane to provide access for a residential development, education provision, public open space and attenuation ponds with access defined and all other matters reserved | NW | C | Meets agreed protocol | March E & S Committee |
| **Mansfield District Council** | | | | | | | |
| 16.12.13 | Mansfield District Council 2013/0593/NT | Park Hall Farm, Park Hall Road, Mansfield Woodhouse | Outline planning application with all matters reserved for up to 150 no. dwellings including affordable homes, together with site access, open space, landscaping and associated site infrastructure | KH | C | Meets agreed protocol criteria | March E & S Committee |
| 18.12.13 | Mansfield District | Land to the rear of | Residential | NW | O | Does not meet | On-going |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Council 2013/0608/NT | Yorke Street/Blake Street, Mansfield Woodhouse | development consisting of 24 no. dwellings (renewal of permission 2009/0783/NT) | | | agreed protocol | |
| **Date Received** | **ID** | **Address** | **Details** | **Officer Dealing** | **Response Type** | **Reason** | **Notes** |
| **Newark and Sherwood District Council** | | | | | | | |
| 10.01.14 | Newark & Sherwood District Council | | Draft Wind Energy Supplementary Planning Document Consultation | NW | C | Meets agreed protocol | May E & S Committee |
| 16.01.14 | Newark & District Council 14/00018/FUL | Jerry Green Dog Rescue Centre, Warsop Lane, Rainworth | Spread and level approx. 300mm unwanted sub soil and top soil over existing field | EMc | O | Does not meet agreed protocol | Response sent 20th January 2014 |
| **Rushcliffe Borough Council** | | | | | | | |
| 03.01.14 | Rushcliffe Borough Council 13/02329/OUT | Land off Shelford Road, (Shelford Road Farm), Shelford Road, Radcliffe on Trent | 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 | NW | C | Meets agreed protocol | March E & S Committee |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 13.01.14 | Rushcliffe Borough Council 13/02498/OUT | Land North of, Nottingham Road, Radcliffe on Trent | Revised application for outline residential development (up to 300 dwellings); formation of primary access; infrastructure; open space provision; surface water attenuation and formation of surface water storage ponds | LB | C | Meets agreed protocol | May E & S Committee |
| **Date Received** | **ID** | **Address** | **Details** | **Officer Dealing** | **Response Type** | **Reason** | **Notes** |
| 15.01.14 | Rushcliffe Borough Council 14/00001/FUL | Land North of Landmere Lane and West of, Melton Road, Edwalton | Erection of Local Centre comprising a foodstore (class A1) and 4 No. units for Class A1, A2, A3, A5 and/or D1 use, together with car parking and associated infrastructure and landscaping | NW | C | Meets agreed protocol | May E & S Committee |
| 16.01.14 | Rushcliffe Borough Council 13/02500/FUL | Land to the North of, Longhedge Lane, Orston | Anaerobic digestion renewable energy facility, associated landscaping and vehicular access | EMc | O | Does not meet agreed protocol | Response sent 21st January 2014 |

Response type

C = Committee
O = Officer

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6th March 2014**

**Agenda Item:**

# REPORT OF THE SERVICE DIRECTOR HIGHWAYS

# SUPPORTING LOCAL COMMUNITIES FUND

## Purpose of the Report

1. The purpose of this report is to seek approval for the 2014/15 Supporting Local Communities fund (SLC) programme

## Information and Advice

2. The County Council's Policy Committee on 16th October 2013 approved the establishment of the Supporting Local Communities Fund, with a budget allocation of £0.5m per year, for community-based environmental improvement schemes. Following on from this the Environment and Sustainability Committee subsequently moved the initiative forward on the 12th December 2013 by approving the criteria to be used for the operation of the SLC fund and agreeing that schemes in the current 2013/14 programme that could not be delivered in the current programme year would be re-assessed alongside existing applications submitted for the 2014/15 programme.

3. The SLC programme has been reviewed due to significant and ongoing cuts in Government funding. These unprecedented cuts total £154 million over the next three years and represent a quarter of the total amount the Council needs to maintain services at existing levels. At the same time the County Council is facing rising demands for its services to help support more vulnerable older people and children during these times of austerity. This has forced the authority to make some very difficult decisions. Rather than close the programme, it has been reduced to total annual budget of £500,000 and refocused to target areas of greatest need and deprivation.

## Application Assessment 2014/15 Programme

4. Applying the criteria approved by the Environment and Sustainability Committee on the 12th December 2013, all scheme applications received for the 2014/15 Local Improvement Scheme (LIS) programme and those approved for re-evaluation as part of next year's SLC programme have been evaluated. As shown in **Appendix 1**. The majority of scheme applications have received site

visits and discussions with the applicants have been undertaken as part of the evaluation process. 340 applications were considered, consisting of 276 submitted for 14/15 programme, 22 re-evaluated as they were moved forward from this year's programme and a further 42 schemes which were carried forward from the 13/14 programme evaluation.

5. The assessment of the applications took account of levels of deprivation, the amount of external funding and voluntary hours available, evidence of and opportunity for increased community cohesion, economic vitality and training. Other local benefits were also taken into consideration. A £50k ceiling was applied to all applications to maximise the number of schemes that could be supported, (except in the case of schemes carried forward from the 2013/14 LIS programme).

## 2014/15 SLC Programme

6. The proposed 2014/15 programme (Appendix 1) lists schemes and scoring values that have been awarded, in scoring order (highest first) for schemes scoring 13 points or more, based on the above criteria. The scores for the full list of schemes assessed is available, as a background paper, on request. In order to maximise the flexibility of the £0.5m made available to the programme every effort will be made to pursue external funding opportunities and additional resources that will enhance and compliment the programme as in previous years with the LIS programme.

7. Schemes for inclusion in the programme are those shown in Appendix 1, scoring 16 and above with a reserve list being held for schemes scoring 15 should funding become available. We will proactively work with the reserve projects to help develop their applications for the following year's programme. The schemes that are proposed for approval for delivery are subject to more detailed design work being carried out, an accurate cost estimate being prepared and where appropriate consultation with affected parties. The outcomes of these issues will determine if funding can be released and to what value.

8. It is also proposed that the SLC fund as part of the 2014/15 programme will support two projects relating to the commemoration of the 100$^{th}$ Anniversary of the outbreak of WW1, namely the continuation of the Roll of Honour project in 2014/15 (£20k for one year only), and a War Memorial refurbishment programme (£10k per annum for four years, ideally supported by match funding) – Misterton year one as contained in the Appendix. The SLC programme provides the opportunity to accommodate projects of special interest within the existing budget allocation, in addition to the mainstream fund that are recognised as being significantly important to and of unique relevance to Nottinghamshire.

9. The Nottinghamshire Great War roll of honour is a permanent tribute to the men and women of Nottinghamshire who lost their lives. This record will be the first comprehensive one of its kind, creating a unique centralised archive for the general public. The project has so far delivered an online resource with information gleaned from over 600 memorials in the county. War memorials only

contain a small amount of information and often names will be missing. The continuation of the roll of honour will engage with the public to come forward with data as well as facilitate the expansion of the information including newspaper extracts, photographs and the names that are presently unrecorded or missing being added as a permanent record.

10. Moving forward to the 2015/16 annual programme bids will be invited over the summer.

## Reason for Recommendation

11. To enable a refocused community scheme in line with Policy Committee decision of 16th October 2013 and 12th December 2013 Environment and Sustainability Committee.

## Statutory and Policy Implications

12. 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

13. The Supporting Local Communities fund set at £0.5m per annum will be supported / enhanced by match (funding or resources) to maximise the value of the programme.

## Staffing Implications

14. Staff resources needed to deliver the Supporting Local Communities programme will be included within the Highways division and Conservation teams.

## Equalities Implications

15. Equality impacts of the recommendation have been considered and there are no adverse impacts.

## RECOMMENDATION/S

1. That approval be given for:
   i. The 2014/15 Supporting Local Communities (SLC) Fund programme as set out in Appendix 1 of this report.

ii. Agreement to fund the two WW1 projects as detailed in paragraphs 8 and 9 of this report.

**Report of the Service Director, Highways – Andrew Warrington**

**For any enquiries about this report contact: Gary Wood Tel: 0115 977 4270**

**Constitutional Comments (SLB 06/02/2014)**

Environment and Sustainability Committee is the appropriate body to consider the content of this report.

**Financial Comments (TMR 13/02/2014)**

The financial implications are set out in the report.

**Background Papers and Published Documents**

Full list of schemes and scores considered for 2014/15 funding.

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

All

**APPENDIX 1 - SUPPORTING LOCAL COMMUNITIES FUND**
**2014/15 PROGRAMME**

| District | Member | Location | Proposed Works | Est. Cost | External Funding £ | Deprivation | Funding External | Community Cohesion | Economic Vitality Training | Other local Benefits | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | 1-5 | 1-5 | 1-5 | 1-5 | 1-5 | 25 |
| Countywide | Countywide | Roll of Honour | Phase II works. To provide a permanent record of data relating to Nottinghamshire war dead. | 20,000 | Volunteer Hours, contributions from the City Council and the Imperial War Museum. | | | | | | |
| Misterton | Yates | Misterton | Restoration of War Memorial | 10,000 | Possible War Memorial Trust BDC and Parish Council. | | | | | | |
| Mansfield North | Bosnjak/Tsimbiridis | Mansfield Woodhouse Heritage Centre (Library) | Refurbishment works. | 7,000 | HLF £90k | 5 | 5 | 4 | 2 | 2 | **18** |
| Rufford | Peck | Bilsthorpe, The Crescent Shops | Refresh area outside of local shops. | 6,000 | £2k Member fund contribution. | 4 | 3 | 5 | 3 | 3 | **18** |
| Collingham | Dobson | South Scarle, Helenas Church Nave | Creation of a community centre | 5,000 | WREN DCMS Garfield Weston Villagers BIFFA. 95k secured | 3 | 5 | 4 | 2 | 4 | **18** |
| Mansfield North | Bosnjak/Tsimbiridis | Mansfield Woodhouse, Manor Complex/Park | Provision of gym style equipment. | 30,000 | MDC £35,000 | 5 | 5 | 3 | 1 | 3 | **17** |
| Blidworth | Woodhead | Rainworth | Provision of a skatepark facility. | 45,000 | WREN £50k, £44k fund raising S106 £120k not confirmed but in negotiation. Co-op Bank, Vol Hours | 4 | 5 | 3 | 3 | 2 | **17** |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| Rufford | Peck | Edwinstowe Cricket Club | Creation of a new storage facility. | 8,750 | Olympic Legacy Fund £12,750 N&SDC £2,000 CDF £500 Club funds £1,000 | 4 | 5 | 4 | 2 | 2 | **17** |
| Rufford | Peck | Clipstone Welfare Sports Area | Provision of a skatepark facility. | 45,000 | £50k Wren bid submitted, Parish Council & Local Contributions aquired 50k | 4 | 5 | 3 | 3 | 2 | **17** |
| Collingham | Dobson | Collingham | Provision of sink and cupboards.Upgrading of electircal sockets and insulation. | 7,500 | Rent free premises agreed. | 3 | 2 | 4 | 5 | 3 | **17** |
| Ollerton & Boughton | Smedley | Various sites identified including SEV (Sherwood Energy Village) | Provision of a skatepark facility. | 100,000 | 25K N&S + 10k Town Council Land acquisition fees paid | 5 | 3 | 3 | 3 | 2 | **16** |
| Newark West | Roberts | Hawtonville, St Mary's Gardens | Creation of community pride garden/allotment. | 31,578 | Community Safety Partnership £4,084 Shakespeare Solicitors £3,000 British Sugar £1,000 | 5 | 2 | 4 | 3 | 2 | **16** |
| Worksop East | Gilfoyle | Manton Villas Play Park | Provision of play equipment & surfacing. | 36,000 | 1k Al Housing £28k BDC | 5 | 3 | 4 | 2 | 2 | **16** |
| Worksop East | Gilfoyle | Location to be agreed | Provision of an indoor skatepark facility. | 50,000 | | 5 | 1 | 3 | 5 | 2 | **16** |
| Carlton West | Pulk/Creamer | Carlton, Honeywood Gardens Estate | Refurbishment of shopping area. | 50,000 | GBC £2,000 | 4 | 2 | 4 | 3 | 3 | **16** |
| Retford West | Campbell | Retford Market Place | Provision of market stalls & canopies. | 35,000 | BDC £10,000 | 4 | 3 | 3 | 3 | 3 | **16** |

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| Misterton | Yates | Babworth, Listed building sports hall | Conversion of sports hall into a meeting centre. | 15,000 | £315,000 raised | 3 | 5 | 4 | 2 | 2 | **16** |
| Ollerton & Boughton | Smedley | Ollerton Town Centre | Instalation of a pit wheel memorial | 10,000 | £2,000 + Volunteer hours | 5 | 3 | 3 | 2 | 2 | **15** |
| Worksop North East and Carlton | Rhodes | Limetree Play Park Play Area | Refurbishment of existing play park and pathways. | 40,000 | Volunteer hours + BDC contribution | 4 | 2 | 4 | 2 | 3 | **15** |
| Collingham | Dobson | North Clifton, Village Centre & Village entry | Provision and installation of a defibrillator and village gateway signs. | 6,500 | Parish Meeting £1,000 | 3 | 2 | 5 | 2 | 3 | **15** |
| Kimberley & Trowell | Rigby | Kimberley Cemetery Chapel | Creation of a Community Hub. | 35,000 | Kimberley Town Council £15,000 Independent consultant undertaken Community Consultation. Full scheme costs £50k | 3 | 3 | 4 | 2 | 3 | **15** |
| Misterton | Yates | Mattersey Thorpe Play Park | Play equipment & Surfacing | 35,000 | Possible external fund from BDC £30k | 3 | 4 | 4 | 1 | 3 | **15** |
| Radcliffe on Trent | Cutts | Holme Pierrepont, Skylarks Nature Reserve | Extension of nature reserve. | 25,000 | Env Agency £100,000 Nottm Wildlife Trust £30,000 HLF bid for £40,000 Bid to Landfill for £45,000 | 1 | 5 | 4 | 2 | 3 | **15** |
| Blyth & Harworth | Place | Harworth & Blyth, Common Lane/Thornhill Road/Bracken Way | Provision of a play park | 40,000 | H&BTC £5,000 | 5 | 2 | 4 | 1 | 2 | **14** |

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| Retford West | Campbell | Retford, St Swithun's Church | Restoration of roofs of Tower & Transepts | 10,000 | HLF £174,352 Other £30,278 Listed places of worship grant £37,702 | 4 | 5 | 2 | 2 | 1 | **14** |
| Hucknall | Wilmott/Grice/ Wilkinson | Hucknall, Milton Rise Play area | Refurbishment of play area. | 45,000 | ADC £15,000 | 4 | 3 | 4 | 1 | 2 | **14** |
| Beeston South & Attenborough | Foale | Beeston, Canalside Heritage Centre | Museum interpretation. | 20,000 | WREN, BIFFA, Various charitable trusts bids | 3 | 5 | 2 | 2 | 2 | **14** |
| Ollerton & Boughton | Smedley | Kirton Playing Field | New play equipment | 18,000 | Parish Council £500 | 5 | 2 | 4 | 1 | 2 | **14** |
| Mansfield North | Bosnjak/Tsimbir idis | Mansfield Woodhouse, vale Road | Creation of Teen Pub | 45,000 | Lottery Bid | 5 | 1 | 3 | 4 | 1 | **14** |
| Mansfield North | Bosnjak/Tsimbir idis | Mansfield Woodhouse | Community Allotments | 40,000 | Volunteer hours | 5 | 1 | 3 | 3 | 2 | **14** |
| KIA South | Madden | Annesley Woodhouse, Forest Road & Sherwood Park Industrial Estate | Enhance pathways in open area | 25,000 | ADC £25,000 | 4 | 5 | 3 | 1 | 1 | **14** |
| Mansfield East | Harwood/Bell | Mansfield, Bellamy Road | Provision of a skatepark | 50,000 | Possible local support, WREN | 4 | 2 | 4 | 2 | 2 | **14** |
| Selston | Turner | Friezeland Recreation Ground | Play park and pathways. | 33,000 | | 3 | 2 | 4 | 2 | 3 | **14** |
| Farndon & Muskham | Saddington | Hawton, All Saints Church | Re-order and renovation of the Tower area & provision of disabled access | 41,000 | Bids to Notts Historic Churches Trust Fund raising £20k | 2 | 5 | 3 | 2 | 1 | **14** |
| Newstead | Barnfather | Papplewick | Papplewick Pumping Station Toilet refurb | 50,000 | £250k HLF | 2 | 5 | 3 | 2 | 2 | **14** |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| Farnsfield & Lowdham | Jackson | Farnsfield | Creation of a skatepark | 45,000 | WREN Bid Other Charities Parish Council contribution | 2 | 3 | 4 | 2 | 3 | **14** |
| Farndon & Muskham | Saddington | Elston Village Hall, Phase 2 | East Wing - new kitchen, server, community space & toilet block | 50,000 | Veolia £50,000 Wren £50,000 Fund raising £5,000 Other Charities £10,000 | 2 | 2 | 4 | 3 | 3 | **14** |
| Radcliffe on Trent | Cutts | Rushcliffe Nature Reserve | Interpretation, signage, viewing screens, benches, off road | 25,000 | Env Agency £100,000 Wildlife Trust | 1 | 5 | 4 | 2 | 2 | **14** |
| Mansfield West | Meale/Langton | Mansfield, Wainwright Avenue | Creation of park/play area | 20,000 | Bids being considered | 5 | 1 | 4 | 1 | 2 | **13** |
| SIA East/Mansfield West | Carroll/Meale/ Langton | Sutton in Ashfield, Kings Mill Reservoir | Replacement information signage and 10 new seats | 10,925 | ADC £1,000 | 5 | 2 | 3 | 2 | 1 | **13** |
| Hucknall | Wilmott/Grice/ Wilkinson | Hucknall, Goodall Crescent | Fruit trees & raised beds | 20,000 | Volunteer hours | 4 | 2 | 4 | 2 | 1 | **13** |
| KIA South | Knight | Kirkby in Ashfield Town Centre | Provision of public art | 50,000 | ADC £50,000 ERDF Bid. Other funding sort. | 4 | 5 | 2 | 1 | 1 | **13** |
| KIA South | Madden | Kirkby in Ashfield, Kingsway Park, Hodgkinson Rod | Improvements/updating the park | 40,200 | £4,000 match funding | 4 | 3 | 3 | 1 | 2 | **13** |
| KIA South | Madden | Annesley Woodhouse, Forest Road | Change neglected allotments into a memorial garden/communal orchard/village green area | 50,000 | Volunteers hours | 4 | 0 | 4 | 3 | 2 | **13** |
| Mansfield South | Garner/Sissons | Mansfield & Ashfield | Creation of nappy library | 500 | Company donation of products | 4 | 1 | 3 | 3 | 2 | **13** |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| Mansfield South | Garner/Sissons | Mansfield, Forest Road Park | Play park and pathways | 30,000 | Possible Greenwood funding | 4 | 2 | 4 | 1 | 2 | **13** |
| Tuxford | Ogle | Wheatley Allotments | Provision of shed, tools, rotavator, water tanks | 3,000 | | 4 | 1 | 3 | 3 | 2 | **13** |
| Worksop NE & Carlton | Rhodes | Worksop, Hundred Acre Lane | Develop commercial nursery & horticultural facility | 45,000 | Probation & Pathways WREN Home Office | 4 | 1 | 3 | 4 | 1 | **13** |
| Misterton | Yates | Everton, Barrow Hills Sandpit | Improving SSSI site | 1,000 | Natural England £1,313 | 3 | 5 | 3 | 1 | 1 | **13** |
| Carlton East | Clarke/Brooks | Burton Joyce, Main Street | Shop frontage improvement scheme | 50,000 | | 3 | 0 | 4 | 3 | 3 | **13** |
| Cotgrave | Butler | Cropwell Bishop, St Giles Church | Preservation of the structure of the church | 32,374 | HLF £10,000 Notts Historic Churches Fund £2,500 Other fund raising | 3 | 5 | 3 | 1 | 1 | **13** |
| Cotgrave | Butler | Langar Community Field | Creation of play area | 50,000 | | 3 | 2 | 4 | 2 | 2 | **13** |
| Newstead | Barnfather | Papplewick, Moor Pond Wood | Archaeological works | 10,000 | HLF bid £100,000 & Fund raising | 2 | 5 | 3 | 2 | 1 | **13** |
| Farnsfield & Lowdham | Jackson | Lowdham | Refurbish play area for younger children | 55,000 | Parish Council £4,000 | 2 | 3 | 4 | 2 | 2 | **13** |
| Ruddington | Adair | Bunny Hall Parkland, Wysall Road | Restoration of gates to eastern boundary | 15,000 | Nottingham University Estates £15,000 HLF bid | 2 | 5 | 3 | 2 | 1 | **13** |

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6 March 2014**

**Agenda Item:**

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

# MINERALS LOCAL PLAN PREFERRED APPROACH CONSULTATION – COMMENTS RECEIVED

## Purpose of the Report

1. To provide Committee with an overview of the responses received to the Minerals Local Plan Preferred Approach consultation.

## Information and Advice

2. The Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It identifies sites and sets out policies against which all minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure that sufficient minerals are provided to meet expected demand in the most sustainable way and to safeguard proven mineral resources from being unnecessarily sterilised by other development.

3. The current Plan was adopted in December 2005 and was prepared under previous Government legislation. This plan is now becoming out of date and work has begun on preparing a new plan to replace it. This will look ahead to 2030.

4. The new Minerals Local Plan contains a vision and strategic objectives, strategic policies, site allocations and development management policies.

5. Before it can be adopted, the new Local Plan must go through various stages of public consultation and community involvement culminating in an examination in public by an independent planning inspector.

6. The preparation of the new Minerals Local Plan commenced in 2011, there was an informal public consultation on the Issues and Options in 2012. Over 1,100 representations were received from a total of 196 organisations and individuals, including statutory bodies, local district and parish councils, neighbouring county councils, the minerals industry, interest groups and members of the public. These comments were been used to inform the Preferred Approach.

7. Environment and Sustainability Committee approved the Preferred Approach document for a 6 week period of public consultation in October 2013. The consultation ended on 18 December 2013.

**Summary of responses received**

8. A total of 854 responses from 237 respondents have been received to the Preferred Approach consultation, these can be broken down as follows:
   - Support: 122;
   - Object: 434;
   - General comments: 298.

9. The general comments and supports received related to all parts of the document with some useful suggestions for new and amended text.

10. The majority of the objections to the Preferred Approach document related to specific site allocations and in particular new sand and gravel extraction sites at Barnby Moor (91 objections), Botany Bay (70 objections) and Coddington (petition containing 54 names and 13 specific objections). The largest numbers of objections to extensions of existing sites were in relation to the Brick Clay extraction site at Kirton (19 objections). The remaining objections received on the document related to a variety of topics and policies.

11. Additional sites and an amended boundary to the proposed allocation at Barnby Moor have also been submitted for consideration and inclusion in the plan.

<u>Next Steps</u>

12. Following consideration of the comments received by both officers and the Minerals Project Group, responses to these comments will be drafted and agreed through Committee.

13. The new and amended sites submitted through the Preferred Approach consultation stage will be appraised in terms of Sustainability and Deliverability and in light of these findings a further round of informal consultation may be required to consider the views of the public, industry and statutory consultees prior to formal consultation on the Submission Draft document..

14. The Submission Draft document will then be prepared, taking into account any comments received on the preferred approach and other consultations. Approval will be sought through the Environment and Sustainability Committee to publish it for a further period of consultation. The Minerals Local Plan, along with all representations received, will then be formally submitted to the Secretary of State and subsequently will be subject to an independent examination by a Planning Inspector. The Inspector's role is to consider the 'soundness' of the whole plan.

15. If considered sound then the Local Plan can be adopted. Adoption is scheduled for Autumn 2015.

**Other Options Considered**

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

**Reason for Recommendation**

17. This report is for information only.

## Statutory and Policy Implications

18. 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**

19. There are no direct financial implications as this report is for information only.

**Implications for Sustainability and the Environment**

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

## RECOMMENDATION

1) This report is for information only.

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

**For any enquiries about this report please contact: Lisa Bell, Team Manager – Planning Policy, Tel: 0115 9774547.**

**Constitutional Comments (SLB 18/02/2014)**

21. This report is for noting only.

**Financial Comments (NR- 18-02-14)**

22. There are no financial implications arising directly from this 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**

All

Nottinghamshire County Council

**Report to Environment and Sustainability Committee**

**6 March 2014**

**Agenda Item:**

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

# WORK PROGRAMME

## Purpose of the Report

1. To consider the Committee's work programme for 2014.

## Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.

3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.

4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

### Other Options Considered

5. None.

### Reason/s for Recommendation/s

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

## Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described

below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## RECOMMENDATION/S

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

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

**For any enquiries about this report please contact: Ruth Rimmington, Democratic Services Officer on 0115 9773825**

**Constitutional Comments (HD)**

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

**Financial Comments (PS)**

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

**Background Papers**

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

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

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

All

## ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME

| Report Title | Brief summary of agenda item | For Decision or Information ? | Lead Officer | Report Autho |
|---|---|---|---|---|
| **March meeting** | | | | |
| Responses received to the Minerals Local Plan consultation | | | | |
| To approve Supporting Local Communities Programme 2014/15 | | To approve the 2014/15 programme | | |
| Strategic Planning Observations | | | | |
| Meeting House Close, East Leake | | | | |
| Park Hall Farm, Mansfield Woodhouse | | | | |
| Papplewick Lane, Hucknall | | | | |
| Shelford Road, Rushcliffe | | | | |
| Toton Residential development | | | | |
| **May meeting** | | | | |
| Approval to consult on Minerals Local Plan document | | | | |
| Strategic Planning Observations | | | | |
| Bassetlaw Site Allocations Consultation | | | | |
| Land East of Sutton Road | | | | |
| Newark & Sherwood DC Wind Energy SPD | | | | |

| **Report Title** | **Brief summary of agenda item** | **For Decision or Information ?** | **Lead Officer** | **Report Autho** |
|---|---|---|---|---|
| Waste PFI Draft Revised Project Plan (part 2) | | | | |
| Edwalton Local Centre and Foodstore | | | | |
| **June meeting** | | | | |
| **Potential energy strategy and opportunities** | | | | |
| | | | | |
| **July meeting** | | | | |
| | | | | |