



10 December 2013

Agenda Item:

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

ASHFIELD DISTRICT REF. NO.: 4/V/2013/0028

PROPOSAL: ENVIRONMENTAL IMPROVEMENTS TO THE HUCKNALL TOWN CENTRE, ENCOMPASSING THE DEMOLITION AND ALTERATION OF EXISTING BUILDINGS, LAYING OUT AND CONSTRUCTION OF A NEW INNER RELIEF ROAD BETWEEN ANNESLEY ROAD AND THE BOLSOVER STREET/STATION ROAD JUNCTION. REALIGNMENT OF EXISTING LINBY ROAD/ASHGATE ROAD JUNCTION, THE PROVISION AND LAYING OUT OF NEW PEDESTRIAN AND CYCLE LINKS OTHER RELATED HIGHWAYS WORKS, ENCLOSURES AND ASSOCIATED LANDSCAPING

LOCATION: ANNESLEY ROAD TO STATION ROAD, HUCKNALL

APPLICANT: NCC ENVIRONMENT AND RESOURCES

Purpose of Report

1. To consider a planning application for the construction of a new road between Annesley Road and Station Road, Hucknall to facilitate a planned pedestrianisation of High Street between Baker Street and Watnall Road. The future pedestrianisation of High Street does not form part of the planning application presented for determination. The key issues of this planning application relate to the potential impact of the development on the vitality and viability of Hucknall town centre, potential heritage impact, noise generated by construction, noise associated with use of the new road, and consequential loss of amenity; noise and loss of amenity arising from displaced traffic as a consequence of changes to the highway network, and potential impact of the proposal on the flooding regime in the vicinity of the Baker Lane Brook. The recommendation is to grant planning permission, subject to the conditions set out in Appendix 3.

The Site and Surroundings

2. The application site comprises 2.88ha of land comprised broadly of a linear strip

450m in length between Annesley Road and Station Road Hucknall and land at the junction of Station Road, Linby Road and Ashgate Road. The application site includes land at the junction with existing roads: Ogle Street, The Connery, Titchfield Street, Albert Street, Perlethorpe Drive, Woollaton Street, Thoresby Dale, Station Terrace and Bolsover Street. 42 High Street, currently a betting shop (to be demolished) and land to the north, and the adjoining properties to either side (40 and 44-46 High Street) are also included within the application site. (Plan 1). 40 High Street is a retail shop (Peacocks) while 44-46 High Street is *The Pilgrim Oak* public house.

3. The majority of the linear route of the proposed road, which runs parallel and approximately 90m to the north-east of High Street, is comprised of cleared sites and land used for pay-and-display car parking. Several properties lie on the route of the proposed road: 24-26 (even) Baker Street, 37-43 (odd) Titchfield Street and 22-34 (even) Woollaton Street (Plan 2). Land to the south of 24-26 Baker Street adjacent to Baker Lane Brook is undeveloped and is the site of a former mill with potential archaeological interest.
4. Baker Lane Brook runs approximately from west to east either in open channel or culvert on a route roughly parallel to the proposed road. In part, the watercourse turns sharply southwards to run in culvert beneath Titchfield Street before turning east to run in open channel. The alignment of the watercourse, associated Flood Zones, and other watercourses in the vicinity are identified on Plan 3. Baker Lane Brook has a resident population of white-clawed crayfish, a protected species.
5. There are several listed buildings in proximity to the application site. The Church of St Mary Magdelene (Grade II*) lies on the west side of Market Place, while Hucknall library (Grade II) is located to the south of Market Place at the junction of High Street and Baker Street. The Industrial Provident Society Building at the south-west junction of Annesley Road and Baker Street and 8-18 Albert Street (Knitters Cottages) are buildings of local heritage interest. 1-3 The Maltings and Malthouse Cottage, which are not listed buildings, are stone built cottages that lie to the east of The Connery and to the north of the application site (Plan 4). The properties form part of a mill and malting complex that extended up to Baker Lane Brook.
6. The application site principally crosses streets of Victorian terrace housing on Titchfield Street, Albert Street and Woollaton Street. Land on Albert Street on the alignment of the road is presently used as an 18 space public car park. Housing dating from the 1930-50s lies to the north of the application site on Perlethorpe Drive, Kneesall Grove and Thoresby Dale. The area is the subject of a resident on-street parking scheme. An informal (non-marked) car park for approximately 105 vehicles (including six disability spaces) is accessed from Station Road and lies on the alignment of the proposed road.
7. The application site at its eastern end includes land that presently forms the off-set roundabout junction of Station Road, Ashgate Road and Linby Road, and the additional land required to reconfigure the junction.
8. Hucknall railway station, the Nottingham Express Transit (NET) tram terminus,

and park and ride, lie to the north of Ashgate Road 80m to the south-east of the junction with Station Road and opposite a Tesco supermarket (Plan 1).

9. Bolsover Street is presently a one-way street with traffic travelling in the direction from Portland Road to join Station Road (Plan 1). Bolsover Street is subject to a combination of unrestricted parking, resident parking, and time-limited on-street parking restrictions. Time limited parking is permitted on Station Road.
10. A large town centre car park (303 spaces including 19 disability spaces) is located at Piggins Croft to the south of High Street, accessed from Yorke Street. When the market is not in operation, 63 parking spaces (including six disability spaces) are available at Market Place. A plan identifying existing parking restrictions controlled by a Traffic Regulation Order in the vicinity of the application site is attached as Plan 5.

Proposed Development

Background

11. High Street in Hucknall is a busy through route that caters for vehicles making journeys in and out of Hucknall. In support of the application the applicant has explained that high levels of congestion and traffic noise make High Street an unpleasant and unattractive environment for shoppers. Congestion can delay bus journeys particularly at peak times, and space on the pavements to wait at bus stops is limited.
12. Growth in the Hucknall area is likely to increase traffic movement in the town centre. A 2015 model prediction (without the proposed road) predicts 14,500 traffic movements each day along High Street between Baker Street and Watnall Road. The proposed development aims to ease congestion through the provision of a new route for through traffic, which would allow High Street, in part, to be pedestrianised, creating an attractive retail centre for the public and attracting new retail investment. Proposed environmental improvements to High Street are intended to significantly enhance the town centre shopping experience, increasing footfall and visitor length of stay. It is anticipated that on opening the proposed road would experience 15,900 daily traffic movements, increasing to 18,100 by 2030. On opening, the new road would operate at approximately 50% capacity and includes an allowance in the design for future growth in traffic.
13. Hucknall Town Centre Masterplan, which includes the road proposed in this application, has been developed by Ashfield District Council and is intended to act as a catalyst for further development. The proposed road is a long-standing scheme identified in the Ashfield Local Plan Review - November 2002 (ALPR), with the alignment safeguarded from development by ALPR Policy TR5 Ha. ALPR Policy TR4 proposes a pedestrian priority scheme along High Street between Ogle Street and Station Road. The policy supporting text (Paragraph 6.26) explains that pedestrianisation of High Street and the proposed road need to be considered as two elements of a more comprehensive integrated package of measures required to improve accessibility in and around Hucknall town

centre.

14. Hucknall Town Centre Masterplan identifies the proposed town centre improvement scheme as providing an opportunity to improve the quality and appeal of the town centre, and includes a vision for the town to overcome concern that the new road may cause traffic to by-pass the town centre and make edge of town retailing more attractive.
15. The applicant considers that the proposal would improve the public realm and environmental quality of Hucknall. A key anchor or attraction should be secured to ensure long-term town centre vitality and viability.

Relevant Planning History

16. Planning Application 4/2007/1110 (granted February 2008) for the demolition of six terrace properties and reinstatement of exposed gable walls at 25-37 Woollaton Street.
17. Planning Application 4/2009/0650 (withdrawn) for environmental improvements to Hucknall town centre encompassing the demolition of existing buildings, laying out and construction of a new inner relief road between Annesley Road and the Bolsover Street/Station Road junction, realignment of the existing Linby Road/Ashgate Road junction, the provision and layout of new pedestrian and cycle links, other related highway works and associated landscaping. The application was withdrawn to address planning issues raised through consultation, and re-submitted in the form now presented for determination.

Proposed Development

Overview

18. The construction of a new 9.0m wide highway to run parallel 90m to the north-east of High Street between the junction of Annesley Road/Baker Street and Station Road/Bolsover Street is proposed. New junctions would be formed at points where the road would cut across Titchfield Street, Albert Street and Perlethorpe Dive. The junction of Thoresby Dale with Station Road would be closed to vehicles, other than for access by emergency services, and vehicles accessing Thoresby Dale, Kersall Gardens, Budby Rise and Kneesall Grove would do so via a re-aligned junction of Perlethorpe Drive and the new road. An emergency vehicular access would be formed from the new highway to the southern end of Thoresby Dale.
19. The roundabouts at the junction of Station Road/Ashgate Road and Station Road/Linby Road would be replaced by a single light-controlled junction.
20. 42 High Street, opposite the junction with Watnall Road, would be demolished and a new bus-only route would be formed between High Street and the new highway. Treatment of the exposed façades to either side of 42 High Street is proposed.

21. The application has been screened as development subject to the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the proposal is accompanied by an Environmental Statement. The following potential environmental effects have been identified:

Traffic and Transport

22. The new road, subject to a 30mph speed limit, would be expected to carry 15,900 vehicles a day in the opening year (2015). Traffic would be displaced as a consequence of pedestrianisation. Although a separate matter, not for consideration as part of this application, only those properties that do not have other means of service access would be permitted access to the pedestrianised part of High Street between 10:00 – 16:00 hours Monday – Saturday. Loading/unloading would be permitted outside of these times. Access to the pedestrianised part of High Street by Blue Badge holders and Special Access permit holders would be considered.
23. A Traffic Regulation Order would be required to control vehicle movements on the highways affected by the proposed highway works, and would be the subject of a separate statutory process.

Air Quality

24. The scheme would result in large changes in pollutant concentrations, both positive and negative, at some sensitive receptors. The predicted pollutant concentrations are below air quality objectives for PM10 (fine particulate matter) and nitrogen dioxide (NO₂). The proposed pedestrianisation would have a positive effect on the overall air quality on and near to High Street.

Noise and Vibration

25. A number of residential properties are likely to experience a noticeable increase in traffic noise, greater than 5dB(A). 37 residential buildings would be eligible for noise insulation under current legislation (Appendix 1).

Townscape, Visual Effects and Arboriculture

26. The proposed road would alter the character of the landscape. The alignment would affect urban, previously developed land, including residential properties, car parks and vacant land. Some properties would need to be demolished. Extensive planting of trees and shrubs is proposed. New habitats would be created to encourage and sustain wildlife.
27. The proposed road would be tree-lined and flanked by landscaped areas. Hucknall Town Centre Masterplan envisages several sites adjacent to the new road being redeveloped to create an urban street with frontage development. However, such proposals would be the subject of future applications to be made to Ashfield District Council.

Biodiversity

28. Mitigation measures such as bat and bird boxes would be introduced. White-clawed crayfish are present in Baker Lane Brook. Japanese knotweed has been identified on the site and would be removed prior to the commencement of works.

Cultural Heritage

29. The setting of listed buildings and non-designated heritage assets would be affected, notably around the new Annesley Road/Baker Street junction. Archaeology is likely to be affected and methodologies for further archaeological investigation are required.

Drainage

30. Properties that would be demolished, and areas of existing hardstanding, presently drain into the public combined sewerage system. Drainage capacity arising from the demolition of properties has been factored into the drainage assessment. The new road would increase the overall impermeable area to be drained. On-site attenuation would be provided in the form of over-sized pipework. A discharge rate for surface water from the new road has been agreed with Severn Trent Water Limited and would be controlled and attenuated to ensure that water would discharge at the current discharge rate.
31. Drainage in the area, particularly towards the eastern end of the application site is complex and the area is susceptible to flooding from a variety of water sources including Baker Lane Brook which runs through the site. The proposed road would impact on the flooding regime of the Baker Lane Brook. A Flood Risk Assessment (FRA) supporting the application demonstrates that the proposal would not increase flood risk to properties and two flood storage areas are proposed adjacent to Baker Lane Brook to mitigate flooding. The first would be provided to the north of Baker Lane Brook, bounded by the junction of the new road with Baker Street. A second area would be provided to the north of the new road and to the east of the proposed bus link. Adjacent to Titchfield Street, Baker Lane Brook would run in new open channel adjacent to the highway, with the existing culvert beneath Titchfield Street becoming defunct (although the applicant has indicated that this could be retained to provide additional capacity). The watercourse would be carried beneath the new road in an 18m culvert to the east of the junction with Perlethorpe Drive. An additional new 67m culvert would carry Baker Lane Brook beneath the reconfigured junction of Station Road/Ashgate Road.
32. Properties on Thoresby Dale have been subject to flooding, most recently in July 2013. Flooding issues in the area are the subject of a separate investigation being led by Nottinghamshire County Council.

Contaminated Land

33. The applicant does not anticipate contaminated land being encountered, and this would be reviewed prior to and following construction. Unexpected contamination that may be encountered would need to be appropriately remediated. Mitigation measures would be put in place to prevent contamination

during construction works.

Description of Physical Works

Annesley Road - Titchfield Street (Plan 6)

34. 24-26 Baker Street, a three-storey property with open ground to the south adjoining Baker Lane Brook, would be demolished. A new mini-roundabout would be formed at the junction of Annesley Road and Baker Street. The existing access to The Maltings and Malthouse Cottage would be retained but, with the realignment of the junction, would adjoin a southward extension of The Connery.
35. 1-3 The Maltings, Malthouse Cottage and land to the rear of 24 Baker Street are set at a level lower than Annesley Road/Baker Street. The level of the new carriageway at the rear of 24 Baker Street would be raised between approximately 0.8 and 0.95m above existing and would be provided with a 3.0m wide footway/cycleway on its southern side and a 2.0m wide footway on its northern side. The level of the footway on the northern side of the road would be 1.15m above existing level approximately 18m from the front elevation of 3 The Maltings (Section A-A – Plan 7).
36. A 50m long 1.4m high wall would be erected to the east of The Connery on the north side of the footway to the new road. The wall would extend in front of 1-3 The Maltings and Malthouse Cottage. The exact construction detail would be confirmed in the detailed design, but would have a stone finish in keeping with the adjacent cottages. Land to the north of the wall would be graded to meet existing levels. No change would be made to the existing access arrangements to 1-3 The Maltings and Malthouse Cottage and the existing private access gate would be retained.
37. To the north of the bank of Baker Lane Brook and south of the new road, existing ground levels would be lowered by approximately 0.4m to create a flood storage/balancing pond area.
38. The wall on the existing alignment of the carriageway edge at the corner of Annesley Road and Baker Street would be re-erected using reclaimed stone, and would follow the alignment of the new carriageway edge. A wall approximately 14m in length would be erected on the footway edge, adjacent to the proposed flood storage area. A footpath would run adjacent to Baker Lane Brook following a likely pedestrian desire-line between Titchfield Street and Ogle Street. The path would offer an appreciation of Baker Lane Brook and possible elements of archaeological interest to the north of the watercourse that may be exposed and retained, and in addition, views towards Market Place.
39. The Baker Lane Brook would be diverted from its present course beneath Titchfield Street to run in open channel immediately to the east of the highway before returning to its current alignment along the southern boundary of a cleared former factory site.
40. Four terraced Victorian houses, 27-33 Titchfield Street, would be demolished to

accommodate the proposed alignment of the road. Titchfield Street would be modified to create tangential junctions with the new road. Titchfield Street would be open to two-way traffic to the north of the new road junction. A cul-de-sac with a turning head, providing access to frontage properties, would be created on the southern arm of Titchfield Street. The current junction of Titchfield Street and High Street would be closed to vehicular traffic as part of the town centre pedestrianisation scheme. However, a route through to High Street would be retained for pedestrians and cyclists.

41. The use of high quality surface finishes is proposed at the Annesley Road/ Baker Street junction, extending the use of block paving already installed adjoining Market Place.
42. The applicant has given careful consideration to minimising the visual impact of the new road traffic junction, and has investigated options that could allow the retention of 22-24 Baker Street. A signalised junction has also been considered. However, when tested in terms of junction capacity and following review by NCC Accident Investigation Unit, the proposed roundabout configuration is presented as the best option to manage anticipated traffic flows.

Albert Street – Woollaton Street (Plan 8)

43. A *Toucan* crossing (a signal controlled crossing for cyclists and pedestrians) would be provided to the west of the junction of the new road with Albert Street. A shared cycle/pedestrian route would be provided on Albert Street and, after crossing the new road, would join the cycle route running along the southern side of the new carriageway. Cyclists and pedestrians could continue along the southern arm of Albert Street to access High Street or use Titchfield Street (south).
44. The level of the proposed footway on the northern side of the *Toucan* crossing adjacent to 39 Albert Street would be approximately 0.7m above existing ground level. A close boarded fence up to 1.8m high fence would be erected adjacent to the footway to provide privacy in the rear garden area of 39 Albert Street. The supporting bank would be battered to meet existing ground level 1.2m from the gable wall of the house. A 1.8m high fence would be erected at the foot of the batter.
45. Albert Street would be modified to create a tangential junction to the north of the new road. Albert Street would carry one-way traffic away from the new road, although it could be used for two-way traffic or flow in the opposite direction under supervision/control should Titchfield Street be closed, for example in case of emergency.
46. The alignment of the junction of Perlethorpe Drive and Albert Street would be reconfigured to create a new junction onto the proposed new highway with a shared private access drive provided to 16 and 18 Perlethorpe Drive. The new road would run to the rear of 15 and 17 Perlethorpe Drive and adjacent to 2 Kneesall Grove to the east of the junction and would be at a level approximately 1.3m above that of the adjoining gardens. Existing property boundaries would be retained. A stone wall approximately 65m in length and 1.4m in height would be

erected along the northern edge of the footway, affording views of the adjoining watercourse in open channel to passing pedestrians. An access to the watercourse for maintenance would be provided from parking spaces to be provided opposite 36-42 Woollaton Street. The relatively low wall would potentially give pedestrians views into the rear garden of 2 Kneesall Grove and the applicant has acknowledged that some mitigation may be required. This could either take the form of planting on the southern bank of the watercourse, on the northern bank within the garden of 2 Kneesall Grove, or through the erection of a limited length of fencing to close up gaps in existing boundary vegetation. The applicant would wish to discuss how this may best be mitigated with the affected occupier.

47. A new road, linking the new highway with High Street would be used by buses and also to gain access to properties on Albert Street to the south of the new highway. A junction on the new road, and new link with 10 parking places provided on its northern side, would lead to Albert Street. The parking spaces would be enclosed on their northern side by a wall, with gates provided at either end to allow access for maintenance of Baker Lane Brook in open channel. Beyond the junction leading to Albert Street, the road would be used only by buses. Immediately prior to the bus only section of road an access on the eastern side would lead to a service area/car park for 13 cars to the rear of Peacocks (40 High Street).
48. It would not be possible for vehicular traffic to gain direct access from the southern arm of Albert Street to the new highway. The southern end of Albert Street would be closed to vehicular traffic as part of the town centre pedestrianisation scheme.

Woollaton Street – Station Road (Plan 9)

49. Mid-terrace residential properties at 22-34 Woollaton Street would be demolished, the exposed gable walls of 20 and 36 Woollaton Street would be re-faced with brick and a closed tile verge.
50. Properties opposite 36-42 Woollaton Street have already been demolished and the site is presently fenced. The fence would be removed and five car parking spaces and a turning area would be provided to serve the retained dwellings, accessed directly from the new road. The land beyond, to the south of Baker Lane Brook, would be lowered to create a flood storage area upstream of a culvert on the watercourse passing beneath the eastern end of 2 Kneesall Grove.
51. The footway of the road new would be 0.5m above existing levels and 1.4m above the level of Baker Lane Brook. The footway would be approximately 14m from the watercourse and the boundary with 2 Kneesall Grove.
52. It would not be possible to gain direct vehicular access to the new road from the southern arm of Woollaton Street, although Woollaton Street could be used by both pedestrians and cyclists to gain access to High Street.
53. To the east of Woollaton Street the road would pass through an area presently

used as a public car park to meet a signalised traffic junction with Station Road. Approximately 20m prior to the junction with Station Road, an emergency access would be provided to Thoresby Dale. The existing junction of Thoresby Dale and Station Road would be stopped-up to vehicular traffic.

54. Bolsover Street, which is presently one-way with vehicles permitted to travel from Portland Road to Station Road would be accessible to two-way traffic movement although the junction with Station Road would be closed to vehicular traffic.

Station Road – Ashgate Road – Linby Road Junction (Plan 10)

55. The roundabout at Station Road/Ashgate Road would be replaced by a new signalised junction opposite the junction of Station Road and Linby Road. The realignment of Ashgate Road to the north would impact on 67m of Baker Lane Brook currently in open channel that would instead run in culvert beneath the new road. A Severn Trent Water Limited combined sewer overflow would be relocated to the south of the road (on land that is presently part of the roundabout junction). A triangular area of land with frontages of 45m to Station Road and 55m to Ashgate Road on the site of the existing roundabout junction would become an amenity area, although no further details have been submitted.
56. Land used for storage and a residential property at Station House is presently accessed from Baths Lane from Station Road. Baths Lane is also used by pedestrians and cyclists to gain access to the tram terminus/railway station and the adjoining Park and Ride. The access from Baths Lane to Station Road would be stopped up and a new junction, connecting to Baths Lane, would be formed from Ashgate Road 35m to the south of the signalised traffic junction. Vehicle movements into or out of the junction in any direction would be permitted.
57. Linby Road and Station Terrace would be modified to accommodate changes to the signalised junction.

New Road - High Street Bus Link (Plan 11)

58. Following the demolition of 42 High Street a new road would be constructed opposite the junction with Watnall Road, to connect High Street to the principal new highway. The area presently provides rear service access to the adjoining properties (a shop and a public house) and visually the environment of the service yard is poor.
59. The flank walls of buildings to either side are constructed with simple, brick elevations. *The Pilgrims Oak* public house has 2.0m high horizontal timber boards, in poor condition, erected at first floor level to screen the roof of the building beyond. It is proposed that the timber would be replaced by vertical composite cladding, principally coloured white with red and blue coloured panels inserted randomly, varying between 1.8m and 7.4m above ground level. Existing brickwork would be cleaned and re-pointed. Advertisement hoardings (which would be the subject of separate advertisement control with any application to be determined by Ashfield District Council) would be displayed on the wall to add to

the vibrancy of the new street. Wall-wash lighting would be installed.

60. Following the demolition of 42 High Street, the exposed flank wall of 40 High Street would be reinstated at ground floor level with new brickwork and a 5.0m shop window frontage installed facing the new bus link. New window openings would be inserted at first floor level. Existing fascia and guttering would be replaced along the length of the elevation. Coloured cladding of the same style and colour as that applied to *The Pilgrim Oak* would cover the majority of exposed brickwork from ground to fascia level (3.3m). Lettering up to 0.5m high and fixed directly to the new wall of 40 High Street (subject to advertisement control) would advertise 'Hucknall Bus Terminal' (Plan 12).
61. A Traffic Regulation Order would restrict access to the new link road, between High Street and the junction leading to Albert Street, to buses only. The applicant has indicated that this may be enforced by the use of cameras. Bus shelters would be provided on either side of the road, and any incidental areas of land between the footway/waiting areas and the adjacent buildings would be planted.

Traffic Management, Crossing Points and Cycling

62. Traffic flows would be controlled through a light-controlled junction at the eastern end of the new highway at its junction with Station Road, linked to the signalised junction at High Street/Station Road/Portland Road/Duke Street. A signalised junction would also be provided at the junction of Station Road/Ashgate Road and Linby Road. Near-side pedestrian crossing units, with rotating cone indicators to advise visually impaired pedestrians when to cross (rather than an audio signal), would be used at the Station Road/new highway signalised junction.
63. Four refuges would be provided in the centre of the carriageway along the length of the new road to facilitate crossing by both pedestrians and dismounted cyclists. A *Toucan* crossing (allowing both pedestrians and ridden cycles to cross) would be provided to the west of the junction of the new road and Albert Street.
64. Pedestrian and cyclist crossing facilities would be provided at both the junctions of the new road and Station Road, and at the reconfigured Station Road junction with Ashgate Road and Linby Road.
65. A 3m wide shared (non-segregated) cycleway and footway would be provided on the southern edge of the new carriageway. The shared cycleway would cross Baker Street and continue along Ogle Street. Widened footways to accommodate shared use by cycles would be provided on the north side of the new road, linked to crossing points, and extended into Titchfield Street and Albert Street.
66. A shared cycleway and footway would be provided on the north-west side of Station Road (to the north-east of the junction with the new road, and on both sides of Ashgate Road, connecting either to Tesco or to the NET/railway station and Park and Ride. A segregated cycleway and footway would also be provided

from Station Terrace, crossing Station Road to join Sustrans Route 6.

Street Materials

67. Adjacent to the Market Place and on Baker Street footways are generally surfaced with brindle coloured block pavers. Elsewhere footways have a rolled bitumen finish. The finish of proposed footways and cycleways is not specified in the application.

Consultations

68. **Ashfield District Council (Planning) (ADC)** – *The proposal complies with relevant Plan policy in the National Planning Policy Framework (NPPF), East Midlands Regional Plan 2009 [now revoked], Ashfield Adopted Local Plan Review 2002 and Local Plan Preferred Approach 2012. This is a welcomed environmental regenerative project regarded by ADC as progressive and will have an overall enhancing and positive impact upon the vitality and viability of Hucknall town centre. The removal of traffic from the heart of the town will create pedestrian comfort and enhance its economy which reflects ADC's strategic vision.*
69. *No objection subject to the following:*
- a) *The new road becoming an urban street (not a by-pass).*
 - b) *The streets linking High Street and the new road should be treated as part of the highway works to High Street, including Titchfield Street, Albert Street and Watnall Road which should be designed as part of an integrated public realm*
 - c) *Opportunities for frontage development on the new road should include incubator office development as well as new housing (which on smaller sites could include family housing with gardens).*
 - d) *Opportunities should be taken along the route of the new road to provide appropriate landscaping and tree planting.*
 - e) *The footpath between the NET station and the town centre is an important element of the scheme. Environmental improvement works along the route should be considered in order to provide an appropriate gateway to the town. Further discussions should take place with ADC.*
 - f) *Town centre public parking should be provided in the short/medium term while some sites adjoining the new road await redevelopment.*
 - g) *The proposal will affect non-designated heritage assets which will need to be addressed by NCC Built Heritage Team.*
 - h) *Cross-section G-G needs to be extended (to the south of Woollaton Street) to understand landscape impact.*
 - i) *Consideration needs to be given to the construction of a path along a*

desire line adjacent to 16 Baker Street and the Baker Lane Brook to the junction with Titchfield Street.

- j) Full hard and soft landscaping details of species and materials need to form part of the proposal rather than a condition.*
- k) Flooding from the road gully at the junction of Ogle Street and Baker Street needs to be resolved.*
- l) The extent of tree removal is not known.*
- m) Bus routes in and around Hucknall need to be maintained and enhanced during and following construction in order to best serve the local community.*
- n) A monitoring schedule should be prepared that reviews breaches of unauthorised use of the pedestrianised zone. Vehicular access should be prohibited other than by vehicles servicing or delivering to properties that cannot be accessed from elsewhere.*

70. The following additional comments have been received in respect of revised details submitted in support of the application. *In light of recent flooding events betterment in terms of flood attenuation should be clearly implementable. The County Council and Environment Agency are urged to use best endeavours to improve drainage in the Hucknall area. ADC is supportive of proposal and raises no objections subject to the following:*

- a) Given the amount of green space 'left over' beside the road, further exploration into the achievement of well defined public realm spaces is requested.*
- b) Confirmation that all the green spaces shown will be part of the highway and be maintained by Nottinghamshire County Council. Comment: the applicant has confirmed that all green spaces shown on the application drawings will either be highway or in Local Authority ownership and therefore maintained.*
- c) Further details of sustainable drainage techniques to be provided to the Local Planning Authority and the Environment Agency for consideration.*
- d) The qualification that other methods of pedestrian safety enhancements and ambience creation have been explored prior to development that inevitably impacts upon local heritage assets.*
- e) Exploration of the potential for a new drainage pipe running from Ogle Street to Ashgate Road to be considered. Such a pipe could take highway drainage and excess flow from the Baker Lane Brook, thus reducing volume in the brook and the combined sewer.*
- f) The imposition of relevant conditions to alleviate highways drainage issues across the development.*

- g) *The imposition of recommended conditions which address issues of environmental management issues and the retention of residential amenity during construction.*
71. ADC has confirmed that the proposed development complies with the NPPF and relevant policies of Ashfield Local Plan Review (2002).
72. **NCC Planning Policy Team** – No objection. *The proposal is in accordance with the NPPF and integrates well with the Ashfield Town Centre Masterplan. Overall the proposal would help to deliver the regeneration of Hucknall Town Centre and would positively contribute to the strategic regeneration of Ashfield as a whole.*
73. *It is considered that the proposal would positively contribute to the redevelopment and regeneration of a town centre that has been identified as suffering from decline.*
74. *The proposed inner relief road route has been safeguarded from development for the past 50 years and forms part of the Department of Transport and Nottinghamshire County Council's priority for transport development, amendments to the scheme have been welcomed, and many issues during the life of the proposed development have been overcome.*
75. *The information submitted by the applicant in support of the above proposal clearly sets out the benefits of the scheme overall. The scheme is considered to be in accordance with the NPPF and is accompanied by evidence to support the regenerative benefits the proposal would bring.*
76. *It is considered that overall the proposed inner relief road would help to deliver the regeneration of Hucknall Town Centre and would therefore positively contribute to improving the town as whole. It is considered that the impact upon the vitality and viability of the town centre would not be harmed.*
77. **English Heritage** – Not supported. *English Heritage has offered to enter discussions regarding the possibility of amending the scheme so that it would be less harmful to the character of Hucknall as an historic market town and the setting of the grade II* St Mary's church. At the discussions that subsequently took place it was reluctantly accepted that any substantive modifications to the design would be unacceptable to the applicant, although a greater degree of flexibility may have been possible in certain areas.*
78. *Hucknall is now therefore faced with a fairly stark choice. The very term "inner relief road" seems to hark from a very different era, when large sections of our town centres were destroyed in the name of the free flow of traffic. These schemes, intended to promote prosperity, almost always had the opposite effect on the towns through which they ploughed, and most are still coping the economic and social consequences.*
79. *English Heritage understand the many constraints that the scheme is having to work within, with a road that was conceived prior to the transformation in best practice signified by Manual for Streets. Now surely the overall harm the scheme would cause must be weighed against what benefits (if any) that the*

associated pedestrianisation may bring. As a regenerative measure, English Heritage believe that not only are the supposed merits of the scheme unproven, but experience shows that roads similar to this blight the towns they run through.

80. *Perhaps now is the time to consider the future of Hucknall again. English Heritage understand that a conservation area is mooted for the town, which would make it eligible for substantial Heritage Lottery Fund assistance. Conservation area status is increasingly coming under scrutiny however, and the demolitions proposed in the scheme would seem to make the case for designation questionable, and prospects for a more sustainable regeneration based upon the town's character more remote.*
81. **NCC Built Heritage Team** – Not supported. *The new development would create a road through the historic core of Hucknall. The location contains a high concentration of historic Local Interest buildings, and helps to form the setting of the Listed Buildings in the Market Place, including St Mary Magdalene Church (II*). The new road would adversely impact on the setting of Designated Heritage Assets and lead to the total loss of Local Interest non-designated Heritage Assets. In terms of the level of weight given to this, it should be noted that the Church is a grade II* Listed building and as such is within the top 8% most significant buildings in the country. Its significance is further enhanced by the unique connection to Lord Byron.*
82. *The loss of the historic buildings would create a substantial hole in the historic streetscape and reduce the current sense of enclosure around Market Place from which the church and library can be appreciated. The associated urbanising highway works and presence of greater traffic flows will also have an impact in terms of altering the environmental setting with greater noise and visual disturbance from signage, lighting, traffic etc.*
83. *Damage to the setting of listed buildings is likely not to be completely mitigated through landscaping and materials alone. In this case it may be appropriate to help offset the damage by better revealing significance elsewhere. This could mean townscape improvements in other elements of the setting alongside investment in interpretative works.*
84. *Potential areas of mitigation, which could be controlled by planning conditions, have been suggested including:*
 - a) *in line with the NPPF, full building recording of all demolished heritage assets;*
 - b) *use of quality traditional materials in landscaping and infrastructure works (for example paving and kerb detailing to be sensitive to the historic setting);*
 - c) *reinforcing local character and distinctiveness through building details, for example Bulwell stone walls. Opportunity should be taken to salvage any vernacular materials in the demolition of existing building for use in landscaping works; and*

- d) *retaining and adding tree replacements in the historic core (such as has already been achieved along the east side of Market Place, may help to soften the impact of the new scheme, and the appreciation of the listed buildings from the north-east corner of Market Place).*
85. *To off-set the damage to heritage assets, serious consideration with partners should be given to:*
- a) *improving the setting of the assets from other aspects, assisting with the reinstatement of traditional timber shop fronts on High Street and around Market Place; and*
- b) *reinforcing the positive contribution of existing heritage assets, such as the Byron connection to the town, and development of the existing visitor facility.*
86. *The Cultural Heritage Assessment now includes reference to setting, but the description of impacts is heavily centred on visibility. The Residual Significance of Effects on the Setting of the Church of St Mary Magdalene is assessed as negligible, seemingly based on a questionable statement that the Church is not 'Visually Dominant'. English Heritage has also raised concerns about impacts upon the setting of the church.*
87. *The impact on the setting of non-designated assets such as the Maltings is also of concern. An erosion of the historic context of the cottages within Mill Yard is recognised but a neutral adverse impact is reached through landscaping and screening works. The loss of historic context cannot be neutralised through these works, the landscaping is to help mitigate the physical impact of the road.*
88. *The demolition of 28 Baker Street is treated similarly. Whilst it is noted that the demolition of buildings will cause a loss of historical fabric and the erosion of setting of surrounding historic buildings, the loss is assessed as having minor adverse impact. Guidance in the NPPF should be taken into account when considering non-designated assets.*
89. *Land adjacent to the watercourse has historic significance. There are standing remains of vernacular buildings most likely linked to the Mill Complex. A substantial stone wall runs alongside the brook and has attached what appear to be remnants of a water course management system. The proposed retention of this wall and creation of a public space has some heritage benefit. Interpretation of the history of the site and remains could better reveal its significance and the relationship of the brook to the development of Hucknall. Whilst this is welcomed it should also be noted that many standing remains in the site would still be demolished and whilst these can be recorded this should not be seen as justification for loss. Works to divert the brook outside of the historic core should also be considered as to how they can reinforce local distinctiveness. Where visible and contributing to townscape, then stone facing to the channel walls would be considered appropriate.*
90. *The mitigation on the mill site could be further enhanced through a good quality boundary feature using local materials and detail on Baker Street, potentially*

extending around the corner of the new junction and bringing all pedestrian/cycle thoroughfares within the landscaped site. This could help reinstate an element of townscape by reducing the open expanse of tarmac and paved area at the junction.

91. *Whilst devised as Hucknall Town Centre Improvement Scheme, it results in traffic by-passing High Street through the creation of a new road. It has much in common with relief road schemes of previous eras, many of which have been seen to have detrimental impacts on heritage and in some cases the local economy. The scheme does not reflect current thinking on the benefits of heritage led regeneration. The adverse impacts of the scheme could restrict the potential for future regenerative funding and schemes. There have been District and County Council officer discussions over the potential for conservation area designation of the historic core. Implementation of this scheme would make the possibility of this unlikely.*
92. *Purely from a conservation viewpoint the nature of this development will have an adverse impact on the heritage of Hucknall. Non-designated heritage assets will be lost and the setting of other assets including listed buildings of national significance will be adversely affected. Guidance in the NPPF should be taken into account when considering impact on the setting of listed buildings.*
93. *Whilst scheme amendments have seen some further consideration of potential mitigation on the historic environment, it is difficult to consider these to mitigate against the weight of the adverse impact.*
94. *If permission is to be granted it is strongly recommended that the finer details of the scheme including materials, and detail and landscaping of the public realm is carried out to the standards set out in English Heritage's 'Streets for All' guidance. All historic structures to be demolished should be professionally recorded to an appropriate RCHME (Royal Commission on the Historical Monuments of England) level with the records to be made publicly accessible.*
95. **NCC Archaeology Team** - *A lack of good information about archaeological survival is compounded by a lack of clear information about the ground works which will be required to achieve the planned outcomes. The engineering works required may require maximum ground disturbance. There is a serious lack of understanding of the archaeological potential of the scheme, which carries associated risks.*
96. *If planning permission is granted, a complex and detailed schedule of archaeological works with adequate contingency provisions to cover unexpected discoveries will be required. Unexpected discoveries are almost certain. There should be no site clearance (i.e. demolition or partial demolition of walls or any other structural elements) until the area has been assessed by a suitably qualified and experienced archaeologist, who should also be monitoring geotechnical work and vegetation clearance. The outline schedule will need to be re-considered and finalised once information gained from the monitoring of the geotechnical and vegetation clearance works has been assessed.*
97. *The scheme overall will need to be monitored by suitably experienced*

professional archaeologists. Some areas are highly likely to require formal archaeological interventions, the exact nature of which will depend upon the nature of ground disturbance entailing from the scheme.

98. Recommendations are made for the form of archaeological investigation that will be required for different areas of the linear site which, once geotechnical and other site works are completed and the detail of construction methods has developed, can be refined. A scheme of archaeological investigation should be required by planning condition.
99. **NCC Highways Development Control** – The following incorporates a response from NCC Transport Plans and Programmes Team who have considered projected traffic numbers and vehicle movement. *The construction of the Hucknall Town Centre Improvement Scheme forms part of a positive strategy to invest in the town providing the catalyst for regeneration. The submitted scheme has been the subject of considerable consultation and review in recent years. In transport terms the scheme is wholly supported and the new relief road and connecting bus only link provide the opportunity to remove traffic from the High Street thereby enabling pedestrianisation. The scheme will improve connectivity to the town's rail and tram station for all users, and will allow Hucknall to further develop into a sustainable and thriving community.*
100. *Information supporting revisions to the proposal reaffirms the choice of a mini-roundabout at the junction of the new road with Baker Street and explains the alternative options that have been considered and discounted. The selection of a mini-roundabout is supported and once constructed is predicted to operate satisfactorily.*
101. *It is not possible to produce a layout that fully complies with Department for Transport (DfT) design standards. As Highway Authority, the County Council is content that the changes to and introduction of the major junctions that form part of the scheme at Annesley Road/Baker Street/Inner Relief Road (IRR), Station Road/IRR, and Station Road/Linby Road/Ashgate Road generally comply with DfT requirements. The remainder of the route complies with Manual for Streets principles and has undergone a Stage 1 Road Safety Audit. The proposed road layout is therefore acceptable.*
102. *A planning condition will be required to prevent unauthorised motor vehicles using the bus-only link on a regular basis, which will need to be controlled by a Traffic Regulation Order. The route will need to be subject to a period of monitoring and should contraventions materially impact on the safety and efficient use of the route by authorised users, a bus lane enforcement camera can be introduced.*
103. *A car park is accessed from the bus only route. Bus lane marking should be moved southwards to avoid the car park entrance and the car park exit be shaped to discourage vehicles turning left on exit into the bus lane.*
104. *The layout includes a number of areas defined as 'Proposed Highway Verge / Possible Landscape Area'. Most of these areas are not required for highway purposes and therefore would be better forming public open space possibly*

placed in the control of the District Council or be considered for future development. There is also a large area defined as 'Amenity Area (Ashfield DC to consider)' at the junction of Ashgate Road and Station Road. This area again is not essential for highway purposes.

105. *A plan should be submitted prior to the commencement of works to define the extent of existing public highway, areas of additional public highway, areas of public highway to be removed, and the maintenance responsibility of the land to be outside the public highway but within the application area to be agreed by the CPA.*
106. *The supporting environmental statement includes traffic projections with (Do Something) and without (Do Minimum) the scheme in place for both the proposed opening year and 15 years thereafter. The traffic predictions for the Do Something option include the likely traffic impacts of a possible one way system on Ogle Street. The resultant traffic impacts on Ogle Street and Church Street are judged to be acceptable. In order to ensure that the impacts of displaced traffic are suitably measured, monitored and managed a suitable planning condition should accompany any subsequent planning permission.*
107. *The design of the pedestrianisation scheme has not been considered as part of this consultation response as it does not form part of the planning application. The submission would have benefited from a reference to the Best and Final Funding Bid document which contains more detailed scheme related information.*
108. *Conditions are recommended to require the bus-only link being opened before High Street is closed to vehicles, monitoring of traffic on Ogle Street following completion of the scheme and if necessary introducing measures to manage traffic, and monitoring, and if necessary introducing traffic management measures, to control unauthorised use of the bus-only link.*
109. *The Highway Authority has been asked to comment on the consultation response from the Environment Agency including their recommended conditions (Paragraphs 130-137) and have confirmed that it is satisfied that the flood risk can be managed within the scheme without an increase in flood risk elsewhere.*
110. **NCC Road Safety Team** – *A Stage 1 Safety Audit has been carried out. This was favourable in principle and subsequent design work has been undertaken. There has been on-going informal discussions with the designers and they are intending to submit a further audit to reflect changes made to the original design.*
111. **NCC Walking & Cycling Officer** – *The proposed scheme provides material improvements to the cycle and pedestrian infrastructure in the town centre, and includes the necessary pedestrian and cycling infrastructure to mitigate the negative impacts of the scheme. Proposed provision for cycling is welcomed, creating a new route across town. The new route along Station Road provides a more cycle friendly junction at the Station Road/Ashgate Road/Linby Road junction. Links between existing cycle routes and the new road need to be improved through direction signage, shared-use footways, and advance cycle stop lines at each arm of the new signalised junctions.*

112. *The loss of lightly trafficked routes between the High Street and the area to the north of the town centre represents a significant deterioration in the quality of cycle access which will have a negative impact on short distance cycling, although mitigated to some extent by the provision of a 'Toucan' crossing near Albert Street.*
113. *Pedestrianisation of the north-western end of High Street (facilitated by the proposal) will greatly improve opportunities for walking in that area. Consideration should be given to installing pedestrian direction signing to the town centre, tram/railway station and leisure centre.*
114. **NCC Countryside Access Team** – No existing public rights of way are affected.
115. **Nottingham Express Transit (including operator Nottingham Trams Ltd)** – *The removal of the existing Station Road/Ashgate Road roundabout will provide a safer walking route between the tram terminus and the High Street. Details of how the tramstop and park and ride site will be maintained during construction are required. Full details of proposed signage to direct pedestrians, cyclists and vehicle users to the tramstop and park and ride site need to be provided. How users of the cycle link on Station Terrace are to be directed to the access to the tramstop will be required.*
116. **Network Rail** - No observations.
117. **NCC Project Noise Engineer** - *The new road will result in large and significant increases in noise at residential properties that overlook the new road. The pedestrianisation of High Street along with other changes to the local highway network result in less significant noise reductions being achieved at residential properties [on High Street and other residential areas away from the proposed road alignment].*
118. *The location of the new road, and the number of side road junctions needed, does not lend itself to the introduction of effective roadside noise mitigation. The proposed boundary treatments will only achieve limited localised shielding and be limited to gardens and ground floor rooms.*
119. *The introduction of temporary noise barriers will be required to reduce the impact of construction noise on occupiers of adjacent properties. Details of screening will be required by condition.*
120. *Levels of vibration from construction have been assessed to be well below the level that will cause cosmetic building damage. The assessment concludes that the levels of vibration generated by construction works will result in moderate levels of annoyance to affected residents.*
121. *Residents occupying properties predicted to experience future traffic noise levels above 68dBL_A10,18hour and experience a minimum increase in noise exposure of 1dB(A) from the new road are entitled to an offer of sound insulation under the Noise Insulation Regulations 1975. This package should be installed at qualifying properties before road works commence to give residents protection from construction noise and should be required by condition.*

122. *Residents occupying properties adjacent to the new road that have experienced an increase in physical factors (noise, vibration, fumes etc.) from the new road can pursue a claim for monetary compensation under Part 1 of the Land Compensation Act 1973 on grounds of property devaluation.*
123. *Opening of the new road will not result in any significant noise impact on roads remote from the scheme arising from a redistribution of traffic. At the front façade of properties on Church Drive a moderate increase in noise is predicted in the short term which will decline to a minor increase in the long term. It is generally accepted that an increase of 3dB is the minimum change perceived by humans and the increases predicted at Church Drive are unlikely to result in a serious adverse reaction. Existing and predicted future traffic flows are low. As such noise levels may be influenced by other noise sources in the locality. On-site measurement outside 20-22 Church Drive reveals an existing measured daytime LAeq of 54.5dB which is already close to the World Health Organisation daytime noise threshold level of 55dB, the external noise level above which is likely to lead to serious annoyance.*
124. *An Informative should be attached requesting that the applicant updates the baseline noise measurements at least six months prior to the start of construction or any associated works to ensure that up to date information is used in the determination of Part 1 claims submitted to NCC.*
125. **Ashfield District Council (Environmental Health Officer)** – *The Council requires further clarification of proposed mitigation to address noise. The Council has concern over the validity of the baseline noise results from 2008 as they may not represent true values for current noise in the area. The scheme overall would have a significant impact on a large number of residents in the area. To reduce impact all and any possible mitigation should be considered and implemented. A noise management plan including mitigation and implementation should be submitted as a condition for approval. Further detail of noise attenuation for those properties eligible under the Noise Insulation Regulations 1975 should be provided when available.*
126. *The conclusion that the proposal would have 'negligible effect and, therefore, the overall effect of the proposal on local air quality is considered to be not significant' is accepted by the Council.*
127. *A condition is recommended requiring the submission of an environmental management plan to reduce the effects of noise, dust, vibration and site lighting during construction.*
128. *Conditions are also recommended to require the submission of a contamination site investigation report, remediation strategy to deal with identified contamination and a validation report.*
129. **NCC Land Reclamation Team** – *A basic desk-top survey and preliminary assessment have been undertaken. A site investigation and detailed risk assessment and remediation/validation strategy will be required.*
130. **Environment Agency (EA)** – *The EA has received clarification on the modelling*

information to alleviate concerns regarding flood risk resulting from the scheme and note that there have been positive revisions, to take into account the Water Framework Directive (WFD), resulting in some changes to the way the scheme impacts upon the Baker Lane Brook. As the scheme is not at detailed design stage, the modelling can only be considered indicative as confirmed channel dimensions were not available and some channel geometry was assumed. The results of that modelling show that the scheme has no net increases in flood risk to properties within Hucknall. There are however areas within the scheme that are affected.

131. *The applicant has confirmed that any impact of the scheme will be managed and/or mitigated against during detailed design stage and will also consider further options to reduce flood risk to Hucknall town centre. The project team will liaise with Flood Risk Management colleagues as part of the Hucknall Section 19 Flood Investigation to highlight options that the road scheme could form as potential flood risk mitigation. Therefore, on the understanding that NCC, as County Planning Authority (CPA), Highways Authority and Lead Local Flood Authority (LLFA) are satisfied that flood risk can be managed within the scheme without an increase in flood risk elsewhere, the EA recommends conditions are imposed requiring that, prior to the development commencing, the following schemes are submitted to the CPA for its written approval:*

a) *A surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The scheme shall demonstrate:*

- *The utilisation of holding sustainable drainage techniques;*
- *The limitation of surface water run-off to no greater than existing runoff rates, and significantly reduced where possible;*
- *The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and*
- *Responsibility for the future maintenance of drainage features.*

b) *A scheme for any additional culverting works of a watercourse to provide conveyance for the 1 in 100 year plus climate change flood flows and an appropriate freeboard allowance.*

c) *A scheme to provide flood risk mitigation for the road works (supported by a detailed design hydraulic model). The scheme shall:*

- *Mitigate against any increase in flood risk;*
- *Incorporate all reasonably available options to reduce flood risk, in line with the LLFA's Section 19 Flood Investigation.*
- *Design details of floodplain compensation/flood storage areas, including operation details if required;*
- *Design details of in stream mitigation, de-culverting and new open channel;*

- *Details of future maintenance and ownership of flood risk assets.*
- d) *A scheme to provide an appropriately designed trash screen for the new culvert on Baker Lane Brook.*
- e) *A scheme to provide access arrangements to the Baker Lane Brook.*
132. *The EA also advise that under the terms of the Water Resources Act 1991, and the Midlands Land Drainage Byelaws, their prior written consent is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Baker Lane Brook, designated a 'main river'. The erection of flow control structures or any culverting of an ordinary watercourse requires consent from NCC as Lead Local Flood Authority and dialogue is encouraged at an early stage.*
133. *The EA note that within reach 1 of the Baker Lane Brook, the wall on the north bank would be retained and that the watercourse would only have access to the flood storage area through openings in the wall and when it overtops the natural bank. Whilst this will not cause deterioration to the WFD status of the River Leen from source to Day Brook water body there are a number of practical design issues. Firstly the base of the flood storage area will be below normal water levels of the Baker Lane Brook, therefore it may intercept ground water, especially if it's in hydraulic continuity with the adjacent watercourse. This would be of biodiversity benefit if the area is regularly wet and encourages the colonisation of wetland fauna and flora. Overtime, however, the flood storage area will naturally fill with silt and consideration is needed to the impact any mobilised silt will have on the habitat of the adjacent watercourse e.g. the smothering of white-clawed crayfish refugia, such as large boulders or cobbles, in layers of discharged silt. Silt deposits will also reduce the storage capacity of the flood storage area therefore a maintenance regime will be required to remove silt from this area and prevent silt ingress to the watercourse. Consideration must also be given to the scour effect high flows would have on the openings in the wall and the applicant should be certain the wall is structurally sound enough to permit high flows and prevent it from collapsing.*
134. *The EA argue that the cost benefit of removing the wall would outweigh the need to retain it. Should the wall be entirely removed and the watercourse was able to interact fully with its natural floodplain the area would be wet relatively regularly, encouraging colonisation by wetland species, there would be less or no need to maintain the flood storage area, especially if designed as self-cleansing, people would have greater access to a more diverse green open space and there would be no need to maintain the structural stability of a wall.*
135. *The EA acknowledge that the above can be fully considered at the detailed design stage and comment that the proposal will be acceptable if a planning condition requires it to be undertaken in line with the submitted Hucknall TCIS Water Framework Directive Assessment dated July 2013. A condition is therefore suggested requiring approval of detailed plans which incorporate the mitigation measures specified in the above assessment and the plans contained in Appendix A2.*

136. *A final condition is recommended requiring that, prior to any alterations to the watercourse, a plan for the protection and mitigation of damage to white-clawed crayfish during construction and once the development is completed, including management responsibilities, shall be submitted for approval and implemented as approved.*
137. *The applicant is also advised that to avoid detrimental impact to the white-clawed crayfish population through the retention of the Titchfield Street culvert, there would need to be constant water flow through the structure and the culvert invert must be in continuity with the bed of the watercourse to ensure no specimens become trapped. Ideally the old culvert should be removed in favour of a more natural channel with refugia provided, such as boulders and large cobbles, to benefit the native crayfish population.*
138. **NCC Lead Local Flood Authority** - *The applicant has considered the implications of this development from a surface water drainage viewpoint, and from its effects on the main river known as Baker Lane Brook which is managed by the Environment Agency. It has demonstrated through the flood risk assessment that there will be no increase to the existing significant flood risk that currently exists at Thoresby Dale as a result of this proposal.*
139. *The County Council as a Lead Local Flood Authority is fully aware of major flooding in July 2013 that affected a number of properties in Hucknall particularly in Thoresby Dale close to the proposed Town Centre Improvement Scheme. NCC Transport and Highways Committee (3 October 2013) has agreed that a study is carried out to investigate this flooding.*
140. *The study may lead to the development of proposals that if implemented would reduce the flood risk in the Thoresby Dale and Arden Grove area. The study will also include existing drainage systems in the area including the current proposed drainage systems for the Town Centre Improvement Scheme.*
141. *NCC Lead Local Flood Authority has also confirmed that the consultation response from the Environment Agency including their recommended conditions causes no concerns.*
142. **Natural England** – *No likely or significant risk to ecology. The application offers the opportunity to incorporate features which are of benefit to wildlife, such as roosting opportunities for bats or the installation of bird nesting boxes. Landscape enhancements can be secured through the provision of green space.*
143. **NCC Nature Conservation Team** – *No objection. Conditions should be imposed to require the submission of detailed designs for culverting and deculverting, the creation of new open watercourse, in-channel mitigation and bank/riperian mitigation measures corresponding to the submitted Water Framework Directive Assessment supporting the application. Post-construction monitoring of habitats and key species (i.e. white-clawed crayfish) should be undertaken in order to judge success and inform remedial works which may be required.*
144. **Nottinghamshire Wildlife Trust (NWT)** – *Modification of the scheme to allow*

for reduced length of culverting, daylighting of the existing culvert and creation of new culverts to offset impacts of the additional culverts is welcome. There is still, however, a net loss of open watercourse as a result of the project. Opportunity for ecological compensation through the enhancement of off-site water courses is questioned. The Water Framework Directive Assessment concludes that 'Other development schemes and associated mitigation measures have been reviewed across the wider water body. At present it is not possible to assure with third parties that these schemes will progress, so these measures have not been directly linked to the proposed [town centre scheme]'. NWT considers this to be a missed opportunity.

145. *The proposed monitoring of riparian habitats, crayfish and fish populations post-completion of the project should be secured through a planning condition and should reference the methodology put forward in Section 7 of the Water Framework Directive Assessment Report. Prior to the commencement of works the trapping (rescue) and temporary translocation of white-clawed crayfish from affected areas should be required by planning condition.*
146. *A condition is recommended to ensure the implementation of the advice in section 7.5.1 of the Environmental Statement in relation to the protection of water, woodland and trees, treatment of Japanese Knotweed, protection of grasslands and mitigation for protected species. Compensation and enhancements proposed at section 7.5.2 of the Environmental Statement should also be secured and fully implemented through a planning condition.*
147. **NCC Forestry and Arboriculture Team** – No response received.
148. **NCC Landscape Team** – *Planters are proposed at the junction of Annesley Road and Baker Street, intended to give 'framing' and 'greenery' at the junction. Given the scale of the road and adjacent buildings the planters are not required and planting in such positions invariably becomes overgrown and a repository of rubbish.*
149. *Sections show the gradient of some embankments between the carriageway and surrounding land being particularly steep, and will be difficult to maintain whether grassed or planted. Proposed planting used for mitigation will be below the eye-line of people on the relief road, and the screening effect from the surrounding areas will also be reduced. Long term maintenance commitment is required for proposed planting.*
150. *The provision of the tree avenue is important in the establishment of the road corridor; the trees are the only element of the landscape mitigation works that are spatially tied to the road footprint. When detailed planting plans are prepared a line of tree planting should be established at a constant distance from the road, with planting located on the slope of the embankments rather than at the toe.*
151. **Severn Trent Water Limited (STW)** – No objection subject to a condition requiring the submission of details of foul and surface water drainage. STW advises that there are public sewers crossing the site.
152. **Western Power Distribution** – No response received.

153. **National Grid (Gas)** – National Grid has apparatus in the vicinity of the development.
154. No response has been received from the following consultees: **Trent Barton Buses; Premiere Travel; Police Force Architectural Liaison Officer; Hucknall Heritage Society; Hucknall Library Local History Group; Thoresby Dale Area Neighbourhood Watch; Disability Nottinghamshire; Hucknall Business Voice**. Any response received will be orally reported.

Publicity

155. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the occupiers in accordance with the County Council's adopted Statement of Community Involvement.
156. Councillor John Wilmott, Councillor John Wilkinson and Councillor Alice Grice have been notified of the application.
157. One petition from six residents of Mill Yard states that consideration has not been given to the privacy of the residents of Mill Yard:
- a) Properties are presently completely sheltered from public view, noise and pollution, but that the properties would only be screened from the new road by a 1.4m high wall.
 - b) The screen wall should be 1.8m (or greater) in height and constructed only of stone (not part wall/part fence).
 - c) A higher wall would reduce visual impact, require little maintenance, will complement the cottages, serve to address privacy concerns, improve aspect from the properties and the use of stone would be in character with the stone built cottages.
158. 21 letters from 13 local residents, two retail premises/owners and one former resident of Hucknall, raise the following issues:
- a) The project is welcome and viewed as a major benefit to Hucknall.
 - b) Hucknall has grown and needs an enlarged and improved town centre.
 - c) The improvements to the Ashgate Road/Station Road junction are required.
 - d) The primary purpose of the road should be to link amenities and facilities and become a second street, not simply route traffic away from the town centre.
159. **Town Centre Impact**
- a) Objection is raised to the pedestrianisation of High Street (not proposed in this planning application) as it will not deliver anticipated benefits and will lead to the disintegration of the town centre. The retail industry and high

street retail environment has changed. Continuing support for local shops (through the proposal) is wasted effort.

- b) Improvements to High Street and Piggins Croft do not require pedestrianisation and consequently the proposed road is not required. Land acquired would be better sold and reinvested in regeneration including town centre car parks.
- c) Pedestrianisation can be achieved by closing High Street to traffic. There is sufficient road capacity elsewhere.
- d) Removing traffic from the town centre will discourage visitors/use. Small shops will not be encouraged into the town centre if it is by-passed by the proposed road (2).
- e) The retail environment/shopping experience will not be enhanced. Only part of High Street would be pedestrianised and will segregate areas of the town centre, losing unity and identity.
- f) Market Place has not been integrated in the proposal and traffic flows on Baker Street may increase and serves to divide Market Place from the shopping street. The new link road will separate the 'lower' High Street from the pedestrianised 'upper' High Street.
- g) The road will not make it as easy to access the town centre (2) but will make Tesco more accessible (5).
- h) Access to the town centre (from the residential area to the north) will be severed requiring pedestrians to cross the proposed road, with associated dangers and pollution (2).
- i) Pedestrianised High Street will not be traffic free (taxis, post office vans and delivery lorries) and will not encourage its use (2). Any traffic movement within the pedestrianised area will be hazardous to pedestrians.
- j) Disruption to trade during construction (2).

160. Bus Link Impacts

- a) Detriment to Peacocks due to the removal of existing car parking and servicing areas. Junction changes mean that servicing at the front of the property may not be possible. Staff will have to park elsewhere.
- b) Fire escape routes at the side of the building which would open onto the pavement are at risk of being blocked.
- c) Insufficient detail is provided to decide if alternative proposed servicing would be suitable. The location of a bin store is not provided.

161. Traffic

- a) The road seeks to replace the traffic route through the town centre, allowing pedestrianisation, but claims that traffic flows will improve are unfounded.
- b) Growth of the town (2) and the town centre Masterplan expansion of the town centre will worsen matters.
- c) The road, separating the town centre from the residential area to the north, will introduce traffic and dangers for pedestrians.
- d) Congestion on Station Road (3) will impact on access/egress to/from Parker Street.
- e) Access to Baths Lane is poorly designed.
- f) Bolsover Street will become a cul-de-sac and with on-street parking, turning will be difficult.
- g) An alternative one-way traffic route for the town is suggested.

162. Parking

- a) Loss of town centre car parking will make the town centre unattractive to shoppers (4).
- b) Loss/lack of town centre parking spaces (6).
- c) Local residents/visitors park on Bolsover Street (2) and in the Station Road car park. Parking on Bolsover Street should be for 'residents parking' only. Lack of parking for doctor and dentist patients on Bolsover Street.
- d) Albert Street will be one-way, but there is insufficient on-street parking.

163. Amenity

- a) Change in character with increased traffic passing through a residential area (2).
- b) The boundary wall next to Mill Yard should be constructed of stone to enhance the environment and reduce maintenance.
- c) Insufficient landscaping is proposed and should provide an amenity, planted buffer between the road and Titchfield Street/Albert Street. Mature trees should be planted, not saplings.
- d) The town lacks small parks and green areas. The natural watercourse should be enhanced, lit and fenced as an amenity for the town.
- e) Old 'stale' buildings should be replaced or at least provide space for further development and more should be done to link Annesley Road to the Market Place and High Street. Parking in Market Place should be

removed and replaced by landscaping.

164. Flooding

- a) Objection to surface water from the road going into the local drainage system.
- b) There are existing flooding problems on Thoresby Dale (2). Sewer and surface water flooding occurs (2) on Thoresby Dale. Baker Lane Brook floods. Albert Street Recreation Brook is not taken into account and contributes to (existing) flooding on Thoresby Dale.
- c) Existing drainage is inadequate. While the road is being built the opportunity should be taken to sort out drainage issues generally. Drainage in the area requires further investigation.
- d) Properties are becoming uninsurable and guarantees are sought/compensation should be paid for flooding (following the development) (2).

165. Noise

- a) Increased traffic noise (6). The character of the existing residential area will change.
- b) The existing developed frontage of High Street contains noise. The new road, through a more open residential environment will allow noise to impact on properties further afield.
- c) Sound-proofing is required for houses near the road (2).
- d) Noise at Mill Yard will be reduced by the screen wall adjacent to the road. Comment: The height of the wall has been reduced since this representation was received.
- e) Noise from the road at properties on the Thoresby Dale estate will not be mitigated by proposed close boarded fencing. Existing fencing should be replaced and acoustic fencing at least 2m high should be proposed along all properties on Thoresby Dale and Perlethorpe Drive backing on to the new road.
- f) Property needs to be screened from noise during construction (2) and after the road is in use.

166. Pollution

- a) Pollution from vehicle emissions when the road is in use (4) and during construction. Dust and mud.
- b) Loss of on-street parking on Station Road will bring traffic closer to residential properties, causing noise, dirt and pollution.

167. Loss of Privacy

- a) Mill Yard is presently private and not overlooked. Screening by vegetation will not be effective in winter months. High screening and landscaping is required to protect privacy.
- b) A high boundary wall, and retention of existing gates at Mill Yard will help privacy and security (2). The wall should be at least 2m high.
- c) The wall adjacent to 2 Kneesall Grove should be 1.8m, but preferably 2.0m high to protect privacy from overlooking by pedestrian users of the new road (2). A 2m high fence should return along Woollaton Street to protect privacy.
- d) The maintenance gate, giving access to the brook, needs to be moved.
- e) The position of the proposed pedestrian crossing outside residential property on Station Road will cause loss of amenity through constant beeping and flashing lights when in use. Pedestrian flows will be altered, encouraging movement past residential property with associated noise intrusion. Pedestrians assembling to cross at a pedestrian crossing outside residential property on Station Road, resulting in looking-in and loss of privacy.
- f) Lights from traffic approaching along the new road/turning on to Station Road will impact on facing residential property.
- g) The pedestrian crossing on Station Road is not justified in its location.

168. Ecology

- a) Birds, bats and water ecology including protected crayfish will be affected.
- b) Lighting will affect bats and owls in the area.

169. Impact on Property

- a) The Fishing Tackle shop (28 Baker Street) needs to be renovated (2) and may affect adjoining property.
- b) Assurance is sought that access to Mill Yard will remain as at present and will not be accessed by the public as a through route. Metal gates bought and erected by Mill Yard residents should be retained to continue to provide security.
- c) The existing Mill Yard orchard should be retained and enhanced for residents.
- d) Access to property at Byron Station House (Plan 10) will be affected (2).

170. Other matters

- a) Existing roads and pavements are in poor condition and should be re-surfaced (2). *Comment: This falls outside the scope of this planning application.*
- b) Land at Mill Yard affected by the application has been privately maintained since 1998. The affected land is identified as '*proposed highway verge/possible landscape area*' and residents would like to keep it for their own use. *Comment: Any legal claim to property would be a civil matter and not material to the determination of this application. A future alternative use of land may require the benefit of a separate planning permission.*
- c) Loss of value (2). *Comment: Loss of value is not a material planning consideration.*

171. The issues raised are considered in the Observations Section of this report.

Observations

Town Centre Impact and Traffic

172. The applicant has explained the wider benefits that the proposed development would offer in the Environmental Statement supporting the application. The proposed road is one of a series of measures that will be required with a view to regenerating Hucknall town centre. The route of the proposed road has been safeguarded in the Ashfield Local Plan Review 2002, and is also incorporated in the Hucknall Town Centre Masterplan. The proposed road offers the opportunity to regenerate and expand Hucknall town centre to serve a community experiencing growth. The proposal is generally in accordance with ALPR Policy ST1 *Development* which will allow development that does not conflict with other policies of the Development Plan and will not adversely affect the character, quality, amenity or safety of the environment. Consideration is given to the impacts of the proposal in subsequent paragraphs of this section of the report.
173. The proposed road and associated traffic management would allow vehicular traffic (other than service vehicles and other excepted users subject to the making of a Traffic Regulation Order) to be removed from High Street. A proposal to pedestrianise High Street between Baker Street and the junction with Watnall Road would be facilitated by the proposed road. It is considered that the development would deliver sustainable benefits for Hucknall town centre, with the proposed bus link offering an alternative to car-borne journeys, located centrally within an expanded town centre. The removal of through traffic from High Street would return the retail centre to the pedestrian.
174. The potential impact of the scheme and other measures has been considered in the *Retail Impact Assessment Report* supporting the application, which concludes that significant investment improving the public realm and shopping

environment will promote the long-term vitality and viability of the town. The proposal is supported by NCC Planning Policy Team (helping to deliver the regeneration of Hucknall town centre and positively contributing to the strategic regeneration of Ashfield as a whole) and Ashfield District Council. In principle the proposal is welcome, although the impacts of the development require careful consideration.

175. With reference to the representations reported at Paragraph 161, the highway design, layout and management of traffic flows has been developed and tested by NCC Highways Design Team. Any future development of land using the Baths Lane access would need to be assessed at the time an application is submitted, with any modifications to the highway access needing to be satisfactorily accommodated at that time. Access to Byron Station House would be altered, but the junction arrangement is considered to be satisfactory. Although Bolsover Street would become a cul-de-sac, adequate provision has been made for vehicles to turn.
176. Queuing traffic on Station Road may cause delay to traffic gaining access to Parker Street but it is anticipated that there will not be a significant number of vehicles making the manoeuvre into the cul-de-sac. Linked signalised junctions would allow traffic to be managed to maintain free movement of traffic. If required, the junction could be protected by a *Keep Clear* zone.
177. Loss of town centre car parking is reported at Paragraph 162. Public car parking spaces close to the town centre would be lost as a consequence of the development. Public car parking would be provided by Ashfield District Council, but has not been raised as a concern in the Council's consultation response. The applicant has discussed public car parking with Ashfield District Council and the illustrative Masterplan superimposed on the proposed road scheme (Plan 13) indicates that the former factory site on Titchfield Street could be developed as a town centre car park. However, such a proposal would be the subject of a separate planning application to be considered by Ashfield District Council.
178. The provision of resident parking and other on-street traffic management would be the subject of a Traffic Regulation Order with separate public consultation and process.
179. Air quality issues have been considered by Ashfield District Council's Environmental Health Officer who accepts that the overall effect of the proposal on local air quality would not be significant.
180. Taxis would be unlikely to be permitted to enter the pedestrianised High Street, although dispensation may be given to the taxi office within the pedestrianised zone. Consideration would be given to access by taxis when making the relevant Traffic Regulation Order which would be subject to public consultation.

Heritage and Townscape

181. NPPF Paragraph 128 states: *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The*

level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The Environmental Statement accompanying the application includes an assessment of heritage significance which, with submission of additional information is considered to satisfy the requirement of the NPPF.

182. In determining planning applications, NPPF Paragraph 131 advises that in determining applications account should be taken of the desirability of enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.
183. The proposed road would cut across the Victorian street pattern established close to the town centre. Although 24-26 Baker Street would be demolished, the proposal would not require the demolition of designated heritage assets. Parts of the application site are undeveloped and offer archaeological value in areas that have remained relatively undisturbed. Construction works are likely to significantly impact on remaining archaeology, and NCC Archaeology Team has provided guidance on appropriate approaches to be taken on different areas of the site. Detailed archaeological mitigation is required and is the subject of a recommended condition and advisory note (Condition 5 and Informative 3).
184. One area of particular interest is the presently undeveloped site to the south of 24-26 Baker Street to the north of the watercourse, which is the site of a former mill. The area is largely required to form an area of flood storage in order to ensure that the proposed road does not worsen flooding (Paragraph 208). The area is to be developed as a landscaped amenity area, with a path provided adjacent to the watercourse. The public using that area will gain presently unseen views towards Market Place and St Mary's Magdalene Church. A careful balance will be required in the detailed design to ensure that the engineered flood storage area will not compromise archaeology that may be exposed by required excavation works, and the amenity benefits that would be offered by the introduction of green space close to the town centre.
185. That aside, whilst not objecting to the proposal both English Heritage and NCC Historic Buildings Teams have raised concern over the impact of the proposed road, in terms of need, its design, alignment and appearance. An inner relief road and its potential impact on the heritage of the evolved street pattern, and the loss of buildings close to the historic core is regarded by heritage consultees as a retrospective step in terms of highway design.
186. The town centre is constrained by the developed urban environment, largely with the exception of the route of the proposed road which has been safeguarded from development for many years by Development Plan policy.
187. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are

irreplaceable, any harm or loss should require clear and convincing justification. ALPR Policy EV13 Setting of Listed Buildings advises that development will only be permitted where through its siting, scale, or design it preserves the setting of a listed building. NPPF Paragraph 215 advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. NPPF provides appropriate policy on the consideration of impact on listed buildings. NPPF Paragraph 132 advises that substantial harm to designated heritage assets of the highest significance, including grade II* listed buildings, should be wholly exceptional. Although there would be no direct line of sight between the proposed roundabout junction and The Church of St Mary Magdalene, it would lie within the setting from which the church is experienced, giving rise to substantial harm.

188. Consideration has also been given to the proposed roundabout junction and the new road, and its impact on the historic street pattern of Hucknall. However, it is concluded that the impact of this part of the proposal would give rise to less than substantial harm.
189. English Heritage draws attention (Paragraph 79) to the need to weigh the harm the scheme would cause against the benefits that pedestrianisation may bring and suggest that an alternative approach, making greater recognition of historic significance, should be taken.
190. Where a proposed development will lead to total loss of significance of a designated heritage asset, NPPF Paragraph 133 advises that planning permission should be refused, unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Whilst the consultation response from English Heritage suggests that the proposal (including the pedestrianisation of High Street) may not deliver the regenerative benefits anticipated, this view is contrary to the positive support for the proposal expressed by Ashfield District Council. NCC Planning Policy Team draws attention to the positive contribution that the proposal would make to the redevelopment and regeneration of a town centre that has been suffering from decline. Although the proposed development may result in substantial harm to designated heritage assets, it is considered that the proposal would deliver the substantial public benefit expected in NPPF Paragraph 133. It will, however, be important to mitigate the impacts of the proposed new road. Although the road would cut across the historic former mill and maltings site, the proposal offers some benefit, bringing stone-built properties at 1-3 The Maltings, Malthouse Cottage and premises on Baker Street to the south of Baker Lane Brook into the new urban streetscene. Although of limited benefit, stone walls are proposed on the frontage to Baker Street to visually define the new roundabout junction and the adjacent area of open space, exposed archaeology (if worthy of retention) and flood storage area for major flood events. The area of open space will offer an opportunity for interpretation of heritage assets impacted by the proposal.
191. The proposed road would cut across the established street pattern close to the town centre and concern has been raised that the new highway would become a by-pass, segregating the area to the north of the road from the town centre. Whilst the planning application proposes the construction of a new road, with

incidental areas adjoining to be landscaped following the completion of construction works, the proposal would facilitate the delivery of future development anticipated in the Hucknall Town Centre Masterplan. A plan with possible future development shown is provided for illustrative purposes only as Plan 13, indicating how the new road may be developed as an urban street. The proposed road scheme considers the pedestrians and cyclist movement from the north of the road to the town centre incorporating suitable crossing opportunities, as well as providing good access to the railway station and tram stop. Details of proposed materials and finishes are reserved by recommended Conditions 27 and 28.

192. The proposed road will require terraced properties on the east side of Woollaton Street to be demolished, resulting in party walls becoming exposed. Some demolition and gable treatment has already taken place on the west side of Woollaton Street (planning permission reference 4/2007/1110) and a similar, acceptable treatment is proposed for facing properties.
193. Although ADC advises (Paragraph 69j)) that full hard and soft landscaping details of materials and species need to form part of the proposal, the issues raised are complex and the detailed design is not sufficiently advanced. The need or provision of planters (Paragraph 148) is a matter that can be considered in the detailed landscape design. Tree planting is proposed in margins adjacent to the new road and, with reference to the representation reported at Paragraph 163, would need to be of appropriate size to offer suitable impact in the early years following the completion of the scheme. The submission of a landscaping scheme is the subject of a recommended planning condition (Condition 29).

Bus Link

194. The proposed bus link would improve opportunities for sustainable travel to the town centre and is welcomed and, located centrally opposite the junction with Watnall Road, may increase pedestrian movement on the eastern end of High Street with associated benefit to trade. The proposed bus link would require the demolition of 42 High Street, exposing the gable wall of 40 High Street. The bus link would pass through an area not forming part of the town centre streetscape and significant enhancement of the new urban street is required, particularly as it would become a focal point for sustainable travel to and from the town.
195. The application proposes treatment of the elevations of both *Peacocks* and *The Pilgrim Oak*. Whilst the details are considered to be acceptable, in consultation with the affected land owners, alternative options may come forward. It will be important that the bus link becomes an attractive focal point within the town and that environmental improvements are made to the adjoining properties in advance of the bus link being brought into use. The recommended condition is intended to allow a degree of flexibility, allowing alternative treatment of the adjoining properties to be considered (Condition 32).

Privacy

196. The proposed landscape treatment incorporates measures to address threat to privacy from users of the new road, with two exceptions. The proposed wall

adjacent to 1-3 The Maltings and Malthouse Cottage would be 1.4m in height, giving rise to potential overlooking of the front of the residential properties by pedestrians. Consideration has been given to the potential impact that car headlights approaching along Baker Street may have on the properties. However, having regard to the siting of the dwellings below the level of the road and the height of the proposed wall, it is considered that vehicle headlights would not give rise to significant loss of amenity (Plan 14). Part 1 of the Land Compensation Act 1973 includes specific physical factors, including artificial light, which may become the source of a claim.

197. The privacy of the adjoining residents could be better safeguarded by the erection of a higher wall on the boundary of the highway. Whilst the front of the affected properties are not readily open to public view at present, the proposed impact of the scheme, opening up the front of property to public view over a minimum distance of 8m would not significantly affect the privacy that the occupiers could reasonably expect to enjoy. A wall 1.4m in height would enable the properties to be better appreciated in their historic context if forming part of the urban streetscape. On balance the public benefit of being able to view the properties is considered to outweigh loss of privacy which may be experienced by the occupiers, but is ultimately a matter of which Members will need to be satisfied.
198. The wall on the northern side of the road between the junction of Perlethorpe Drive and Woollaton Street would be 1.4m in height, and the road would be elevated relative to properties at 15 -17 Perlethorpe Drive and 2 Kneesall Grove. Privacy of the rear gardens of Perlethorpe Drive properties would be acceptably safeguarded by the erection of a boundary fence up to 2.0m in height, subject to discussion with the affected occupiers. Alternatively, planting immediately to the north of the road would acceptably safeguard privacy.
199. The height of the wall on the highway boundary could be increased, but would deny the passing public the benefit of views over the watercourse. If not overlooked, items thrown over the wall may pass unnoticed or the area become otherwise neglected. Rubbish finding its way to the watercourse would have the potential to contribute to flooding. The boundary treatment or other measures to safeguard the privacy of the occupier of 2 Kneesall Grove will require careful consideration and discussion with the affected land owner, but on balance it is considered that retaining the watercourse open to public view would outweigh potential loss of privacy and amenity of neighbouring occupiers.
200. Concern has been raised in representations about loss of privacy associated with headlights associated with turning traffic and noise, flashing lights and potential threat to privacy associated with pedestrians assembling outside 5 Station Road to cross at the signalised crossing at the junction with the new road. The adjacent residential properties have short front gardens and the impact of car headlights cannot be reasonably mitigated through physical works. The impact of car headlights could be the source of a claim under Part 1 of the Land Compensation Act 1973. The applicant proposes the use of nearside pedestrian signals and vibrating cone indicators, rather than flashing or audible signals and should not give rise to significant loss of amenity. Assembly of pedestrians may occur adjacent to the crossing, but the loss of amenity which

may arise is considered to be outweighed by the public benefit offered by the proposal.

Noise

201. The proposed development would introduce traffic movements through a relatively quiet and largely residential area which would give rise to a significant increase in traffic noise. The applicant, in support of the application has demonstrated the change in noise levels that may be experienced not only on the area immediately affected by the proposal, but also areas close to the town centre which may be affected by displaced traffic.
202. Properties in close proximity and directly affected by the proposal would experience increased traffic noise. However, the location and number of side roads exposes properties beyond the route of the proposed road to the adverse impacts of traffic noise. Boundary treatments can offer some localised shielding against noise but would not be wholly effective to mitigate noise impact. Loss of amenity resulting from the proposed road needs to be balanced against the wider benefits that the development offers to the regeneration of Hucknall. Residential properties likely to qualify for an offer of sound insulation under the Noise Insulation Regulations 1975 are listed in Appendix 1, and should be installed at qualifying properties prior to the commencement of road construction (Condition 21). Claims for property devaluation arising from changes to physical factors (noise, vibration, smell, fumes, smoke, artificial lighting and the discharge on to the affected property of any solid or liquid substance), are entitled to submit a claim under Part 1 of the Land Compensation Act 1973 (Appendix 2).
203. Closing High Street to traffic would result in a major reduction in traffic noise. Spring Street, Ogle Street (to the west of the junction with Church Drive), West Street (between the junction of Church Drive and South Street) and Watnall Road (between High Street and Derbyshire Lane) are predicted to experience a short term reduction in traffic noise. The consultation response from NCC Project Engineer (Noise) explains that predicted increase in noise level at Church Drive long-term is assessed as minor and is unlikely to result in a serious adverse noise impact (Paragraph 123). Predicted noise impacts beyond the area immediately affected by the proposed route, where the impact of physical change would entitle affected residents to make a claim under Part 1 of the Land Compensation Act 1973, are considered to be acceptable.

Flood Risk

204. Thoresby Dale, in proximity to the proposed road, flooded most recently in July 2013. Concern has been expressed by residents that the proposed road scheme may alter the local flooding regime and cause increased flood risk.
205. NPPF Paragraph 100 advises that development should be directed away from areas of highest flood risk, but where it is necessary it should be safe without increasing flood risk elsewhere.
206. The Environment Agency has sought clarification as part of the application

process that the proposed development has passed the Sequential Test for flood risk. NPPF Paragraph 101 explains that the purpose of a Sequential Test is to ensure that development is steered to areas at lowest probability of flooding. Floodwater at the Ogle Street/Baker Street junction is predicted to be the same (between 0-200mm in the 1 in 100 year (plus climate change) flood event) in both the pre-scheme and post-scheme scenarios. In applying the flood Sequential Test, there are no practical alternative routes close to the town centre that would deliver equal benefit that pass through an area of lower flood risk. In seeking to deliver wider benefits to Hucknall town centre the proposed road should be regarded as 'essential infrastructure'.

207. The proposed road would pass through flood Zone 3a - where essential infrastructure should only be permitted if the Exception Test is passed. Essential infrastructure in this zone should be designed and constructed to remain operational and safe for users in times of flood. None of the new carriageway would flood and the proposal would provide a continuous 'dry' route between Annesley Road and Station Road. It has been confirmed by NCC Group Manager Highway Management that should the Baker Street/Ogle Street junction be flooded that traffic could be acceptably diverted within Hucknall.
208. Resolving the flood risk issue has been a significant consideration and cause of delay in bringing the application forward for determination. The proposal offers enhancement to the management of flooding, with flood storage to be provided between the new road and Baker Lane Brook, east of Baker Lane. A modification to the proposal, replacing the culvert beneath Titchfield Street with a watercourse in open channel in mitigation for the provision of additional culverted watercourse passing beneath the new road and the realigned junction of Station Road with Ashgate Road/Linby Road has been assessed by the Environment Agency. Following clarification from the applicant and discussion with the Environment Agency, it is considered that the change does not require the FRA to be revised prior to the determination of the application. A detailed drainage design will be required to address the matters identified in the Environment Agency consultation response (Paragraph 131). In determining this application, the CPA, takes comfort from the consultation response from NCC Lead Local Flood Authority. Suitable provision would be made for access to the watercourse for the purpose of maintenance and is the subject of a recommended condition (Condition 12).
209. ALPR Policy EV16 *Water Quality and Flood Protection* advises that development will be permitted where, amongst other criteria, it would not increase the risk of flooding and adequate provision is made for access to watercourses for future maintenance. The proposed scheme of highway drainage would not adversely affect the drainage regime in the Thoresby Dale area. Whilst there is concern for the residents living close to the proposed road and the flooding that has been experienced, the appropriate test to apply to this planning application is that flood risk should not be made worse. The consultation response from the Environment Agency confirms that, whilst there are areas within the scheme that are affected, the results of the modelling show that the scheme has no net increases in flood risk to properties within Hucknall.
210. Ashfield District Council (Paragraph 70) suggest that the potential for a wider

ranging drainage scheme should be explored to address the broader flooding issue. Whilst it is considered that there would be merit in this approach, it goes beyond the realm of the application under consideration. However, such an approach or an alternative proposal may be the outcome of the study to be undertaken by NCC as Lead Local Flood Authority (Paragraph 140) and the Environment Agency have recommended that applicant works with Flood Risk Management colleagues as part of the study to highlight options that the proposed road scheme could reasonably form as potential flood risk mitigation.

211. Planning conditions are recommended to require the submission of a detailed scheme of flood mitigation and surface water drainage, demonstrating that the proposal will not give rise to increased flood risk to property, prior to the commencement of main site works (Conditions 8-10). Other recommendations put forward by the Environment Agency are also the subject of suggested planning conditions and Informatives. Such conditions provide suitable controls to ensure that any impact of the scheme is managed and/or mitigated as appropriate at the detailed design stage.

Ecology

212. The road proposals would require a net increase of 33m of culverted watercourse. This has been appropriately assessed in accordance with the Water Framework Directive which requires EU Member States to protect and enhance the water environment. The ecological impacts of the proposal have been suitably assessed in the application. The proposed increase in length of culvert equates to 0.002% of the River Leen waterbody and has been assessed as not having a significant effect on the waterbody's current Good Ecological Status classification.
213. ALPR Policy EV7 *Sites/Buildings Supporting Species Protected by Law* advises that development affecting protected species will only be permitted where provision is made within the development to minimise disturbance or new similar habitat is created in the locality. The proposed diversion of the watercourse from beneath Titchfield Street, to run in adjacent open channel, is welcome. However, the redundant culvert should remain in continuity with the watercourse offering habitat to white-clawed crayfish as at present, and in an extreme event, offering additional flood capacity. Further consideration will need to be given to the detailed design to ensure that the retained culvert provides suitable habitat for white-clawed crayfish. Conditions are recommended to require the submission of detailed designs for culverting and deculverting, the creation of new open watercourse, in-channel mitigation and bank/riperian mitigation measures corresponding to the submitted Water Framework Directive Assessment, and post-construction monitoring of habitats and key species, and would comply with ALPR Policy EV7 *Sites/Buildings Supporting Species Protected by Law*. (Conditions 7-12 and 24-25). The Environment Agency acknowledge that the concerns they have raised at Paragraphs 133-136 above can be fully considered at the detailed design stage and suitable planning conditions are suggested.
214. With reference to the consultation response from Nottinghamshire Wildlife Trust (Paragraph 146), recommended Condition 3 would require development to be carried out in accordance with submitted supporting information. However, a

specific condition is recommended to require a scheme for the treatment of Japanese Knotweed prior to the commencement of development (Condition 26).

215. The ecological impacts of highway street-lighting associated with the proposed road, running through an urban area, do not give rise to concern.

Construction

216. Construction is expected to take 18 months and would need to be phased so as to minimise disruption whilst maintaining access to affected properties, particularly those areas to the north of the proposed road (Condition 22). Vibration during construction may give rise to moderate annoyance to affected residents but, predicted to be below a level that would cause cosmetic building damage, is considered to be acceptable. Measures to mitigate noise and dust during construction will need to be in place prior to the commencement of each phase of construction work (Condition 23).

Other Matters

217. With reference to the representation reported at Paragraph 160, whilst fire doors would open directly onto the highway, the risk of obstruction is considered to be minimal. The detailed design can be reviewed within the scope of recommended Condition 32. A bin store is not proposed as part of the application (Paragraph 160c)). However, there would be adequate room to provide a bin store within the car park to the rear of 40 High Street without reducing parking capacity.
218. Although residents are understandably concerned about flood risk insurance and seek guarantees/compensation in the event that properties flood in the future (Paragraph 164), it has been explained in this report that drainage for the proposed road scheme needs to not make flood risk worse. The risk of properties flooding in the future will remain, unless addressed by a wider surface water management scheme.
219. With reference to the representation reported at Paragraph 169, the applicant has confirmed that the metal gates at the entrance to Mill Yard would be retained and attached to a new gate pier of suitable height, and would need to be the subject of further discussion.
220. Although 28 Baker Street is owned by NCC, private property issues related to impact on neighbouring property are not material to the determination of this application.
221. It has been suggested that land to the north of the road adjacent to Mill Yard could be retained and enhanced for the benefit of residents. The future use of residual areas of land are not material to the determination of this application but may be the subject of further discussion between interested parties and the applicant.

Other Options Considered

222. Various schemes to improve the town centre by adding a relief road have been subject to several public consultations since 2000. During 2000 a Mobility

Management Action Area study was undertaken to review the suitability of previous proposals for improving Hucknall town centre. This study revealed wide support for a strategy to improve walking, cycling and public transport in the town centre with the principle of pedestrianising the High Street achieving support from over 80% of respondents. Subsequently, eight alternative options for the town centre were considered, including four with an inner relief road and four without. Further detailed viability assessments of the eight options reduced the number to four all of the remaining options incorporated the inner relief road. These four options were then assessed against the Government's Approach to Transport Appraisal and one scheme was selected for further public consultation in 2001. The scheme judged to give the widest benefits for pedestrianisation included the pedestrianisation of the High Street and Baker Street between Ogle Street and Watnall Road and the introduction of one-way traffic on High Street between Watnall Road and Station Road.

223. Further consideration was given to extending the pedestrianised area, however this was subsequently dismissed as impractical as a number of side streets can only be accessed from High Street. This scheme was subject to public consultation in 2001 and was considered unacceptable due to the significant adverse impact on nearby residential streets.
224. A further option was then developed with a shorter relief road, and permitting buses in a south bound direction through the High Street pedestrian area with the area of High Street between Watnall Road and Station Road remaining open to two-way traffic. Public consultation on these changes took place in 2004, which resulted in 62% of those polled not supporting the scheme, with the retention of buses in the pedestrianised area not favoured. The District Council were not supportive of the Scheme for a shortened relief road and the Scheme was dismissed.
225. Three new Scheme options were developed with ADC each including a new link road and full pedestrianisation of the High Street between Baker Street and Watnall Road. These options were discussed with stakeholders in 2006, and the favoured option was put forward for consultation in 2007 with 73% of respondents expressing support.
226. ADC approved the Hucknall Town Centre Masterplan, created by Urbed, in October 2009, setting the framework for future developments within the town centre.
227. NCC received confirmation in November 2011 that the Department for Transport would provisionally fund the majority of the proposed Hucknall Town Centre Improvement Scheme. The government is to contribute £8m to the £12m Scheme. £1.35m will come from ADC with the remaining funding coming from the County Council.

Statutory and Policy Implications

228. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment,

and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

229. None.

Financial Implications

230. None.

Equalities Implications

231. The application does not have equality implications, other than factors taken into account in highway design.

Crime and Disorder Implications

232. The proposal would give rise to direct crime and disorder issues. Unauthorised access/use of the bus only route may need to be enforced by CCTV.

Human Rights Implications

233. 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 may be affected. The proposals have the potential to introduce impacts of noise and disturbance, and loss of amenity as a consequence of increased traffic movements, on residents living close to the proposed road, and noise and disturbance, and loss of amenity to other residents that may be affected by displaced traffic taking alternative routes on the highway network. However, these considerations need to be balanced against the wider benefits the proposals would provide in bringing forward the pedestrianisation of High Street between Market Place and the junction with Watnall Road, and the potential for regeneration and environmental improvement that offers. Members will need to consider whether these benefits would outweigh the potential impacts.

Safeguarding of Children Implications

234. None.

Human Resources Implications

235. None.

Implications for Sustainability and the Environment

236. NPPF (Paragraph 11 et seq.) states a presumption in favour of sustainable development. For decision taking this means approving development that accords with the development plan without delay, and where policies are out of date, grant planning permission, unless adverse impacts would significantly and

demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole or policies indicate that development should be restricted.

Conclusions and Summary of Reasons for the Decision

237. The application has been subject of public consultation through press advertisement, site notices and neighbour notification letter, and representations received have been given consideration. In the determination of this application consideration has been given to the impact that the proposed road would have on Hucknall town centre, balancing the significance of harm to heritage assets against the wider benefits offered by the scheme, in combination with other proposals not subject of this application. The alignment of the road has historically been safeguarded from development and a grant of planning permission would assist Ashfield District Council in the delivery of regeneration proposals set out in the Hucknall Town Centre Masterplan. The new bus-link would place a sustainable mode of travel at the core of an enlarged town centre.
238. The impact of noise, both during construction and when the road in operation, has been considered. Appropriate noise mitigation is proposed and is required by planning condition. The proposed development would change the character of the area immediately adjacent to the new road, but would also enhance the streetscape. The development introduces opportunities for further development proposals, not for consideration in this application, encouraging the creation of a new urban street.
239. Impact on privacy has been considered. Whilst some areas would become more open and be over seen from the new highway, this would not be out of character with the majority of the town centre and privacy would not be so significantly harmed as to justify refusal of planning permission. Where appropriate, mitigation is proposed in the form of walls, fencing and the strategic location of planting.
240. Baker Lane Brook is known to flood and there are other flooding issues in the local area. The proposed road would be designed to an agreed discharge rate so as not to worsen flood risk. The road would also impact on the flooding regime and appropriate flood storage would be provided so as not to worsen flooding in up to a 1 in 100 year flood event (including an allowance for climate change).
241. The ecological impacts of the proposal have been considered and in addition to mitigation, post-construction surveys would be required to be undertaken to verify the presence of viable breeding white-clawed crayfish.
242. The County Council is of the opinion that the proposed development is in accordance with the National Planning Policy Framework and Ashfield Local Plan Review (2002) Policy ST1 *Development* (which will allow development that does not conflict with other policies of the Development Plan and will not adversely affect the character, quality, amenity or safety of the environment), Policy EV16 *Water Quality and Flood Protection* (which advises that development will be permitted where, amongst other criteria, it would not increase the risk of flooding and adequate provision is made for access to

watercourses for future maintenance), and ALPR Policy EV7 *Sites/Buildings Supporting Species Protected by Law* (which advises that development affecting protected species will only be permitted where provision is made within the development to minimise disturbance or new similar habitat is created in the locality), and there are no material considerations that indicate that the decision should be made otherwise. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

Statement of Positive and Proactive Engagement

243. 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 heritage impact, noise/traffic, privacy and flood risk 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

244. 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 3. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

The Planning and Licensing Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference. [NAB 29.11.13]

Comments of the Service Director - Finance

To be orally reported

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division(s) and Member(s) Affected

Hucknall Councillor John Wilmott
 Councillor John Wilkinson
 Councillor Alice Grice

Report Author / Case Officer

David Marsh

0115 9696514

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

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PPCS.DM/PB/ep5393
2 December 2013

APPENDIX 1

Residential Buildings likely to qualify under the Noise Insulation Regulations

No.	Address
4a/6a	Annesley Road
2a	Annesley Road
-	new flats, adjacent to 2a Annesley Road
-	new flats, corner of the Connery & Annesley Road
-	new flats, corner Annesley Road & Baker Street
16	Baker Street
5	Wilcocksons Yard, off Baker Street
7	Wilcocksons Yard, off Baker Street
1	The Maltings
2	The Maltings
3	The Maltings
-	Malthouse Cottage
30	Titchfield Street
32	Titchfield Street
34	Titchfield Street

36	Titchfield Street
17	Albert Street
19	Albert Street
39	Albert Street
41	Albert Street
43	Albert Street
45	Albert Street
16	Perlethorpe Drive
18	Perlethorpe Drive
36a	High Street
20	Woollaton Street
25	Woollaton Street
38	Woollaton Street
1	Thoresby Dale
2	Thoresby Dale
3	Station Road
5	Station Road
7	Station Road
20	Rovert House, Station Road
1-6	new flats, Station Terrace
7-24	new flats, Station Terrace
-	Station Hotel PH, Station Terrace

APPENDIX 2

Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by owners and occupiers of property that has been reduced in value by more than £50 by physical factors caused by the use of a new or altered road.

Physical factors are noise, vibration, smell, fumes, smoke, artificial lighting and the discharge on to the property of any solid or liquid substance.

Claims received under the Act by the Authority will firstly be validated, and then negotiation will take place to agree a settlement figure. Negotiations will be carried out either by the Authority's in house property surveyors, or by appointed commercial agents.

Claims may be made after the first anniversary of the opening of a new or altered road for a period of up to six years.

Tim Slater ARICS
Estates Surveyor

Property Management Team

NCC ENVIRONMENT & RESOURCES

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 H/JH13379/19 Rev A) received by the CPA on 2 January 2013.
- b) Proposed Site Plan (Drawing H/JH13379/28 Rev A) received by the CPA on 3 October 2013.
- c) Properties to be Demolished (Drawing H/JH13379/13 Rev A) received by the CPA on 2 January 2013.
- d) Elevations to Woollaton Street Properties (Drawing AL(0)102) received by the CPA on 15 January 2013.
- e) Cross Section Locations (Drawing H/JH13379/25 Rev A) received by the CPA on 13 August 2013.
- f) Sections (Drawing H/JH13379/26 Rev A) received by the CPA on 13 August 2013.
- g) Proposed Plan and Elevations - Bus-Link (Drawing AL(0)02) received by the CPA on 2 January 2013.
- h) Baker Lane Brook Culvert – Plan and Sections (Drawing B/JH13379/01 Rev B) received by the CPA on 13 August 2013.

- i) Baker Lane Brook Culvert – Plan and Sections (Drawing B/JH13379/02 Rev B) received by the CPA on 13 August 2013.

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

4. No development, other than works of site clearance, demolition and archaeological investigation and other works as may first be agreed in writing by the CPA, shall commence before Department for Transport funding approval has been evidenced to the CPA for the full scheme including the pedestrianisation of the High Street (Baker Street to Watnall Road).

Reason: To ensure that the proposal forms part of a wider development contributing to the regeneration of Hucknall.

5. No development shall commence before a scheme of archaeological mitigation for the site has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that suitable investigation is undertaken in order to understand the archaeological significance of the site.

6. Prior to the commencement of any works of demolition, historic structures that need to be recorded shall be identified, and the level of professional RCHME (Royal Commission on the Historical Monuments of England) recording to be undertaken, shall be submitted to and agreed in writing by the CPA. All recording shall take place in accordance with the approved details. The records of demolished historic structures shall be submitted to the CPA not later than six months following the completion of demolition of each historic structure.

Reason: To ensure that demolished historic buildings are recorded to an appropriate level.

7. No development shall commence on the construction of the road before archaeological mitigation has been carried out in accordance with details approved in compliance with Condition 5 and other conditions of this permission, shall be submitted to and approved in writing by the CPA. The scheme to be submitted shall include:

- a) identification of all archaeological features to be retained in areas of flood storage;
- b) design details (including capacity) of all areas/mechanisms of flood storage, taking account of retained archaeological features;
- c) in-channel mitigation and bank/riparian mitigation measures in accordance with the Water Framework Directive Assessment supporting the application;
- d) the design of the surface treatment/landscaping of all areas of flood

storage;

Development shall be carried out in accordance with the approved details.

Reason: In the interest of the archaeology, amenity and ecology of the site.

8. No development shall commence on the construction of the road before a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to, and approved in writing by, the CPA. The scheme shall subsequently be implemented in accordance with the approved details prior to the road approved by this permission first being brought into use, or such other timescale as may first be agreed in writing by the CPA. The scheme to be submitted shall demonstrate:

- a) The utilisation of holding sustainable drainage techniques;
- b) The limitation of surface water run-off (and significant reduction where possible) to no greater than existing runoff rates;
- c) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year flood event plus an appropriate allowance for climate change, based upon submitted drainage calculations; and
- d) Responsibility for the future maintenance of drainage features.

Reason: To prevent the increased risk of flooding in compliance with Ashfield Local Plan Review 2002 Policy EV16 Water Quality and Flood Protection; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

9. No development shall commence on the construction of the road before a scheme for any additional culverting works of a watercourse to provide conveyance for the 1 in 100 year plus climate change flood flows, plus an appropriate freeboard allowance has been submitted to, and approved in writing by, the CPA. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the CPA.

Reason: To safeguard against risk of flooding in compliance with Ashfield Local Plan Review 2002 Policy EV16 Water Quality and Flood Protection and to prevent the scheme from increasing flood risk to third parties.

10. No development shall commence on the construction of the road before a scheme to provide flood risk mitigation for the works to mitigate the flood risk

impact of the road works (supported by a detailed design hydraulic model) has been submitted to, and approved in writing by, the CPA. The scheme shall:

- a) mitigate against any increase in flood risk;
- b) incorporate all reasonably available options to reduce flood risk, in line with the Lead Local Flood Authority's Section 19 Flood Investigation;
- c) design details of floodplain compensation/flood storage areas, including operation details if required;
- d) design details of in stream mitigation, de-culverting and new open channel;
and
- e) details of future maintenance and ownership of flood risk assets.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the approved scheme, or within any other period as may subsequently be agreed in writing by the CPA.

Reason: To safeguard against risk of flooding in compliance with Ashfield Local Plan Review 2002 Policy EV16 Water Quality and Flood Protection, in order to mitigate the impact of the scheme on flood risk within Hucknall.

11. No development shall commence on the construction of the road before such time as a scheme to provide an appropriately designed trash screen for the new culvert on Baker Lane Brook has been submitted to, and approved in writing by, the CPA. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the approved scheme, or within any other period as may subsequently be agreed in writing by the CPA.

Reason: To reduce the risk of blockage impacting on flood risk to others.

12. The development hereby permitted shall not be commenced until such time as a scheme to provide access arrangements to the Baker Lane Brook has been submitted to, and approved in writing by, the CPA. The scheme shall be fully implemented and access shall be subsequently maintained, in accordance with the timing/phasing arrangements embodied within the approved scheme, or within any other period as may first be agreed, in writing, by the CPA.

Reason: To allow for essential maintenance, emergency access to remove blockages, and any future watercourse improvements.

13. Prior to the commencement of development a scheme of foul water drainage affected by the approved development shall be submitted to and approved in writing by the CPA.

Reason: To ensure the provision of a satisfactory foul drainage system.

14. Prior to each phase of development approved by this planning permission (or such other date or stage in development as may be first agreed in writing with the CPA), a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- a) a preliminary risk assessment which has identified all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
 - b) a site investigation scheme, based on a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) the results of the site investigation and detailed risk assessment referred to in b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components will require the express written consent of the CPA. Development shall be carried out in accordance with the approved details. A validation report confirming that the site has been suitably remediated shall be submitted to and approved in writing by the CPA prior to the road approved development first being brought into use.

Reason: NPPF Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF Paragraph 121).

15. If, during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has

submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the CPA. Development shall be carried out in accordance with the approved details.

Reason: NPPF Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF Paragraph 121).

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the banded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of the aggregate storage capacity of all storage containers. All filling points, vents, and sight glasses must be located within the bund. There must be no drain through the bund floor or walls.

Reason: To safeguard against pollution of groundwater.

17. Unless otherwise agreed by the CPA in writing, no tree, shrub, scrub or other vegetation clearance works shall be carried out between the months of March to August inclusive.

Reason: To avoid disturbance to birds during the breeding season.

18. Prior to the commencement of main site works at the Station Road/Ashgate Road junction, details demonstrating how:

- a) access to the tramstop, park and ride site, and railway station will be maintained during construction; and
- b) users of the cycle link on Station Terrace are to be directed to the access to the tramstop,

shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

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

19. Prior to the commencement of main site works, a noise management plan outlining how construction plant and development of the site will comply with the noise limits and guidance in BS5228-1:2009 (Code of Practice for noise and vibration control on Construction and Open Sites – Part 1:Noise) shall be

submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of nearby residents.

20. Prior to the commencement of the construction of the road, an offer of sound insulation shall be made to all persons so entitled under the provisions of The Noise Insulation Regulations 1975. Where accepted, the package of noise insulation measures shall be installed to the written satisfaction of the CPA prior to the commencement of main site works for each phase of development, or such other timescale as may first be agreed in writing with the CPA.

Reason: To safeguard the amenity of nearby residents during construction and when the road is brought into use.

21. No development shall commence before a site specific method of working during demolition and construction phases, in the form of an environmental management plan, to include:

- a) measures for the control of noise, vibration and dust emissions;
- b) a scheme for the recycling/disposal of surplus soils and waste resulting from construction; and
- c) site lighting during construction;

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

Reason: In the interest of highway safety and to protect the amenities at present enjoyed by the occupiers of nearby residential properties.

22. Prior to the commencement of development a plan and supporting information illustrating the phasing and likely duration of each phase of work, and proposals to maintain access to properties to the north of the proposed road throughout the period of construction, shall be submitted to and approved in writing by the CPA. Development shall be undertaken in accordance with the approved details unless otherwise first varied in writing by the CPA.

Reason: For the avoidance of doubt as to the development permitted and to maintain access to property throughout the period of construction.

23. Prior to the commencement of main site works for each phase of development (or in accordance with a timescale as may first be agreed with the CPA in writing) temporary noise barriers shall be installed in locations and to a specification that shall first be approved in writing by the CPA.

Reason: To reduce the impact of noise on nearby residents during the period of construction.

24. No development shall commence on the construction of the road before detailed plans of the development hereby permitted have been submitted to, and approved in writing by, the CPA in consultation with the Environment Agency which incorporate the mitigation measures listed in the Detailed Assessment section of the Hucknall TCIS Water Framework Directive Assessment dated July 2013 and the plans contained within Appendix A2.

Reason: To prevent deterioration in the ecological status of the River Leen from Source to Day Brook Water Framework Directive water body, as required by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003.

25. If development has not commenced before July 2015, an updated crayfish survey applying the same methodology as that used in the Environmental Statement supporting the application, shall be carried out and submitted to the CPA prior to the commencement of development. Prior to the commencement of development, details relating to:

- a) the protection of white-clawed crayfish during construction, to include protection of retained habitat and trapping and translocation methodology;
- b) habitat enhancement and creation works to provide mitigation for the loss of white-clawed crayfish habitat;
- c) a programme of post-construction survey to monitor the white-clawed crayfish population;
- d) a programme of post-construction surveys to monitor fish populations; and
- e) post-construction maintenance works and responsibilities

in the Baker Lane Brook shall be submitted to and approved in writing by the CPA. The methodology shall be in accordance with the strategy set out in Sections 6 and 7 of the Water Framework Directive Assessment and Sections 6.1.3d) (i)-(viii) and 6.2.3d) (i)-(iii) of the Ecological Impact Assessment (EMEC Ecology 2013) submitted in support of the application. Development shall be carried out in accordance with the approved details. The approved post-construction surveys shall be undertaken in the first two survey seasons following the road approved by this development first being brought into use. A report detailing the findings of the surveys and any required mitigation (including a timescale for the implementation of such mitigation) shall be submitted to the CPA within three months of the post-completion survey. In the event that mitigation is required, a further survey shall be carried out to monitor the effectiveness of mitigation in accordance with a timescale that shall first be approved in writing by the CPA.

Reason: In the interest of the ecology of the watercourse, to ensure that the population of white-clawed crayfish is breeding and remains viable,

and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

26. Prior to the commencement of development, the methodology including timescale for the treatment of Japanese Knotweed on the site shall be submitted to and approved in writing by the CPA. Japanese Knotweed shall be treated in accordance with the approved details.

Reason: To ensure the satisfactory treatment/eradication of Japanese Knotweed from the site.

27. No development shall commence on the construction of the road before details of landscaping and infrastructure works, sensitive to the historic setting, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To enhance the quality of an urban road that acknowledges historic significance of the location.

28. Prior to their use on site, samples of facing materials (including Bulwell stone and mortar colour) and finished surfaces, consistent with details approved in compliance with Condition 27, shall be assembled on site and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the highway.

29. Within six months of the commencement of development, a detailed scheme of landscape treatment including:

- a) a specification for the seeding of grassed areas;
- b) proposed tree planting including a specification for tree pits; and
- c) a schedule of planting maintenance;

of areas of green space within the application site in the ownership of Nottingham shire County Council, not forming part of the adopted highway, shall be submitted to and approved in writing by the CPA. The areas of green space shall be maintained in accordance with the approved details.

Reason: In the interest of the visual amenity of areas of green space adjoining the highway.

30. Within six months of the commencement of development, proposals including timescale for the provision of:

- a) opportunities for roosting bats; and

b) nesting opportunities for birds;

shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interest of the ecology of the site.

31. Prior to the new highway linking Annesley Road and Station Road opening to vehicular traffic, details of proposed signage to direct pedestrians, cyclists and vehicle users to the tramstop, park and ride site, and railway station shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To integrate different transport modes in the interest of sustainable travel.

32. Prior to the bus-only link between the new highway (linking Annesley Road and Station Road) and High Street first being brought into use, the alterations to 40 High Street and 44-46 High Street and associated landscaping works within the public realm (Drawing AL(0)02), or such other detail as may be approved by a Non-Material Amendment to the permission granted, shall be completed to the satisfaction of the CPA.

Reason: To integrate the newly created highway into the urban environment.

33. The bus-only link between the new highway (linking Annesley Road and Station Road) and High Street shall not be brought into use (in its final form) before the highway linking Annesley Road and Station Road has been fully opened to vehicular traffic. Prior to High Street being closed to vehicular traffic, the bus-only link shall be completed and opened to passenger service vehicles only, with appropriate exemptions controlled by a suitable Traffic Regulation Order, to the satisfaction of the County Planning Authority.

Reason: To protect the safe and efficient use of the link by passenger service vehicles, pedestrians, and cyclists.

34. Within twelve months of the scheme approved by this development being fully opened to vehicular traffic, unauthorised use of the bus only link (between the *inner relief road* and High Street) shall be reviewed. Should persistent or regular breaches of the movement restrictions be identified, additional traffic management measures shall be introduced to discourage such unauthorised use, in accordance with details that shall be first submitted to and approved in writing by the CPA.

Reason: To protect the safe and commodious use of the link by passenger service vehicles, pedestrians, and cyclists.

35. Within twelve months of the scheme approved by this development being fully open the traffic, vehicular traffic movement on Ogle Street, Church Street and

surrounding highways (to be agreed in consultation with the CPA) shall be measured and monitored in accordance with a methodology to be first approved in writing by the CPA. Should two-way traffic flows significantly exceed pre-scheme levels, traffic management measures (including the consideration of a one way system on Ogle Street) shall be introduced to discourage through traffic, in accordance with details that shall first be submitted to and approved in writing by the CPA.

Reason: In the interest of highway safety and the amenity of residents.

Informatives

1. Whilst not related to the proposal approved by this planning permission, with reference to Condition 4, NCC Historic Buildings Team advises that consideration should be given to assisting with the reinstatement of traditional timber shop fronts on High Street, to improve the setting of historic assets around Market Place, to reinforce the positive contribution of existing heritage assets such as the association of Lord Byron with the town, and the development of the existing visitor facility.
2. The opportunity should be taken to salvage vernacular materials from demolished buildings for use in landscaping works.
3. With reference to Condition 5, NCC Archaeology Team advises:
 - a) *At the eastern end of the scheme, at the junction of Station, Ashgate and Linby Roads, is an area which has probably seen the most intensive changes over the last 150 years. This area needs archaeological site supervision, with strip map and sample where necessary, to record the structural information uncovered by the scheme (e.g. railway works, previous structures, etc.).*
 - b) *Further south-west along Station Road, in the corner between Station Road and Ashgate Road, the new carriageway and associated amenity area are over the mill buildings some of which are present, by 1771, and could date considerably earlier. Also in this area is the site of a building identified as Manor Farm, present on Sanderson's map of 1835, which itself looks to be a successor to an earlier large building shown on the 1771 map. Manor Farm survived until relatively recently when it was replaced by a car-park; its remains are therefore likely to be relatively well preserved. Both it and its possible predecessor are of potential significance.*
 - c) *From the junction with Station Road, to the proposed roundabout at Annesley Road, the new carriageway will cut across the burgage plots shown on the 1771 map and also on Sanderson's map of 1835, and almost certainly dating from at least the 14th Century. The later, post-medieval, development of Hucknall saw these plots being used as a framework for industry and housing, much of which may have been*

subject to quite rapid change. These plots have the potential to provide a great deal of information about this change and development, from the medieval period onward, and will therefore need appropriate investigation and recording where well-preserved deposits are affected.

- d) *In a number of places along the new carriageway, the existing and previous courses of the Baker Lane Brook will be encountered. Not all of these may be anticipated at present, as there is clear evidence that the brook was being straightened and carefully managed from an early date. The right-angled turn of the watercourse parallel with Titchfield Street is surprisingly early, not present on the 1771 map, but is clearly there by Sanderson's map of 1835. The irregularity of the plots on either side of the water-course shown on the 1771 map does intend to suggest that control of the water course, and possible areas for mill-ponds was a consideration in the parcelling of the land. There are traces of structures along the Brook which warrant careful recording and investigation, and the potential for sections of earlier courses of the Brook (and attendant structures), to exist anywhere along the new carriageway, particularly at the Western end of the scheme. This entire stretch of the scheme will need detailed archaeological supervision with provision for detailed investigation and recording where required.*
- e) *Around the area of Mill Yard there is further considerable potential for remains of Mill buildings over a range of dates. Early water mills can be associated with very considerable engineering works, which tend to be modified and built over, rather than being removed. This area is highly likely to require strip map and record.*
- f) *The area to the East of the Church is shown on the 1771 map as containing a number of buildings in relatively small plots. The scheme would appear to fall short of the buildings themselves, but their presence alerts to the possibility that this area contains an early focus of settlement, so that improvements to Baker Street might uncover a few unexpected islands of surviving, early, archaeological deposits. Again works in this area will need to be watched under archaeological supervision, with provision for detailed investigation and recording where required.*

The archaeological advice can be refined once geotechnical and other site works have been completed and the details of construction methods have been refined.

4. With reference to Condition 6, advice on the historic structures that need to be recorded can be obtained from NCC Built Heritage Team.
5. Severn Trent Water Ltd advises the applicant that there are public sewers crossing the site. With reference to drainage conditions (Conditions 7-13), Ashfield District Council encourages that the potential for a new drainage pipe running from Ogle Street to Ashgate Road to be considered. Such a pipe could

take highway drainage and excess flow from the Baker Lane Brook, thus reducing volume in the brook and the combined sewer.

6. With reference to Conditions 8-12 and Conditions 24-25, the Environment Agency advise that:
 - a) under the terms of the Water Resources Act 1991, and the Midlands Land Drainage Byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Baker Lane Brook, designated a 'main river'.
 - b) the erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local Flood Authority which in this instance is Nottinghamshire County Council. It is advised to discuss proposals for any works with them at an early stage.
 - c) in order to avoid any detrimental impacts to the white-clawed crayfish population, there will need to be constant flow of water through the retained Titchfield Street culvert, and the culvert invert must be in continuity with the bed of the watercourse to ensure that no specimens become trapped within the structure. Ideally the old culvert should be removed in favour of a more natural channel with refugia provided, such as boulders or large cobbles, to benefit the native crayfish population.
7. With reference to Condition 20, it is advised that the baseline noise measurements are updated at least six months prior to the commencement of road construction works to ensure that suitably updated information is used in the determination of claims submitted pursuant to Part 1 of the Land Compensation Act 1973.
8. With reference to Condition 21, it is advised that the Environment Management Plan must demonstrate the use of best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
 - a) contacts and responsibilities (including site management and community responsibility);
 - b) arrangements for liaison with Ashfield District Council Environmental Protection Team;
 - c) schedule of works;
 - d) hours of work and procedure for variation of normal working hours;
 - e) management of construction noise and vibration;
 - f) management of dust and emissions in accordance with guidelines produced by British Research Establishment 2003, the Greater London Authority 2006, and considerate contractor schemes;

- g) construction lighting (including hours of operation);
 - h) waste;
 - i) contaminated land;
 - j) demolition method statement;
 - k) emergency contacts and response;
 - l) complaints management;
 - m) environmental monitoring and inspection; and
 - n) incident reporting and corrective actions.
9. Ashfield District Council advises that the streets linking High Street and the new road should be treated as part of the highway works to High Street, including Titchfield Street, Albert Street and Watnall Road and should be designed as part of an integrated public realm. The creation of well-defined public realm spaces should be explored.
10. With reference to Condition 29, consideration should be given to retaining and adding tree replacements in the historic core in order to help to soften the impact of the road scheme, and the appreciation of the listed buildings.
11. With reference to Condition 31, the footpath between the NET station and the town centre is an important element of the scheme. Environmental improvement works along the route should be considered in order to provide an appropriate gateway to the town. Further discussions should take place with Ashfield District Council.
12. Related to Condition 34, Ashfield District Council advises that a monitoring schedule should be prepared that reviews breaches of unauthorised use of the pedestrianised zone (High Street). Vehicular access should be prohibited other than by vehicles servicing or delivering to properties that cannot be accessed from elsewhere.