

Environment and Sustainability Committee

Thursday, 12 September 2013 at 10:30

Mansfield Material Recovery Facility (MRF) Warren Way, Crown Farm Industrial Estate, Forest Town, Mansfield NG19 0FL, [Venue Address]

AGENDA

- | | | |
|-----|--|---------|
| 1 | Minutes 18 July 13 | 3 - 6 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Strategic Planning Observations. | |
| (a) | SPO on a single wind turbine Manor Farm Upper Broughton | 7 - 24 |
| (b) | SPO on a mixed use development on Land at Teal Close Gedling | 25 - 46 |
| 5 | Summary of Strategic Planning Consultations | 47 - 52 |
| 6 | Planning Practice Guidance for Renewable and Low Carbon Energy | 53 - 58 |
| 7 | Rushcliffe Borough Council Core Strategy further proposals for Housing development consultation | 59 - 74 |
| 8 | Work Programme | 75 - 78 |

Notes

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

Customer Services Centre 0300 500 80 80

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

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

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

minutes

Meeting ENVIRONMENT AND SUSTAINABILITY COMMITTEE

Date Thursday 18 July 2013 (commencing at 10.30am)

membership

Persons absent are marked with 'A'

COUNCILLORS

Richard Butler
Steve Calvert
Jim Creamer
Stan Heptinstall
Roger Jackson

Richard Jackson
Pamela Skelding
Parry Tsimbirdis
John Wilkinson

Ex-officio (non-voting)

A Alan Rhodes

OFFICERS IN ATTENDANCE

Mick Allen – Group Manager, Waste and Energy Management

Lisa Bell – Team Manager, Planning Policy

Tim Gregory – Corporate Director Environment and Resources

Jas Hundal – Service Director, Transport, Property & Environment

Ruth Rimmington – Democratic Services Officer

MEMBERSHIP

It was reported that Councillor Richard Jackson had been appointed to the committee in place of Councillor Bruce Laughton for this meeting only.

MINUTES

The minutes of the last meeting of the Committee held on 18 July 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

ELECTRONIC WORKING

The Chair informed the committee of his wishes to be the Authority's first committee to operate electronically. Members acknowledged there were constraints that would need to be resolved ahead of it happening in the future.

PRESENTATION ON PLANNING POLICY

Lisa Bell Team Manager Planning Policy gave an overview of the work undertaken by the Authority's Planning Policy Team. The committee heard about each of its three areas of responsibility; the Minerals and Waste Local Plans; Strategic Planning and Developer Contributions.

Lisa further reported that the draft National Waste Management Plan had been published for public consultation on 15th July and that the Planning Inspector appointed to examine the Waste Core Strategy had requested that the County Council undertake a further targeted consultation on any impacts the publication of the National Waste Management Plan may have on the Waste Core Strategy. This would run until 16th August 2013.

The Government review of Planning Policy Statement 10: Planning for Sustainable Waste Management was also expected to be published for public consultation before the end of July which could require a further targeted consultation to assess the impacts of this on the Waste Core Strategy. The Planning Inspector had indicated that the additional targeted consultation was unlikely to have an impact on the timetables for producing her report.

STRATEGIC PLANNING OBSERVATIONS

a) Strategic Planning Observations on Planning Application for Residential Development on Land North of Skegby Lane Mansfield Bingham

RESOLVED 2013/39

- 1) That Mansfield District Council is advised that, whilst the principle of housing development in terms of strategic, national housing and economic growth is supported, the application constitutes a departure, by means of Policy NE4 (Open character of sensitive gaps between settlements), from Mansfield District Council's Local Plan and the applicant fails to justify why this departure is appropriate.
- 2) That further highway related work is necessary to assess impact on the safety and operation of local roads and junctions and that additional archaeological work is provided by the applicant in the form of a field evaluation, due to it being considered that inadequate and insufficient information has been provided with the application to properly assess its acceptability in landscape and visual impact terms.

- 3) That if Mansfield District Council are minded to approve the application, then the County Council request that they consult with the Developer Contributions Team to assess the need for developer contributions in line with the Council's adopted Planning Contributions Strategy.

b) Strategic Planning Observations on the erection of a single wind turbine at land at Orston, Nottinghamshire

RESOLVED 2013/40

- 1) That Rushcliffe Borough Council is advised that the development is supported in principle as it is recognised that significant weight is given to renewable energy at a National and strategic planning level.
- 2) If Rushcliffe Borough Council is minded to grant planning permission for the proposal, issues raised in terms of visual and landscape impacts should be satisfactorily addressed and that two conditions with regards to nature conservation be included as follows:
- The applicants undertake a repeat survey for badgers within 50m of the working area prior to development commencing, with mitigation measures provided as necessary; and
 - Vegetation clearance should be controlled during the bird nesting season.
- 3) That Rushcliffe Borough Council seeks explicit confirmation from the applicant that no impact on great crested newts is predicted.

c) Summary of Planning Consultations

RESOLVED 2013/41

That the report be noted.

NOTTINGHAMSHIRE LOCAL AGGREGATES ASSESSMENTS – 2013

RESOLVED 2013/42

That Committee approve the 2013 Local Aggregates Assessment attached as an appendix to the report.

WORK PROGRAMME

There would be a visit to Langford Lowfields Quarry in Newark that would coincide with the start of the consultation on the Nottinghamshire Minerals Local Plan.

The September meeting would take place at Mansfield Material Recovery Facility (MRF).

There was a discussion about the Local Improvement Scheme and how it was progressing.

A presentation on Coal Gas would be added to the committee's work programme.

RESOLVED 2013/43

That the report and its additions be noted.

The meeting closed at 11:35am.

CHAIRMAN

M_18 July13

12 September 13

Agenda Item:

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

**STRATEGIC PLANNING OBSERVATIONS ON A SINGLE WIND TURBINE,
MANOR FARM, UPPER BROUGHTON**

Purpose of the Report

1. To seek Committee endorsement for comments set out in this report which were sent to Rushcliffe Borough Council (RBC) on the 9th August 2013 in response to the request for strategic planning observations on the above planning application for a single wind turbine on land at Manor Farm, Upper Broughton.

Information and Advice

2. 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. Officer comments have already been sent to Rushcliffe Borough Council in their role as determining planning authority for this application. 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.

Description of the Proposal

4. The planning application is for a single 250kw wind turbine, associated infrastructure and an access track. The turbine is a 3-blade model with a hub height of 30m and a blade diameter of 30m, giving a total maximum height above ground level of 45m. The turbine construction will require square concrete foundations, having dimensions of 8.7m, to a depth of 1.5m. development within the area. Appendix 2 chart illustrates the height of the proposed wind turbine in terms of other surrounding landmarks on the landscape.
5. Construction is proposed to be completed from a temporary working area (approx 60m x 60m) and storage areas in the vicinity of the turbine site and does not form part of this application. The construction programme should not exceed a period

of 14 days. The access track would be a permanent construction, to allow access for maintenance over a 20 year period. The track is to be constructed from the existing field gate onto the adjacent byway (which is accessed from Station Road to the south), to the east of the proposal site. The track would be constructed from imported 40mm limestone hardcore.

6. The proposed turbine would be operational for a period of 20 years. During that time, access would only be needed for routine maintenance. At the end of the operational period, the turbine would be decommissioned and removed from the site.

Planning Policy Context

National Planning Policy Framework (NPPF)

7. There are clear aims and policies at a national strategic level that underline the need to meet renewable energy targets. The Governments renewable energy target seeks to generate 10% of UK electricity from renewable sources by 2010, its aspiration by 2020 is 20%. As a minimum, the UK must meet its legally binding target of 15% by 2020 as set out in the EU Renewable Energy Directive.
8. Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013) seeks to ensure that proposals for wind turbines are assessed against their impact upon a range of factors including cumulative impact, safety, ecology, heritage assets, landscape and community benefit.

Rushcliffe Local Plan

9. 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 their Local Plan process.
10. The following policies are considered to be of relevance in the determination of this planning application; Policy EN20 seeks to restrict development in the open countryside, except for rural activities and other uses appropriate to the countryside and Policy EN24 which seeks to promote renewable energy, other than where sites have nationally recognised designations; and ensuring that location and design minimise increases in ambient noise levels and adverse impact on visual or residential amenity.

Rushcliffe Core Strategy

11. The Rushcliffe Core Strategy was submitted to the Secretary of State in October 2012. Policy 1 'Climate Change' seeks to ensure that new development proposals reduce carbon emissions, adopt to climate change and contribute to national and local renewable energy targets. The onus is placed upon the applicant to ensure that their proposal conforms with the criteria set out in the policy and that it would not cause harm to the natural or built environment.

Strategic Planning Issues

Highways

12. The Highway Authority requires the applicant to provide track templates of the largest vehicle expected to access the site to ensure that the Station Road / Manor Barn Farm Lane junction is wide enough accommodate the turning manoeuvres of such vehicles.
13. A visibility splay of 2.4m x 215m cannot be achieved at the Manor Barn Farm Lane / Station Road junction. However, this is an existing junction, with the development only generating vehicular trips during any maintenance / construction period; it would therefore be difficult to argue that the proposal would intensify the use of an existing access, especially as the number of trips will be relatively low.
14. The proposed wind turbine measures 45m in height, with a 30m blade diameter. Drawing number MH5015-02 shows that the wind turbine will be located approximately 100m away from Manor Barn Farm Lane which is sufficient should it collapse. The Highway Authority also considers that the presence of the wind turbine will not cause an undue distraction to users of the highway.
15. The proposed sub-station will be located adjacent to Manor Barn Farm Lane. Therefore, it is requested that the applicant provide a layby for maintenance operatives to park their vehicles to prevent an obstruction to traffic on the byway.
16. With the above in mind, it is recommended that this application be deferred to enable the applicant to address the above points.
17. Detailed Highways comments are set out in Appendix 3.

Ecology

18. No statutorily designated site would be affected by the proposed development.
19. It should be noted that although a Desk Study has been undertaken, this has proceeded under the incorrect assumption that the site is in Leicestershire, and has involved consultation with the Leicestershire and Rutland Environmental Records Centre (LRERC) rather than the Nottinghamshire Biological and Geological Records Centre (NBGRC). As a result, the presence of locally designated sites within the locality has been overlooked, and no species records have been returned for Nottinghamshire. Given that many of the conclusions reached in the Appraisal are based on the results of the desktop study, it is suggested that the Appraisal should be carried out again, this time after consultation with the NBGRC.
20. Habitat Suitability Index (HIS) surveys have been carried out on five ponds in proximity to the development site, of which two are within 250m of the proposed turbine location. These two ponds are assessed as having 'good' and 'average' habitat suitability for great crested newts (a European Protected Species), respectively. No full survey of these ponds has been carried out (and it should be

noted that great crested newts are present within the area – approximately 1.5km of the site). Rushcliffe Borough Council needs to be mindful of its duty under Regulation 9(3) of the Habitats Regulations to have regard to the requirements of the Habitats Directive, and thus the ‘three tests’ which must be met before planning permission can be granted for an activity which would otherwise contravene the strict protection afforded to European Protected Species. In this case, whilst ‘Reasonable Avoidance Measures’ are put forward in the Ecological Appraisal, it is recommended that RBC seek explicit confirmation from the applicant that no impact on great crested newts is predicted, with reference to Natural England’s ‘Risk Assessment Tool’ for great crested newts. If such assurances are provided, adherence to the ‘Reasonable Avoidance Measures’ listed in Section 4.5.10 of the Appraisal should be made a condition of any permission granted.

21. Detailed Ecology comments are set out in Appendix 4.

Landscape

22. The construction of a wind turbine within a predominantly rural area will be incongruous; the landscape impact assessment notes a moderate and slight adverse impact for every category of landscape character considered. However the conclusion of the study is that (the turbine) has ‘*an obvious and directly functional relationship*’ with the landscape; the basis upon which this comment is made (or what it actually means) is unclear.

23. The siting of any wind turbine within this policy zone would appear to be contrary to the relevant landscape actions given in the Greater Nottingham Landscape Character Assessment (GNLCA); the turbine will be located on a prominent topographic spur in a landscape predominantly comprised of rolling hills, open arable fields and isolated farms. The landform in the vicinity is generally found between the 70 and 120m contour, with gentle slopes rising 30m above the valleys. A turbine of 45m, located just above the 100m contour will stand proud of the surrounding countryside and dominate the skyline for the immediate locality.

24. A fairly extensive Zone of Visual Influence is shown in the report, the locations of the viewpoints assessed are not shown on a map. Of the 13 viewpoints assessed, it is considered that the impact from Viewpoint 3 will be **slight/moderate adverse** (rather than slight), and from viewpoint 8, **moderate adverse** (not slight). The impact from walkers and cyclists on the nearby Public Rights of Way, especially where immediately adjacent to the turbine, will be **substantial adverse** – recreational users are highly sensitive and the magnitude of change will be high.

25. The only viewpoint taken from the A46 is some 2 km away at the A606 intersection. Although the road is generally lined with hedgerows and trees, and drivers are of low sensitivity, the magnitude of change will be high where there are gaps in the hedge or where localised topography gives elevation. In these instances the impact will be **slight or slight/moderate**.

26. Detailed Landscape and Visual Impact comments are set out in Appendix 5.

Cumulative Impact considerations

27. An application for two wind turbines at Sibthorpe was refused by Rushcliffe Borough Council in April 2013 and an application for an 87.5m high wind turbine to the west of this application site at East Bridgford is pending a decision.
28. A single 660kw wind turbine proposal (tip height 78m) at Glebe Barn Farm, Willoughby-in-the-Wolds (Charnwood Borough Council area), approx 3.5kms southwest of the application site was approved in June 2008 and is now operational.
29. A 9 turbine Wind Farm proposal (tip height 79m) at Paddys Lane, Old Dalby (Melton Council area), approx 3.5kms south of the application site was approved in December 2010 but has yet to be installed.
30. In combination with this proposed development, the proposals outlined above are not considered to have any effects in terms of cumulative impacts.

Overall Conclusions

31. The overall National Planning Policy context in relation to wind turbines, as outlined above, is strongly supportive of the principle of wind turbines and the wider benefits of deploying renewable energy technologies in tackling climate change, subject to a number of considerations. The responsibility for determining planning applications for wind turbines lies with district planning authorities.
32. From a Highways perspective it is recommended that this application be deferred to enable the applicant to address the points raised in paragraphs 12-16 above.
33. The Ecological Desk Study undertaken, involved consultation with the Leicestershire and Rutland Environmental Records Centre (LRERC) rather than the Nottinghamshire Biological and Geological Records Centre (NBGRC). As a result, the presence of locally designated sites within the locality has been overlooked, and no species records have been returned for Nottinghamshire. Given that many of the conclusions reached in the Appraisal are based on the results of the desktop study, it is suggested that the Appraisal should be carried out again, this time after consultation with the NBGRC.
34. Additional work is required in terms of great crested newts.
35. It is considered that there would be a moderate adverse impact on landscape character as such the application cannot be supported on landscape and visual impact grounds.
36. Overall the County Council supports the proposal in principle, however, objections are raised on the basis that the impact on landscape would be unacceptable, erroneous ecological consultations were carried out and insufficient highways information has been submitted.

Other Options Considered

37. 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

38. It is recognised that significant weight is given to renewable energy at a National and strategic planning level.

39. The County Council requests that the application is deferred to allow the applicant to address issues pertaining to highways.

40. The County Council raises concerns over the ecological desk top survey.

41. The County Council object to the proposal on landscape and visual grounds as it is considered the proposed development would a moderate adverse impact on landscape character.

42. Overall the County Council supports the proposal in principle, however, objections are raised on the basis that the impact on landscape would be unacceptable, erroneous ecological consultations were carried out and insufficient highways information has been submitted.

Statutory and Policy Implications

43. 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.

Statutory and Policy Implications

44. 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

45. There are no direct financial implications.

Implications for Sustainability and the Environment

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

RECOMMENDATION/S

1) That Rushcliffe Borough Council be advised that the development is supported in principle as it is recognised that significant weight is given to renewable energy at a National and strategic planning level. However objections are raised as the impact on the landscape would be unacceptable, erroneous ecological consultations have been carried out.

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

Financial Comments (TMR 06/08/2013)

47. There are no direct financial implications as a result of this report.

Financial Comments (SHB.06.08.13)

48. Committee have power to decide the Recommendation.

Background Papers and Published Documents

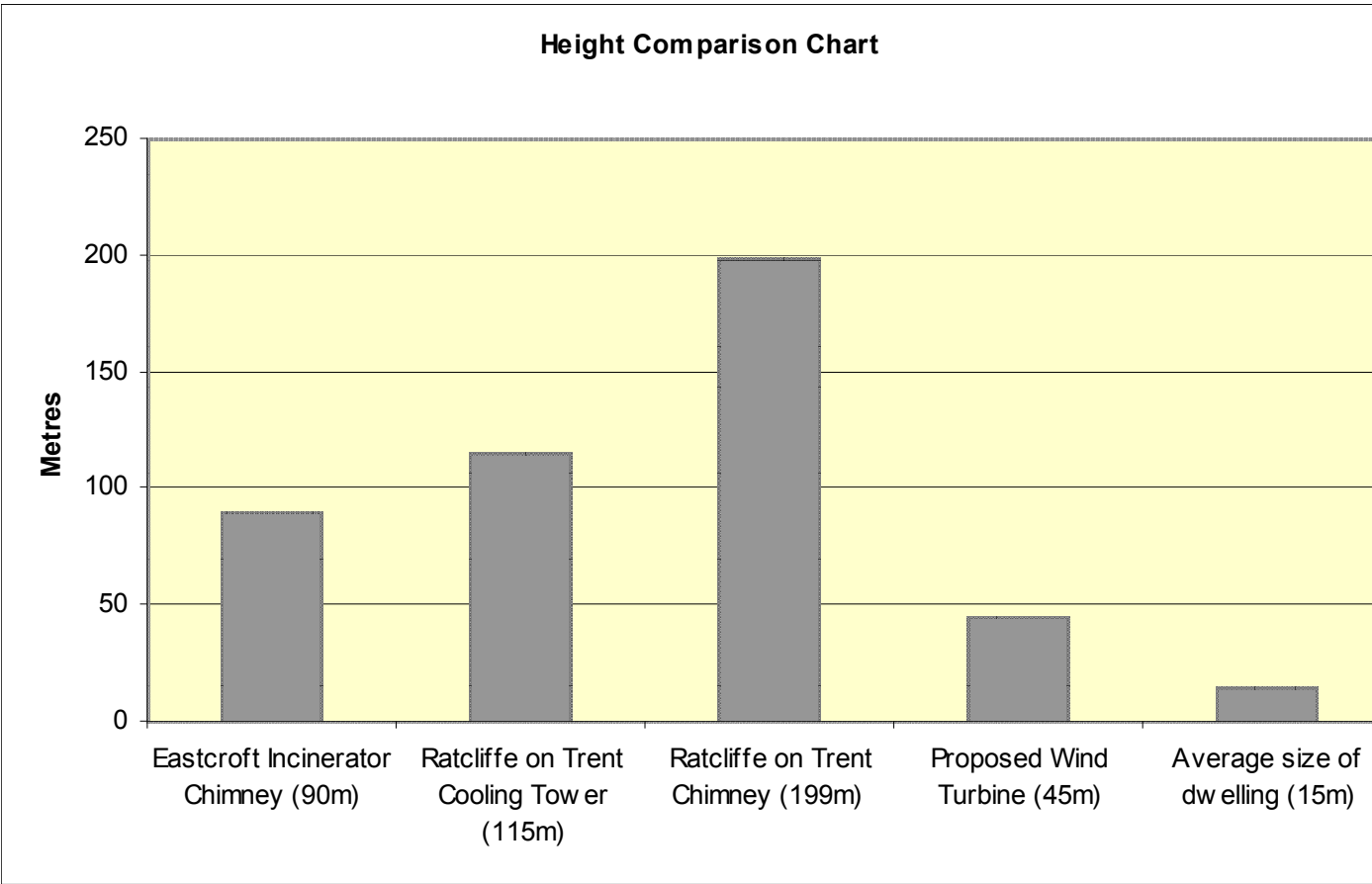
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

Keyworth - Councillor John Cottee

Appendix 1 – Site Location Plan

Appendix 2 – Height Comparison Chart



Appendix 3 – Detailed Highways Comments

TOWN AND COUNTRY PLANNING ACT

HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT

DISTRICT:	Rushcliffe	Date received	24/06/2013
OFFICER:	Helen Reid	by D.C.	20/06/2013
PROPOSAL:	Install a 250KW wind turbine and associated infrastructure including access walk	D.C. No.	13/00989/FUL
LOCATION:	Land north of Manor Barn Farm, Station Road, Upper Broughton		
APPLICANT:	Hallmark Power Ltd		

The application site is a wind turbine and access track that is bound on two sides by the A46 to the west, and Manor Barn Farm Lane to the west. The A46 is a Trunk Road that is managed and maintained by A-One+ on behalf of the Highways Agency. As such, it would be advisable to consult A-One+ on 0844 372 8381 to determine whether this application will affect their network.

Vehicular access to the site is via Manor Barn Farm Lane, a Byway Open to All Traffic that is managed and maintained at public expense. The lane is of varying width which serves a small number of properties, as well as Manor Barn Farm itself.

Manor Barn Farm Lane can be accessed from the A46 and Station Road. Section 8.5.1 of the Planning Statement specifies that “the delivery route will be via the motorway network onto the A46 Trunk Road, then via Station Road (towards Upper Broughton) as far as Top Cottage, then turn north onto the Byway, as far as the application site”. The Highway Authority will require the applicant to provide track templates of the largest vehicle expected to access the site to ensure that the Station Road / Manor Barn Farm Lane junction is wide enough accommodate the turning manoeuvres of such vehicles.

A visibility splay of 2.4m x 215m cannot be achieved at the Manor Barn Farm Lane / Station Road junction. However, this is an existing junction, with the development only generating vehicular trips during any maintenance / construction period; it would therefore be difficult to argue that the proposal would intensify the use of an existing access, especially as the number of trips will be relatively low.

The proposed wind turbine measures 45m in height, with a 30m blade diameter. Drawing number MH5015-02 shows that the wind turbine will be located approximately 100m away from Manor Barn Farm Lane which is sufficient should it fall over. The Highway Authority also considers that the presence of the wind turbine will not cause an undue distraction to users of the highway.

The proposed sub-station will be located adjacent to Manor Barn Farm Lane. We will therefore require the applicant to provide a layby for maintenance operatives to park their vehicles to prevent an obstruction to traffic on the byway.

With the above in mind, we recommend that this application be deferred to enable the applicant to address the above points.

Matt Leek.

Development Control, Highways South.

11th July, 2013.

Appendix 4 - Detailed Ecology Comments

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 application is supported by an Ecological Appraisal, dated 9th April 2013.
- The nearest statutorily designated site (in Nottinghamshire) is Kinoulton Marsh SSSI, located approximately 4.6km to the north-east; this site would not be affected by the proposals. A small number of non-statutory sites (Sites of Importance for Nature Conservation, also known as Local Wildlife Sites) also occur in the area, the nearest being approximately 580m from the development site, although these have not been identified by the Desk Study (see below). Again, none of these sites would be affected by the proposals.
- It should be noted that although a Desk Study has been undertaken, this has proceeded under the false assumption that the site is in Leicestershire, and has involved consultation with the Leicestershire and Rutland Environmental Records Centre (LRERC) rather than the Nottinghamshire Biological and Geological Records Centre (NBGRC). As a result, the presence of locally designated sites within the locality has been overlooked, and no species records have been returned for Nottinghamshire. Given that many of the conclusions reached in the Appraisal are based on the results of the desktop study, I am tempted to suggest that the Appraisal should be carried out again, this time after consultation with the NBGRC.
- In addition to the Desk Study, an Extended Phase 1 Habitat Survey and Habitat Suitability Index (HSI) survey (the later in relation to great crested newts) have been carried out. No specific surveys have been completed in relation to birds or bats, the two groups of species which are normally at greatest risk from wind turbines.
- The Extended Phase 1 Habitat Survey indicates that the field in which the proposed turbine is to be located is improved grassland, although no species list is provided to support this. However, aerial photos suggest this is the case. In addition, a short section of hedgerow may be affected by the proposals, to allow access to the site. On this basis, the habitat directly affected by the proposals is not considered to have any significant nature conservation value.
- Habitat Suitability Index (HSI) surveys have been carried out on five ponds in proximity to the development site, of which two are within c.250m of the proposed turbine location. These two ponds are assessed as having 'good' and 'average' habitat suitability for great crested newts (a European Protected Species), respectively. No full survey of these ponds has been carried out (and it should be noted that great crested newts are present within the area – records I have access to data which indicates a record from approximately 1.5km of the site). Rushcliffe Borough Council needs to be mindful of its duty under Regulation 9(3) of the Habitats Regulations to have regard to the requirements of the Habitats Directive, and thus the 'three tests' which must be met before planning permission

can be granted for an activity which would otherwise contravene the strict protection afforded to European Protected Species. In this case, whilst 'Reasonable Avoidance Measures' are put forward in the Ecological Appraisal, it is recommended that RBC seek explicit confirmation from the applicant that no impact on great crested newts is predicted, with reference to Natural England's 'Risk Assessment Tool' for great crested newts. If such assurances are provided, adherence to the 'Reasonable Avoidance Measures' listed in Section 4.5.10 of the Appraisal should be made a **condition** of any permission granted.

- Minor negative impacts are predicted on bats following the analysis of information gathered during the Desktop Study (but note comments above); as already indicated, no specific bat activity surveys were carried out. However, Natural England's Technical Information Note TIN059 (*Bats and single large wind turbines: Joint Agencies interim guidance*, dated 18 September 2009) states that "a bat survey should normally be recommended for applications for turbines that will be located within 50m of the following features:
 - Buildings or other features or structures that provide potential as bats roosts
 - Woodland
 - Hedgerows
 - Rivers and lakes
 - Within or adjacent to a site designated for bats"

In this case, none of these situations apply; in particular, the turbine has been sited such that it is more than 50m from any boundary features – in fact, the turbine would be 65 metres from the northern boundary and 63 metres from the eastern boundary with the distances accounting for the presence of 10m tall trees within the boundaries (a **condition** should be used to ensure that these distances are adhered to). On this basis, there does not appear to be a requirement for a bat activity survey. The Ecological Appraisal concludes that minor negative impacts on bats cannot be precluded, but that impacts on bat populations at the local level are considered unlikely. However, I am concerned that an ash tree with medium bat roost potential has been identified within 63 metres of the proposed turbine location. I strongly recommend that a further assessment of this feature is carried out, given the European Protected Species status of bats, prior to the determination of this application.

- The ornithological (i.e. bird) interest of the site is considered to be low, although no surveys have been carried out. However, it is stated that "the majority of bird species likely to be present within the survey area comprise small perching birds which are not generally considered to be vulnerable to wind turbine developments". Although not backed up with survey evidence, this appears to be a reasonable assumption to make. A standard **condition** should be used to control vegetation clearance during the bird nesting season.

A number of bird species of 'high risk' from collision with turbines (generally larger, less manoeuvrable species such as wildfowl and raptors) have been recorded in the wider area (although again, the records all originate from Leicestershire). The Ecological Appraisal states that such species may

occasionally be present within or around the application site. Regarding the absence of surveys in this respect, Natural England's Technical Information Note TIN069 (*Assessing the effects of onshore wind farms on birds*, dated 7th January 2010) states that "situations for which detailed assessments requiring surveys and monitoring are likely to be necessary include:

- Locations where Schedule 1 (Wildlife & Countryside Act 1981) and/or Annex 1 (EU Birds Directive) species are present in significant numbers, especially those which may be sensitive to wind farm effects (see Appendix 1).
- Locations within, or in the vicinity of, designated or proposed Special Protection Areas (SPAs), ornithological Ramsar Sites and ornithological SSSIs, again especially when used by species which may be sensitive to wind farm effects.
- Known bird migration routes and local flight paths, wetland sites and other locations where potentially vulnerable species occur in relatively high concentrations.
- Topographical features such as ridges and valleys and, on the coast, cliffs and headlands, which may funnel or otherwise concentrate bird flight activity."

None of these instances apply in this case, and on that basis there does not appear to be a requirement for bird surveys.

- No evidence of badgers was found during the Phase 1 Habitat Survey. Nevertheless, the site has some potential for badgers, and it is recommended in the Ecological Appraisal that a repeat survey for badgers is carried out within 50m of the working area prior to development commencing, with mitigation measures provided as necessary. This should be secured through an appropriately worded **condition**.
- No significant impacts on any other protected or notable species appear likely.
- The general mitigation measures outlined in section 9.6.11 of the Planning Statement should be secured through a **condition**.

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 5 – Detailed Landscape Comments

Application: 45m Wind Turbine at Manor Barn Farm, Upper Broughton
Ref: 13/000989/FUL

Further to your email correspondence of 8 July in respect of this application, please find my comments below.

Existing Site

The application site lies to the north of Manor Barn Farm, Upper Broughton, and approximately 300m east of the A46. The locality is classified as the Widmerpool Clay Wolds (NW03) in the Greater Nottinghamshire Landscape Character Assessment, and the landscape policy action is '*to conserve*'. Recommendations go on to note '*that development should be carefully sited to protect the existing rural character of the area*'.

Applicant's documentation

The applicant has included a Landscape and Visual Impact Assessment undertaken by AAH Planning Consultants. The assessment includes a matrices of impact for both landscape character and visual impact, with the proposal compared to the baseline. It would however have been useful to have had a plan showing the location of the viewpoints used for the visual impact analysis and the associated photomontages. Given the close network of PRoWs in the immediate vicinity of the application site, the presence of the Midshires Way 1.5km to the south and the close proximity of the A46, there is a notable scarcity of viewpoints taken within 1km radius of the site (3 out of 13).

Landscape Character

The construction of a wind turbine within a predominantly rural area will be incongruous; the landscape impact assessment notes a moderate and slight adverse impact for every category of landscape character considered. However the conclusion of the study is that (the turbine) has '*an obvious and directly functional relationship*' with the landscape; the basis upon which this comment is made (or what it actually means) is unclear.

The siting of any wind turbine within this policy zone would appear to be contrary to the relevant landscape actions given in the GNLCA; the turbine will be located on a prominent topographic spur in a landscape predominantly comprised of rolling hills, open arable fields and isolated farms. The landform in the vicinity is generally found between the 70 and 120m contour, with gentle slopes rising 30m above the valleys. A turbine of 45m, located just above the 100m contour will stand proud of the surrounding countryside and dominate the skyline for the immediate locality.

Visual Impact

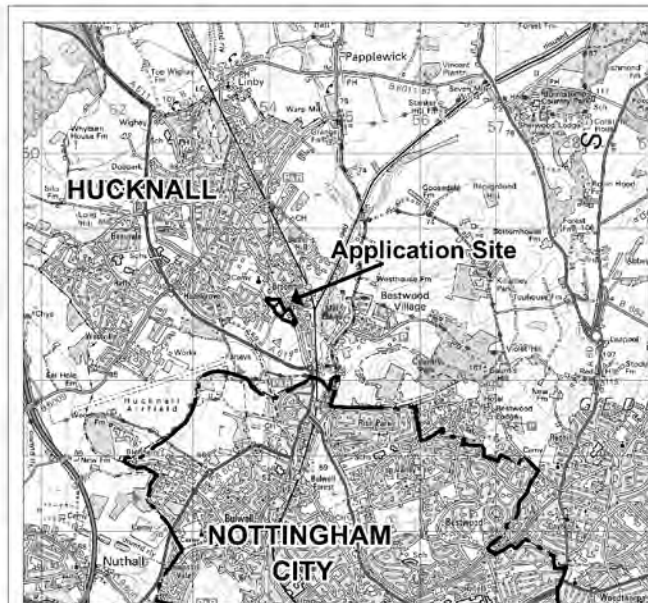
As noted above, although a fairly extensive Zone of Visual Influence is shown in the report, the locations of the viewpoints assessed are not shown on a map. Of the 13 viewpoints assessed, I am in agreement with the conclusions of 11; I would however argue that the impact from Viewpoint 3 will be **slight/moderate adverse** (rather than slight), and from viewpoint 8, **moderate adverse** (not slight). The impact from walkers and cyclists on the nearby PRowWs, especially where immediately adjacent to the turbine, will be **substantial adverse** – recreational users are highly sensitive and the magnitude of change will be high.

The only viewpoint taken from the A46 is some 2 km away at the A606 intersection. Although the road is generally lined with hedgerows and trees, and drivers are of low sensitivity, the magnitude of change will be high where there are gaps in the hedge or where localised topography gives elevation. In these instances the impact will be **slight or slight/moderate**.

Summary

Overall I do not support the proposal. There will be a moderate adverse impact on landscape character, and the LVIA has been rather selective in its analysis of visual impact, as the impact on key recreational and nearby amenities is not wholly considered.

Amanda Blicq, Landscape & Reclamation, Highways, Trent Bridge House



Proposed Construction of 141 Dwellings and Public Open Space, together with Associated Parking, Garaging, Road and Sewer Infrastructure Works.
 Broomhill Farm, Land to West of, Nottingham Road, Hucknall, Nottinghamshire.
 Planning Application No. V/2013/0409

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Scale 1:10,000
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 Date: SEPT 2013



Trent Bridge House, Fox Road
 Nottinghamshire West Bridgford, Nottingham, NG2 6BJ
 County Council Tel: 0115 982 3823

12 September 2013**Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON A MIXED USE
DEVELOPMENT ON LAND AT TEAL CLOSE, GEDLING****Purpose of the Report**

1. To seek Committee ratification for comments set out in this report which were sent to Gedling Borough Council (GBC) in response to the request for strategic planning observations on the above planning application for a mixed use development on land at Teal Close, Gedling.

Information and Advice

2. 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 Gedling Borough Council in their role as determining planning authority for this application. 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.

Description of the Proposal

4. The application site is located on largely agricultural land to the west and east of the A612 Colwick Loop Road, between Netherfield and Stoke Bardolph Sewage Treatment Works (STW), in Gedling Borough at the eastern extremity of the Nottingham built up area. The site can be described as largely formed by three parcels of land, bisected by the Loop Road.
5. The main part of the site lies to the east of the A612 on agricultural fields forming part of Severn Trent Waters' farming portfolio. The main fields are currently used to grow a maize energy crop to feed the Anaerobic Digester plant at the Stoke Bardolph Sewage Treatment Works (STW). Ouse Dyke and a public right of way runs along the southern boundary and the Victoria Retail Park is located

immediately south of this. Stoke Lane forms the northern boundary to the site, including where it forms a traffic light controlled junction with the A612. Directly off Stoke Lane is the extensive Stoke Bardolph STW and neighbouring Chettles Pet Food Plant. To the south-east is a new National Grid electricity sub-station.

6. The public right of way on the southern boundary then crosses the Loop Road and proceeds north-west along the perimeter of the playing fields towards Emerys Road, where it emerges next to the railway bridge.
7. On the western side of the A612 a further triangular block of agricultural land is included, bounded to the west by allotments to the rear of Emerys Road and to the south by a strip of woodland, beyond which is the Victoria Road Playing Fields.
8. The application site includes the Victoria Road Playing Fields as the third parcel of land. This area extends as a finger of land running north from the A612 and bounded by the former Gedling Colliery Railway Line and the old A612 to the west.
9. The proposed development can be described as residential led, comprising up to 830 residential units, however this is a mixed use development also including an employment area and a hotel, a new local centre and primary school to serve the new residents as well as extensive areas of open space in the form of replacement playing pitches for those at the Victoria Road Playing Fields which would be built on and an 'ecology park'.

The full schedule of development sought for consent is:

- Up to 830 residential units
 - Up to 18,000m² employment uses (B1/B2/B8)
 - A Local Centre comprising of: retail/ financial and professional services, food and drink uses, leisure and non-residential uses. Totalling up to 2,800m²
 - A 150 bed hotel
 - A 60 bed care home
 - A single form primary school
 - A community building of up to 500m²
 - Sports Pitches - a minimum of 4.2 hectares
 - Ecology Park – a minimum of 10 hectares
 - Other open space- including allotments, play areas and landscaping
 - New junctions on the A612 and Stoke Lane
10. The application is in outline form, however detailed consent is sought for new access arrangements off the Colwick Loop Road and Stoke Lane. The primary access would be a new traffic light controlled junction, with arms entering both the western and eastern sides of the site. A second left-in, left-out access would serve the western side between the new main junction and the existing Stoke Lane junction. The employment park element would be accessed from a new junction on Stoke Lane, thereby segregating commercial traffic from residential traffic.

11. The illustrative masterplan envisages the two western land parcels as exclusively for new residential development. This would include the entirety of the existing Victoria Road Playing Fields. Areas of woodland around the playing field site would largely be retained and a new landscaping buffer would be provided along the A612 frontage. Access would be from two new junctions on the A612, with the internal roads cutting through the wooded strip to access the playing field part of the site.
12. The main part of the proposed development is on the opposite, eastern side of the A612, where again a landscaping strip would provide a buffer. The north-western corner of the field would comprise a new employment park, in a roughly 'L' shape at the corner of Stoke Lane and the A612. To the south of this, also fronting the main A612 and providing a 'gateway' into the site, would be the new Local Centre and hotel/ pub. The new primary school and community building would be situated centrally, adjacent to the new Local Centre. A large part of the site behind these uses is then envisaged as further residential areas, however an area for new allotments would provide a buffer from Stoke Lane and the STW and Chettles plant beyond.
13. The southern portion of the field which is an area of marshy and semi-improved grassland is then set aside as open space, firstly for new playing fields in the south-west corner, replacing those on the opposite side of the A612. The proposed community building could also provide the replacement changing facilities for the users of the new pitches. The extreme south-east part of the site is proposed as an 'ecology park'.
14. Much of this open area of land is within the Green Belt and protected as public open space, with the built development area outside. However a large portion is located in 'safeguarded land' adjacent to the Green Belt and this is discussed further in the report. Furthermore the majority of the site is formally within Flood Zone 2, although this is contested by the applicant with new modelling evidence. The agricultural parts of the site are claimed to be sub-grade and therefore not the best and most versatile land type. This is due to the use of ex-sewage sludge being spread on the land meaning that only energy crops can be cultivated.

National Planning Policy Framework (NPPF)

15. 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.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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".
21. 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).

Gedling Local Plan 2005

22. The application site is identified, at Policy H5 for mixed use development in the adopted Gedling Local Plan with the south western extent of the site being allocated as Green Belt. It should be noted that no built development is proposed within the Green Belt.

Greater Nottingham Aligned Core Strategy Publication Version 2012

23. Spatial Strategy Policy 2 seeks to ensure that new development is steered towards the urban area and adjoining Nottingham urban area.

Strategic Planning Issues

Green Belt

24. What constitutes acceptable development within the Green Belt is set out in the NPPF, and the onus lies with the applicant to demonstrate that there are very special circumstances to justify such inappropriate development in such a location.
25. The south western extent of the site, east of the A612, is allocated Green Belt. Within this part of the site, the application proposes the creation of playing pitches and other recreational facilities, and parkland accommodating an ecology park. This will predominantly include landscaping only, but will also likely entail engineering operations (e.g. the creation of ponds). No buildings are proposed to be constructed in this part of the site.
26. Under the terms of the NPPF (paragraph 90) such works would constitute appropriate development provided they preserve openness and do not conflict with the purpose of including land in Green Belt.
27. Therefore, it is considered that the proposals are in accordance with and cause no harm to the Green Belt.

Transport

28. The applicant has submitted a Transport Assessment (TA) in support of the current proposed mix of uses on the application site. The content of the TA is currently being examined by the County Council as local highway authority. The transport implications of this development are being carefully considered and it is not possible at this time to advise as to the acceptability of the application in transport terms.
29. The County Council has previously indicated to Gedling Borough Council i.e. when preparing the 2005 Adopted Development Plan that no occupation of development on the proposed Teal Close / North of Victoria Park development site is acceptable until the A612 Gedling Major Transport Scheme Link Road has been constructed. In addition if for any reason the Gedling Access Road has not already been constructed in conjunction with the proposed Gedling Colliery / Chase Farm redevelopment then the Teal Close / North Of Victoria Park developments would be expected to fund and construct a Gedling Village Relief Road (similar to the Gedling Access Road) before first occupation. In summary the timing of development was seen as critical in securing the necessary transport infrastructure to support development so as not to make traffic conditions unacceptable in Gedling village and surrounds. This policy position was supported by elected Members of the County Council.
30. Although the A612 Gedling Major Transport Scheme was constructed by the County Council and opened to traffic in 2007 (and enables the access to the Teal Close development site to be taken directly from it) the Gedling Access Road has not been constructed. As highway authority therefore the County Council needs to be satisfied over the concerns regarding the network wide transport impacts of the current proposed Teal Close development in the absence of the Gedling Access Road. As part of this assessment it will be necessary to judge the likelihood of the Gedling Access Road being delivered and if there are any delays to the

completion of this road then the likely significance of the impacts of the release of development land at Teal Close could have in Gedling, Colwick and Netherfield. These matters are still being considered by the local highway authority.

31. Detailed Highways comments are contained at Appendix 2.

Landscape and Visual Impact

32. Although the existing open land east of Victoria park is a welcome expanse after the sprawling industrial and retail developments along Colwick Loop Road, the proposals are in line with the Greater Nottingham Landscape Character Assessment. (GNLCA) policy and if implemented as shown on the master plan, will provide a positive contribution to landscape character and have some beneficial visual impact. Consequently there are no grounds for objection at this stage.

33. Detailed Landscape and visual impact comments are contained at Appendix 3.

Developer Contributions

34. Should the application proceed, then Nottinghamshire County Council will seek developer contributions relating to County responsibilities in line with the Council's adopted Planning Contributions Strategy. Such contributions, in the case of residential development, could for example cover provision for education and integrated transport measures and the Developer Contributions team will work with the applicant and Gedling Borough Council to ensure all requirements are met.

Ecology

35. A range of mitigation measures are proposed, and these should be secured through conditions (with the submission of detailed measures where required).

36. It appears likely that the development will give rise to increased visitor pressure on the Netherfield Lagoons Local Nature Reserve (LNR) (despite the Ecology Park absorbing some of this). On that basis, it can be expected that there will be increased wear and tear on site infrastructure (path surfaces, access control furniture etc), it is therefore suggested that it may be appropriate to require this development to provide a commuted sum to Gedling Conservation Trust (who manage the LNR) to account for this.

37. Detailed ecology comments are contained at Appendix 4.

Archaeology

38. The proposed development site is known to contain extensive archaeological deposits which date to the Iron Age and Roman periods. There is a high likelihood that any development at the site will severely impact the survival of any archaeological remains.

39. Due to the archaeological interest of this site, as well as the nature and extent of the proposed development it is the County's recommendation that if planning permission is to be granted appropriate conditions should be attached to the planning permission.

40. Detailed archaeology comments are contained at Appendix 5.

Overall Conclusions

41. No built development would occur within the Green Belt, as such the proposal would not cause harm to the Green Belt designation.

42. The transport implications of this development are being carefully considered and it is not possible at this time to advise as to the acceptability of the application in transport terms.

43. Nottinghamshire County Council raise no objections to the proposal on landscape and visual impact grounds.

44. A range of mitigation measures are proposed, and these should be secured through conditions in relation to ecology and archaeology.

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. Further work is required to satisfy the County Council with regards to highways.

47. Mitigation measures, in relation to ecology and archaeology, are required to ensure the proposed development

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.

Statutory and Policy Implications

49. 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

50. There are no direct financial implications.

Implications for Sustainability and the Environment

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

RECOMMENDATION/S

- 1) That Gedling Borough Council be advised that the principle of housing development in terms of strategic, national housing and economic growth is supported. The County Council has no significant concerns over the impact of the proposal of this scale and in this location on the landscape and openness of the Green Belt, and consequently does not raise any objections in landscape terms.
- 2) The transport implications of this development are being carefully considered and it is not possible at this time to advise as to the acceptability of the application in transport terms
- 3) It is considered that inadequate and insufficient information has been provided with the application to properly assess its acceptability in ecology and archaeology, therefore mitigation measures should be secured through appropriate planning conditions.
- 4) That if Gedling Borough Council are minded to approve the application, then the County Council request that they consult with the Developer Contributions Team to assess the need for developer contributions in line with the Council's adopted Planning Contributions Strategy.

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.23.07.13)

52. Committee have power to decide the Recommendation.

Financial Comments (TMR 05/08/2013)

53. The financial implications are set out in paragraph **Error! Reference source not found..**

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 Nicki Brooks and Councillor John Clarke - Carlton East

Appendix 1 – Site Location Plan

Appendix 2 – Detailed Highways Comments

The Gedling Unitary Development Plan which was adopted on 12th July 2005 it contains policy (H5) for a proposed mixed use development at Teal Close / North of Victoria Park to include 400 dwellings, employment (17 Ha) and recreation uses (9 Ha). Following a review of these policies in 2008 Gedling Borough Council have 'saved' a number of these policies (including H5) which will remain until future development documents supersede them. The current outline application is for a mixed use development comprising 830 dwellings, 18,000m² gross floor area (GFA) of employment uses, a hotel, care home, primary school and local retail centre. The applicant has submitted a Transport Assessment (TA) in support of the current proposed mix of uses on the application site. The content of the TA is currently being examined by the County Council as local highway authority. The transport implications of this development are being carefully considered and it is not possible at this time to advise as to the acceptability of the application in transport terms.

The County Council has previously indicated to Gedling Borough Council i.e. when preparing the 2005 Adopted Development Plan that no occupation of development on the proposed Teal Close / North of Victoria Park development site is acceptable until the A612 Gedling Major Transport Scheme Link Road has been constructed. In addition if for any reason the Gedling Access Road has not already been constructed in conjunction with the proposed Gedling Colliery / Chase Farm redevelopment then the Teal Close / North Of Victoria Park developments would be expected to fund and construct a Gedling Village Relief Road (similar to the Gedling Access Road) before first occupation. In summary the timing of development was seen as critical in securing the necessary transport infrastructure to support development so as not to make traffic conditions unacceptable in Gedling village and surrounds. This policy position was supported by elected Members of the County Council.

Although the A612 Gedling Major Transport Scheme was constructed by the County Council and opened to traffic in 2007 (and enables the access to the Teal Close development site to be taken directly from it) the Gedling Access Road has not been constructed. As highway authority therefore the County Council needs to be satisfied over the concerns regarding the network wide transport impacts of the current proposed Teal Close development in the absence of the Gedling Access Road. As part of this assessment it will be necessary to judge the likelihood of the Gedling Access Road being delivered and if there are any delays to the completion of this road then the likely significance of the impacts of the release of development land at Teal Close could have in Gedling, Colwick and Netherfield. These matters are still being considered by the local highway authority.

I trust that these initial observations will be of assistance to you in formulating a response to the consultation.

Kind regards
David Pick
Environment and Resources

Appendix 3 – Detailed Landscape and Visual Impact Comments

Existing Site

The application site lies to east of the Nottingham conurbation, abutting the Victoria Retail Park and spanning the Colwick Loop Road. The two parcels of land lie within Policy Zone TW05 Stoke Bardolph of the Greater Nottingham Landscape Character Assessment.

Comments are based on the document '*Environmental Statement – Volume 3: Chapter 11, Landscape and Visual Impact Assessment*', May 2013. The document outlines the visual baseline and the location of the viewpoints, whose siting was informed by a Zone of Visual Influence. The assessment states that the methodology used is that outlined in the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute, Second Edition).

Impact on Landscape Character

The landscape action for this policy zone is '*Create*'; landscape condition is very poor and sensitivity low. Suburban development, industry and transport infrastructure have fragmented the landscape of the area, which lies on the eastern fringes of the conurbation.

Key actions are:

- seek opportunities to restore the historic field pattern and create visual unity
 - through small scale tree and woodland planting
- focus development around the settlement of Stoke Bardolph
- contain urban development with advance woodland planting

Visibility is generally considered moderate within the policy zone as a whole, but the development site comprises open agricultural land which facilitates long sweeping views between Colwick and the Trent valley.

The masterplan shows a configuration of structure planting, ie. woodland and hedging containing the various uses proposed and providing buffer zones between the different land uses. The area designated flood plain is to be retained and enhanced for sport, amenity and habitat use. These proposals are generally consistent with the landscape policy and although the long views will be lost, a more coherent landscape should be created as long as the design of employment sites and housing is sympathetic and makes a positive contribution to a local vernacular.

Overall, it is considered that the proposals, although reducing the area of open space within the policy zone, would have a **neutral**, or possibly **minor beneficial impact** on landscape character; the creation of a new landscape matrix would offset and compensate for the loss of other characteristics, and create some screening and containment for the industrial and retail sites on the periphery of the development site.

Visual Impact

The LVIA outlines the process underlying the selection of viewpoints and provides a systematic assessment for each viewpoint. However, the methodology appears to deviate from that outlined in the LI guidelines, adding additional processes, terminology and information to the assessment for no apparent reason. The matrices referred to in the Appendix, which apparently support the final scoring are not actually matrices for deployment in the assessment, but merely a list of definitions. It is unclear how the 'Nature of Effect' assessment feeds into the process or informs the conclusion.

Consequently, each viewpoint has been assessed using standard methodology and the results outlined below. (Receptor sensitivity for each point is as per the report).

Viewpoint	Receptor Sensitivity	Magnitude of Change	Significance
1	High	Medium beneficial	Moderate beneficial
2	Low	Low beneficial	Negligible
3	Unseen from viewpoint		
4	Medium/high	Medium beneficial (once woodland established)	Moderate beneficial
5	High	Medium beneficial (once woodland established)	Moderate beneficial
6	High	Medium beneficial (once woodland established)	Moderate beneficial
7	High	Medium beneficial (once woodland established)	Moderate beneficial
8	Medium/high	Medium beneficial (once woodland established)	Moderate beneficial
9	Low/medium	No discernible change	Negligible
10	Medium	Low Adverse	Slight Adverse
11	Medium/low	Low Adverse	Negligible/slight
12	Unseen from viewpoint		
13	Unseen from		

	viewpoint		
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The assessment depends very heavily upon the presumption that the detailed design of the site will allow sufficient space for woodland buffer zones and substantial hedgerows to contain and screen the development; concept and masterplans regularly show viable woodland and planting strips that then become severely reduced in extent at detail design stage, often to a degree that they become nothing more than a few token trees. The woodland planting around the employment site is shown at 30m on the master plan; I recommend that these dimensions are carried forward should the scheme receive outline approval.

Layout – Open Space

There does not seem to be any information provided regarding proposed design of the buildings, or layout. Having said that, there are no obvious conflicts in the broad use allocations shown and the open space and habitat areas are necessarily located adjacent to Ouse Dyke.

Conclusion

Although the existing open land east of Victoria park is a welcome expanse after the sprawling industrial and retail developments along Colwick Loop Road, the proposals are in line with the GNLCA policy and if implemented as shown on the master plan, will provide a positive contribution to landscape character and have some beneficial visual impact. Consequently there are no grounds for objection at this stage.

Appendix 4 – Detailed Ecology Comments

I have now had a look at the Ecology Chapter and other relevant information submitted in support of this planning application, and have the following comments:

1. The proposals do not directly affect any statutorily or locally designated nature conservation sites. The nearest SSSI, Colwick Cutting (designated for its geological interest) lies approximately 2.7km km to the south-west, whilst the nearest SINCLWS, Netherfield Dismantled Railway Sidings 5/210, abuts the site to the south-east.

2. The planning application is supported by up-to-date and fairly comprehensive ecological information.

3. Overall, it is evident that the site is of relatively limited nature conservation value, being dominated by intensively farmed arable fields, although small areas of higher-value habitat do exist.

4. In terms of (protected) species, the results of a number of surveys are outstanding (relating to great crested newts, bat emergence and breeding bird surveys), and therefore final comment on these surveys and associated mitigation (see below) is reserved until the results of these surveys have been submitted. In addition, it should be noted that no bat activity survey has been carried out).

5. An impact assessment has been carried out, and having reviewed this, I am content that the impacts have been assessed correctly (but see below in relation to public access impacts on Netherfield Lagoons LNR)

6. A range of mitigation measures are proposed, and these should be secured through conditions (with the submission of detailed measures where required). These in particular relate to:

- The production of a CEMP (see section 15.103 of the Ecology Chapter)
- The implementation of 'Actionable Mitigation Measures' (section 15.104) to include:
- The creation of an Ecology Park area, and production and implementation of a detailed
- management plan (based on the draft management plan submitted as Appendix 15.4)
- The submission of a detailed landscaping scheme to include details of species mixes,
- establishment methods and maintenance regimes.
- Opportunities for nesting birds and roosting bats, to include where possible the incorporation of nesting/roosting features into the fabric of buildings
- Signposting to control access in and around Netherfield Lagoons LNR
- The setting up and support of a local community group

7. In addition to the mitigation measures proposed, I would request that a condition is also used to require the submission of a lighting scheme, which should seek to minimise impacts on nocturnal wildlife (particularly bats).

8. Of particular note is the proposed creation of an Ecology Park, which has the potential to be an important wildlife feature. In previous contact with the applicant's ecologist I had requested that Defra's Biodiversity Offsetting metric be used to demonstrate that the value of this proposed area would be sufficient to mitigate against the impact of habitat loss elsewhere on site, and I again request that this is done, to give confidence in the proposals. I am happy to advise and assist in this process.

9. Following on from this, I query whether the layout of the Ecology Park could be altered slightly, such that the area with more public access and the attenuation ponds is sited on the western part of the Park, and the main habitat area on the eastern part (i.e. flipping the two around). This would have the benefit of bringing the main habitat area in closer proximity to Netherfield Lagoons LNR, and moving the main focus of public activity away from the LNR.

10. It appears likely that the development will give rise to increased visitor pressure on the Netherfield Lagoons LNR (despite the Ecology Park absorbing some of this). On that basis, it can be expected that there will be increased wear and tear on site infrastructure (path surfaces, access control furniture etc), and I would suggest that it may be appropriate to require this development to provide a commuted sum to Gedling Conservation trust (who manage the LNR) to account for this.

I hope these comments are of use, but if you have any queries please get back in touch.

Kind regards,

Nick Crouch
Senior Practitioner Nature Conservation
Nottinghamshire County Council

Appendix 5 – Detailed Archaeology Comments

The proposed development site is known to contain extensive archaeological deposits which date to the Iron Age and Roman periods. There is a high likelihood that any development at the site will severely impact the survival of any archaeological remains.

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."

The scheme should begin with further **post determination evaluation** in the form of a geophysical survey and possible trial trenching, followed by open area excavations and/or strip map and sample excavations. 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.

I would also be grateful if I can be notified as to the outcome of the application.

Dr Chris Robinson
Archaeological Officer
Nottinghamshire County Council
Tel (0115) 9696524

Appendix 6 – Detailed Libraries Comments

1. Background

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

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

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

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

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

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

2. Land off Teal Road

The proposed development looks at building up to 830 new dwellings over the next few years. At an average of 2.4 people per dwelling this would mean a “new” population of 1992 people.

From **a buildings perspective**, it is possible that the occupiers of this development could use several different NCC libraries, e.g. Carlton, Burton Joyce or Gedling.

We consider that the buildings have adequate space to accommodate this population.

From a **stock perspective**, however, the new development would impact upon the library service. The guidelines recommend a library stock based on 1,532 items per 1,000 population. It is clear that a further 1992 people will create additional strain on the stock.

We would, thus, look for a developer contribution in respect of the additional stock we would need to purchase to meet the needs of the 4,080 population. This can be calculated at 1992 (people) x 1,532 (stock items) x £12.75 (av. cost per item) = £38,909.

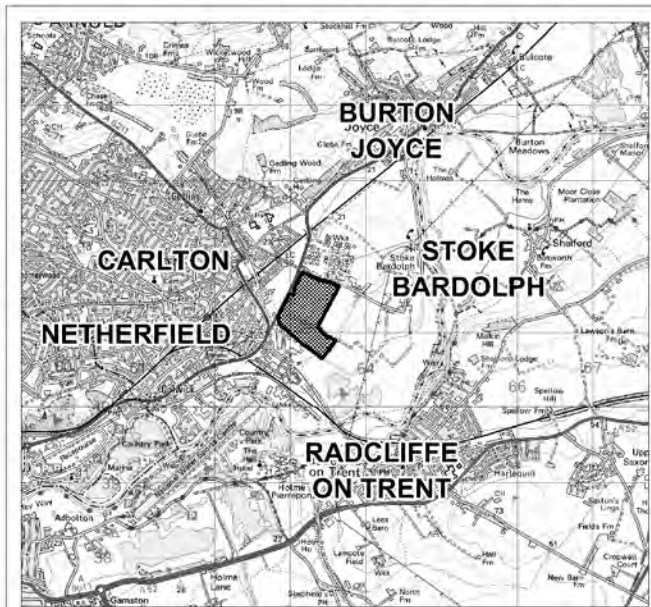
Linda Turner
June 2013

Appendix 7 – Detailed Development Management Comments

I respond on behalf of NCC Development Control. As discussed, DC would have no reason to object to the proposed development, however it should be noted that the development is in close proximity to Stoke Bardolph Sewage Works, a strategically important sewage treatment works for Nottingham on which NCC has a responsibility for processing planning applications.

As you will be aware, sewage sites have potential to generate odour releases resulting in potential for complaints from future residents of the properties. It is also noted that the houses would be close to 'Chettles' an animal rendering plant which generates odour releases (although not controlled by NCC planning). The other item of note is the history of use of the land in connection with sewage disposal and the question of whether ground contamination would be a planning constraint?

Mike Hankin
Planning Applications Senior Practitioner
Nottinghamshire County Council




 Trent Bridge House, Fox Road
 Nottinghamshire West Bridgford, Nottingham, NG2 6BJ
 County Council Tel: 0115 982 3823

Outline planning application comprising residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures | Land Off Teal Close Netherfield, Nottinghamshire.
 Nottinghamshire. Planning Application No.

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 Produced by: JW
 Date: SEPT 2013

12 September 13

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 and central government.

Information and Advice

2. Policy, Planning and Corporate Services has received 17 planning consultations during the period 14th June to 7th August 2013.
3. Appendix A contains a list of all the planning consultations received during the above period.

Other Options Considered

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

Reason for Recommendation

5. This report is for information only.

Statutory and Policy Implications

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

RECOMMENDATION

- 1) This report is for information only.

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

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

Background Papers

Individual Consultations and their responses.

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

Constitutional Comments

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

Financial Comments

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

Electoral Division(s) and Member(s) Affected

All.

Appendix A – Nottinghamshire County Council: Planning Consultations Received – June to August 2013

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
Ashfield District Council						
08.07.13	Ashfield District Council V/2013/0336	Land Rear of 60 Columbia Street, Huthwaite	Twelve dwellings	NW	O	On-going
08.07.13	Ashfield District Council V/2013/0306	Former Annesley Colliery, Newstead Road, Annesley	Application to modify a Section 106 Agreement for Affordable Housing Provision	NW	O	On-going
15.07.13	Ashfield District Council V/2013/0365	Former Sutton Pools Complex, Brooks Street, Sutton-in-Ashfield	Apartment block, bungalows and community room with associated landscaping and car parking	NW	O	Letter sent 23 July
22.07.13	Ashfield District Council PEQ/2013/0013 (pre-app)	Land at Kings Mill Road East and Coxmoor Road Sutton in Ashfield	Proposed residential development	NW	O	Letter sent 24 July
26.07.13	Ashfield District Council V/2013/0409	Broomhill Farm, Land to West of Nottingham Road, Hucknall	Proposed construction of 141 dwellings and public open space together with associated parking, garaging, road and sewer infrastructure works	NW	C	October E & S Committee for ratification
Broxtowe Borough Council						
08.07.13	Broxtowe Borough Council 13/10189/ENQ	Boots Campus, Land between Lilac Grove Beeston and Thane Road, Nottingham	Scoping opinion. Land at Alliance Boots for Mixed Use Development including residential, community and commercial uses and associated highway	NW	O	Letter sent 17 July

			infrastructure works			
Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
Mansfield District Council						
17.07.13	Mansfield District Council 2013/0342/ST	Bannatyne Site Land, off Briar Lane, Mansfield	Erection of 30 No. dwellings, re configuration of car park and new access road to serve both developments	NW	O	Response sent 8 th August
Rushcliffe Borough Council						
25.06.13	Rushcliffe Borough Council 13/00989//FUL	Land North of Manor Barn Farm, Station Road, Upper Broughton	Installation of 1 no. 250KW wind turbine and associated infrastructure including access walk. (Hub height of 30m and blade diameter 30m giving a total max height of 45m)	NW	TBC	On-going
01.07.13	Rushcliffe Borough Council 13/01197/OUT	Land NW of, Platt Lane, Keyworth	Residential development (up to 200 houses)	NW	O	Letter sent 24 July
08.07.13	Rushcliffe Borough Council 13/01263/FUL	Land to south of, Meeting House Close, East Leake	Residential development for 61 dwellings	NW	O	Email sent to Case Officer K. Catlow 23.07.13 with education requirements
08.07.13	Rushcliffe Borough Council		Rushcliffe Local Plan: 1. Suspension Rushcliffe Local Plan (Part 1) Core Strategy's Public Examination 2. Further proposals for new housing development	NW	C	September E & S Committee ratification

			3. Consultation on draft Rushcliffe Green Belt Review (Part 1 & 2A)			
19.07.13	Rushcliffe Borough Council 13/01074/OUT	OS Field 5773, Willow Brook, Keyworth	Residential development of up to 35 dwellings with associated landscaping and infrastructure	NW	O	On-going
Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
Other Consultations						
27.06.13	Rotherham Metropolitan Borough Council		Submission of Rotherham's Core Strategy	NW	O	On-going
02.07.13	Amber Valley Borough Council		Amber Valley Local Plan Part 1 - Draft Core Strategy. Regulation 18 Pre-Publication Consultation			
09.07.13	South Kesteven District Council		Site Allocation and Policies Development Plan Document (DPD) Consultation on Revised Sustainability Appraisal/Strategic Environment Assessment and Further Proposed Main Modifications	NW	O	On-going
31.07.13	The Planning Inspectorate		Application by Smart Wind Ltd for an Order Granting Development Consent for the Hornsea Offshore Wind Farm (Zone 4) – Project One	NW	O	Response sent 7 th August
31.07.13	The Planning Inspectorate		Application by RWE npower for an Order Granting	NW	O	Response sent 7 th August

			Development Consent for the Willington C Gas Pipeline between Willington Power Station and the National Transmission System south off Yoxall			
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Response type

- C Committee
- O Officer

12 September 13**Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****PLANNING PRACTICE GUIDANCE FOR RENEWABLE AND LOW CARBON
ENERGY****Purpose of the Report**

1. To provide a summary of the recently published Planning Practice Guidance for Renewable and Low Carbon Energy (July) (2013) that will form a material consideration in the determination of planning application for such development proposals.

Information and Advice*Introduction*

2. The Department of Communities and Local Government (DCLG) published 'Planning Practice Guidance for Renewable and Low Carbon Energy' on 30th July 2013, as a result 'Planning for Renewable Energy: A Companion Guide to Planning Policy Statement 22' is cancelled. The guidance is a material consideration in the determination of planning applications for renewable and low carbon energy.
3. Local District and Borough Councils are the determining authority for renewable and low carbon energy proposals of 50 megawatts or less installed capacity (under the Town and Country Planning Act 1990). Proposals above this capacity are considered by the Secretary of State for Energy.
4. The guidance provides advice on the planning issues associated with the development of renewable energy. It will be kept under review and should be read alongside the National Planning Policy Framework (NPPF).
5. The new guidance is clear that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role to play in the delivery of new renewable and low carbon energy infrastructure in

locations where the local environmental impact is acceptable. The guidance answers a number of key questions as follows:

How can LPA's develop a positive strategy to promote the delivery of renewable and low carbon energy?

6. The need for renewable energy does not override environmental protection and the planning concerns of local communities. LPAs when drawing up Local Plans need to consider the local potential for such technologies, such as:
 - The range of technologies that could be accommodated and the policies required to facilitate development;
 - The cost of many renewable technologies is reducing, which could in turn increase the number of proposals;
 - Different technologies have different impacts on different areas; and
 - The UK has legal commitments to cut greenhouse gases and meet increased energy demand from renewable sources (however Local Plans do not need to include quotas).

How can LPAs identify suitable areas for renewable and low carbon energy?

7. There are no set rules, however, LPAs need to consider the requirements of the proposed technology, potential environmental impacts, including cumulative impacts and the view of the local community. Use should be made of tools such as Landscape Character Assessments, when determining planning applications.
8. Identification of areas suitable for renewable energy in plans will give greater certainty as to where development will be permitted. Applications should only be approved where the impact is (or can be made) acceptable.
9. When identifying suitable areas LPAs should be clear on the factors that will be taken into account when considering individual proposals. Such factors may be dependent on the investigatory work underpinning the identified area.

Do criteria based policies have a role in planning for renewable and low carbon energy?

10. Positively expressed policies can be useful in shaping local criteria for inclusion in Local Plans, it is important they are clear and consider the following:
 - The need for renewable or low carbon energy does not automatically override environmental protections;
 - Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity;
 - Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominantly flat landscape as in hilly or mountainous areas;

- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- Proposals in National Parks and Areas of Outstanding Natural Beauty (AONB), and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration; and
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Are buffer zones/separation distances appropriate between renewable energy development and other land uses?

11. LPAs should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than dealing with set back distances, distance itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses.

What is the role for community led renewable energy initiatives?

12. Community initiatives are likely to play an increasingly important role and should be encouraged as a way of providing local benefit from renewable energy development. LPAs may wish to establish policies which give positive weight to renewable and low carbon energy initiatives which have clear evidence of local community involvement and leadership.

13. Neighbourhood Plans (NP) provide the opportunity to plan for community led projects. Neighbourhood Development Orders (NDOs) and Community Right to Build (CRTB) can be used to grant planning permission for such development. As part of an NP communities can look to develop a community energy plan and could be assisted by the LPA who will share relevant evidence, as part of their duty to advise and assist.

How can decentralised energy opportunities be identified?

14. Planning can provide opportunities for, and encourage energy development which will produce waste heat, to be located close to existing or potential users of heat. Planning can also provide new customers for heat by encouraging development which could make use of that heat.

15. Information on local heat demand is published by the Department of Energy and Climate Change (DECC) to assist planners and developers in identifying locations with opportunities for heat supply.

What are the planning considerations that relate to specific renewable energy technologies?

Hydropower

16. Planning applications for hydropower should normally be accompanied by a Flood Risk Assessment (FRA). Early engagement with the LPA and the Environment Agency (EA) will help to identify the potential planning issues, which are likely to be highly specific to the location.

Solar Technology

17. Active solar technology (photovoltaic and solar heating systems) on or related to a particular building is often permitted development (development that does not require planning permission), provided installation is not of an unusual design, is in a designated area or does not involve a listed building. Factors to consider include:

- The importance of siting systems where they can collect the most energy from the sun;
- The need for sufficient areas of solar modules to produce the required energy output from the system;
- The effect on a protected or designated area/building; and
- The colour and appearance of the modules.

18. Large scale ground mounted solar voltaic farms can have negative impacts on the environment, however, this can be addressed through the consideration of the following factors:

- Encouraging the effective use of previously developed land, if as proposal is on Greenfield land, it allows for continued agricultural use and/or encourages biodiversity improvements around arrays;
- Solar farms are normally temporary and the use of planning conditions can be used to ensure the installations are removed when no longer required and the land is restored back to its previous use;
- The effect of glint and glare on neighbours and aircraft safety;
- Great care should be taken to ensure heritage assets are protected both physically and in terms of their setting;
- The potential to mitigate landscape and visual impacts, for example through screening;
- The energy generating potential, which can vary for a number of reasons, including latitude and aspect.

19. The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of influence could be zero.

Wind Turbines

20. The following should be taken into consideration when assessing a planning application for wind turbines:

- Noise impacts;

- Safety, in terms of proximity to buildings, power lines, air traffic, defence, radar and the strategic road network
- The affect on electromagnetic transmissions;
- Ecology, in terms of bird/bat strike and species displacement;
- Impact on a heritage asset, in terms of its physical presence and its wider setting;
- Shadow flicker and reflected light;
- Cumulative visual impact, its should not be assumed that just because a proposal is not visible, there will be no cumulative impacts, i.e. shadow flicker

21. LPA should also consider the use of planning conditions to ensure that redundant turbines are removed when no longer required and that the land is restored to an appropriate use.

Other Options Considered

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

Reason for Recommendation

23. This report is for information only.

Statutory and Policy Implications

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

RECOMMENDATION

1) This report is for information only.

Jayne Francis-Ward

Corporate Director, Planning, Policy and Corporate Services

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

Background Papers

Planning Practice Guidance for Renewable and Low Carbon Energy (July) (2013)

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

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

Financial Comments

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

Electoral Division(s) and Member(s) Affected

All.

12 September 2013**Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****RUSHCLIFFE BOROUGH COUNCIL CORE STRATEGY FURTHER
PROPOSALS FOR HOUSING DEVELOPMENT CONSULTATION (JUNE 2013)****Purpose of the Report**

1. To seek Committee ratification for comments set out in this report which were sent to Rushcliffe Borough Council (RBC) on 9th August 2013 in response to the request for comments on the Rushcliffe Core Strategy Further Proposals for Housing Development (June 2013).

Information and Advice*Background*

2. The Rushcliffe Borough Council Local Plan Part 1 – Core Strategy is at an advanced stage of preparation. It was submitted for examination in October 2012, however the Planning Inspector undertaking the examination identified that the plan does not make sufficient provision for housing development in the period to 2028, nor take account of longer term requirements beyond the 2028 plan period.
3. Subsequently, the examination was suspended until October 2013 in order to allow Rushcliffe Borough Council to carry out additional work and public consultation on how best to meet the shortfall of proposed housing.
4. Rushcliffe Borough Council have discussed the housing issues with the other Greater Nottingham Housing Market Area (HMA) local authorities and a further 3,550 dwellings have been identified to be developed up to the plan period 2028 in line with the most recent projections. This would take the planned housing provision in Rushcliffe to a total of 13,150 homes between 2011-2028.
5. Consultation on the Rushcliffe Core Strategy Further Proposals for Housing Development ran from the 17th June to the 9th August 2013. A number of specific questions were asked as part of the consultation. A copy of the County's response is contained at Appendix 1.

6. The County Council owns approximately 55 Ha of land immediately to the south of the Grantham Canal which falls within the area of RBCs proposals and will be promoted as part of any proposed scheme in order to maximise the potential benefits to the Council and community at large. It is anticipated the proposed development will include employment land allocation which will be a significant boost to the local economy and in the longer term the proposed employment land will create jobs along with other anticipated community facilities.
7. The Committee should note that the Council owns further land north of the Grantham Canal comprising 194 ha (as shown on plan B). Other land owners also have land which is currently outside RBC's revised core strategy proposals. Following further discussions between NCC Property and the other land owners representations, may well be made for additional land to be included in the review of the RBC's core strategy and this may also include a review of Green Belt boundaries.
8. It should be noted that on the 7th August 2013 a report relating to the County Councils property interests in relation to the sites identified below and proposals for the additional land identified above, was taken to the Finance and Property Committee and the Committee resolved to promote the County Councils land interests to Rushcliffe Borough Council.

The Proposed Sites

9. The proposals are for major development at:
 - Land at Melton Road, Edwalton
 - Land south of Clifton
 - Land east of Gamston (north of Tollerton)
10. In the case of Melton Road, Edwalton and land to the south of Clifton, both locations are identified in the already submitted draft Core Strategy as major development sites. The Melton Road, Edwalton site also benefits from planning permission for 1,200 new dwellings. It is intended that both sites will accommodate additional housing than previously proposed as follows.

Land at Melton Road, Edwalton

11. The existing proposal, set out in the original Core Strategy is to remove land from the Green Belt and allocate for future development 2,500 dwellings. The site is bound to the west by the new A453 and to the south of Barton Lane. Under the further proposals for housing development in this consultation an additional 500 dwellings are proposed, through increasing the density of development rather than taking extra land.

Land south of Clifton

12. The existing proposal, set out in the original Core Strategy, is to remove from the Green Belt and allocate for development land on both sides of Melton Road. The existing proposal has planning permission for 1,200 dwellings. The new proposals would increase dwelling numbers by 550.

Land east of Gamston (north of Tollerton)

13. This site was not identified for development in the submitted Rushcliffe Borough Council Core Strategy, however, it was proposed for a major urban extension in February 2010. Rushcliffe Borough Council consider the site could accommodate 2,500 new dwellings during the plan period 2011-2028. The site would also accommodate employment, open space and other infrastructure in order to support a development of this size.

Other Options Considered

14. As the consultation requires representations to be made on the Rushcliffe Core Strategy Further Proposals for Housing Development (June 2013) the only other option was not to make representations.

Reason/s for Recommendation/s

15. The County Council supports the approach taken by Rushcliffe Borough Council to provide an additional 3,550 homes in order to deliver a minimum of 13,150 new homes by 2028.
16. Modification of the Rushcliffe Local Plan (Part 1 - Core Strategy) to reflect the above would help to ensure that alongside the other Nottingham Core Housing Market Area councils, Rushcliffe Borough Council is planning positively in contributing towards meeting the assessed housing need for 49,950 new homes within Greater Nottingham (between 2011 to 2028) in full, this would in addition, contribute to the wider Nottinghamshire area and support economic growth and regeneration of the County.
17. Further transport modelling is required to understand the impact of increasing housing numbers on the above sites.
18. The County Council would welcome close liaison with Rushcliffe Borough Council and Nottingham City Council to ensure that the proposed development assimilates with the existing communities and provides the infrastructure and services required without negatively impacting on the area. Close links to the town centres, schools and other community facilities will be important to ensure developments are sustainable.
19. Potential impacts on ecology and archaeology will need to be assessed at the earliest opportunity.

Statutory and Policy Implications

20. 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

21. There are no direct financial implications.

Implications for Sustainability and the Environment

22. 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.

RECOMMENDATION

- 1) That Committee endorse the above comments, which formed an officer response to Rushcliffe Borough Council.

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.08.08.13)

23. Committee have power to approve the Recommendation.

Financial Comments (TMR 08/08/2013)

24. There are no direct financial implications as a result of this report.

Background Papers and Published Documents

Rushcliffe Core Strategy Further Proposals for Housing Development (June 2013)

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 Martin Suthers OBE – Bingham
Councillor Richard Butler – Cotgrave
Councillor John Cottee – Keyworth
Councillor Kay Cutts – Radcliffe on Trent
Councillor Reg Adair – Ruddington
Councillor Andrew Brown – Soar Valley

Councillor Steve Calvert – West Bridgford Central and South
Councillor Liz Plant - West Bridgford Central and South
Councillor Gordon Wheeler – West Bridgford West

Appendix 1 – Detailed NCC Comments

Rushcliffe Local Plan – Part 1: Core Strategy

Further proposals for housing development Response Form

Your Details		Agent details (where applicable)
Nina Wilson	Name	n/a
Nottinghamshire County Council County Hall West Bridgford Nottingham NG2 7QP	Address	n/a
Nina.wilson@nottscc.gov.uk	E-mail	n/a

Local housing needs

Question 1			
Do you think that we are right to increase the level of proposed housing by at least 3,550 homes, which in total will mean the delivery of a minimum of 13,150 new homes in Rushcliffe between 2011 and 2028? Please tick yes or no.			
Yes	X	No	
If possible, please give reasons for your answer.			
<p>Nottinghamshire County Council supports the approach taken by Rushcliffe Borough Council to provide an additional 3,550 homes in order to deliver a minimum of 13,150 new homes by 2028.</p> <p>Modification of the Rushcliffe Local Plan (Part 1 - Core Strategy) to reflect the above would help to ensure that alongside the other Nottingham Core Housing Market Area councils, Rushcliffe Borough Council is planning positively in contributing towards meeting the assessed housing need for 49,950 new homes within Greater</p>			

Nottingham (between 2011 to 2028) in full, this would in addition, contribute to the wider Nottinghamshire area and support economic growth and regeneration of the County.

It is considered that it would be beneficial if Rushcliffe could set out timescales for site delivery, in terms of annual build rates, in order to provide a more holistic picture as to when sites are likely to be started and completed.

In terms of transport clearly the evidence base relating to the transport impacts of Rushcliffe's strategy will require review. Following a joint meeting with Rushcliffe, Nottingham City and Nottinghamshire County Councils, it has been agreed that as a minimum, further transport modelling is required to understand the impact of increasing housing numbers on the above sites. As a start traffic consultants (MVA) have been tasked by Rushcliffe Borough Council to prepare an update of Stage 1 of the Greater Nottingham Transport Model (i.e. without mitigation) to provide a benchmark of the potential impacts. Until such time as the findings of the study are known it is not possible for the local highway authority to determine the suitability or otherwise of the proposed new housing allocations.

(please continue on a separate sheet if necessary)

Proposed development of land south of Clifton

Question 2

Do you think that the identified shortfall in proposed new housing in Rushcliffe should be met in part by increasing the number planned at land south of Clifton by around 500 homes and that this should be achieved without increasing the amount of land already proposed for development? Please tick yes or no.

Yes

X

No

If possible, please give reasons for your answer.

Nottinghamshire County Council, from a planning policy perspective, supports growth and development at this location, recognising that a similar spatial strategy of sustainable urban extensions is being applied within the Greater Nottingham area. This would therefore positively contribute to the deliverability of sustainable growth across the wider Greater Nottingham Area as a whole.

It is unclear as to whether the Infrastructure Delivery Plan (IDP) will be updated, particularly in respect of education and transport and whether further viability assessments be carried out. The County Council would like to reiterate that, as the education and highway authority, they would welcome early discussions in terms of developer contributions.

An increase in housing density would obviously negate the need for increased landtake. However, as an observation, previous proposals for this area as part of the 'Nottingham Gateway' project involved a larger development area, but also involved proposals for significant (and potentially very valuable) areas of habitat creation, which were a major potential benefit of an enlarged development area. The creation of equivalent areas may not be deliverable on such a scale through development at other locations (e.g. Gamston).

The site has archaeological potential. Works associated with the NET and A453 uncovered significant archaeology, in particular one site of a probable Neolithic Causewayed enclosure which had to be considered for preservation in situ, on the advice of English Heritage. Had preservation in situ been required, it would have meant a significant re-design of the NET route at a very late stage.

In terms of transport, clearly the evidence base relating to the transport impacts of Rushcliffe's strategy will require review. Following a joint meeting with Rushcliffe, Nottingham City and Nottinghamshire County Councils, it has been agreed that as a minimum, further transport modelling is required to understand the impact of increasing housing numbers on the above sites. As a start traffic consultants (MVA) have been tasked by Rushcliffe Borough Council to prepare an update of Stage 1 of the Greater Nottingham Transport Model (i.e. without mitigation) to provide a

benchmark of the potential impacts. Until such time as the findings of the study are known it is not possible for the local highway authority to determine the suitability or otherwise of the proposed new housing allocations.

(please continue on a separate sheet if necessary)

Question 3

Do you have any views on how development of land south of Clifton should look, in terms of, for example, the mix and layout of different land uses on the site, the types and level of new services and facilities on the site and their location?

Land to the south-east of the development area (marked as 'area for surface water balancing') should be designed to maximise its nature conservation value, as should other areas of Green Infrastructure through the site.

The site has the potential to have significant areas of archaeological interest where preservation in situ is required, this would need to be addressed in any development scheme.

A masterplan for the area would be welcomed to facilitate this discussion in more detail.

(please continue on a separate sheet if necessary)

Proposed development of land at Melton Road, Edwalton

Question 4

Do you think that the identified shortfall in proposed new housing in Rushcliffe should be met in part by increasing the number planned at land at Melton Road, Edwalton by around 550 homes? Please tick yes or no.

Yes	X	No	
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If possible, please give reasons for your answer.

Nottinghamshire County Council, from a planning policy perspective, supports growth and development at this location, recognising that a similar spatial strategy of sustainable urban extensions is being applied within the Greater Nottingham area. This would therefore positively contribute to the deliverability of sustainable growth across the wider Greater Nottingham Area as a whole.

It is unclear as to whether the Infrastructure Delivery Plan (IDP) will be updated, particularly in respect of education and transport and whether further viability assessments be carried out. The County Council would like to reiterate that, the education and highway authority, they would welcome early discussions in terms of developer contributions.

It seems sensible to focus increased development in an area where development would already be taking place, although it is not clear why this cannot be achieved by increasing housing density as at land south of Clifton.

In terms of transport, clearly the evidence base relating to the transport impacts of Rushcliffe's strategy will require review. Following a joint meeting with Rushcliffe, Nottingham City and Nottinghamshire County Councils, it has been agreed that as a minimum, further transport modelling is required to understand the impact of increasing housing numbers on the above sites. As a start traffic consultants (MVA) have been tasked by Rushcliffe Borough Council to prepare an update of Stage 1 of the Greater Nottingham Transport Model (i.e. without mitigation) to provide a benchmark of the potential impacts. Until such time as the findings of the study are known it is not possible for the local highway authority to determine the suitability or otherwise of the proposed new housing allocations.

(please continue on a separate sheet if necessary)

Question 5

Do you have any views on how development of land at Melton Road, Edwalton should look, in terms of, for example, the mix and layout of different land uses on the site, the types and level of new services and facilities on the site and their location?

The proposals require a reduction in the area of land currently proposed for a country park, and the establishment of a new development area to the south-west of Sharphill Wood. Both have the potential to result in increased pressure on the wood (which is a SINCE), and very careful consideration will need to be given to how the development is designed, and the configuration of open space, so that pressure on the wood from an increased population is minimised. It is likely that additional green space provision will be required in association with the new development area to the south-west of Sharphill Wood, along with a landscaping buffer between the development area and the wood.

The site has the potential to have significant areas of archaeological interest where preservation in situ is required, this would need to be addressed in any development scheme.

It is the County Council's understanding that a large retail store is proposed in this area. The potential impact of this proposal on the viability and vitality of the West Bridgford retail area should be assessed.

In terms of transport, clearly the evidence base relating to the transport impacts of Rushcliffe's strategy will require review. Following a joint meeting with Rushcliffe, Nottingham City and Nottinghamshire County Councils, it has been agreed that as a minimum, further transport modelling is required to understand the impact of increasing housing numbers on the above sites. As a start traffic consultants (MVA) have been tasked by Rushcliffe Borough Council to prepare an update of Stage 1 of the Greater Nottingham Transport Model (i.e. without mitigation) to provide a benchmark of the potential impacts. Until such time as the findings of the study are known it is not possible for the local highway authority to determine the suitability or otherwise of the proposed new housing allocations.

(please continue on a separate sheet if necessary)

Question 6

Do you think other land within (to the north) of the A52 should be removed from the Green Belt and at the present time 'safeguarded' from development? If possible, please give reasons for your answer.

No, this land is unlikely to come forward during the plan period, as the Green Belt Review identifies it as a longer-term development option, so it would not positively contribute to meeting the Plan's overall housing target.

(please continue on a separate sheet if necessary)

Proposed development of land east of Gamston (north of Tollerton)

Question 7

Do you think that the identified shortfall in proposed new housing in Rushcliffe should be met in part by a major mixed use development on land to the east of Gamston (north of Tollerton), which would include the delivery of around 2,500 homes by 2028, and with capacity to provide around a further 1,500 homes post 2028? Please tick yes or no.

Yes	X	No	
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If possible, please give reasons for your answer.

Nottinghamshire County Council, from a planning policy perspective, supports growth and development at this location, recognising that a similar spatial strategy of sustainable urban extensions is being applied within the Greater Nottingham area. This would therefore positively contribute to the deliverability of sustainable growth across the wider Greater Nottingham Area as a whole.

The Gamston site appears to be of generally low nature conservation value, although it would be useful if (preliminary) site surveys were available to support this view, and there may nevertheless be impacts on protected and other notable species.

The site has the potential to have significant areas of archaeological interest where preservation in situ is required, this would need to be addressed in any development scheme.

It is unclear as to whether the Infrastructure Delivery Plan (IDP) will be updated, particularly in respect of education and transport and whether further viability assessments be carried out. The County Council would like to reiterate that, the education and highway authority, they would welcome early discussions in terms of developer contributions.

In terms of transport clearly the evidence base relating to the transport impacts of Rushcliffe's strategy will require review. Following a joint meeting with Rushcliffe, Nottingham City and Nottinghamshire County Councils, it has been agreed that as a minimum, further transport modelling is required to understand the impact of increasing housing numbers on the above sites. As a start traffic consultants (MVA) have been tasked by Rushcliffe Borough Council to prepare an update of Stage 1 of the Greater Nottingham Transport Model (i.e. without mitigation) to provide a benchmark of the potential impacts. Until such time as the findings of the study are known it is not possible for the local highway authority to determine the suitability or otherwise of the proposed new housing allocations.

Question 8

Do you have any views on how development of land to the east of Gamston (north of Tollerton) should look, in terms of, for example, the mix and layout of different land uses on the site, the types and level of new services and facilities on the site and their location?

The development should be designed such that its nature conservation value is maximised. This should include enhancements to existing green corridors of the Grantham Canal (which is a SINC) and Polser Brook, and through careful design of surface water attenuation features. There may also be the scope for significant areas of woodland planting.

Consideration should also be given to improved access into the countryside around the development area, including east towards Cotgrave Country Park and north to the Holme Pierrepont area.

The transport and connectivity issues will be most challenging if a significant development is permitted to the east of the A52 (T). It will be essential for the RBC to demonstrate that this site can be suitably linked to West Bridgford town centre and Nottingham City Centre by public transport and that the new community can be integrated with the neighbouring Gamston settlement by sustainable travel opportunities. As part of previous Gamston proposals it has been suggested that the A52(T) would be diverted bypassing the A52 (T) Gamston roundabout. This would provide the opportunity to bring the development inside the A52(T) to minimise the segregation from the existing conurbation and would also help Rushcliffe Borough Council in providing a clear green belt boundary. However, this may affect the position of the allocation to accommodate the suggested modified road scheme. The precise location/extent of the site would then need further consideration.'

Signed:		Date:	
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The consultation period runs from Monday 17 June 2013 until **5pm on Friday 9 August 2013**. Responses to all eight questions can be made through the Borough Council's consultation portal (see www.rushcliffe.gov.uk/planningpolicy), or by completing this form in writing or by e-mail and submitting it to:

Planning Policy
Rushcliffe Borough Council
Civic Centre
Pavilion Road
West Bridgford
Nottingham
NG2 5FE

localdevelopment@rushcliffe.gov.uk

If submitting your comments in writing, please print your name clearly together with your email and postal address. Please note that we may publish all names, addresses and comments received on our website but we will not publish signatures, personal telephone numbers or email addresses.

12 September 2013

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 2013/14.

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

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
October 2013				
Minerals Local Plan Preferred Approach	To seek approval to undertake public consultation on the Council's Minerals Local Plan Preferred Approach.	Decision	Sally Gill	Lisa Bell
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson
Waste Core Strategy	To be endorsed by the Committee		Sally Gill	
Presentation on Hydrocarbons	To be open to any member who wishes to attend.	Information	Lisa Bell	
Waste and Energy Performance final outturn report for 2012/13			Mick Allen	
Items to be scheduled for future meetings (dates to be confirmed)				
Further discussion of relevant issues following initial consideration of renewable energy at the Committee meeting of 29 November 2012.	Information			
Strategic and operational study into effectiveness of HWRC.	Information			
Consideration of options to progress recycling and waste minimisation across the County.	Information			
Visit to Langford Lowfields Quarry in Newark	To coincide with the start of the consultation on the Nottinghamshire Minerals Local Plan. Visit arranged for the		Sally Gill	Lisa Bell

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
	19 th September			