

# **Planning and Rights of Way Committee**

**Tuesday, 28 February 2023 at 10:30**

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

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## **AGENDA**

- 1 Apologies for Absence
- 2 Declarations of Interests by Members and Officers
  - (a) Disclosable Pecuniary Interests
  - (b) Private Interests (Pecuniary and Non-Pecuniary)
- 3 Declarations of Lobbying
- 4 Minutes of the Last Meeting held on 17 January 2023 3 - 12
- 5 Planning Application for Outwood Academy Portland, Worksop 13 - 44
- 6 Planning Application for the Mill Adventure Base, Sutton-in-Ashfield 45 - 58
- 7 Development Management Progress Report 59 - 70

### **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:-

- (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 Adrian Mann (Tel. 0115 804 4609) 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.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting: Planning and Rights of Way Committee

Date: Tuesday 17 January 2023 (commencing at 10:30am)

**Membership:****County Councillors**

Richard Butler (Chairman)  
Jim Creamer (Vice Chairman)

Mike Adams	Nigel Moxon
André Camilleri	Philip Owen
Robert Corden	Francis Purdue-Horan
Sybil Fielding	Sam Smith
Paul Henshaw	Daniel Williamson ( <b>apologies</b> )
Andy Meakin	

**Substitute Members**

None

**Officers and colleagues in attendance:**

Steven Eastwood Snr	-	Advanced Legal Practitioner and Legal Advisor to the Committee
Neil Lewis	-	Countryside Access Team Manager
Jaspreet Lyall	-	Solicitor and Legal Advisor to the Committee
Adrian Mann	-	Democratic Services Officer
Joel Marshall	-	Principal Planning Officer
Jonathan Smith	-	Interim Group Manager for Planning
Stephen Tipping	-	Commons, Greens and Definitive Map Officer
Tim Turner	-	Senior Practitioner, Monitoring and Enforcement

**Public speakers in attendance:**

David Backhouse	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)
David Cannie	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)
Jenny Fillingham	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)

Susan Jones	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)
Stephen Parkhouse	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)
Jeffrey Wiseman	-	Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton (item 5)

### **1. Apologies for Absence**

Daniel Williamson	-	other reasons
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### **2. Declarations of Interests**

No declarations of interests were made.

### **3. Declarations of Lobbying**

No declarations of lobbying were made.

### **4. Minutes of the Last Meeting**

The minutes of the last meeting held on 13 December 2022, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

- The Committee agreed that the order of items on the agenda be changed to take the Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton as item 5 rather than as item 6, due to the large number of representors in attendance who had requested to address the Committee in relation to the application.

### **5. Definitive Map Modification Order Application for Public Bridleways for Meden Vale, Warsop, Cuckney and Norton**

Stephen Tipping, Commons, Greens and Definitive Map Officer, introduced application 1113 by Mr Steven Parkhouse on behalf of the Nottinghamshire Area Ramblers to request the Council to record a series of public bridleways across land to the north of Meden Vale in the Parishes of Warsop, Cuckney and Norton through a Definitive Map Modification Order. The following points were raised:

- a) Four Definitive Map Modification Order applications have been made to establish public bridleways on the Definitive Map in the area of Meden Vale and the old Welbeck Colliery. As the relevant Highway Authority with the duty to keep the Definitive Map and Statement under continuous review, the Council is required by law to consider these applications on the evidence presented and as per the requirements of the legislation.

- b) The review of the applications by the Committee does not represent the end of the process to record any new bridleways and, at this stage, it is only required that the applicant makes a reasonable case that the bridleways have come to exist to secure approval from the Committee for the making of an appropriate Order. If the applications are refused, the applicant will be able to appeal to the Secretary of State. If the applications are approved, a six-week deposit period will occur during which the affected parties may object formally to the addition of the bridleways to the Definitive Map and have the evidence examined in more detail at a public inquiry.
- c) The paths set out under the four applications are considered in the report as nine separate routes, due to the nature of the evidence provided. Routes 1-5 and part of route 6 would constitute new bridleways on the Definitive Map, while part of route 6 and routes 7-9 would change existing footpaths to bridleways. Routes 1-4, 8-9 and part of route 5 are within woodland bordering the Welbeck Colliery, on land belonging to the Welbeck Estate. Routes 3 and 4 consist of a tarmac road laid when the land was occupied by the Ministry of Defence (MoD) during the Second World War, following which the land reverted back to the Welbeck Estate. Part of this route is leased to Phoenix Airsoft Adventures, which operates a paintball wargaming experience. Routes 5-7 cross agricultural land.
- d) In order for a bridleway to have come to exist, the routes must have been used by the public 'as of right' without force, secrecy or permission. Evidence by users to demonstrate this has been submitted as part of the applications. The landowners may rebut the user representations by showing evidence of intention for the routes to not be dedicated as public highway. A pre-Order consultation process has been carried out and a number of written representations were received, both in objection to and support of the application.
- e) An objection from the Welbeck Estate cites the Statutory Declaration that challenges the public use of the routes claimed, made in 2012 – which therefore results in any evidence of usage 'as of right' after this date being discounted. The objection argues that public users have been confronted by the Estate gamekeeper, the continuity of public access was interrupted by the MoD when it was in occupation of the land and also during a more recent Foot and Mouth Disease outbreak, the user evidence is unreliable, locked gates are in place to prevent access, and signs are displayed to indicate that the land is private property. The area used currently by Phoenix Airsoft Adventures is fenced off and has locked gates, with signage in place to confirm the site as private property.
- f) An objection from the Robin Hood Way Association states that any use of the existing designated footpaths by cyclists is illegal, and that the footpaths should not become bridleways for the safety of walkers. Other objections noted that there has been illegal use of the routes by motorised vehicles and other antisocial behaviour has taken place on them.
- g) Two letters in support of the application were received from the Nottinghamshire Footpaths Society and Sustrans, as the custodians of the National Cycle Network.

- h) In the context that, at this stage of the process, the applicant needs only to make a reasonable case that the bridleways have come to exist, the conclusion of officers is that the basic legal tests for making an Order to add each of the routes to the Definitive Map have been met. However, as the application is opposed, the established process is that the validity of the user evidence and the associated rebuttals is considered at a public inquiry that would occur following the making of an opposed Order, where the burden of proof is more exacting than at the current stage.

With the permission of the Chairman, Jeffrey Wiseman, David Cannie and Jenny Fillingham addressed the Committee in opposition to the application. The following points were raised:

- i) Phoenix Airsoft Adventures has run an outdoor wargaming experience in the Gleadthorpe Beck Plantation for over 14 years and the operation of the business in the area was granted the appropriate Planning permissions. The business has invested strongly in the local community, including supporting both war veterans and young people, and has a number of voluntary staff. Public access across its site would represent a clear health and safety issue, and opening the routes would also risk damage to the site from anti-social behaviour.
- j) The Welbeck Estate considers that the division of the paths identified in the application into 9 routes is not sustainable, and that the legal tests required for the paths to be considered as public highway have not been met. The routes are gated and there is clear signage in place indicating that they are on private land. Public use of the land has been by trespass, including through breaking and entering, such as by making routes around gates or by cutting off the locks, so usage of the paths has been by force and cannot be considered to be 'as of right'. Parts of the evidence presented have been considered already within previous applications, and some of the evidence is not relevant. The Estate has shown an obvious intention to not dedicate the routes as public highway, with clear Statutory Declarations in place to this effect.
- k) The Robin Hood Way is over 100 miles long and progresses from Nottingham Castle to Sherwood Forest, travelling through a number of different environments and linking various historic sites and tourist attractions. The Way follows existing public footpaths that were designed specifically for walkers and are used frequently by them, and are not open to cyclists. The conversion of these public footpaths to bridleways would bring both walkers and cyclists into the same space, making the paths more dangerous and less enjoyable to walkers.

With the permission of the Chairman, Steven Parkhouse, Susan Jones and David Backhouse addressed the Committee in support of the application. The following points were raised:

- l) The Ramblers Association considers that the routes in the application form a vital part of the Sherwood Forest 'Paths for Everyone' Network, which has been used by walkers, cyclists and horse riders for decades. Expanding the active travel network across Nottinghamshire has both individual health benefits, boosts the visitor economy, and helps to address the global climate crisis.

- m) It is important that the full extent of the Network is realised though gaps being filled, and that safe public routes through the application area are developed with participation by all parties. Planning Permission has been granted for the restoration of the nearby Welbeck Colliery tip, which includes a number of permissive cycle routes. The establishment of the routes as bridleways would help to alleviate the current dangerous access to existing public paths.
- n) Public users of the routes were surveyed at key points over two summer periods and a photographic record has been compiled to show how the paths have been worn by usage over time, and where any signage indicating private property has been established. Phoenix Airsoft Adventures established signage around its leased site from 2011, while signage erected by the Welbeck Estate has been introduced in some places, but is not consistent across the whole area. Although a Statutory Declaration was made concerning the agricultural land, evidence included with the documents supporting the Declaration indicates the acknowledged presence of a road used as a public path.
- o) Sustrans, which created and maintains the National Cycle Network, is also working to develop the 'Paths for Everyone' Network. The creation of the bridleways would confirm the legality of cycling along the trails and help to establish 'circular' cycle routes in the area. Cycling is becoming increasingly popular and has strong health benefits, and it is important that cyclists have access to routes that are free of vehicle traffic. It would be beneficial for the routes to include waymarkers, interpretation boards and information on the Countryside Code to achieve safety on the routes for everyone, and to ensure that people adhere to the lawful trails. The Nottinghamshire Local Access Forum has also been consulted and is in support of the application.

Following the representations both in opposition to and in support of the application, Committee members had an opportunity to ask questions of the representors and officers for the purposes of clarification. The following points were made:

- p) The objectors stated that evidence of the intention to not designate the routes as public highway was provided by the Statutory Declarations of 1997 and 2012, though attempted public access across the land has been an ongoing issue for many years. Entry to the routes is gated, but locks and chains have been cut on a regular basis. The Welbeck Estate had not been made aware of the intention to submit the application, nor of the intention to gather supporting evidence along the routes.
- q) Officers explained that, for the purposes of the current application, the applicant needs only to make a reasonable case that the bridleways have come to exist. The applicant has provided around 50 statements establishing a history of use of the routes by members of the public. This usage of the routes is contested and there is evidence of measures being put in place to prevent it, but public usage has nevertheless been attested to. As a result, a public inquiry following the making of an Order is the appropriate setting to consider the merits of and evidence behind the arguments, in detail.



- r) The Legal Advisor explained that the purpose of the current application is for the Committee to consider whether or not, on the balance of probability, a reasonable allegation has been made that a public right of way exists on the basis of public usage. The Statutory Declarations challenge the use 'as of right' from 1997 and 2012, but cannot be applied retrospectively to challenge any public usage prior to these dates. The consideration of the merits of the competing evidence would need to be carried out through a public inquiry – which would also consider the arguments relating to the desirability and safety of the routes, and how any such issues should be addressed.

The Chairman then opened the application for debate by Committee members. The following points were discussed:

- s) The Committee expressed concern that it is was clearly difficult for landowners to prevent public entrance across large areas of land where access could be asserted through forced entry, and that it did not wish to encourage acts of trespassing. Members noted, however, that if the routes had become rights of way by virtue of public usage, then members of the public should be able to exercise those acquired rights without obstruction.
- t) The Committee noted that, clearly, there were safety issues inherent in a public right of way passing through an area user for paintballing. Members considered that sensible conversations were required between the various parties to ensure that, in general terms, the countryside can be accessed by members of the public in a safe and responsible way.
- u) The Committee acknowledged the legal requirement for its consideration of the applications. Members noted, however, that as objections had been raised to applications that had a low level of burden of proof to succeed at this stage, the substantive issues would need to be addressed through the mechanism of a public inquiry. The Committee expressed reservations about the value added to this process by its consideration of the applications in this context, and Members noted that similar concerns had been raised in writing with the then Secretary of State by the Council's prior Rights of Way Committee.
- v) The Legal Advisor explained that the Committee should only consider the refusal of the application if, in its view, incontrovertible evidence had been provided that a public right of way could not exist. The Council could suffer both financial loss and reputational damage if it was found that the Committee had refused an application when the Council had in fact been provided with information indicating a reasonable allegation that public rights of way had arisen, and so had caused additional unnecessary work by parties as a consequence of its refusal.

The following amendment to the motion to approve the making of a Definitive Map Modification Order for the reasons as set out in the report was moved by Councillor Philip Owen and seconded by Councillor Sam Smith:

- To add an additional resolution to recommend to the Secretary of State that the Definitive Map Modification Order to record the nine routes on the Definitive Map and Statement is refused.



- w) The Legal Advisor explained that the current applications represented a preliminary stage in a quasi-judicial process where the Committee's decision must be guided by the evidence presented on the relevant points. Should an Order be made, the case would progress to a public inquiry if the objections were maintained, at which time the Council would have the opportunity to make a representation. At this stage, the Committee has not considered all of the evidence on the case that would be reviewed at a public inquiry. In this context, the Committee potentially taking a view on the merits of the case beyond its remit and not founded on the information currently before it could pre-judge and therefore prejudice the Council's position in future proceedings.

The proposed amendment to the motion was put to the vote and was not carried.

The motion to approve the making of a Definitive Map Modification Order for the reasons as set out in the report was put to the vote and was carried by a majority of the members present.

**Resolved (2023/001):**

- 1) To approve the making of a Definitive Map Modification Order to record the following routes on the Definitive Map and Statement:
  - Route 1 is added as a bridleway on the basis that the route subsists.
  - Route 2 is added as a bridleway on the basis that it is reasonable to allege that the route subsists.
  - Route 3 is added as a bridleway on the basis that it is reasonable to allege that the route subsists.
  - Route 4 is added as a bridleway on the basis that it is reasonable to allege that the route subsists.
  - Route 5 is added as a bridleway on the basis that, on the balance of probabilities, it can be presumed to have been dedicated at common law.
  - Route 6 is added as a bridleway on the basis that, on the balance of probabilities, it can be presumed to have been dedicated at common law.
  - Route 7 is recorded as a bridleway instead of a footpath on the basis that, on the balance of probabilities, bridleway rights can be presumed to have been dedicated at common law.
  - Route 8 is recorded as a bridleway instead of a footpath on the basis that, on the balance of probabilities, bridleway rights subsist.
  - Route 9 is recorded as a bridleway instead of a footpath on the basis that, on the balance of probabilities, bridleway rights subsist.

**6. Variation of Planning Condition for the Bentinck Colliery Tip, Kirkby-in-Ashfield**

Joel Marshall, Principal Planning Officer, introduced application 4/V/2022/0678 by Mr Carl Wright on behalf of Broomco (1997) Limited to vary the existing Planning Permission (4/V/2012/0096) relating to the Bentinck Colliery Tip, Kirkby-in-Ashfield to extend the duration for the importation, grading and reclamation works to 7 March 2024 to allow for the scheme to be completed in line with the approved plans. The following points were raised:

- a) The former Bentinck Colliery Tip is an extensive, elevated spoil tip that has been undergoing restoration since 2014, involving the importation of inert wastes and soils. The site lies within the Green Belt, is directly adjacent to a Site of Special Scientific Interest (SSSI) and is encompassed into a Local Wildlife Site.
- b) Planning permission was granted in 2013 for the tip's reclamation and the development of the site for a range of sport and recreational after-uses. The initial reclamation works involving the importation of materials and the regrading of the landform to the required contours were required to be completed within five years from commencement (by March 2019) to ensure the timely restoration of one of the County's largest and last remaining unrestored colliery tips.
- c) To date, the reclamation works have progressed across the western parts of the site in phases 1, 2 and 3, including the capping and reshaping of the former tailing lagoons. Previous steep sides have been improved and a soil covering provided. These areas are being seeded as grassland until the intended after-uses are developed. However, reclamation work has yet to commence in phases 4, 5 and 6, to the eastern side. The applicant's reason for the delay is related to engineering difficulties encountered during the capping and reshaping of the lagoons. As a result, the applicant is seeking a further 5 years from March 2019, to complete the initial works by March 2024.
- d) The applicant has calculated that an additional 148,000 cubic metres of materials are required to complete the approved reclamation and landform works, which is much less than was needed for phases 1, 2 and 3. However, the totals for the whole site are substantially above the original estimates in 2013 due to a requirement for additional materials to overcome engineering difficulties in capping and stabilising the lagoons. The use of additional materials will not result in any change to the approved contours or landform. Given the limited time remaining within the extension that is being sought, it is considered that the reclamation of phase 6 should now be prioritised before phases 4 and 5, which are already restored to some degree, whereas phase 6 is unrestored and in need of soils.
- e) The Environment Agency does not object to the proposals, but has noted that a variation to the associated Environmental Permit may be required if the total quantities of waste to be imported exceeds the current limit on the permit. This poses a risk to the timely completion, but the applicant has demonstrated an ability to source significant volumes of materials to date and so no shortage of suitable materials is expected.
- f) The site and immediate surroundings are ecologically sensitive and an updated Environmental Impact Assessment has been submitted. Great Crested Newts are present across the site and are likely to be part of the wider population within the SSSI, making this an important population in the County. A number of notable wading birds also breed on the site. An updated mitigation and management plan will be required, in addition to licenses from Natural England in respect of the Great Crested Newts, but Natural England does not object to continuing

restoration work and no residual harm to protected or priority species or habitats is expected.

- g) There are no new concerns in relation to traffic, noise, dust, landscape, contamination or visual impacts, or in relation to HS2 safeguarded land, and the work is subject to planning conditions and other controls being carried forward. Planning conditions regulate the full range of matters relating to undertaking the development and the operation of the after-uses, and these will be carried forward with some minor updates to reflect the details approved previously.
- h) No objections or comments have been received from the local community as part of the consultation process and Ashfield District Council supports the continuation of the site reclamation works. There were no objections raised by the technical consultees, with the exception of the Nottinghamshire Wildlife Trust, which has objected to the proposals on the grounds that the works will cause disruption to wildlife and that more areas of the planned after-use should be set aside for biodiversity. The comments from the Trust have been considered, but the plans for the after-uses have been approved previously and no changes are proposed. The updated mitigation and management plan will provide the necessary means to protect and retain biodiversity and species in the long-term.

The following points were discussed:

- i) The site is large and there is a great deal of work still to be done, but the applicant has the large-scale equipment available to be able to progress this quickly. There is a risk that requirements for other permits and licences to be updated may delay the work, but it appears likely that at least the important phase 6 restoration can be delivered by March 2024. No proposals have been put forward to modify the permission granted for the site after-uses, and this future development has no fixed timescale for delivery.
- j) The Great Crested Newts are protected through licencing overseen by Natural England, and an updated mitigation and management plan will be put in place as part of the planning conditions. When work begins in a region where the newts would be affected, it will be necessary to move the population to a safer area (under the supervision of an ecologist) until the works have been completed.
- k) The Committee noted that the pictures provided at the meeting to show the current progress of the works on the extensive site were very helpful in gaining an understanding of the situation. Members requested, however, that pictures to illustrate future applications at meetings were circulated to members electronically in advance, if possible.

**Resolved (2023/002):**

- 1) To approve the grant of Section 73 Planning Permission, subject to the conditions set out in Appendix 1 to the report.

## **7. Development Management Progress Report**

Jonathan Smith, Interim Group Manager for Planning, presented a report on the recent Planning applications received by the Council, the decisions taken by officers and the applications likely to come to the Committee for consideration at its future meetings. The following points were discussed:

- a) The report details the applications received between 25 November 2022 and 16 December 2022, and the decisions made since the last Committee meeting on 13 December 2022.

### **Resolved (2023/003):**

- 1) To note the Development Management Progress Report and confirm that the no additional actions were required in relation to its contents.

There being no further business, the Chairman closed the meeting at 12:21am.

**Chairman:**

**28 February 2023****Agenda Item 5****REPORT OF INTERIM CORPORATE DIRECTOR, PLACE****BASSETLAW DISTRICT REF. NO.: 1/22/01708/CDM**

- PROPOSAL:** CONSTRUCTION OF THREE 2-STOREY EXTENSIONS TO NORTHERN WINGS OF THE OUTWOOD ACADEMY PORTLAND, SINGLE STOREY EXTENSION TO BOTH THE EXISTING DINING ROOM AND KITCHEN, ADDITIONAL HARDSTANDING AND ASSOCIATED SITE LANDSCAPE WORKS. ADDITIONAL CYCLE BAYS, CYCLE LOCKERS, ELECTRIC VEHICLE CHARGING POINTS AND ADDITIONAL ELECTRIC VEHICLE INFRASTRUCTURE.
- LOCATION:** OUTWOOD ACADEMY PORTLAND, NETHERTON ROAD, WORKSOP, S80 2SF
- APPLICANT:** NOTTINGHAMSHIRE COUNTY COUNCIL CHILDREN AND FAMILIES, EQUANS, AND OUTWOOD GRANGE ACADEMIES TRUST

**Purpose of Report**

1. To consider a planning application for the erection of extensions to the existing school building at Outwood Academy Portland, Netherton Road, Worksop to increase the potential school roll from 1500 to 1800 places, additional cycle parking, electric vehicle charging, and provision of additional electric vehicle charging infrastructure. The key issues relate to potential impact of development on school playing field, scale siting and design impact of extensions on neighbouring property, and any car parking and traffic impacts arising. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

**The Site and Surroundings**

2. Outwood Portland Academy is located on a 13.8ha. campus situated between Sparken Hill and Netherton Road, 1.3km to the south of Worksop town centre and 350m north of the A57 (Plan 1). The Academy is a 1500 place (10 Form Entry (FE)) secondary school (Key-Stage 3-4) with a Published Admission Number of 300. The applicant has clarified that 111 full-time staff (73 teaching and management, 8 administration, 10 catering and 20 in other roles) and 65

part-time staff (14 teaching, 4 administration, 21 cleaning and 26 in other roles) are currently employed.

3. The two-storey school building is located centrally on the site in the form of three building wings connected at their southern end, and a connecting corridor link at its northern end. Social circulation areas, multi-use games area, floodlit all-weather pitch and grass pitches are provided to the south of the school building. A hard-surfaced area to the north of the building used for fire appliance access is elevated relative to school playing fields to the north. A grass bank up to 2m in height (at its eastern end) provides transition between the hard surfaced area and playing field (*Photo 1 and 2*).



*Photo 1: Playing field bank looking east*

*Photo 2: Playing field bank looking west*

4. The principal vehicular access to the site is off Sparken Hill, providing staff and visitor car parking for 195 cars (including 7 disability parking spaces). In addition, a student drop-off and pick-up area for 10 cars is provided within the grounds close to the vehicular entrance. Pedestrian/cycle access routes into the school are provided either side of the vehicular entrance. There is a zebra crossing on Sparken Hill to the north of the vehicular entrance (*Photo 3*). Beyond the area protected by zig-zags on the approach to the pedestrian crossing, there are extensive lengths of highway on Sparken Hill available for on-street parking.



*Photo 3: Sparken Hill zebra crossing*

*Photo 4: Netherton Road zebra crossing*



5. The car park accessed from Sparken Hill is in an elevated location relative to the school building. A gently upward sloping ramp from the car park provides pedestrian access to the first floor of the school building, with steps leading down from the car park to access the school at ground floor level. Secure cycle parking for 80 cycles (40 covered hoops) and 16 cycle lockers are provided close to the foot of the steps.
6. There are two vehicular access points on Netherton Road, each with a pedestrian gate to the side. A one-way system is in operation with traffic entering the site at the southern access point and exiting the campus via the northern gate, and there is opportunity for student drop-off and pick-up. The access route is also used by Holy Family RC Primary School located to the north-west of the Netherton Road and A57 junction. The southern pedestrian gate is also used by children and carers walking through the Academy campus to Sparken Hill Academy (Primary) school (450 places and 150 place Foundation Unit) located to the west of southernmost Outwood Academy Portland grass playing field. Vehicular and principal pedestrian access to Sparken Hill Academy is from Sparken Hill (Plan 1). The vehicular entrance points to Outwood Academy Portland and Sparken Hill Academy are 200m apart.
7. A bus park for Outwood Academy Portland school transport is provided in the car park accessed from Netherton Road with spaces provided for 13 buses. There are also 31 parking spaces (including 5 disability spaces) used by the school for parking, and for drop-off and pick-up associated with Outwood Academy Portland and Holy Family RC Primary School. Staggered school start-finish times are in operation: Outwood Portland Academy teaching time is 08:25-14:30 hours with Holy Family RC Primary School core time 08:15-14:45 hours. Sparken Hill Academy teaching time is between 09:10-15:30 hours although a Breakfast Club is in operation with school gates opening at 08:00 hours with After School Club until 16:30 hours.
8. Traffic calming measures are installed on Netherton Road, including an extended raised crossing point with pedestrian guard rail close to the southern entrance point, and speed cushions each with a central pedestrian refuge at spaced locations along the road. A zebra crossing is located to the south of the northern Academy vehicular exit gate (*Photo 4*). Properties on the eastern side of Netherton Road in proximity to the school entrance and exit point are elevated relative to the highway without off-street parking. There are on-street parking bays, available for use by all motorists, on the east side of Netherton Road.
9. Other than for Holy Family RC Primary School, Sparken Hill Primary and a playing field adjacent to the northern most Academy campus playing field, the site is bounded by rear gardens of residential properties. The eastern wing of the Outwood Academy Portland building is at closest 51m from the rear of the nearest property fronting Netherton Road and 41m from the residential curtilage. The western wing is at closest 64m from the rear of the nearest property on Dunstan Crescent and 48m from the closest residential curtilage (Plan 2). Views



to properties from the site are filtered by trees and boundary hedge planting (*Photo 5 and 6*).



*Photo 5: Boundary screen Dunstan Crescent*

*Photo 6: Boundary screen Netherton Road*

10. As a snapshot of where students live (July 2022), 57% were within a 2-mile radius, a further 33% living within a 5-mile radius and the remaining 10% resident beyond 5 miles from the Academy. A student Traffic Survey identifies that over twice as many students travelling by car are dropped off/picked up at the Sparken Hill access/car park when compared to the Netherton Road access/car park. Spot surveys indicate that approximately 60% (120) of Sparken Hill car parking spaces are used during the school day with 63% (19) of the Netherton Road Bus Park car parking spaces occupied.

## **Background**

11. Nottinghamshire County Council is seeking to expand the school capacity at Outwood Portland Academy. The Academy is a Public Finance Initiative school operated by Transform Schools Bassetlaw Limited with day-to-day maintenance and facilities management undertaken and managed by EQUANS Energy and Technical Services Limited. The school is an Academy operated by Outwood Grange Academies Trust. The proposal is a County Council funded and commissioned project to be delivered and operated through partnership with the joint applicants.
12. Travel/transport surveys to support the application were undertaken in the summer term 2022 when the school roll was 1465 students. There are 1485 students aged 11-16 currently on roll (September 2022).

## **Planning history**

13. Planning permission 1/02/04/00429 (March 2005) – Replacement comprehensive school with associated playing fields, sports facilities including floodlit pitches, access parking, servicing, external lighting and landscaping. A management scheme under Condition 17 of the permission provides community access to the sports hall, synthetic pitch, assembly hall, small hall, hard court area and natural turf pitches.

14. Condition 18 required the lower sections of first floor windows on the eastern and western elevations of the school building to be fitted with obscure glazing, in the interest of residential amenity.

## Proposed Development

15. Planning permission is sought to increase the capacity of the Academy to 12 FE, which would increase the potential school roll from 1500 to 1800 places. It is anticipated that pupil numbers would increase incrementally over five years (between 2023 and 2028). The applicant has confirmed the following proposed staff numbers in *Table 1*, and represents an increase of 12 staff (full-time equivalent).

Staff		Teaching	Management	Admin.	Catering	Cleaning	Other	Total
Proposed	Full Time	68(+3)	9(+1)	8	12(+2)	0	23(+3)	120(+9)
Proposed	Part Time	15(+1)	0	4	0	25(+4)	29(+3)	73(+8)

*Table 1. Proposed staff numbers. Figure in brackets ( ) - increase above existing staff employed.*

16. All new staff are predicted to arrive by car. The proposed additional car journeys by staff are likely to result in 11 additional cars accessing the site from Sparken Hill with one additional car using the Netherton Road Bus Park. Full-time staff would be likely to arrive before and leave after students attending the Academy with part-time staff either arriving or leaving outside the time of student arrival or departure.
17. The supporting Transport Assessment explains that in consultation with NCC Pupil Place Planning, all additional pupils, other than 23 from the local area, would come from 12 planned new housing developments, mostly to the north of Worksop. Many are in locations where children would receive free bus travel and it is estimated, based on the 335 student increase over the number on roll in July 2022, that 76% (254) of the enlarged student population would travel by school bus/public transport. Consequently 81 students would travel by other means. 45 students are predicted to travel by car and, taking into account car sharing, 26 additional student arrivals and departures by car are expected. Of those journeys, 18 additional cars can be expected on Sparken Hill and an additional eight accessing the school from Netherton Road at full occupancy.
18. A Travel Plan framework has been submitted with aims to:
  - Reduce the number of car journeys to the Academy

- Improve knowledge and awareness amongst the community of alternative transport methods, such as walking, cycling, car sharing and the use of the public transport network
  - The promotion of alternative transport methods as viable alternatives to cars and the benefits of using such alternatives.
19. Travel Plan measures and actions are: to travel to/from school other than by car; to increase the number of students cycling and promote this as a form of exercise; and encourage the use of public transport and car sharing by staff, with attainment of targets to be assessed through frequent surveys.

#### Built Development

20. It is proposed to extend each of the three two-storey building wings northwards to provide 18 additional classrooms, a drama studio and a staff workroom, with a staircase connecting the two floors within each wing. The following additional accommodation is proposed (Plan 3):

##### Western wing:

- Ground floor – 2 ICT rooms, 1 ICT Multi-Use room, 1 Staff Workroom
- First floor – 2 Science rooms, 1 ICT Multi-Use room, toilets

##### Central wing:

- Ground floor – 4 General purpose classrooms
- First floor – 4 General purpose classrooms

##### Eastern Wing:

- Ground floor – 2 General purpose classrooms, Drama room 11m x 9.5m
- First floor – 2 General purpose classrooms, void over Drama room

All room windows would be formed in east and west facing elevations on both floors, with only door openings provided on the north elevation. No windows are proposed in the drama studio elevation or on staircases.

21. The proposed eastern wing would project a maximum of 22.2m north of the existing building, the central more prominent wing 22m, and the eastern wing a maximum of 19.3m. The central wing would extend to 0.75m from the toe of the existing playing field grass bank (Photo 2). A replacement hardstanding with a minimum off-stand of 5m from the building graded at 1:3 gradient back to pitch level would be provided to the north of each wing, with the central wing encroaching approximately 4.5m into a flat usable area of playing field. An existing elevated area of banking nearest to properties on Netherton Road would be lowered and constructed as compensatory playing field.

22. A bank between the two northernmost playing pitch areas would also be regraded to compensate for the lost area of playing field affected by the proposed fire access hardstanding and new retaining bank. Some existing pitches would need to be re-marked but all pitch areas with appropriate pitch run-off margins would be accommodated (Plan 4).
23. Each wing extension would have an eaves height of 7.1m with a shallow pitched roof taking the maximum height to 8.05m, the same as the existing building. Facing materials would be a combination of buff facing brick, coloured render at first floor level to match existing, grey composite roof and small areas of single ply roof membrane linking to the existing roof of the eastern wing, grey curtain walling system on the north elevation, and grey framed doors, windows, louvres and rainwater goods. Other than a door, louvre and rainwater goods, the east elevation of the eastern wing facing towards properties on Netherton Road would be wholly faced in brickwork (Plan 5).
24. Bat boxes integrated into the building structure would be provided at eaves level on the west facing elevation of the western wing, with integrated swift boxes, also at eaves level, on the north elevation of each wing and on the east facing elevation of the eastern wing.
25. To support the increase in student numbers, it is proposed to extend the existing dining area on the south elevation of the building and to enlarge the adjacent kitchen area and servery. The single-storey dining room extension would have a footprint 23.7m x 11.5m with an overall height of 4.6m. Elevations would be glazed with a grey framed curtain walling system with some grey spandrel panels, with an off-white composite clad walling system above. The brick faced kitchen extension (14.5m x 7.2m footprint) would also be 4.6m in height with grey door, window frames and rainwater goods (Plan 6).

#### Cycling and Electric Vehicle Charging

26. An additional 40 covered student cycle spaces would be added to the existing cycle parking enclosure, along with five staff cycle parking lockers.
27. Seven electric vehicle (EV) charging stations to charge 14 cars would be provided at the eastern end of the car park accessed from Sparken Hill, with two of the stations provided on the northern side of the car park. Infrastructure to accommodate a further seven stations (14 EV charge points) at a future date would be provided on the northern side of the car park as part of the proposed works.

#### **Consultations**

28. **Bassetlaw District Council** – No objection.
29. **NCC Highways Development Control** – No objection subject to conditions to: limit the student roll to 1800; appointment of a Travel Plan co-ordinator, preparation, implementation, and monitoring of a Travel Plan; and provision of a

minimum of two EV charging points (minimum specification – 22kw Mode 3 with Type 2 connector, 400v AC 63 Amp single phase dedicated supply), and proposed cycle parking.

30. Parking surveys at 08:00 hours (Sparken Hill car park only) and 12:00 hours (Sparken Hill and Netherton Road car parks) in the Transport Assessment have identified that 86 (42%) of the Sparken Hill car park spaces at 08:00 hours and 79 (39%) of the Sparken Hill car park spaces at 12:00 hours were available. 11 (35%) of the Netherton Road car park spaces were available. *It would have been more useful if the parking surveys had been undertaken to coincide with the start and end of the school day when there would have been parent/guardian parking demand.*
31. *A school is likely to have the greatest impact on the local highway network at the end of the school day as parents/guardians will generally wait before picking up students. In the morning, it is usually only necessary to drop off which can take place relatively quickly. The accumulation of vehicles is therefore much less. Unusually, the Outwood Academy offers on-site parent/guardian parking on both the Netherton Road and Sparken Hill sides of the campus. The Highway Authority has visited the site on two occasions at the end of the school day (2.30pm) to observe the operation of the site access arrangements and the current parking situation on Sparken Hill and Netherton Road respectively.*
32. *As you would expect, following a period of inactivity, the Sparken Hill site access became increasingly busy as 2.30pm approached. Whilst there were parking spaces available on site, parents/guardians were also parking on Sparken Hill with a maximum accumulation of 5 cars and a van. However, there was no material delays to through traffic. If anything, the on-street parking was acting as traffic calming by slowing through traffic. There was some delay in exiting the car park because of parents/guardians attempting to leave simultaneously and students delaying exiting vehicles whilst crossing a zebra crossing within the car park. This could be the reason why some parents/guardians had opted to park on-street.*
33. *On Netherton Road, the campus has separate access and egress arrangements. Again, following a period of inactivity, the access became increasingly busy as 2.30pm approached. On the west side of Netherton Road (the school side) on-street parking is prohibited between 8am and 4.30pm. Opposite, there is a series of parking bays. These were being well utilised on arrival which appeared principally to be for reasons not associated with the school. There was no on-street parking outside of the parking bays. The zebra crossing just to the south of the school egress was well used by streams of students leaving the campus which was causing delays to southbound through traffic which in turn was queuing back. That queue blocked right turning vehicles exiting the car park which in turn delayed following vehicles from exiting the car park. However, these delays were short lived and were not resulting in inappropriate parking. The zebra crossing is necessary in the interest of pedestrian safety, particularly children.*



34. *From the Highway Authority's observations, there remained available spaces within the Sparken Hill car park immediately after the end of the school day, but it is not clear whether that would meet the predicted demand or whether any increase in delays within the car park would displace more vehicles on-street. Whilst a small amount of on-street parking may be beneficial at present by limiting the speed of traffic, excessive on-street car parking could significantly delay through traffic, limit the available visibility from accesses and junctions, and encourage vehicles to park on the footway and cycleway to the detriment of highway safety.*
35. *The availability of car parking may also be reduced by the provision of the EV charging points as they may only be used by people with an electric vehicle who wish to charge it. As off-peak domestic charging is likely to be cheaper than charging at a destination and can occur overnight, it is unlikely that staff or parents (if allowed) would require the ability to charge at the Academy unless in the case of an emergency e.g., they forgot to charge at home, or the car didn't charge properly. It would then only likely be visitors to the school who have had to travel some distance that would seek a charging point. Consequently, the total number of people who would likely require a charging point on site would be very low. A couple of charging points is likely to meet the anticipated occasional demand for the whole school, but given the likely type of user i.e., someone who may not be around all day, faster 22kw charges may be more practical to avoid a long delay whilst a vehicle is charged. Given the proposed small increase in staff as a result of the extension, it would be difficult to insist on that number of EV charging points being provided, but the principle is welcomed as is the provision of ducting to allow further charging points to be installed in the future.*
36. *The submitted Travel Plan is in basic draft form. A full Travel Plan will be required prior to the development being brought into use.*
37. **Sport England** – No objection subject to a condition to require the provision of proposed revised banking and extension of playing field areas before any of the northern wing extensions are brought into beneficial use. *The application is considered to broadly meet Sport England Planning Policy Statement A Sporting Future for the Playing Fields of England – exception E4. The area of usable playing field lost is 875m<sup>2</sup> with 599m<sup>2</sup> gained which can be utilised for pitch-based sports, the additional area of 340m<sup>2</sup> adds playing field area but is less usable for pitch sports. There is clearly therefore a relatively small loss of usable playing field area but an increase in wider playing field area.*
38. *It appears that the eastern pitches 5250m<sup>2</sup> and 3800m<sup>2</sup> have less than 3m run off to the new re-profiled bank areas. We are slightly less concerned with regard to the bank to the south as the ground rises. However, the bank to the north falls away at a steeper angle than the existing, which is not acceptable within a 3m run off/safety area. It is however noted that the larger pitch measures around 55m in width (with little opportunity to increase). The corresponding Football Association guidance for the length of an U15/U16 11v11 football pitch is 91m not 95m as apparently marked. An appropriately sized pitch can therefore be*

*marked away from the proposed bank with the revised profile. The revised proposals do now however retain the capacity and flexibility of the playing field.*

39. The wording of Condition 8 to Condition 11 has been agreed with Sport England. If the recommended condition (Condition 10) is not to be included in a grant of permission Sport England reserves its position to consider raising an objection and the development may need to be referred to the Secretary of State via the National Planning Casework Unit in accordance with The Town and Country Planning (Consultation) (England) Direction 2021.
40. **Police Force Architectural Liaison Officer** – No objection. Attention is drawn to security design guidance.
41. **NCC Nature Conservation** – No objection. *The development would only affect a relatively small area of amenity grassland of low ecological value. The area of the building affected by the extension work has low bat roosting suitability. No bat roosts have been identified. The bat survey report advises that in the event that bats are discovered works should cease immediately and a licenced ecologist be consulted.*
42. **Via Landscape** – *A visual appraisal has not been provided. 24 properties could have direct, relatively close-range views (between approximately 60 to 230 metres) of the southern extension, with circa 80 properties potentially experiencing views of the northern extensions from between approximately 65 and 375 metres.*
43. *Lighting of the building perimeter is referenced in the application but no details are provided.*
44. *Supporting information should give greater consideration to the landscape effects of the development. The extension of the retaining bank into playing field to the north may affect use of the sports pitches.*
45. *The siting of additional cycle parking will create a pinch-point on a significant thoroughfare around the school.*
46. **Via Noise Engineer** - No objection subject to conditions to: address noise impacts from construction, including best practice techniques to minimise noise impacts and how communication and liaison with the public is to be undertaken and complaints managed and dealt with, and; mechanical plant having a maximum cumulative noise rating level of 38dB LAeq,1hr at the nearest sensitive receptor (not greater than the surveyed existing background noise level).
47. *The enlarged student roll should lead to an increase of around 1 dB with all pupils playing outside. An increase of 3 dB is usually considered to be the minimum perceptible increase detectable by the human ear and as such (particularly given the gradual increase over five years) the increase is not considered likely to give rise to increased noise disturbance. Moving pitches to locations slightly closer to Netherton Road residences' back gardens should not*



*generate new noise issues. The school, as the source of potential noise, should address any issue in the event of a complaint.*

48. *Recommended guidance in BS5228-1:2009 (Code of practice for noise and vibration control on construction and open sites) should be followed to ensure that any construction noise impacts are kept to a minimum.*
49. **Via Land Reclamation** – No objection subject to conditions for: a watching brief for contamination; and a construction Environmental Management Plan. Limited testing for ground gas and need for gas protection in construction has been carried out.
50. **NCC Flood Risk** – An appropriate scheme of surface water drainage will be required for the area of additional hardstanding.
51. **Cadent (Gas)** – No objection. The consultation response identifies apparatus on the site, but it is not affected by the proposed works.
52. **Severn Trent Water Limited** – Although a consultation response has not been received, pre-submission correspondence with Severn Trent Water has been submitted by the applicant. Proposed foul drainage is acceptable in principle. Disposal of surface water should follow sustainable drainage principles, by preference, disposal closest to source through the use of soakaways.
53. No response has been received from **NCC Access Officer** or **National Grid (Distribution)**. Any responses received after the publication of this report will be reported orally to the Committee meeting.

## **Publicity**

54. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
55. No representations from residents have been received.
56. Councillor Nigel Turner has been notified of the application.

## **Observations**

Principle of the development

57. National Planning Policy Framework (2021) (NPPF) Paragraph 95 advises that *great weight* should be given to the need to create, expand or alter schools through decisions on planning applications. Local Planning Authorities should take a positive approach to applications that make more effective use of sites that provide community services such as schools, provided this maintains or improves the quality of service provision and access to open space (NPPF Paragraph 123).

58. The proposal, to meet an identified Basic Need requirement, would add the additional classrooms and supporting facilities required to accommodate an increase in the potential school roll by 20% from 1500 to 1800 students, adding two forms of entry.

#### Design and Amenity

59. The two storey extensions to the teaching wings would be of the same character and design as the existing school, with windows in the east and west elevations that would not be materially closer to residential properties on Dunstan Crescent and Netherton Road and existing vegetation close to the site boundaries would be retained. Although there was a requirement for first floor windows in the east and west elevations of the original school build to have lower window panels obscured, there are no first-floor windows proposed in the east elevation of the wing closest to Netherton Road while tree planting provided as part of the school build and residents' boundary planting would safeguard against overlooking and unacceptable loss of amenity. At a minimum distance of 64m to the nearest rear windows in properties on Dunstan Crescent to the west, and established intervening planting, the control of glazing is not necessary to safeguard against overlooking of neighbouring property.
60. Notwithstanding the comment made by Via Landscape about the need for further assessment of visual impact, it is considered that the proposed extensions are of similar scale and character and would be read visually in the context of the existing school building. Established boundary planting would screen and mitigate the impact of the extensions. The scale, siting and design of the extensions, and impact on the amenity of neighbouring properties, is considered to be acceptable in compliance with the Bassetlaw Core Strategy and Development Management Policies DPD (2011) (BCS&DMP) Policy DM4 – *Design and Character* criteria B *General Design Principles* and includes welcome ecological enhancement for bats and nesting birds through the provision of boxes integrated into the building structure. Similarly, the design and siting of the dining hall and kitchen extensions are acceptable and do not impact on the amenity of neighbouring residents. The submission of a schedule of facing materials/samples is the subject of recommended Condition 12. Having regard to the siting of the building on a large campus and a relatively dark suburban area, in order to safeguard against adverse impact on neighbouring amenity any external lighting to be installed should be designed to comply with Institute of Lighting Professionals *Guidance Note for the Reduction of Obtrusive Light* – Environmental Zone E2: *Rural* (Condition 13).
61. Although concern is raised about the location of proposed additional cycle parking (*Photo 7*), at that point the building, as shown on Plan 2, oversails at first floor level (*Photo 8*) and circulation would not be adversely affected.



Photo 7: Area of additional cycle parking



Photo 8: Building oversail near cycle parking

### Playing Field

62. BCS&DMP Policy DM9 – *Green Infrastructure; Biodiversity and Geodiversity; Landscape; Open Space and Sports Facilities* expects development proposals to demonstrate that they will not adversely affect or result in the loss of open spaces and sports facilities. Sport England opposes development on playing fields other than where one of several criteria are met, set out in Sport England Planning Policy Statement *A Sporting Future for the Playing Fields of England*. Exception E4 will allow proposals where the playing field lost to development would be replaced by playing field of an equivalent or greater quantity and quality in a suitable location. Although the extensions would not encroach onto the playing field to the north, the playing field would be impacted by the proposed area of hardstanding required to provide fire appliance access around the extended building, and its retaining bank. The applicant has demonstrated that the sports pitch would only be affected marginally and would not compromise the ability to provide sports pitches with suitable run-off margins. The regrading of a bank between the two northernmost playing fields and lowering of an existing banked area closer to Netherton Road properties to enlarge the area usable for sport (Plan 4), would provide suitable compensation for the area lost. A recommended condition would require the submission of details of replacement playing field of a comparable quality to that lost (Condition 8 – Condition 11).
63. The provision of the area of compensatory sports pitch through the lowering of the bank near Netherton Road has the potential to bring noisier activity closer to residential properties. The area to be provided would not create a new playing pitch although it may be used for warm-up or small-scale group training activity given its convenient location close to the school building. There is mature planting established along the residential boundary to screen a view of activity which may influence a resident's perception of noise. However, the area is likely to be used infrequently and with adjacent properties having rear gardens 18m in length it is considered that use of the additional area as playing field would not give rise to an unacceptable loss of residential amenity. Should the area be used more intensively such as to give rise to complaint of noise nuisance, noise impact could be suitably mitigated through, for example, the erection of acoustic fencing on the boundary if required. A statutory noise nuisance would be a matter to be investigated and actioned by Bassetlaw District Council

Environmental Health, although nuisance could also be addressed by the school through a change to the location of activities on the playing field.

### Transport and Travel

64. It is considered that the Transport Assessment has drawn reasonable conclusions on the likely traffic impacts of the proposed increase in the school roll. Although a traffic survey has not been carried out as part of the assessment at the end of the school day, parking associated with student pick-up has been observed on Sparken Hill with limited on-street parking taking place, despite there being remaining capacity in the school car park. However, parked vehicles have been observed to not cause a material delay to through traffic. Additional on-street parking that may occur on Sparken Hill as the school roll increases incrementally is likely to take place further from the school entrance as the zig-zag approach to the zebra crossing prohibits parking in proximity to the school entrance.
65. School start-finish times at Sparken Hill Academy are suitably staggered from those of Outwood Academy Portland, and drivers arriving and departing associated with the Primary school Breakfast Club and After School Club drop-off and pick-up are likely to enter the school site rather than park on the highway. Residents on Sparken Hill are already likely to experience short-lived amenity impacts associated with Primary school drop-off and pick-up, 200m to the south.
66. Available parking on Netherton Road is well used by non-school traffic, and with parking on the west side of Netherton Road not permitted between 08:00-16:30 hours no carriageway parking has been observed. On both Sparken Hill and Netherton Road traffic exiting the school site is held up by pedestrians using the zebra crossing points and may lead to a driver decision not to use the car parks.
67. NPPF Paragraph 111 advises that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*. Highways Development Control has commented that whilst a small amount of on-street parking may be beneficial at present by limiting the speed of traffic, excessive on-street car parking could significantly delay through traffic, limit the available visibility from accesses and junctions, and encourage vehicles to park on the footway and cycleway to the detriment of highway safety. The pattern of traffic and where parents may choose to park cannot be predicted with accuracy, and while there would appear to be available on-site parking for the increase in traffic associated with pick-up, parents cannot be forced to use it. Currently, there are no known complaints related to school traffic from nearby residents on either Sparken Hill or Netherton Road and no representations have been received in response to publicity related to this application. The implementation of a School Travel Plan aimed at promoting sustainable travel is recommended and in addition, the carrying out of regular traffic parking surveys to monitor and allow the Highway Authority to assess the impact of an increasing school roll (Condition 15 – Condition 17). Measures to address

excessive on-street parking may need to be introduced, and any Traffic Regulation Order that may be required would be the subject of separate statutory consultation, with any associated costs to be fully funded by the joint applicants.

68. The need to review the School Zone outside the school access points, including the need to provide additional pedestrian crossing points on Sparken Hill and Netherton Road, has been considered. It is anticipated that the additional 23 students from the local area (Paragraph 17) are most likely to walk to school but the relatively small increase in student numbers crossing the carriageways in proximity to the school would not justify the need for additional off-site highway works. The zebra crossing on Netherton Road is suitably located for pedestrians to cross between the school and Manton residential estate to the east. There are no side roads on the west side of Netherton Road to the north of the school that would introduce additional pedestrians that might want to cross until the junction with Newgate Street. Most students crossing Sparken Hill would arrive/depart towards Worksop town centre to the north, and the existing zebra crossing is in the most appropriate location.
69. The proposal is supported by the provision of additional facilities for staff and student cycling to encourage travel to school other than by car and is proportionate to the 20% increase in the school roll. The siting of the additional cycle spaces would not impact on the amenity of neighbours.
70. *Table 1* at Paragraph 15 identifies a relatively small increase in numbers of staff to support a 20% increase in the school roll. While the proposal to provide EV charging including the siting of one charging unit adjacent to a disability parking space to allow inclusive access to a charging point is welcome, a condition to require the provision of all 7 proposed EV charging points is not necessary to make the development acceptable and would not meet the tests for conditions set out in NPPF Paragraph 56. Most drivers to school will be making a planned return journey and are unlikely to want to charge their vehicle on-site at a commercial rate as it will be likely to be cheaper to charge at home at an off-peak tariff. It is considered unlikely that all proposed charging units will be in use and there is a risk that spaces dedicated only for vehicle charging may sterilise the availability of parking spaces. However, the relatively small number of spaces affected by the proposed provision would not give rise to an unacceptable parking or highway impact. The proposed location of the charging points within the site is unlikely to lead to EV chargers being used other than by school staff or visitors.
71. It is recommended that a minimum of two rapid charge (22kw) units are installed that can provide an urgent charge as required, and in balancing need against cost the applicant may consider the installation of fewer but faster charging units (Note 7). While carrying out works in the car park, the provision of additional ducting to facilitate future additional provision for EV charging is welcome and would be in compliance with Bassetlaw Local Plan 2020-2037 Publication Version Policy ST50 *Reducing Carbon Emissions, Climate Change Mitigation and Adaptation* which is currently at Public Examination. Subject to future additional charging units not exceeding 1.6m in height and not more than one



being provided in each parking space, their installation in the locations indicated would be development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Class 2 Part E. The provision of additional charging units would be led by user demand.

#### Other Matters

72. The consultation response received from Via Land Reclamation makes recommendations in relation to the management of construction waste, potential contamination in excavated material and additional information that will inform the building floor design and are drawn to the applicant's attention (recommended Note 1 and Note 2).

#### **Other Options Considered**

73. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly, no other options have been considered.

#### **Statutory and Policy Implications**

74. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### Crime and Disorder Implications and Safeguarding of Children and Adults at Risk Implications

75. The development would be located within an established school site benefiting from perimeter security fencing. The Academy has a duty to manage the safeguarding of children.

#### Data Protection and Information Governance

76. Given that no representations have been received from the public, it is considered that no data protection issues have been raised.

#### Financial Implications

77. As detailed in paragraph 67 above, the applicant would be expected to cover all reasonable legal costs incurred by the County Council during the drafting and execution of a Traffic Regulation Order.

### Human Rights Implications

78. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

### Public Sector Equality Duty Implications

79. Although a consultation response has not been received from NCC Access Officer, the proposed development will need to comply with inclusive access requirements of the Building Regulations. EV charging is proposed adjacent to a disability parking space.

### Implications for Sustainability and the Environment

80. These have been considered in the Observations section above.
81. There are no Human Resources or implications for Service Users.

### **Statement of Positive and Proactive Engagement**

82. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies; the National Planning Policy Framework, including the accompanying technical guidance and European Regulations. The County Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application. Issues of concern have been raised with the applicant, such as ensuring the mitigation of playing field lost to development and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

83. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.



**Constitutional Comments**

84. Planning & Rights of Way Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference set out in the Constitution of Nottinghamshire County Council.

[JL 10.02.2023]

**Financial Comments**

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

The applicant would be expected to cover all reasonable legal costs incurred by the County Council during the drafting and execution of a Traffic Regulation Order.

[SES 07.02.2023]

**Background Papers Available for Inspection**

The application file is available for public inspection by virtue of the Local Government (Access to Information) Act 1985 and you can view them at:  
[www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=FR3/4485](http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=FR3/4485)

**Electoral Division and Member Affected**

Worksop South

Councillor Nigel Turner

Report Author/Case Officer

David Marsh

0115 9932574

For any enquiries about this report, please contact the report author.

FR3/4485

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**RECOMMENDED PLANNING CONDITIONS**

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:

- (a) Location Plan (Drawing OAP-AHR-ZZ-ZZ-DR-A-00001 Rev P3) received by the CPA on 25 November 2022;
- (b) Proposed Site Plan (Drawing OAP-AHR-ZZ-ZZ-DR-A-00003 Rev P3) received by the CPA on 25 November 2022;
- (c) Overall Proposed Ground Floor Plan (Drawing OAP-AHR-ZZ-00-DR-A-00007 Rev P1) received by the CPA on 17 November 2022;
- (d) Overall Proposed First Floor Plan (Drawing OAP-AHR-ZZ-01-DR-A-00008 Rev P1) received by the CPA on 17 November 2022;
- (e) Overall Proposed Roof Plan (Drawing OAP-AHR-ZZ-RF-DR-A-00009 Rev P1) received by the CPA on 17 November 2022;
- (f) Overall Proposed Elevations (Drawing OAP-AHR-ZZ-ZZ-DR-A-00101 Rev P3) received by the CPA on 29 November 2022;
- (g) GA Elevations 1 with Bat/Swift Boxes (Drawing OAP-AHR-B1-ZZ-DR-A-20100 Rev P3) received by the CPA on 29 November 2022;
- (h) GA Elevations 2 with Bat/Swift Boxes (Drawing OAP-AHR-B2-ZZ-DR-A-20101 Rev P3) received by the CPA on 29 November 2022;
- (i) GA Elevations 3 with Bat/Swift Boxes (Drawing OAP-AHR-B3-ZZ-DR-A-20102 Rev P3) received by the CPA on 29 November 2022;

- (j) GA Dining/Kitchen Elevations 4 (Drawing OAP-AHR-B4-ZZ-DR-A-20103 Rev P3) received by the CPA on 29 November 2022;
- (k) Subject to the approval of Severn Trent Water Limited, Proposed Foul Water Drainage (Sheet 0911 Rev P1) received by the CPA on 17 November 2022;
- (l) Proposed Sports Pitch Layouts (Drawing OAP-AHR-ZZ-ZZ-DR-A-00010 Rev P3) received by the CPA on 20 January 2023.

*Reason: For the avoidance of doubt as to the development that is permitted.*

4. Unless in the event of an emergency, or as otherwise may be previously agreed in writing by the CPA:

- a) no construction work shall take place on Sundays, Public or Bank Holidays;
- b) no construction deliveries to site shall take place on any school day other than between 08:30-14:15 hours and 15:00-18:00 hours;
- c) no construction deliveries to site shall take place on any non-school day other than between 07:30-18:00 hours;
- d) no construction work shall be carried out or plant operated except between 07:30 hrs – 18:00 hrs Mondays to Fridays and 07:30 hrs – 13:00 hrs on Saturdays.

*Reason: To safeguard the amenity of nearby residents and to avoid conflict with Outwood Academy Portland and Holy Family RC Primary School related traffic and pedestrian movements.*

5. Prior to the commencement of the development, details of the method of working during the construction phase, in the form of an environmental management plan, to include:

- a) a plan showing lorry routeing for construction traffic;
- b) a plan showing the location of:
  - i) construction compound;
  - ii) offices (with no upper storey office having windows overlooking neighbouring property);
  - iii) construction worker parking;
  - iv) areas for the storage of construction material and construction waste arising; and
  - v) a building emergency vehicle access route to be kept free of obstruction during construction;

- c) a plan showing the extent of playing field to be temporarily impacted by construction activity;
- d) measures to be implemented to safeguard against encroachment onto playing field beyond the area identified in compliance with Condition 5c);
- e) measures to be implemented to minimise against compaction of playing field in areas impacted by construction activities;
- f) measures to prevent the deposit of debris on the public highway;
- g) a scheme for the recycling/disposal of surplus soils and waste resulting from construction;
- h) construction site management practice to safeguard against risk to mammals throughout the period of construction;
- i) measures for the control of noise, vibration and dust emissions, including how communication and liaison with the public is to be carried out and mitigation in the event of a complaint; and
- j) measures to safeguard the underlying aquifer from pollution during construction

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details.

*Reason: Details are required to be submitted prior to the commencement of development in the interest of highway safety, pollution control and waste management, ecology, safeguarding playing field, and to safeguard the amenities presently enjoyed by the occupiers of nearby residential properties..*

6. Prior to the commencement of main site works (following construction site set-up), a watching brief to deal with unidentified contamination which may be encountered shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details under suitably qualified supervision. If during development, contamination not previously identified is found to be present, no further development shall be carried out in the area of the contamination until a remediation strategy to deal with unsuspected contamination (including validation that contamination has been satisfactorily remediated) has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

*Reason: Details are required to be submitted prior to the commencement of main site works to manage unexpected contamination and to provide an appropriate methodology that will ensure that the site is remediated to an appropriate standard.*

7. Notwithstanding details submitted in support of the application (Proposed Surface Water Drainage (Sheet 0921 Rev P2) received by the CPA on 17 November 2022), prior to the commencement of main site works a scheme of surface water drainage with supporting drainage calculations applying sustainable drainage principles and incorporating appropriate measures to safeguard the underlying principal aquifer from pollution shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

*Reason: Details are required to be submitted prior to the commencement of main site works for the avoidance of doubt as to the development permitted and in the interest of sustainable development safeguarding against risk of flooding and pollution of groundwater.*

8. Prior to the commencement of main site works an agronomic survey of:
- i) the area of usable playing field to be impacted by construction works (Condition 5c)); and
  - ii) the northern edge of the playing surface of existing playing pitches to the immediate south of the area marked *559m<sup>2</sup> Gain* on Drawing OAP-AHR-ZZ-ZZ-DR-A-00010 Rev P3 (Condition 3(l));

shall be submitted to and approved in writing by the CPA.

*Reason: Details are required to be submitted prior to the commencement of main site works to inform the standard of playing pitch to be i) reinstated or ii) provided in compliance with Condition 9 of this permission.*

9. Within 1 month of the commencement of development:
- a) proposed levels including levels on immediately adjoining playing field;
  - b) a specification for pitch construction;
  - c) a seed mix specification for grassed areas; and
  - d) a programme and specification for the provision and maintenance of grassed areas;

shall:

- i) in the area of usable playing field being reinstated following impact by construction work; and
- ii) the area of playing field being provided in mitigation for the area of usable playing field lost to development;

be submitted to and approved by the CPA in writing.

*Reason: To ensure the reinstatement and maintenance of playing pitch quality to a standard appropriate for outdoor sport.*

10. Within the first sowing season following the commencement of development and prior to any of the building northern wing extensions first being brought into beneficial use the area of playing field to be provided in mitigation for that lost to development shall be provided to a standard equivalent to that submitted in compliance with Condition 8 ii) to the specification approved in compliance with Condition 9 a)-d) ii) of this permission. Any grass seeding that fails to become established within 5 years of the completion of the approved landscaping scheme shall be replaced to the satisfaction of the CPA.

*Reason: In order to ensure that the replacement playing field is provided in an appropriate timescale and the temporary loss of playing field area is minimised, and to ensure the reinstatement of playing pitch quality to a standard appropriate for outdoor sport and in the interest of visual amenity.*

11. Within the first sowing season following the building northern wing extensions first being brought into beneficial use, areas of playing field impacted by construction works shall be re-instated to a standard equivalent to adjoining areas of (pre-development) playing field submitted in compliance with Condition 8 i) to the specification approved in compliance with Condition 9 a)-d) i) of this permission. Any grass seeding that fails to become established within 5 years of the completion of the approved landscaping scheme shall be replaced to the satisfaction of the CPA.

*Reason: To ensure the timely reinstatement of playing pitch quality to a standard appropriate for outdoor sport and in the interest of visual amenity.*

12. Prior to their use on site, samples and/or a schedule of all proposed facing materials and finishes, including paving, to be used in the construction of the development shall be submitted to and approved by the CPA in writing. Development shall be carried out in accordance with the approved details.

*Reason: In the interest of visual amenity in compliance with Bassetlaw Core Strategy and Development Management Policies DPD (2011) (BCS&DMP) Policy DM4 – Design and Character criteria B General Design Principles.*

13. Any external lighting associated with the development hereby approved shall be designed and installed to comply with Institute of Lighting Professionals *Guidance Note for the Reduction of Obtrusive Light* – Environmental Zone E2: Rural.

*Reason: For the avoidance of doubt as to the development permitted and to safeguard against the intrusive impact of site lighting on the character of the area and the amenity of neighbouring occupiers.*

14. No part of the development hereby permitted shall be brought into use until the cycle parking, a minimum of two EV charging points (minimum recommended specification is 22kw Mode 3 with Type 2 connector, 400v AC 63 Amp single phase dedicated supply) with at least one being sited so as to be available for use at a disability parking space, and ducting to facilitate the provision of EV charging as indicated on drawing OAP-AHR-ZZ-ZZ-DR-A-00003 Rev P3 or in such other locations as may first be approved in writing by the CPA, have been provided, and those areas shall be so retained for their intended purpose throughout the life of the development.

*Reason: In the interest of and to facilitate sustainable travel in compliance with emerging Bassetlaw Local Plan 2020-2037 Publication Version Policy ST50 Reducing Carbon Emissions, Climate Change Mitigation and Adaptation.*

15. Prior to any of the approved building northern wing extensions first being brought into beneficial use, a school travel plan coordinator shall be appointed and thereafter shall be employed or engaged to be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved in writing by the CPA and whose details shall be provided and shall continue to be provided thereafter to the CPA.

*Reason: Confirmation of the appointment of the school travel plan coordinator is required prior to the enlarged school first being brought into use to promote sustainable travel.*

16. Prior to any of the approved building northern wing extensions first being brought into beneficial use, a Travel Plan shall be submitted to and be approved by the CPA that includes objectives, targets, monitoring periods and proposals for review. The school/Academy shall operate in accordance with the approved Travel Plan.

*Reason: To promote sustainable travel.*

17. In accordance with approved Travel Plan monitoring periods (Condition 16), reports shall be submitted for the approval of the CPA that summarise the data collected over the monitoring period including car parking surveys and which propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved to the satisfaction of the CPA.

*Reason: To promote sustainable travel.*

18. The CPA shall be notified in writing within one month of the building northern wing extensions first being brought into use. Within the first 3 months of the second year of the development being brought into use and within the first 3 months of each subsequent year for a period of 4 years a report shall be submitted to the CPA which includes car parking accumulation surveys of:

- a) the Portland Academy Sparken Hill car park;



- b) the Portland Academy Netherton Road car park;
- c) Sparken Hill for a distance of 150m from the centre of the Portland Academy site access in both directions or such longer distance as required to cover the full extent of on-street car parking accumulated over the survey period;
- d) Netherton Road from its junction with the A57 to a point 100m north of the Academy egress or such longer distance as required to cover the full extent of on-street car parking accumulated over the survey period; and
- e) Waverley Way between its junction with Netherton Road and Cavendish Road.

The parking surveys shall cover 5-minute intervals for a 30-minute period centred on the normal end of the Outwood Academy Portland school day excluding any after school clubs (or other after school activities) and the report shall include plots of the extent of on-street car parking identified by the surveys, and a programme of measures including timeline for delivery to address excessive on-street parking, to be approved in writing by the CPA. The approved measures shall be carried out in accordance with the approved programme.

*Reason: To monitor and address car parking demand and excessive on street parking in the interest of highway safety.*

- 19. The number of students on roll shall not exceed 1800 without the prior written consent of the CPA.

*Reason: For the avoidance of doubt as to the development permitted and to allow the highway impact of any additional students to be first assessed.*

- 20. Installed mechanical plant related to development approved by this permission shall be designed to achieve a maximum cumulative noise rating level (including penalties) when assessed in accordance with BS4142:2014 of 38dB LAeq,1hr at the nearest sensitive receptor.

*Reason: To safeguard the amenity that occupiers of nearby residential property could reasonably expect to enjoy.*

### **Informatives/notes to applicants**

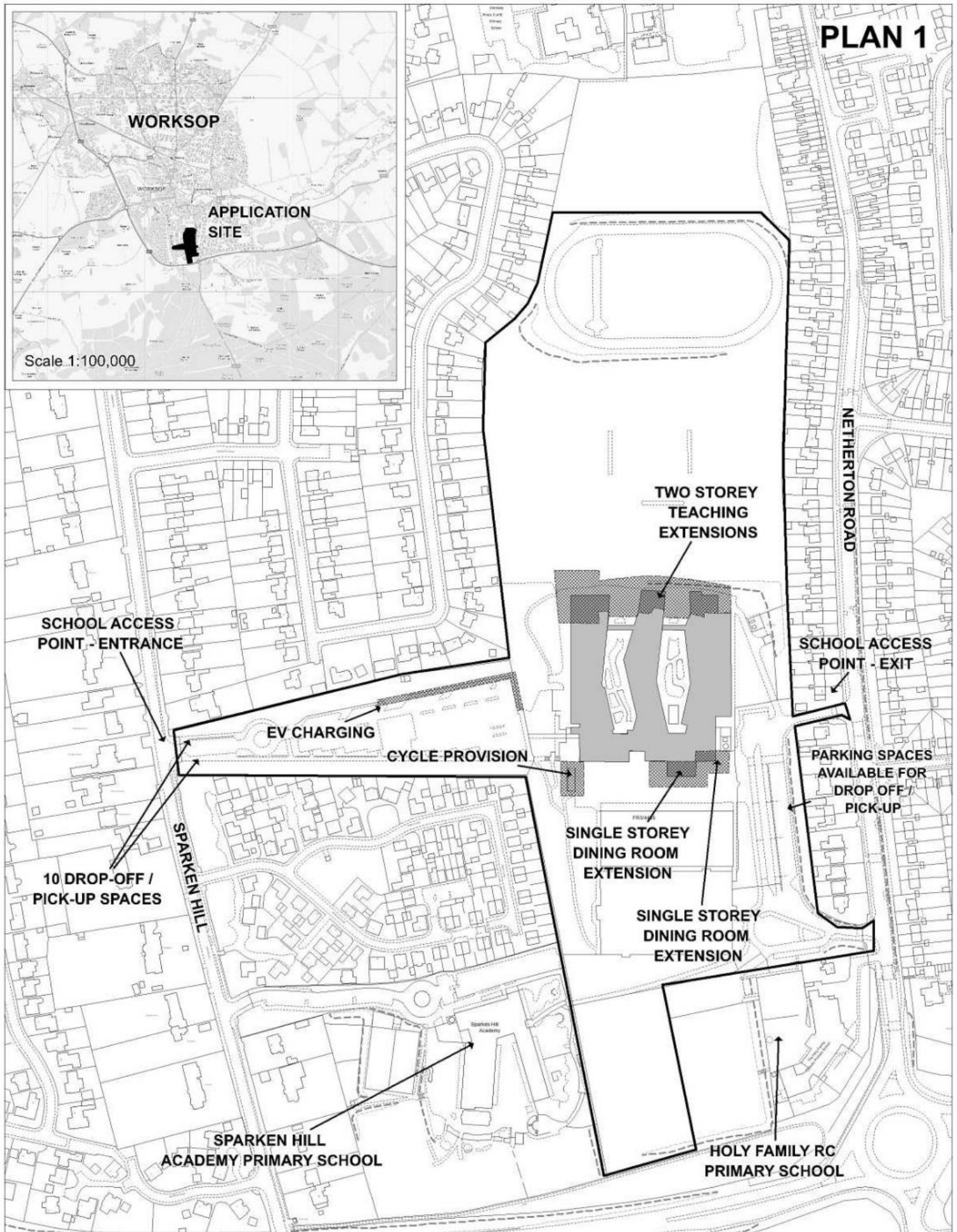
- 1. Via Land Reclamation advises that *arisings during development are likely to include bituminous hardstanding and rubble based sub-base. These materials should be appropriately segregated and only re-used in suitable areas, where they are separated from site users. This should be detailed in the Environmental Management Plan (Condition 5) and watching brief (Condition 6), as required. A Materials Management Plan may be required, in accordance with "CL:AIRE – The Definition of Waste: Development Industry Code of Practice".*

2. Via Land Reclamation advises that:

- *ground conditions and contamination/ground gas risks, should be either identified prior to the development of the main school complex (e.g. a ground investigation report) or, through further assessment following the most recent ground investigation submitted with this application.*
- *it should be investigated whether the main school was constructed with or without any gas protection measures. If this information is not available, further assessment should be carried out to confirm whether gas protection measures are required for the proposed development.*

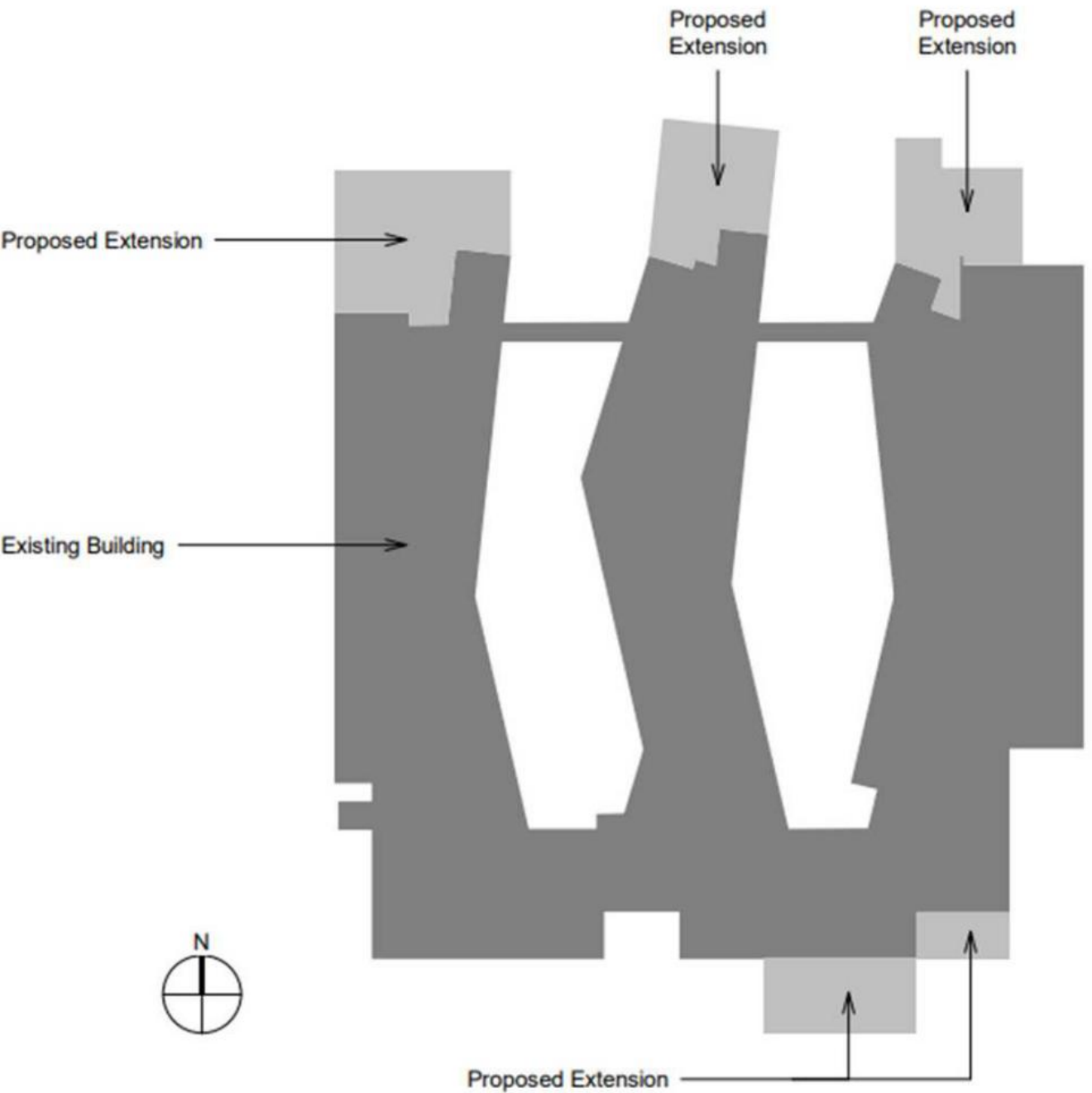
*If it is found that gas protection measures were used in the original construction, how this will affect the design of the extensions should be considered.*

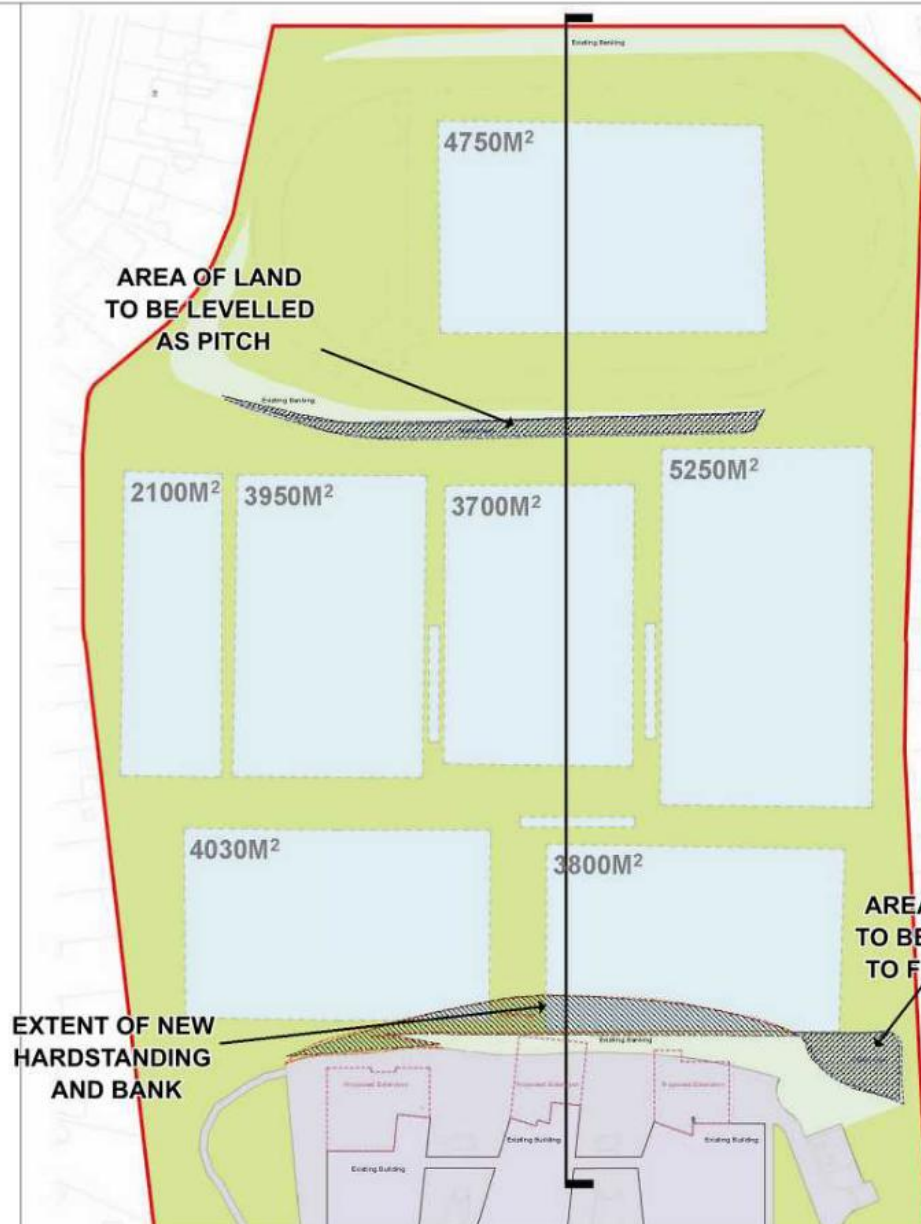
3. NCC Nature Conservation advises that in the unlikely event that bats are discovered during development, the works should cease immediately and a licenced ecologist should be consulted, as set out in the submitted bat survey report.
4. The consent of Severn Trent Water will be required for either a direct or indirect connection to the public sewerage system under the provisions of Section 106 of the Water Industries Act 1991. Current guidance notes and an application form can be found at [www.stwater.co.uk](http://www.stwater.co.uk) or by contacting Severn Trent Water New Connections Team (01332 683369).
5. Gas apparatus has been identified on the site in the vicinity of the proposed works. The consultation response from Cadent (Gas) received by the County Planning Authority on 19 December 2022 is enclosed.
6. Nottinghamshire Police draw the applicants'/developers' attention to [Secured By Design](#) and to access the current SBD Commercial Guide 2015 V2 and SBD New Schools 2014 [Design Guides \(securedbydesign.com\)](#).
7. School users are considered to be unlikely to require the ability to charge at the Academy other than when in need of an urgent rapid charge. NCC Highways Development Control advises that the installation of faster 22kw chargers may be more practical to avoid a long delay whilst a vehicle is charged.



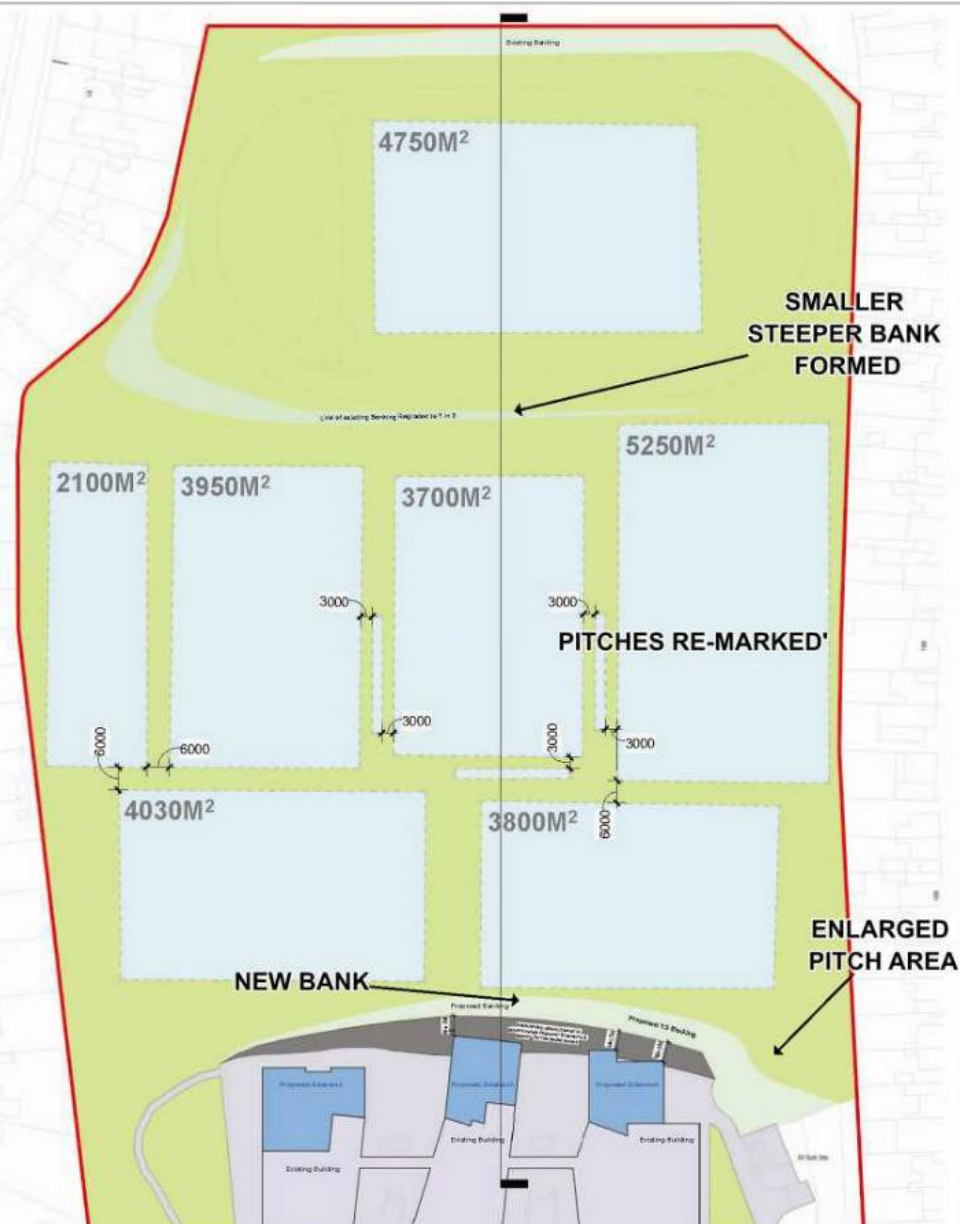








① Existing Sports Pitch Layout  
1:500

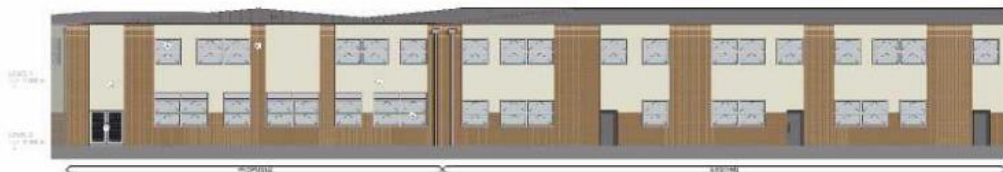


② Proposed Sports Pitch Layout  
1:500





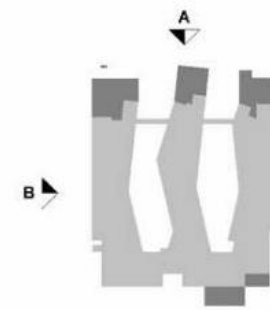
**A Proposed Elevation A**  
1:100



**B Proposed Elevation B**  
1:100



**C Proposed Elevation C**  
1:100





**1 Elevation 1 - Grid Line DA**  
1:100

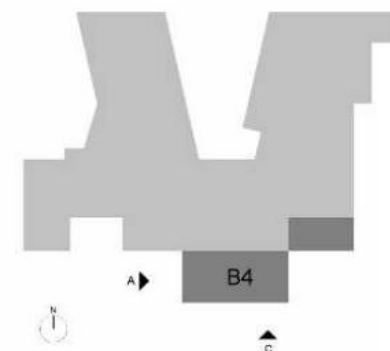


**2 Elevation 2 - Grid Lines DD & KA**  
1:100



**3 Elevation 3 - Grid Lines D1 & K1**  
1:100

Materials Legend	
Reference	Type
D1	Buff Coloured Brickwork - NBS Pr_20_93_52_15
D2	Coloured Render to match existing- NBS Pr_35_31_54_65 TBC
D3	Off White Composite Wall Cladding System - NBS Sa_25_20_14_54
D4	Grey PPC framed external doors - NBS Pr_30_55_24_52
D5	Grey PPC framed openable windows - NBS Ss_25_10_10_20_85
D6	Grey PPC framed curtain walling system & spandrel panels locally - NBS Ss_25_10_10_20_85
D7	Grey PPC framed lower system - NBS Ss_25_10_20_640
D8	Grey PPC aluminium rainwater goods - NBS Pr_65_52_03_04
D9	Grey Composite Roof Cladding System - NBS Ss_30_40_55_54
D10	Grey Single Ply Roof Membrane - NBS Ss_30_40_30_80



**NOTES**

1. All dimensions are in millimetres unless otherwise stated.
2. All dimensions are in millimetres unless otherwise stated.
3. All dimensions are in millimetres unless otherwise stated.
4. All dimensions are in millimetres unless otherwise stated.
5. All dimensions are in millimetres unless otherwise stated.
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10. All dimensions are in millimetres unless otherwise stated.



**28 February 2023****Agenda Item 6****REPORT OF INTERIM CORPORATE DIRECTOR, PLACE****ASHFIELD DISTRICT REF. NO.: 4/V/2023/0029**

**PROPOSAL: SECURITY SHUTTERS AND SOLAR PANEL INSTALLATION**

**LOCATION: THE MILL ADVENTURE BASE, KINGS MILL RESERVOIR, SHERWOOD WAY SOUTH, SUTTON IN ASHFIELD, NOTTINGHAM, NG17 4PA**

**APPLICANT: NOTTINGHAMSHIRE COUNTY COUNCIL CHILDREN AND FAMILIES**

**Purpose of Report**

1. To consider a planning application for the installation of security shutters and roof-mounted photovoltaic panels at The Mill Adventure Base, Kings Mill Reservoir, Sutton in Ashfield. The key issue relates to the design and appearance of the roller shutters. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

**The Site and Surroundings**

2. The Mill Adventure Base is located on the southern side of Kingsmill Reservoir leisure lake and Local Wildlife Site. Vehicular access is from the A617, 220m to the east of the junction with the A38. A 75-space car park is provided for public access to the reservoir which has a circular lakeside path, and is located to the west of the Mill Adventure Base. Beyond the car park is a sailing club that has been subject to a recent planning permission for its demolition and the building of a new leisure/restaurant building (Ashfield DC permission V/2022/0771 – February 2023). Ashfield District Council has also granted planning permission for a 183-space car park on land to the west of the existing car park (V/2020/0571 – January 2021). The car park has not yet been built.
3. A railway runs in cutting along the eastern site boundary of The Mill Adventure Base. The railway is crossed by a footbridge which carries Sutton in Ashfield Bridleway 175, 240m to the north-east of the Mill Adventure Base building (Plan 1).
4. The Mill Adventure Base principally offers outdoor including water based and climbing activities to children in a controlled environment, and also includes a public café. The café is accessed from the lakeside path across a bridged ditch and security fencing prevents access to the building approach outside of opening times (Photo 1). Glazing in the café is recessed below a projecting roof

(Photo2). The lakeside path can be accessed by the public at all times. A roller shutter door is installed on The Mill Adventure Base boat storage building adjacent to the café and is visible from the lakeside path.

5. 306 photovoltaic (PV) panels are installed on the roof of the main Mill Adventure Base building, excluding the roof of the boat storage building and above the café.



*Photo 1: View from lakeside path*



*Photo 2: Café entrance*

6. Nearby heritage assets are: Hamilton Hill – a Scheduled Ancient Monument mound 540m to the south-east and south of the A617; Kings Mill railway viaduct Scheduled Ancient Monument and Grade II Listed Building 470m to the north-east; and Hermitage Mill (recently fire damaged) and adjacent railway bridge, both Grade II listed buildings 800m to the north-east (Plan 2).

## Background

7. The roller shutter proposal is a response to the building having been subject to vandalism/attempted break-in with windows having been broken. The Centre intruder alarm has been activated in April, October and December 2022, with four activations in January 2023.

Date	Event	Action
1 March 2022	Break-in	3m x 1m window boarded up
9 March 2022	Attempted break-in	Broken window boarded up
15 March 2022	Attempted break-in	Broken window boarded up

*Table 1: Recorded intruder incidents*

## Proposed Development

8. Planning permission is sought to install two full height roller shutters fixed to an existing steel beam, with guide rails concealed in existing cedar panelling. The shutter box would be concealed behind cedar fascia panelling within the canopy line. When drawn down the shutters would enclose external alcoves and protect the glass frontages to the café area. In addition, a shutter with an externally



mounted box would be installed above a smaller recessed café window (to the left when viewed from the lakeside) and would be drawn down to protect the glazing.

9. The shutters and box would be coloured blue to match existing rainwater goods and when drawn down would not be perforated or provide visibility into the building beyond. The security shutters would offer protection to glazing which has been the subject of vandalism when the café is closed (Plan 3).
10. It is also proposed to install an additional 233 PV panels on the boathouse and café to cover the majority of the remainder of the Mill Adventure Base roof. The panels would be mounted on a frame flush with the roof pitch and at closest 0.3m from the roof edge (Plan 4).
11. The proposed installation would generate 76.5kWp and in addition to the electricity generated by the existing panels would be used to power electrical vehicle charging points for the Base minibus fleet with any surplus electricity produced being fed to the National Grid.

## Consultations

12. **Ashfield District Council** – Objection. *The installation of external roller shutters (the shutter box would also be externally mounted) is considered be of visual detriment. The installation of internal security measures, which are an alternative solution to achieve the same ends as an external shutter, would be less harmful to the character of the area. No substantive evidence appears to have been provided to evidence break in attempts. [Note: the information provided at Paragraph 7 and in Table 1 has been subsequently provided by the applicant.]*
13. *The planning process should seek to raise the design quality of buildings and places to create an attractive environment at all times of the day to assist with attracting visitors to an area. Roller shutters make an area less attractive and can create a feeling of hostility and foster a perception of criminal activity which can lead to less footfall. Internal security measures can also provide visibility into a premises, whereas external shutters can mask activity inside.*
14. **NCC Historic Buildings** – No objection. *The new PV scheme will double the areas of roof covered to almost 100%. The impact of the extra area of PV will have a virtually imperceptible impact in views from Hamilton Hill (Scheduled Ancient Monument). There will be a visual impact, but not a very significant one from the perspective of the setting of the Viaduct.*
15. **Police Force Architectural Liaison Officer** – No response received.

## Publicity

16. The application has been publicised by means of site notices in accordance with the County Council's adopted Statement of Community Involvement.
17. Cllr Samantha Deakin has been notified of the application.
18. No representations have been received.

## Observations

19. Ashfield Local Plan Review (November 2002) (ALP) Saved Policy ST1 *Development* will permit development that does not (amongst other criteria) adversely affect the character, quality, amenity or safety of the environment. The representation by Ashfield District Council identifies the installation of external roller shutters to be visually detrimental. Visual impact might be given additional weight in a location where there would be greater footfall in close proximity to the building when the shutters are drawn down, a typical example being in the evening on a high street. In such locations the use of internal or mesh/grill type shutters might be preferred providing both security and an ability to see shop displays within, retaining a sense of an active retail frontage. In this instance the driver behind the application is to address acts of vandalism/attempted break-in and fencing may not deter intruders. A grill-type external shutter or internal security shutter would not fully address the risk to the café glazing, and is not the development subject of this application.
20. When the café is closed the gate giving access from the lakeside path would also likely to be shut. The drawn down shutters would be viewed from a distance of 16m (at closest) by walkers using the lakeside path. Viewed in the context of the Mill Adventure Base building the two larger shutters are not considered to give rise to unacceptable visual harm, while the smaller recessed shutter would not be visually prominent, and the style of shutter would be consistent with that already installed at the boat storage building adjacent. The industrial appearance of the shutters, when drawn down, could be reduced, for example, by the application of artwork or decals appropriate to the location or activities at the Mill Adventure Base but may be subject to Advertisement Consent that needs to be obtained from Ashfield District Council (Note 1).
21. The roller shutter box of the two larger shutters would be concealed behind the cedar cladding fascia. Although an externally mounted box would be installed over a window (left-hand side as viewed) that window is recessed, and the external box would not be visually prominent. The proposed colour of the shutter and box to match the colour of existing rainwater goods is considered to be acceptable and no additional details are required by planning condition.
22. A significant area of the existing Mill Adventure Base roof is already covered by PV panels. If sited more than 1m from a roof edge the PV panels would be permitted and not require an express grant of planning permission. Public views of the building roof are limited and from distance; either the bridge crossing the railway line 240m to the north-east (Photo 3) or across the southern end of the lake (Photo 4). It is also considered that the additional PV panels would not harm the setting of heritage assets and that development would be in compliance with ALP Saved Policy EV11 *Ancient Monuments and*



*Archaeological Sites* which will permit development (amongst other criteria) where the setting of a Scheduled Ancient Monument would be preserved. Similarly, the development would not harm the setting of listed buildings in compliance with ALP Policy EV13 *Setting of Listed Buildings*.



*Photo 3: View from the north-east*



*Photo 4: View across Kings Mill Reservoir*

23. PV panels are an increasingly common sight in the built environment, and any public views would reinforce the sustainable credentials of the site. Although to be sited close to the edge of the building, the proposed PV panels would not detract from local amenity and this element of the proposal is welcomed.
24. Overall, the proposals are considered acceptable in context and accord with the Development Plan, and the recommendation is to grant planning permission for the works subject to conditions.

### **Other Options Considered**

25. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly, no other options have been considered.

### **Statutory and Policy Implications**

26. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### Crime and Disorder Implications

27. The Mill Adventure Base benefits from perimeter fencing with a drainage ditch providing physical separation between the café and lakeside path. However, instances of vandalism/attempted break-in have been experienced and the

provision of roller shutters would provide additional security to the building and its external glazed areas.

#### Data Protection and Information Governance

28. Given that no representations have been received from the public, it is considered that no data protection issues have been raised.

#### Human Rights Implications

29. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

#### Financial Implications

30. The provision of greater building security may reduce incidence of vandalism with reduced cost of repair to the County Council.

#### Implications for Sustainability and the Environment

31. These have been considered in the Observations section above.
32. There are no Human Resources, Public Sector Equality Duty, Safeguarding of Children and Adults at Risk implications or implications for Service Users.

### **Statement of Positive and Proactive Engagement**

33. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

34. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

**DEREK HIGTON**

## **Interim Corporate Director – Place**

### **Constitutional Comments**

35. Planning and Rights of Way Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference set out in the Constitution of Nottinghamshire County Council

[JL 10.02.2023]

### **Financial Comments**

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

The provision of greater building security may reduce incidence of vandalism with reduced cost of repair to the County Council.

[SES 07.02.2023]

### **Background Papers Available for Inspection**

The application file is available for public inspection by virtue of the Local Government (Access to Information) Act 1985 and you can view them at:  
[www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=FR3/4473](http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=FR3/4473)

### **Electoral Division and Member Affected**

Sutton Central & East

Cllr Samantha Deakin

Report Author/Case Officer

David Marsh

0115 9932574

For any enquiries about this report, please contact the report author.

FR3/4473  
W002410.doc



## RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents and recommendations of reports, and the following plans:

- (a) Location Plan (Drawing 30144-ARC-XX-XX-D-A-010001 Rev P02) received by the CPA on 26 September 2022;
- (b) Existing and Proposed Plan (Drawing 30144-ARC-A01-XX-D-A-010004 Rev P01) received by the CPA on 26 September 2022;
- (c) Existing Demolition and Proposed Elevations (Drawing 30144-ARC-XX-XX-D-A-010002 Rev P04) received by the CPA on 14 February 2023;
- (d) Proposed New Solar Panels – Roof Plan (Drawing 30144-ARC-A01-XX-D-A-010005 Rev P03) received by the CPA on 14 December 2022;
- (e) Valk Pitched Roof Mounting System received by the CPA on 10 January 2023;
- (f) Vertex-S PV Panel (TSM-DE09.08) received by the CPA on 11 January 2023.

*Reason: For the avoidance of doubt as to the development that is permitted.*

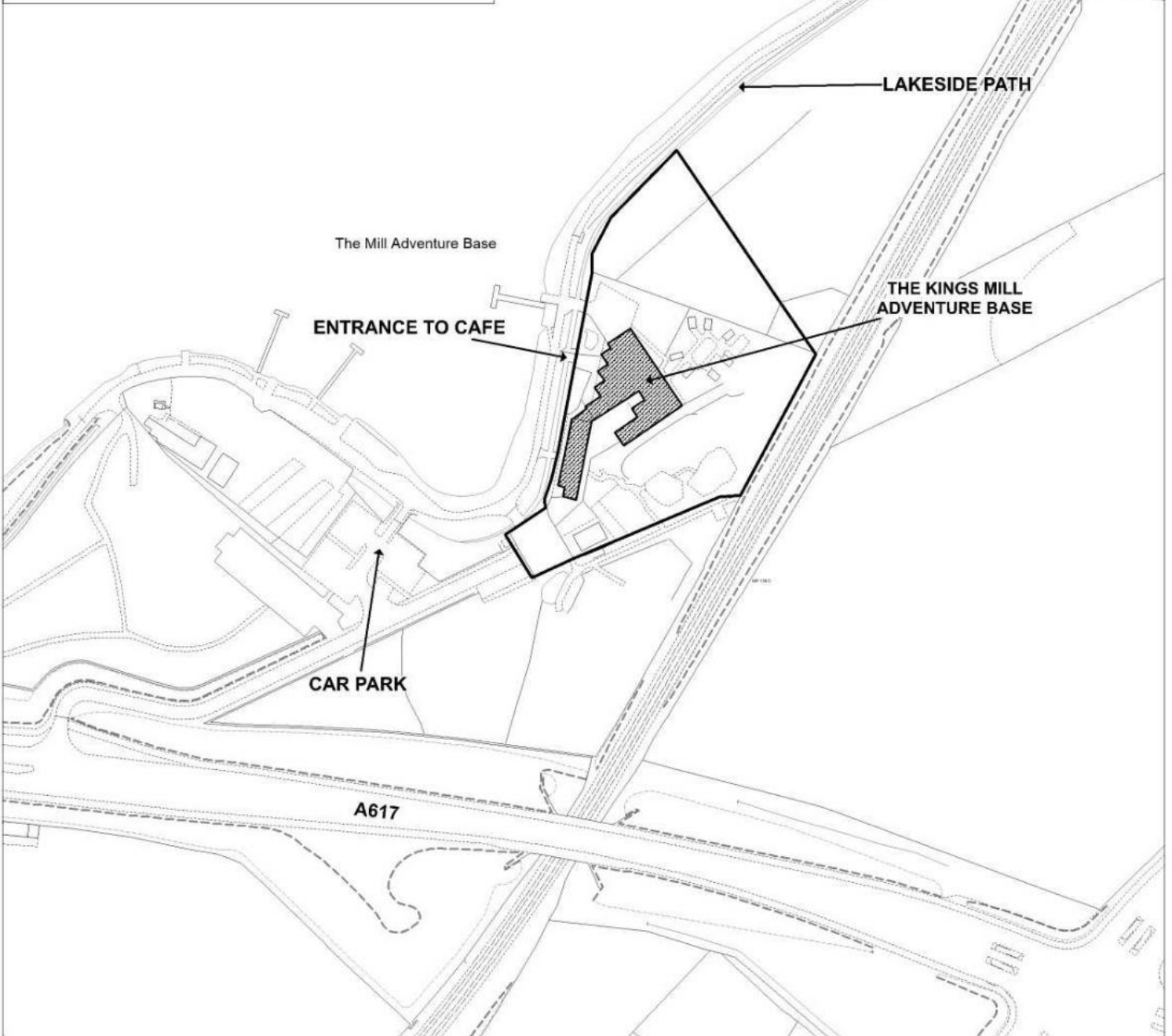
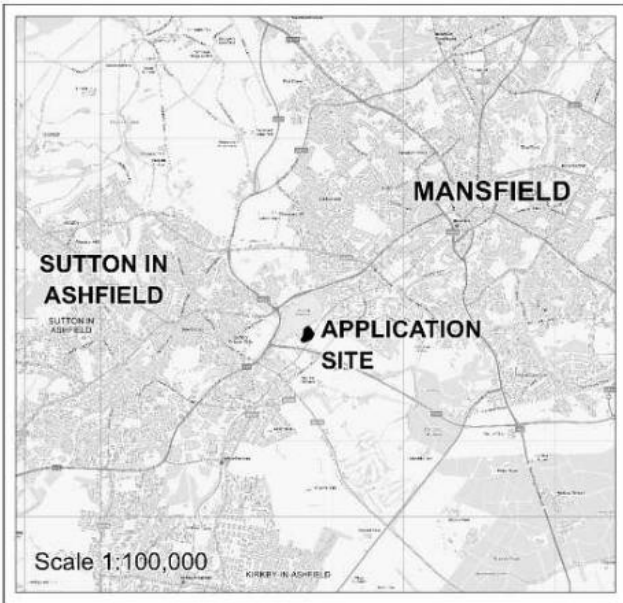
## Informatives/notes to applicants

1. The applicant may wish to consider the application of decals or similar artwork displaying aspects of the environment or activities relevant to the Mill Adventure Base on the larger roller shutters to add visual interest when the shutters are drawn down, subject to any approval that may be required from Ashfield District

Council under the Town and Country Planning (Control of Advertisements)  
(England) Regulations 2007 as amended.

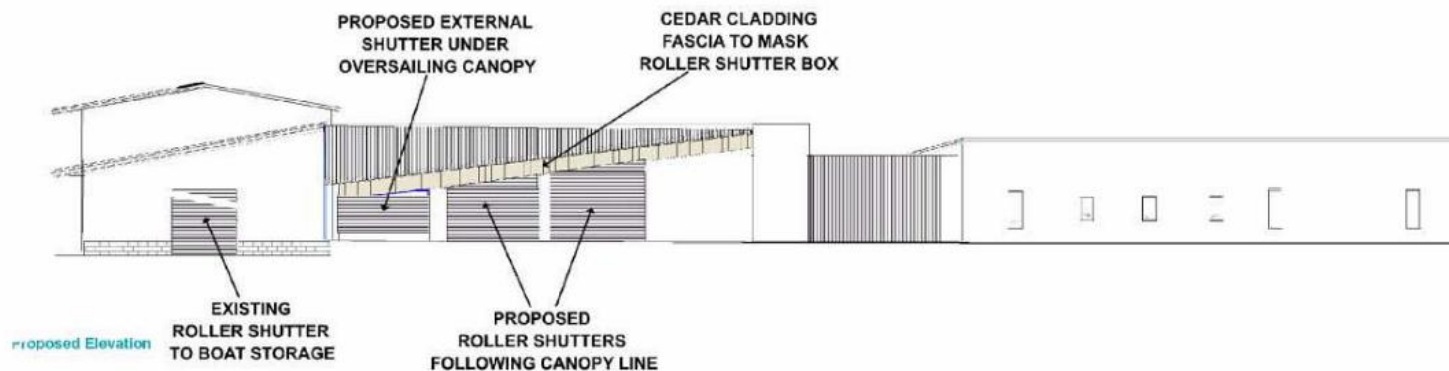


# PLAN 1









Mill Adventure Base External Elevation (Shutter up)

#### INTERNAL VIEW OF DRAWDOWN SHUTTER



Proposed Cafe Roller Shutter (internal view shutter down)



Proposed Window Roller Shutters





**28 February 2023****Agenda Item 7**

## **REPORT OF THE INTERIM CORPORATE DIRECTOR FOR PLACE DEVELOPMENT MANAGEMENT PROGRESS REPORT**

### **Purpose of the Report**

1. To report on planning applications received by the Development Management Team between 16<sup>th</sup> December 2022 and 10<sup>th</sup> February 2023, to confirm the decisions made on planning applications since the last report to Members on 17<sup>th</sup> January 2023, and to detail applications likely to come before Committee in the coming months.

### **Information**

2. Appendix A highlights applications received since the last Committee meeting and those determined in the same period. Appendix B sets out the Committee's work programme for forthcoming meetings and members are asked to give consideration to the need for any site visits that would be beneficial on any application scheduled to be reported to Committee in the near future.

### **Statutory and Policy Implications**

3. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.
4. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

### **RECOMMENDATIONS**

- 1) That the Committee considers whether there are any actions required in relation to the contents of the report.

**DEREK HIGTON**

**Interim Corporate Director - Place**

**For any enquiries about this report please contact:**

Rebecca Kirkland, Planning Support Officer  
0115 9932584

**Constitutional Comments – (JL 15/02/2023)**

5. Planning and Rights of Way Committee is the appropriate body to consider the contents of this report.

**Financial Comments – (KRP 15/02/2023)**

6. There are no specific financial implications arising directly from the report.

**Background Papers and Published Documents**

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

- None.

**Electoral Divisions and Members Affected**

- All.



**Planning Applications Received and Determined**  
**From 16<sup>th</sup> December 2022 – 10<sup>th</sup> February 2023**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
Worksop South	Cllr Nigel Turner	To extend the timescale of the development of planning permission 1/21/00326/CDM, at Land within part of former Welbeck Colliery off Budby Road. Validated on 09/02/2023.	
Warsop/Worksop South	Cllr Bethan Eddy/Cllr Nigel Turner	To extend the time by which the development has to be completed of planning permission 1/20/01387/CDM / 2/2021/0096/NCC at Land within part of former Welbeck Colliery off Budby Road. Validated on 09/02/2023.	
Worksop South	Cllr Nigel Turner	Retrospective application for the erection of a 2-bay modular portacabin at Tarmac National Skills & Safety Park, Nether Langwith Quarry. Validated on 20/01/2023.	
Blyth and Harworth	Cllr Sheila Place		Importation of 3.6 Million cubic metres of restoration materials (reduction from 6.2 Million cubic metres) to complete the restoration of Harworth Colliery No 2 spoil heap. GRANTED on 16/01/2023.

Division	Member	Received	Determined
<b>MANSFIELD</b>			
Warsop/Worksop South	Cllr Bethan Eddy/Cllr Nigel Turner	To extend the time by which the development has to be completed of planning permission 1/20/01387/CDM / 2/2021/0096/NCC at Land within part of former Welbeck Colliery off Budby Road. Validated on 09/02/2023.	
Mansfield North	Cllr Anne Callaghan BEM/Cllr Ben Cradley MP		Replacement of original timber sash windows and metal with new double glazed metal windows. Restoration and upgrading of original timber sash windows. Installation of Air Source Heat Pumps and 1.8m high acoustic fencing/screening. Replacement of metal tubular handrail to the main entrance with 2no. ornate metal handrails.  At County House, 100 Chesterfield Road South. GRANTED on 20/12/2022.

Division	Member	Received	Determined
<b>NEWARK &amp; SHERWOOD</b>			
Muskham and Farnsfield/Sherwood Forest	Cllr Scott Carlton/Cllr Bruce Laughton	Variation of condition 10 of Planning Permission 3/21/01307/CMA to remove poultry waste feedstock sourcing restriction at Rainworth Energy Ltd. Validated on 06/02/2023.	
<b>ASHFIELD</b>			
Hucknall North	Cllr John Wilmott		Full planning application for the proposed replacement and demolition of an existing single storey office unit and erection of a 2-storey welfare and office building, at Central Waste (UK) Ltd. GRANTED on 16/01/2023.
Kirkby South	Cllr Daniel Williamson		Part retrospective application to create areas of hardstanding, waste storage bays, car parking and relocation of site office (Phase 1) with future proposals to extend the concrete boundary wall and hardstanding across the site (Phase 2)., at Collins Earthworks. GRANTED on 22/12/2022.

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Kirkby South/Selston	Cllr Daniel Williamson/Cllr David Martin		Extension to the duration of importation and grading/reclamation works to 7 March 2024 to allow for the scheme to be completed in line with the approved plans (variation of condition 3 of permission 4/V/2012/0096), at Bentinck Colliery Tip. GRANTED on 18/01/2023.
<b>BROXTOWE</b>			
Stapleford and Broxtowe	Cllr John Doddy/Cllr Maggie McGrath		Extension to existing single storey maintenance workshop; extension to single storey 'Loxley' wing and external works involving installation of a 5.2m security fence and alterations, access road and ramp; and tree removal to facilitate works, at Clayfields House. GRANTED on 22/12/2022.
<b>GEDLING</b>			
Carlton West	Cllr Jim Creamer/Cllr Errol Henry	Retain existing temporary classroom until 31 December 2023: (7/218/0016NCC expires 31 January 2023), at All Hallows C of E Primary School. Validated on 12/01/2023.	
Calverton	Cllr Boyd Elliott	Retain existing temporary classroom until 31 August 2023 (7/2017/1563NCC expires 31 January 2023), at St Wilfrids C of E School. Validated on 12/01/2023.	

Division	Member	Received	Determined
<b>RUSHCLIFFE</b>			
Bingham West	Cllr Neil Clark MBE	Section 73 planning application to vary Conditions 3 & 12 of Planning Permission 8/19/00378/CMA, to allow a four year extension for the completion of tipping operations beyond the current expiry date of the 28th November 2022 (Condition 3) and to remove the requirement to carry out highway improvement works at the site access on Kinoulton Road (Condition 12), at Canalside Industrial Park. Validated on 19/12/2022.	
Carlton East	Cllr Mike Adams		Variation of criteria C & D of Planning Condition 24 of Planning Permission 7/2021/0648/NCC to enable the waste transfer station to operate without the use of the previously consented air filtration plant during periods when there is no waste shredding/refuse derived fuel preparation activities undertaken within the building, and allow the passive ventilation of the building to be undertaken by permitting the opening of the air inlet louvres.  At Land off Private Road No. 3, Colwick Industrial Estate. REFUSED on 04/01/2023.



## Schedule of future planning applications to be reported to Planning and Rights of Way Committee

(Please note: The committee dates identified are for guidance only. A final decision regarding the committee date is not made until shortly before the agenda is published).

Target Committee	Planning App No.	Location	Development	Current Progress
18 <sup>th</sup> April 2023	3/22/01790/CMA	Ness Farm and Cromwell Quarry, The Great North Road, Cromwell, Nottinghamshire, NG23 6JE	Proposed southern extension to the quarry for the extraction of approximately 550,000 tonnes of sand and gravel with restoration to agriculture and nature conservation	Further information has been submitted providing supplementary ecological information. The submission of this information has necessitated a further full re-consultation under the requirements of EIA Reg. 25.
18 <sup>th</sup> April 2023	3/22/01788/CMA	Cromwell Quarry, The Great North Road, Cromwell, Nottinghamshire, NG23 6JE	To allow for amendments to the working scheme and restoration plan, to facilitate working a southern extension at Ness Farm	This planning decision is linked to the timetable for the determination of Planning Application 3/22.01790/CMA.
18 <sup>th</sup> April 2023	3/22/01787/CMA	Cromwell Quarry, The Great North Road, Cromwell, Nottinghamshire, NG23 6JE	To allow an update to the method of working plans and the retention and use of the plant site, access, haul road and silt lagoons in order to work a proposed extension at Ness Farm	This planning decision is linked to the timetable for the determination of Planning Application 3/22.01790/CMA.
18 <sup>th</sup> April 2023	1/22/00867/CDM	Misson Quarry, Bawtry Road, Misson	Proposed western extension to existing Misson Grey Sand Quarry incorporating modifications to previously approved restoration schemes referenced 1/15/01574/CDM and 1/32/11/00020	A revised restoration plan and supplementary ecological information has been submitted to address ecological issues raised from the original planning consultation responses. This information is currently undergoing a further round of planning consultations.
18 <sup>th</sup> April 2023	1/22/00865/CDM	Misson Quarry, Bawtry Road, Misson	The application seeks approval to amend the approved restoration scheme that relates to approval 1/32/11/00020. The amended scheme will allow the	The implementation of this planning application is linked to 3/22/00059/CMM for the western extension of the quarry and therefore will be determined at the same time as the proposed quarry extension



			implementation of the proposed western extension	development.
18 <sup>th</sup> April 2023	1/22/00864/CDM	Misson Quarry, Bawtry Road, Misson	The application seeks approval to amend the approved restoration scheme that relates to approval 1/15/01574/CDM. The amended scheme will allow the implementation of the proposed western extension.	The implementation of this planning application is linked to 3/22/00059/CMM for the western extension of the quarry and therefore will be determined at the same time as the proposed quarry extension development.
18 <sup>th</sup> April 2023	8/23/00027/CMA	Canalside Industrial Park, Kinoulton Road, Cropwell Bishop, Nottinghamshire, NG12 3BE	Section 73 planning application to vary Conditions 3 & 12 of Planning Permission 8/19/00378/CMA, to allow a four year extension for the completion of tipping operations beyond the current expiry date of the 28th November 2022 (Condition 3) and to remove the requirement to carry out highway improvement works at the site access on Kinoulton Road (Condition 12).	Planning consultation responses currently being received. Local objections have been received from the Parish Council regarding the modification necessitating referral of the planning application to Planning Committee for determination.
6 <sup>th</sup> June 2023	7/2022/0752NCC	Calverton (Burntstump) Quarry, Ollerton Road, Arnold, NG5 8PR	Variation of conditions 7, 8 and 50 of permission 7/2005/0263 so to extend the time to work the remaining mineral reserves until 7 Jan 2042 with restoration by 7 Jan 2043	A revised restoration scheme has been submitted which is currently subject to re-consultation.
6 <sup>th</sup> June 2023	7/2022/0751NCC	Calverton (Burntstump) Quarry, Ollerton Road, Arnold, NG5 8PR	Variation of condition 2 of permission 7/2003/1323 to retain the weighbridge, associated buildings and soil mound for the proposed duration of mineral extraction operations to 7 Jan 2042	The determination of this planning application is linked to 7/2022/0752/NCC (above) and will be determined at the same planning committee.
6 <sup>th</sup> June	4/V/2022/0643	Parts Emporium	Part retrospective change of use	Further ground remediation and noise

2023		Ltd, Sidings Road, Kirkby in Ashfield, Nottinghamshire, NG17 7JZ	of land and buildings for the acceptance, storage and treatment of end-of-life vehicles including ancillary storage of salvaged parts	information has been received and is currently out for re-consultation with initial responses indicating further mitigation measures may be required. Still awaiting some further consultation responses.
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**Planning Applications currently being processed by the County Council which are not currently targeted to a specific meeting of the Planning and Rights of Way Committee.**

Planning Application: 8/22/01279/CMA  
 Location: John Brookes Sawmill, off the A46, Nr Widmerpool. NG12 5PS  
 Proposal: Southern extension to the waste wood and green waste storage yard (part retrospective)  
 Current Progress: Drainage, surfacing and the magnitude of dust emissions from the extended operational site are issues arising and have previously been raised with the agent and have now been raised directly with the applicant since the agent is no longer acting.

Planning Application: 3/19/00100/CMM  
 Location: Cromwell North Quarry, Land Between Carlton on Trent and Cromwell, Newark  
 Proposal: Proposed extraction of 1.8 million tonnes of sand and gravel together with the erection of mineral processing plant and associated ancillary infrastructure. the provision of a new access, and the progressive restoration of the site to nature conservation over a period of 9 years.  
 Current Progress: A request for the submission of supplementary environmental information was made under Reg. 25 of the EIA Regs in May 2019. This request for information covered air quality, transport, access, quarry dewatering, floodlighting, landscaping, ecology, noise, protection of River Trent, contaminated land and archaeology. The planning application raises key planning issues in respect of need and mineral supply within Nottingham. The applicant initially delayed their response to the Reg 25 request to allow decisions to be made regarding site allocations as part of the review/examination of the Replacement Minerals Local Plan. The Cromwell North site has not been allocated as part of this process. Officers have recently met with the applicant who has confirmed that they are now in the process of compiling the additional information that has been requested with a view to submitting this information over the next couple of months and progressing the planning application for determination.

Planning Application: 3/20/01244/FULR3N  
 Location: British Sugar Corporation Ltd Sports Ground, Great North Road, Newark On Trent, NG24 1DL  
 Proposal: Change of use from former sports field to land to be used for conditioning (drying by windrowing) of topsoil material recovered from sugar beet delivered and excavated from soil settlement lagoons onsite, and engineering works to construct an internal access route to serve the soil conditioning area and excavate a flood storage compensation area.

Current Progress: A supplementary flood risk assessment has been requested from the applicant. British Sugar are currently considering the scope of information required to provide their flood risk response.

Planning Application: 3/22/00059/CMM

Location: Land south of Church Street, Southwell, Nottinghamshire, NG25 0HG

Proposal: Flood alleviation works including construction of an earth bund, flow control structure, and related ground works, landscape planting, boundary works including fencing, and ancillary operations.

Current Progress: Revisions to scheme have been requested in relation to preparation and submission of additional flood risk assessments, maintaining pedestrian access over the flood defences, and further advice being sought on detailed heritage considerations, with further re-consultation needed once received.