

20 June 2013**Agenda Item: 8 (d)****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON OUTLINE PLANNING
PERMISSION FOR A MIXED USED DEVELOPMENT AT THE ROLLS ROYCE
SITE, HUCKNALL****Purpose of the Report**

1. To seek Committee approval for comments set out in this report to be sent to Ashfield District Council (ADC) in response to the request for strategic planning observations on the above planning application for a mixed use development at the former Rolls Royce Factory Site, Hucknall.

Information and Advice

2. Ashfield District Council received an outline planning application from Rolls Royce and MUSE on the 4th March 2013 for the redevelopment of part of the Rolls Royce site. The proposed scheme is for a major mixed-use development to include a new business park, residential development, a primary school and community facilities. A site plan is provided at Appendix 1.
3. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Ashfield District Council in their role as determining planning authority for this application.
4. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.
5. Since 2007, Rolls Royce has been working on the development of their Hucknall site. The aim of the development is to create an estimated 2000 new jobs on the site. In addition to developing a new business park, it is also intended that 32 hectares of the site will be used for housing development. Whilst access to the housing land is available through existing routes (subject to appropriate enhancement) a new access to the proposed business park is required from the A611.

6. The proposed construction for access to the site will not only provide access but will ensure the minimum disruption and nuisance to the surrounding area. It will include a new roundabout on the A611 by pass and an access road to serve the business park. The roundabout will initially be a three arm roundabout but a forth arm will be added at a future date to service land owned by the County Council to the east of the by pass.
7. The cost of construction is estimated at £3.154M. A bid has been submitted to Central Government under its Pinch Point Programme seeking a contribution of £2.2M towards this cost. The bid was submitted at the end of February to comply with Department of Transport requirements. It is hoped that this bid will be successful given the number of new jobs predicted to be created by the development. A decision is expected towards the end of May. Assuming the bid is successful the Council will need to make £954,000 available to meet the shortfall.
8. It should be noted that the construction of the roundabout, in particular the proposed 4th arm, will increase both the commercial value of and the practical facilitation of access to the Council's adjoining land.
9. The employment potential for the business park once developed looks to be significant at 2,000 jobs and at 2008 figures, the estimated additional economic contribution as defined by GVA may be as much as £143Million. The potential business rates uplift also merits reference. Assuming a phased development but excluding both existing and proposed the Rolls Royce factories, it is suggested that the total business rate take will be in the region of £16Million over a 25 year period.
10. Members considered this development at the Full Council meeting of the 25th April 2013. It was agreed that the Council's capital programme be increased to support the development of the access road and roundabout off the A611, securing access to the business park. This is in recognition of the economic development potential of the scheme and is subject to, amongst other things, the securing of the relevant planning permissions.

Description of the Proposal

11. The proposed development will comprise the following components:
 - New business park on 27.8ha of land;
 - 900 Residential development on 31.2ha of land, including two accesses on Watnall Road, including affordable housing;
 - One-form entry primary school;
 - Local retail to include 800m² unit and 4 small retail units totalling 418m²
 - 600m² Pub/restaurant;
 - 50 bed care home and community facilities;
 - Open space arrangements, landscaping and nature conservation enhancement;

- Cycle and pedestrian access links and associated works; and
12. In addition a separate full planning application has been submitted to ADC for the creation of a new access road to the proposed business park, this will be dealt with by NCC Highways separately.
13. The proposed development of housing and employment lies north of the Green Belt boundary.

Planning Policy Context

National Planning Policy Framework (NPPF)

14. 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.
15. 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.
16. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependant on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
17. 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.
18. With regards to the provision of new retail uses, the NPPF identifies a hierarchy for the location of main town centre uses which refers to; town centres first, then edge of centre locations and only to be located in out of centres locations if there are no suitable sites available. There is also a preference for accessible sites that are well connected with regards to those applications for edge and out of centre locations.
19. Where main town centre uses are proposed outside of an existing centre and not in accordance with an up to date Local Plan, a sequential test would be applied to the development, as set out in paragraph 24 of the NPPF. This sequential assessment would need to demonstrate that there are no suitable sites within a main town centre or in an edge of centre location, to justify an out of centre site.

The NPPF does recognise that larger residential development sites may need to make provision for their own local shops and employment areas.

20. 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.

21. 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”.

22. Paragraphs 79-92 of the NPPF relate to the Green Belt and seek to ensure that the Green Belt is protected from inappropriate development by placing the onus on the applicant to prove the existence of ‘very special circumstances’ which would outweigh any potential harm to the Green Belt, from the proposed development.

Ashfield Local Plan 2002

23. The 2002 Local Plan contains a number of policies of relevance to the proposed development, these include STP1 and STP2 which seeks to steer development towards Hucknall as a key area for accommodating new development. In addition the policies aim to ensure new development does not conflict with adjoining land uses, is comprehensive, and does not adversely affect the character, quality, amenity and safety of the environment.

Ashfield Local Plan Preferred Approach 2012-2023

24. The emerging Ashfield Preferred Approach 2012-23 identifies the site in Policy SPH2 as a strategic mixed use allocation that should provide for 900 dwellings and 27ha of high quality business land. This policy is further supported by Policy HG1 and PJ2 which seeks to identify suitable housing and employment allocations.

Strategic Planning Issues

Transport

25. The County Council’s Highways Division is currently considering the Transport Assessment submitted in support of the planning application. It is proposed to serve the residential element of the site from two new roundabouts to be located on Watnall Road, and a further roundabout is proposed on the A611 Hucknall

Bypass to access the employment area. These will be connected by a public transport link to allow bus penetration through the site. A further five off - site junctions have been identified within the Transport Assessment as requiring mitigation to deal with an increase in traffic likely to be generated by the development. Discussions are currently on - going with the Applicant's traffic consultant in relation to the acceptability of the junction traffic modelling and the proposed highway works.

26. The Transport Assessment includes for the provision of a bus service to serve the site. Agreement will need to be reached on the route and level of service to be funded by the Developer. Public transport proposals will need to be linked to a Travel Plan also submitted in draft in support of the planning application. The agreed Travel Plan will detail sustainable travel initiatives and appropriate monitoring.
27. The traffic modelling in the TA does not (nor should it necessarily do so) consider the cumulative impact of other proposed LDF developments. This TA considers Rolls Royce in isolation in accordance with the DfT Guidelines on Transport Assessments. In this sense the application could be considered premature i.e. until such time as the aligned core strategy LDF transport modelling has been completed and the package of transport mitigation established.

Developer Contributions/S106

28. The County Council is in discussions with the developer and ADC to ensure that an appropriate provision of a range of County Council services, including primary and secondary education, is delivered as a result of the proposed development.

Landscape

29. The County Council landscape and Reclamation Team do not currently support this planning application as a number of issues, as detailed below need to be addressed. It is requested that additional information be provided by the applicant on the landscape and visual impacts of the scheme. This will require amendments by the applicant to the existing conclusions of the LVIA chapter in Volume 1 of the Environmental Statement and the corresponding paragraphs in the Non -Technical Summary Document.
30. The landscape maintenance of the site needs to be more carefully considered at this stage and any discussions about in principle agreements need to be referred to.
31. It is requested that the Landscape Team is consulted again when the when the above information has been submitted, and it is also requested that the Landscape and Reclamation team is consulted when the detailed planning application is submitted. This should include a visual impact assessment of the lighting proposals and a full maintenance and management plan.
32. Detailed Landscape comments are contained in Appendix 2.

Biodiversity

33. It is requested that additional information be submitted in relation to a number of the surveys carried out in support of the application at the site.

34. Fundamentally, the development would, if consented, give rise to a *significant loss of the UKBAP habitat Lowland Calcareous Grassland, representing 20% of the entire county resource*. Significant additional mitigation/compensation is required to make this development acceptable from an ecological perspective, and to ensure that the proposals are not contrary to national planning policy. Biodiversity offsetting provides a potential tool for delivering this, once avoidance and mitigation measures have been fully explored.

35. Detailed Biodiversity comments are contained at Appendix 3.

Noise

36. In relation to noise the key areas of concern are:

- Impact of additional traffic flows generated from the new development on existing nearby receptors both during construction and when the site is fully developed
- Noise impact of construction activities the local community
- Noise impact from new plant associated with new business units
- Suitability of land for residential development using principles outlined in NPPF/PPG24
- Suitability of land for new school using guidance in BB93
- Likelihood of noise complaints from proposed residential properties due to noise emanating from the existing Rolls Royce site using the assessment procedure in BS4142

37. It is considered that the baseline noise survey is adequate and that the assessment methods and the assumptions made are appropriate.

38. The report highlights a “minor adverse” noise impact on some nearby receptors at Watnall Road (Location R2) resulting from construction activities.

39. It is requested that the applicant discuss prior to full application stage, the requirements for assessing noise in relation to the proposed fixed plant at the premises on the new business park, including any plant associated with the occupying business when known.

40. Detailed Noise comments are contained at Appendix 4.

Overall Conclusions

41. Discussions between the applicant and Nottinghamshire County Council Highways are currently on-going regarding the transport mitigation measures required for the proposal and discussions will continue to take place until a satisfactory conclusion can be reached.
42. Additional information is required before the Landscape and Reclamation Team will be able to provide a considered and adequate response to the planning application.
43. Additional information in relation to biodiversity is required and as such the application cannot be supported at this time.
44. In relation to noise the applicant is requested to provide additional information, this approach would give greater confidence in the assessment of noise and any proposed mitigation.

Other Options Considered

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

Reason/s for Recommendation/s

46. It is recommended that the application is supported in principle due to the economic, regeneration and housing benefits the proposed development would bring forward.
47. Concerns are raised in relation to the impact of the proposed development on biodiversity, the landscape and the County's highway network.

Statutory and Policy Implications

48. 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

49. As set out in paragraph 22, the current estimated cost of installing the necessary highways infrastructure to facilitate the development of the site is £3.154M. A bid for Government (Pinch Point) funding has been submitted, which if successful would lever in £2.2M towards the project cost. This would leave a balance of £954,000, which would fall on the County Council's capital resources.

50. The Council does have a capital contingency but for 2013/14 this is only £829,000, and there are other pressing calls on the Council's capital programme. As such there may need to be a re-prioritisation of the programme, or the Council may have to consider increasing its estimated level of borrowing, if this scheme is to be funded. The level of re-prioritisation or increased borrowing will clearly be determined by the success or otherwise of the bid for Pinch Point funding.
51. It is important to recognise however, that if the development were to go ahead, it would have positive implications for the Council in terms of both council tax and business rate income growth that could to some degree offset any additional capital financing costs that may arise as a result of additional borrowing.

Implications for Sustainability and the Environment

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

RECOMMENDATION

- 1) That Ashfield District Council be advised that the principle of development on the Rolls Royce site, Hucknall is supported in terms of strategic and national economic, housing and regeneration planning policies, subject to the applicant successfully addressing concerns regarding the potential impacts on biodiversity, landscape and the highway network and the successful conclusion of a Section 106 Agreement.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

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

Constitutional Comments (SHB.21.05.13)

53. Committee have power to decide the Recommendation.

Financial Comments (SEM 22/05/13)

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

Background Papers and Published Documents

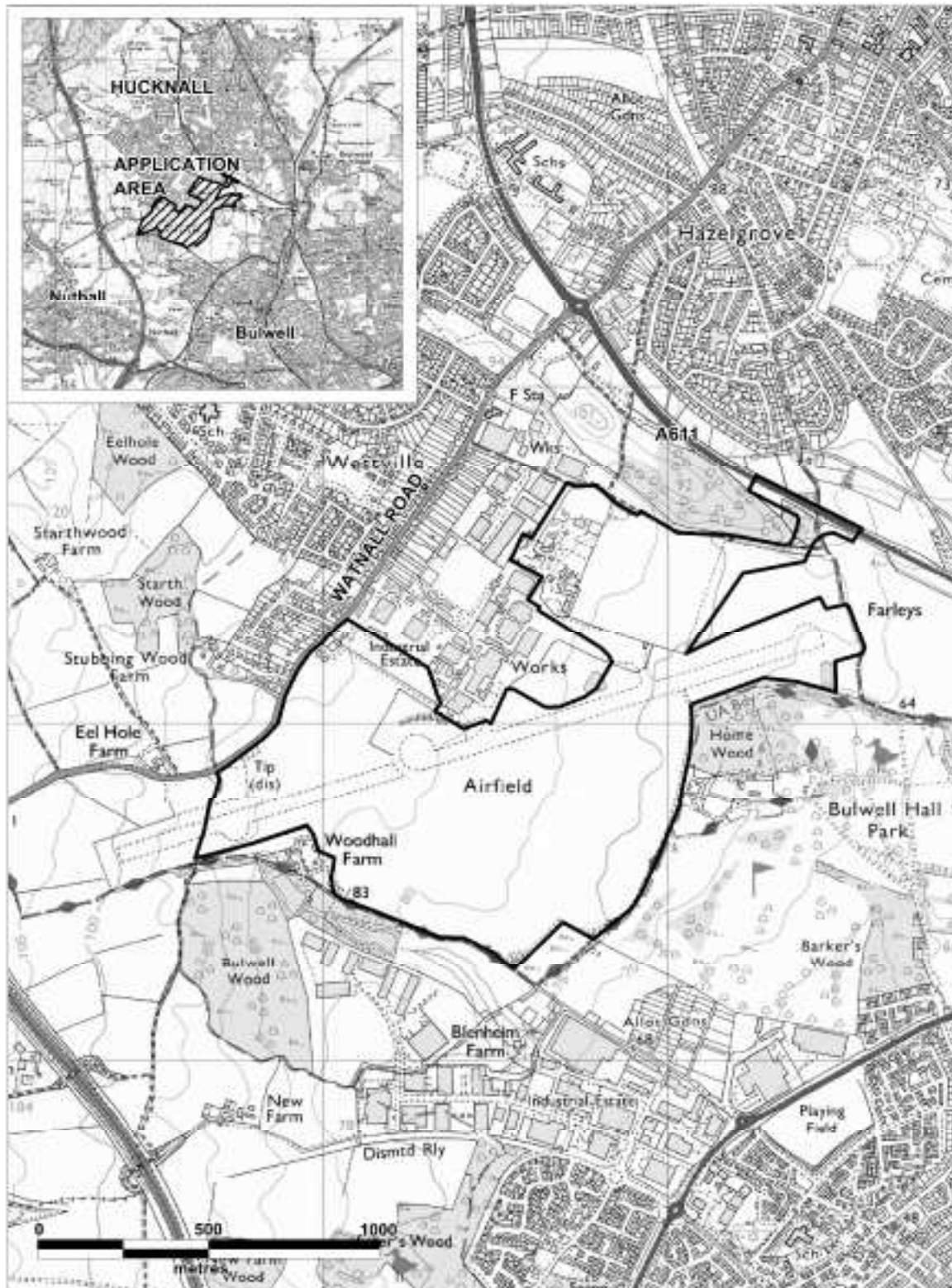
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

Councillor Alice Grice – Hucknall

Councillor John Wilkinson – Hucknall
Councillor John Wilmott – Hucknall

Appendix 1 – Site Location Plan




 Trent Bridge House, Fox Road
 Nottinghamshire West Bridgford, Nottingham, NG2 6BJ
 County Council Tel: 0115 952 3823

A Hybrid Planning Application comprising a) Outline Planning Application for New Business Park on 27.8 ha of land; Residential Development on 31.2 ha of land. b) Full Detailed Planning Application for a new access to the proposed business park.
 Land at Rolls Royce Plc, Watnall Road, Hucknall, Notts.

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Appendix 2 – Detailed Landscape Comments

RE: MIXED USE DEVELOPMENT TO SOUTH WEST OF HUCKNALL – PLANNING APPLICATION REF – V/2013/0123

Thank you for asking the Landscape and Reclamation Team to comment on the above outline application, these comments are those of the Landscape Team only and additional comments will follow on noise and land contamination issues by David Collins, Martin Ball and Derek Hair respectively.

The following documents have been considered in order to provide these comments:-

- Environmental Statement - Volume 1 - Chapter 11 - Landscape and Visual Impact Assessment – Re-form Landscape Architecture Limited - October 2013
- Environmental Statement - Volume 1 – MUSE Developments – February 2013 - Chapters 1-3 Introduction, Proposed development, and EIA Methodology,
- Environmental Statement - Volume 2 – MUSE Developments – February 2013 – Figures
- Environmental Statement - Volume 3 – MUSE Developments– February 2013 - Appendices – Scoping responses
- Non -Technical Summary – MUSE Developments – February 2013
- BS 5837 Tree Report – Christians Environmental - Revision A 22.08.12
- Design and Access Statement – MUSE Developments – February 2013
- Planning Statement – MUSE Developments - February 2013

The full comments are included in the attached Appendix, but a summary of the NCC conclusions is provided below:-

Summary

Additional information should be provided by the applicant on the landscape and visual impacts of the scheme, some of the conclusions on the degree of significance of visual effects as a result of the proposed development are questioned. This will require amendments by the applicant to the existing conclusions of the LVIA chapter in Volume 1 of the Environmental Statement and the corresponding paragraphs in the Non -Technical Summary Document.

The landscape maintenance of the site needs to be more carefully considered at this stage and any discussions about in principle agreements need to be referred to.

It is requested that the Landscape Team is consulted again when the when the above information has been submitted, and it is also requested that the Landscape and Reclamation team is consulted when the detailed planning application is submitted. This should include a visual impact assessment of the lighting proposals and a full maintenance and management plan.

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

Helen Jones
Landscape Architect

Appendix 3 – Detailed Biodiversity 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 proposed development does not directly affect any statutorily designated nature conservation sites, although a number of SSSIs are present within the vicinity. The closest of these, Bulwell Wood SSSI, lies approximately 60m from the site at its nearest point. It is recommended that ADC seek advice from Natural England on any potential indirect impact on this site, and others within the area, if they have not already done so.

In terms of locally designated sites, a large proportion of the proposed development lies within the Hucknall Airfield SINCLWS 5/98, described as “*a significant area of species-rich calcareous and base-rich neutral grassland*”. SINCLs are of at least county-level importance for their wildlife but do not receive any legal protection, instead relying on policy protection in the planning system. This matter is considered further in ‘Key issues’ below.

In relation to the ‘might be’ Sherwood SPA, the development site lies partly within the 5km buffer around the Sherwood IBA. This matter is also considered further in ‘Key issues’ below.

Site survey

A range of up-to-date survey work is presented in support of the application, which is welcomed. However, a few issues should be noted:

- Reptiles: a total of 80 artificial refugia were used during the reptile survey. Standard survey guidance (Froglife Advice Sheet 10) indicates that refugia should normally be used at a rate of between 5 and 10 per hectare. Given the size of this site (121ha in total), 80 refugia seems to be an extremely low number, even accounting for the fact that large areas of the site may be unsuitable for reptiles. A plan is therefore requested showing where the refugia were deployed, along with a justification of why such a low number was used. In addition, it is stated that a single common lizard was found at the site, but it is not indicated where; this information is also required (illustrated on a plan).
- Great crested newts: an HSI survey has been carried out on some of the water bodies on/in proximity to the development site. However, it is apparent that not all waterbodies have been surveyed, namely two new and one existing pond on land to be crossed by the new access road at Farleys Lane, and a pond upstream of the fishing ponds at Woodhall Farm (adjacent to the north-west corner of Bulwell Wood SSSI). These ponds, at the very least, need to be subject to an HSI assessment.

- Birds: all three breeding bird surveys took place across a 12 day period in June. Normal methodology requires that surveys are spread out across the breeding season (for example with survey visits taking place in April, May and June). There is therefore a danger that the bird survey has missed any early breeding attempts and may not be a true reflection of the bird community at the site. In addition:
 - a proportion of the site was not included in the bird survey, meaning that it is impossible to quantify what proportion of the site's ground nesting bird population is likely to be impacted upon.
 - Information made available to me by a bird ringer operating at the site indicates that a further five red listed species may breed at the site – bullfinch, grey partridge, song thrush, yellow wagtail and yellowhammer.
- Bats: reference is made to an inspection of potential hibernation sites to be carried out in January/February 2013. This information is not included in the ES, and needs to be provided.
- Habitats: the Phase 1 map indicates the presence of semi-improved neutral grassland (presumably equivalent to the UKBAP habitat Lowland Meadows) at a couple of locations, but no reference to, or description/evaluation of, these areas is made in the ES. This needs to be provided. In addition, the Phase 1 habitat map (figure 12.3) does not quite agree with Figure 12.2 in terms of extent/location of the Lowland Calcareous Grassland, especially in terms of the extent of the area labelled as Area C on figure 12.2. Clarification is therefore required.

Key issues

1. *Impacts on Lowland Calcareous Grassland*

Of significant concern is the impact that the proposed development would have on the SINC that covers much of the site, and the UKBAP habitat Lowland Calcareous Grassland of which it is formed. As this grassland habitat is the reason for which the SINC is designated, our comments focus on this, rather than the loss of the SINC *per se*, noting that this habitat occurs at the site on areas beyond the SINC boundary.

It should be noted that the applicant's information indicates that the total extent of Lowland Calcareous Grassland at the site is 72ha, and that 31.5ha of this would be lost to the development (with a further 10ha lost due to conversion to arable farmland). However, our calculations, based on information presented by the applicant and mapping work undertaken using MapInfo (with reference to aerial photos and BAP habitat information provided by the Nottinghamshire Biological and Geological Records Centre) indicate that in fact:

- The total extent of Lowland Calcareous Grassland at the site (within the red line boundary) is c.79.3ha
- 38.4ha of Lowland Calcareous Grassland on the site would be lost to development (housing, commercial, allotments, football pitches, swales and landscape planting).

- A further 10ha would be lost as a result of habitat being converted to arable farmland to 'compensate' the farmer for loss of his arable field to the business park.
- The loss of Lowland Calcareous Grassland at the site would therefore amount to 48.4ha
- The total extend of the Lowland Calcareous Grassland resource in the county is 249.6ha (this figure is calculated based on a figure of 181.5 derived from NBGRC data with an additional 68.1ha of habitat on this site that was not included in the NBGRC data)
- The Rolls Royce site therefore represents 31.8% of the total county resource.
- **This equates to a loss to the development of 61% of the onsite Lowland Calcareous Grassland resource, and of 19.4% of the total county resource**

It is therefore apparent that this development would give rise to a **significant impact** on what is a very scarce habitat in the county, and would result in the **loss of one fifth of the current county total**, which is obviously extremely concerning.

Very little appears to be offered in the way of mitigation for the loss of this Lowland Calcareous Grassland. Plans in the Design and Access Statement indicate that the western end of the runway will be an 'Area for Nature Conservation Protection', but no further details are provided and this area is not mentioned at all in the Biodiversity chapter in the ES. Reference is made to proposals to translocate the highest quality areas of Lowland Calcareous Grassland that would be lost to the development (as detailed in Appendix 12B in Volume 3 of the ES), and whilst the general methodology outlined is supported, it will not mitigate against the overall reduction in grassland habitat as the receptor sites would be existing (albeit lower quality) areas of Lowland Calcareous Grassland. Furthermore, no mention is made of the possibility of maintaining and/or enhancing the retained areas of Lowland Calcareous Grassland on the southern part of the site, which would seem to be an obvious way of providing at least some mitigation.

The ES assesses the Lowland Calcareous Grassland habitat as being of medium (County) value. However, and with reference to Table 12.5 in the ES, it would appear that in fact the habitat should be valued as at least medium-high (Regional) on the basis that it is extensive and contiguous, and represents almost a third of the total county resource. The ES assesses the magnitude of the impact as High Adverse, and on this basis, we believe that the development, if consented in its current form, would give rise to a **major residual adverse impact**. It should be noted that Paragraph 109 of the NPPF states that:

"The planning system should contribute to and enhance the natural and local environment by... minimising impacts on biodiversity and providing net gains in biodiversity, contributing to the Government's commitment to halt the overall decline in biodiversity...[etc.]"

Furthermore, Paragraph 118 of the NPPF makes it clear that:

"If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated,

or as a last result, compensated for, then planning permission should be refused”.

The information presented above demonstrates that adequate mitigation and compensation has not been provided, which is wholly unacceptable. On this basis, the application should be **refused**, unless sufficient mitigation/compensation can be put in place or significant impacts can be avoided by reducing the size of the development or locating it elsewhere. To this end, the following suggestions are made:

- That 10ha of the Lowland Calcareous Grassland is not converted to arable farmland; this impact is wholly unacceptable as it is entirely avoidable; it may also fall foul of the EIA Uncultivated Land Regulations.
- The creation of Lowland Calcareous Grassland could take place on retained runway areas at the eastern and western ends. Collectively, and including the stretch of runway at the very western end (outside the redline boundary), this amounts to approximately 4.7ha of land. The runway could either be taken up, or substrate could be placed onto the tarmac (which would need to be punctured to ensure that water is able to drain away).
- Taking the two fields at the eastern end of the runway out of arable production and reverting them to grassland would allow the creation of a further c.19ha of replacement habitat, albeit probably of lower overall quality due to the previous intensive use of the land.
- Bringing retained areas of habitat into favourable management, to enhance its value, would potentially be a significant enhancement that would at least partially offset losses elsewhere on site.
- The possible use of green or brown roofs on the industrial units.

Even if all these measures were adopted, it is evident that there will still be a net loss of habitat, although it is difficult to quantify this (given the suggestion of improving the quality of retained habitat). In light of this, consideration should be given to the use of **Biodiversity Offsetting** - both as a tool for calculating the net loss of habitat arising from the development, and as a way of delivering a sufficient level of compensation. Nottinghamshire County Council is currently leading one of six national pilots exploring the use of Biodiversity Offsetting, and although ADC is not signed up as one of the local authorities participating in the Nottinghamshire pilot, Defra have nevertheless indicated that local authorities not involved in a pilot can still use Biodiversity Offsetting, if they chose to do so. Use of Biodiversity Offsetting would:

- a) Allow the applicant to calculate, in a transparent and defensible way, the overall value of the habitats to be lost to the development in so-called ‘biodiversity units’
- b) The value in biodiversity units of the habitat to be created or enhanced in its place on site (mitigation)
- c) The value in biodiversity units of the replacement habitat that should be used to offset the net loss (compensation)
- d) Allow the developer to use a third-party offset provider to deliver this replacement habitat at an off-site location.

It should be noted that the potential use of Biodiversity Offsetting at this site was flagged up in comments from the NCC Ecology Team made in response to the

Ashfield Local Plan Preferred Approach Document consultation in relation to Policy SPH2. More details about Biodiversity Offsetting can be found on the Nottinghamshire County Council website¹ and

1

<http://www.nottinghamshire.gov.uk/thecouncil/democracy/planning/biodiversityoffsetting/>

on the Defra website², and an information note providing a further summary of Biodiversity Offsetting is appended to these comments in Appendix 1.

2. *Impacts on other habitats*

Twelve to fifteen metres of the Farley's Brook will be lost to culverting, and it is proposed to provide compensation for this, which is welcomed. A number of potential options are presented in section 12.6.8 of the ES, for which further details will be required, preferably in advance of any grant of planning permission (or certainly secured through a planning condition). It should be noted, as another potential option, that there is a section of the Farley's Brook downstream of the works in the Hucknall Gateway area, which is armoured and would probably benefit from work to make it more hospitable to wildlife such as water voles.

Other mitigation also needs to be considered, for example:

- To mitigate against the loss of woodland arising from the northern access road, enhancement of the retained woodland area should be carried out, focussing on thinning (targeting the removal of non-native/locally inappropriate species). This would help compensate for the loss of 2ha of scrub/rough grassland matrix which is currently a moderate adverse residual effect.
- To mitigate against the apparent loss of two new ponds at Farley's Lane arising from the new access road, replacement ponds should be created elsewhere
- Mitigation for the as-yet unquantified loss of Lowland Neutral Grassland (see above).

3. *Impacts on species*

Notwithstanding the additional information requirements identified above, a range of measures will be required to mitigate against potential impacts on protected species, as identified in the ES. These are particularly in relation to:

- Water voles
- Reptiles
- Bats
- Breeding birds

Such measures should be incorporated into the proposed Construction Environment Management Plan (CEMP), the production of which should be secured through a planning condition.

It should also be noted that a loss of habitat will give rise to:

- A moderate adverse residual effect on breeding birds (particularly skylark and meadow pipit)
- A moderate adverse residual effect on brown hares.

² <http://www.defra.gov.uk/environment/natural/biodiversity/uk/offsetting/>

Implementing the additional mitigation and compensation measures outlined above in relation to Lowland Calcareous Grassland would help reduce the magnitude of these adverse residual impacts.

4. *Impacts on the 'might be' SPA*

A document entitled 'Consideration of Impacts on Sherwood Forest' dated October 2012 has been submitted, giving consideration to potential impacts on the 'might be' Sherwood SPA, which is welcomed. This document will allow ADC in undertaking a 'shadow' Habitats Regulations Assessment, as the competent authority. It is noted that the only predicted potential impact on the 'might be' SPA is disturbance caused by recreational pressure, but that this impact would be reduced to an insignificant level (alone and in-combination) through the provision of alternative greenspace, quoted at a level of 16ha but potentially involving 'the whole of the remaining grassland' for recreational access. Whilst accepted in the context of the 'might be' SPA, this raises a number of additional concerns in relation to impacts on the Lowland Calcareous Grassland at the site'

- I cannot see any area approaching 16ha in size marked as alternative greenspace on any plans
- More formal and intensive use of retained grassland areas is likely to compound the impact on the Lowland Calcareous Grassland resource at the site, due to changes in management (moving to amenity management), eutrophication (e.g. due to dog fouling), and disturbance (causing increased impacts on ground nesting birds and brown hares). On this basis, this issue needs **further and close consideration**.

5. *Other matters*

If granted planning permission, conditions should be used to require:

- The preparation and implementation of a Japanese knotweed management plan (two stands of this invasive non-native species are present on the site)
- The preparation and implementation of a detailed Landscaping Scheme, to provide details of:
 - Species mixes (to include a limited number of common and widespread species appropriate to the local area, and of native genetic origin)

- Establishment methods and maintenance regimes
- The preparation and implementation of a detailed Landscape Management Plan, to guide the management of retained and created areas of habitat such that their biodiversity value is maintained and enhanced, for the lifetime of the development.

Summary and conclusion

- Additional information needs to be submitted in relation to a number of the surveys carried out in support of the application at the site.
- Fundamentally, the development would, if consented, give rise to a **significant loss of the UKBAP habitat Lowland Calcareous Grassland, representing 20% of the entire county resource**. Significant additional mitigation/compensation is required to make this development acceptable from an ecological perspective, and to ensure that the proposals are not contrary to national planning policy. Biodiversity offsetting provides a potential tool for delivering this, once avoidance and mitigation measures have been fully explored.

In conclusion, **I am unable to support this application at the current time**. I am, nevertheless, happy to work with the applicant and ADC to try and find a solution which allows the development to proceed, but which also provides an appropriate level of compensation for the unavoidable loss of habitat.

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 4 – Detailed Noise Comments

PROPOSED DEVELOPMENT: MIXED USE DEVELOPMENT PROPOSAL
AT ROLLS ROYCE

LOCATION: ROLLS ROYCE SITE - HUCKNALL

APPLICANT: MUSE DEVELOPMENTS

DATA REVIEWED: 1) Environmental Statement by URS – Volume 1
(Feb 2013)
2) Figure 9.2 – Plan of Selected Noise Receptor
Locations (17th Sep 2012)
3) Figure 9.1 – Plan of Noise Monitoring
Locations (17th Sep 2012)

1. **Existing Site :** Rolls Royce Site at Hucknall. Mix of industrial, an existing runway and green belt land

2. **Proposals :**

“Outline planning application for new business park on 27.8ha of land; residential development of 31.2ha of land, including providing for affordable housing, one-form entry primary school, local retail and community facilities, including open space arrangements; landscaping; nature conservation enhancement; cycle and pedestrian access links; appropriate Green Belt uses plus detailed arrangements for access to the business park from A611, Hucknall By-pass.”

3. **Compliance with Planning Condition Requirements :** N/A

4. **Noise Impacts :**

I have reviewed the noise chapter in the submitted environmental statement and given the information currently available; the potential noise impacts of the scheme are addressed. Our key areas of concern with regard to noise:

- Impact of additional traffic flows generated from the new development on existing nearby receptors both during construction and when the site is fully developed
- Noise impact of construction activities on nearby receptors

- Noise impact from new plant associated with new business units
- Suitability of land for residential development using principles outlined in NPPF/PPG24
- Suitability of land for new school using guidance in BB93
- Likelihood of noise complaints from proposed residential properties due to noise emanating from the existing Rolls Royce site using the assessment procedure in BS4142

I am satisfied that the baseline noise survey is adequate and that the assessment methods and the assumptions made are appropriate.

The report highlights a “minor adverse” noise impact on some nearby receptors at Watnall Road (Location R2) resulting from construction activities.

The report also highlights the potential noise impact of existing plant operating at the Rolls Royce site on the area of proposed housing. This will need to be addressed through a combination of mitigation measures and design as suggested in the report. The report then goes on to recommend a new noise assessment accompanying the full application for residential development due to an existing planning application pending from Rolls Royce for a new industrial unit that will house some new plant. It is thought this will replace some of the existing plant on the site which could significantly alter the noise climate in proximity to the site.

The report highlights that some form of noise mitigation may be required if the school is located near the existing Rolls Royce site. Our previous comment regarding the re-assessment of the noise issues at the full planning application stage are pertinent, when a further noise assessment is recommended, as there may be changes in noise levels and characteristics relating to the proposed development on the Rolls Royce site.

5. Conclusions and Recommendations:

Prior to undertaking the noise assessment to accompany the detailed planning submission for residential development, I recommend that Rolls Royce are approached to enquire about the “plant” in use on the site and its associated operational / working patterns to ensure that the survey captures the “worst case” scenario, as there could be daily/weekly/seasonal variations to working processes. This approach would give greater confidence in the assessment of noise and any proposed mitigation.

The applicant will need to submit details of any proposed noise mitigation to the district authority (Ashfield District Council) for approval.

The applicant should discuss prior to full application stage, the requirements for assessing noise in relation to proposed fixed plant at premises on the new

business park, including any plant associated with the occupying business when known.

No development should be permitted until a site specific demolition/construction Environmental Management Plan, has been submitted to and approved in writing by the CPA.

As Highway Authority we would want the developer to indemnify NCC against claims for compensation due to increased noise levels from new or altered highways in relation to the proposed development. I think this is usually covered in the S278/S38 agreements between the developer and the Highway Authority.

David Collins
Project Engineer (Acoustics)
Landscape and Reclamation Team